



**Planning Committee**

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

**Tuesday, May 8, 2018  
4:00 p.m.**

Pg. #      ITEM

MINUTES

**PLN-6**      *Motion to adopt the **minutes** of the meeting of the Planning Committee held on April 17, 2018.*



NEXT COMMITTEE MEETING DATE

May 23, 2018, (tentative date) at 4:00 p.m. in the Anderson Room

COMMUNITY SERVICES DIVISION

1. **HOUSING AGREEMENT BYLAW NO. 9854 TO PERMIT THE CITY OF RICHMOND TO SECURE AFFORDABLE HOUSING UNITS AT 8511 CAPSTAN WAY AND 3360 NO. 3 ROAD (CONCORD PACIFIC)**  
(File Ref. No. 08-4055-01; 12-8060-20-009854) (REDMS No. 5750265 v. 2)

**PLN-12**

**See Page PLN-12 for full report**

*Designated Speaker: Joyce Rautenberg*

STAFF RECOMMENDATION

*That Housing Agreement (8511 Capstan Way and 3360 No.3 Road) Bylaw No. 9854 be introduced and given first, second and third readings to permit the City to enter into a Housing Agreement substantially in the form attached hereto, in accordance with the requirements of section 483 of the Local Government Act, to secure the Affordable Housing Units required by the Rezoning Application RZ 17-769242.*



PLANNING AND DEVELOPMENT DIVISION

2. **APPLICATION BY THE RICHMOND HOSPITAL/HEALTHCARE AUXILIARY FOR A HERITAGE ALTERATION PERMIT AT 3711 AND 3731 CHATHAM STREET**

(File Ref. No. HA18-818536) (REDMS No. 5816205)

PLN-39

See Page PLN-39 for full report

*Designated Speaker: Wayne Craig*

STAFF RECOMMENDATION

*That a Heritage Alteration Permit which would permit the construction of a new concrete foundation for the protected heritage building at 3711 and 3731 Chatham Street be issued.*



3. **APPLICATION BY ORIS DEVELOPMENTS (HAMILTON) CORP. FOR REZONING AT 23200 GILLEY ROAD (PARCEL 1 HAMILTON VILLAGE) FROM “COMMUNITY COMMERCIAL (CC)” ZONE TO “RESIDENTIAL / LIMITED COMMERCIAL (ZMU35) – NEIGHBOURHOOD VILLAGE CENTRE (HAMILTON)” ZONE**

(File Ref. No. 12-8060-20-009764; RZ 16-754305) (REDMS No. 5811449 v. 3)

PLN-63

See Page PLN-63 for full report

*Designated Speakers: Wayne Craig and Mark McMullen*

STAFF RECOMMENDATION

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9764, to create the “Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)” zone, and to rezone 23200 Gilley Road from “Community Commercial (CC)” to “Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)”, be introduced and given first reading.*



4. **APPLICATION BY BENE RICHMOND DEVELOPMENT LTD. FOR REZONING AT 6560, 6600, 6640 AND 6700 NO. 3 ROAD FROM "DOWNTOWN COMMERCIAL (CDT1)" TO "HIGH DENSITY MIXED USE (ZMU36) – BRIGHOUSE VILLAGE (CITY CENTRE)"**  
(File Ref. No. 12-8060-20-009855; RZ 15-694855) (REDMS No. 5794819)

PLN-140

[See Page PLN-140 for full report](#)

*Designated Speakers: Wayne Craig and Janet Digby*

STAFF RECOMMENDATION

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9855, to create the “High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)” zone, and to rezone 6560, 6600, 6640 and 6700 No. 3 Road from “Downtown Commercial (CDT1)” to “High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)”, be introduced and given first reading.*



5. **RECENT DECISION BY THE EXECUTIVE COMMITTEE OF THE AGRICULTURAL LAND COMMISSION ON AGRICULTURAL LAND RESERVE APPLICATION FOR NON-FARM USE BY SANSTOR FARMS LTD. AT 14671 WILLIAMS ROAD**  
(File Ref. No. AG 16-734186) (REDMS No. 5816224)

PLN-196

[See Page PLN-196 for memorandum](#)

*Designated Speaker: Wayne Craig*



6.      **SECONDARY SUITES IN DUPLEXES**

(File Ref. No. 12-8060-20-009865; 08-4100-01) (REDMS No. 5627478 v. 2)

PLN-239

See Page PLN-239 for full report

*Designated Speaker: Wayne Craig*

**STAFF RECOMMENDATION**

- (1) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9865, to allow secondary suites as a permitted use in standard two-unit dwelling (duplex) zones, be introduced and given first reading;*
- (2) *That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9864, to allow secondary suites as a permitted use in arterial road duplexes, be introduced and given first reading;*
- (3) *That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9864, having been considered in conjunction with:*
  - (a) *the City's Financial Plan and Capital Program; and*
  - (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;**is hereby found to be consistent with the said programs and plans, in accordance with Section 477(3)(a) of the Local Government Act;*
- (4) *That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9864, having been considered in accordance with Section 475 of the Local Government Act and the City's Official Community Plan Bylaw Preparation Consultation Policy 5043, is found not to require further consultation;*
- (5) *That upon submission of a Building Permit application for construction of a secondary suite in a two-unit dwelling (duplex), staff is authorized to discharge any restrictive covenants on title limiting the use of the property to a maximum of two dwelling units; and*
- (6) *That Council Policy 5042 "Rezoning Applications for Two-Family Housing Districts – Involving Existing Non-Conforming Two-family Dwellings" adopted March 29, 2005, be amended to remove the requirement for the registration of a legal agreement limiting the use of the property to a maximum of two dwelling units.*





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ITEM

7. **MANAGER'S REPORT**

ADJOURNMENT





## Planning Committee

Date: Tuesday, April 17, 2018  
Place: Anderson Room  
Richmond City Hall  
Present: Councillor Linda McPhail, Chair  
Councillor Bill McNulty  
Councillor Chak Au  
Councillor Harold Steves  
Absent: Councillor Alexa Loo  
Also Present: Councillor Carol Day  
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 April 4, 2018, be adopted as circulated.*

**CARRIED**

### AGENDA ADDITIONS

The Chair advised that Signs for Rezoning and Development projects will be considered as Item No. 4A and Airport Restrictions to Height be considered as Item No. 4B.

**Planning Committee**  
**Tuesday, April 17, 2018**

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**PLANNING AND DEVELOPMENT DIVISION**

**1. APPLICATION BY KANARIS DEMETRE LAZOS FOR A HERITAGE ALTERATION PERMIT AT 12111 3RD AVENUE (STEVESTON HOTEL)**

(File Ref. No. HA 18 - 804880) (REDMS No. 5794211)

Minhee Park, Planner 2, reviewed the application, noting that replacement of the second storey windows to vinyl framed double pane windows is proposed. Also, it was noted that there is no restoration plan for the building.

It was moved and seconded

*That a Heritage Alteration Permit be issued which would permit the removal of decorative shutters and the replacement of all the upper-storey windows of the protected heritage property at 12111 3rd Avenue, be issued.*

**CARRIED**

**2. APPLICATION BY RAV BAINS FOR REZONING AT 3991/3993 LOCKHART ROAD FROM "SINGLE DETACHED (RS1/E)" TO "SINGLE DETACHED (RS2/B)"**

(File Ref. No. 12-8060-20-009852, RZ 17-774722) (REDMS No. 5750684)

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9852, for the rezoning of 3991/3993 Lockhart Road from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.*

**CARRIED**

**3. APPLICATION BY MATTHEW CHENG ARCHITECT INC. FOR REZONING AT 8280/8282 AND 8300/8320 NO. 3 ROAD FROM "TWO-UNIT DWELLINGS (RD1)" TO "LOW DENSITY TOWNHOUSES (RTL4)"**

(File Ref. No. 12-8060-20-009856, RZ 16-733565) (REDMS No. 5788183)

Wayne Craig, Director, Development and Edwin Lee, Planner 1, spoke on the proposed development, noting that (i) the proposed development will include one secondary suite, (ii) a new driveway is proposed along the south property line on No. 3 Road, (iii) a Statutory Right-of-Way (SRW) on the driveway and internal drive aisle will be secured to allow for access to future potential redevelopment in adjacent sites to the north and south, and (iv) each unit will have two parking spaces and the application complies with the City's parking requirements.

**Planning Committee**  
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It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9856, for the rezoning of 8280/8282 and 8300/8320 No. 3 Road from "Two-Unit Dwellings (RD1)" to "Low Density Townhouses (RTL4)", be introduced and given first reading.*

**CARRIED**

**4. PROPOSED CITY RESPONSE TO STRATA REDEVELOPMENT**

(File Ref. No. 08-4057-00) (REDMS No. 5772450 v. 10)

In reply to queries from Committee, staff noted that (i) the 80% threshold vote by registered owners to wind-up a strata plan is regulation put in place by the Province, (ii) British Columbia Supreme Court review is required to wind-up a strata plan for strata corporations with five or more units, and (iii) staff are recommending that the City commence the processing of development applications for sites previously occupied by a stratified multiple family residential building only when the Supreme Court review and any potential appeals have concluded and confirmed, or for strata corporations with less than five units, unanimous support from owners are expressed.

Discussion ensued with regard to the potential loss of affordable housing and options to reduce the displacement of residents.

It was moved and seconded

- (1) *That the staff report titled "Proposed City Response to Residential Strata Redevelopment" dated April 5, 2018, from the Manager, Policy Planning be received for information;*
- (2) *That staff be directed to only commence processing development applications for sites occupied by a pre-existing multiple-family residential strata building where there is a written record of the Supreme Court ruling confirming wind-up of the strata corporation, or where there is a written record of 100% support from all owners of a strata with fewer than 5 units, and, in either case, where information is provided related to the building's condition and confirmation has been provided on the developer's relocation assistance to any owner not in support of the strata wind-up; and*
- (3) *That a letter be sent to the Premier of British Columbia, and the Minister of Municipal Affairs and Housing, with copies to all Richmond Members of the Legislative Assembly, and the Leader of the Third Party, and the Leader of the Official Opposition, requesting that the Province review the provisions of Bill 40 which enables wind-up of a strata corporation with less than unanimous support from strata owners.*

**CARRIED**

**Planning Committee**  
**Tuesday, April 17, 2018**

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**4A. SIGNS FOR REZONING AND DEVELOPMENT PROJECTS**

(File Ref. No.)

Information on signage for rezoning and development projects was distributed (attached to and forming part of these minutes as Schedule 1).

Discussion ensued with regard to improving the signs for rezoning and development projects, and as a result, the following **referral** was introduced:

It was moved and seconded

*That staff look at improving signs for rezoning and development projects that will communicate the projects better, hopefully increase neighbourhood engagement and enhance upon the ways the City connects with citizens.*

**CARRIED**

**4B. AIRPORT RESTRICTIONS TO HEIGHT**

(File Ref. No.)

Discussion ensued with regard to building height regulations for the city centre area.

**5. MANAGER'S REPORT**

None.

**ADJOURNMENT**

It was moved and seconded

*That the meeting adjourn (4:26 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, April 17, 2018.

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Councillor Linda McPhail  
Chair

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Evangel Biason  
Legislative Services Coordinator

Apr. 17, 2018

Refer to staff - to look at improving signs for rezoning and development projects that will communicate the projects better, hopefully increase neighbourhood engagement and enhance upon the ways the City connects with citizens.

From the City of Vancouver

<http://vancouver.ca/news-calendar/new-improved-development-signage.aspx>

*The Engaged City Task Force told us that signs for rezoning and development projects need an overhaul. Our current signs use small fonts and overly technical language. This makes it hard to inform you about potential changes in your neighbourhood and to encourage your feedback.*

The new development project signs communicate projects better. They feature:

- Easy-to-understand language and details
- Improved visuals (a sketch and site map)
- Information on how residents you can give input online or in person

Examples of the old – similar to our current signs

## REZONING AND DEVELOPMENT PERMIT APPLICATION

### 720-730 East Hastings Street (DE416884)

CitySpaces Consulting Ltd., on behalf of Vancouver Public Library and YWCA Metro Vancouver, has applied to the City of Vancouver to rezone 720-730 East Hastings Street from M-1 (Industrial) District to CD-1 (Comprehensive Development) District. The proposal is for a 6 storey mixed use building including:

- a 1,096 m<sup>2</sup> (11,800 sq. ft.) space for a new Vancouver Public Library (VPL) Downtown Eastside / Strathcona Branch, on level 1 and part of level 2;
- a 316 m<sup>2</sup> (3,400 sq. ft.) YWCA community programming space on level 2;
- 21 YWCA supported housing units on levels 3-6;
- a proposed total floor space of 3,939 m<sup>2</sup> (42,400 sq. ft.);
- a proposed floor space ratio (FSR) of 3.3; and
- underground parking, including 36 bicycle parking stalls and 12 parking stalls.

**FURTHER INFORMATION MAY BE OBTAINED AT:**  
City of Vancouver Planning Department  
Rezoning Centre - City Hall East Wing (3rd Floor)  
Phone: 604.873.7038 | E-mail: [rezoning@vancouver.ca](mailto:rezoning@vancouver.ca)  
Website: [vancouver.ca/rezapps](http://vancouver.ca/rezapps)  
Or by contacting the applicant: CitySpaces Consulting, 604.687.2281

**PUBLIC HEARING  
NOT YET SCHEDULED**

This sign has been posted by the applicant in accordance with the advice of the Director of Planning.

Site Surrounding Zoning  
720 E Hastings Street



Example of new signage

## DEVELOPMENT PROPOSAL

720-730 E Hastings Street

**PROPOSAL:** To rezone and develop a 6-storey building with:

- Downtown Eastside/Strathcona Library Branch on the main floor
- YWCA programming space on second floor
- 21 YWCA housing units on levels 3 to 6

**APPLICANT:** CitySpaces Consulting Ltd. on behalf of Vancouver Public Library and YWCA Metro Vancouver



Proposed sketch of building

**For more info**  
visit us at:  
[vancouver.ca/rezapps](http://vancouver.ca/rezapps)  
or Call 3-1-1

?

City of Vancouver  
Planning Centre  
City Hall, East Wing (3rd Floor)  
ph: 604-873-7018



Site location

LEARN MORE

**Open House:**  
Strathcona Community Centre  
601 Keefer Street, Activity Room  
Thursday, June 20  
4:30pm - 7:30pm

## REZONING APPLICATION

**1837-1857 East 11th Avenue and 2631-2685 Victoria Drive**

REVISED APPLICATION JUNE 2017


To rezone this site to permit the development of a 10-storey residential building with a 6-storey residential podium.

The proposal includes:


- 144 units (76 secured market rental residential units and 68 strata units);
- Relocation and designation of a Vancouver Heritage Register category "B" heritage house;
- A proposed floor space ratio (FSR) of 3.59;
- A building height of 31.5 m (103.4 ft.); and
- 117 underground parking spaces.

This application is being considered under the Grandview-Woodland Community Plan

**APPLICANT:** Perkins+Will Canada  
1220 Homer St  
Vancouver, BC



PROPOSED DEVELOPMENT



LOCATION

What's happening:

Revised rezoning application submitted on June 20, 2017

Application review by City staff


Open House:  
Wednesday, July 5, 2017, 5-7:30 pm  
Croatian Cultural Centre  
3250 Commercial Dr, Vancouver

Further application review

Public Hearing:  
Information to come

Decision by Council

For more information:  
[vancouver.ca/rezapps](http://vancouver.ca/rezapps)  
or phone 3-1-1

  
 CITY OF VANCOUVER





# City of Richmond

## Report to Committee

**To:** Planning Committee **Date:** April 16, 2018  
**From:** Kim Somerville  
Manager, Community Social Development **File:** 08-4055-01/2018-Vol  
01  
**Re:** **Housing Agreement Bylaw No. 9854 to Permit the City of Richmond to Secure Affordable Housing Units at 8511 Capstan Way and 3360 No. 3 Road (Concord Pacific)**

### Staff Recommendation

That Housing Agreement (8511 Capstan Way and 3360 No. 3 Road) Bylaw No. 9854 be introduced and given first, second and third readings to permit the City to enter into a Housing Agreement substantially in the form attached hereto, in accordance with the requirements of section 483 of the *Local Government Act*, to secure the Affordable Housing Units required by the Rezoning Application RZ 17-769242.

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

Att. 2

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



## Staff Report

### Origin

The purpose of this report is to recommend that Council adopt Housing Agreement Bylaw No. 9854 (Attachment 1) to secure approximately 2,191 m<sup>2</sup> (23,583 ft<sup>2</sup>) or 29 affordable housing units in the proposed development located at 8511 Capstan Way and 3360 No. 3 Road (Attachment 2).

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 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 also supports the Social Development Strategy Goal #1: Enhance Social Equity and Inclusion:

*Strategic Direction #1: Expand Housing Choices*

This report and bylaw are consistent with the 2007 Richmond Affordable Housing Strategy, which specifies the creation of affordable low end market rental units as a key housing priority for the City. The rezoning application was submitted on April 12, 2017 and is grandfathered under the previous 2007 Affordable Housing Strategy, which requires the developer to secure 5% of the total residential floor area as low-end market rental units.

The applicant, GBL architects on behalf of Concord Pacific Ltd., applied to rezone 8511 Capstan Way and 3360 No. 3 Road from Auto-Oriented Commercial (CA), Gas & Service Stations (CG1), Roadside Stand (CR) and Single Detached (RS1/F) to "Residential/Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) – Capstan Village (City Centre)" and "School and Institutional Use (SI)", in order to construct a high density, mixed-use development including a total of 533 dwelling units (43,819m<sup>2</sup> or 471, 658ft<sup>2</sup>), which is inclusive of 29 low-end market rental (LEMR) units (2,191m<sup>2</sup> or 23,583ft<sup>2</sup>). The subject development will consist of two separate buildings located near a new City-owned park (under construction) and the future Capstan Canada Line Station. The LEMR units will be located in both buildings with 12 units in the east building and 17 units in the west building.

On January 22, 2018, the rezoning application received third reading at Public Hearing (RZ 17-769242). The proposed Housing Agreement Bylaw for the subject development (Bylaw No. 9854) is presented as attached. It is recommended that the Bylaw be introduced and given first,

second and third reading. Following adoption of the Bylaw, the City will be able to execute the Housing Agreement and arrange for notice of the agreement to be filed in the Land Title Office.

### Analysis

The subject rezoning application involves a development consisting of approximately 504 market dwelling units and 29 affordable rental housing units. The affordable housing units anticipated to be delivered are as follows:

Figure 1: Affordable Housing Units

Unit Type	Affordable Housing Strategy Requirements			Basic Universal Housing	Project Targets (2)
	Min. Permitted Unit Area	Max. Monthly Unit Rent (1)	Total Max. Household Income (1)		# of Units
1-BR	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$34,650 or less	11	11
2- BR	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less	11	11
3-BR	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480	\$58,050 or less	7	7
<b>TOTAL</b>	<b>2,190.9 m<sup>2</sup> (23,583.0 ft<sup>2</sup>)</b>			<b>29</b>	<b>29</b>

The Housing Agreement restricts the annual household incomes for eligible occupants and specifies that the units must be made available at low-end market rental rates in perpetuity. The Housing Agreement also specifies that occupants of the affordable housing units shall have unlimited access to all on-site indoor and outdoor amenity spaces as well as the required affordable housing parking spaces. There will be no additional charges to the tenants above the maximum rents (e.g. administrative, move in fees). 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 29 affordable rental housing units.

### Financial Impact

None.

### Conclusion

In accordance with the *Local Government Act* (Section 483), adoption of Bylaw No. 9854 is required to permit the City to enter into a Housing Agreement which together with the housing covenant will act to secure 29 affordable rental units that are proposed in association with Rezoning Application RZ 17-769242.



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

Att. 1: Bylaw No. 9854, Schedule A  
2: Map of Subject Property



**Housing Agreement (8511 Capstan Way & 3360 No. 3 Road) Bylaw No.  
9854**

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 located at 8511 Capstan Way & 3360 No. 3 Road and legally described as:

PID: 004-838-254

LOT 1 EXCEPT PORTIONS IN PLANS  
76290 AND LMP47234 SECTION 28 BLOCK  
5 NORTH RANGE 6 WEST NEW  
WESTMINSTER DISTRICT PLAN 72421

PID: 024-898-899

LOT 3 SECTION 28 BLOCK 5 NORTH  
RANGE 6 WEST NEW WESTMINSTER  
DISTRICT PLAN LMP4771

2. This Bylaw is cited as **"Housing Agreement (8511 Capstan Way & 3360 No. 3 Road) Bylaw No. 9854"**.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

\_\_\_\_\_  
MAYOR

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

Schedule A



To Housing Agreement (8511 Capstan Way & 3360 No. 3 Road) Bylaw No. 9854

HOUSING AGREEMENT BETWEEN SUN TECH CITY DEVELOPMENT CORP., INC.  
AND THE CITY OF RICHMOND

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

**THIS AGREEMENT** is dated for reference \_\_\_\_\_, 2018,

**BETWEEN:**

**Sun Tech City Development Corp. (Inc. No. BC0533040)**, a corporation pursuant to the *Business Corporations Act* and having an address at 900 – 1095 West Pender Street, Vancouver, British Columbia, V6K 1M6

(the “**Owner**”)

**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**”)

**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 registered owner of the Lands (as hereinafter defined); and
- C. The Owner and the City wish to enter into this Agreement (as hereinafter defined) to provide for affordable housing on the terms and conditions set out in this Agreement.

**NOW THEREFORE** 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:

Housing Agreement (Section 483 *Local Government Act*) [Parent Parcels comprising Lot 1 East and Lot 2 West]  
Concord Pacific/Sun Tech – Capstan Way Project  
Rezoning Application No. RZ 17-769242  
Rezoning Conditions No. 15  
V.3

**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 Units charged by this Agreement;
- (c) **"Agreement"** means this agreement together with all schedules, attachments and priority agreements attached hereto;
- (d) **"Building Permit"** means the building permit(s) authorizing construction on the Lands, or any portion(s) thereof;
- (e) **"City"** means the City of Richmond;
- (f) **"Commercial Tenants"** means the owners, tenants and employees of businesses and non-residential spaces located on the Lands, including employees and/or contractors working for the benefit of the Affordable Housing Units, but excluding businesses carried out within a Dwelling Unit, and excluding residents or occupants of Dwelling Units;
- (g) **"CPI"** means the All-Items Consumer Price Index for Canada 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 the high-rise, high-density, mixed-use development to be constructed on the Lands, with the expansion of an existing City-owned neighbourhood park, in the City Centre's Capstan Village area;

- (j) **“Development Permit”** means development permit number DP 17-787403 and/or any other development permit authorizing development on the Lands or any portion(s) thereof;
- (k) **“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;
- (l) **“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;
- (m) **“East Lot”** means Lot 1 Section 28 Block 5 North Range 6 West New Westminster District Plan EPP80548 to be created by the subdivision of the Lands in accordance with the rezoning considerations applicable to the Development;
- (n) **“Eligible Tenant”** means a Family having a cumulative annual income of:
  - (i) in respect to a bachelor unit, \$34,650 or less;
  - (ii) in respect to a one-bedroom unit, \$38,250 or less;
  - (iii) in respect to a two-bedroom unit, \$46,800 or less; or
  - (iv) in respect to a three or more bedroom unit, \$58,050 or less,

provided that, commencing January 1, 2019, the annual incomes set-out above shall be adjusted annually on January 1<sup>st</sup> of each year this Agreement is in force and effect, by a percentage equal to the percentage of the increase in the CPI for the period January 1 to December 31 of the immediately preceding calendar year. If there is a decrease in the CPI for the period January 1 to December 31 of the immediately preceding calendar year, the annual incomes set-out above for the subsequent year shall remain unchanged from the previous year. In the absence of obvious error or mistake, any calculation by the City of an Eligible Tenant’s permitted income in any particular year 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 Covenants"** means the agreements, covenants and charges granted by the Owner to the City (which includes covenants pursuant to Section 219 of the *Land Title Act*) charging the East Lot and the West Lot, dated for reference \_\_\_\_\_, 2018, and registered under numbers CA \_\_\_\_\_ and CA \_\_\_\_\_, respectively, as it may be amended or replaced from time to time;
- (q) **"Interpretation Act"** means the *Interpretation Act*, R.S.B.C. 1996, Chapter 238, together with all amendments thereto and replacements thereof;
- (r) **"Land Title Act"** means the *Land Title Act*, R.S.B.C. 1996, Chapter 250, together with all amendments thereto and replacements thereof;
- (s) **"Lands"** means, collectively:
  - (i) PID: 004-838-254 - Lot 1 Except Portion in Plans 76290 and LMP47234 Section 28 Block 5 North Range 6 west New Westminster District Plan 72421; and
  - (ii) PID: 024-898-899 - Lot 3 Section 28 Block 5 North Range 6 West New Westminster District Plan LMP47718;
- (t) **"Local Government Act"** means the *Local Government Act*, R.S.B.C. 2015, Chapter 1, together with all amendments thereto and replacements thereof;
- (u) **"LTO"** means the New Westminster Land Title Office or its successor;
- (v) **"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;
- (w) **"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;
- (x) **"Permitted Rent"** means no greater than:
  - (i) \$811.00 a month for a bachelor unit;
  - (ii) \$975.00 a month for a one-bedroom unit;
  - (iii) \$1,218.00 a month for a two-bedroom unit; and
  - (iv) \$1,480.00 a month for a three (or more) bedroom unit,



provided that, commencing January 1, 2019, the rents set-out above shall be adjusted annually on January 1<sup>st</sup> of each year this Agreement is in force and effect, by a percentage equal to the percentage of the increase in the CPI for the period January 1 to December 31 of the immediately preceding calendar year. In the event that, in applying the values set-out above, the rental increase is at any time greater than the rental increase permitted by the *Residential Tenancy Act*, then the increase will be reduced to the maximum amount permitted by the *Residential Tenancy Act*. If there is a decrease in the CPI for the period January 1 to December 31 of the immediately preceding calendar year, the permitted rents set-out above for the subsequent year shall remain unchanged from the previous year. In the absence of obvious error or mistake, any calculation by the City of the Permitted Rent in any particular year shall be final and conclusive;

- (y) **"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;
- (z) **"Residential Tenancy Act"** means the *Residential Tenancy Act*, S.B.C. 2002, Chapter 78, together with all amendments thereto and replacements thereof;
- (aa) **"Strata Property Act"** means the *Strata Property Act* S.B.C. 1998, Chapter 43, together with all amendments thereto and replacements thereof;
- (bb) **"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*;
- (cc) **"Tenancy Agreement"** means a tenancy agreement, lease, license or other agreement granting rights to occupy an Affordable Housing Unit;
- (dd) **"Tenant"** means an occupant of an Affordable Housing Unit by way of a Tenancy Agreement; and
- (ee) **"West Lot"** means Lot 2 Section 28 Block 5 North Range 6 West New Westminster District Plan EPP80548 to be created by the subdivision of the Lands in accordance with the rezoning considerations applicable to the Development.

## 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

Housing Agreement (Section 483 *Local Government Act*) [Parent Parcels comprising Lot 1 East and Lot 2 West]  
Concord Pacific/Sun Tech – Capstan Way Project  
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V.3

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 The Owner agrees that notwithstanding that the Owner may otherwise be entitled, the Owner will not:
  - (a) be issued with a Development Permit for the East Lot or West Lot, as applicable, unless the Development Permit includes the Affordable Housing Units;
  - (b) be issued with a Building Permit (except for a Building Permit for parking intended as an ancillary use to non-parking uses) for the East Lot or the West Lot, as applicable, unless the Building Permit includes those Affordable Housing Units to be constructed as part of the Development on the East Lot or West Lot, as applicable, in accordance with the Development Permit; and
  - (c) occupy, nor permit any person to occupy any Dwelling Unit or any portion of any building (except for parking), in part or in whole, constructed on the East Lot or the West Lot, as applicable, and the City will not be obligated to permit occupancy of any Dwelling Unit or building (except for parking) constructed on the East Lot or the West Lot, as applicable, until all of the following conditions are satisfied:
    - (i) the Affordable Housing Units and related uses and areas have been constructed on the East Lot or the West Lot, as applicable, to the satisfaction of the City;
    - (ii) the Affordable Housing Units on the East Lot or the West Lot, as applicable, have received final building permit inspection granting occupancy; and
    - (iii) the Owner is not otherwise in breach of any of its obligations under this Agreement or any other agreement between the City and the Owner in connection with the development of the Lands.

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

- 3.1 The Owner may sub-contract the operation and management of the Affordable Housing Units to a qualified and reputable non-profit provider of affordable housing, provided that any such subcontract and non-profit affordable housing provider is pre-approved by the Manager, Community Social Development or other authorized City personnel, in their sole discretion.
- 3.2 The Owner will not permit an Affordable Housing Unit Tenancy Agreement to be subleased or assigned, except where the Owner believes, acting reasonably, that refusing to consent to a sublease or assignment would be a breach of its obligations under the *Residential Tenancy Act* (British Columbia), and provided such sublease or assignment is to an Eligible Tenant.
- 3.3 If this Housing Agreement encumbers more than one Affordable Housing Unit, then the Owner may not, without the prior written consent of the City Solicitor, sell or transfer less than five (5) Affordable Housing Units 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.
- 3.4 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.
- 3.5 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 of an Affordable Housing Unit on the East Lot and any permitted occupant and visitor to have full access to and use and enjoy all on-site common indoor and outdoor amenity spaces on the East Lot and will allow the Tenant of an Affordable Housing Unit on the West Lot and any permitted occupant and visitor to have full access to and use and enjoy all on-site common indoor and outdoor amenity spaces on the West Lot (except, for greater certainty, the bicycle storage rooms and end-of-trip cycling facilities on the West Lot reserved for the exclusive use of Commercial Tenants), all in accordance with the bylaws and rules and regulations of the applicable strata corporation, provided

Housing Agreement (Section 483 *Local Government Act*) [Parent Parcels comprising Lot 1 East and Lot 2 West]  
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that such bylaws and rules and regulations of the applicable strata corporation do not conflict with Article 5 of this Agreement;

- (d) if the Owner elects, in its sole, absolute and unfettered discretion, to provide for the sharing of any on-site common indoor and/or outdoor amenity spaces between the East Lot and the West Lot, then the Tenant of an Affordable Housing Unit, and any permitted occupant and visitor thereof, will have full access to and use and enjoyment of such shared on-site common indoor and/or outdoor amenity spaces on the same terms and conditions as the owners, tenants or other permitted occupants of the Dwelling Unit(s) which benefit from such sharing, but which are not Affordable Housing Units, all in accordance with the bylaws and rules and regulations of the applicable strata corporation(s), provided that such bylaws and rules and regulations of the applicable strata corporation(s) do not conflict with Article 5 of this Agreement;
- (e) the Owner will not require the Tenant or any permitted occupant of an Affordable Housing Unit to pay any:
  - (i) move-in/move-out fees, strata fees, strata property contingency reserve fees; or
  - (ii) extra charges or fees for:
    - (A) the use of that 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, which the Owner is required pursuant to the Development Permit or any agreement with the City to make available to the Tenant or permitted occupants of an Affordable Housing Unit (for greater certainty, whether on an exclusive or shared basis); or
    - (B) sanitary sewer, storm sewer, water, other utilities, property or similar tax,

provided, however, that if the Affordable Housing Unit is a strata unit and the following costs are not part of strata or similar fees, an Owner may charge the Tenant the Owner's cost, if any, of providing cable television, telephone, other telecommunications, gas, or electricity fees, charges or rates;

- (f) the Owner will attach a copy of this Agreement to every Tenancy Agreement;
- (g) 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;

- (h) 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(m) 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, without the prior written consent of the Owner,

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 3.5(g)(ii) of this Agreement [*Termination of Tenancy Agreement if Annual Income of Tenant rises above amount prescribed in section 1.1(m) 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 3.5(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;

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

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

**ARTICLE 5  
STRATA CORPORATION BYLAWS**

- 5.1 Subject to discharge in accordance with Section 7.1(c), 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 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 a Housing Covenant, 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 a Housing Covenant shall also constitute a default under this Agreement.

## **ARTICLE 7 MISCELLANEOUS**

### **7.1 Housing Agreement**

The Owner acknowledges and agrees that:

Housing Agreement (Section 483 *Local Government Act*) [Parent Parcels comprising Lot 1 East and Lot 2 West]  
Concord Pacific/Sun Tech – Capstan Way Project  
Rezoning Application No. RZ 17-769242  
Rezoning Conditions No. 15  
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- (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, once separate legal parcels are created and/or the Lands are Subdivided (including, for greater certainty, by way of air space subdivision of the East Lot or West Lot), this Agreement will charge and secure only the legal parcels or Subdivided Lands (or, for greater certainty, Subdivided East Lot or West Lot) 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, but only, for greater certainty, to the extent such obligations arose prior to such termination or discharge.

#### **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**

Subject to discharge in accordance with Section 7.1(c), 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.

**7.24 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.

**SUN TECH CITY DEVELOPMENT CORP. (INC. NO. BC0533040)**

by its authorized signatory(ies):

Per:   
Name:

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 
APPROVED for legality by solicitor 
DATE OF COUNCIL APPROVAL

**Appendix A to Housing Agreement**

**STATUTORY DECLARATION**

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

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.

Housing Agreement (Section 483 *Local Government Act*) [Parent Parcels comprising Lot 1 East and Lot 2 West]  
 Concord Pacific/Sun Tech – Capstan Way Project  
 Rezoning Application No. RZ. 17-769242  
 Rezoning Conditions No. 15  
 V.3

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

HSBC BANK CANADA (the "**Chargeholder**") is the holder of a Mortgage and Assignment of Rents (and any related extensions thereof):

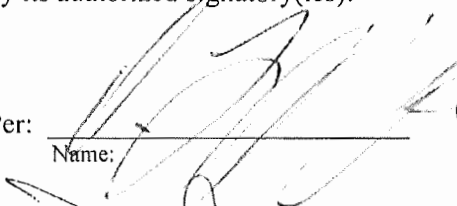
- (i) Mortgage CA934111;
- (ii) Assignment of Rents CA934112,

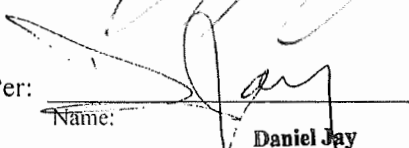
registered in the Land Title Office (together, the "**Bank Charges**") against title to the Lands (as further defined and legally described in the agreement to which this priority agreement is attached).

The Chargeholder, being the holder of the Charges, by signing below, 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 the covenants in the Housing Agreement by the Owner and hereby covenants that the Housing Agreement shall rank in priority upon the Lands over the Charges as if the Housing Agreement had been signed, sealed and delivered and noted on title to the Lands prior to the Charges and prior to the advance of any monies pursuant to the Charges. The grant of priority is irrevocable, unqualified and without reservation or limitation.

#### HSBC BANK CANADA

by its authorized signatory(ies):

Per:   
Name: \_\_\_\_\_

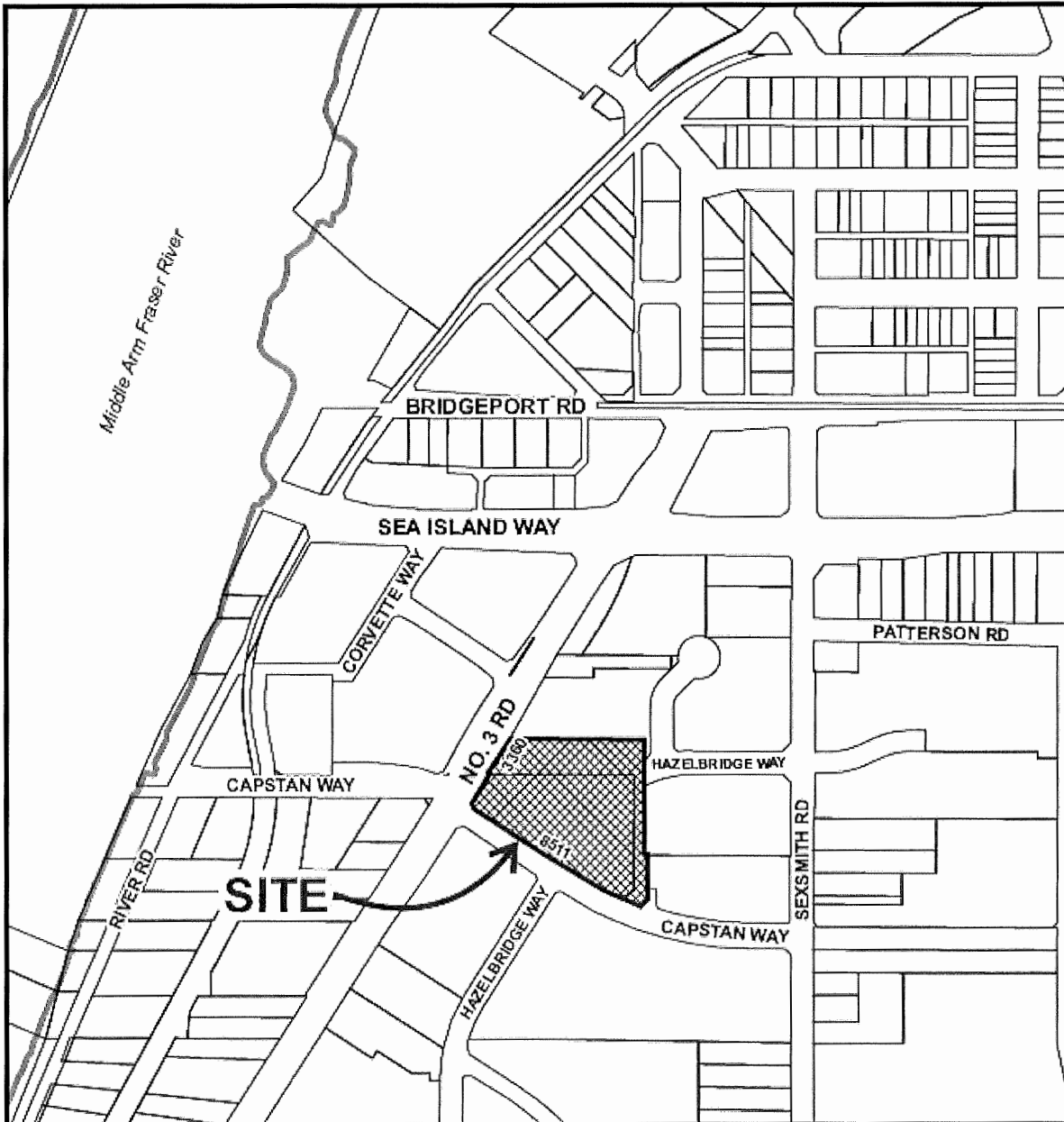
Per:   
Name: \_\_\_\_\_

**DALE TELFER**  
VICE PRESIDENT  
COMMERCIAL REAL ESTATE

**Daniel Jay**  
Account Manager  
Commercial Real Estate



City of  
Richmond



8511 Capstan Way &  
3360 No. 3 Road

Original Date: 03/29/18

Revision Date:

Note: Dimensions are in METRES



# City of Richmond

## Report to Committee

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** April 24, 2018  
**File:** HA18-818536

**Re:** Application by the Richmond Hospital/Healthcare Auxiliary for a Heritage  
Alteration Permit at 3711 and 3731 Chatham Street

### Staff Recommendation

That a Heritage Alteration Permit which would permit the construction of a new concrete foundation for the protected heritage building at 3711 and 3731 Chatham Street be issued.

Wayne Craig  
Director, Development

WC:mp  
Att. 9

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Policy Planning	<input checked="" type="checkbox"/>	

## **Staff Report**

### **Origin**

The Richmond Hospital/Healthcare Auxiliary has applied for a Heritage Alteration Permit to construct a new concrete foundation for the protected heritage building, known as the Steveston Methodist Church or Steveston Bicycle Shop, located at 3711 and 3731 Chatham Street. The existing building straddles the shared property line of the two parcels. A location map and an aerial photo are included in Attachment 1.

The property is one of the 17 identified heritage resources in the Steveston Village Heritage Conservation Area. A Heritage Alteration Permit is required for any exterior alterations to a property that is located within the Heritage Conservation Area.

### **Background**

Originally built in 1894, the building located on the subject properties is one of the oldest surviving church buildings in Richmond. The primary heritage value of the building is its historical association with the First Nations and culturally diverse populations of the Steveston community. The character-defining elements include the architectural style and elements that reflect its original use as a church. The Statement of Significance of the property is included in Attachment 2, and historic photos of the building are included in Attachment 3.

### **Surrounding Development**

The subject property is surrounded by the following sites.

- To the North: The Steveston Congregation of the United Church of Canada at 3720 Broadway Street on a site zoned "Assembly (ASY)"
- To the South: Across Chatham Street, a multi-unit commercial strata building governed by Land Use Contract 070.
- To the East: A site zoned "Commercial Mixed Use (ZMU32) – Steveston Village" at 3755 Chatham Street with issued DP16-740024 and HA16-744661 for a new three-storey, mixed-use development. The Building Permit application is under review, and the site is being prepared for the development.
- To the West: Across 2<sup>nd</sup> Avenue, a single detached dwelling at 3695 Chatham Street on a site zoned "Steveston Commercial (CS3)".

**Related Policies & Studies****Official Community Plan**

The City's 2041 Official Community Plan Section 4 "Vibrant Cities" includes city-wide direction and policy to "preserve, promote and celebrate community heritage".

**Steveston Area Plan**

The Steveston Area Plan seeks to "conserve significant heritage resources throughout the Steveston area" and "conserve the identified heritage resources within the Steveston Village Node (e.g., as per the Steveston Village Conservation Strategy)".

The Steveston Village is designated as a Heritage Conservation Area (HCA) in the Steveston Area Plan. In the HCA, 17 sites are identified as protected heritage resources. The subject site is one of the 17 identified heritage resources.

The Steveston Area Plan specifies that Heritage Alteration Permits issued for identified heritage resources should be consistent with the Steveston Village Conservation Strategy and the Standards and Guidelines for the Conservation of Historic Places in Canada ("S&Gs"), prepared by Parks Canada. The Steveston Village Conservation Strategy includes heritage conservation policies to manage changes to heritage resources in the Steveston Village and provides Statements of Significance for the heritage resources. The S&Gs are applied to assess the impact of proposed interventions on the heritage values and character-defining elements of a historic place, as identified in a Statement of Significance.

The relevant policies and guidelines are further detailed in the "Analysis" section of this report.

**Public Consultation**

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

**Richmond Heritage Commission**

The application was presented to the Richmond Heritage Commission on April 18, 2018 and was unanimously supported. An excerpt from the Commission meeting minutes is included in Attachment 4.

**Analysis****Details of Proposed Work**

The current owner, Richmond Hospital/Healthcare Auxiliary, has been operating a thrift shop in the building since 2008, and purchased the property in 2017. The owner would like to continue to use the building as a thrift shop and work towards restoration of the building in phases. The proposed foundation work is the first step undertaken by the owner.

The applicant has provided a report prepared by a structural engineer assessing the condition of the existing foundation. The building currently sits on undersized pad footings and the surface organic material around the perimeter. In order to structurally stabilize the building, the recommendation from the engineer is to add a new concrete foundation to the perimeter as well as upgrade the internal pad footings to support loading in accordance with the British Columbia Building Code. The applicant has indicated that the overall height of the building will remain unchanged.

The applicant has proposed new panel-and-batten skirting around the foundation to match the design and material of the existing skirting. The project heritage consultant has indicated that the existing skirting is not original, and appears to be relatively recent cladding: a limited portion of the skirting is currently painted. Photos of the existing skirting are included in Attachment 5. The applicant has proposed to paint the proposed skirting with Point Grey (VC-24), one of the colours from the Vancouver Heritage Foundation's True Colour Palette, which contains 35 historic paint colours used in the Lower Mainland (Attachment 6).

The owner plans to submit additional Heritage Alteration Permits in the near future to rehabilitate and restore the building, which may include the removal of stucco and the restoration of the original siding, and consolidate the two subject parcels in order to facilitate the rehabilitation (e.g., addition to the building). At that time, a comprehensive conservation plan prepared by a qualified heritage consultant will be submitted based on a thorough research, including research on the original building materials and colours, as well as the rationales for the proposed consolidation. The proposed skirting is an interim measure to match the existing building colour and material (i.e., grey stucco), and the best conservation method for the skirting will be determined as part of the overall restoration plan for the building.

The owner intends to seek a grant funding for the future restoration work under the Steveston Village Heritage Conservation Grant Program. The maximum available grant amount is \$50,000 per identified heritage building with private matching funds, with an additional \$25,000 with private matching funds to achieve exceptional heritage conservation, as determined by Council.

#### National Standards

The following are excerpts from the S&G standards that are most relevant to the proposed foundation work (Attachment 7).

- |             |  |
|-------------|--|
| Standard #1 | Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element. |
| Standard #6 | Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken.  |

The proposed foundation work is to stabilize the historic place to prevent any further deterioration until further conservation work is undertaken in the future. The proposed work would not alter any character-defining elements of the building.

### National Guidelines

The following are excerpts from the S&G guidelines that are most relevant to the proposed work (Attachment 8).

#### Section 4.3.4. Exterior Walls

- Guideline #4      Assessing the condition of wall assemblies and their materials early in the planning process so that the scope of work is based on current conditions.
- Guideline #9      Repairing parts of exterior walls by patching, piecing-in, consolidating, or otherwise reinforcing, using recognized conservation methods. Repair may also include the limited replacement in kind, or with a compatible substitute material, of extensively deteriorated or missing parts of the exterior wall assembly. Repairs should match the existing work as closely as possible, both physically and visually.

There will be little change to the overall appearance of the building as the design and material of the proposed skirting matches those of the existing skirting, and the proposed colour of the skirting would complement the existing building.

### Steveston Village Conservation Strategy

The following are the standards and guidelines that are most relevant to the proposed work from the Steveston Village Conservation Strategy (Attachment 9).

- Long-term protection of the historic resource should be balanced with user requirements, and future resource management goals should be identified prior to undertaking any work.
- Conjecture and the falsification of building elements should be avoided in all heritage conservation projects.

The proposal is consistent with the standards and guidelines in the Steveston Village Conservation Strategy, and the owner has identified long-term resource management goals prior to undertaking any intervention.

### **Financial Impact or Economic Impact**

None.

## **Conclusion**

The proposed foundation work is to stabilize the heritage building, and protect the building from any further structural deterioration. The application is consistent with the Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada and Steveston Village Conservation Strategy.

Staff recommend that the Heritage Alteration Permit be endorsed, and issuance by Council be recommended.



Minhee Park  
Planner 2

MP:cas

Attachment 1: Location Maps

Attachment 2: Statement of Significance

Attachment 3: Historic Photo

Attachment 4: Excerpt from the April 18, 2018 Richmond Heritage Commission Minutes

Attachment 5: Photos of the Existing Building

Attachment 6: Vancouver Heritage Foundation's True Colour Palette

Attachment 7: Excerpt from the National Standards

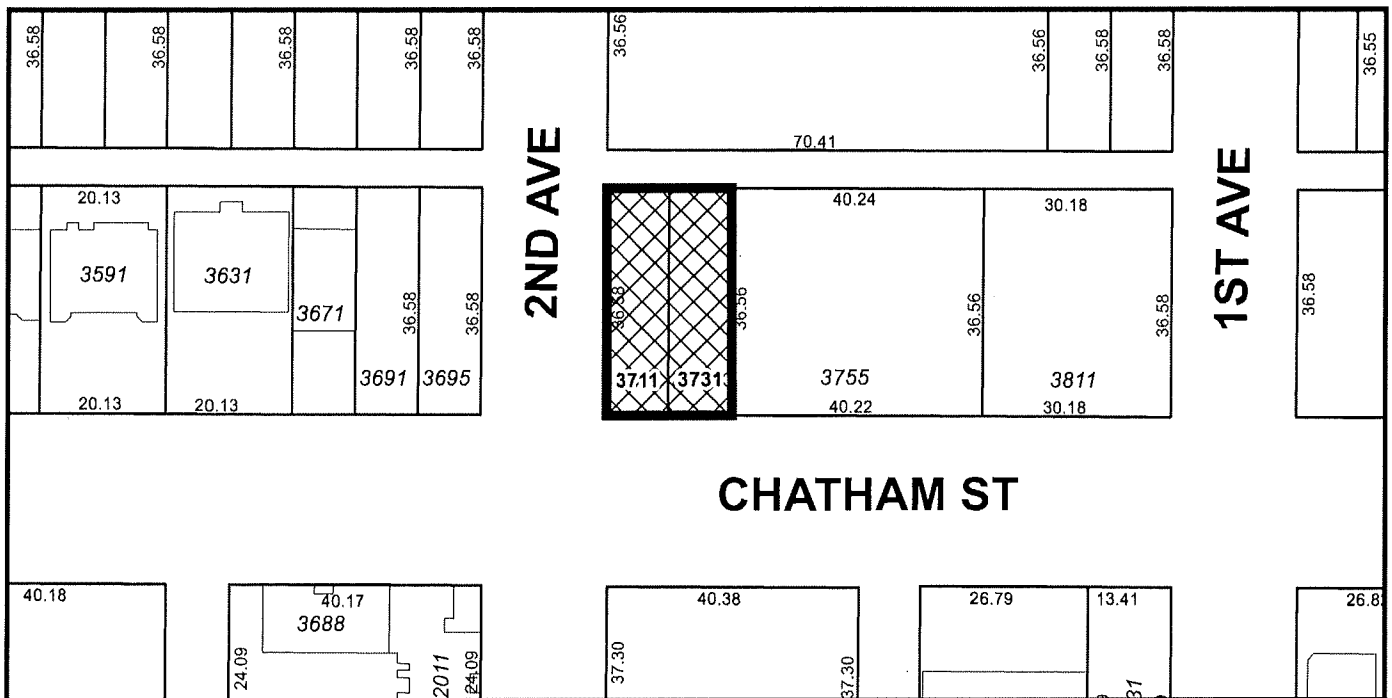
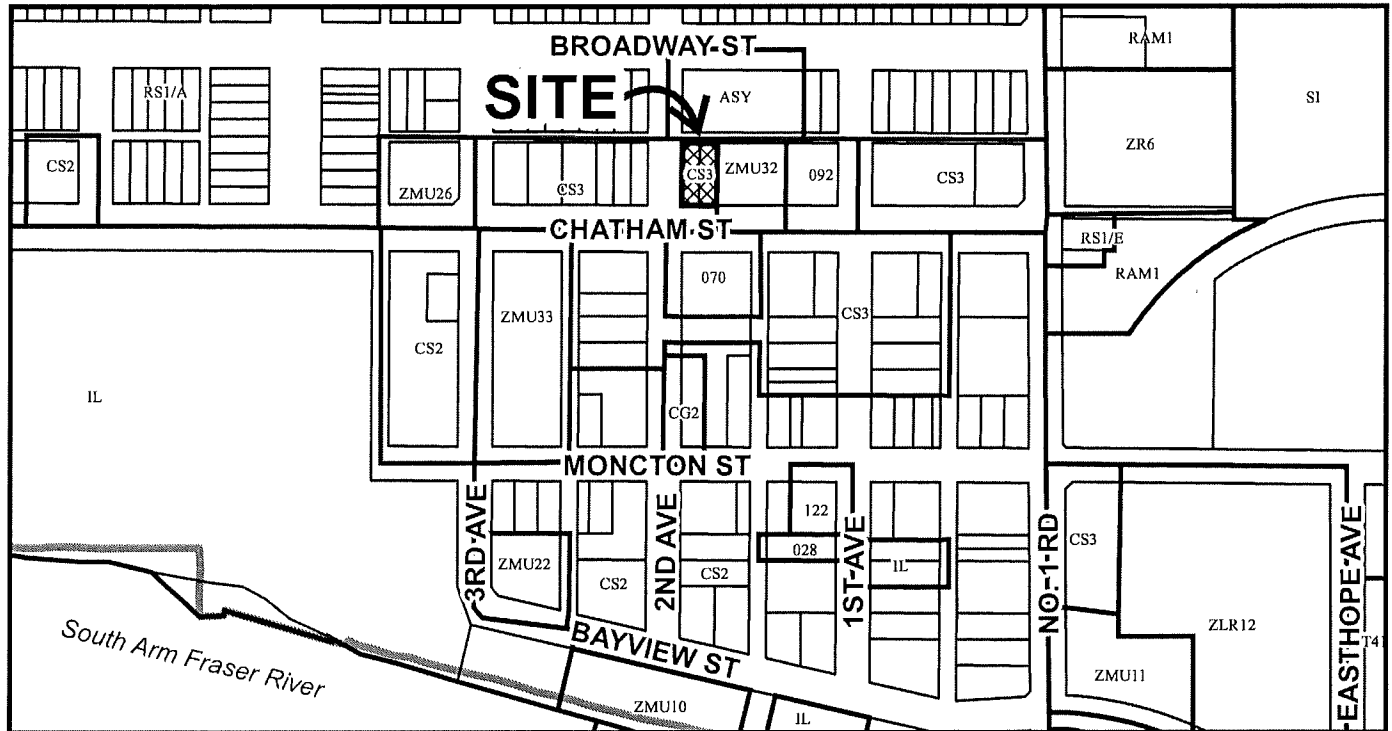
Attachment 8: Excerpt from the National Guidelines

Attachment 9: Excerpt from the Steveston Village Conservation Strategy





City of  
Richmond



HA 18-818536

PLN - 45

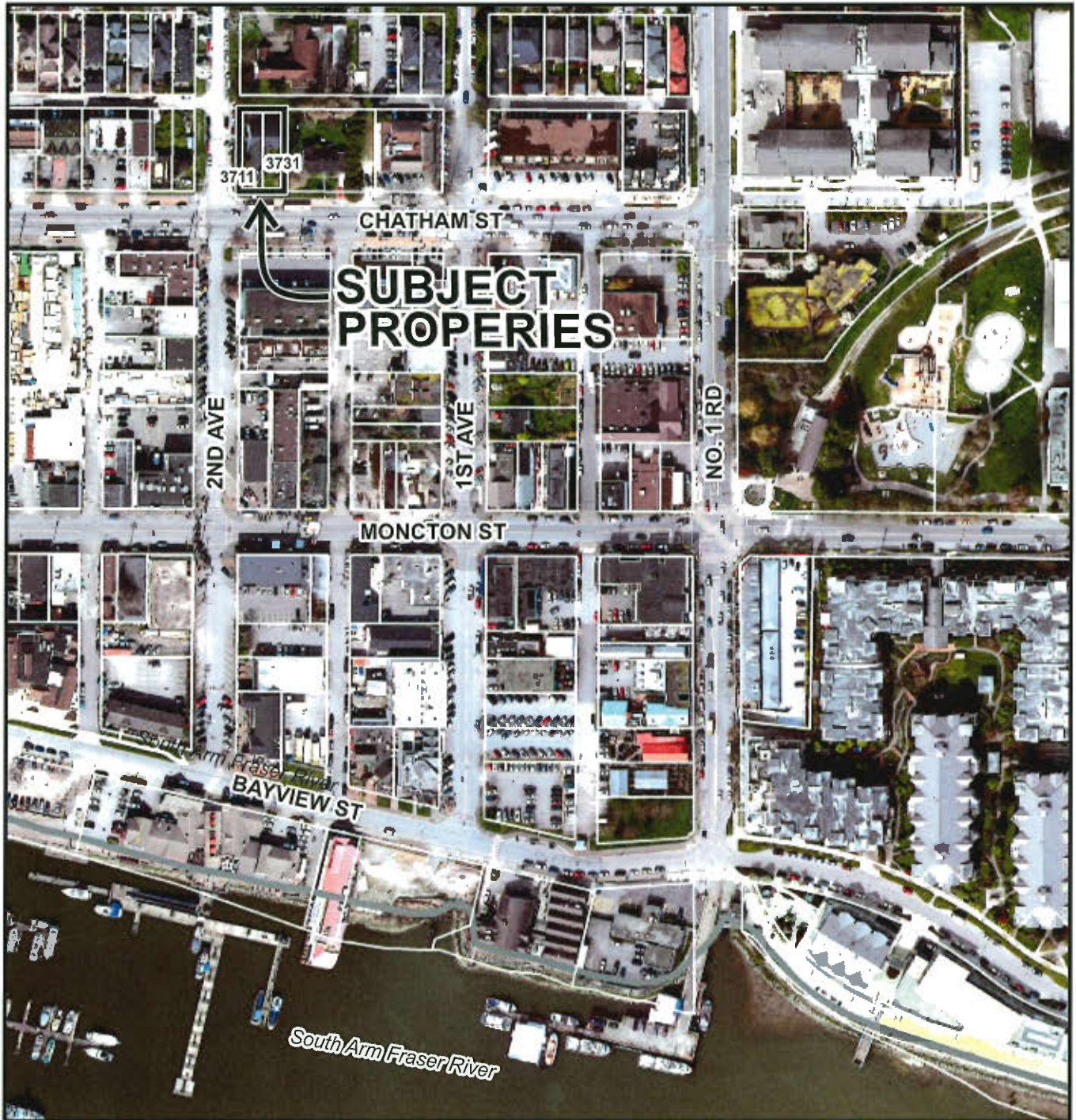
Original Date: 04/11/18

Revision Date: 04/25/18

Note: Dimensions are in METRES



City of  
Richmond



HA 18-818536

Original Date: 04/11/18

Revision Date: 04/25/18

Note: Dimensions are in METRES



## Steveston Village Conservation Program

### Chatham Street resources

### 36. 3731 Chatham Street Steveston Bicycle Shop



#### Description

The Steveston Bicycle Shop is situated on a prominent corner lot on Chatham Street and Second Avenue. The building is T-shaped with a front gable facing the street and a side gable behind. It has a steeple and an entry porch with a gable roof.

#### Values



Built by volunteer labour in 1894, this is the oldest extant church building on its original site in Richmond. Its architectural style reflects the modest early church structures which serviced the populations of Steveston, particularly those working in the canning and fishing industries.

This historic place is also valued for its connections with the First Nations and culturally diverse populations of the Steveston community, seen in its historic associations with the Methodist Indian Mission and Steveston Methodist Church, and its later function as the first United Church in Canada to amalgamate Japanese and Caucasian congregations after WW II.

The location of this building on Chatham Street is important, as it reflects the need to accommodate what was once a primarily residential area, yet has a reasonably close proximity to the commercial core and waterfront of the village.

#### Character-Defining Elements

The character-defining elements of the Steveston Bicycle Shop include:

- Its location on Chatham Street, and its relationship to the commercial core and waterfront
- Its historic associations with the Steveston Methodist Church, the Methodist Indian Mission, and the Steveston United Church, and any surviving evidence thereof
- Its simple wooden construction and church form, including its cross-gable form, its cupola, and historic arched windows and window openings.
- Its architectural style that reflects its original use as a church, including its T-shaped plan, front gable roof and façade, arched windows, steeple, and gable-roofed entry porch

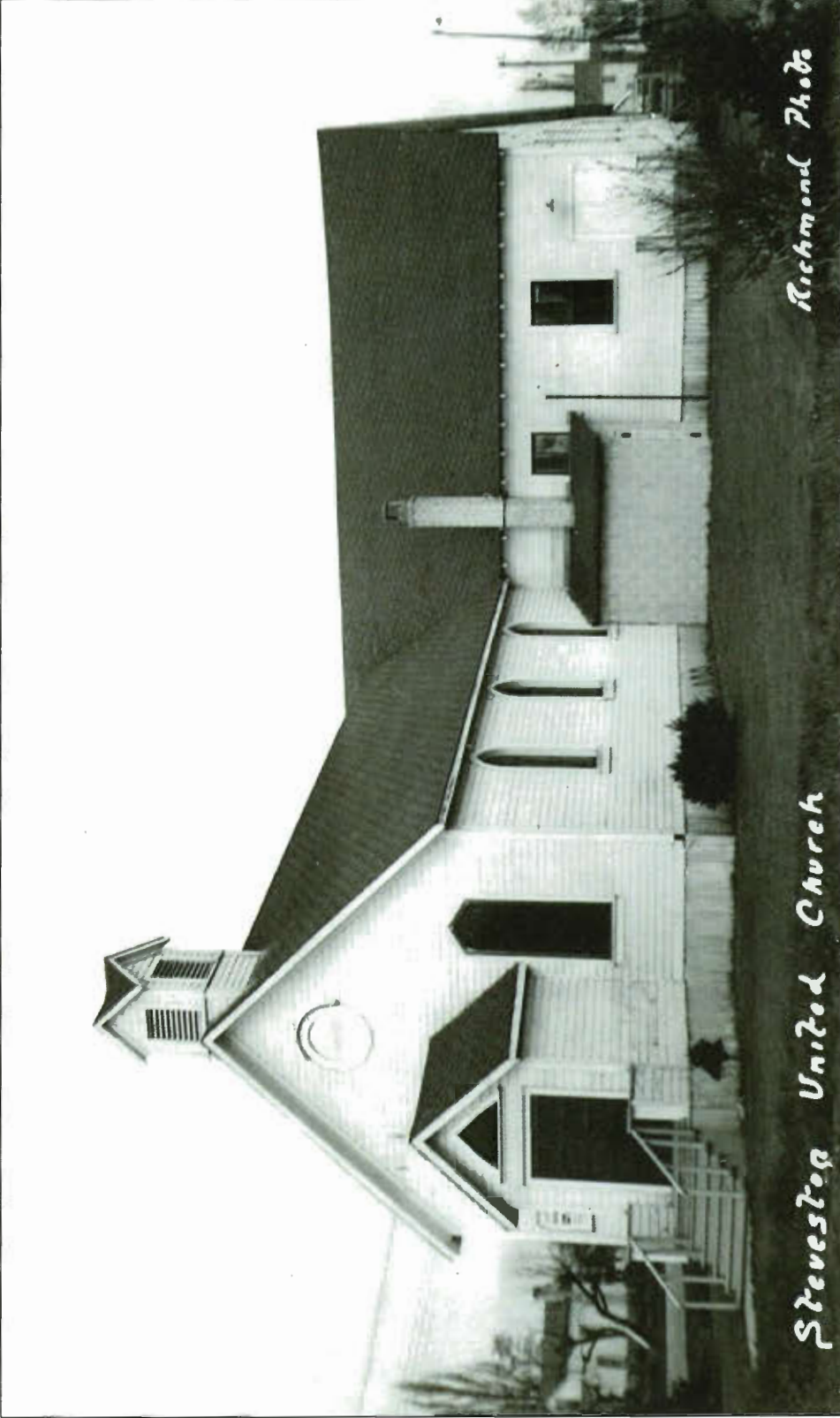
This resource met the following criteria:

- |              |  |
|--------------|--|
| Criterion 1: | The overall contribution of the resource to the heritage value and character of Steveston            |
| Criterion 2: | The ability of the resource to represent a certain historical process and function                   |
| Criterion 3: | The level of importance of associations with an era important in Steveston's history and development |
| Criterion 4: | The intactness, scale, form and materials  |

A36



City of Richmond Archives  
 1977 - 13 - 1 Ca. 1908



Richmond Photo

Steveston United Church

City of Richmond Archives  
1977-13-10 ca. 1950



**Excerpt of Minutes**  
**Richmond Heritage Commission**  
Held Wednesday, April 18, 2018 (7:00 pm)  
M.2.004  
Richmond City Hall

**a. Development Proposal – Heritage Alteration Permit (HA18-818536)**

The project consultant joined the Commission to present on the modifications being made to the building located at 3711 and 3731 Chatham Street. The building is one of the identified heritage resources in the Steveston Village. The current owner, the Richmond Hospital/Healthcare Auxiliary, has retained the consultant as part of the restoration work. It was noted that the first phase will be consolidating the foundation since the building currently sits on poor footing.

After an inspection of the foundation, it has been determined that a new concrete foundation will need to be installed as well as new skirting that spans the space between the ground level and main floor level. It was noted that there may be wood siding under the stucco, which they will be looking into as part of future restoration work.

The replacement skirting will be matched to the current skirting until they can find more information about the original detail. It was noted that a structural engineer will be overlooking this process.

It was further noted that this application will be a straight-forward upgrade, with next steps being looking at conserving the exterior envelope.

Commission members noted that this is a commendable effort and a good prerequisite to other potential restoration works in the future.

It was moved and seconded:

***That the Richmond Heritage Commission support the Heritage Alteration Permit application to construct a new concrete foundation at 3711 and 3731 Chatham Street as presented.***

*Carried*









PLN - 52



## HISTORICAL TRUE COLOURS

				
<b>VC-1</b> Oxford Ivory	<b>VC-2</b> Craftsman Cream	<b>VC-3</b> Pendrell Cream	<b>VC-4</b> Harris Cream	<b>VC-5</b> Dunbar Buff
				
<b>VC-6</b> Edwardian Buff	<b>VC-7</b> Edwardian Cream	<b>VC-8</b> Mount Pleasant Buff	<b>VC-9</b> Strathcona Gold	<b>VC-10</b> Comox Gold
				
<b>VC-11</b> Kitsilano Gold	<b>VC-12</b> Mount Pleasant Tan	<b>VC-13</b> Bute Taupe	<b>VC-14</b> Dunbar Grey	<b>VC-15</b> Haddington Grey
				
<b>VC-16</b> Comox Sage	<b>VC-17</b> Victorian Peridot	<b>VC-18</b> Pendrell Green	<b>VC-19</b> Comox Green*	<b>VC-20</b> Vancouver Green*
				
<b>VC-21</b> Harris Green	<b>VC-22</b> Pendrell Verdigris	<b>VC-23</b> Edwardian Pewter	<b>VC-24</b> Point Grey	<b>VC-25</b> Harris Grey*
				
<b>VC-26</b> Edwardian Porch Grey	<b>VC-27</b> Strathcona Red	<b>VC-28</b> Mellish Rust*	<b>VC-29</b> Pendrell Red*	<b>VC-30</b> Hastings Red*
				
<b>VC-31</b> Mellish Mahogany*	<b>VC-32</b> Craftsman Brown*	<b>VC-33</b> Harris Brown*	<b>VC-34</b> Strathcona Mahogany*	<b>VC-35</b> Gloss Black**

**PLN - 53**

\* These colours are shown in Benjamin Moore Collection® Soft Gloss finish, due to the extreme depth in colour. When tinted in Benjamin Moore Collection® Low Lustre, a slight variation may be observed.

\*\* Black is available in low lustre or soft gloss finishes. For true authenticity, the Vancouver Heritage Foundation recommends the Benjamin Moore Collection® Impervex High Gloss product.

# THE STANDARDS

The Standards are not presented in a hierarchical order. All standards for any given type of treatment must be considered, and applied where appropriate, to any conservation project.

## General Standards for Preservation, Rehabilitation and Restoration

1. Conserve the *heritage value* of an *historic place*. Do not remove, replace or substantially alter its intact or repairable *character-defining elements*. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an *historic place* that, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
5. Find a use for an *historic place* that requires minimal or no change to its *character-defining elements*.
6. Protect and, if necessary, stabilize an *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.
8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.
9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. Document any intervention for future reference.

## GENERAL GUIDELINES FOR PRESERVATION, REHABILITATION AND RESTORATION

	Recommended	Not Recommended
1	<b>Understanding</b> the exterior walls and how they contribute to the heritage value of the historic building.	
2	<b>Understanding</b> the properties and characteristics of the exterior walls as well as changes and previous maintenance practices.	Failing to consider the impact of previous changes to the exterior wall assembly, such as the addition of insulation and vapour barriers, or new heating or cooling systems.
3	<b>Documenting</b> the composition, form, materials, details, dimensions and condition of exterior wall assemblies before undertaking an intervention. This includes geometry, scale, proportions, openings, form and supporting frames or structures.	Undertaking an intervention that affects exterior wall assemblies without first documenting their existing character and condition.
4	<b>Assessing</b> the condition of wall assemblies and their materials early in the planning process so that the scope of work is based on current conditions.	
5	<b>Determining</b> the cause of distress, damage or deterioration of exterior walls through investigation, monitoring and minimally invasive or non-destructive testing techniques.	
6	<b>Protecting</b> and maintaining exterior walls by cleaning and repairing damaged materials, and checking exterior wall assemblies for moisture penetration and insect infestation, taking corrective action, as necessary and as soon as possible.	Failing to maintain exterior walls on a cyclical basis. Failing to correct causes of deterioration of the exterior wall assembly, such as failed sealants.
7	<b>Retaining</b> sound or deteriorated exterior wall assemblies that can be repaired.	
8	<b>Stabilizing</b> deteriorated exterior walls by using structural reinforcement, weather protection, or correcting unsafe conditions, as required, until repair work is undertaken.	Removing deteriorated exterior wall elements that could be stabilized or repaired.
9	<b>Repairing</b> parts of exterior walls by patching, piecing-in, consolidating, or otherwise reinforcing, using recognized conservation methods. Repair may also include the limited replacement in kind, or with a compatible substitute material, of extensively deteriorated or missing parts of the exterior wall assembly. Repairs should match the existing work as closely as possible, both physically and visually.	
10	<b>Protecting</b> adjacent character-defining elements from accidental damage or exposure to damaging materials during maintenance or repair work.	

## Steveston Village Conservation Program

## Conservation Strategy – Managing Change



3. Standards and Guidelines:
  - (a) Formally adopt the Standards and Guidelines for the Conservation of Historic Places in Canada to guide all heritage conservation activities
  - (b) All heritage conservation work should be based upon research, site analysis, and documentation to identify and safeguard fully the heritage values to be conserved
  - (c) The evolution of the resource should be respected. The contributions of all periods are important to the historical development and may merit retention
  - (d) Long-term protection of the historic resource should be balanced with user requirements, and future resource management goals should be identified prior to undertaking any work
  - (e) The approach to all heritage conservation projects should be one of minimal intervention to ensure the maximum preservation of the existing and authentic physical fabric and the retention of the signs of age
  - (f) Conjecture and the falsification of building elements should be avoided in all heritage conservation projects
  - (g) A well-defined maintenance plan should be clearly established in order to ensure an appropriate level of maintenance and care upon completion
  
4. Database including Heritage Register:
  - (a) Include identified Steveston heritage buildings and places and list them on the appropriate registered inventories:
    1. Richmond Community Heritage Register
    2. BC Register of Historic Places
    3. Canadian Register of Historic Places
  - (b) Update as necessary the Heritage Register listing of any building or place following a major alteration or relocation
  - (c) Facilitate future heritage conservation efforts by documenting information on all new construction in Steveston Village
  - (d) Develop a pro-active heritage review and evaluation process which will identify City-owned heritage property at a time when the structure is still in use
  
5. Bylaws:
  - (a) Consider implementing a Heritage Conservation By-law to protect its listed heritage buildings and places



# City of Richmond

## Heritage Alteration Permit

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

File No.: HA 18-818536

To the Holder: The Richmond Hospital/Healthcare Auxiliary, Inc. No. S0018630  
Property Address: 3711 and 3731 Chatham Street  
Legal Description: LOT 8 & 9 BLOCK 22 SECTION 3 BLOCK 3 NORTH RANGE 7 WEST NEW  
WESTMINSTER DISTRICT PLAN 249

(s.617, *Local Government Act*)

1. (Reason for Permit)
  - ☐ Designated Heritage Property (s.611)
  - ☐ Property Subject to Temporary Protection (s.609)
  - ☐ Property Subject to Heritage Revitalization Agreement (s.610)
  - ☒ Property in Heritage Conservation Area (s.615)
  - ☐ Property Subject to s.219 Heritage Covenant (Land Titles Act)
2. This Heritage Alteration Permit is issued to authorize the proposed foundation work as shown in Schedule A, Plan #1 to Plan #5.
3. This Heritage Alteration Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
4. If the alterations authorized by this Heritage Alteration Permit are not completed within 24 months of the date of this Permit, this Permit lapses.

AUTHORIZING RESOLUTION NO. ISSUED BY THE COUNCIL THE DAY OF  
DELIVERED THIS DAY OF , 2018

\_\_\_\_\_  
MAYOR

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

IT IS AN OFFENCE UNDER THE *LOCAL GOVERNMENT ACT*, PUNISHABLE BY A FINE OF UP TO \$50,000 IN THE CASE OF AN INDIVIDUAL AND \$1,000,000 IN THE CASE OF A CORPORATION, FOR THE HOLDER OF THIS PERMIT TO FAIL TO COMPLY WITH THE REQUIREMENTS AND CONDITIONS OF THE PERMIT.

# SCHEDULE A

**A1.1**  
MAIN FLOOR PLAN

NO.	DATE	REVISION
1		

2017-222 - 3711 Chatham St.  
3711 Chatham Street  
Shoreview, Richmond, VA

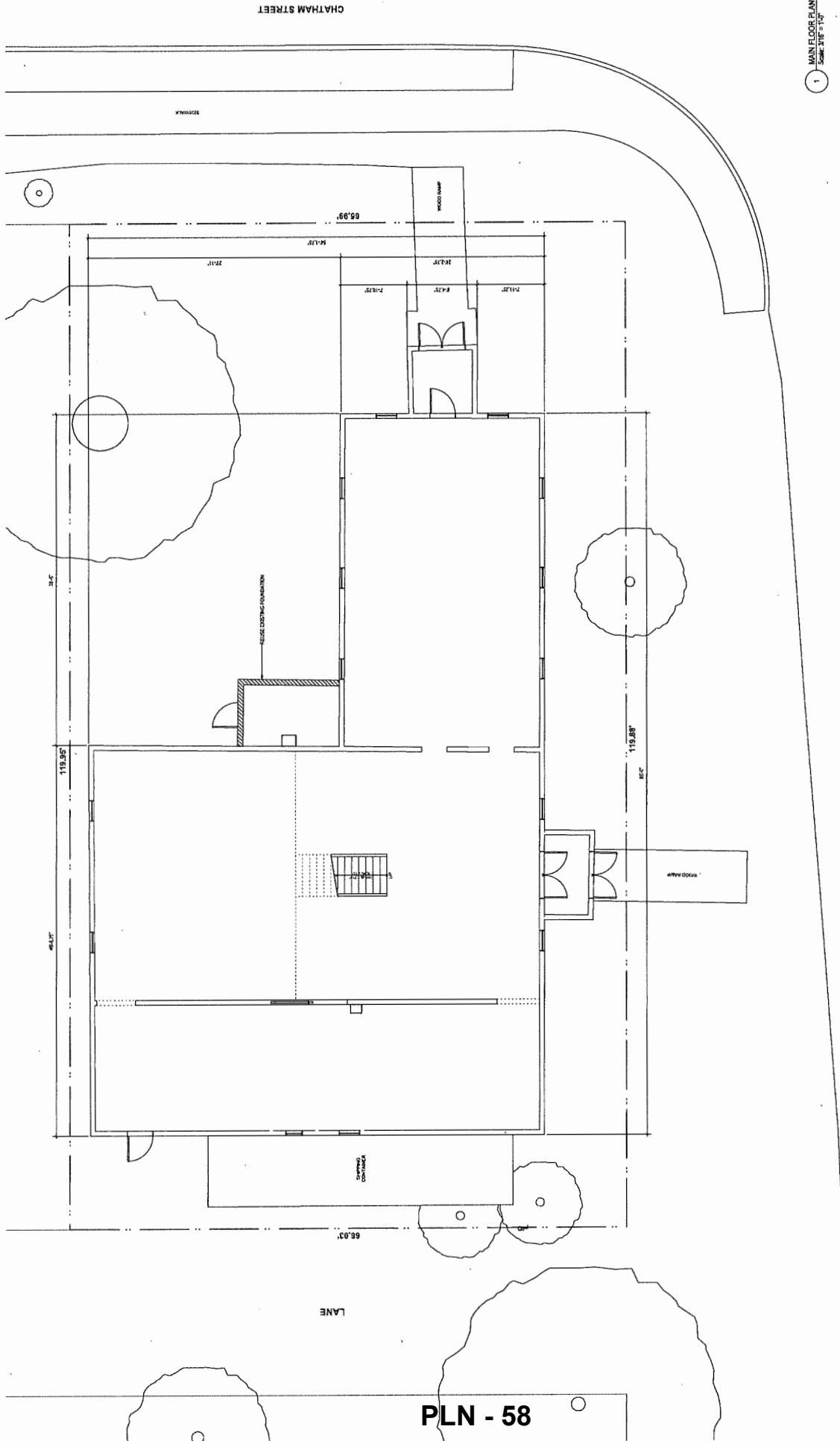
2017-222-3711 Chatham St.  
3711 Chatham Street  
Shoreview, Richmond, VA

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2ND AVENUE

NORTH

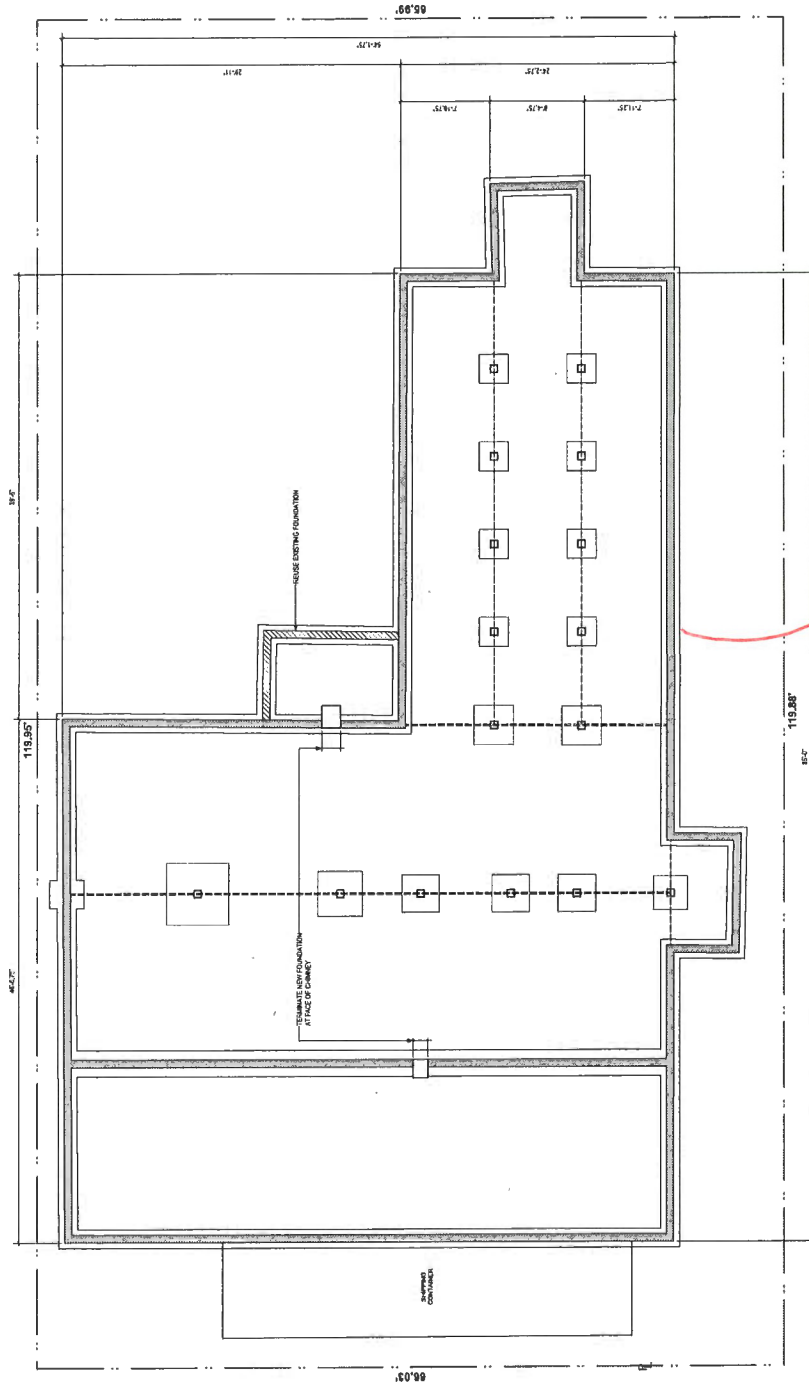
1 MAIN FLOOR PLAN  
Scale: 1/8" = 1'-0"



PLN - 58

HA 18-81853~ plan #1





PLN - 59

2 FOUNDATION PLAN  
Scale: 3/16" = 1'-0"



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BIRMINGHAM  
&  
WOOD  
ARCHITECTS - PLANNERS

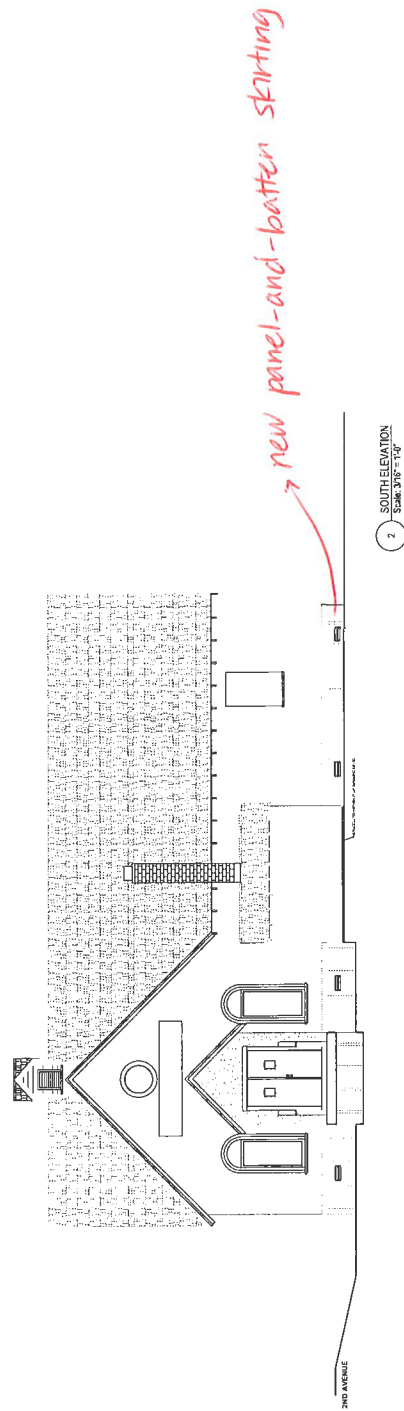
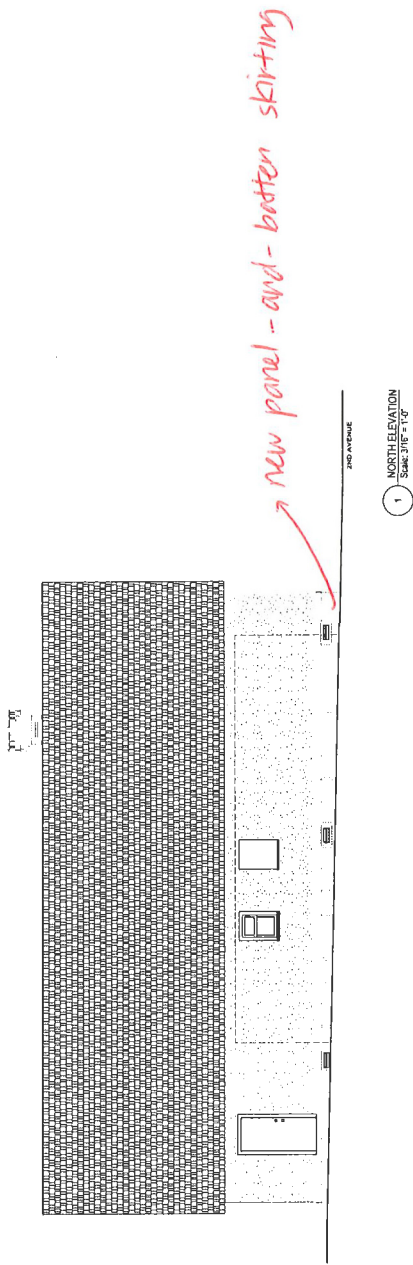
2017 Grand Award  
Vancouver, B.C. 2017-2018  
Architectural Record

2017-2022 - 3711 Chatham St.  
3711 Chatham Street  
Surrey, Richmond, BC

NO.	DATE	REVISION
1		
2		
3		
4		
5		

**A1.1**  
FOUNDATION PLAN

HA 18-818536 plan #2



PLN - 60

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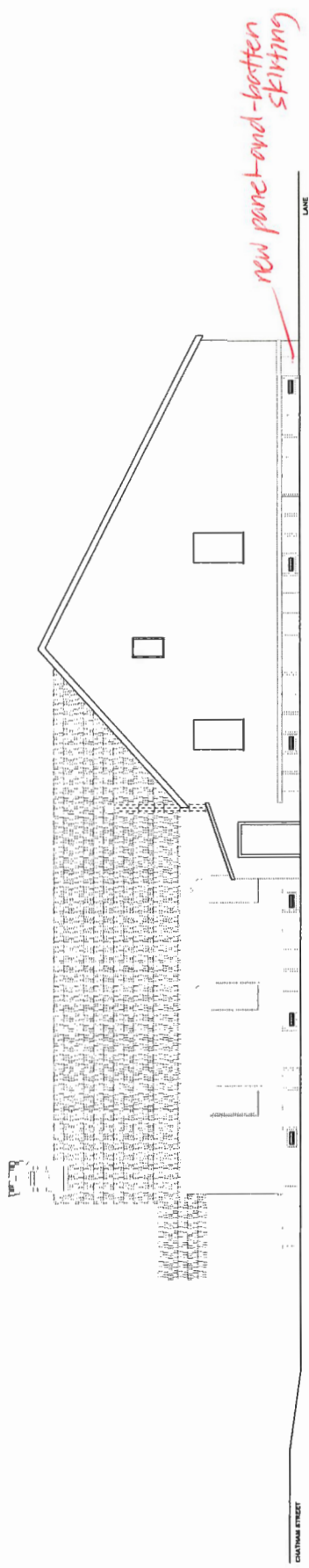
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A2.0  
NORTH & SOUTH  
ELEVATIONS

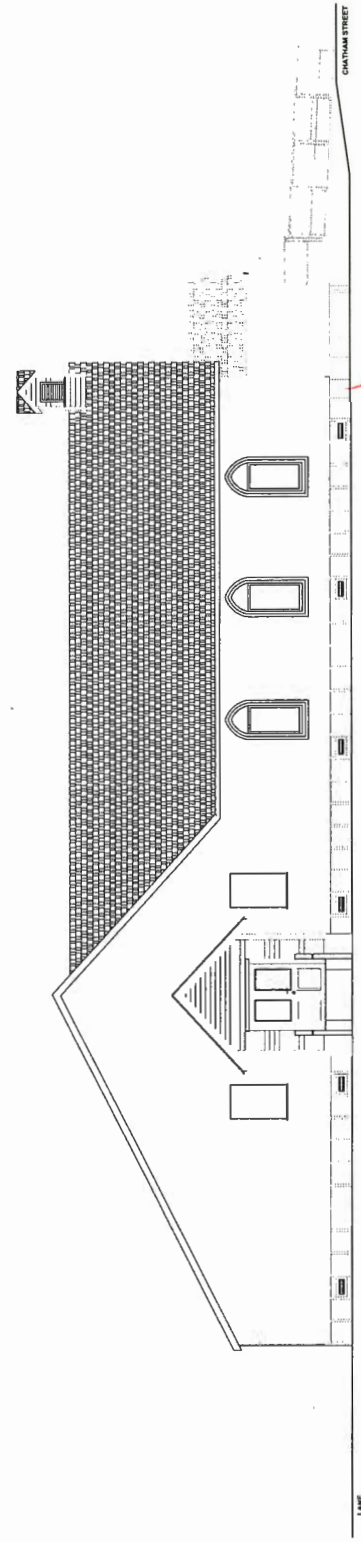
HA 18-018530

plan #3





1 EAST ELEVATION  
Scale: 3/16" = 1'-0"



2 WEST ELEVATION  
Scale: 3/16" = 1'-0"

PLN - 61

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Telephone: 1-800-...

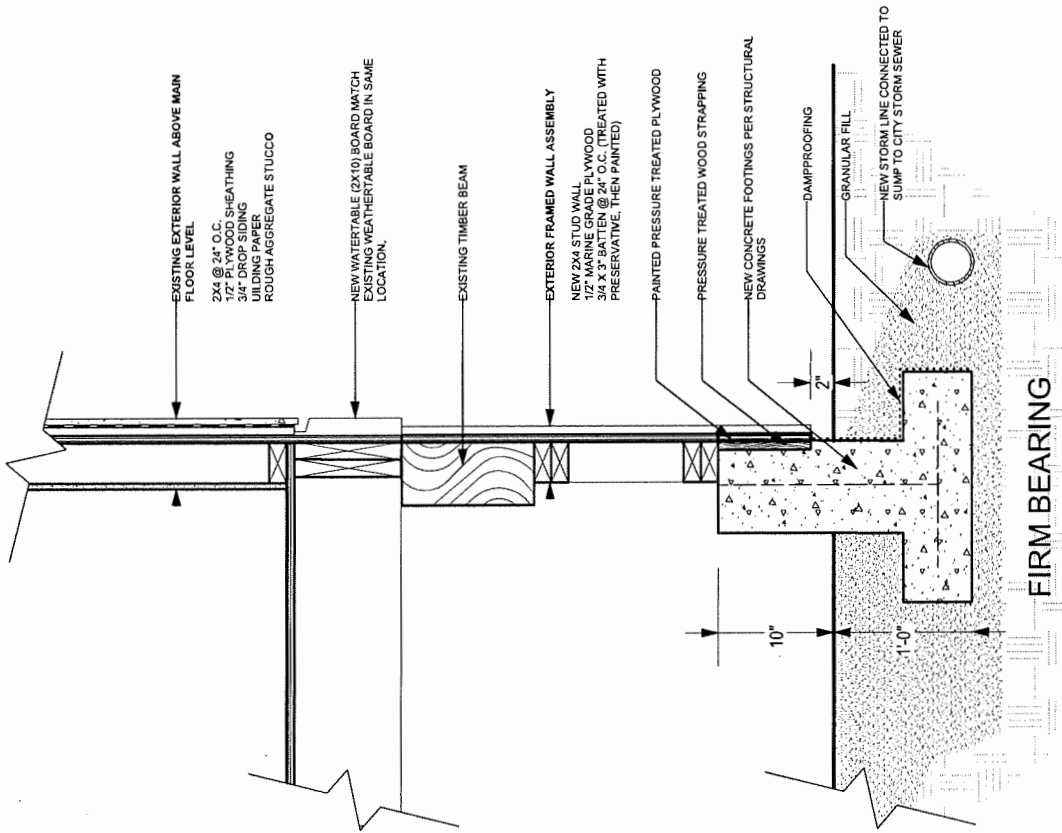
2017-025 - 2711 Chatham St.  
2711 Chatham Street  
Savannah, Richmond, SC

NO.	DATE	REVISION
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3		
4		
5		

A2.1  
EAST & WEST ELEVATIONS

HA 18-818536

plan #4



1 FOUNDATION WALL DETAIL  
Scale: 3/4" = 1'-0"

HA 18-818530 plan #5

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Phone: 205.944.1111  
Fax: 205.944.1112

2017-2022 - 3711 Oakham St.  
Birmingham, AL 35203

NO.	DATE	DESCRIPTION
1	10/18/20	ISSUED FOR PERMIT
2		
3		
4		
5		

A4.0  
FOUNDATION DETAIL



# City of Richmond

## Report to Committee

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** May 1, 2018  
**File:** RZ 16-754305

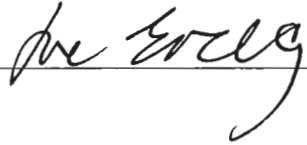
**Re:** Application by Oris Developments (Hamilton) Corp. for Rezoning at 23200 Gilley Road (Parcel 1 Hamilton Village) from "Community Commercial (CC)" Zone to "Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)" Zone

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9764, to create the "Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)" zone, and to rezone 23200 Gilley Road from "Community Commercial (CC)" to "Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)", be introduced and given first reading.

  
Wayne Craig  
Director, Development  
(604-247-4625)

WC:mm  
Att. 7

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	
Parks Services	<input checked="" type="checkbox"/>	
Engineering	<input checked="" type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	

## **Staff Report**

### **Origin**

Oris Developments (Hamilton) Corp. has applied to the City of Richmond for permission to rezone a 1.46 ha. (3.61 acre) site at 23200 Gilley Road from "Community Commercial (CC)", create the new "Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)" zone and the rezone it to permit a mixed-use development. The development consists of two buildings with a total of 225 units and 2,415 m<sup>2</sup> (26,000 ft<sup>2</sup>) of ground floor commercial space located above a partially below-grade parkade.

### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached.

### **Surrounding Development**

The subject site is currently occupied by the Bridgeview Shopping Centre which includes a vacant grocery store and large surface parking lot.

To the North: Across Gilley Road, a four-storey, mixed-use building being constructed on a site zoned "Residential / Limited Commercial (ZMU29) – Neighbourhood Village Centre (Hamilton)" recently approved by Council (RZ 14-660663 and DP 15-716268) and four (4) single-family dwellings zoned Single Detached (RS1/F).

To the South: A subdivision of single-family dwellings fronting McColl Crescent zoned "Single Detached (RS1/B)".

To the East: Across Smith Crescent, the Hamilton Community Centre and Hamilton Elementary on sites zoned "School & Institutional (SI)".

To the West: The Queen Canal Corridor and a gas station site zoned "Gas & Service Stations (CG1)".

### **Related Policies & Studies**

#### **Official Community Plan/Hamilton Area Plan**

The proposed development is consistent with the Official Community Plan (OCP) that designates the subject site as "NSC – Neighbourhood Service Centre" and is consistent with the Hamilton Area Plan that designates the subject site as "Neighbourhood Village Centre (Retail and Office with Residential Above 4 Storey 1.50 FAR)".

### *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**

#### **Built Form and Architectural Character**

The proposed project will occupy the entire south side of the block-long Gilley Road “High Street” in Hamilton Village. Rezoning (RZ 14-660663) and Development Permit (DP 15-716268) applications were recently approved by Council for a similar mixed-use building occupying half of the north side of the “High Street” and which is now under construction.

#### ***Building Form:***

The project includes two (2) mixed-use, four-storey buildings as shown in preliminary plans in Attachment 2 and as follows:

- The two contemporary-style buildings are separated by an outdoor market square and the driveway leading to Gilley Road from a small 31-space surface parking lot.
- The east building will include 86 units and the west building will include 139 units; units are located in the south portion of the ground floor and the upper three floors of each building.
- There is a large parkade podium supporting the two buildings, the surface parking lot and common amenity courtyards for each of the buildings. The parkade is largely located below the raised grade of Gilley Road to the north, and is screened by landscaped areas sloping up from the other property lines.
- Gilley Road will be re-constructed and rise from its existing grade of approximately 1.0 m (3.3 ft.) at Westminster Highway to 3.4 m (11.2 ft.) to create a level interface between the street and market square and retail units at the centre portion of the block.
- The portions of the elevated parkade podium facing Queen Canal to the west, Smith Drive to east, and single-family subdivision to the south, have been addressed by landscaping that slopes up to near the top of the parkade podium.
- Along Gilley Road, there is a minimum setback of 1.5 m (4.9 ft.) from the back of the public sidewalk for the ground floor commercial units.

- The glass, brick and masonry clad ground-floor commercial units front the Gilley Road “High Street”.
- There are large roof overhangs and lower awnings over the smaller commercial units that provide an attractive, sheltered pedestrian environment.
- The buildings step back above the commercial ground floor space; with the upper three (3) residential floors being set back an average of a further 3.0 m (9.8 ft.).
- The “L”-shaped east building and “U” shaped west building footprints encompass south-facing courtyards that provide substantial sun exposure and reduced building mass facing the existing single-family subdivision to the south.
- The residential portions of each building include façade articulation and sun decks on the upper floors.
- The most prominent northwest and northeast corners of each building facing Gilley Road are emphasized with the inclusion of raised sloping roofs.

#### *Public Realm:*

The proposed development provides for a varied public realm comprised of the following two (2) distinct components:

- *Gilley Road High Street:* Gilley Road will be reconstructed into a “High Street” compatible with the urban village environment as envisioned by the Hamilton Area Plan.

The proposed 3.35 m (10.0 ft.) wide public sidewalk on the south side of the street will be complimented with street trees and landscape strip. The proposed mixed-use building will be set back at a minimum of 1.5 m (5.0 ft.) with an on-site sidewalk to provide for a generous combined 4.85 m (15.0 ft.) wide pedestrian area that will extend for the length of the block.

- *Market Square:* An outdoor market square will be located adjacent to the proposed grocery store in the east building. The proposed market square includes an outdoor seating area with space for a possible outdoor market and Public Art work. The Gilley Road mid-block crosswalk will connect the proposed market square to the High Street Plaza being built in the above-noted Parcel 2 development to the north.

#### Existing Legal Encumbrances

There is an existing 6.0 m (20 ft.) wide statutory right-of-way (SRW) on the western edge of the site for a City watermain which will be maintained, with no encroachments permitted, after redevelopment of the site.

#### Transportation and Site Access

##### *Development Access and Parking:*

The development’s main vehicular access is provided to the underground parkade via a driveway entering from Smith Drive. The parkade will contain the 359 residential parking spaces and 53 commercial parking spaces (14 of which will be shared as residential visitor spaces). There is a second driveway leading from Gilley Road to a surface parking lot with 31 commercial parking

spaces at the middle of the site (which will also be shared for residential visitor parking). There will be a covenant registered on title ensuring that all shared commercial/visitor spaces will remain free for visitor use and will not be allocated to specific tenants. The proposed parking meets the minimum requirements of Zoning Bylaw 8500. A restrictive covenant will be registered on title that ensures that the two (2) parking spaces within each of the 23 tandem parking arrangement pairs will be assigned to the same owner.

*Westminster Highway:*

The applicant will upgrade Westminster Highway to the ultimate standards at the Gilley Road intersection, including but not limited to, a new northbound and southbound left-turn lane, provision of on-street bike lanes, new curb, gutter and sidewalk.

*Gilley Road High Street:*

The previously approved Parcel 2 development on the north side of Gilley Road will reconstruct and raise this road to create the "High Street" envisioned under the Hamilton Area Plan. The subject Parcel 1 development is designed to be aligned with the re-built Gilley Road that will rise from the current 1.0 m (3.3 ft.) elevation at Westminster Highway to 3.4 m (12.0 ft.). The street will then slope down to near the existing grade to the east at Smith Drive. The complementary required works for the subject Parcel 1 development would include a 3.35 m (11.0 ft.) concrete sidewalk on the south side of the street with trees within a landscaped boulevard.

*Smith Drive:*

Along the entire development frontage with Smith Drive, the applicant will provide a new treed boulevard, concrete sidewalk, and on-street parking along the west side of the street. There will also be traffic calming elements including raised medians, curb extensions, and an enhanced pedestrian crossing at the existing crosswalk location near the southern limit of the development frontage.

*McColl Crescent – Queen Canal Pathway:*

The applicant will improve the existing pathway connection via a new 6 m (20 ft.) wide statutory right-of-way (SRW) between the existing City pathway in Queen Canal and the existing dedicated City pathway leading to McColl Crescent in the adjacent single-family neighbourhood. This City pathway will be constructed by the applicant and maintained by the City (see page 6 of Attachment 7).

*South Pathway:*

South Public Pathway: There will be a 1.5m (5.0 ft.) wide pathway running along the southern edge of the development from Smith Drive to the Queen Canal corridor. This on-site, private pathway will provide a connection to the rear of the surface parking lot and market square. There will be a SRW registered over the south pathway to secure public pedestrian and bicycle access with owner maintenance (see page 6 of Attachment 7).

### Queen Canal Riparian Management Area

The City's existing Queen Canal Corridor abuts the west side of the subject site. This 20 m (66 ft.) wide corridor extends from Highway 91 to the south to the North Arm of the Fraser. It includes a City drainage canal, pathway and vegetation within a Riparian Management Area (RMA) that extends 15 m (48 ft.) outward from each side of the top of bank of the canal. The RMA includes all of the Queen Canal Corridor and extends into the development site.

The applicant has provided a report from a Qualified Environmental Professional (QEP) that provides recommendations for proposed riparian habitat enhancement has been reviewed by Sustainability and Parks staff (see map excerpt in Attachment 6).

#### *Off-Site: Queen Canal Corridor:*

On the basis of the QEP report and the previously approved habitat compensation for the Oris Parcel 2 project to the north, the applicant will undertake the following environmental enhancement work with the City's Queen Canal Corridor:

- Removal of waste, debris and invasive species.
- Retention of native shrubs and six Maple trees (also discussed below).
- Re-vegetation with natural successional species.

Under the Servicing Agreement for the subject development, City Parks Department will require additional native shrubs, grasses, and groundcover to be planted to complement RMA planting. There will also be re-gravelling of the existing pathway in the corridor.

#### *On-Site Portion of RMA Queen Canal Corridor:*

Existing areas of pavement and invasive species at the back of the existing shopping centre within the RMA will be removed and replaced with native vegetation. The detailed on-site planting prescription will be included within a further detailed QEP on-site report required as part of the Development Permit to be approved to the satisfaction of the City. There will be registration of a legal agreement with provisions for the purposes ongoing maintenance of the on-site portion of the RMA on the development site extending 15 m (48 ft.) eastward from the east top of bank of the Queen Canal. The agreement will provide for developer/owner to undertake the recommendations of the QEP Report (including native plantings, owner maintenance of works and plantings, a five-year maintenance period, and the ability of the City to enter into the area to undertake and/or maintain works and plantings if required in the future.

### 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 52 bylaw-sized trees on the subject property and 28 trees on City property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and supports the Arborist's findings, with the following comments on the on-site trees:



- 39 trees located on the development site are in poor condition (previously topped, buried basal flare, sparse foliage) and in conflict with the development.
- Replacement trees should be specified at 2:1 ratio as per the OCP for a total of 78 replacement trees.
- 13 Black Pine trees near the south property line are to be retained.

*On-Site Tree Replacement and Protection:*

The applicant wishes to remove 39 on-site trees. The 2:1 replacement ratio would require a total of 78 replacement trees. The required replacement trees are to be of the minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

The applicant will also protect a Cedar hedge and 13 Black Pine trees on-site near the south property line, along with submission of tree survival security to the City in the amount of \$30,000 to be held for a term of three years after completion of the landscaping under the Development Permit.

*Off-Site Tree Removal and Protection on City Property:*

There are 28 trees on neighbouring City property which City Parks Department requires that the applicant address as follows:

- Seven Maple trees within the Queen Canal corridor are to be protected.
- 14 Maple trees within the Gilley Road allowance are to be removed to allow for construction of new road works. The applicant will be required provide compensation of \$18,200 to the City's tree compensation fund to allow for trees to be planted on other City property.
- Seven Maple trees within the Smith Drive road allowance are to be moved to another location by the City Arborist or by a tree moving company to another location within the Hamilton Area as chosen by City Parks, at the developer's cost with a security for the cost of moving the trees to be provided to the satisfaction of the City prior to rezoning adoption.

Affordable Housing Strategy

The rezoning application was received in December, 2016, and is subject to the former City Affordable Housing Strategy which requires that apartment and mixed-use buildings with over 80 residential apartment units provide five percent of the building's total residential floor area within affordable housing units secured under a housing agreement as follows:

Unit Type	Number of Units	Minimum Unit Area	Maximum Monthly Unit Rent**	Total Maximum Household Income**
1 Bed	7	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less
2 Bed	8	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less

\*\* May be adjusted periodically as provided for under adopted City policy.

Given this, the City's standard Housing Agreement will be registered on Title to secure a total 15 affordable housing units; the combined habitable floor area of which shall comprise at least five percent of each building's total residential building area within the development. The terms of the Housing Agreement shall indicate that they apply in perpetuity and provide for seven one-bedroom units and eight two-bedroom units dispersed throughout the development.

### Amenity Space

#### *Common Indoor Amenity Space:*

The two proposed buildings each include 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) of common amenity space on the ground floor adjacent to each building's outdoor courtyard, meeting the OCP Development Permit Guidelines.

#### *Common Outdoor Amenity Space:*

The two proposed buildings each include large, south facing courtyards located on top of the buildings' common parkade podium. The total area of the outdoor amenity space will include approximately 1,567 m<sup>2</sup> (16,869 ft<sup>2</sup>) with the following elements:

- Large patios with seating.
- Play equipment.
- Outdoor garden plots.
- Shrubs, trees and grass areas.

### Accessible Housing

To assist in ensuring accessibility is an option for residents, 135 of the 225 units are proposed to meet the Basic Universal Housing provisions within Zoning Bylaw 8500. The remaining units within the buildings will include the Aging-in-Place elements as specified within the OCP.

The above-noted specifications and units will be identified and reviewed during the Development Permit and Building Permit stages.

### Public Art

The applicant will either make a Public Art contribution as provided by the City's Public Art Policy or prepare a Public Art Plan to provide Public Art elements within the development subject to review by the Public Art Advisory Committee. The estimated contribution is \$198,062. Provision of the Public Art contribution will be coordinated between the developer and the City's Public Art Coordinator.

### Hamilton Area Plan Requirements

#### *LEED Silver Development:*

As required by the Hamilton Area Plan, the applicants will ensure that the development has been designed to achieve a sufficient score to meet the current Canadian Green Building Council LEED Silver score. This will require review from a LEED certified consultant which confirms that buildings have been designed at Development Permit stage and constructed at Building Permit stage to achieve LEED Silver certification or equivalent.

### *Amenity Contributions:*

The applicants will provide community amenity contribution of \$49.50 per square meter (\$4.60 per ft<sup>2</sup>) of the total residential floor area of the project as required under the Hamilton Area Plan for the City's proposed community amenities (e.g., community centre, library, police office, etc.). The estimated contribution is \$1,008,550.

### Other Legal Agreements

The Rezoning Considerations for the proposed development also include the following legal agreements to be registered on Title:

- *Mixed-Use Building Noise Covenant:* Registration of a restrictive covenant on Title that identifies the building as a mixed-use building and requires that it be designed and constructed in a manner that mitigates potential noise from commercial uses to the proposed dwelling units.
- *Neighbourhood Public House Use Covenant:* Registration of a restrictive covenant on the Title that restricts this use to the ground floor, requires its outdoor public entrance on Gilley Road, and advises other owners of this possible use within the building.

### Major Elements to be Addressed at the Development Permit Stage

Development Permit (DP) approval to the satisfaction of the Director of Development is required prior to rezoning adoption. In advance of the DP Panel review of the application, the following significant aspects of the proposal have been identified to be addressed:

- Additional vertical and/or horizontal articulation needs to be added to the rooflines of the east and west buildings respectively facing Smith Drive and the Queen Canal corridor.
- Additional articulation needs to be added to the long straight top edge of the parkade podium facing the Queen Canal corridor.
- Stepping back of the upper floor(s) of the south end of the wings of each building should be considered, with particular attention to the building wing at the southeast corner of the site.
- The grade difference between the ground floor of the buildings and Smith Drive to the east and the Queen Canal corridor to the west should be refined; with the objective of achieving a comfortable height transition, adequate landscape screening of the parkade and application of CPTED principles.

### Site Servicing and Frontage Improvements

In addition to transportation and frontage improvements discussed above, the City's Engineering Department has determined the scope of upgrades to existing services to service the proposed development to be undertaken by the applicant, as identified in the Rezoning Considerations (Attachment 7).

**Financial Impact or Economic Impact**

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

**Conclusion**

The proposed development will constitute the largest mixed-use development envisioned under the Hamilton Area Plan. This development will complete the south side of the Gilley Road “High Street” at the centre of the proposed Hamilton Village Centre. There would also be improvements to the natural environment surrounding the Queen Canal as envisioned under the Hamilton Area Plan.

The proposed development will also assist in funding the future community amenities as provided under the Hamilton Area Plan.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9764 be introduced and given first reading.



Mark McMullen  
Senior Coordinator - Major Projects  
(604-276-4173)

MM:blg

Attachment 1: Location Map

Attachment 2: Conceptual Development Plans

Attachment 3: Development Application Data Sheet

Attachment 4: Hamilton Area Plan Land Use Map

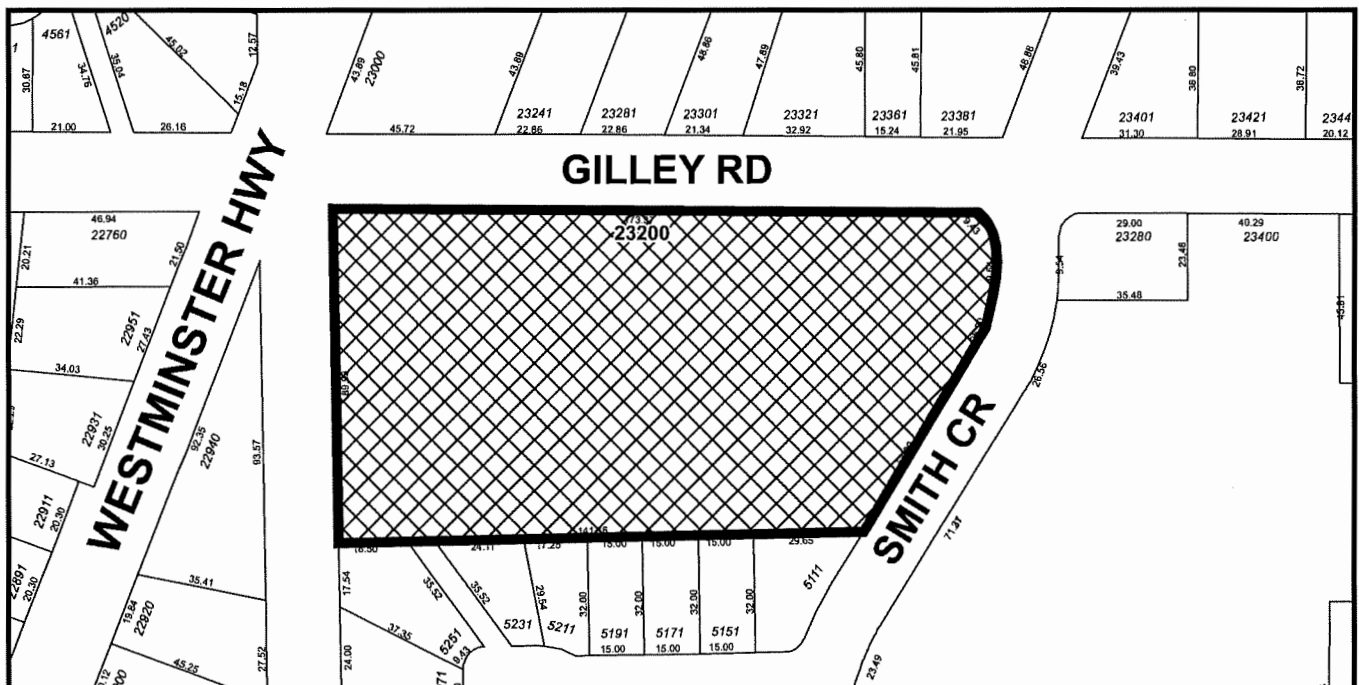
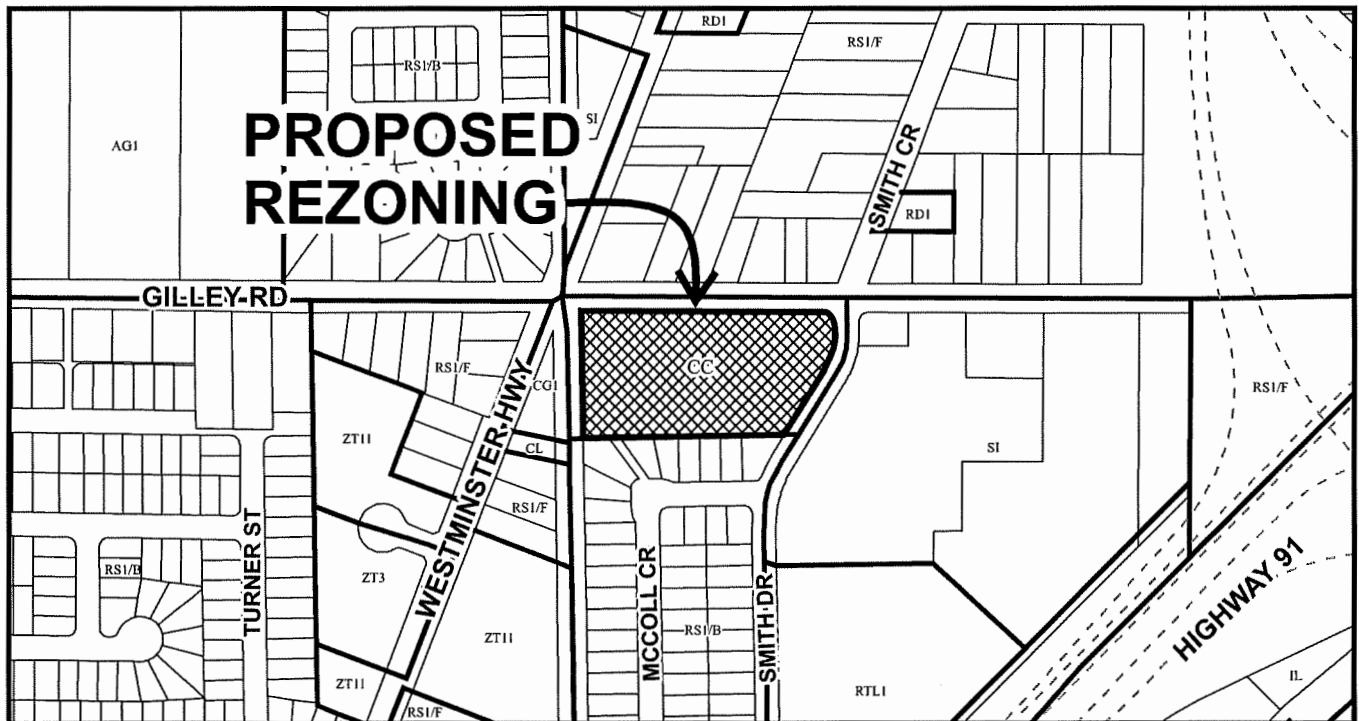
Attachment 5: Tree Survey

Attachment 6: Map of Queen Canal Corridor Riparian Management Area

Attachment 7: Rezoning Considerations



City of  
Richmond



RZ 16-754305

Original Date: 01/05/17

Revision Date:

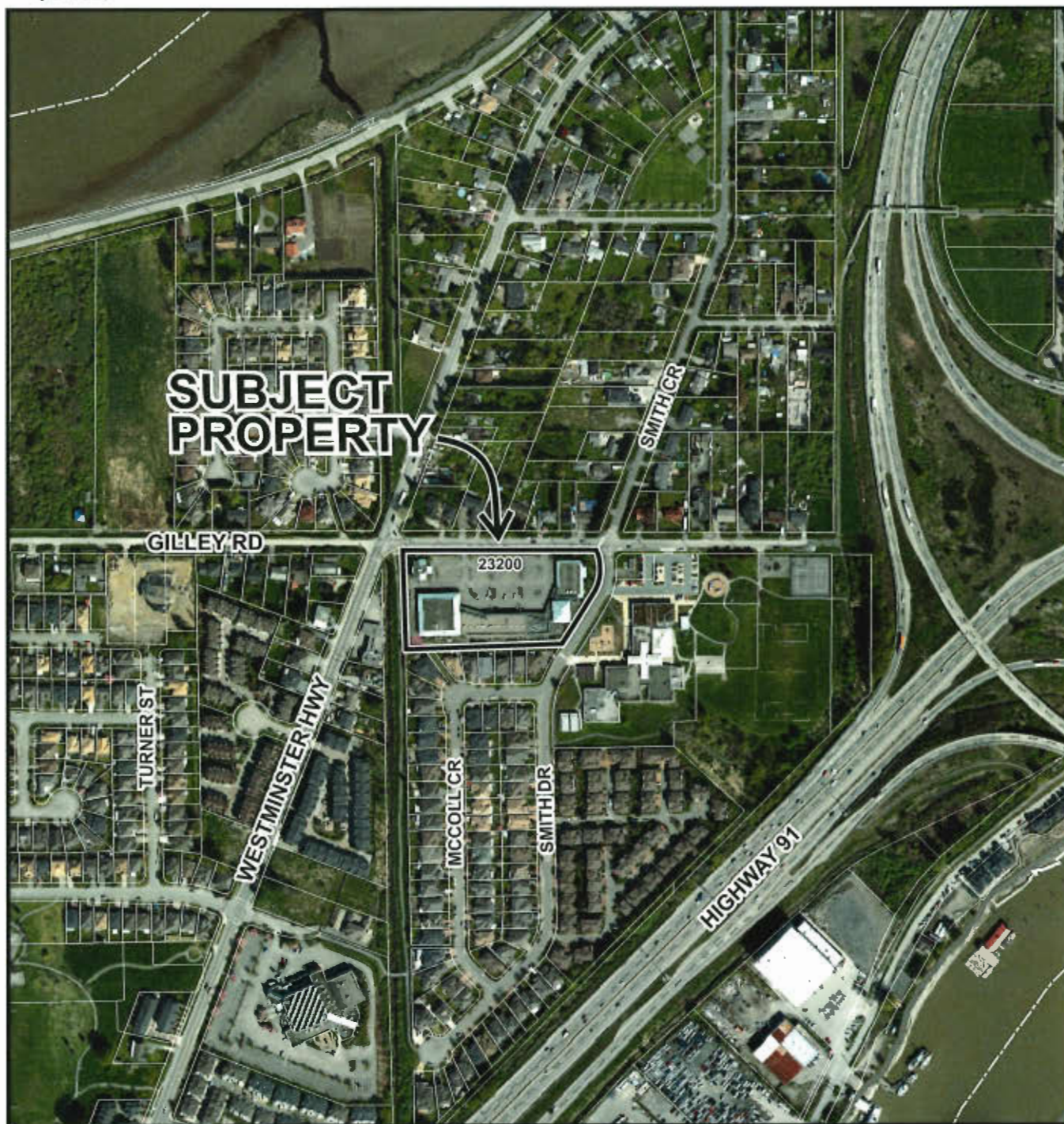
Note: Dimensions are in METRES

PLN - 73





City of  
Richmond



RZ 16-754305

Original Date: 01/05/17

Revision Date: 01/09/17

Note: Dimensions are in METRES

PLN - 74

# HAMILTON LANDS - PARCEL 1

REZONING 4th RE-SUBMISSION  
23 APRIL 2018



Oris Consulting Ltd.  
100 - 12235 No. 1 Road, Richmond,  
BC Canada V6A 1G1



Landscaping Architecture  
Site Planning

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Vancouver, BC V6J 1K2  
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120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
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Gilley Rd & Westminster Hwy. View Looking East

**RHA**

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PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**Design Character**  
Rezoning 4th Re-Submission

**ORIS**

DATABASE:  
PROJECT NO:  
PLOT DATE:  
SCALE:

1626  
23 APRIL 2018  
1" = 40'-0"

**1**



PLN - 77



Building A - Gilley Rd & Smith Dr.



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PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**Design Character**  
Rezoning 4th Re-Submission



DATABASE:  
PROJECT NO:  
PLOT DATE:  
SCALE:

1626  
23 APRIL 2018  
1" = 40'-0"

1.1





PLN - 78

High Street - Mid Block View Looking West

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**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

**DRAWING TITLE:**  
**Design Character**  
 Rezoning 4th Re-Submission

**DATABASE:**  
**PROJECT NO:** 1626  
**PLOT DATE:** 23 APRIL 2018  
**SCALE:** 1" = 40'-0"

**ORIS**

**1.2**

**RHA**





PLN - 79

High Street - Mid Block View Looking East

**Rositch Hemphill Architects**  
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**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

**DRAWING TITLE:**  
**Design Character**  
 Rezoning 4th Re-Submission



**DATABASE:**  
**PROJECT NO:** 1626  
**PLOT DATE:** 23 APRIL 2018  
**SCALE:** 1" = 40'-0"

**1.3**



PLN 80

## ILLUSTRATIVE MATERIAL LEGEND

- 1 ROOF FASCIA (WOOD)
- 2 FIBER BOARD CEMENT PANEL & TRIM
- 2.1 FIBER BOARD CEMENT PANEL (ACCENT)
- 3 VINYL HORIZONTAL SIDING 6" EXPOSURE  
BY: KEYCAN 'SAGE'
- 4 CERAMIC TILE
- 5 ALUMN. FRAME / GLASS GUARDRAIL
- 6 DOUBLE GLAZED THERM. BROKEN  
VINYL WINDOW & DOOR FRAME
- 7 CONCRETE CAP
- 8 BALCONY WOOD FASCIA
- 9 WINDOW & DOOR WOOD TRIM
- 10 NATURAL CEDAR TIMBER COLUMN
- 11 NATURAL CEDAR WOOD CLADDING BUILT-UP
- 12 ALUM. STOREFRONT WINDOWS  
AND DOORS AT ENTRY
- 13 NATURAL WOOD CEDAR EXPOSED T & G  
SOFFIT (ENTRY, FEATURE CORNERS)
- 14 VINYL BEADED SOFFIT
- 15 LIGHT FIXTURES
- 16 LANDSCAPE WALLS (CULTURED STONE)
- 17 STEEL FRAME WITH GLASS CANOPY

Building A - Gilley Rd & Smith Dr.

**RHA**  
Rositch Hemphill Architects  
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**Bldg A Finish Schedule**  
Rezoning 4th Re-Submission

**ORIS**

DATABASE:  
PROJECT NO:  
PLOT DATE:  
SCALE:

1626  
23 APRIL 2018  
1" = 40'-0"

1.4





ILLUSTRATIVE  
**MATERIAL LEGEND**

1	ROOF FASCIA (WOOD)
2	FIBER BOARD CEMENT PANEL & TRIM
2.1	FIBER BOARD CEMENT PANEL (ACCENT)
3	VINYL HORIZONTAL SIDING 4" EXPOSURE BY: KEYCAN SANDALWOOD
4	CERAMIC TILE
5	ALUMN. FRAME / GLASS GUARDRAIL
6	DOUBLE GLAZED THERMAL BROKEN VINYL WINDOW & DOOR FRAME
7	CONCRETE CAP
8	BALCONY WOOD FASCIA
9	WINDOW & DOOR WOOD TRIM
10	NATURAL CEDAR TIMBER COLUMN
11	NATURAL CEDAR WOOD CLADDING BUILT-UP
12	ALUM. STOREFRONT WINDOWS AND DOORS AT ENTRY
13	NATURAL WOOD CEDAR EXPOSED T & G SOFFIT (ENTRY, FEATURE CORNERS)
14	VINYL BEADED SOFFIT
15	LIGHT FIXTURES
16	LANDSCAPE WALLS (CULTURED STONE)
17	STEEL FRAME WITH GLASS CANOPY

Gilley Rd & Westminster Hwy. View Looking East





PLN - 82



**Rositch Hemphill Architects**  
 120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G4  
 t 604.669.6002 f 604.669.1091 www.rharchitects.ca

**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

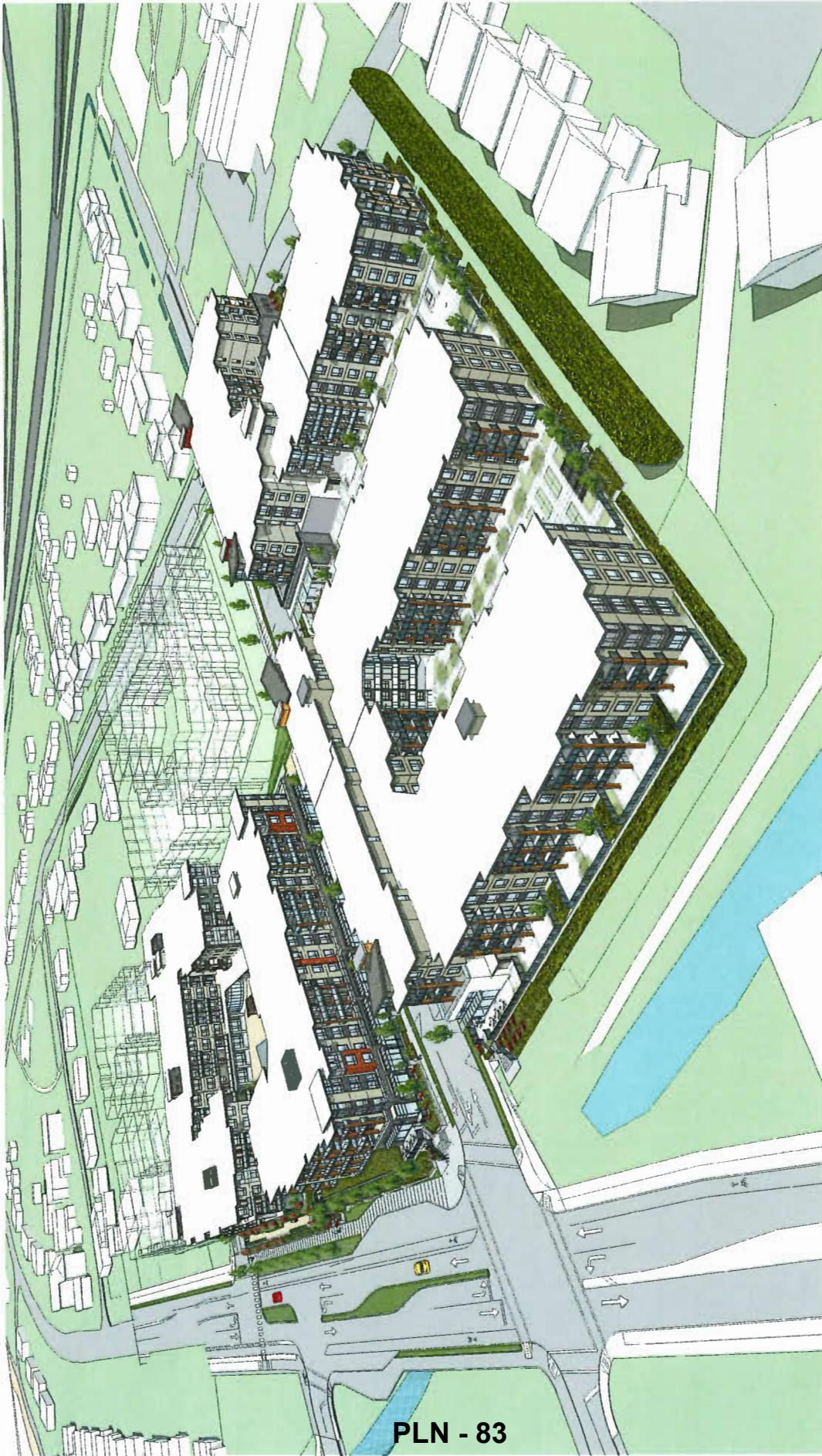
**DRAWING TITLE:**  
**Aerial View NW**  
 Rezoning 4th Re-Submission



**DATABASE:** 1626  
**PROJECT NO:** 23 APRIL 2018  
**PLOT DATE:**  
**SCALE:** 1" = 40'-0"

**1.6**





PLN - 83

**Rositch Hemphill Architects**  
 120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G4  
 t 604.669.6002 f 604.669.1091 www.rharchitects.ca

**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

**DRAWING TITLE:**  
**Aerial View NW**  
 Rezoning 4th Re-Submission



**DATABASE:** 1626  
**PROJECT NO:** 23 APRIL 2018  
**PLOT DATE:**  
**SCALE:** 1" = 40'-0"

**1.7**







PLN - 84

**Rositch Hemphill Architects**  
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

PROJECT:

**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:

**Aerial View NW**  
Rezoning 4th Re-Submission

DATABASE:  
PROJECT NO:  
PLOT DATE:  
SCALE:

**ORIS**

1626  
23 APRIL 2018  
1" = 40'-0"

**1.8**

**RHA**





PLN - 85

**Rositch Hemphill Architects**  
 120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
 t 604.669.6002 f 604.669.1091 www.rharchitects.ca

**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

**DRAWING TITLE:**  
**Aerial View NW**  
 Rezoning 4th Re-Submission

**DATABASE:**  
**PROJECT NO:**  
**PLOT DATE:**  
**SCALE:**



**1.9**  
 1626  
 23 APRIL 2018  
 1" = 40'-0"





PLN - 86

**Rositch Hemphill Architects**  
 120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
 t 604.689.6002 f 604.689.1091 www.rharchitects.ca

**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

**DRAWING TITLE:**  
**Aerial View NW**  
 Rezoning 4th Re-Submission



**DATABASE:** 1626  
**PROJECT NO.:** 23 APRIL 2018  
**PLOT DATE:**  
**SCALE:** 1" = 40'-0"

**1.8**





Parcel 1	Net Site Area	Commercial GFA (sf)	Residential GFA (sf)	*Total Residential/Commercial GFA (sf)	FAR Exclusions		Net Floor Area for FAR	FAR	Min. Indoor Amenity	Amenity FAR	No. of Unit (average unit size 940 sf)	Res. Parking Required (1.5 car/unit)	Visitor Parking Required (0.20 car/unit)
Bldg A East	16,000	16,000	86,630	101,554	BUH	Stairs & Elev shaft	1,040	1,576	1,076	97,862	0.62	129	17
Bldg B West	10,000	10,000	132,620	141,544	1,660	1,576	1,076	137,232	0.87	1,076	139	209	28
Total	156,952	26,000	219,250	243,098	2,700	3,152	2,152	235,094	1.51	2,152	225	338	45

\* Indoor Amenity Deducted

### Parcel 1 Parking Stats

Type	No. of Units	By-Law Rate	Stall Required	Stall Provided
Residential	225	1.5	331	359
Res. Visitors	225	0.2	45	45 (shared w/ commercial stalls)
Commercial	26000	3/100m <sup>2</sup> (1076 sf) up to 350m <sup>2</sup> , then 4/100m <sup>2</sup> (1076 sf)	84	84
Total			415	443

Building A Basic Universal Housing	No. of BUH Units
Unit A BUH, 1B	3
Unit B BUH, 1B+D	8
Unit C1 BUH, 2B	4
Unit C2 BUH, 2B	4
Unit D1 BUH, 2B+D	3
Unit D2 BUH, 2B+D	4
Unit D3 BUH, 2B+D	7
Unit E1 BUH, 2B+D	3
Unit E3 BUH, 2B+D	3
Total BUH	52

Building B Basic Universal Housing	No. of BUH Units
Unit A BUH, 1B	7
Unit A1 BUH, 1B	4
Unit B BUH, 1B+D	32
Unit B3 BUH, 1B+D	8
Unit B4 BUH, 1B+D	4
Unit C BUH, 2B	20
Unit D4 BUH, 2B	8
Total BUH	83

- \* the a base density of 0.40 FAR may be increased to a maximum 1.5 FAR with the provision of amenities or amenity contributions as required under Objective 12;
- \* the maximum height is 4 stories and 17.0 m (55.8 ft.) above the adjacent street grade;
- \* building setbacks from property lines are to be generally a minimum of 6.0 m (19.7 ft.) on Westminister Highway, averaging 2.0 m (6.6 ft.) on the Galley High Street and between 3.0 m to 6.0 m (9.8 ft. to 19.7 ft.) on other streets;

Building A (East)			
	Gross Floor Area (SF)	Residential	Total GFA
Level 1	16,000	12,064	28,064
Level 2		11,724	11,724
Level 3		24,571	24,571
Level 4		24,571	24,571
Level 4b		13,701	13,701
Total	16,000	86,630	102,630

Building B (West)			
	Gross Floor Area (SF)	Residential	Total GFA
Level 1	10,000	28,715	38,715
Level 2		27,260	27,260
Level 3		34,129	34,129
Level 4		34,129	34,129
Level 4b		8,388	8,388
Total	10,000	132,620	142,620

Total 225 75,633

Outdoor Amenity :			
	Required Ft <sup>2</sup>	Provided Ft <sup>2</sup>	
Common Resident Outdoor space (6m <sup>2</sup> (64.59sf) per unit)	14,532.75	16,869.00	
Children's Play Designated Area (3m <sup>2</sup> (32.29sf) per unit)	Max. 6,459sf. (600m <sup>2</sup> )	2,341.00	
Min. Private Resident Outdoor space (6m <sup>2</sup> (64.59sf) per unit)	6m <sup>2</sup> (64.59sf) /unit	6m <sup>2</sup> (64.59sf) /unit	

### Parking Stall Sites Summary

	Standard Cars	Small Cars	HC	Tandem (parallel)	Total	Shared	Small & Tandem Cars
Parcel 1 Res.	245	87	4	23	359		110
Parcel 1 Comm.	60	21	3		84	65	21
	305	108	7	23	443		131
		24%					30%

Bldg A East (Net Residential)  
86,630 sf Net Res. Area - deductions (4,477sf) = 82,153 sf  
5% of 82,153 sf = 4,108 sf  
Bldg B West (Net Residential)  
132,620 sf Net Res. Area - deductions (4,923sf) = 127,698 sf  
5% of 127,698 sf = 6,385 sf

	Floor Area	No. of Units	5% of Res. NFA
Unit A BUH, 1B	2,224 sf	4	
Unit C BUH, 2B	4,105 sf	5	
Total Area (SF)	6,329 sf		594 m <sup>2</sup>

	Floor Area	No. of Units	5% of Res. NFA
Unit A BUH, 1B	1,668 sf	3	
Unit C1 BUH, 2B	2,454 sf	3	
Total Area (SF)	4,122 sf		4,093 sf
Total Area (M <sup>2</sup> )	383 m <sup>2</sup>		380 m <sup>2</sup>

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PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**Stats**  
Rezoning 4th Re-Submission

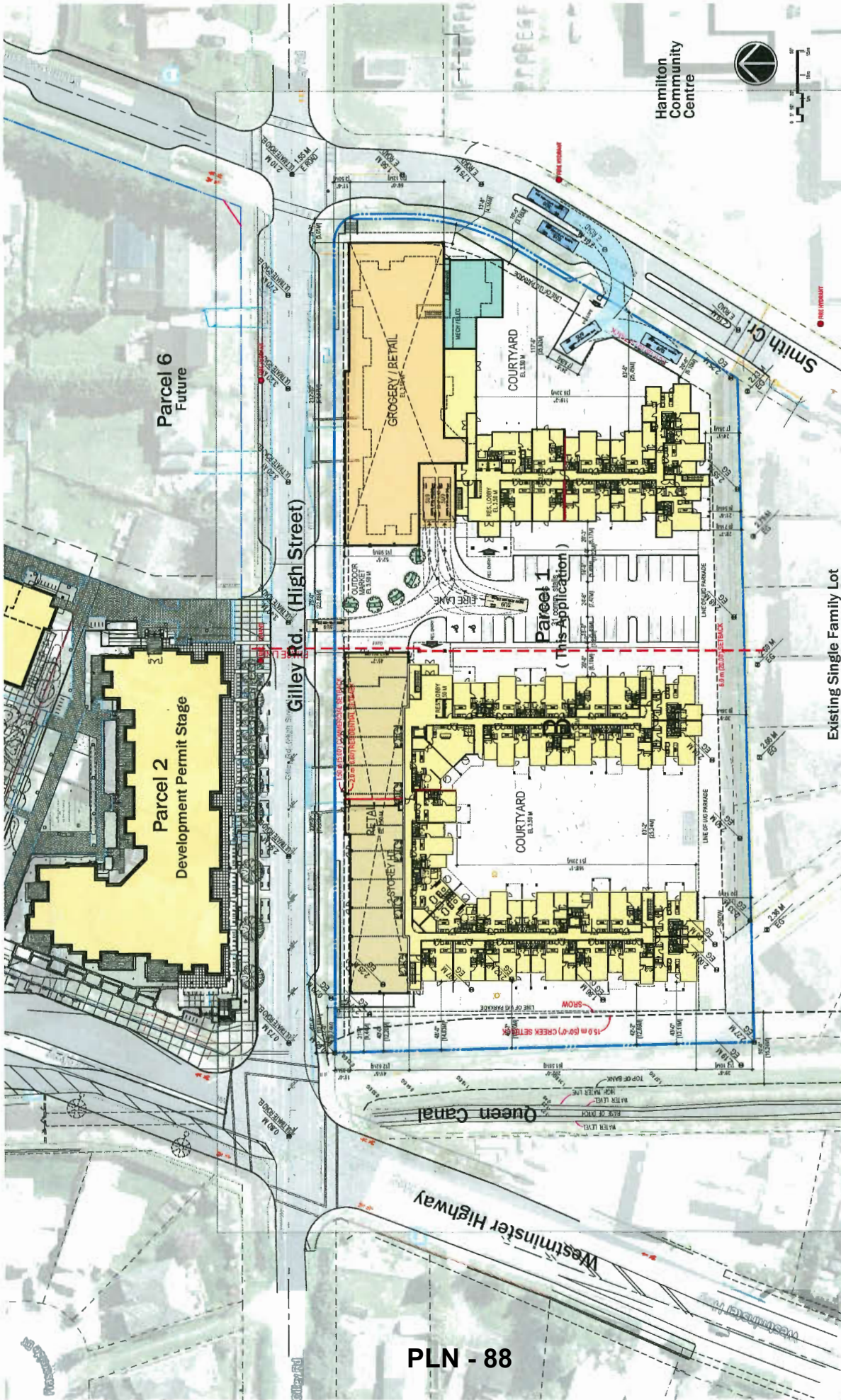
DATABASE:  
PROJECT NO:  
PLOT DATE:  
SCALE:

ORIS

STATS  
1626  
23 APRIL 2018

2





PLN - 88

**Rositch Hemphill Architects**  
 420 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
 1 604.669.6002 f 604.669.1091 www.harchitects.ca

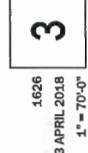
**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

**DRAWING TITLE:**  
**Siteplan**  
 Rezoning 4th Re-Submission

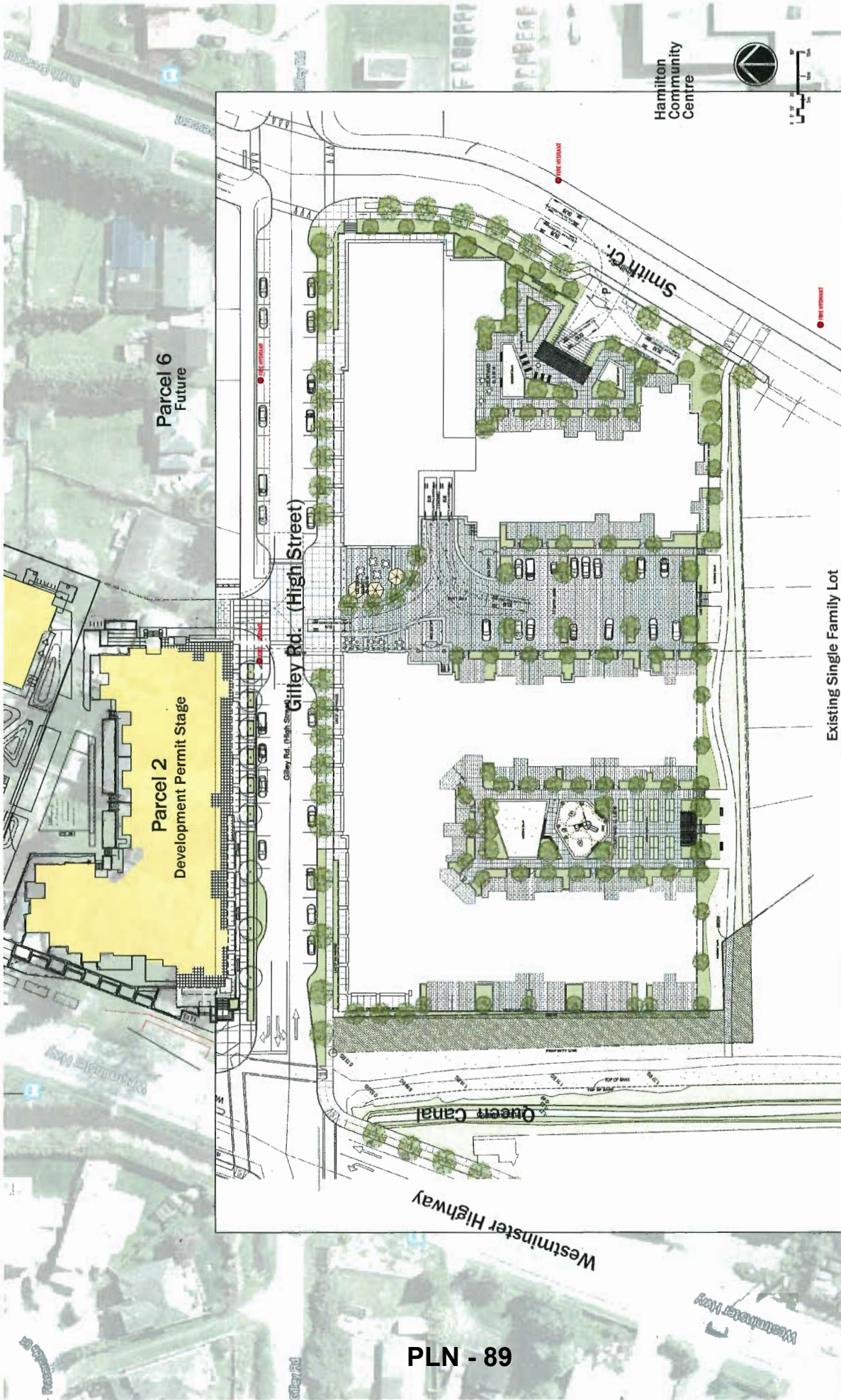


**DATABASE:**  
**PROJECT NO:** 1626  
**PLOT DATE:** 23 APRIL 2018  
**SCALE:** 1" = 70'-0"

**3**







PLN - 89

1626  
23 APRIL 2018  
1" = 70'-0"

ORIS

DRAWING TITLE:  
**Landscape Plan**  
Rezoning 4th Re-Submission

PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

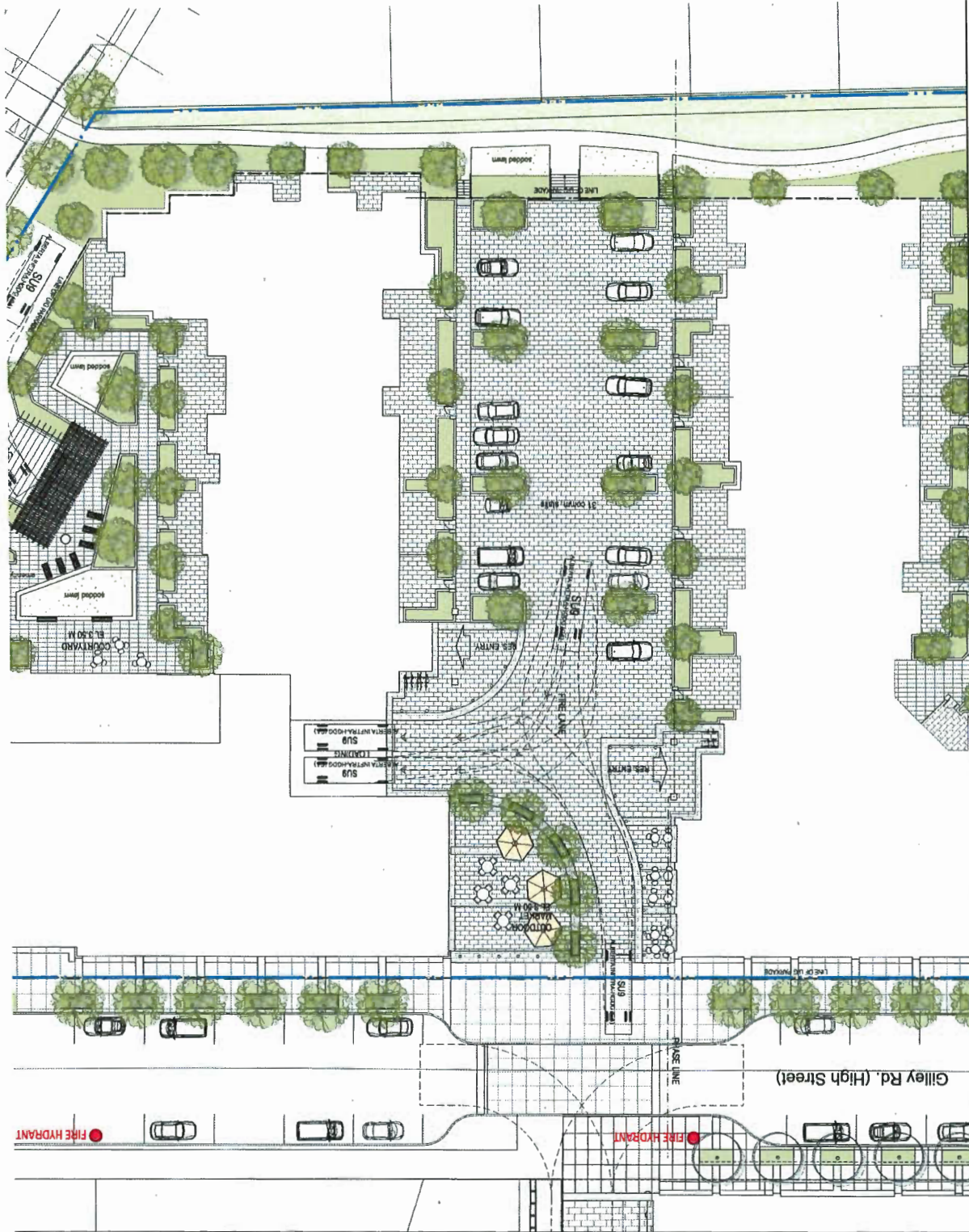
Rositch Hemphill Architects  
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

RHA





PLN - 90



**RHA**  
Rositch Hemphill Architects  
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**MEWS Landscape Plan**  
Rezoning 4th Re-Submission

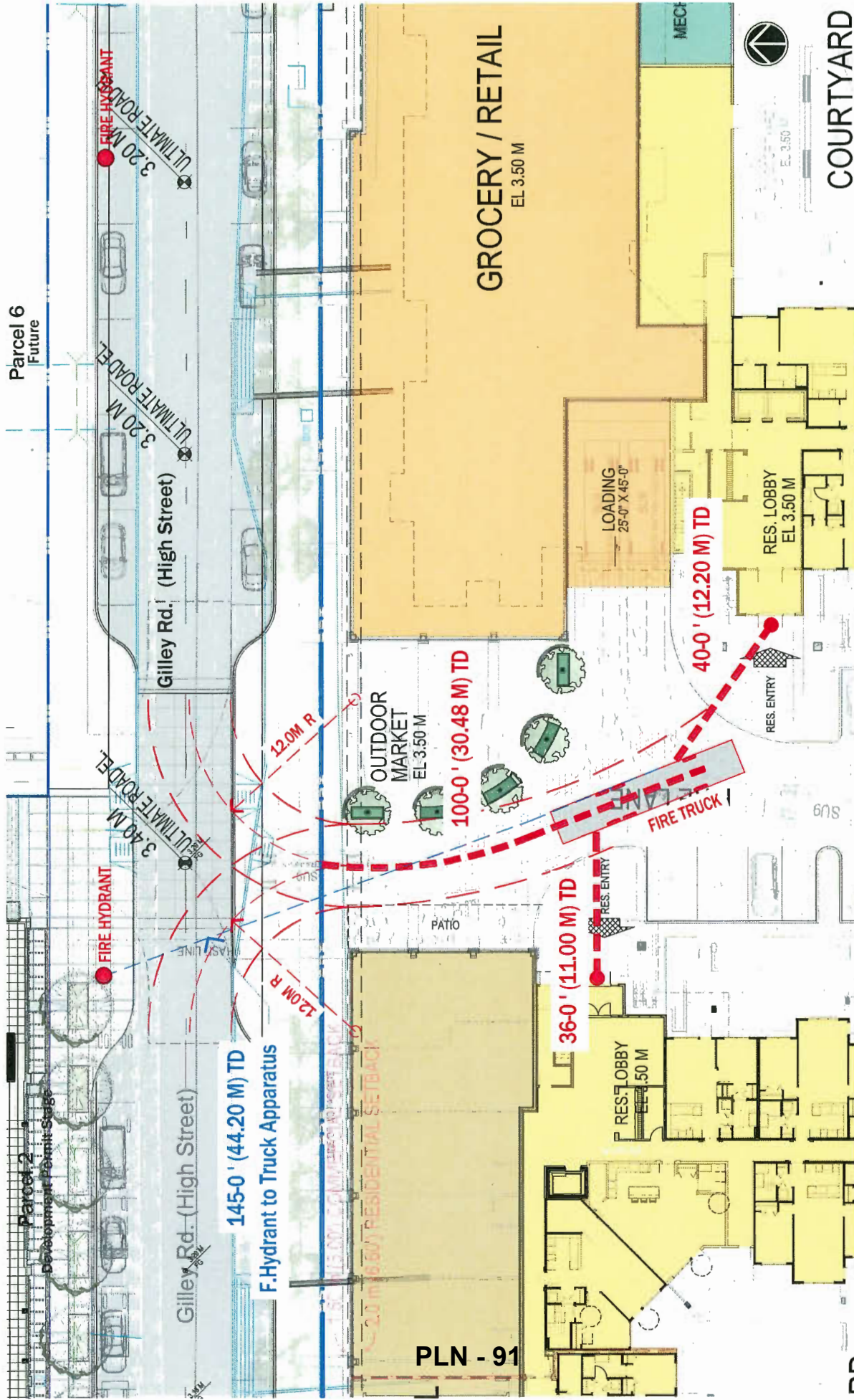


DATABASE:  
PROJECT NO:  
PLOT DATE:  
SCALE:

1626  
23 APRIL 2018  
1/32" = 1'-0"

**3.2**





**RHA**

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 t 604.669.6002 f 604.669.1091 www.rharchitects.ca

**PROJECT:**  
**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

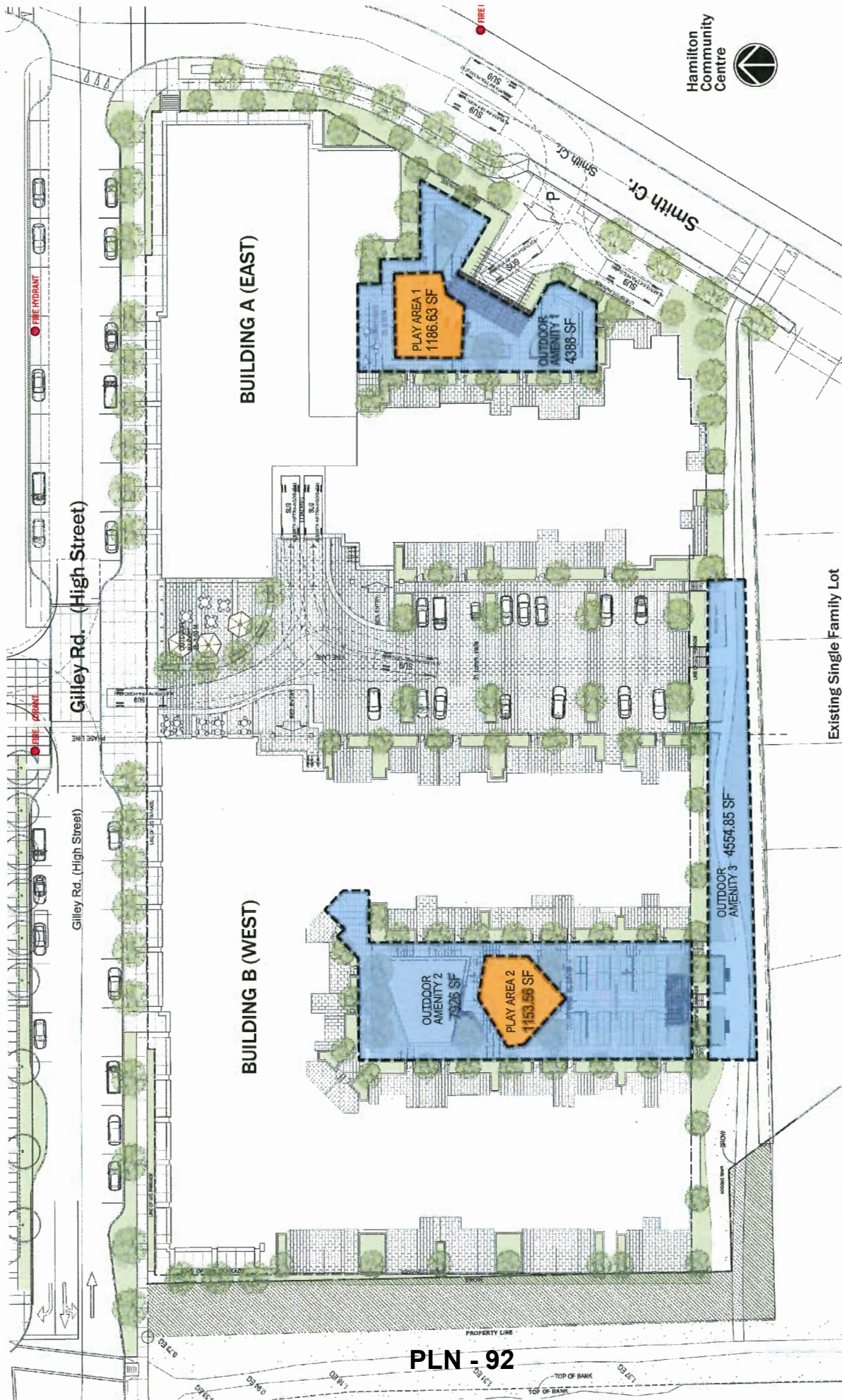
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**Fire Department Access Plan**  
 Rezoning 4th Re-Submission

**ORIS**

**DATABASE:**  
 PROJECT NO: 1626  
 PLOT DATE: 23 APRIL 2018  
 SCALE: 1" = 25'-0"

**3.3**





PLN - 92



DATABASE: 1626  
PROJECT NO: 23 APRIL 2018  
PLOT DATE: 1" = 40'-0"

**ORIS**

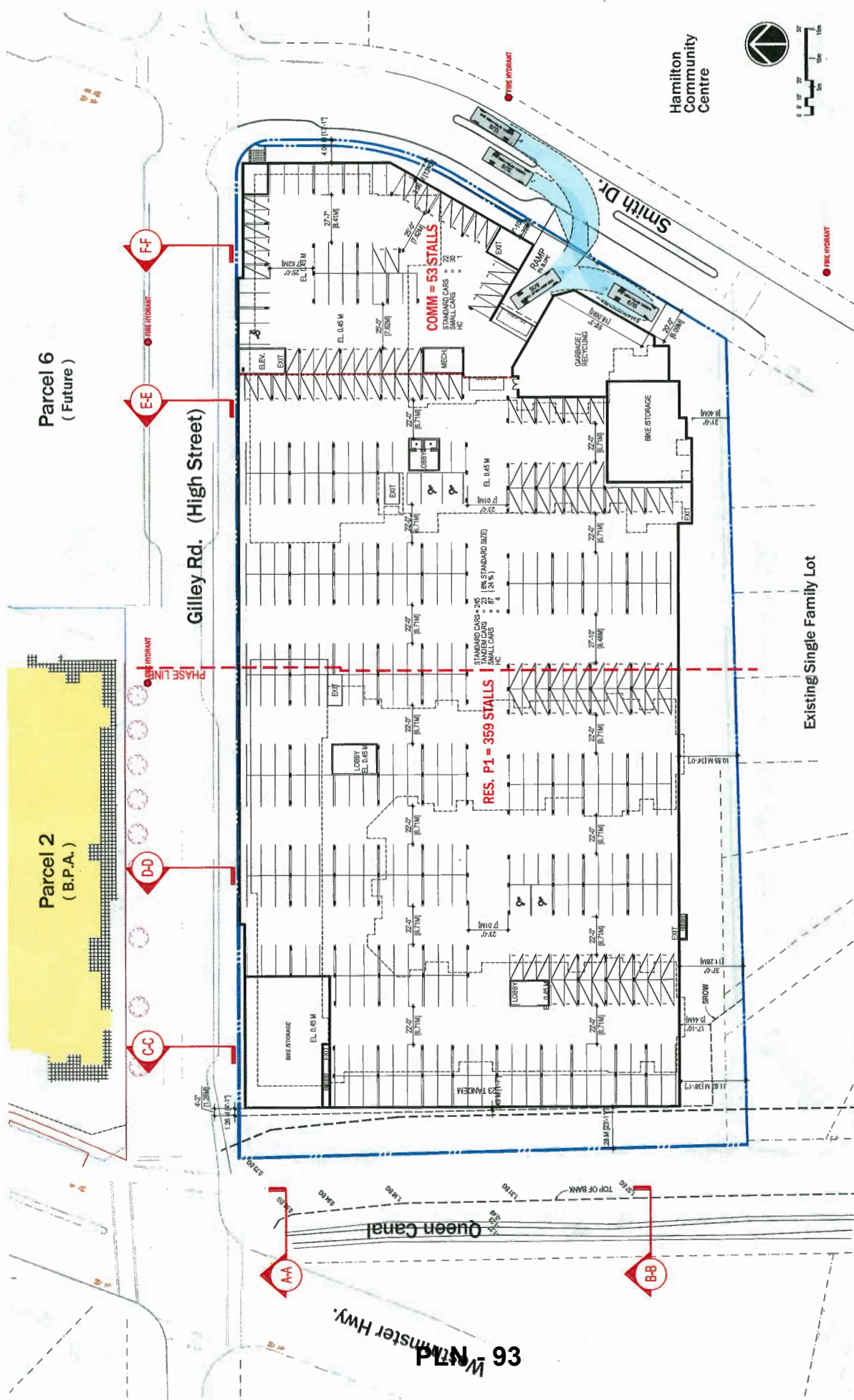
DRAWING TITLE:  
**Outdoor Amenity**  
Rezoning 4th Re-Submission

PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

**Rositch Hemphill Architects**  
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G4  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

**RHA**





**RHA**

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 420 Powell Street, Unit 110 Vancouver, BC Canada V6A 1G1  
 1 604.669.6002 f 604.669.1091 www.rharchitects.ca

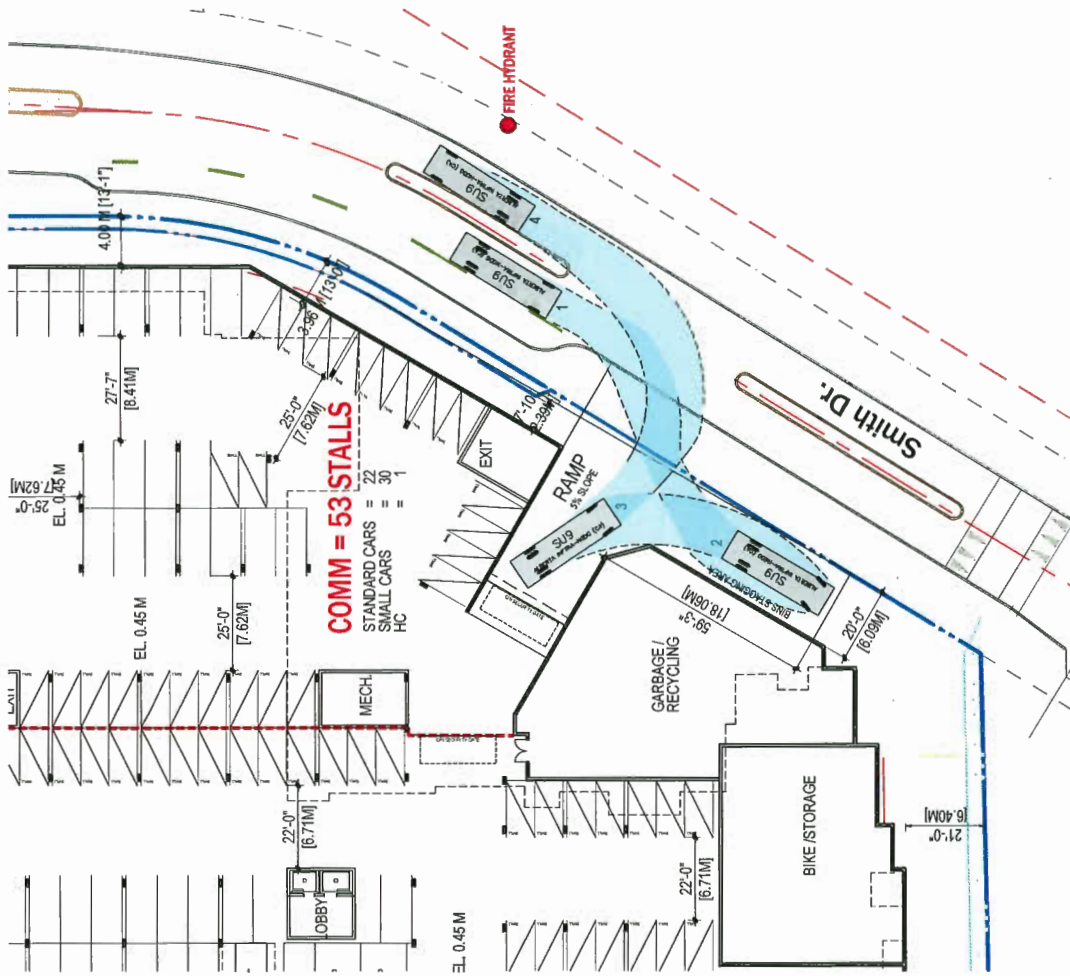
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**Parcel 1, Mixed-Use**  
 Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**P1**  
 Rezoning 4th Re-Submission

DATABASE: ORIS

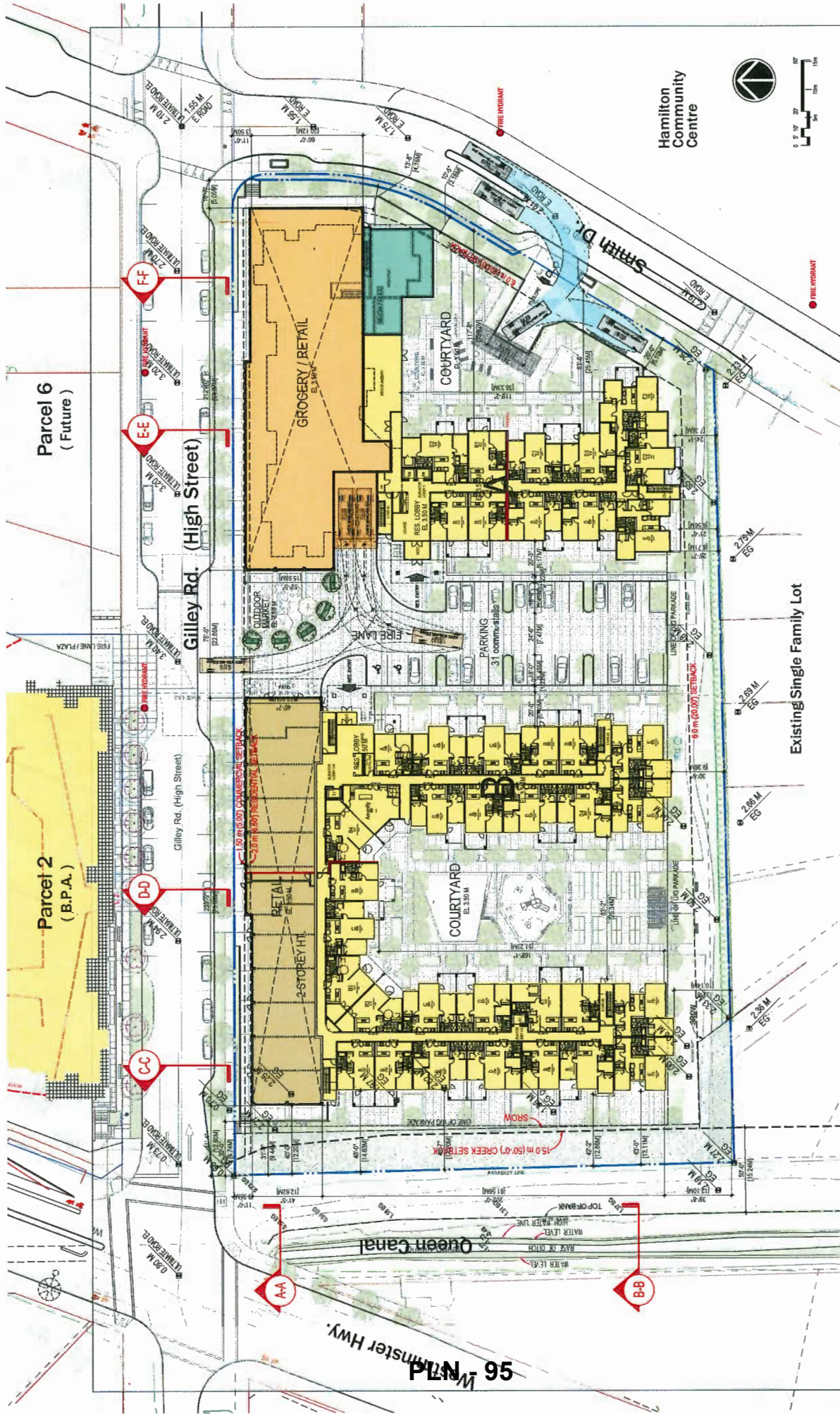
PROJECT NO: 1626  
 PLOT DATE: 23 APRIL 2018  
 SCALE: 1" = 50'-0"

4



### Garbage SU-9 truck - Truck Movement Turning Radius





Hamilton  
Community  
Centre

Existing Single Family Lot

56 W 95th

Parcel 6  
(Future)

Parcel 2  
(B.P.A.)

Gilley Rd. (High Street)

Queen Canal

Smith Dr.

GROCERY/RETAIL

COURTYARD

COURTYARD

RETAIL

2-STOREY HT.

PARKING

31 commercial

FF

EE

DD

CC

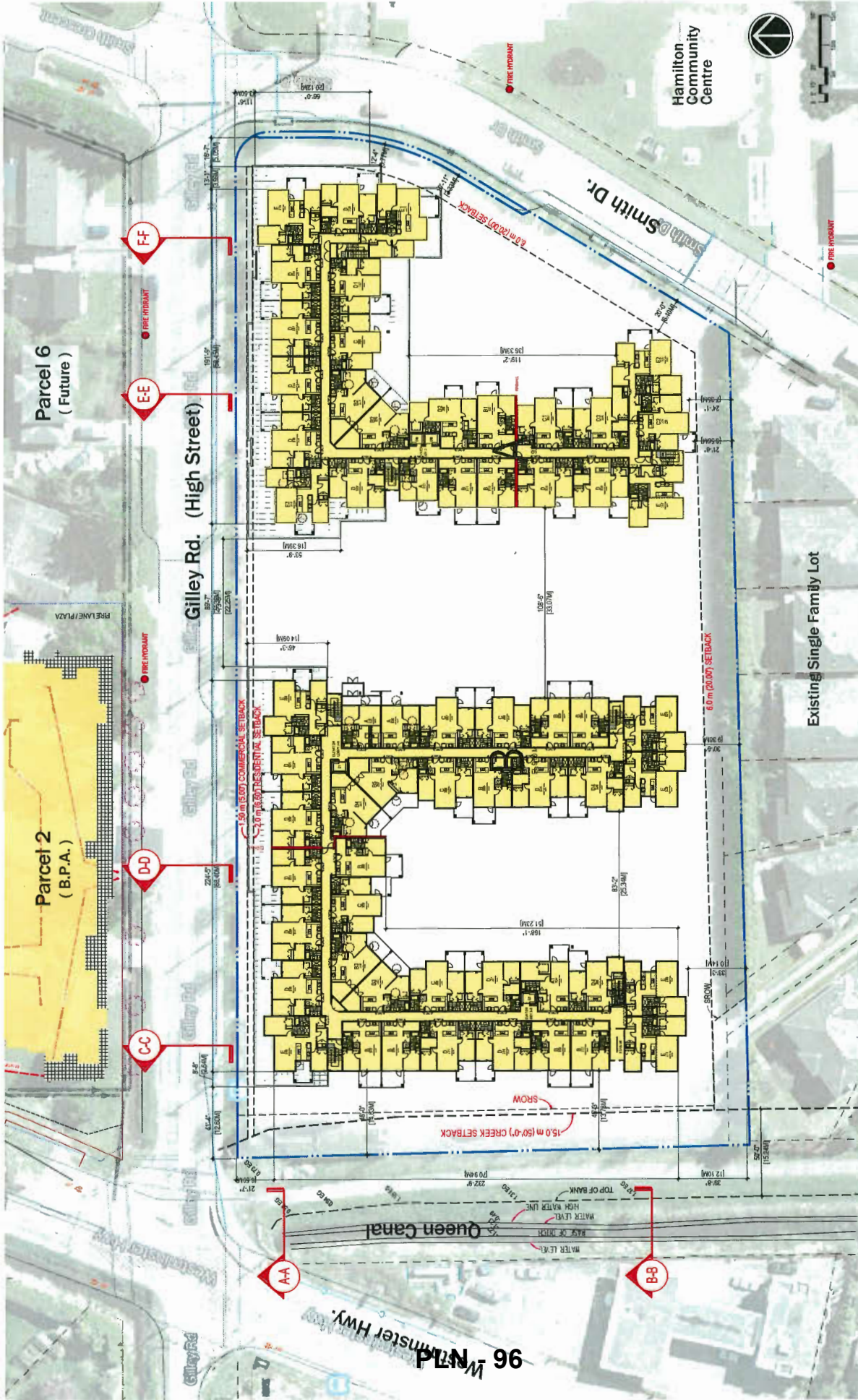
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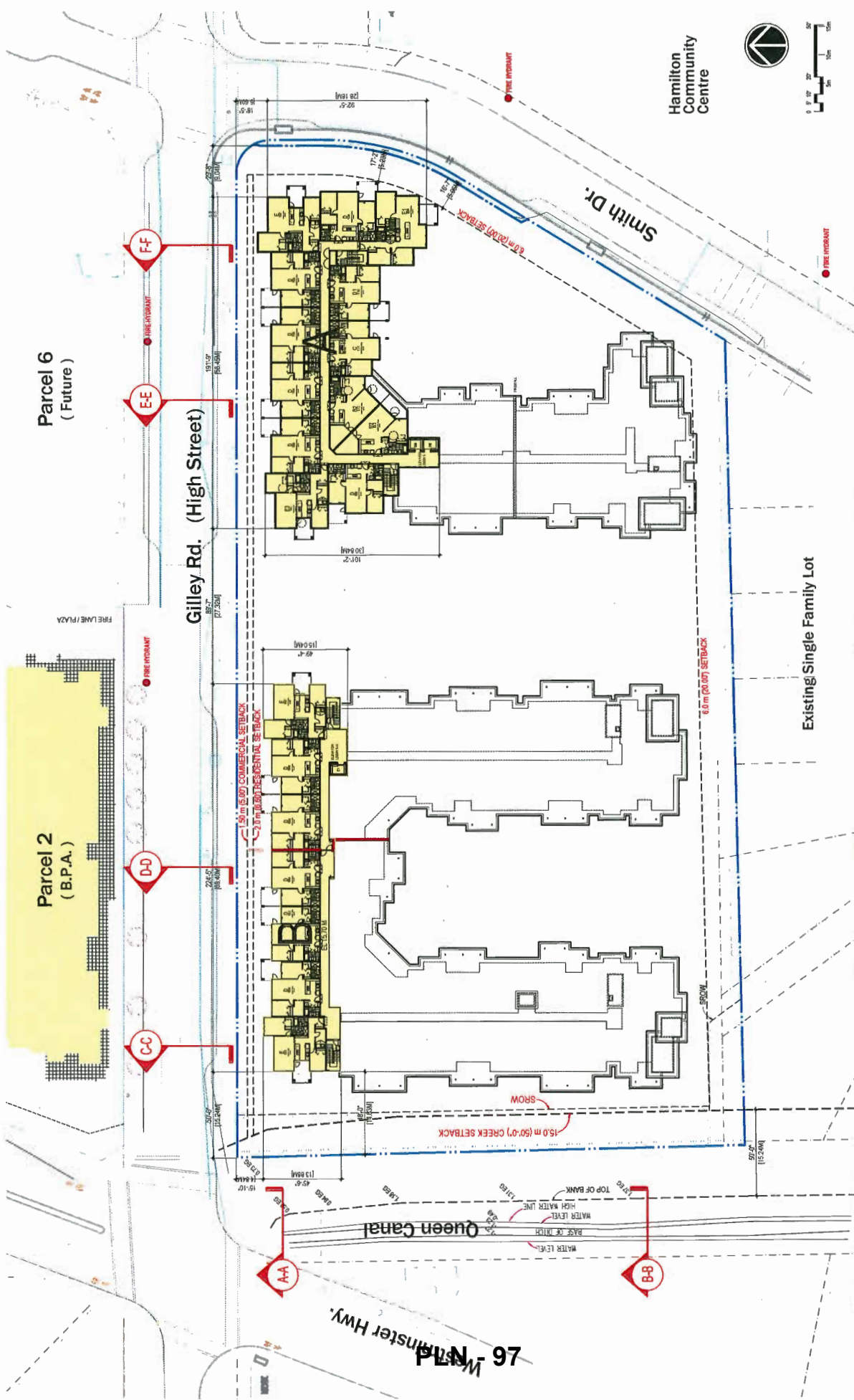
B-B

FIRE HYDRANT

FIRE HYDRANT











1. Gilley Road (High Street - Elevations)



Rositch Hemphill Architects  
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
t 604.685.6002 f 604.685.1091 www.rharchitects.ca

PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**Streetscape**  
Rezoning 4th Re-Submission



DATABASE:  
PROJECT NO:  
PLOT DATE:  
SCALE:

8

SKETCH  
1626  
23 APRIL 2018  
1" = 40'-0"





Keyplan



Building A - Gilley Road Elevation



Rositch Hemphill Architects  
420 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
Tel: 604.669.6002 Fax: 604.669.1091 www.rharchitects.ca

PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**Streetscape**  
Rezoning 4th Re-Submission



DATABASE:  
PROJECT NO: 1626  
PLOT DATE: 23 APRIL 2018  
SCALE: 1" = 25'-0"



Building B - Gilley Road Elevation



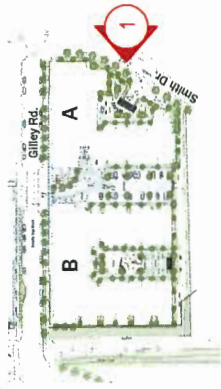
Rositch Hemphill Architects  
420 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G4  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

PROJECT: **Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE: **Streetscape**  
Rezoning 4th Re-Submission



DATABASE: SKETCH  
PROJECT NO: 1626  
PLOT DATE: 23 APRIL 2018  
SCALE: 1" = 25'-0"



Building A - East Elevation (Smith Dr.)

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120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G4  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

**PROJECT:**  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

**DRAWING TITLE:**  
**Streetscape**  
Rezoning 4th Re-Submission



**DATABASE:**  
**PROJECT NO:**  
**PLOT DATE:**  
**SCALE:**

**SKETCH**  
1626  
23 APRIL 2018  
1" = 40'-0"





GILLEY ROAD

P

P



Building A - Gilley Road Elevation



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t 604.669.6002 f 604.669.1091 www.rharchitects.ca

PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

DRAWING TITLE:  
**Streetscape**  
Rezoning 4th Re-Submission



DATABASE:  
PROJECT NO: 1626  
PLOT DATE: 23 APRIL 2018  
SCALE: 1" = 40'-0"

SKETCH  
1626  
23 APRIL 2018  
1" = 40'-0"

12



## 1. South Elevations

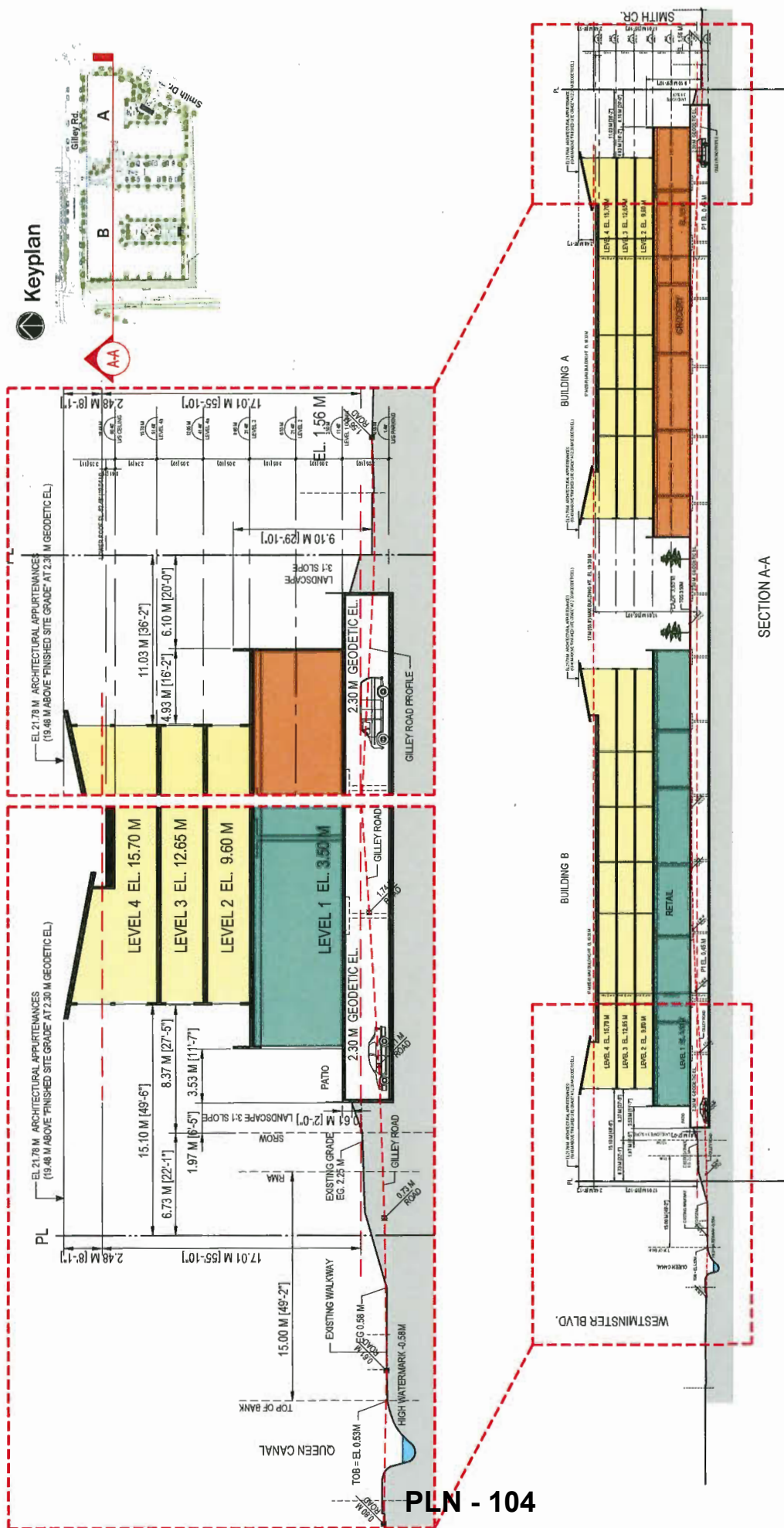
**Rositch Hemphill Architects**  
420 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

**PROJECT:**  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

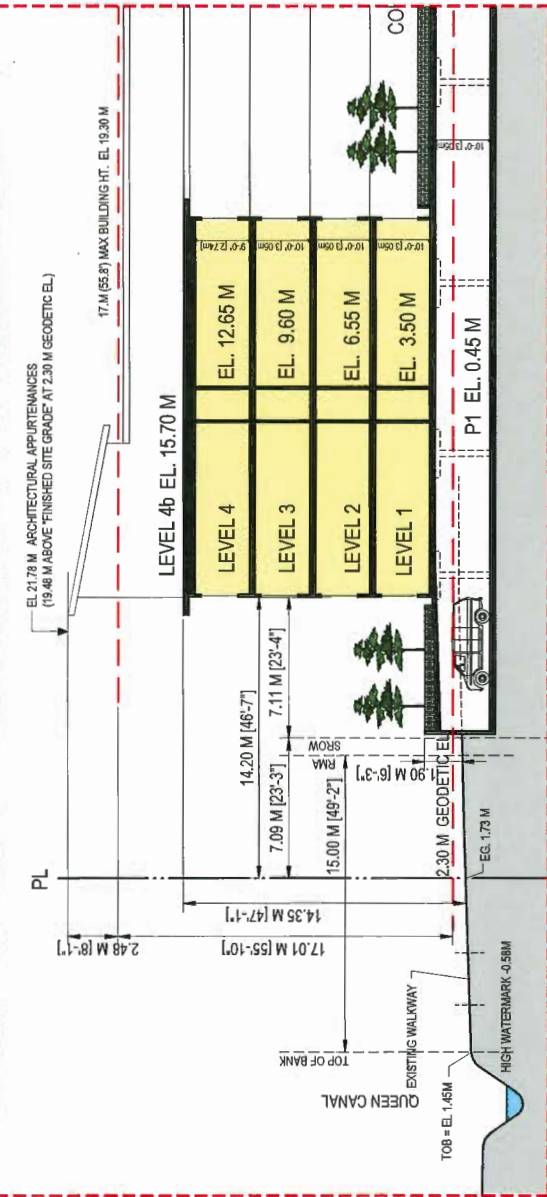
**DRAWING TITLE:**  
**Streetscape**  
Rezoning 4th Re-Submission



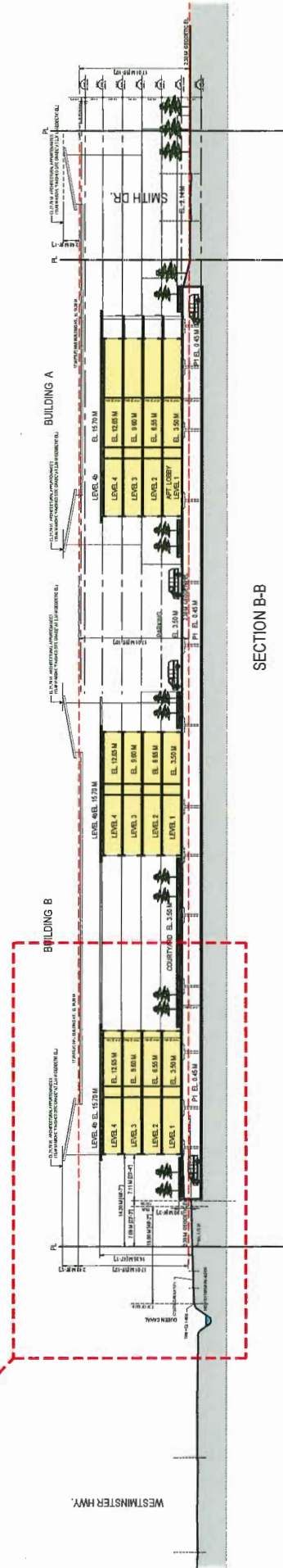
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**PROJECT NO:** 1626  
**PLOT DATE:** 23 APRIL 2018  
**SCALE:** 1" = 40'-0"







PLN - 105



**RHA**

Rositch Hemphill Architects  
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

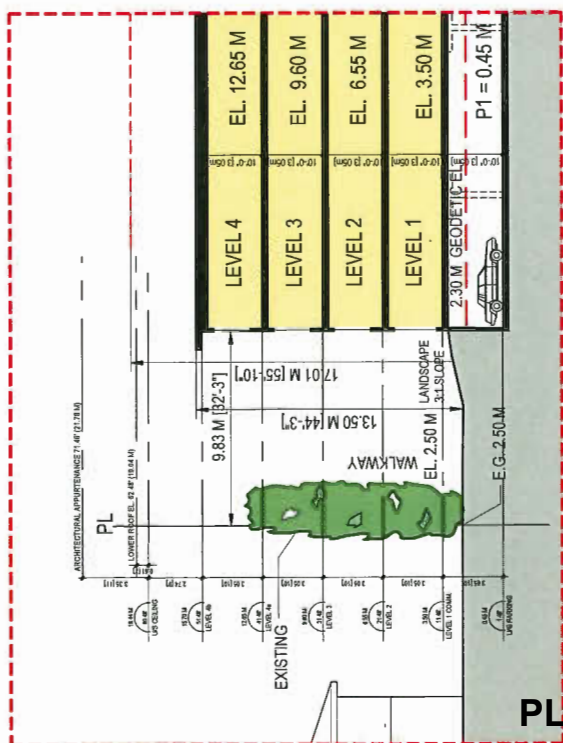
PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

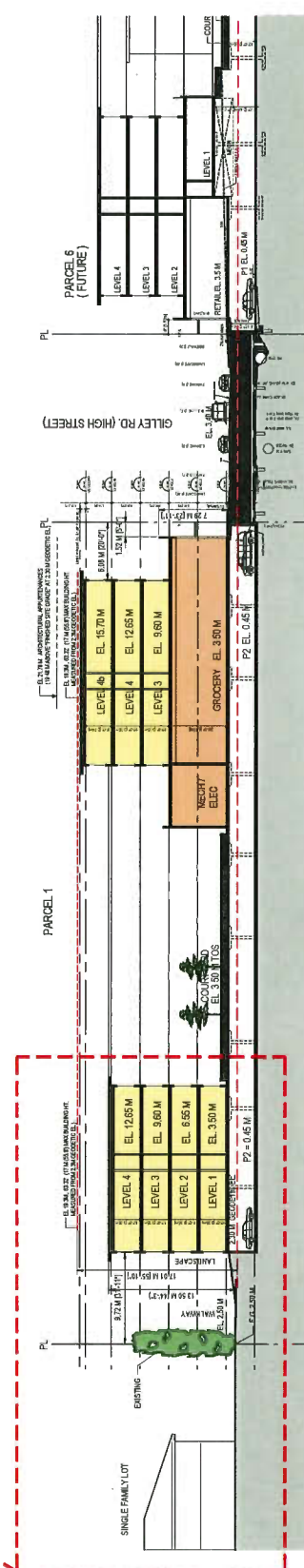
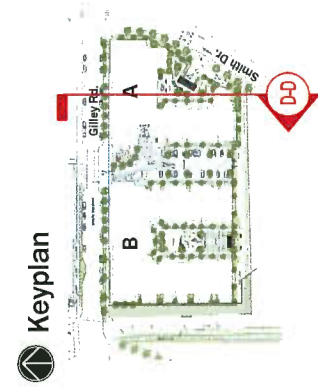
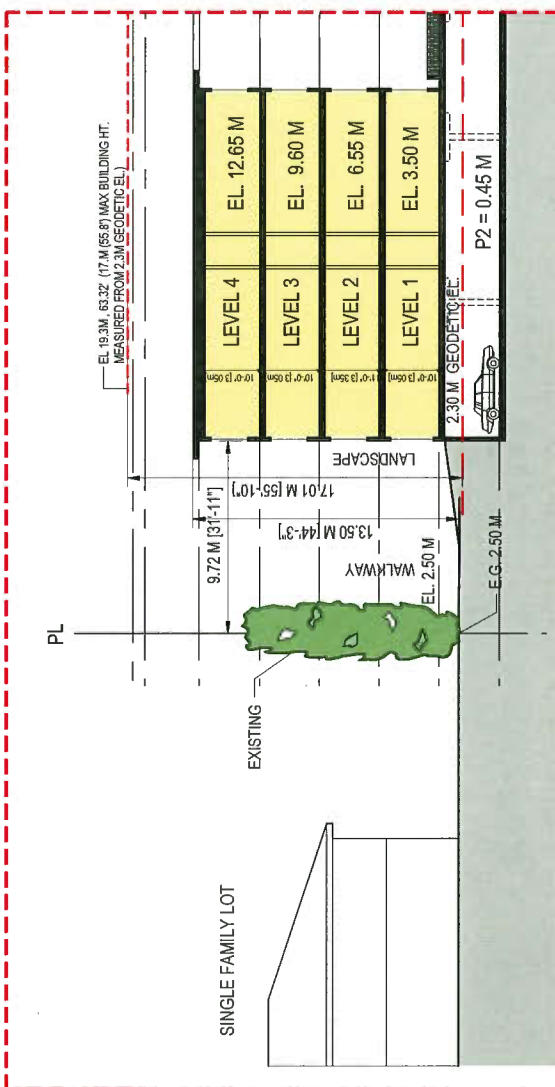
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**Sections**  
Rezoning 4th Re-Submission

**ORIS**

DATABASE: 1626  
PROJECT NO: 1626  
PLOT DATE: 23 APRIL 2018  
SCALE: 1" = 40'-0"

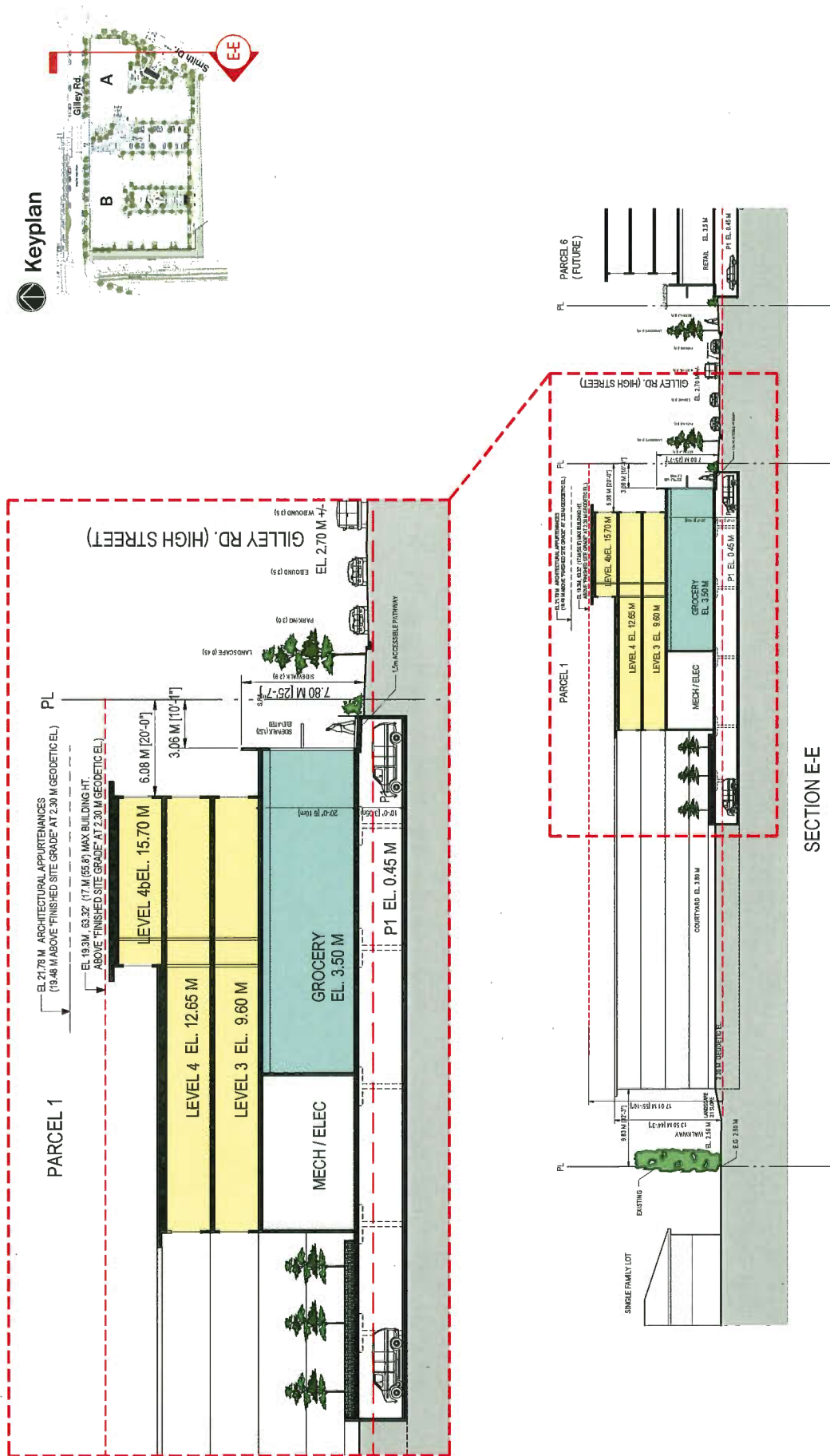
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SECTION D-D

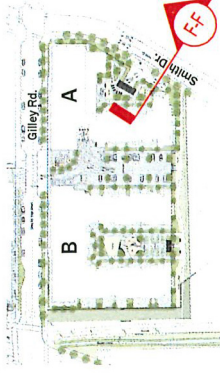






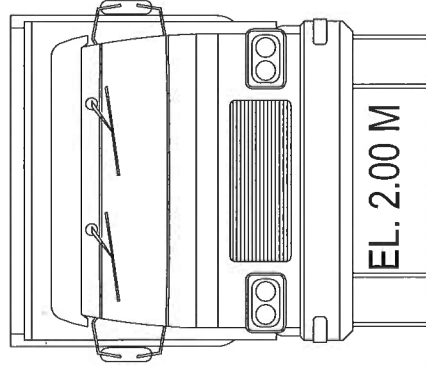


Keyplan



GARBAGE TRUCK  
LOADING / STAGING AREA

PL



EL. 2.00 M

TOS EL. 3.50 M

PLN 109

2.26 [7'-5"]

P1

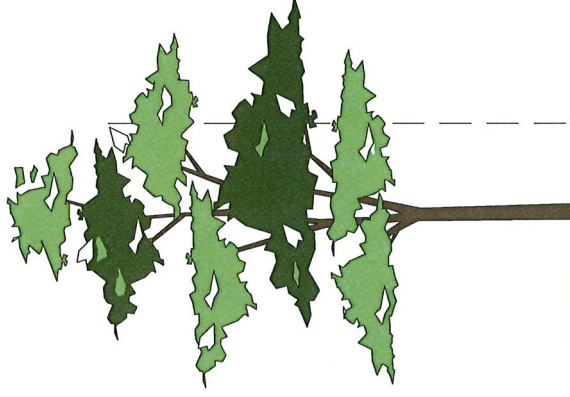
TOS EL. 0.45 M

1.42 [4'-8"]

6.10 [20']

SMITH DR.

EL. 2.01 M



Garbage Collection Staging Area & Pick Up

Rositch Hemphill Architects  
120 Powell Street, Unit 40 Vancouver, BC Canada V6A 1G4  
t 604.669.6002 f 604.669.1091 www.rharchitects.ca

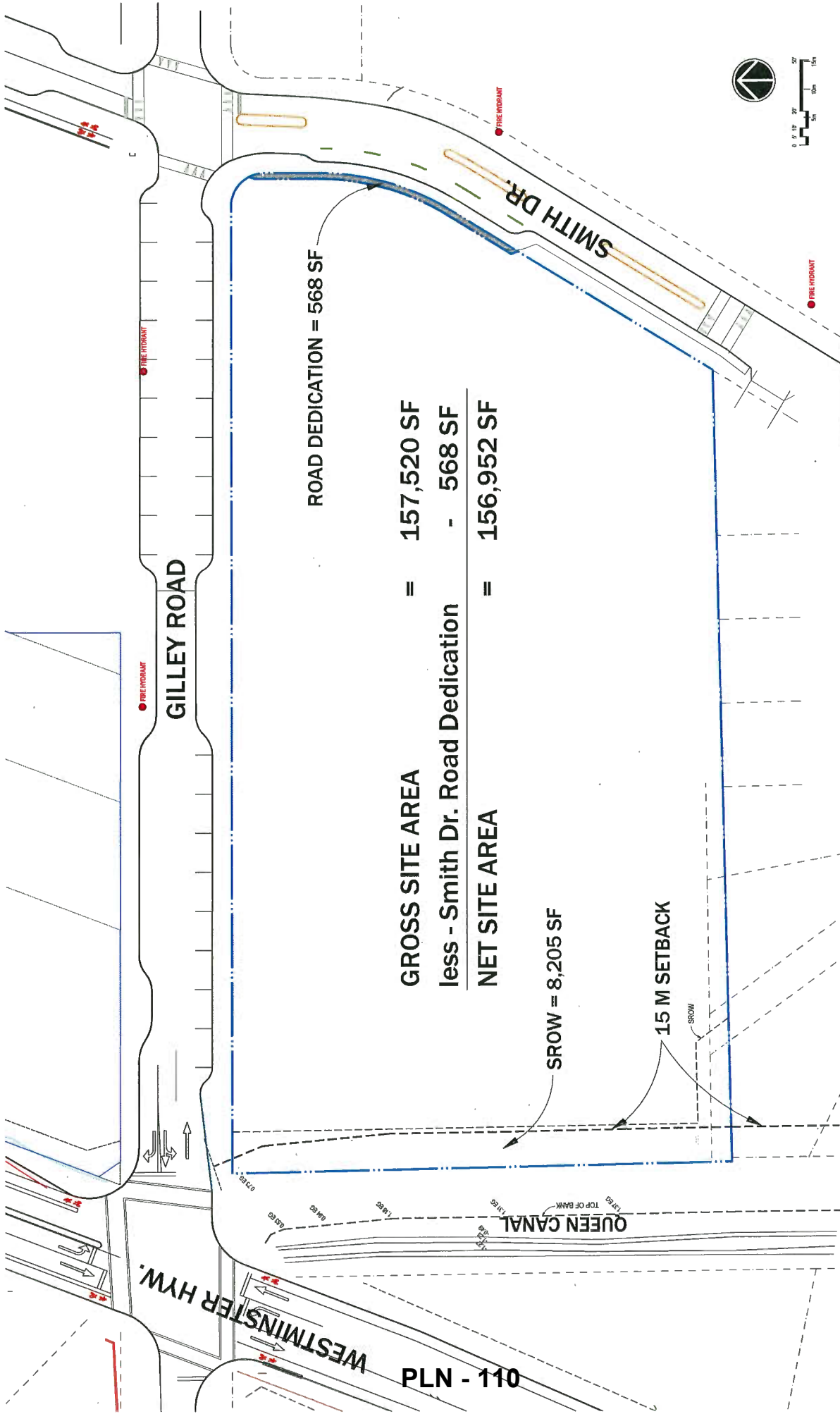
PROJECT:  
**Parcel 1, Mixed-Use**  
Hamilton Lands, Richmond, BC

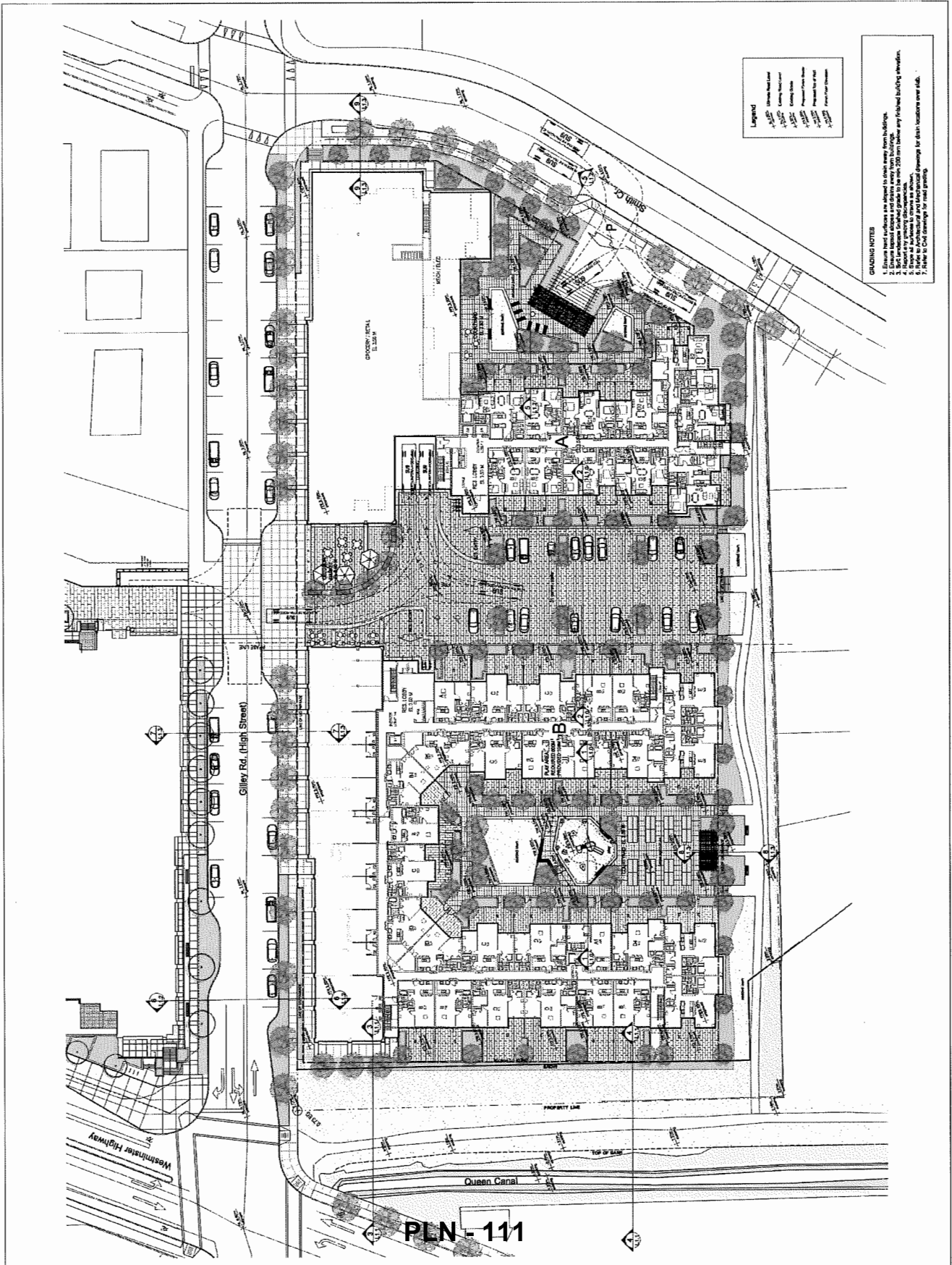
DRAWING TITLE:  
**Section F-F**  
Rezoning 4th Re-Submission

DATABASE:  
PROJECT NO: 1626  
PLOT DATE: 23 APRIL 2018  
SCALE: 1/4" = 1'-0"



19





159  
sect

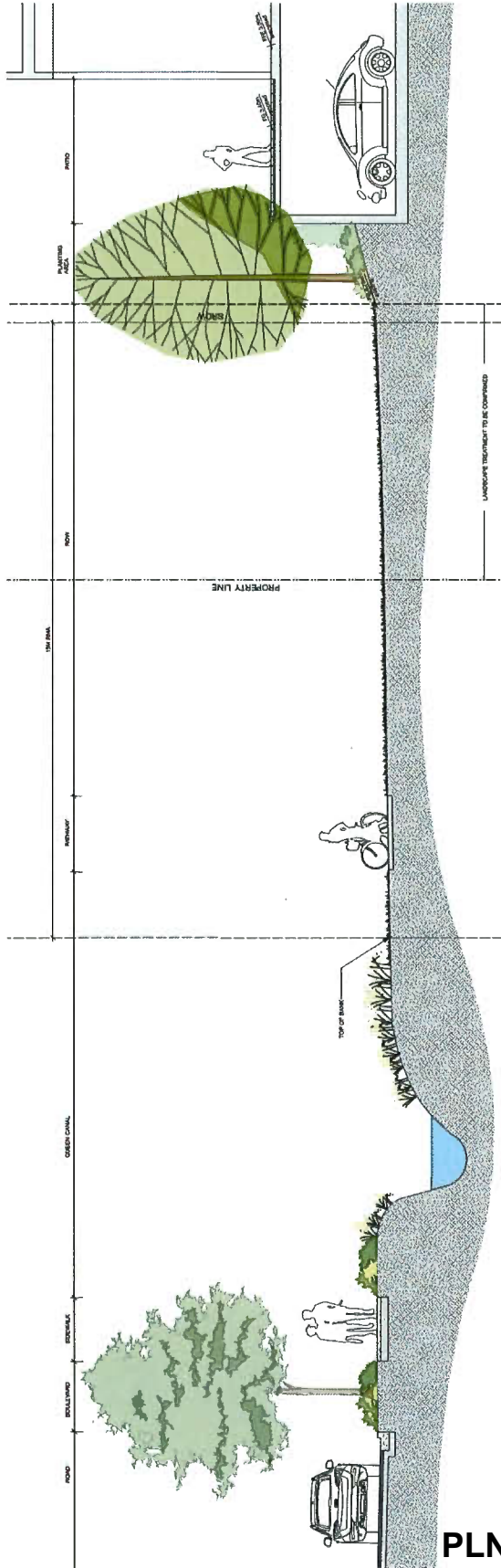
**Oris Developments  
(Hamilton) Corp.**

## LANDSCAPE SECTIONS

Project Name:	Drawn By:	YY
	Checked By:	
Drawn:	App. No.:	17-094
Sheet No.:		

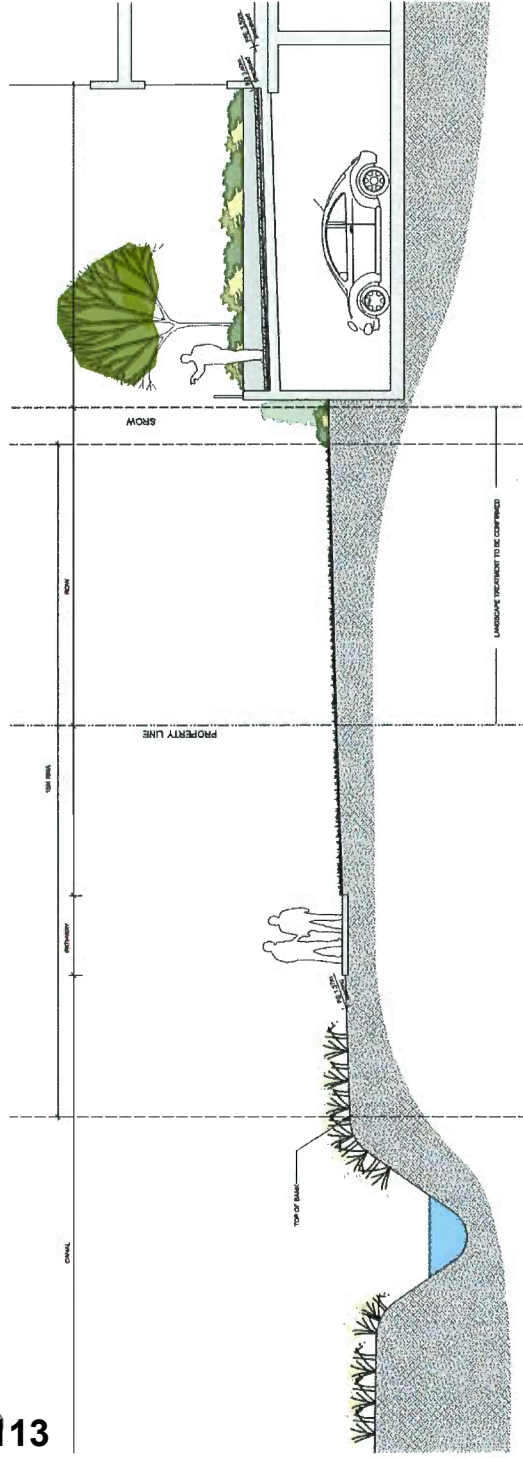
## L1.0





**PLN 113**

SECTION THROUGH ROW AND PUBLIC WALKWAY TO WEST OF BUILDING 9



SECTION THROUGH ROW AND PUBLIC WALKWAY TO WEST OF BUILDING 9

Oris Developments  
 (Hamilton) Corp.

Project Title:  
 Hamilton Village,  
 Richmond  
 Parcel 1

Drawing Title:  
 LANDSCAPE  
 SECTIONS

Project No.:	03/2018
Client No.:	11-004
Scale:	1:50
Sheet No.:	11-004

L1.1









**RZ 16-754305**

**Attachment 3**

Address: 23200 Gilley Road

Applicant: Oris Developments (Hamilton) Corp.

Planning Area(s): Hamilton

	Existing	Proposed
<b>Owner:</b>	Elashi Developments Ltd. & Aman Developments Ltd.	Oris Developments (Hamilton) Corp.
<b>Site Size (m<sup>2</sup>):</b>	14,634 m <sup>2</sup>	14,581 m <sup>2</sup>
<b>Land Uses:</b>	Commercial	Mixed Use
<b>OCP Designation:</b>	NSC – Neighbourhood Service Centre	NSC – Neighbourhood Service Centre
<b>Area Plan Designation:</b>	Neighbourhood Village Centre (Retail and Office with Residential Above 4 Storey 1.50 FAR)	Neighbourhood Village Centre (Retail and Office with Residential Above 4 Storey 1.50 FAR)
<b>Zoning:</b>	Community Commercial (CC)	Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)
<b>Number of Units:</b>	None	225

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.5 FAR plus 0.10 FAR for amenity space	1.5 FAR plus 0.01 FAR for amenity space	none permitted
Buildable Floor Area (m <sup>2</sup> ):*	23,330 m <sup>2</sup>	22,041 m <sup>2</sup>	none permitted
Lot Coverage (% of lot area):	Building: Max. 55%	Building: Max. 50%	none
Lot Size:	12,000 m <sup>2</sup>	14,581 m <sup>2</sup>	none
Lot Dimensions (m):	Width: 80 m Depth: 80 m	Width: 80 m Depth: 80 m	none
Setbacks (m):	Gilley Rd: Min. 1.5 m Smith Dr: Min. 3.0 m West Side: Min. 6.0 m South Side: 6.0 m	Gilley Rd: Min. 1.5 m Smith Dr: Min. 3.2 m West Side: Min. 9.4m South Side: 6.5 m	none
Height (m):	17 m & 20 m for localized architectural elements / raised roofs	17 m & 19.3 m for localized architectural elements / raised roofs	none
Off-street Parking Spaces – Regular (R) / Visitor (V):	1.5 (R) and 0.20 (V) per unit	1.5 (R) and 0.20 (V) per unit	none
Off-street Parking Spaces – Total:	415	443	none
Tandem Parking Spaces:	Permitted – Maximum of 50% of required spaces	30%	none



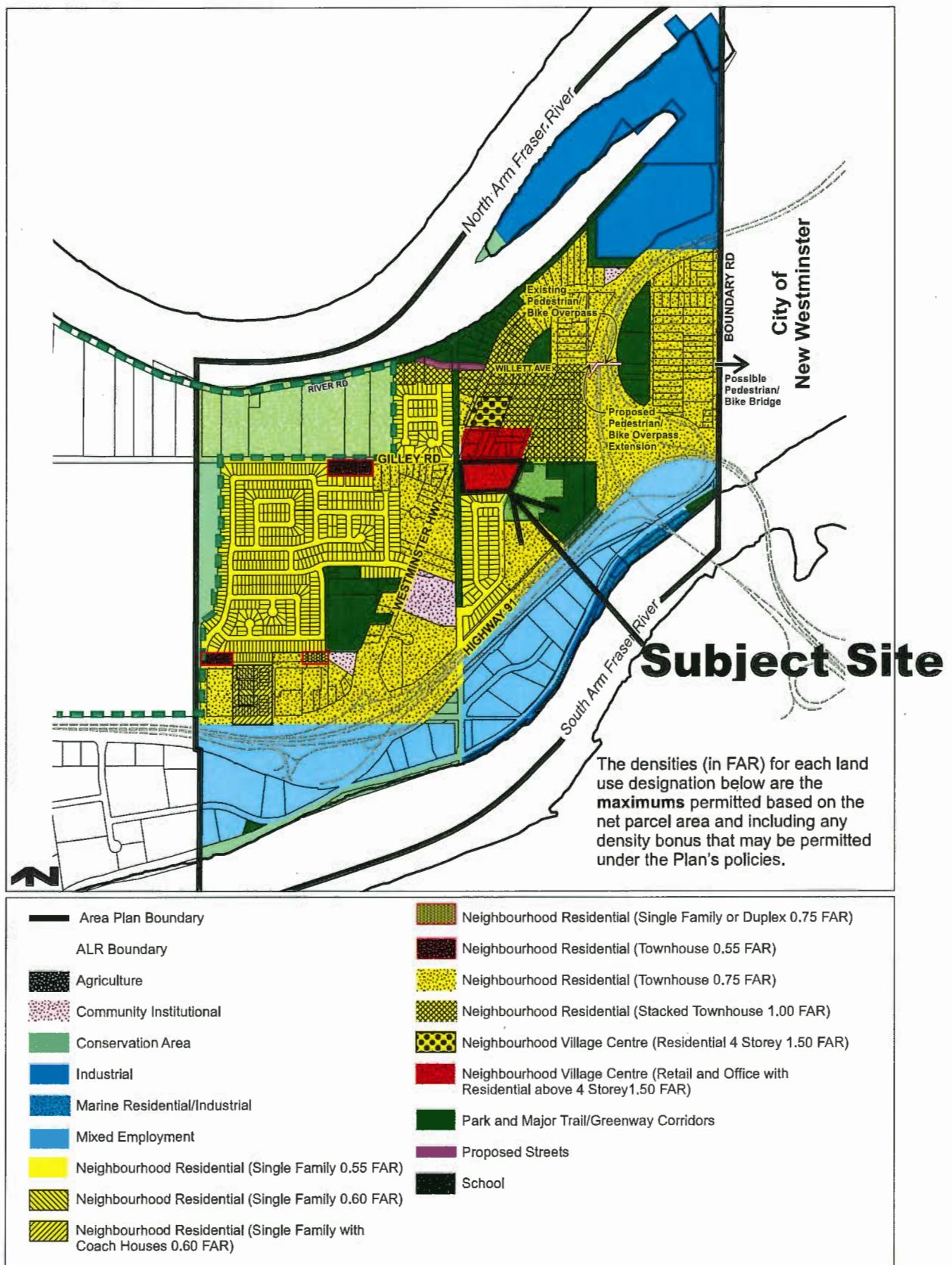
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Amenity Space – Indoor:	200 m <sup>2</sup>	200 m <sup>2</sup>	none
Amenity Space – Outdoor:	1,350 m <sup>2</sup>	1,567 m <sup>2</sup>	none

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

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

## Hamilton Area Plan

## Land Use Map



PLN - 118

Original Adoption: June 19, 1995 / Plan Adoption: February 25, 2014



## RADIX TREE & LANDSCAPE CONSULTING INC

April 2, 2018

Oris Consulting Ltd  
**Attn:** Paul Dmytriw  
 100 – 12235 No 1 Road  
 Richmond, BC  
 V7E 1T6

### APPENDIX "D"

#### ADDENDUM #1 FOR ARBORIST REPORT FOR TREES at 23200 Gilley Rd, Rich

A review of the Landscape Plan dated March 23, 2018 for the proposed rezoning at 23200 Gilley Road was recently completed for the purpose of determining the feasibility of retention of the trees and hedge along the south property line (PL). This includes trees #809 through #819 and the existing Western Cedar Hedge that spans the entire south PL. This included the review of the condition of these trees at the time they were inventoried (Sept 1, 2016) and are outlined within the revised #1 arborist report #1 completed by Radix Tree and Landscape Consulting Inc (Radix) dated April 2, 2018.

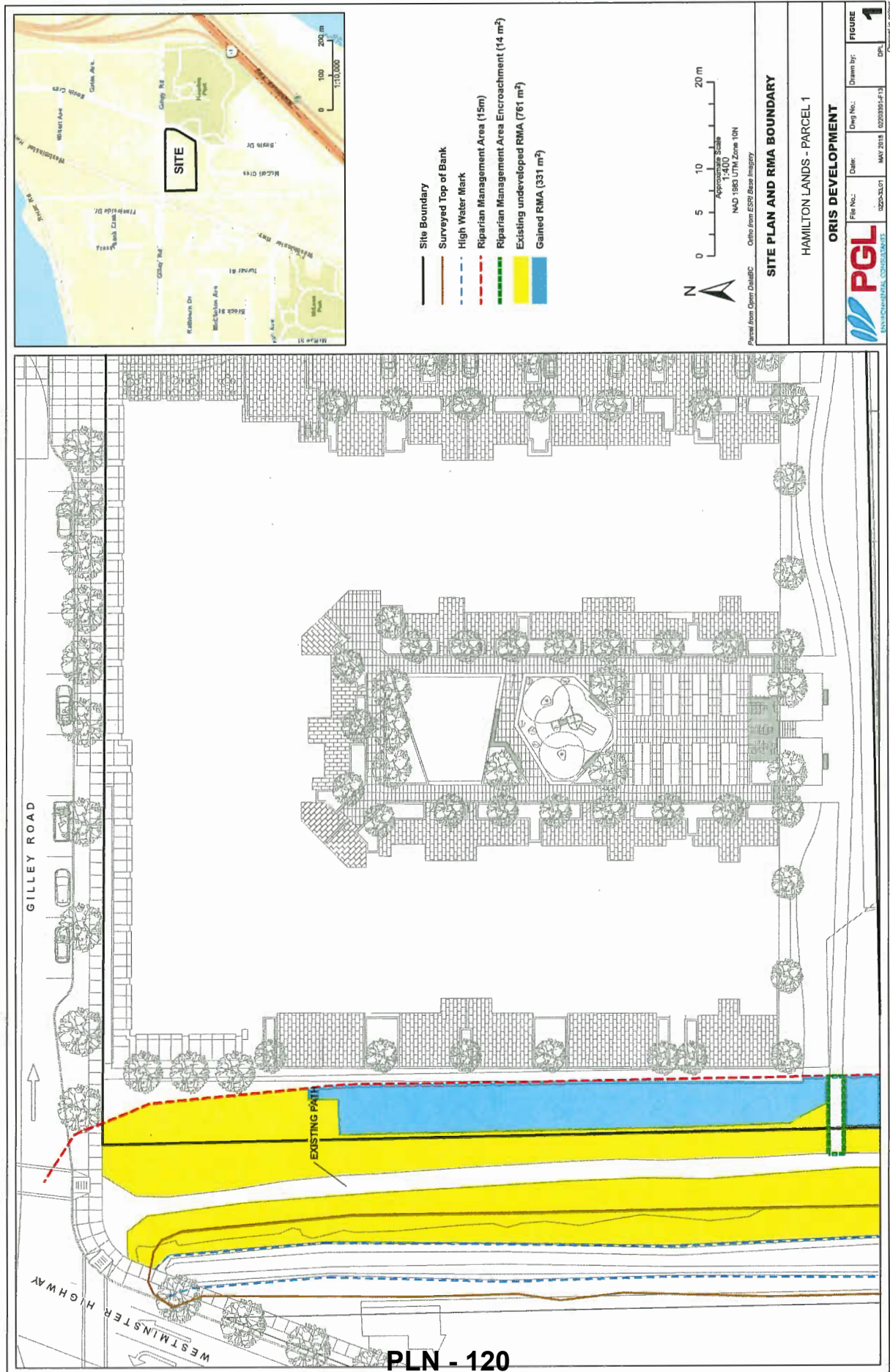
As per the instruction (March 20, 2018) from the representative at the City of Richmond, the City is requesting that these trees and existing large hedge along the south PL be protected and maintained with the construction of the proposed building pathway along the south side of the site. This will provide a very important buffer to the single family homes located to the south.



Picture 1. Aerial view of location of tagged trees

Suite #264, 718-333 Brooksbank Ave, North Vancouver, BC V7J 3V8  
 PH: 604.770.1755 Fax: 778.262.0140 [radixtreeconsulting@gmail.com](mailto:radixtreeconsulting@gmail.com)









**Address:** 23200 Gilley Road (Parcel 1 - Hamilton Village)

**File No.:** RZ16-754305

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9764, the developer is required to complete the following:**

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. **Road Dedication:** Approximately 568 ft<sup>2</sup> (52.8m<sup>2</sup>) of road dedication along the part of the Smith Drive frontage as generally shown on the in Appendix A is to be included within a registered plan of subdivision.
3. **On-Site Trees:** Submission of a landscape plan for the Development Permit that includes at least 78 replacement trees based on a ratio of at least 2:1 to compensate for the 39 on-site trees to be removed as described in the project arborist report prepared by Radix Tree & Landscape Consulting Inc. dated April 2, 2018. The required replacement trees are to be of the minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057. Provision of a voluntary contribution of \$500 per replacement tree to the City's tree compensation fund if there are less than 78 replacement trees included within the Development Permit.
4. **Hedge & Trees on Southerly Property Line:** Adherence to Appendix "D" of the above-noted arborist report that provides a prescription for protection of the cedar hedge and twelve (13) Black Pine trees (nos. 808 to 820) near the south property line; and submission of tree survival security to the City in the amount of \$30,000 to be held for a term of three (3) years after completion of the landscaping under the Development Permit.
5. **Off-Site City Trees:** City acceptance of the developer's offer to voluntarily contribute \$18,200 to the City's Tree Compensation Fund for the planting of replacement trees elsewhere within the City (for the 14 trees proposed to be removed from City property on Gilley Ave), and the seven (7) trees within the Smith Drive road allowance are to be moved to another location by the City Arborist or by a tree moving company to another location within the Hamilton Area as chosen by City Parks, at the developer's cost with a security for the cost of moving the trees to be provided to the satisfaction of the City prior to rezoning adoption .
6. **Queen Canal Riparian Management Area (RMA):**  
The developer is required to address the Riparian Management Area (RMA) for the Queen Canal as generally provided in the report by Pottinger Gaherty, Environmental Consultants Ltd. (the "QEP") under File No. 0220-33.01, dated February 15, 2018 (called the "Stage 1 RMA Report") and prepare a follow-up report for the Development Permit and Servicing Agreement respectively for the on-site and off-site portions of the RMA (called the "Stage 2 RMA Report") to:
  - a) Include a notation that the City and QEP are to be consulted to ensure any changes to the plans should be documented in as-built plans.
  - b) Remove 'Riparian Management Area Encroachment' and refer to as existing path.
  - c) Confirm that the existing tree in the south-west corner of the property will not be impacted by the proposed City storm pipe work.
  - d) Provide more information on irrigation and the known source of water, or confirm that planting will occur to limit the need to irrigation.
  - e) State the year one monitoring report is to be completed following a full year of growth. Please define the plant success rate.
  - f) Incorporate the City's Riparian Coastal Seedmix as part of the restoration plan.
  - g) Provide separate planting plans and cost estimates for the on-site portion of the RMA for the Development Permit and the off-site portion of the RMA in the Queen Canal Corridor.
  - h) Provision of separate estimates for the value of the on-site and off-site portions of the works/plantings.
7. **Queen Canal RMA Covenant and SRW:** Registration of a legal agreement with covenant and statutory right-of-way provisions for the purposes of planting and maintaining the on-site portion of the RMA extending 15m (48 ft.) eastward from the east top of bank of the Queen Canal as generally shown on Appendix A to be confirmed by the QEP and BCLS surveyor. The agreement will provide for:  
**PLN-121**

Initial: \_\_\_\_\_

- a) Owner to complete all works and plantings;
  - b) Owner maintenance of works and plantings;
  - c) Owner liability for works and plantings;
  - d) Provision of a five (5) year maintenance period with 75% of the security being released one (1) year after completion and the remainder released at five (5) years after completion of the works/plantings to the satisfaction of the City; and
  - d) Ability of the City to enter into the area to undertake and/or maintain works and plantings if required.
8. **City Pathway to McColl Crescent SRW:** Registration of a 6.0 m wide statutory right-of-way to accommodate a landscaped pathway connection as shown generally on Appendix C to the satisfaction of the Senior Manager, Parks. The statutory right-of-way will provide for:
- a) Owner construction of all works;
  - b) Public pedestrian and bicycle access at all times;
  - c) City maintenance of works; and
  - d) City liability for works.
9. **Private South Pathway SRW:** Registration of a 1.5 m wide right-of-way over the on-site pathway to be designed through the Development Permit process as shown generally on Appendix C to the satisfaction of the Director of Development. The statutory right-of-way will provide for:
- a) Owner construction of all works;
  - b) Public pedestrian and bicycle access;
  - c) Owner maintenance of works; and
  - d) Owner liability for works.
10. **Mixed Use Building Noise Covenant:** Registration of a covenant on title that identifies the building as a mixed-use building and that it be designed and constructed in a manner that mitigates potential noise from commercial uses to the proposed dwelling units. Dwelling units must be designed and constructed to achieve:
- a) CMHC guidelines for interior noise levels as indicated in the chart below:
- | Portions of Dwelling Units                      | Noise Levels (decibels) |
|---|-------------------------|
| Bedrooms  | 35 decibels             |
| Living, dining, recreation rooms                | 40 decibels             |
| Kitchen, bathrooms, hallways, and utility rooms | 45 decibels             |
- b) the ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy" standard for interior living spaces.
11. **Neighbourhood Public House Use Covenant:** Register a restrictive covenant on the title that restricts this use to the ground floor, requires its outdoor public entrance on Gilley Road and advises other owners of this possible use within the building.
12. **Flood Construction Level:** Registration of a flood plain covenant on title identifying a minimum habitable elevation of 3.5 m GSC.
13. The submission and processing of a **Development Permit\*** completed to a level deemed acceptable by the Director of Development.
14. **Area Plan Amenity Community Contribution:** City acceptance of the developer's offer to voluntarily provide a contribution of \$49.50 per square meter (\$4.60 per square foot) of total buildable residential floor area to the Hamilton Area Plan Capital Reserve Fund. (Approximately \$1,008,550 to be confirmed by the final DP Plans).
15. **Housing Agreement:** Registration of the City's standard Housing Agreement to secure a total 15 affordable housing (AH) units, the combined habitable floor area of which shall comprise at least 5% of each building's total residential building area within the development (e.g. AH floor area of 381.6 m<sup>2</sup> (4,108 ft<sup>2</sup>) in Building A and AH floor area of 457.3 m<sup>2</sup> (4,922 ft<sup>2</sup>) in Building B). Occupants of the affordable housing units subject to the Housing Agreement shall enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces. The terms of the Housing Agreements shall indicate that they apply in perpetuity and provide for the following:

Initial: \_\_\_\_\_

Unit Type	Number of Units	Minimum Unit Area	Maximum Monthly Unit Rent**	Total Maximum Household Income**
1 Bed	7	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less
2 Bed	8	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less

\*\* May be adjusted periodically as provided for under adopted City policy.

All AH units are to be dispersed through the development and be Basic Universal Accessible Units (BUH) in accordance with the provisions of Zoning Bylaw 8500. The developer is encouraged to seek non-profit management for an affordable housing contribution of this scale, particularly if the three (3) affordable housing units secured from the adjacent Parcel 2 development (RZ 14-660663) are proposed to be moved to the subject Parcel 1 development with Council approval. In such case that a non-profit manager is secured through the Housing Agreement, the City would consider clustering of the affordable housing units.

16. **Public Art:** City acceptance of the developer's offer to voluntarily contribute \$0.85 per buildable square foot of residential floor area and \$0.45 per buildable square foot of commercial floor area under the proposed zoning to the City's public art fund, or provide a security for the design and installation of public art based on the same valuation in accordance with the City's Public Art Policy with a Public Art Plan prepared by a qualified public art consultant for review by staff, the Public Art Advisory Committee and Council. (Approximately \$198,062 to be confirmed by the final DP Plans).
17. **Tandem Parking:** Registration of a legal agreement on title ensuring that where two parking spaces are provided in a tandem arrangement both parking spaces must be assigned to the same dwelling unit.
18. **Commercial & Visitor Parking / Loading Non-Assignment Covenant:** Registration of a covenant that ensures that the shared visitor and commercial parking spaces and loading spaces (including all spaces within the surface parking lot) are not assigned to any specific residential unit / commercial unit nor be designated (i.e. sold, leased, reserved, signed, or otherwise assign) by the owner or operator for the exclusive use of employees, specific businesses, and/or others.
19. **Servicing Agreement:** Enter into a Servicing Agreement and to be registered on title and submit security for the estimated value of the works to the satisfaction of the City for the design and construction of the engineering, transportation, streetscape, Queen Canal works described in Appendix C along with any necessary statutory right of ways and any easements that are required to be registered on title for such servicing works.
20. **LEED Silver:** Submission of a letter from a LEED certified consultant as a requirement of issuance of the development permit and building permit(s) confirming that the buildings have been designed to achieve a sufficient score to meet the current Canadian Green Building Council LEED Silver score criteria. The submission of follow-up letter from a LEED certified consultant that confirms that buildings have been constructed to achieve LEED Silver certification or equivalent is required. Consideration should be given to building design with higher energy efficiency ratings than required by the BC Building Code and utilizing geo-exchange energy systems.
21. **Ensure that the Construction, Phasing and Interim Design Measures** in the Hamilton Area Plan (Schedule 2.14, Official Community Plan Bylaw 9000) are addressed, as applicable, in the Development Permit and Servicing Agreement included within Appendix D.

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

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

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

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Initial: \_\_\_\_\_

2. **Accessible Housing Measures:** Include notations on the Development Permit Plans stating that 135 of the units will meet the Basic Universal Housing provisions within Zoning Bylaw 8500. The remaining units within the buildings will include Ageing-In-Place elements as provided within the Official Community Plan Bylaw 9000.
3. **Waste Management Plan:** An overlay plan is to be prepared to the satisfaction of the City based on the current published Waste Management Plan Guidelines.
4. **Riparian Management Area (RMA):** The developer is required to include the on-site portion of the RMA planting and monitoring plans in the Stage 2 RMA Report within the Development Permit for this project to the satisfaction of the Director of Development.
5. **On-Site Parking & Pedestrian Elements:** Within the Development Permit plans, the surface parking spaces are to be made easily accessible to the residents and residential visitors with appropriate wayfinding signage; the vehicular access driveway from Gilley Road should be clearly delineated with visual cues in order to signal shared use to pedestrians and avoid potential conflicts; and opportunities should be explored to delineate the Private South Pathway SRW by means of tree planting along its north edge.

**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. Incorporation of **accessibility measures** in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
3. Obtain a Building Permit (BP) for any **construction hoarding**. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

**Note:**

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

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

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

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

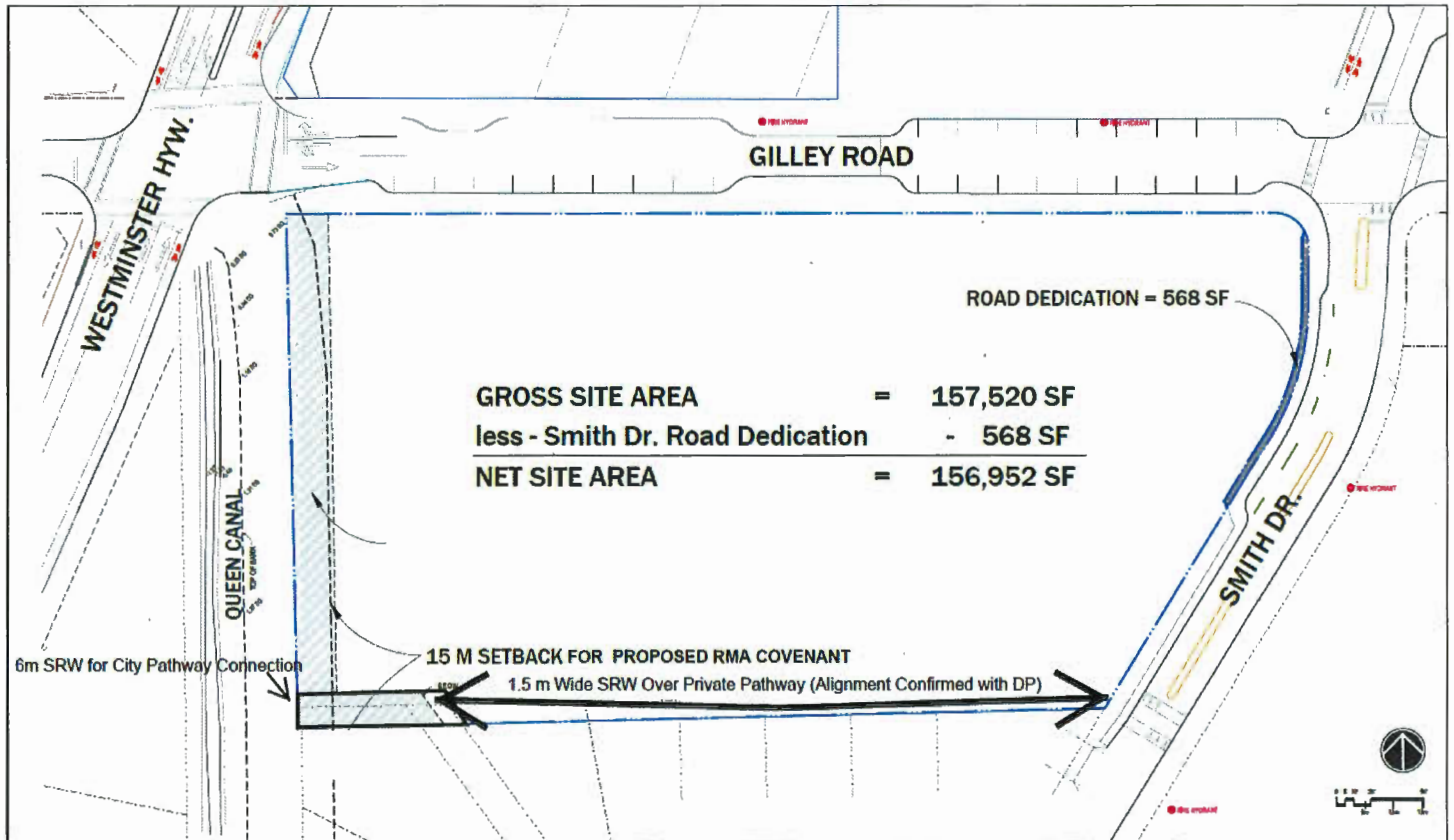


- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

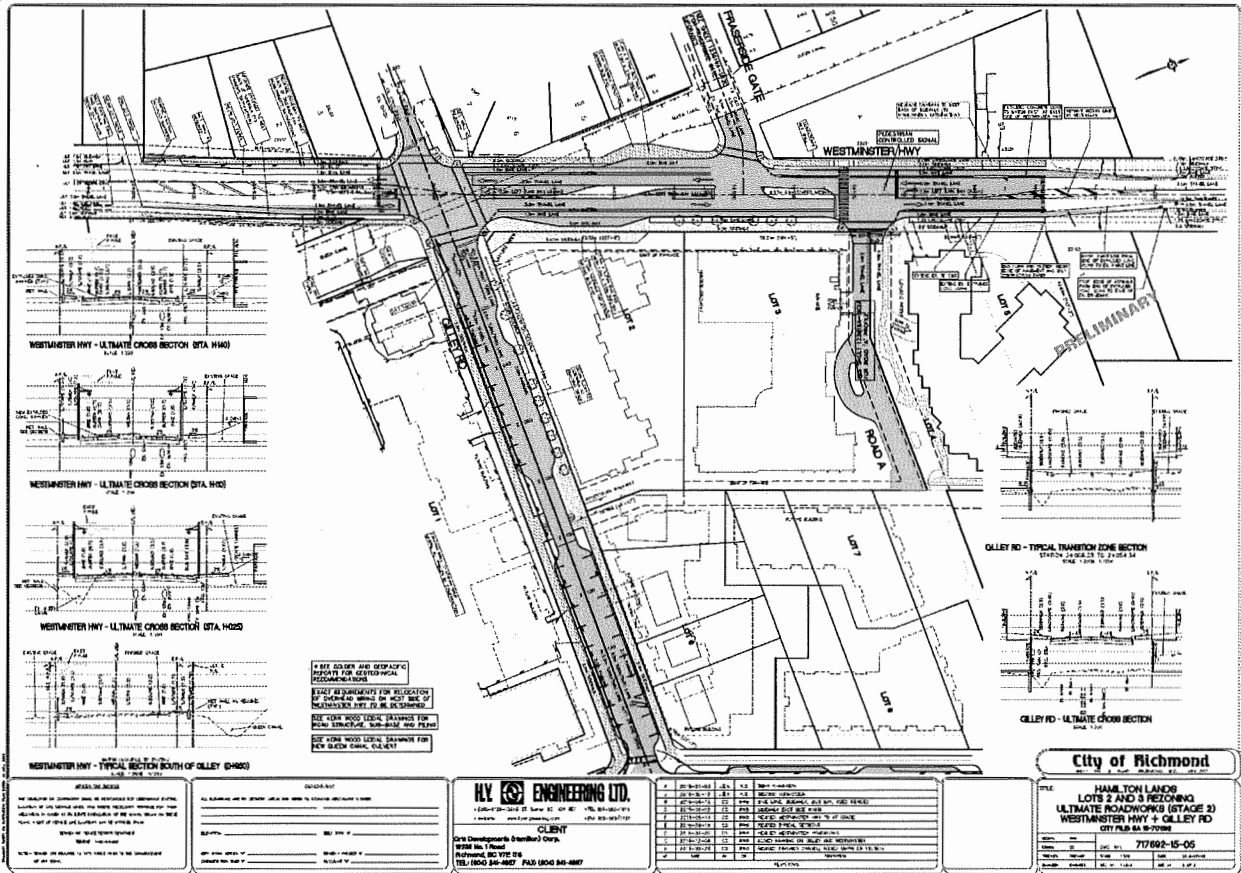
Signed \_\_\_\_\_

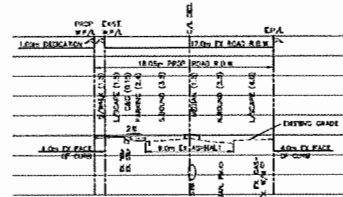
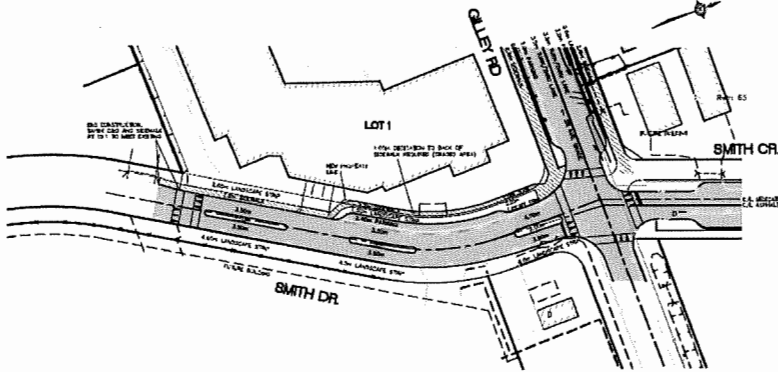
Date \_\_\_\_\_

APPENDIX A  
ROAD DEDICATION & SRW PLAN

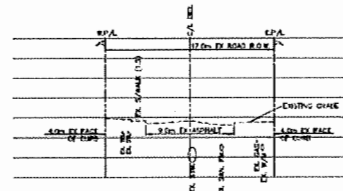


# APPENDIX B PRELIMINARY ROAD FUNCTIONAL PLANS





TYPICAL SECTION SMITH DR. (PROPOSED)  
SCALE: 1:200 (NOTE: 1/2" SERVING INVERTS NOT VERIFIED)



TYPICAL SECTION SMITH DR. (EXISTING)  
SCALE: 1:200 (NOTE: 1/2" SERVING INVERTS NOT VERIFIED)

<b>BACKGROUND</b> ALL INFORMATION HEREIN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY. DATE: _____ FILE NO: _____ CITY: _____ COUNTY: _____ PROJECT NO: _____		<b>CLIENT</b> City Development & Planning Corp. 10000 Hwy 1 Road Richmond, BC V6X 1T6 TEL: (604) 241-4887 FAX: (604) 241-4887		<b>REVISIONS</b> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11/07/17</td> <td>REVISED DRAINAGE LAYOUT PER DRAIN CONSULTANT</td> </tr> <tr> <td>2</td> <td>11/07/17</td> <td>REVISED ROAD DESIGN</td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	11/07/17	REVISED DRAINAGE LAYOUT PER DRAIN CONSULTANT	2	11/07/17	REVISED ROAD DESIGN	<b>CITY OF RICHMOND</b> 8011 HWY 1 ROAD RICHMOND, B.C. V6X 2S1 <b>TITLE</b> HAMILTON LANDS PARCEL 1 REZONING PROPOSED ROADWORKS SMITH RD CITY PLAN 1236190-6K1 SHEET NO. 1 OF 1	
NO.	DATE	DESCRIPTION														
1	11/07/17	REVISED DRAINAGE LAYOUT PER DRAIN CONSULTANT														
2	11/07/17	REVISED ROAD DESIGN														



## APPENDIX C

### SERVICING AGREEMENT REQUIREMENTS

A servicing agreement is required to design and construct the servicing works, including but not limited to the following:

#### **1. Engineering Requirements**

##### **• Water Works:**

- a. Using the Existing Condition Model, with the pipe upgrades identified below, there is 236 L/s of water available at a 20 psi residual at the Gilley Road frontage, and 227 L/s of water available at a 20 psi residual at the Smith Crescent frontage. Based on your proposed development, your site requires a minimum fire flow of 220 L/s.
- b. The Developer is required to:
  - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and based on building permit stage building designs.
  - Upgrade approximately 115 m of existing 150 mm water main along the Smith Crescent frontage to 300 mm.
  - Review hydrant spacing on all road frontages and install new fire hydrants as required to meet City spacing requirements for commercial land use.
  - Obtain approval from Richmond Fire Rescue for all fire hydrant installations, relocations, and removals.
  - Install a new water service connection off of the proposed water main in Smith Drive. Meter to be located onsite (i.e. in a mechanical room).
- c. At Developer's cost, the City is to:
  - Cut and cap the existing water service connection at main.
  - Complete all tie-ins for the proposed works to existing City infrastructure.

##### **• Storm Sewer Works:**

- a. The Developer is required to:
  - Extend the storm sewer built by SA 15-717692 on the south side of Gilley Road at the intersection of Gilley Road and Smith Drive to a new manhole at the centerline of Smith Drive. Should this development precede SA 15-717692, the storm sewer in Gilley Road shall be constructed by RZ 16-754305 as described in the "Gilley Road Raising" section.
  - Install approximately 125 m of new 600 mm storm sewer along Smith Drive from the new manhole at the intersection of Gilley Road and Smith Drive to STMH133, complete with catch basins and manholes. No service connections are permitted to connect to this main.
  - Remove approximately 40 m of existing 375 mm storm sewer along Smith Drive from manhole STMH133 to STMH134.
  - Install a new storm service connection, complete with inspection chamber, off of the proposed storm sewer in Gilley Road described in the "Gilley Road Raising" section.
  - Provide an erosion and sediment control plan for all on-site and off-site works, to be reviewed as part of the servicing agreement design.
- b. At Developer's cost, the City is to:
  - Cut and cap all existing storm service connections to the development site and remove inspection chambers.
  - Complete all tie-ins for the proposed works to existing City infrastructure.

##### **• Sanitary Sewer Works:**

- a. The Developer is required to:

**PLN - 129**

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- Install a new sanitary service connection to serve the proposed development off of the proposed sanitary sewer to be installed via SA 15-717692 near the northeast corner of the development site, complete with inspection chamber. Should the servicing agreement for this development precede SA 15-717692, the portion of the sanitary sewer to be installed by SA 15-717692 that is required to serve 23200 Gilley Road shall be installed by RZ 16-754305 instead.

b. At Developer's cost, the City is to:

- Cut and cap existing service connection at manhole.
- Complete all tie-ins for the proposed works to existing City infrastructure.

## • Frontage Improvements:

a. The Developer is required to:

- Coordinate with BC Hydro, Telus and other private communication service providers:
  - To underground overhead lines and poles along the Gilley Road frontage from Westminster Highway to Smith Drive. All aboveground structures required to facilitate the proposed undergrounding, even if not directly serving the subject site, shall be located onsite within private property.
  - To relocate the existing above ground kiosks and transformers located along the Smith Drive frontage into the ultimate location within the development site. The new locations should be coordinated early to avoid future conflicts with the building design, delays, or other expenses for the Developer.
  - To pre-duct for future hydro, telephone and cable utilities along all road frontages.
  - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
  - To locate/relocate all above ground utility cabinets and kiosks required to service the proposed development, and all above ground utility cabinets and kiosks located along the development's frontages, within the development's site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development process design review. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown on the functional plan and registered prior to SA design approval:
    - BC Hydro PMT – 4.0 x 5.0 m
    - BC Hydro LPT – 3.5 x 3.5 m
    - Street light kiosk – 1.5 x 1.5 m
    - Traffic signal kiosk – 1.0 x 1.0 m
    - Traffic signal UPS – 2.0 x 1.5 m
    - Shaw cable kiosk – 1.0 x 1.0 m
    - Telus FDH cabinet – 1.1 x 1.0 m

- Provide street lighting along all road frontages according to the following street light types:

a) City Streets

a. Gilley Road (South side of street)

- i. Pole colour: Grey
- ii. Roadway lighting @ back of curb: Type 7 (LED) INCLUDING 1 street luminaire and 1 pedestrian luminaire, EXCLUDING any banner arms, duplex receptacles, flower basket holders, or irrigation.
- iii. Pedestrian lighting, alternating @ back of curb: Type 8 (LED) including 1 pedestrian luminaire, EXCLUDING any banner arms, duplex receptacles, flower basket holders, or irrigation.

b. Smith Drive (Both sides of street):

- i. Pole colour: Grey
- ii. Roadway lighting @ back of curb: Type 7 (LED) INCLUDING 1 street luminaire and 1 pedestrian luminaire, EXCLUDING any banner arms, duplex receptacles, flower basket holders, or irrigation.
- iii. Pedestrian lighting, alternating @ back of curb: Type 8 (LED) including 1 pedestrian luminaire, EXCLUDING any banner arms, duplex receptacles, flower basket holders, or irrigation.

PLN - 130

Initial: \_\_\_\_\_

- b) Queen Canal Corridor
  - a. Not Applicable

- **Gilley Road Raising:**

- a. The related development to the north, Oris Parcel 2 & 3 (RZ14-660662 & RZ 14-660663), is currently undergoing a proposal to raise Gilley Road using piled concrete foundations. If the servicing agreement works associated with RZ14-660662 & RZ 14-660663 does not proceed, RZ 16-754305 shall be required to raise Gilley Road from Westminster Highway to Smith Drive instead. This will require the relocation of City and other utilities in ways generally, but not limited to, those described below, at the developers cost. All works and agreements will be to the satisfaction of the Director of Engineering.
- b. If the servicing agreement works associated with RZ14-660662 & RZ 14-660663 does not precede RZ 16-754305, the Developer is required to:
  - Relocate approximately 270 m of 300 mm diameter water main along Gilley Road to accommodate road raising that would otherwise compromise the City's ability to access and maintain this asset. The works shall be in conformance with the requirements identified by the City during the review of SA 15-717692.
  - Relocate the City's 150mm diameter and 200mm diameter forcemains located along Gilley Road to accommodate road raising between Westminster Hwy and Smith Crescent that would otherwise compromise the City's ability to access and maintain these assets. The works shall be in conformance with the requirements identified by the City during the review of SA 15-717692.
  - Install works to protect and facilitate the maintenance of Metro Vancouver's 1m diameter forcemain, pump station and related infrastructure located within or adjacent to Gilley Road. The works shall be in conformance with the agreements and requirements identified during the review of SA 15-717692.
  - Construct new storm sewers along the newly raised Gilley Road complete with tie-ins to the Queens Canal culvert and to the existing and proposed storm sewers at the intersection of Gilley Road and Smith Drive. The works shall be in conformance with the requirements identified by the City during the review of SA 15-717692.

- **General Items:**

- a. The Developer is required to:
  - Provide, prior to start of site preparation works or within the first servicing agreement submission, whichever comes first, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting the development site and provide mitigation recommendations. The report shall assess the potential differential settlement between the proposed piled buildings and the surrounding un-piled areas, and provide recommendations for the design and protection of adjacent City utilities and service connections.
  - Provide a video inspection report of the existing storm and sanitary sewers along the development's frontages prior to start of site preparation works or within the first servicing agreement submission, whichever comes first. A follow-up video inspection report after site preparation works are complete is required to assess the condition of the existing utilities and provide recommendations. Any utilities damaged by the pre-load, de-watering, or other development-related activity shall be replaced at the Developer's cost.
  - Monitor the settlement at the adjacent utilities and structures during pre-loading, dewatering, and soil preparation works per a geotechnical engineer's recommendations, and report the settlement amounts to the City for approval.
  - Not encroach into rights-of-ways with proposed trees, retaining walls, non-removable fences, or other non-removable structures.
  - 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.

## **2. Transportation Requirements:**

1. The Developer is responsible for the design and construction of the road infrastructure works. Works to include, but not limited to, providing the general road cross-sections described below as well as works shown in the Preliminary Road Functional Plans (Appendix B above):

- a) Upgrade of Westminster Highway to the ultimate standards at the Gilley Road intersection, including all tie-ins to existing, including but not limited to a new northbound and southbound left-turn lane (or a landscaped raised median outside the left-turn lane area north of the intersection), road widening on the northwest and southeast corners of the intersection, provision of on-street bike lanes, new curb and gutter, new sidewalk and off-road multi-use pathway (north of the intersection).
- b) Upgrade of Gilley Road, from Westminster Highway to Smith Cr. to the ultimate standards, including but not limited to road widening along the south side (to provide two-way traffic and parking on both sides), new curb and gutter, boulevard and sidewalk, etc.
- c) Smith Dr. along the entire development frontage, provide a new 1.5m wide treed boulevard, a new 1.5m wide sidewalk, on-street parking along the west side, and traffic calming elements including raised medians, curb extensions, enhanced pedestrian crossing at the existing crosswalk on Smith Cr. near the southern limit of the development frontage.
- d) As necessary, upgrade of the existing traffic signal at Gilley Road/Westminster Highway to accommodate above noted intersection upgrade.

2. Prior to the issuance of BP, a construction parking and traffic management plan to be provided to the Transportation Division (Ref: <http://www.Richmond.ca/services/ttp/special.htm>>)

### *Note:*

The above as well as the preliminary road functional plan are to describe the general scope of the frontage works required but are subject to minor refinement as part of the SA process. That is, the detailed design elements, such as detailed intersection design including curb returns and channelized island, pavement markings, vehicle turning requirements, etc., would be carried out as part of the SA process when more info is provided.

## **3. Parks Requirements:**

### *Queen Canal Linear Park Corridor:*

The Servicing Agreement is to include landscape plans for the City-owned Queen Canal portion of the RMA:

1. Adjacent to this site is a section of the Queen's Canal Recreational Trail. The trail runs from the south end of Smith Drive north to River Road, and connects pedestrians and cyclists to the northern section of the East Richmond Recreational Trails and the North Arm of the Fraser River. This opportunity should be used to improve the condition of the trail and surrounding riparian habitat.
2. The pathway along Queen's Canal should be resurfaced with crushed stone suited to wheelchair and bicycle accessibility. Width to match existing – approx. 3 metres. This work should include the installation of an edger on both sides of the pathway.
3. The Queen Canal Corridor RMA adjacent to the Parcel 1 development site should be remediated and replanted per recommendations in PGL report dated February 15, 2018 (Stage 1 RMA Report) with the changes included in the RMA Rezoning Consideration No. 4 discussed above (Stage 2 RMA Report).
4. First and foremost, the RMA along the Queen's Canal will serve as an ecological corridor. This could be further enhanced by a planted edge along the west side of the Parcel 1 development site between the property line and SROW. Opportunities should be explored to introduce native shrubs, grasses, and groundcover to complement RMA planting. Plants with shallow/non-aggressive root systems should be chosen to avoid conflicts with need to occasionally access to the water main below for maintenance and/or replacement.
5. Connection required via a new 6m wide Public Rights of Passage SROW between Queen Canal pathway and the existing dedicated pathway leading to McColl Cres. in the adjacent single family neighbourhood. The paving surface for new on-site portion of the walkway (within the SROW) should be suited to wheelchair accessibility and create smooth transitions between pathways. A wheelchair/bicycle let-down is to be installed on the existing off-site pathway at its entrance to McColl Cres.

PLN - 132

Initial: \_\_\_\_\_



6. With the focus on habitat value and ecological quality, lighting will not be required within the Queen Canal RMA.

*Streetscapes:*

1. The Servicing Agreement is to include a landscape plan with street trees and landscaping within the Gilley Road, Smith Drive and Westminster Highway frontage works, and be coordinated with the RMA plantings, to the satisfaction of staff.
2. The streetscape planting along Gilley Road should reflect treatment on north side of street, including, but not limited to, plant species and the provision of a continuous soil volume for street trees.
3. The vehicular access driveway from Gilley Road should be clearly delineated with visual cues in order to signal shared use to pedestrians and avoid potential conflicts.

## APPENDIX D

Hamilton Area Plan

### Appendix 1

#### Construction, Phasing and Interim Design Measures

##### Transitions to Existing Grade: Temporary and Permanent

The following need to be addressed where a new development is elevated above existing grades:

- address grade changes;
- address horizontal transitions;
- address half road requirements;
- maintain road access to adjacent properties as required;
- maintain satisfactory operation of Westminster Highway;
- design services and buildings to accommodate anticipated settlement and satisfactory long-term performance of structures and pavement;
- address drainage onto adjacent properties.

##### Servicing and Phasing

Mitigation of development impacts will be required wherever possible to the satisfaction of all governing agencies. Geotechnical and civil engineering reports are to be submitted to address; but are not limited to:

- site preparation and preload;
- protection of existing services;
- drainage management;
- maintaining services and access to neighbouring properties;
- long-term performance of roads and utilities; predicted settlement and a long-term maintenance program;
- preparing a construction staging and phasing plan outlining acceptable methodology for construction of all utilities (new and existing); road works; and neighbourhood accessibility;
- addressing all other mitigation for short and long-term impacts as may be required by the City of Richmond, the applicant's geotechnical and/or civil engineer, and any such other governing agencies having jurisdiction;
- liaison with utility providers such as Metro Vancouver, Fortis Gas, and BC Hydro;
- addressing drainage onto adjacent properties with regards to flooding and functioning of septic systems;
- addressing sanitary servicing in a manner that provides sanitary service to adjacent existing residential properties when necessary.

#### Hamilton Area Plan

### Underground Utilities

Over time, public and private utilities such as hydro, telephone, cable and gas, will be located underground in road or other rights-of-way in the Hamilton Area. At grade works such as kiosks, manholes, etc. should be located to minimize impact to open space and the public realm (e.g., sidewalks, greenways, etc.). Where it is not feasible to relocate overhead services to underground at the time of development, then the developer should provide works to facilitate future undergrounding such as pre-ducting.

### Retaining Walls

The following retaining methods will be deployed:

- short-term temporary retaining walls (retention of pre-load) to be lock block;
- long-term temporary retaining walls to meet aesthetic requirements particularly adjacent to existing residential properties;
- permanent retaining wall types to be chosen to meet aesthetic requirements to accommodate long-term anticipated settlement.

### Flood Protection and Mitigation

Flood construction levels and building setbacks from dikes must meet the City's Flood Plain Designation and Protection Bylaw 8204.

Dike upgrades must meet current City standards that include provisions for future dike raising.

Dikes upgrades must be approved under the Dike Maintenance Act by the Provincial Inspector of Dikes (Ministry of Forests, Lands and Natural Resource Operations). Refer to the 2041 OCP Development Permit Area Guidelines for further requirements.



Richmond Zoning Bylaw 8500  
Amendment Bylaw 9764 (RZ 16-754305)  
23200 Gilley Road

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

1. Richmond Zoning Bylaw 8500 is amended by:

a. Inserting the following into Section 20 (Site Specific Mixed Use Zones), in numerical order:

“20.35 Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)

**20.35.1 PURPOSE**

This **zone** provides for a mixed-use **development** consisting of **apartment housing** and **commercial uses** with a maximum **floor area ratio** of 0.40 that may be increased to 1.5 with a **density bonus** that would be used for rezoning applications in order to help achieve the City’s affordable housing and **community amenity space** objectives.

**20.35.2 PERMITTED USES**

- **animal grooming**
- **child care**
- **education, commercial**
- **government service**
- **health service, minor**
- **housing, apartment**
- **library and exhibit**
- **neighbourhood public house**
- **office**
- **restaurant**
- **retail, convenience**
- **service, business support**
- **service, financial**
- **recreation, indoor**
- **recycling drop-off**
- **retail, general**
- **service, business support**
- **service, financial**
- **service, household repair**
- **service, personal**



- **studio**
- **veterinary service**

#### 20.35.3 SECONDARY USES

- **boarding and lodging**
- **community care facility, minor**
- **home business**

#### 20.35.4 PERMITTED DENSITY

1. The maximum **floor area ratio** is 0.40 with a maximum additional 0.10 **floor area ratio** permitted provided that it is entirely used to accommodate **amenity space**.
2. Notwithstanding Section 20.35.4.1, the reference to “0.40” is increased to a higher **density** of “1.5”, if at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZMU35 zone**, the **owner**:
  - a) pays \$49.50 per square meter of total residential **floor area** into the **Hamilton Area Plan community amenity capital reserve**; and
  - b) by the owner:
    - i) agrees to construct on the **lot**, to the satisfaction of the City, **affordable housing units** with a combined **habitable space** of at least five (5%) percent of the total residential **floor area**; and
    - ii) has entered into a **housing agreement** with respect to the **affordable housing units** and registered the **housing agreement against** the title to the **lot**, and files a notice in the Land Title Office.

#### 20.35.5 MAXIMUM LOT COVERAGE

1. The maximum **lot coverage** is 55% for **buildings**.

#### 20.35.6 Yards & Setbacks

1. The minimum **setbacks** are:
  - a) 1.5 m from Gilley Road (north);
  - b) 3.0 m from Smith Drive (east);
  - c) 6.0 m from the west **property line**; and
  - d) 6.0 m from the south **property line**.

2. Common entry features, staircases and unenclosed **balconies** may project into any **setback**, except that for Gilley Road, for a maximum distance of 1.5 m.
3. Notwithstanding the above **setbacks**, enclosed parking **structures** may project into the **setbacks** provided that the **structure** includes transparent glazing, or is not visible from the exterior of the **building**, or is landscaped or screened by a combination of trees, shrubs, ornamental plants or lawn as specified by a Development Permit approved by the **City**.

#### 20.35.7 MAXIMUM HEIGHTS

1. The maximum **height** for **principal buildings** is 17.0 m, except for localized architectural raised roof elements that may extend to a maximum **height** of 20.0 m if included in a Development Permit approved by the **City**.
2. The maximum **height** for **accessory buildings** and **accessory structures** is 6.0 m.

#### 20.35.8 SUBDIVISION PROVISIONS/MINIMUM LOT SIZE

1. The minimum **lot width** is 80.0 m and minimum **lot depth** is 80.0 m.
2. The minimum **lot area** is 12,000 m<sup>2</sup>.

#### 20.35.9 LANDSCAPING AND SCREENING

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

#### 20.35.10 ON-SITE PARKING AND LOADING

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the standards set out in Section 7.0.

#### 20.35.11 OTHER REGULATIONS

1. With the exception of **housing, apartment**, the **uses** specified in Section 20.35.2 must be located on the **first storey** of the **building**.
2. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply.”

2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **“Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)”**:

P.I.D. 006-722-911

Lot 1 Section 1 Block 4 North Range 4 West New Westminster District Plan 73888

3. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9764”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND  
INFRASTRUCTURE APPROVAL

ADOPTED

\_\_\_\_\_  
MAYOR

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





# City of Richmond

## Report to Committee

**To:** Planning Committee

**Date:** May 3, 2018

**From:** Wayne Craig  
Director, Development

**File:** RZ 15-694855

**Re:** Application by Bene Richmond Development Ltd. for Rezoning at 6560, 6600, 6640 and 6700 No. 3 Road from "Downtown Commercial (CDT1)" to "High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)"

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9855, to create the "High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)" zone, and to rezone 6560, 6600, 6640 and 6700 No. 3 Road from "Downtown Commercial (CDT1)" to "High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)", be introduced and given first reading.

Wayne Craig  
Director, Development  
(604-247-4625)

WC:jd

Att. 7

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Law	<input checked="" type="checkbox"/>	
Affordable Housing	<input checked="" type="checkbox"/>	
Community Services	<input checked="" type="checkbox"/>	
Engineering	<input checked="" type="checkbox"/>	



## Staff Report

### Origin

Bene Richmond Development Ltd. has applied to the City of Richmond to create the “High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)” zone and to rezone the properties at 6560, 6600, 6640 and 6700 No. 3 Road from the “Downtown Commercial (CDT1)” zone to a new site-specific zone, “High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)” (Attachment 1), in order to permit the development of a commercial, office and residential use development in the City Centre’s Brighthouse Village.

Key components of the rezoning proposal (Attachment 2) include:

- A podium and tower form of development with three and a half levels of above-grade parking; retail, restaurant and office uses on the bottom four storeys; and, two residential towers, with eight and eleven storeys above the podium.
- A maximum floor area ratio (FAR) of 4.0 and a maximum height of 47.0 m geodetic.
- A total floor area of approximately 17,572 m<sup>2</sup> (189,143 ft<sup>2</sup>) including approximately:
  - 1,326 m<sup>2</sup> (14,278 ft<sup>2</sup>) of retail and restaurant space.
  - 3,066 m<sup>2</sup> (33,008 ft<sup>2</sup>) of office space.
  - 13,179 m<sup>2</sup> (141,856 ft<sup>2</sup>) of residential space.
- Approximately 166 residential units including:
  - Approximately 157 market housing units.
  - Nine (9) affordable housing units.
- LEED Silver equivalent development with District Energy Utility (DEU) connection-ready infrastructure.
- Widening of No. 3 Road and the north-south City lane, various storm and sanitary upgrades, and frontage improvements.

This application includes the proposed transfer of the subject site energy system to the City to be connected to the City’s District Energy Utility (DEU) system when it is implemented in the future. A Service Area Bylaw for the subject site will be proposed in a subsequent report from Engineering, for Council consideration and approval before the rezoning adoption.

### Findings of Fact

A Development Application Data Summary (Attachment 3) is provided for comparison of the proposed development with the proposed site-specific bylaw requirements.

### Existing Site and Development

*Existing Site and Development:* The subject site is located in Brighthouse Village (Attachment 4) on the east side of No 3 Road between Cook Road and Park Road. It is comprised of four lots and currently is developed with low-scale commercial uses and surface parking.

*Existing Housing Profile:* The subject properties were not previously developed with residential uses.

## Surrounding Development

Surrounding development includes:

To the North: Adjacent, an existing low-scale commercial building with surface parking.

To the East: Across the north-south City lane, existing, low-scale commercial buildings on sites fronting both Cook Road and Park Road. The site at 8071 and 8091 Park Road is subject to a rezoning application [RZ 17-779229] for a 4.0 FAR, 47.0 m high, podium and tower, commercial, office and residential use development. This application is in process and will be the subject of a separate report to Council.

To the South: Adjacent, existing low-scale commercial buildings with surface parking.

To the West: Across No. 3 Road, the Richmond Centre Mall site, which is zoned CDT1 and is subject to an OCP amendment application to adjust land use and form of development policies [CP 16-752923], as well a Development Permit application [DP 17-768248] for the first phase of mall redevelopment and new mixed use building development. This application is in process and will be the subject of a separate report to Council.

## Related Policies & Studies

### Official Community Plan/City Centre Area Plan

*Official Community Plan:* The Official Community Plan (OCP) designates the subject site as “Downtown Mixed Use”. The proposed rezoning is consistent with this designation.

*City Centre Area Plan:* The City Centre Area Plan (CCAP) Brighthouse Village Specific Land Use Map designates the subject site as “Urban Centre T6 (45 m)”. The proposed rezoning is consistent with this designation.

### Other Policies, Strategies & Bylaws

*Floodplain Management Implementation Strategy:* The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204 for Area “A”. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

*Aircraft Noise Sensitive Development Policy:* The proposed development is located in Area 2 (aircraft noise sensitive uses may be considered) on the Aircraft Noise Sensitive Development Map. Registration of an aircraft noise covenant is required prior to rezoning adoption.

*Mixed-Use Noise, Commercial Noise and City Centre Impacts:* The proposed development must address additional OCP Noise Management Policies related to mixed-use, commercial and ambient noise, as well as other impacts of densification. Requirements include provision of acoustic consultant reports recommending residential sound attenuation measures and registration of associated noise covenants prior to final adoption of the rezoning bylaw.

## **Public Consultation**

A rezoning application sign has been installed on the subject property. Staff have not received any comments from the general public in response to the sign. Should the Planning Committee endorse this application and Council grant first reading to the proposed rezoning, the application will be forwarded to a Public Hearing, where any area resident or interested party will have further opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

## **Analysis**

### Proposed Zoning Bylaw Amendment

A new site-specific zone, "High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)", is proposed. It addresses land use, density, density bonusing, height, siting and parking and loading requirements. Key details of the proposed zone and the associated Rezoning Considerations are discussed in the report. The Rezoning Considerations are attached (Attachment 5) and a signed copy is on file.

### Infrastructure Improvements

The proposed rezoning will contribute to utility, transportation and park infrastructure improvements as described below. Additional details are provided in the Servicing Agreement section of the Rezoning Considerations (Attachment 5). Detailed design will take place through the Servicing Agreement process.

## **Engineering**

*City Utilities:* The developer is required to undertake a variety of storm sewer and sanitary sewer frontage works. Included are:

- Up-graded lane drainage to meet City standards.
- A new sanitary sewer to connect to the subject site and other serviced sites to the proposed Buswell Street sanitary sewer.

The required improvements are not eligible for Development Cost Charge (DCC) credits and will be funded by the developer.

*Third Party Utilities:* Requirements include undergrounding and/or pre-ducting for private utility lines and location of all private utility equipment on site.

## **Transportation**

*No. 3 Road Frontage:* Required improvements on No. 3 Road are located back of curb, will necessitate a dedication and will include a boulevard wide enough to preserve existing trees, development of an off-street bike lane to enhance cyclist safety, a 1.5 m, buffer strip/greenway with a second row of trees and a 3.0 m wide sidewalk.

*City Lane Frontage:* Required improvements to the lane include a dedication at the north end of the subject site to support future extension of the lane to Cook Road, lane widening to provide for a sidewalk and associated paving and lighting upgrades.

*Traffic Signals:* The developer is required to make cash contribution of \$50,000 to cost-share the design and construction of a new traffic signal at the Park Road/Buswell Street intersection.

The required improvements are not eligible for Development Cost Charge (DCC) credits and will be funded by the developer.

Preliminary functional drawings demonstrating the proposed road improvements have been provided (Attachment 6).

### Amenity Contributions

The CCAP Implementation Strategy includes density bonusing and other measures to support the development of community amenities. The proposed rezoning includes contributions to community amenities as outlined below. Staff note that all contributions are based on rates at the time of writing and will be subject to indexing adjustments should the rezoning not be adopted within the relevant applicable time periods.

*Child Care:* The proposed rezoning is located in the Brighthouse Village Specific Land Use Map “T6” area and is subject to the T6 Child Care density bonus provision requiring that one percent of the residential floor area be provided to the City in the form of a turnkey child care facility or an equivalent cash-in-lieu contribution to the Childcare Development Reserve Fund and Childcare Operating Reserve Fund accounts (90% and 10% respectively). Community Services staff have reviewed the location of the development and the potential for child care in the available floor area (125 m<sup>2</sup>) and recommend that the City accept a cash-in-lieu contribution based on the finished value of the space (a minimum of \$873,296 calculated using the proposed residential floor area excluding affordable housing floor area  $[0.01 \times (13,179 \text{ m}^2 - 698 \text{ m}^2) \times \$6,997/\text{m}^2]$ ).

*Community Facility:* The proposed rezoning is located in the Brighthouse Village Specific Land Use Map “Village Centre Bonus (VCB)” area and incorporates a VCB density increase of 1.0 FAR. Five percent of this area is expected to be provided back to the City in the form of a turnkey community amenity space or an equivalent cash-in-lieu contribution to the City Centre Facility Development Fund. Community Services staff have reviewed the location of the development and the potential for a community facility in the available floor area (220 m<sup>2</sup>) and recommend that the City accept a cash-in-lieu contribution based on the finished value of the space (a minimum of \$1,536,891 calculated using the proposed VCB floor area  $[0.05 \times 4,393 \text{ m}^2 \times \$6,997/\text{m}^2]$ ).

*Community Planning:* The proposed rezoning is subject to a community planning implementation contribution which will be deposited into the City Centre - Community Planning and Engineering account for future community planning initiatives (a minimum of \$52,892 calculated using the proposed non-residential and residential floor area excluding affordable housing floor area  $[(17,572 \text{ m}^2 - 698 \text{ m}^2) \times \$3.01/\text{m}^2]$ ).

*Public Art:* The rezoning must address the Richmond Public Art Policy and proposes a voluntary cash contribution in lieu of installation of a site-specific artwork. Subject to Council approval, the contribution is expected to be combined with other contributions to develop a cohesive art program for the enhanced public realm planned for the east side of No. 3 Road between Granville Avenue and Brighthouse Station. The contribution will be secured through a cash deposit and is calculated on both the non-residential and residential floor area (a minimum



of \$135,463 calculated using the proposed non-residential and residential floor areas excluding affordable housing floor area  $[4,393 \text{ m}^2 \times \$4.84/\text{m}^2 + (13,179 \text{ m}^2 - 698 \text{ m}^2) \times \$9.15/\text{m}^2]$ .

*Affordable Housing:* The CCAP Implementation Strategy, in conjunction with the Affordable Housing Strategy, provides for density bonusing of 1.0 FAR to achieve affordable housing in residential and mixed use developments. The rezoning application for the proposed development was received prior to July 24, 2017 and is subject to grandfathering of the five percent affordable housing contribution rate. A total of nine Low End Market Rental Housing (LEMR) units, with a combined floor area of 698 m<sup>2</sup> (7,510 ft<sup>2</sup>), are proposed and allocated as follows.

#### AFFORDABLE HOUSING SUMMARY

Unit Type	Affordable Housing Strategy Requirements			Project Targets (3)	
	Minimum Unit Sizes	Current LEMR Maximum Rents (1) (2)	Total Maximum Household Income (1) (2)	Unit Mix	# of Units (3)
Bachelor	37 m <sup>2</sup> (400 ft <sup>2</sup> )	\$811	\$34,650 or less	33%	3
1-Bedroom	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less	0%	0
2-Bedroom	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less	33%	3
3-Bedroom	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480	\$58,050 or less	33%	3
TOTAL		N/A	N/A	100%	9

(1) Denotes 2017 amounts adopted by Council on July 24, 2017.

(2) Subject to Council approval, total annual household incomes and maximum monthly rents may be increased annually by the Consumer Price Index.

(3) 50% of affordable housing units shall meet Richmond Basic Universal Housing (BUH) standards or better.

The units will be secured with a Housing Agreement which will include the following terms: clustering of units in one area of the development in conjunction with use of a non-profit management model; tenant access to indoor and outdoor common amenity areas; and, provision of affordable parking spaces at no additional charge.

*Accessibility:* The applicant proposes to include the following accessibility unit types in the development.

Type	Affordable	Market	Intent	Standard
Aging in Place		142	- support mobility and usability	Per OCP
Adaptable + Basic Universal Housing (1)	9	15	- renovation potential for wheelchair plus added floor area for manoeuvring	Per BCBC and RZB
Barrier Free (2)	0	0	- move in with wheelchair	Per BCDH
Total Units	9	157		

(1) Includes Aging-in-Place

(2) Includes Aging-in-Place, Adaptable and Basic Universal Housing

#### Sustainability

*District Energy Utility (DEU):* The proposed development is required to be ready for connection to the City's DEU system. Further, the applicant is proposing to construct and later transfer the energy plant to the City at no cost so that the equipment can be integrated into the future DEU system for this neighbourhood. The applicant is working with Lulu Island Energy Company (LIEC) staff to ensure the design of the system and equipment will be compatible with the future system. The transfer of the energy plant to the City will proceed only if the Council adopts a new Service Area Bylaw, which will be brought forward to Council under a separate report.

Otherwise, the development will be built as “DEU-Ready”. Details are provided in the rezoning considerations (Attachment 5).

*Sustainability Rating System:* The proposed development is expected to achieve Leadership in Energy and Environmental Design (LEED) Silver (V4) equivalency. The applicant has provided a preliminary checklist and will incorporate the recommendations into the development and building permit drawings, where relevant.

#### Site Access, Parking and Loading

*Site Access:* Proposed pedestrian access to the site includes storefront entries and commercial and residential lobbies on the ground level, as well as, an outdoor stair and elevator to restaurant uses and additional lobbies on the second level. Vehicle access is proposed to be provided through a parkade entry on the lane. Truck and waste management loading spaces are proposed to be accessed directly from the lane.

*Parking and Loading Rates:* Class 1 and Class 2 bicycle parking rates are required to be consistent with current bylaw requirements. The proposed commercial and office vehicle parking rates are also proposed to be consistent with current City Centre bylaw rates. The applicant has proposed to reduce the residential parking rates from 1.0 space per unit to 0.9 spaces per unit for residential units and from 0.9 spaces per unit to 0.8 spaces per unit for affordable housing units. Staff support the proposed rate reductions, subject to implementation of the package of Transportation Demand Management (TDM) measures noted below. The proposed rates are consistent with City Centre transit-oriented development objectives and are substantiated by a transportation consultant report assessing parking needs in the area. A reduced number of truck loading spaces is also proposed. Staff support the requirement for large size truck spaces being waived, as there are no large format retail spaces planned for the site. Further, staff support the sharing of non-residential and residential medium size truck spaces. Reduced residential parking and large truck loading requirements are reflected in the proposed site-specific zone.

*Transportation Demand Management (TDM) Measures:* A package of TDM measures is proposed to support the base residential and visitor parking rate reductions (noted above) along with the 10% TDM reduction as per Section 7.4.4 of the Richmond Zoning Bylaw. This package is subject to change if additional reductions are sought after design development during the Development Permit process. The current proposed TDM measures are detailed in the rezoning considerations (Attachment 5) and include:

- A transit pass program (monthly/two zone/one year).
- Contribution of \$30,000 to installation of a bus shelter in the vicinity of the site.
- End of trip bicycle facilities for non-residential uses.
- Bike maintenance facilities for residential uses.
- Providing three car share vehicles and associated publically-accessible parking spaces within the development.

*Electric Vehicle Charging:* Consistent with Council Policy, effective on April 1, 2018, 100% of the residential parking spaces (excluding visitor spaces) are to be provided with an energized outlet for electrical vehicle charging.

### Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report which identifies on-site and off-site bylaw-sized trees that may be affected by the proposed development.

*Off-site Trees:* There are four existing City trees identified in the Tree Protection Plan (Attachment 7). All are located in the back of curb and median areas of No. 3 Road. Park Department staff have reviewed the locations, sizes and health of these trees in the context of the proposed development and frontage improvements and recommend that, as a consideration of rezoning, three trees be retained and one tree be removed due to conflict with the interim off-street bike lane. Compensation of \$1,300 is to be provided [ $1 \times \$1,300/\text{tree}$ ].

Staff recommend that the applicant install tree protection and provide for supervision of all works conducted within or in close proximity to tree protection zones prior to any preloading of the site.

### Development Form and Character

The CCAP includes a variety of policies intended to shape development to be liveable, functional and complementary to the surrounding public and private realm. Those policies most critical to the development concept at the rezoning stage are reviewed below.

*Public Adjacencies:* The project will address the No. 3 Road interface with a highly articulated stepped massing that will expand the public realm onto the site both visually and physically. Commercial uses on the ground level and a restaurant use on the second level will animate the street, along with the office and residential lobbies and direct parking access located around a small, two-level open space near the centre of the street frontage. Significant landscaping proposed over the lower levels of the building will further energize the streetscape.

*Private Adjacencies:* The proposed development is located in the middle of the block frontage and will leave relatively small lots to the north and south. The applicant has provided development viability studies for these properties demonstrating that the density, parking and loading and form and character policies for these sites can likely be met assuming the same parking rate reductions proposed for the subject site apply.

*Massing:* The applicant has proposed a multi-part massing concept that is intended to:

- Reduce the scale effect of the development.
- Add to the rhythmical line of towers that is developing along No. 3 Road to the north and south.
- Create interesting spaces and views to the site and within the site.
- Create outdoor spaces that will benefit from western sunlight.
- Develop more individualized identities for the different components of the building.

*Amenity Space:* Office and residential common outdoor amenity space (162 m<sup>2</sup> and 996 m<sup>2</sup> respectively) is provided on the podium level. Additional landscape and shared outdoor amenity area is provided throughout the ground and podium levels (approx. 880 m<sup>2</sup>). A two-level residential indoor amenity space is also provided and has direct access to the outdoor space. Further, each residential unit is provided with its own outdoor open space.

*Design Development:* The form and character of the proposed development, as well as functional details related to parking, loading, waste management, on-site utilities, rooftop equipment, pedestrian weather protection, DEU, CPTED, LEED, indoor and outdoor amenity space, landscape, accessibility and acoustic requirements, will be assessed in more detail during the Development Permit Application process. The proposal will be expected to respond to comments arising from Council consideration of the rezoning, as well as, staff, Advisory Design Panel and Development Permit Panel review.

### **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 application to rezone the properties at 6560, 6600, 6640 and 6700 No. 3 Road to a new site-specific zone is consistent with the City Centre Area Plan Specific Land Use Map provisions including a maximum density of 4.0 FAR and a maximum height of 47.0 m. The mix of uses will contribute to a lively City core and the design of the development, with its emphasis on creating an animated public realm, will enhance the experience of No. 3 Road in Brighthouse Village. Contributions to affordable housing will increase housing options for City residents and child care and community amenity contributions will assist with future development of needed facilities and services in the neighbourhood

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9855, be introduced and given first reading.



Janet Digby, Architect AIBC  
Planner 3  
(604-247-4620)

JD:blg

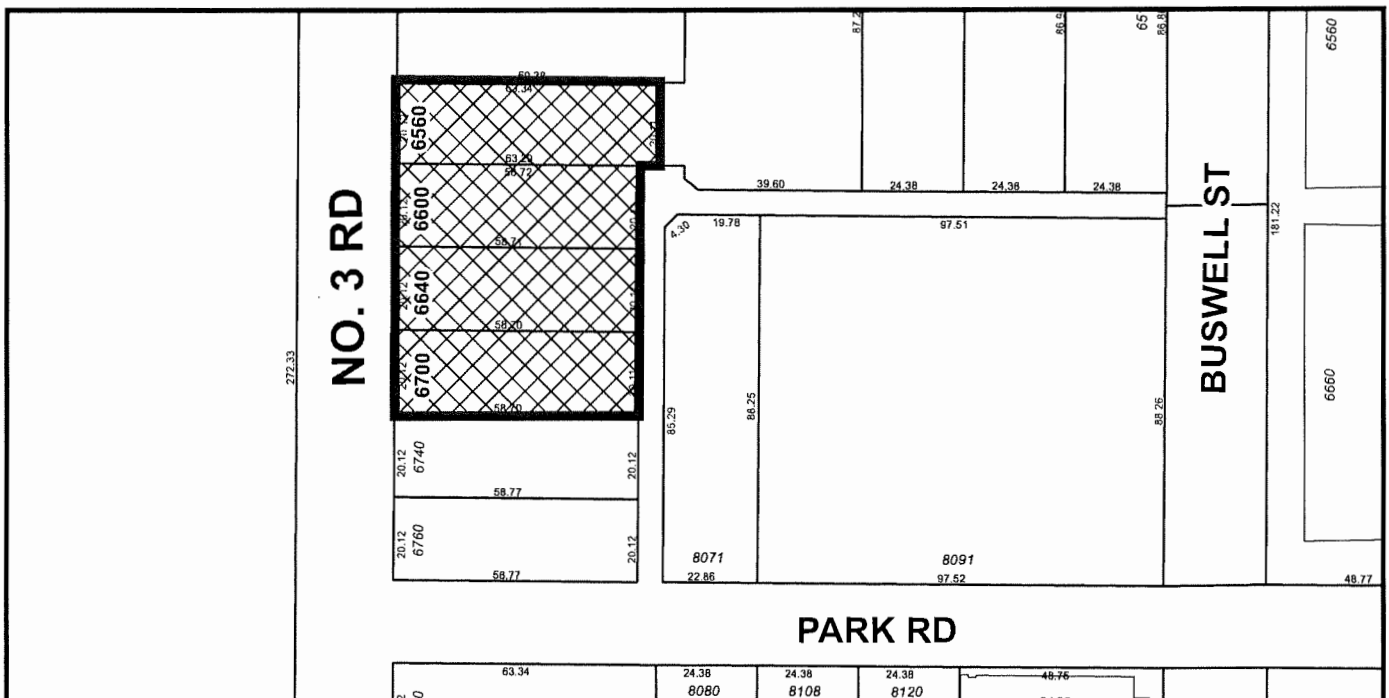
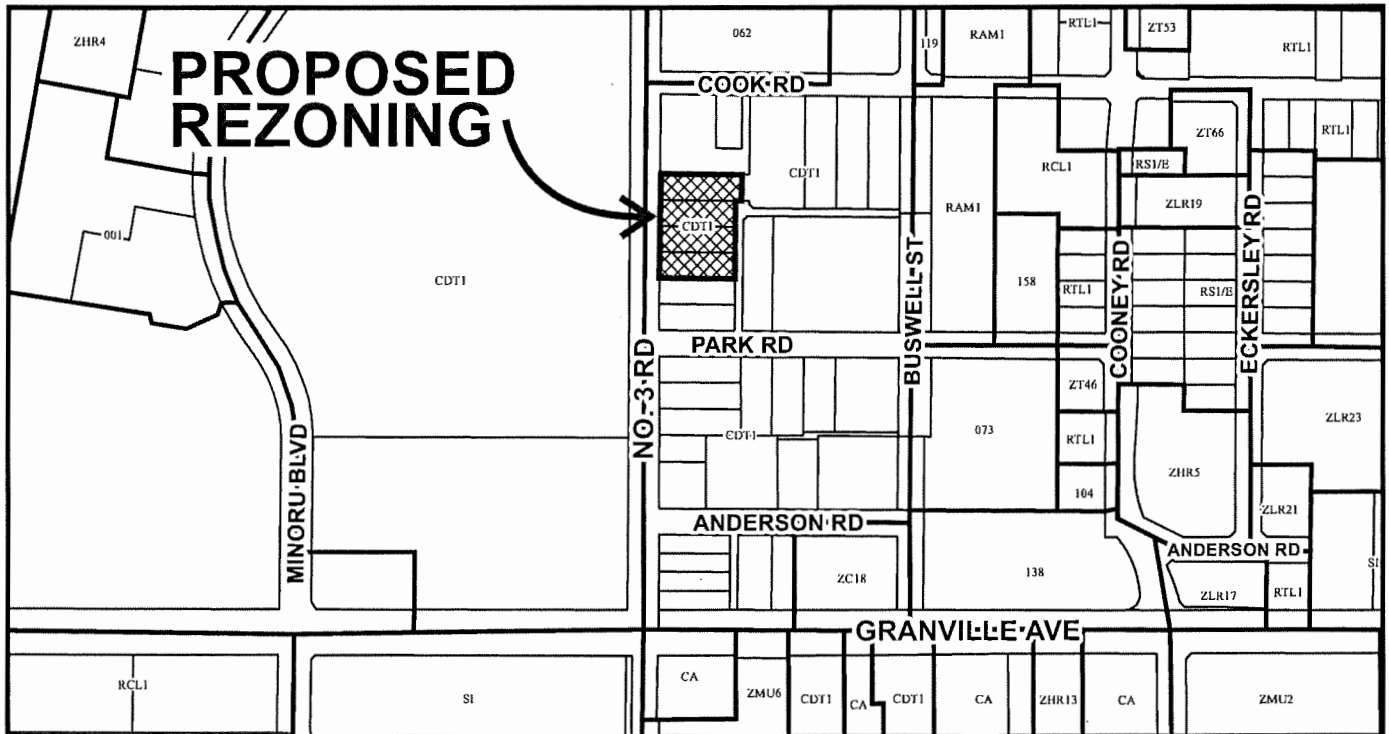
- Attachment 1: Location Map and Aerial
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Brighthouse Village Specific Land Use Map
- Attachment 5: Rezoning Considerations
- Attachment 6: Preliminary Road Functional Drawings
- Attachment 7: Tree Survey





# City of Richmond

## ATTACHMENT 1



# RZ 15-694855

Original Date: 03/20/15

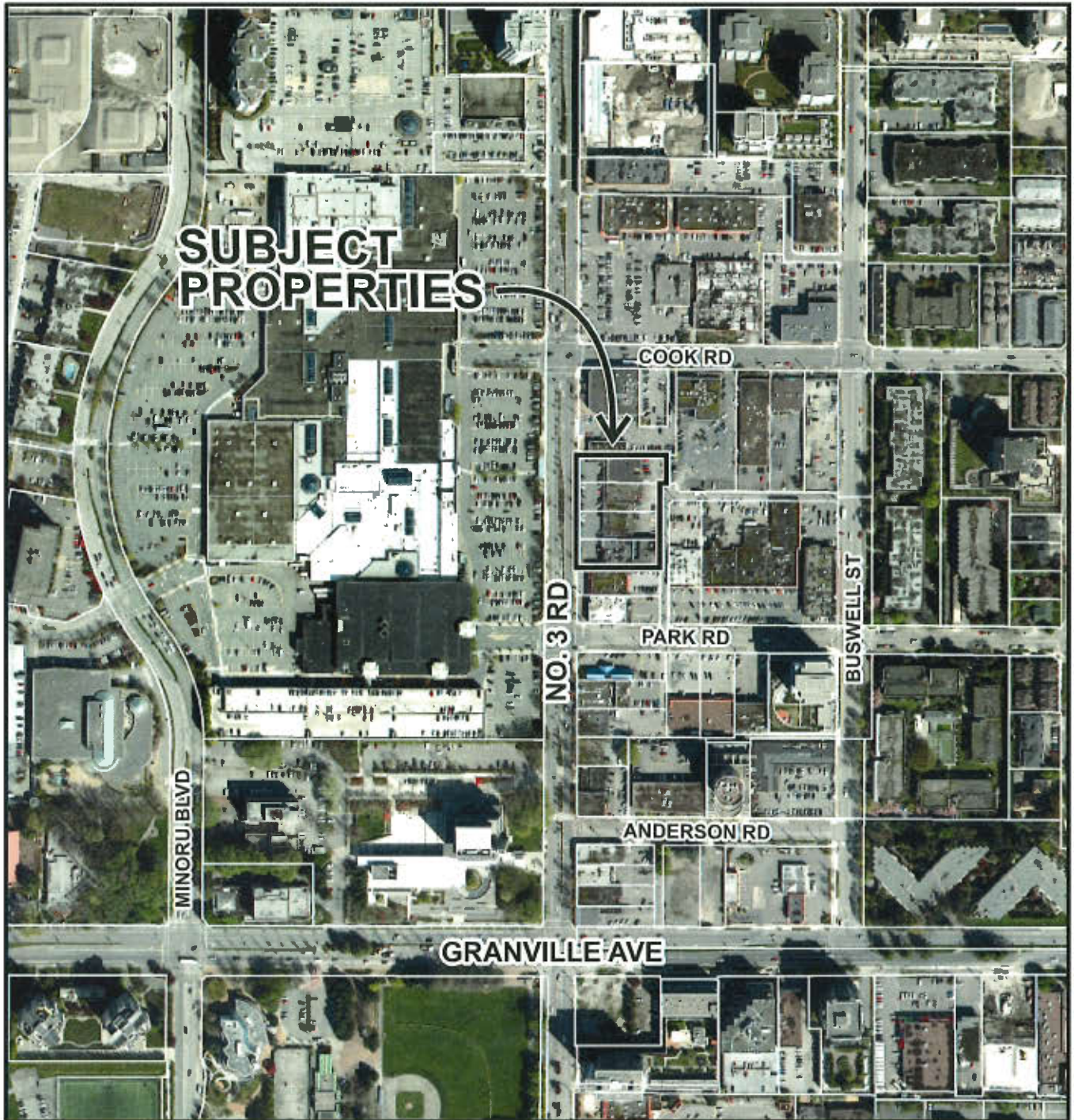
Revision Date: 04/25/18

Note: Dimensions are in METRES

PLN - 149



# City of Richmond



**RZ 15-694855**

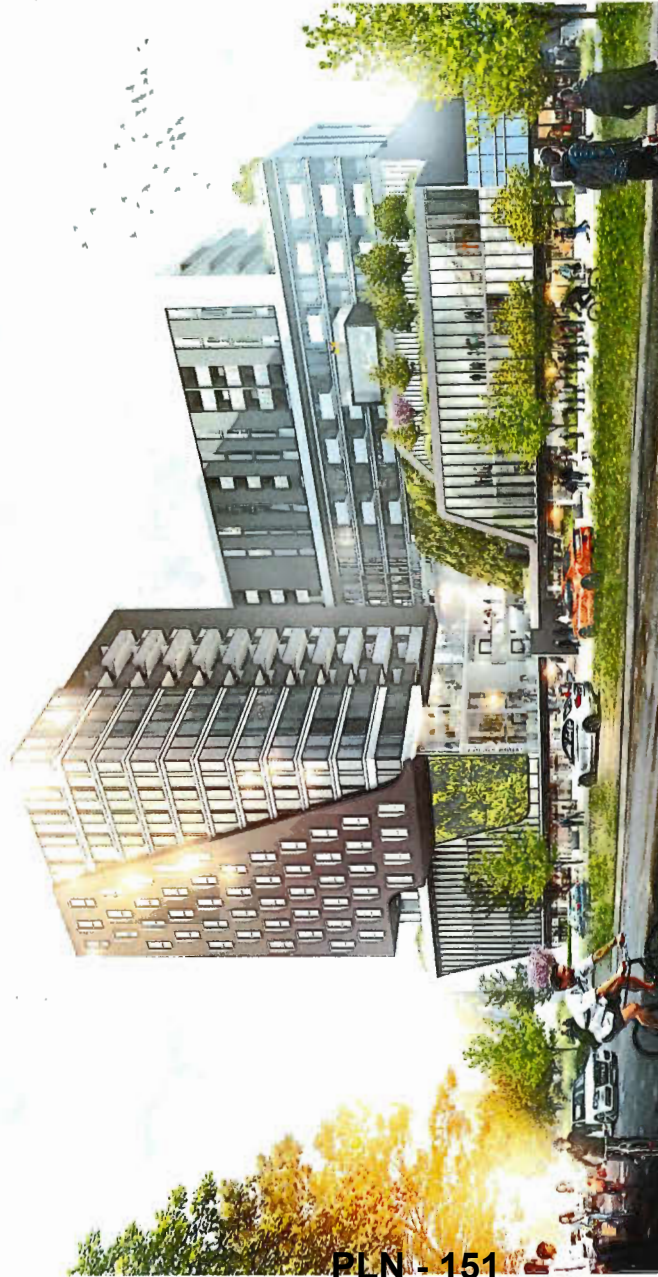
Original Date: 03/20/15

Revision Date:

Note: Dimensions are in METRES

**PLN - 150**





PLN - 151

## Issued for Revised Rezoning

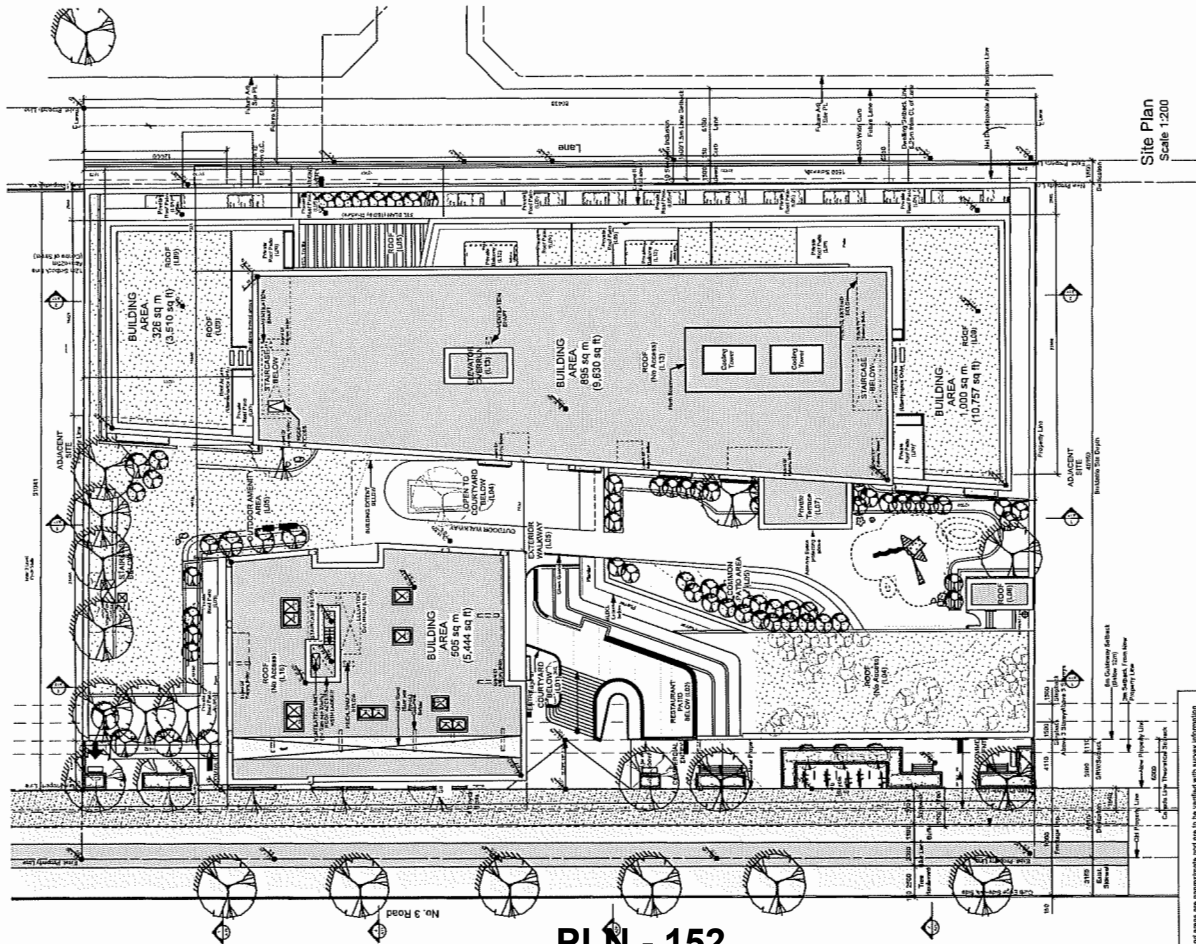
6700 No. 3 Road, Richmond, BC, V6Y 2C3  
RZ 15-694855

**DIALOG**

March 12, 2018

ATTACHMENT 2

CONCEPT ONLY



CONCEPT ONLY



A9

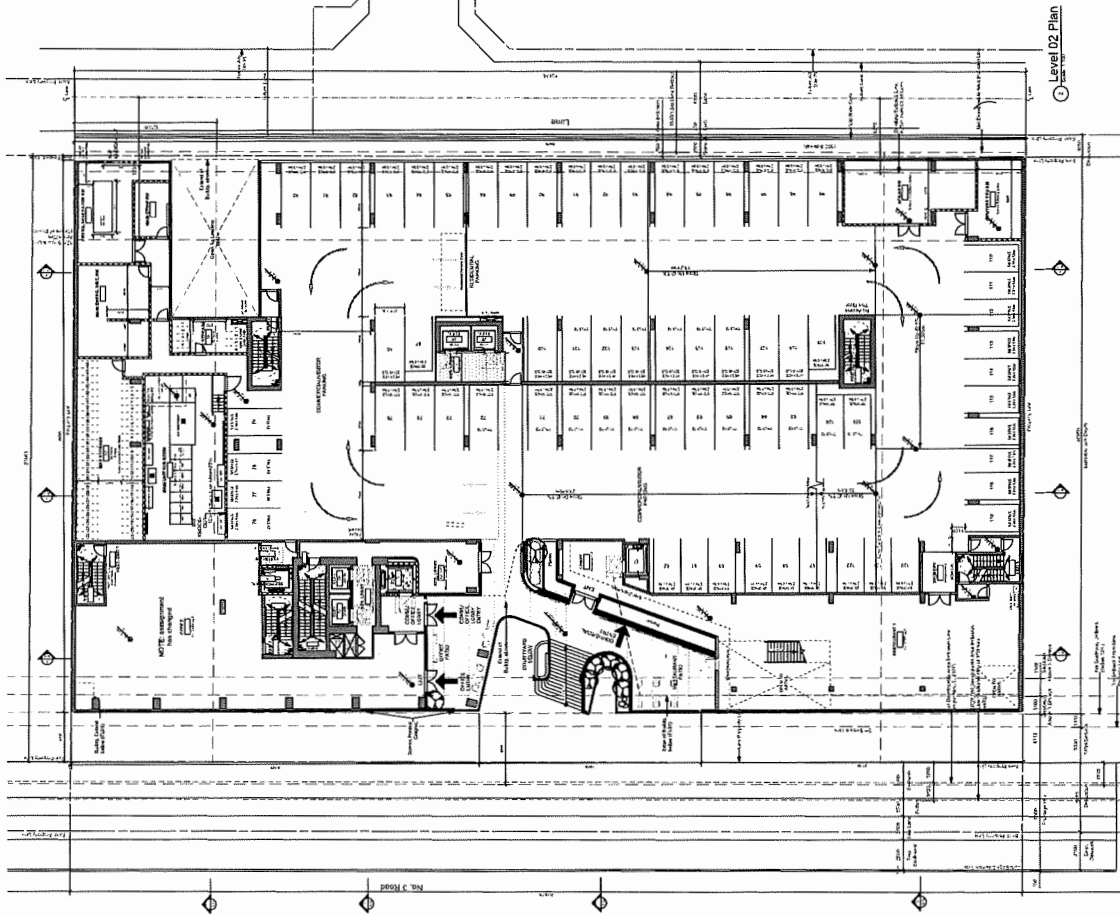
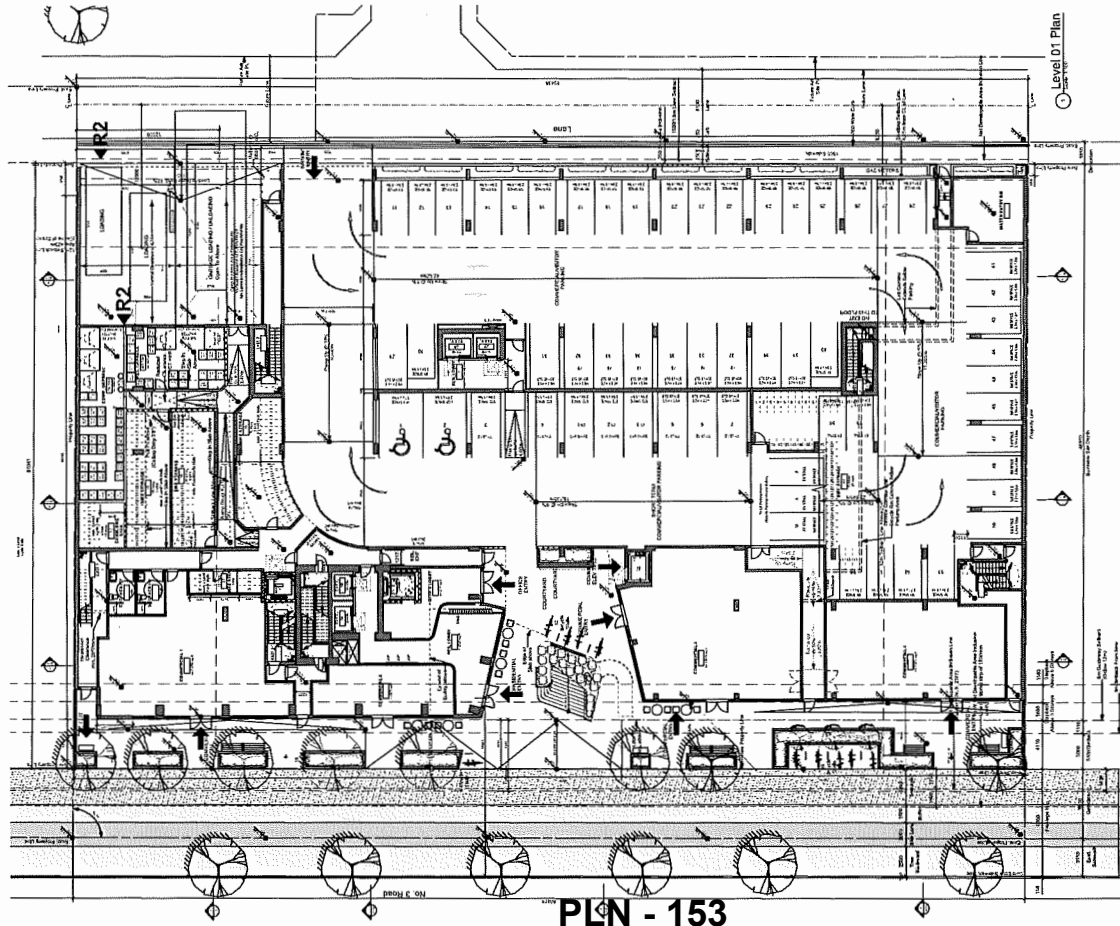
March 12, 2018

Site Plan

6700 #3 Road, Richmond

**DIALOG**





PLN - 153

NOTES:  
1. All dimensions and areas are approximate and due to the limited survey information  
2. The owner is responsible for providing a plan of  
3. The architect is not responsible for the accuracy of the plan.

CONCEPT ONLY

6700 #3 Road, Richmond

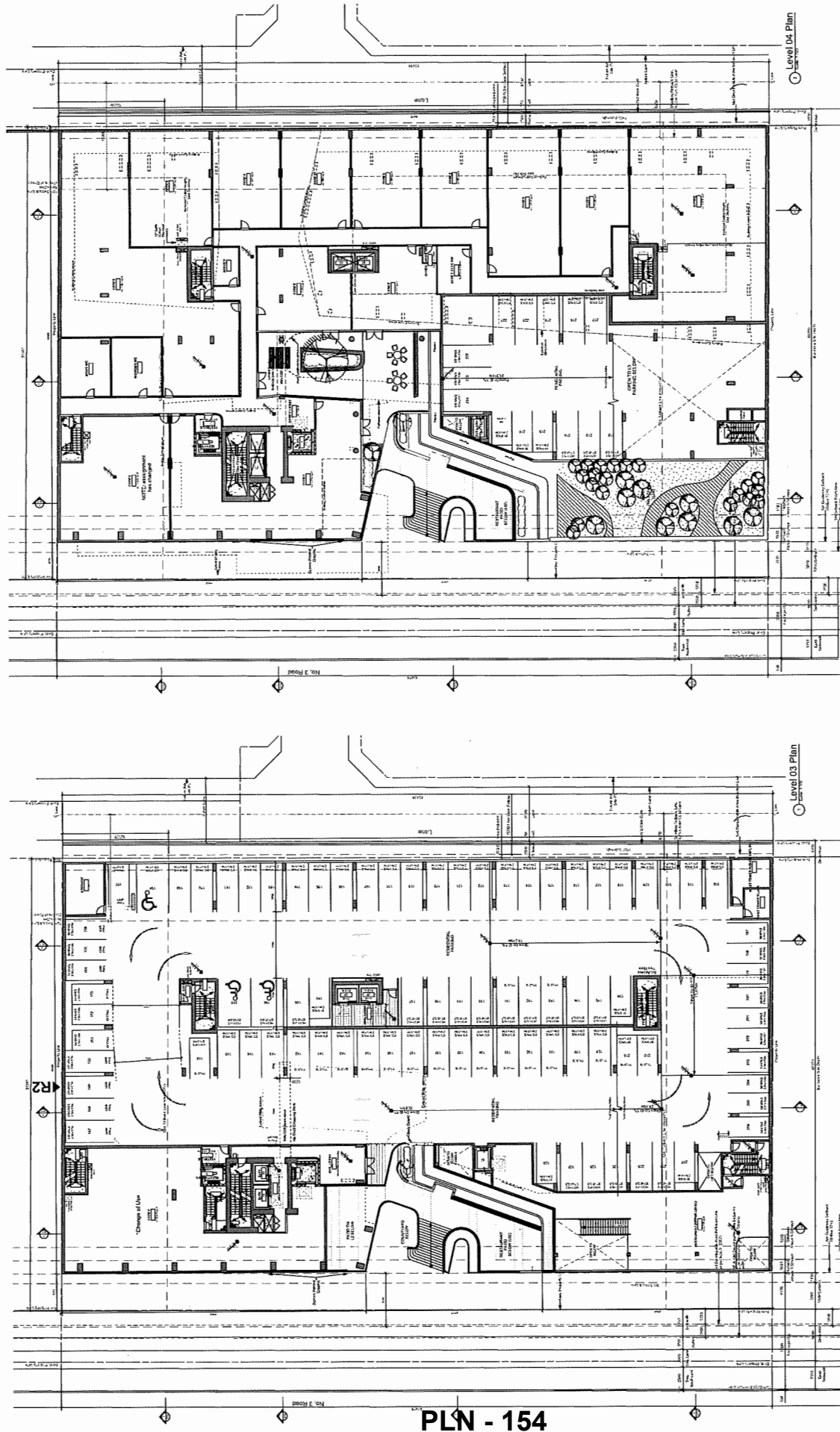
Level 01-02 Plans

Scale 1:200  
A12

March 12, 2018



**DIALOG**



PLN - 154

CONCEPT ONLY

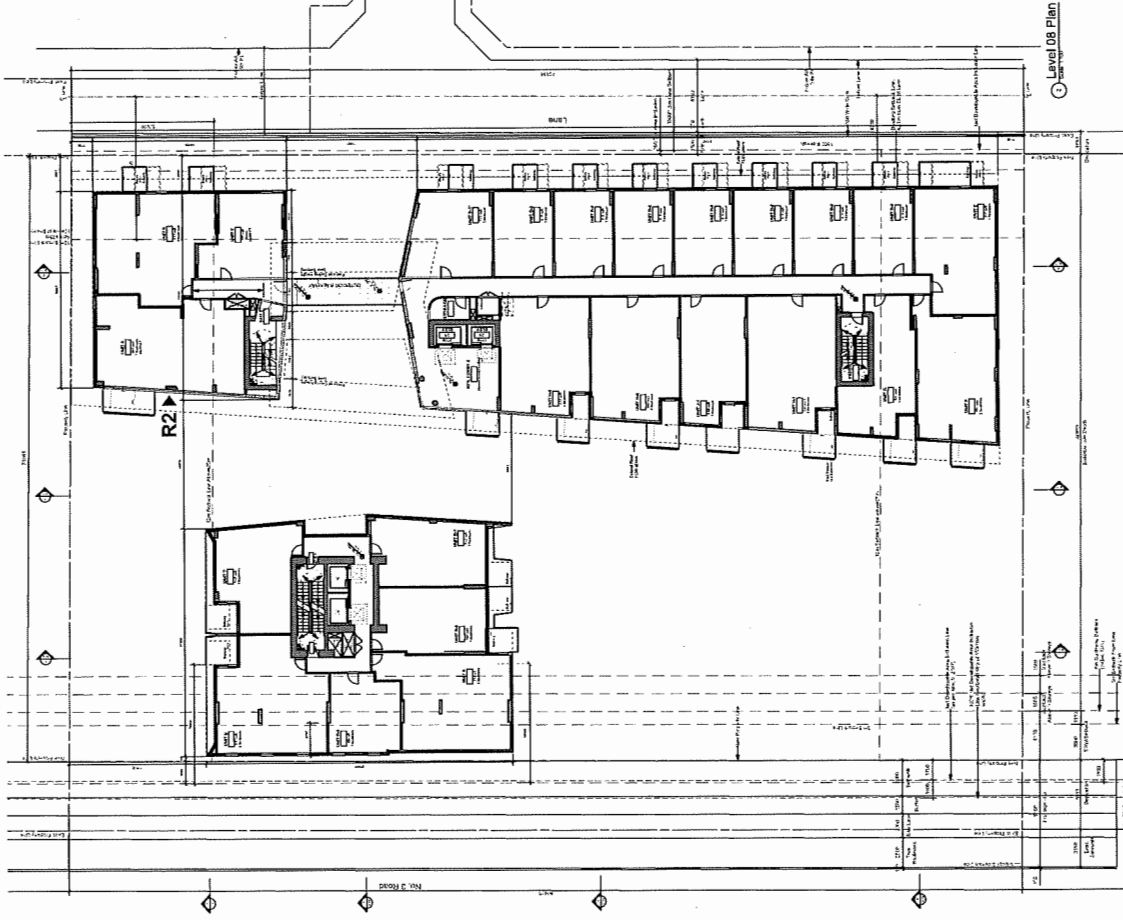
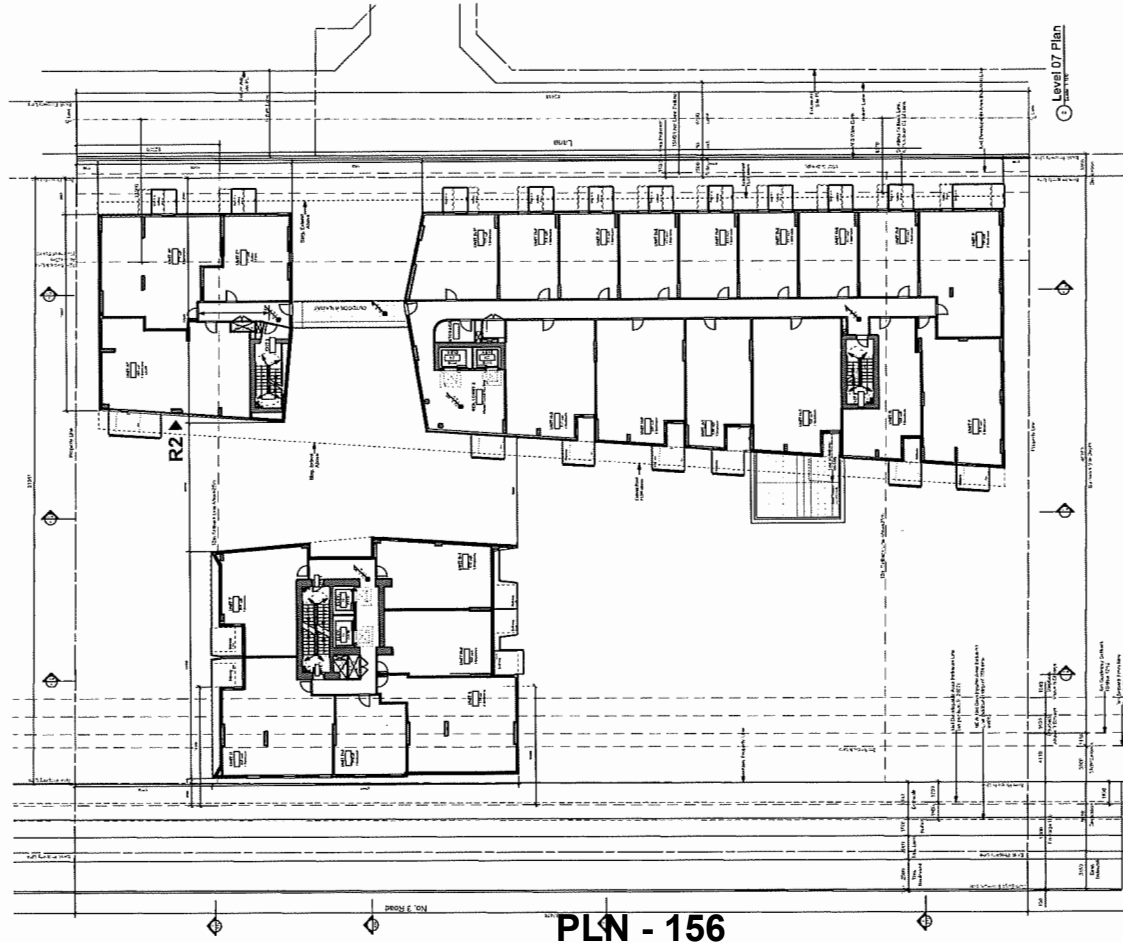
Level 03-04 Plans | Scale 1:200 | A13 | March 12, 2018

6700 #3 Road, Richmond

DIALOG

NOTES:  
1. All dimensions and areas are to be verified with survey information.  
2. This is a conceptual plan and is not intended for construction or sale of the property.  
3. The owner is responsible for the accuracy of the information provided.





PLN - 156

CONCEPT ONLY

NOT TO SCALE  
 ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND ARE TO BE VERIFIED BY SURVEY INFORMATION.  
 THIS IS A CONCEPT ONLY AND IS NOT A CONTRACT DOCUMENT. NO WARRANTIES OR REPRESENTATIONS ARE MADE BY OR FOR THE ARCHITECT.

**DIALOG**

6700 #3 Road, Richmond

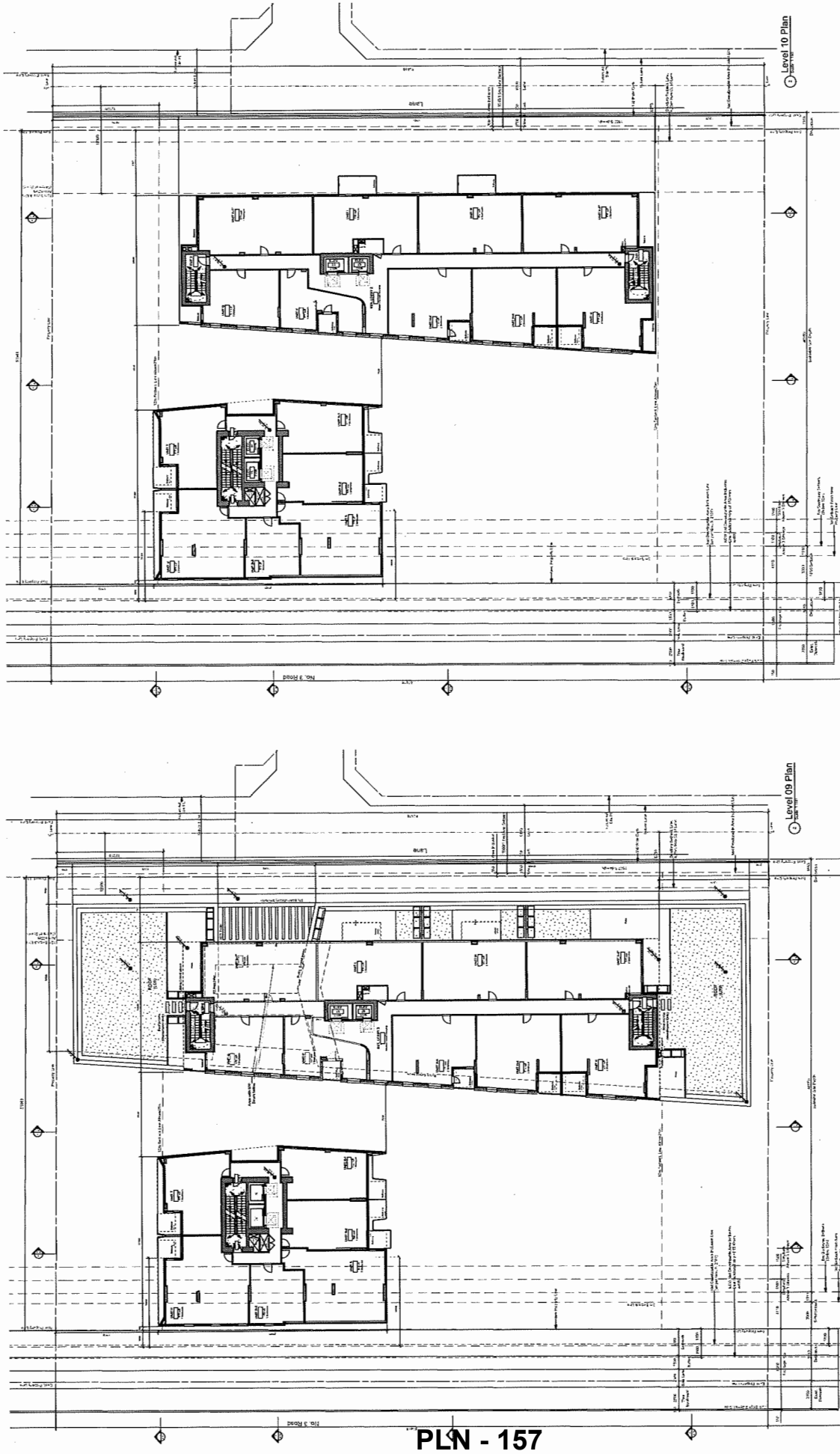
Level 07-08 Plans

Scale  
 1:200

A15

March 12, 2018





PLN - 157

CONCEPT ONLY

NOTES:  
1. All dimensions and areas are approximate and are to be verified with survey information.  
2. The user is to consult the local authority for any and all regulations or provisions or acts of law that may apply to the project.

**DIALOG**

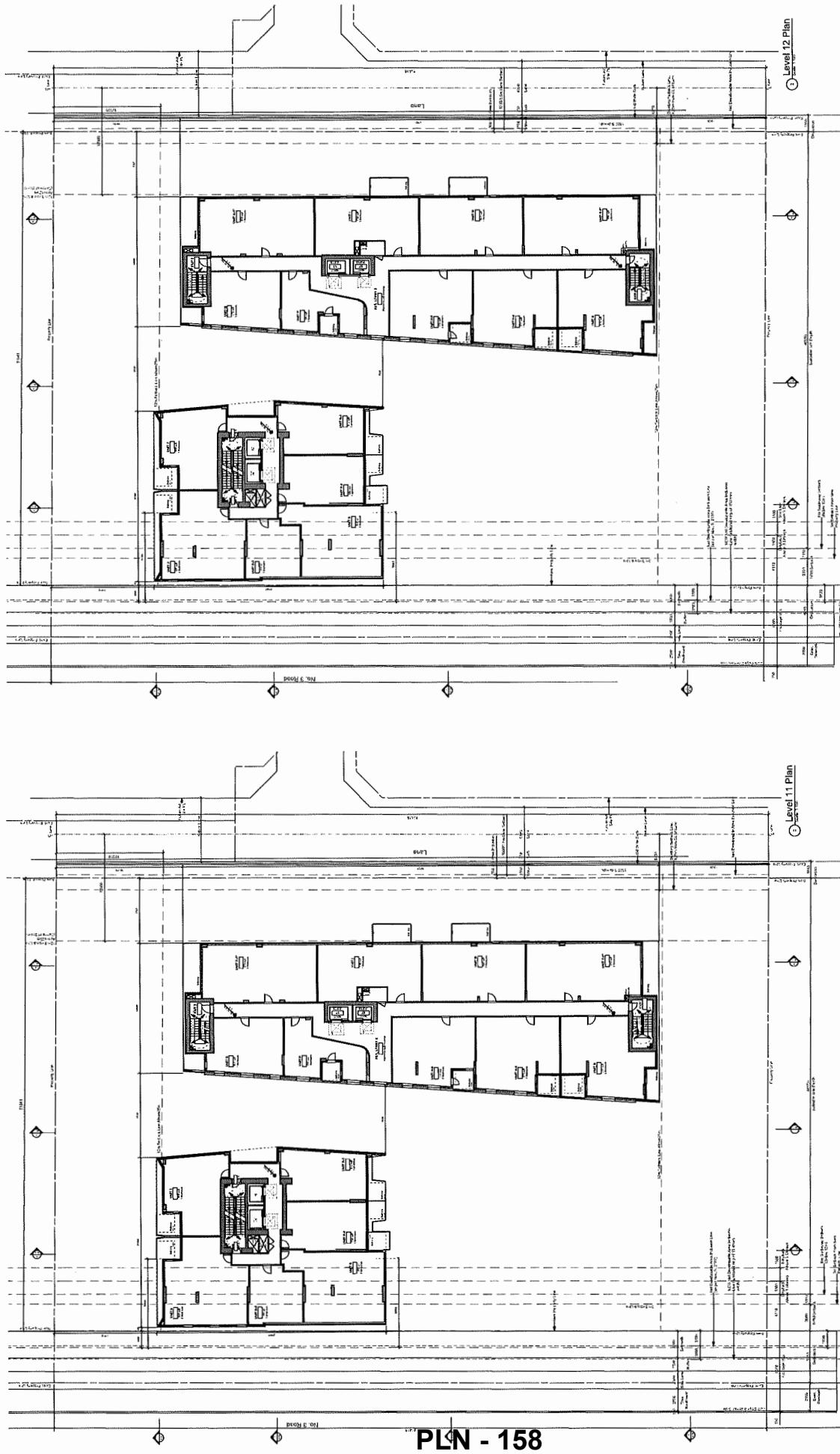
6700 #3 Road, Richmond

Level 09-10 Plans

A16

Scale 1:200

March 12, 2018



PLN - 158

NOTE:  
 All dimensions and areas are approximate and are to be verified with survey information.  
 All dimensions and areas are approximate and are to be verified with survey information.  
 All dimensions and areas are approximate and are to be verified with survey information.

CONCEPT ONLY

**DIALOG**

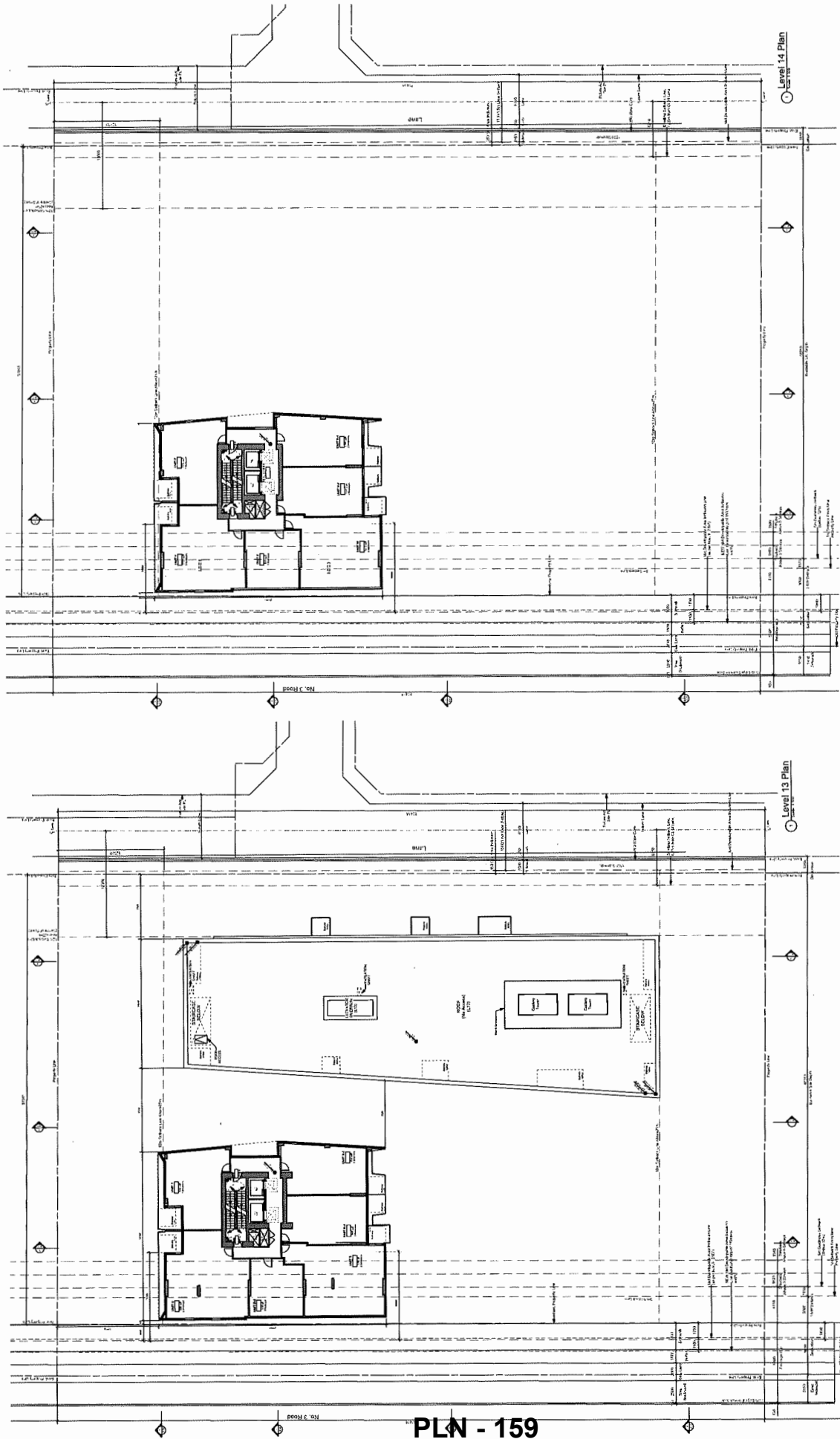
6700 #3 Road, Richmond

Level 11-12 Plans

Scale 1:200

A17

March 12, 2018



CONCEPT ONLY

March 12, 2018

A18

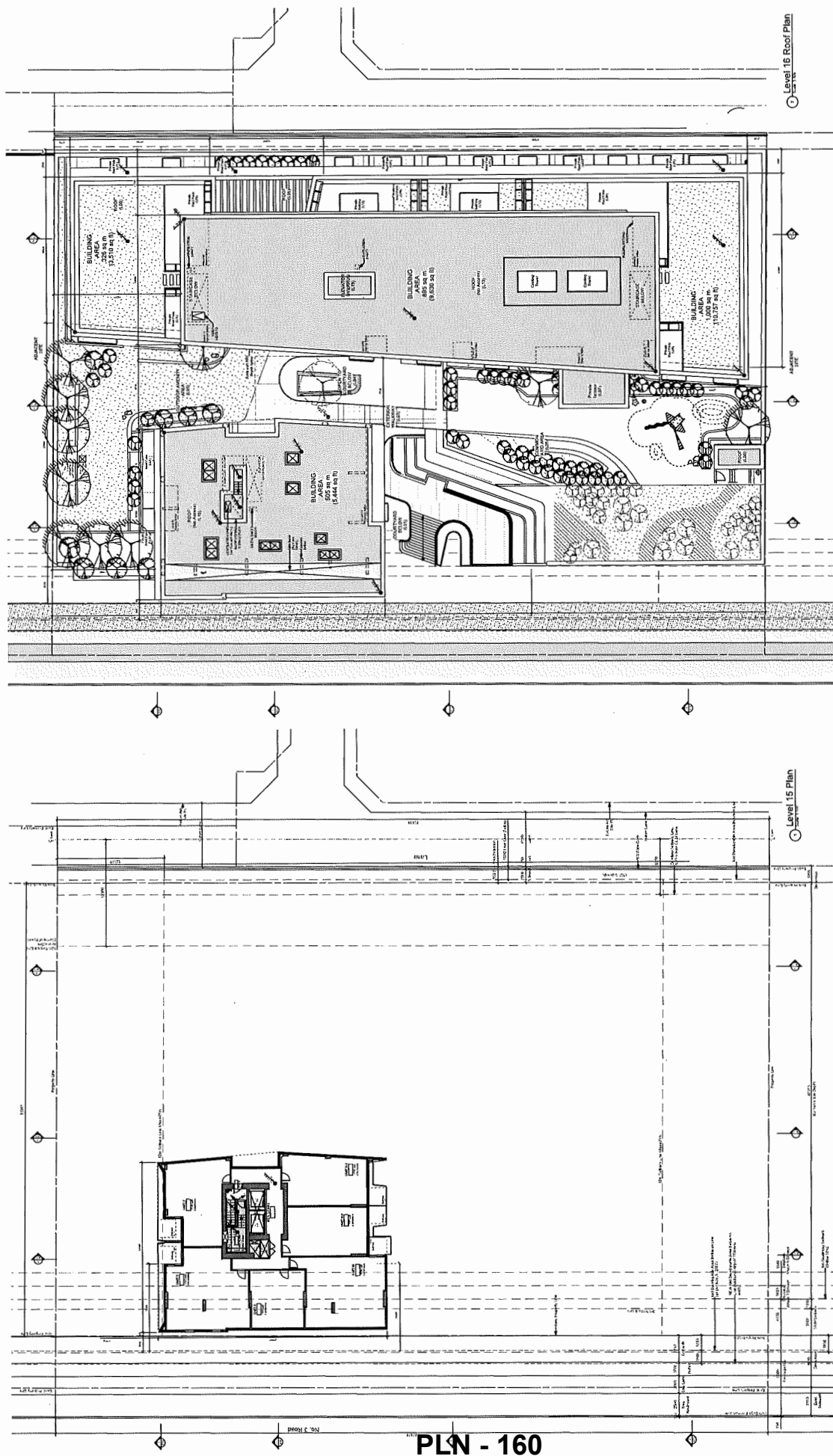
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Level 13-14 Plans

6700 #3 Road, Richmond

NOTE: This is a conceptual drawing and not to be used for construction. It is for informational purposes only. The client is responsible for the accuracy of the information provided.

**DIALOG**



CONCEPT ONLY

**6700 #3 Road, Richmond**

Level 15 / Roof Plan

A19

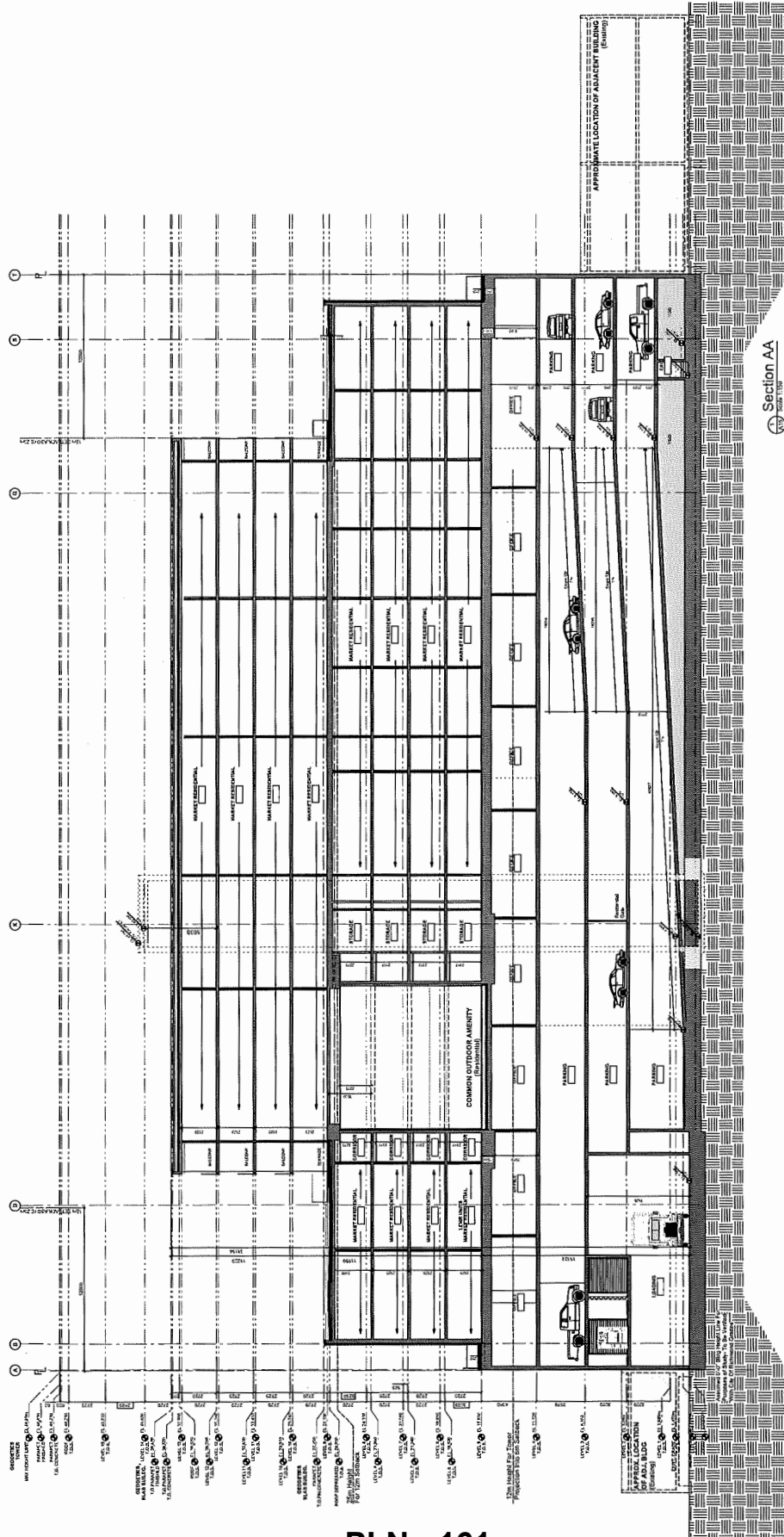
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March 12, 2018

# DIALOG





PLN - 161

NOTE: Dimensions and areas are approximate and are to be verified on-site. All dimensions are in feet and inches. All dimensions are to the center of the building unless otherwise noted. All dimensions are to the center of the building unless otherwise noted.

CONCEPT ONLY

**DIALOG**

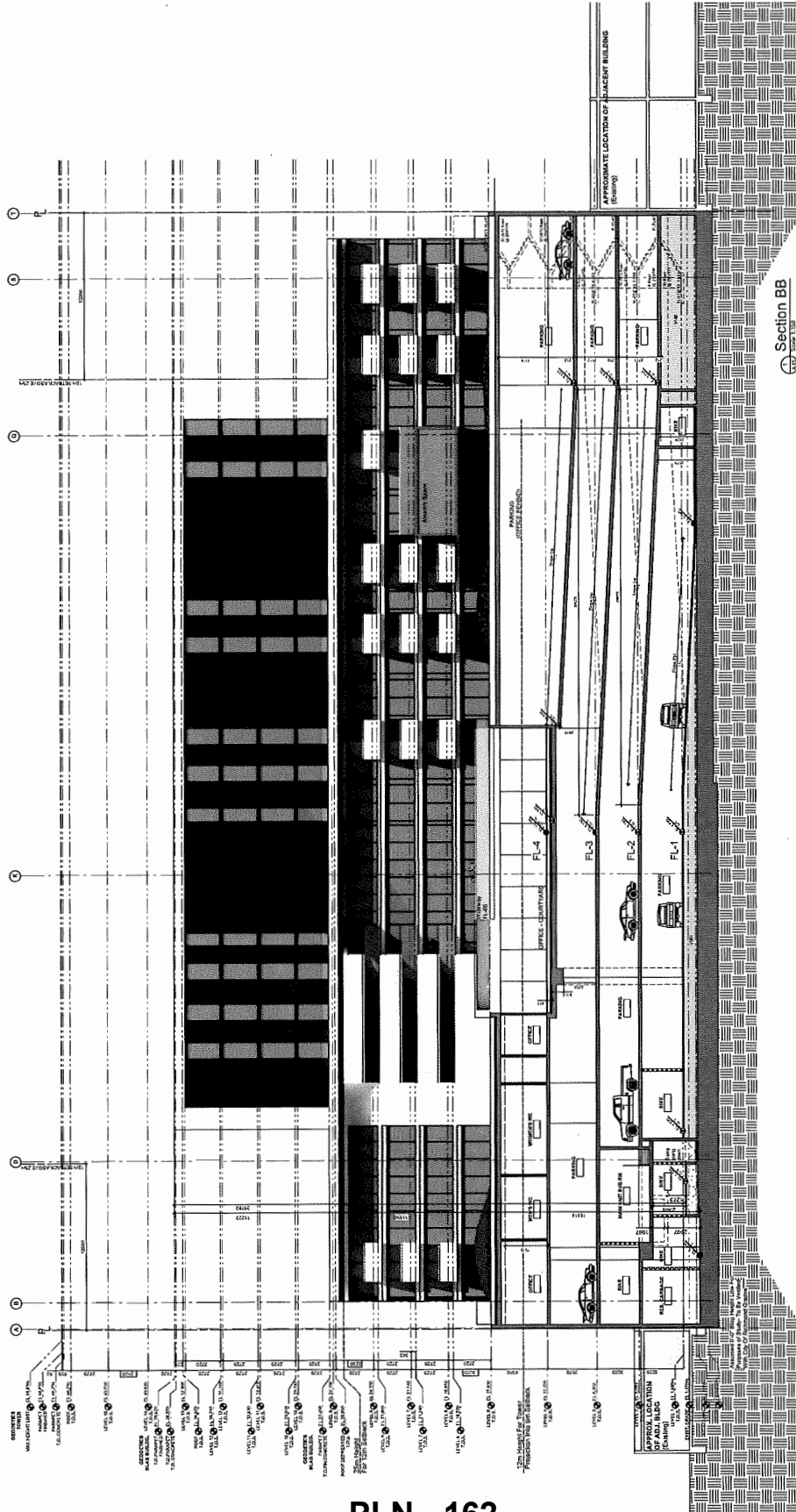
6700 #3 Road, Richmond

Section AA

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A20

March 12, 2018



PLN - 162

CONCEPT ONLY

6700 #3 Road, Richmond

A21

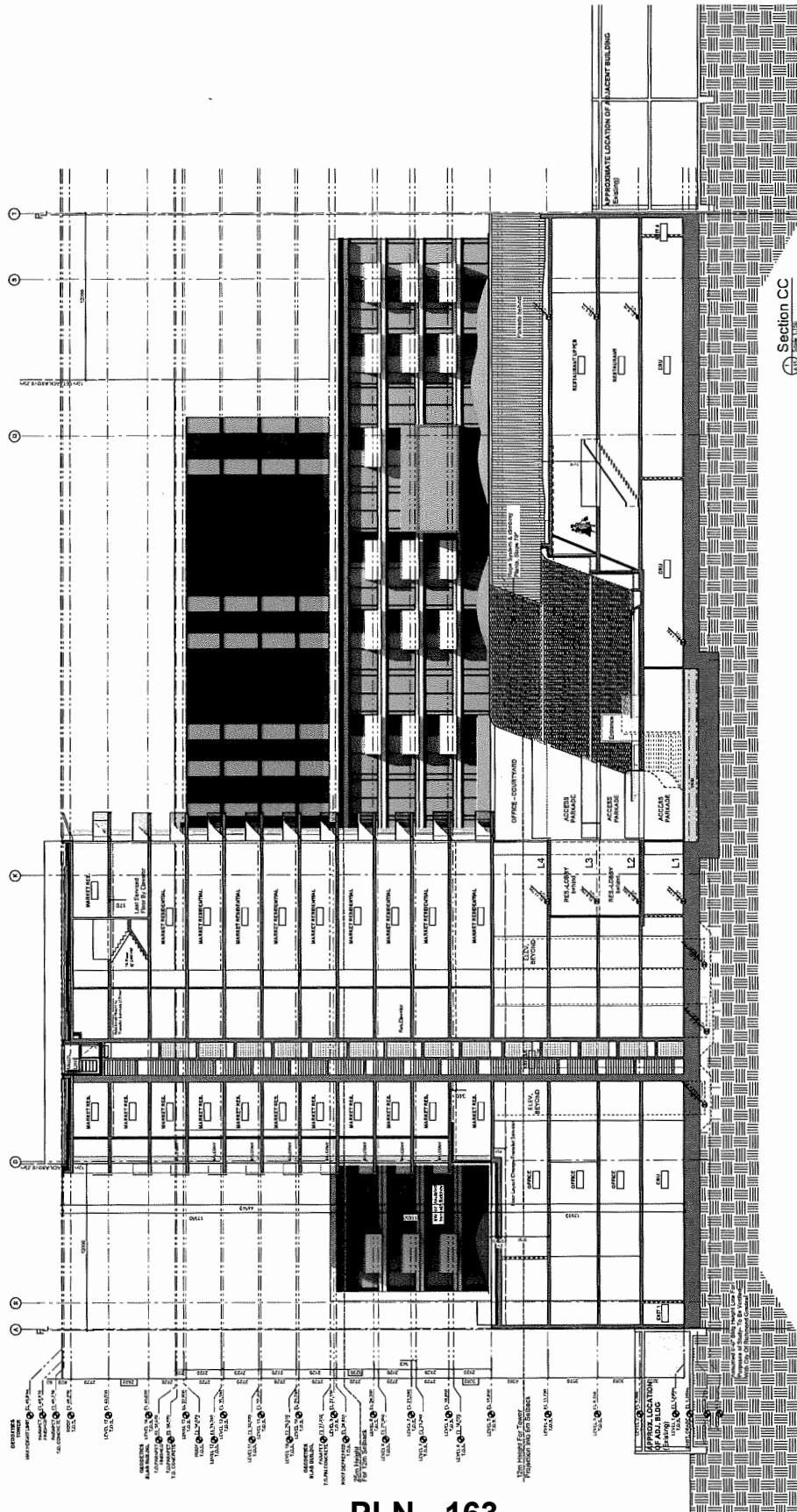
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Section BB

March 12, 2018

NOTE:  
1. All dimensions and areas are approximate and are to be verified with survey information.  
2. The drawings are for conceptual purposes only and are not to be used for construction or purchase of materials.  
3. The drawings are for conceptual purposes only and are not to be used for construction or purchase of materials.

**DIALOG**



PLN - 163

CONCEPT ONLY

6700 #3 Road, Richmond

Section CC

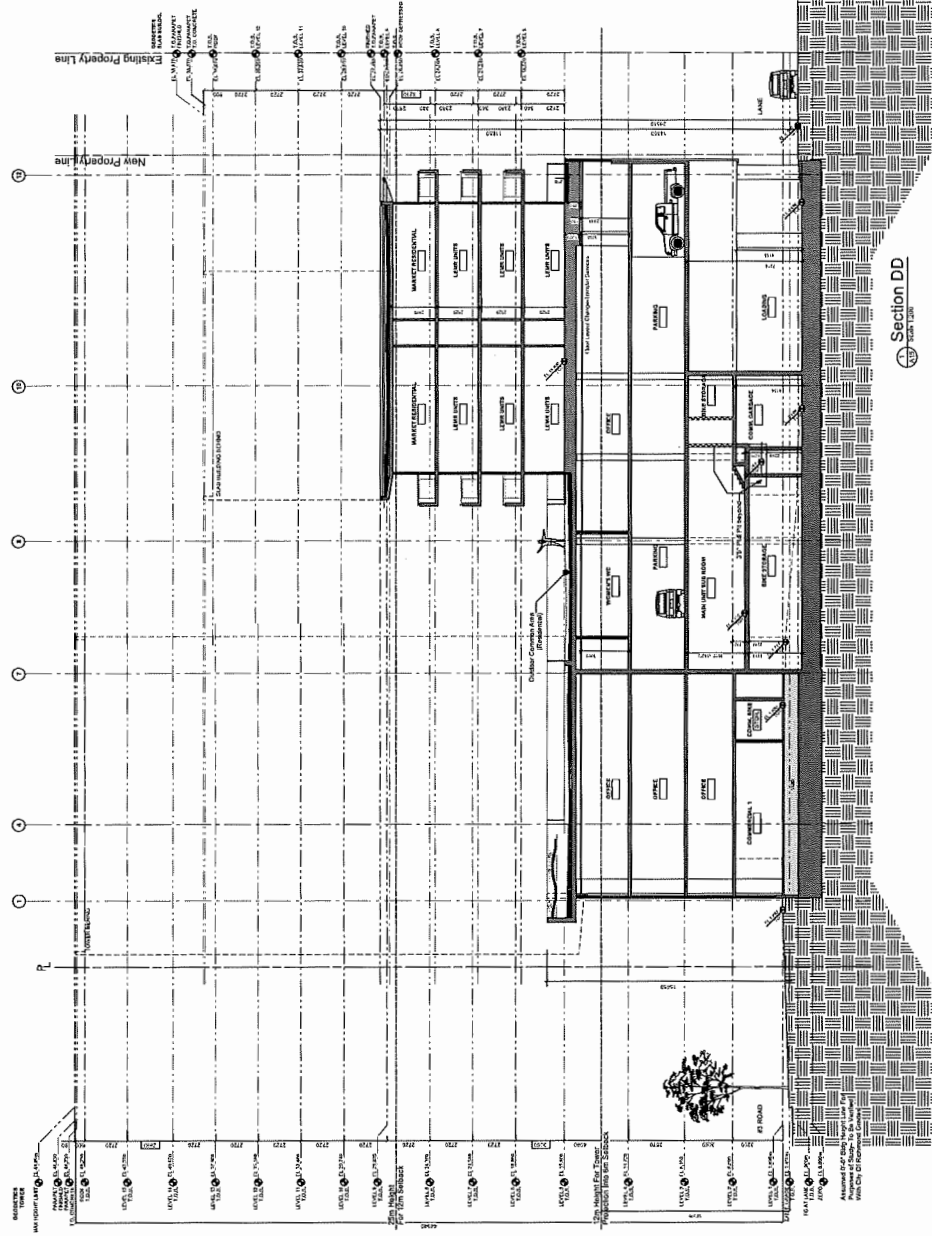
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A22

March 12, 2018

**DIALOG**

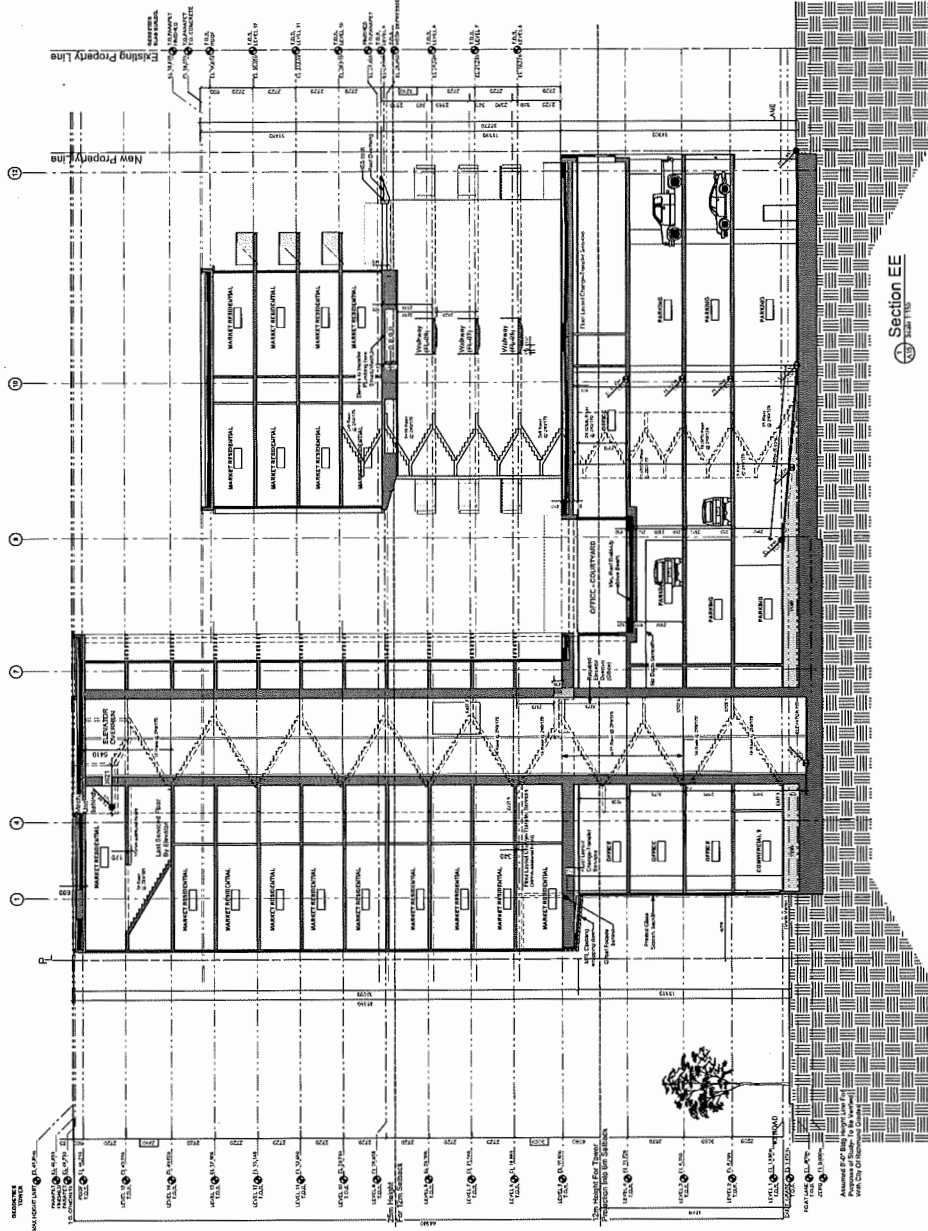
NOTE:  
All dimensions and areas are approximate and are to be verified with survey information.  
The architect shall not be responsible for any errors or omissions in this drawing.



NOTE: This plan is a conceptual drawing and is not to be used for construction. It is intended to show the general layout of the building and the location of the rooms. The actual construction of the building will be subject to the requirements of the local building department and the final plans will be submitted for review and approval by the local building department.

CONCEPT ONLY





NOTE:  
1. All dimensions and areas are approximate and are to be verified with survey information.  
2. The information is provided for informational purposes only and does not constitute a contract.  
3. The information is provided for informational purposes only and does not constitute a contract.

**DIALOG**

6700 #3 Road, Richmond

Section EE

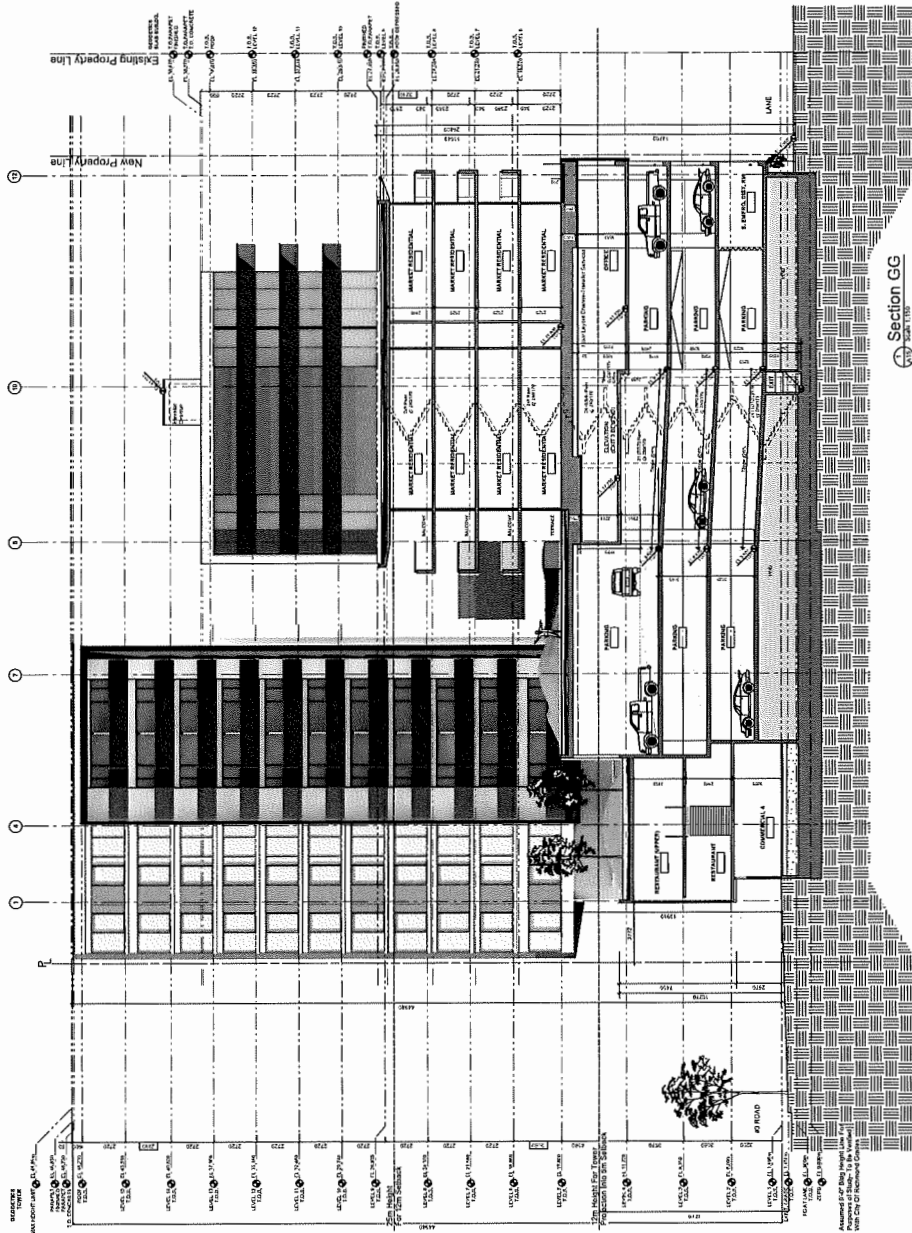
Scale  
1:150

A24

March 12, 2018

CONCEPT ONLY





**NOTE:**

1. All dimensions and areas are approximate and are to be verified with survey information.
2. This is not a complete design and no such any actions or decisions on purchase or sale of land/development are not the responsibility of the architect.



SW Corner



South End



North End

NOTE:  
All dimensions and areas are approximate and are to be verified with survey information.  
The information is provided for informational purposes only and is not intended to be used for any other purpose.  
The information is provided for informational purposes only and is not intended to be used for any other purpose.

**DIALOG**

6700 #3 Road, Richmond

3D Massing

A29

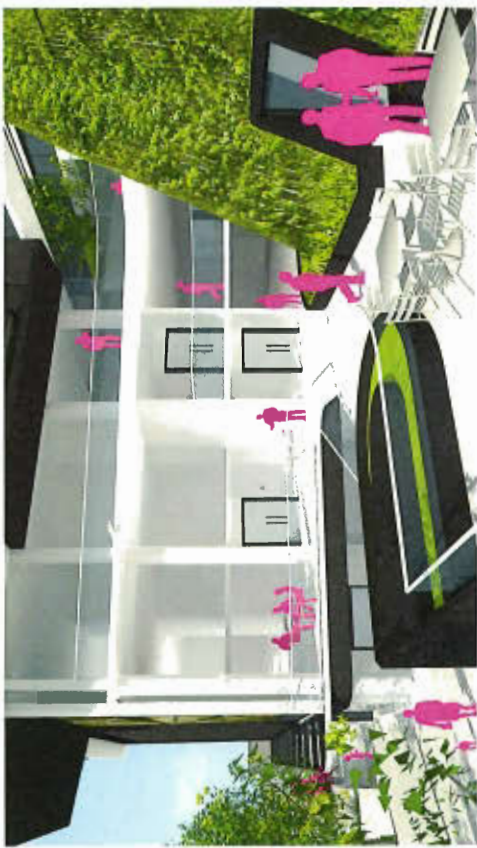
CONCEPT ONLY

March 12, 2018





Walking South on No. 3 Road



Looking into the Courtyard from Level 2



Outdoor Walkways



Looking North on 5th Floor Outdoor Amenity

NOTE:  
All dimensions and details are approximate and are to be verified with survey information.  
All dimensions and details are approximate and are to be verified with survey information.  
All dimensions and details are approximate and are to be verified with survey information.

**DIALOG**

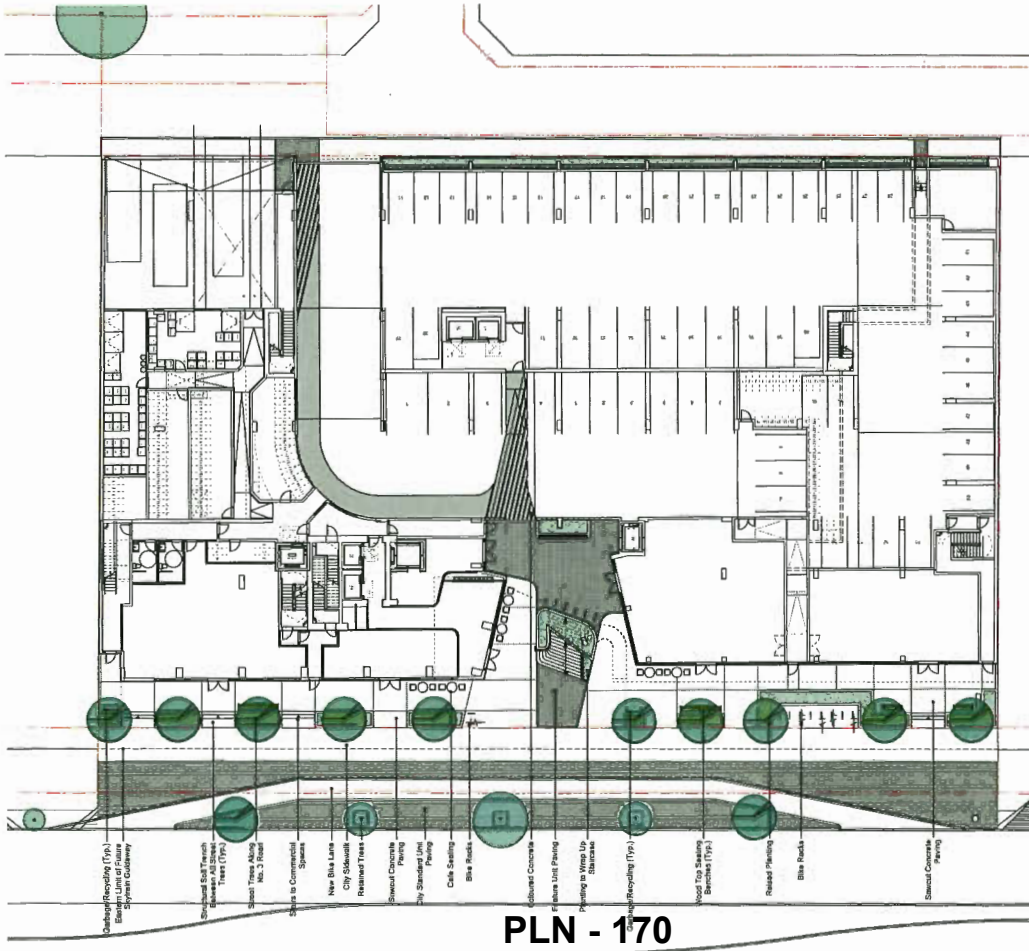
6700 #3 Road, Richmond

3D Massing

A30

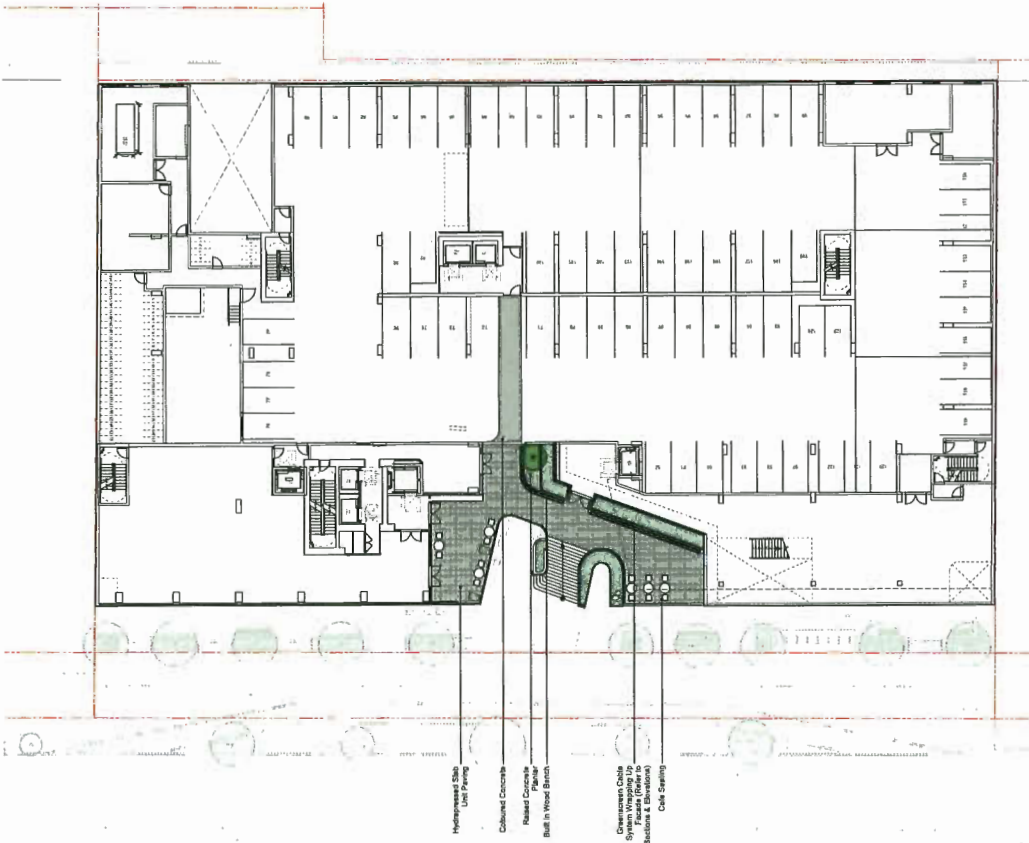
CONCEPT ONLY

March 12, 2018



PLN - 170

1 Level 01 Plan  
1:200



2 Level 02 Plan  
1:200

CONCEPT ONLY

**DIALOG**

6700 #3 Road, Richmond

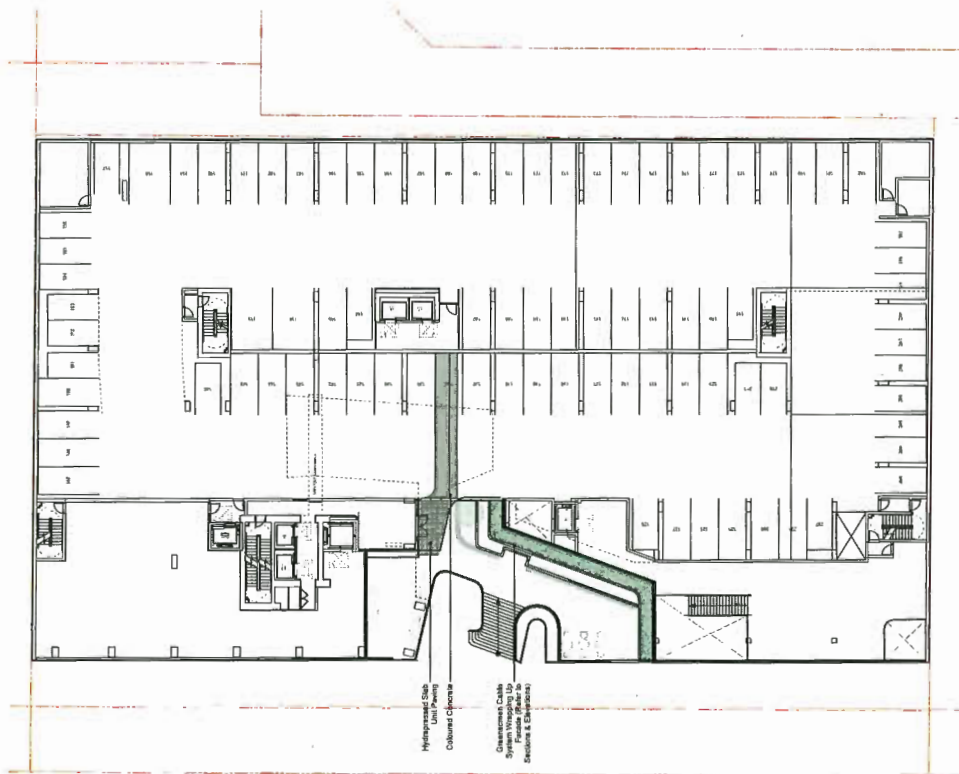
Level 01 & 02 Plan

L1

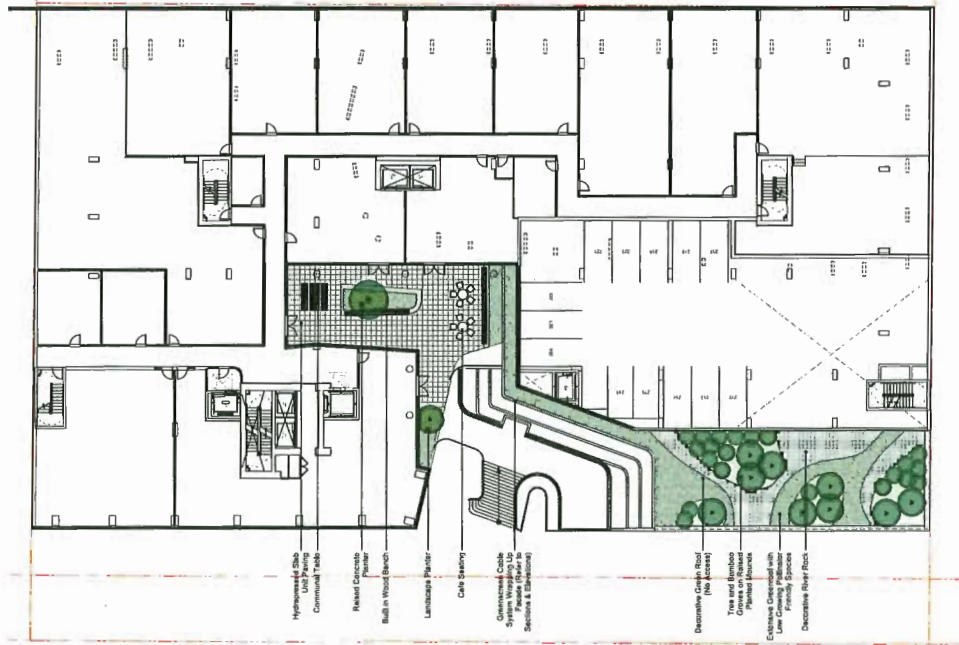
Scale  
1:200

March 12, 2018

NOTE:  
 This drawing is a conceptual design and is not to be used for construction.  
 It is intended to provide a visual representation of the proposed design.  
 The design is subject to change without notice.



1 Level 03 Plan  
1/200



2 Level 04 Plan  
1/200

NOTE:  
All dimensions and areas are approximate and are to be verified with survey information.  
This is not a complete design and is for conceptual purposes only. It is not intended to be used for construction or other purposes without the approval of the architect.

**DIALOG**

6700 #3 Road, Richmond

CONCEPT ONLY

Level 03 & 04 Plan

L2

Scale  
1:200

March 12, 2018





NOTE

1. All dimensions and areas are approximate and are to be verified with survey information.

2. This is not a complete design and as such any actions or decisions on purchase or sale of land/development are not the responsibility of the architect.





**City of  
Richmond**

## Development Application Data Sheet

Development Applications Department

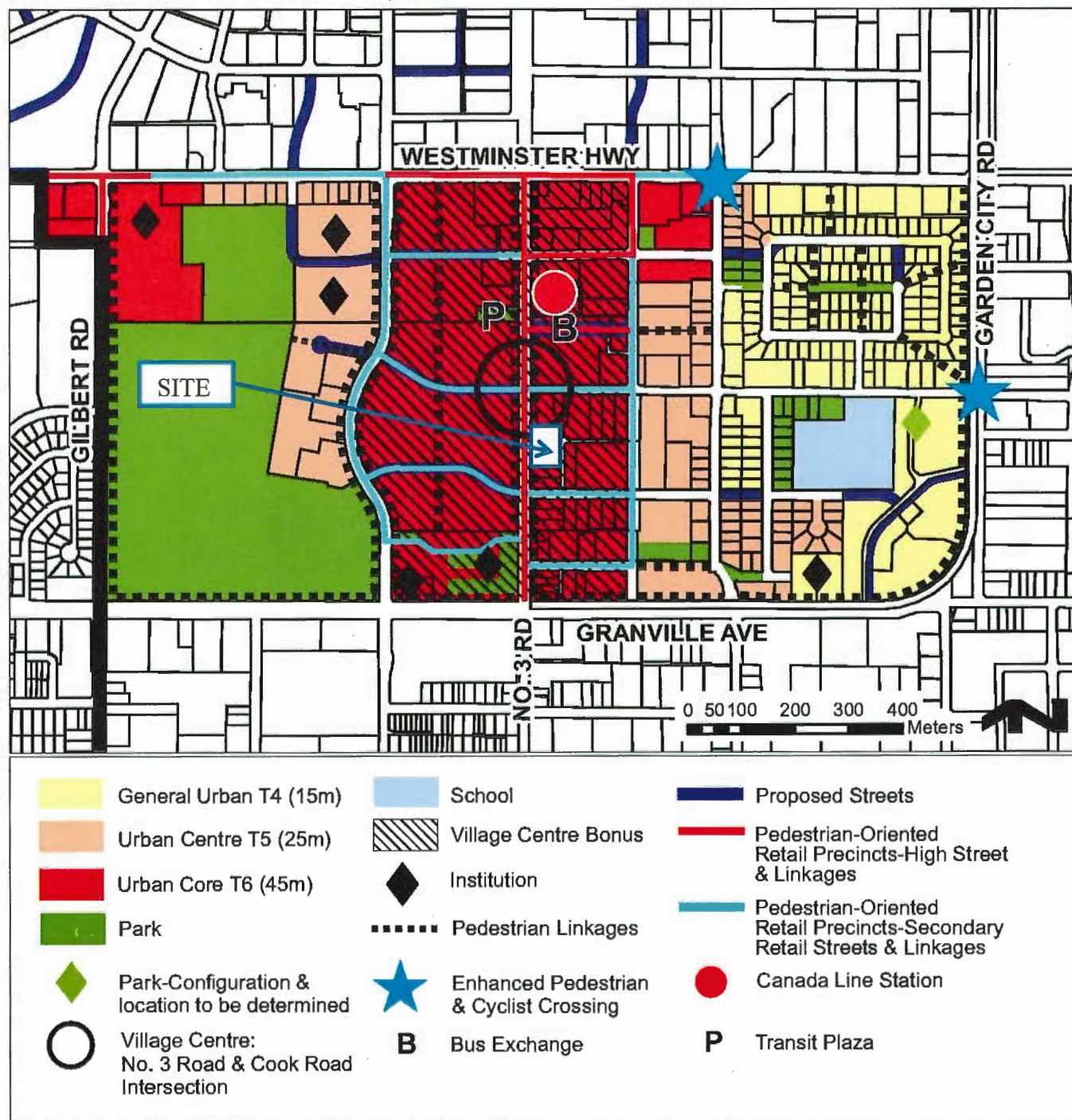
### RZ15-694855

<b>Address:</b>	6560, 6600, 6640 & 6700 No. 3 Road
<b>Applicant:</b>	Bene (Richmond) Development Ltd.
<b>Owner:</b>	Bene (Richmond) Development Ltd
<b>Planning Area(s):</b>	City Centre – Brighthouse Village

RZ15-694855	Existing	Proposed
<b>Site Size:</b>	4,819 m <sup>2</sup>	4,066 m <sup>2</sup>
<b>Net Development Site Area:</b>	N/A	4,393 m <sup>2</sup>
<b>Land Uses:</b>	Commercial	Mixed Use
<b>OCP Designation:</b>	Downtown Mixed Use	Downtown Mixed Use
<b>Area Plan Designation:</b>	Urban Core T6 (45 m)	Urban Core T6 (45 m)
<b>Zoning:</b>	CDT1	ZMU36
<b>Number of Residential Units:</b>	nil	166

RZ15-694855	Bylaw Req't	Proposed	Variance
<b>Floor Area Ratio (FAR):</b>	4.0	4.0	n/a
<b>Floor Area per FAR:</b>	17,572 m <sup>2</sup>	17,572 m <sup>2</sup>	n/a
<b>Lot Coverage:</b>	90%	85%	-
<b>Lot Size:</b>	4,000 m <sup>2</sup>	4,066 m <sup>2</sup>	-
<b>Lot Dimensions:</b>	n/a	n/a	-
<b>Setback – Front Yard:</b>	4.0 m / 0.5 m	4.1 m / 0.5 m	-
<b>Setback – Interior Side Yard:</b>	0 m	0 m	-
<b>Setback – Rear Yard:</b>	0 m	0 m	-
<b>Height Dimensional (geodetic):</b>	47.0 m	46.9 m	-
<b>Off-Street Parking Spaces – Residential Unit:</b>	134	137	-
<b>Off-Street Parking Spaces – Shared Comm'l/Office/Visitor:</b>	71	87	-
<b>Off-Street Parking Spaces – Total:</b>	205	224	-
<b>Loading Spaces – Medium Size:</b>	3	3	-
<b>Loading Spaces – Large Size:</b>	0	0	-
<b>Bicycle Parking Spaces – Class 1:</b>	218	284	-
<b>Bicycle Parking Spaces – Class 2:</b>	32	35	-

### Specific Land Use Map: Brighthouse Village (2031)





**Address:** 6560, 6600, 6640 & 6700 No. 3 Road

**File No.:** RZ 15-694855

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9855, the owner is required to complete the following.**

1. **(Subdivision)** Consolidation of all parcels and registration of a subdivision plan for the subject site that satisfies the following conditions, generally as shown in the sketch survey plan (Schedule 1):
  - a) dedication of approximately 5.85 m along the No. 3 Road frontage for street widening, subject to final dimensions established by the surveyor on the basis of functional plans completed to the satisfaction of the Director of Transportation; and
  - b) dedication of approximately 1.85 m for widening of the rear east lane for the lots fronting 6600, 6640 and 6700 No. 3 Road, and, approximately 6.434 m for widening of the rear east lane for the lot fronting 6560 No. 3 Road, subject to final dimensions established by the surveyor on the basis of functional plans completed to the satisfaction of the Director of Transportation.
2. **(Flood Construction Level)** Registration of a flood covenant on title identifying the basic minimum flood construction level of 2.9 m GSC for Area A.
3. **(Aircraft Noise)** Registration of an aircraft noise sensitive use covenant on title addressing noise impacts on residential uses and establishing a statutory right of way in favour of the Airport Authority.
4. **(Mixed-Use Noise)** Registration of a mixed use noise sensitive use covenant on title addressing noise impacts on residential uses.
5. **(Commercial Noise)** Registration of a commercial noise restrictive covenant on title addressing noise impacts generated by commercial uses and requiring demonstration that the building envelope is designed to avoid noise generated by the internal use from penetrating into residential areas that exceed noise levels allowed in the City's Noise Bylaw and that noise generated from rooftop HUAC units will comply with the City's Noise Bylaw.
6. **(City Centre Impacts)** Registration of a restrictive covenant on title noting that the development is located in a densifying urban area and may be subject to impacts that affect the use and enjoyment of the property including, but not limited to, ambient noise, ambient light, shading, light access, privacy, outlook, vibration, dust and odours from development or redevelopment of public and private land in the surrounding area.
7. **(Affordable Housing)** Registration of a Housing Agreement securing the owner's commitment to:
  - a) provide 5% of the residential floor area to affordable housing dwelling units, in perpetuity;
  - b) provide for affordable housing units, of numbers, types, sizes and associated rent and income levels in accordance with the table below:

## AFFORDABLE HOUSING SUMMARY

Unit Type	Affordable Housing Strategy Requirements			Project Targets (3)	
	Minimum Unit Sizes	Current LEMR Maximum Rents (1) (2)	Total Maximum Household Income (1) (2)	Unit Mix	# of Units (3)
Bachelor	37 m <sup>2</sup> (400 ft <sup>2</sup> )	\$811	\$34,650 or less	33%	3
1-Bedroom	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less	0%	0
2-Bedroom	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less	33%	3
3-Bedroom	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480	\$58,050 or less	33%	3
TOTAL		N/A	N/A	100%	9

(1) Denotes 2017 amounts adopted by Council on July 24, 2017.

(2) Subject to Council approval, total annual household incomes and maximum monthly rents may be increased annually by the Consumer Price Index.

(3) 50% of affordable housing units shall meet Richmond Basic Universal Housing (BUH) standards or better.

8. **(Residential Access)** Registration of a restrictive covenant on title, or other legal agreement, to the satisfaction of the City, securing the owner's commitment to provide a cross-access easement or statutory right of way securing pedestrian access for the residents, their guests/invitees/contractors, emergency personnel and the City to/from all residential buildings, including the affordable housing component, through the adjacent residential buildings' lobbies and vertical circulation systems, the parking structure and other ancillary spaces such as indoor and outdoor common amenities.
9. **(Shared Non-residential and Residential Visitor Parking)** Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to ensure that:
  - a) all non-residential parking spaces are shared between non-residential uses and residential visitor uses;
  - b) all shared parking spaces remain unassigned;
  - c) all shared parking spaces are located on or close to the ground level of the parking structure;
  - d) all shared parking spaces are identified with signage as to their intended usage;
  - e) all shared parking spaces are fully accessible to all users (e.g. entry gate open) during standard business operating hours; and
  - f) all shared parking spaces are fully accessible to residential visitor users (e.g. buzz entry) during non-standard business hours.
10. **(Shared Commercial and Residential Truck Loading)** Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to ensure that:
  - a) all loading spaces are shared between commercial and residential uses;
  - b) all shared loading spaces will remain unassigned;
  - c) all shared loading spaces are located on the ground level;
  - d) all shared loading spaces are identified with signage as to their intended usage;
  - e) all shared loading spaces are fully accessible to all users (e.g. entry gate open) during business hours; and
  - f) all shared loading spaces are accessible to all users (e.g. buzz entry) during non-standard business hours.



11. **(Truck Size)** Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to ensure that the maximum truck size for any truck servicing the site is a medium size truck (e.g. SU9). *(Note: No WB-17 size trucks are permitted.)*
12. **(Car Share)** Registration of a restrictive covenant and statutory right of way on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to provide a car share facility and car share equipment to a car share operator or the City, at no cost to the car share operator or the City, both as the case may be, the terms of which shall be generally as follows:
  - a) a minimum of three (3) car share parking spaces within the development, along with pedestrian and vehicular access, designed, constructed, equipped and maintained by the owner, at the owner's cost, to be:
    - i. co-located and located on the ground level of the parkade;
    - ii. provided with direct pedestrian access from No. 3 Road;
    - iii. provided with vehicle access from the lane;
    - iv. designed to be safe, convenient and universally-accessible;
    - v. provided with design features, decorative finishing, lighting and signage, as determined through the Development Permit and Servicing Agreement processes;
    - vi. provided with one EV quick-charge (240 volt) charging station for each car share space for its exclusive use;
    - vii. accessible to all intended users (e.g. general public, car share operator personnel and car share operator members) at no added cost;
    - viii. accessible to all intended users as follows:
      - i. the general public – 365 days a year for a time period equalling the lengthiest combination of standard business hours and the standard operating hours of local rapid transit; and
      - ii. the car share operator personnel and members – 365 days a year for a 24 hours per day (e.g. code entry);
  - b) a minimum of three (3) car share cars, all of which being electric vehicles, at the owner's initial cost;
  - c) terms of agreement between the owner and the car share operator which shall include:
    - i. a minimum contractual period for the provision of car share services of three years from the first date of building occupancy; and
    - ii. additional provisions as negotiated by the owner and car share operator (e.g. maintenance, repair and replacement by car share vehicles by the car share operator), or as required by the City, subject to the approval of the Director of Transportation;
  - d) supporting submissions provided to the City (Transportation Department) as follow:
    - i. prior to the rezoning Report to Council, a copy of the letter of intent addressed to the owner from the car share operator outlining the terms of the provision of car sharing services;
    - ii. prior to Development Permit issuance, a copy of the draft contract between the owner and the car share operator describing the terms of the provision of car sharing services;
    - iii. prior to Development Permit issuance, a Letter of Credit (LOC) from the owner, the terms of which shall include:
      - i. a sum of \$75,000 to secure the owner's commitment to provide the car share cars; and

- ii. agreement that, should the car share cars not be provided at the time of Building Permit issuance granting occupancy, the owner will voluntarily contribute the \$75,000 secured by LOC towards alternate transportation demand management modes of transportation;
    - iv. prior to Building Permit issuance granting occupancy, a copy of the executed contract between the owner and the car share operator describing the terms of the provision of car sharing services;
    - v. prior to Building Permit issuance granting occupancy, a copy of the purchase receipt for the car share cars;
  - e) a Public Right of Passage Statutory Right of Way, in favour of the City, to secure the car share spaces and the vehicular and pedestrian accesses, subject to the final dimensions established by the surveyor on the basis of functional plans completed to the satisfaction of the Director of Transportation; and
  - f) in the event that the car-share facilities are not operated for car-share purposes as intended via the subject rezoning application (e.g., operator's contract is terminated or expires), transfer control of the car-share facilities and equipment, as applicable, to the City, at no cost to the City, with the understanding that the City at its sole discretion, without penalty or cost, shall determine how the facilities shall be used going forward.
13. **(Bicycle End-of-Trip Facilities)** Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to provide bicycle end-of-trip facilities within the development for the shared use of all non-residential users (e.g. commercial and office) generally as follows:
- a) a minimum of one male facility and one female facility, designed, constructed, equipped and maintained by the owner, each of which shall:
    - i. be fully accessible to all intended users;
    - ii. be easily accessible from commercial Class 1 bicycle parking areas;
    - iii. be fully handicapped accessible;
    - iv. accommodate two or more people at one time; and
    - v. include, at minimum, a change room and lockers, two showers, a toilet, a wash basin and a grooming station (i.e. mirror, counter and electrical outlets).
14. **(Bicycle Maintenance and Repair Facilities)** Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to provide bicycle maintenance and repair facilities within the development for the shared use of all residential users (e.g. owners, renters and their guests) generally as follows:
- a) a minimum of two bicycle repair and maintenance stations, designed, constructed, equipped and maintained by the owner, each of which shall:
    - i. be fully accessible to all intended users;
    - ii. be easily accessible from residential Class 1 bicycle parking areas;
    - iii. be fully handicapped accessible; and
    - iv. include, at minimum, a bicycle repair stand with tools, a foot pump and a faucet, hose and drain for bicycle washing.
15. **(Bicycle Facilities)** Registration of a restrictive covenant on title or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to maintain all required bicycle parking spaces and other bicycle facilities for their intended uses.
16. **(Transit Pass Program)** Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to

provide a transit pass program for the residential tenants of the development, at the owner's cost, generally as follows:

- a) provide monthly two-zone transit passes for one year to:
    - i. 50% of market units; and
    - ii. 100% of affordable housing units;
  - b) extend the program, should it not be fully subscribed within one year, until the equivalent of the costs of the full one year transit pass program has been exhausted;
  - c) provide for administration by TransLink or a management company on behalf of the strata council;
  - d) notify purchasers of the availability of the transit pass program;
  - e) indicate the availability and method of accessing the transit program in sales/rental contracts; and
  - f) submit a Letter of Credit prior to Development Permit issuance to secure the owner's commitment to provide the transit passes based on 110% of transit pass costs (including 100% for transit pass purchases and 10% for future transit pass cost increases and administration)
- (Note: The remaining funds in the LOC will be released to the Owner when the 2-zone one year transit pass program is fully subscribed.)*

17. **(District Energy Utility)** Registration of a restrictive covenant and statutory right of way and/or alternative legal agreement(s), to the satisfaction of the City, securing the owner's commitment to connect to District Energy Utility (DEU) and granting the statutory right of way(s) necessary for supplying the DEU services to the building(s), which covenant and statutory right of way and/or legal agreement(s) will include, at minimum, the following terms and conditions:
- a. No building permit will be issued for a building on the subject site unless the building is designed with the capability to connect to and be serviced by a DEU and the owner has provided an energy modelling report satisfactory to the Director of Engineering.
  - b. If an energy plant district energy utility (EDEU) service area bylaw which applies to the site has been adopted by Council prior to the issuance of the development permit for the subject site, no building permit will be issued for a building on the subject site unless:
    - i. the owner designs, to the satisfaction of the City and the City's DEU service provider, Lulu Island Energy Company Ltd. (LIEC), an energy plant to be constructed and installed on the site, with the capability to connect to and be serviced by a DEU; and
    - ii. the owner enters into an asset transfer agreement with the City and/or the City's DEU service provider on terms and conditions satisfactory to the City to transfer ownership of the energy plant to the City or as directed by the City, including to the City's DEU service provider, at no cost to the City or City's DEU service provider, LIEC, on a date prior to final building inspection permitting occupancy of the first building on the site;
  - c. The owner agrees that the building(s) will connect to a DEU when a DEU is in operation, unless otherwise directed by the City and the City's DEU service provider, LIEC.
  - d. If a DEU is available for connection and the City has directed the owner to connect, no final building inspection permitting occupancy of a building will be granted unless, and until:
    - i. the building is connected to the DEU;
    - ii. the owner enters into a Service Provider Agreement for that building with the City and/or the City's DEU service provider, LIEC, executed prior to depositing any Strata Plan with LTO and on terms and conditions satisfactory to the City; and
    - iii. prior to subdivision (including Air Space parcel subdivision and Strata Plan filing), the owner grants or acquires, and registers, all Statutory Right-of-Way(s) and/or easements necessary for supplying the DEU services to the building.

- e. If a DEU is not available for connection, but a EDEU service area bylaw which applies to the site has been adopted by Council prior to the issuance of the development permit for the subject site, no final building inspection permitting occupancy of a building will be granted unless and until:
    - i. the City receives a professional engineer's certificate stating that the building has the capability to connect to and be serviced by a DEU;
    - ii. the building is connected to an energy plant supplied and installed by the owner, at the owner's sole cost, to provide heating, cooling and domestic hot water heating to the building(s), which energy plant will be designed, constructed and installed on the subject site to the satisfaction of the City and the City's service provider, LIEC;
    - iii. the owner transfers ownership of the energy plant on the subject site, to the City or as directed by the City, including to the City's DEU service provider, LIEC, at no cost to the City or City's DEU service provider, on terms and conditions satisfactory to the City;
    - iv. prior to depositing a Strata Plan, the owner enters into a Service Provider Agreement for the building with the City and/or the City's DEU service provider, LIEC, on terms and conditions satisfactory to the City; and
    - v. prior to subdivision (including Air Space parcel subdivision and Strata Plan filing), the owner grants or acquires, and registers, all additional Covenants, Statutory Right-of-Way(s) and/or easements necessary for supplying the services to the building and the operation of the energy plant by the City and/or the City's DEU service provider, LIEC.
  - f. If a DEU is not available for connection, and a EDEU service area bylaw which applies to the site has not been adopted by Council prior to the issuance of the development permit for the subject site, no final building inspection permitting occupancy of a building will be granted until:
    - i. the City receives a professional engineer's certificate stating that the building has the capability to connect to and be serviced by a DEU; and
    - ii. the owner grants or acquires any additional Statutory Right-of-Way(s) and/or easements necessary for supplying DEU services to the building, registered prior to subdivision (including Air Space parcel subdivision and strata plan filing).
18. **(Child Care)** City acceptance of the owner's offer to voluntarily contribute at least \$873,295.57 (one percent of the residential floor area, excluding affordable housing floor area, calculated using the proposed floor area e.g.  $0.01 \times 12,481 \text{ m}^2 \times \$6,997/\text{m}^2$ ) towards the development and operation of child care (90% to Childcare Development Reserve Fund - Account # 7600-80-000-90157-0000 and 10% to Childcare Operating Contributions Account # 7600-80-000-90159-0000).
19. **(Community Facility)** City acceptance of the owner's offer to voluntarily contribute at least \$1,536,891.05 (five percent of the Village Centre Bonus floor area calculated using the proposed floor area e.g.  $0.05 \times 1.0 \times 4,393 \text{ m}^2 \times \$6,997/\text{m}^2$ ) towards the development of community facilities (City Centre Facility Development Fund - Account # 7600-80-000-90170-0000).
20. **(Community Planning)** City acceptance of the owner's offer to voluntarily contribute at least \$52,891.72 (100% of the total floor area calculated using the proposed floor area e.g.  $17,572 \text{ m}^2 \times \$3.01/\text{m}^2$ ) towards City Centre community planning (CC-Community Planning and Engineering Account # 3132-10-520-00000-0000).
21. **(Public Art)** City acceptance of the owner's offer to voluntarily contribute at least \$135,463.27 (100% non-residential floor area and 100% residential floor area, excluding affordable housing floor area, @ \$4.84 and \$9.15 per square meter, respectively, e.g.  $4393 \text{ m}^2 \times \$4.84/\text{m}^2 + 12,481 \text{ m}^2 \times \$9.15/\text{m}^2$ ) towards public art (15% to Public Art Provision Account # 7500-10-000-90337-0000 and 85% to Account # 7600-80-000-90173-0000).



22. **(Traffic Impact Measures)** City acceptance of the owner's offer to contribute to \$50,000.00 towards the shared cost purchase and installation of a new traffic signal at the intersection of Park Road and Buswell Street (General Account (Transportation) # 5132-10-550-55005-0000).
23. **(Transportation Demand Management)** City acceptance of the owner's offer to contribute \$30,000.00 to purchase and installation of a bus shelter in the vicinity of the site (General Account (Transportation) # 5132-10-550-55005-0000).
24. **(Tree Replacement – City Trees)** City acceptance of the owner's offer to voluntarily contribute \$1,300.00 (calculated as \$1,300 for the most southerly (1) tree to be removed at 6700 No. 3 Road) to the City's Tree Compensation Fund (Account # 2336-10-000-00000-0000) for the planting of replacement trees within the City.
25. **(Servicing Agreement)** Submission and processing of a Servicing Agreement\* application, completed to a level deemed acceptable by the Director of Engineering, for the design and construction of works associated with the proposed rezoning, subject to the following conditions:
- a) Using the OCP Model, there is 900 L/s of water available at a 20 psi residual at the No 3 Rd frontage. Based on your proposed Development, your site requires a minimum fire flow of 220 L/s.
  - b) The developer is required to:
    - i. Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage 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.
  - c) At developer's cost, the City is to:
    - i. Cut and cap all existing water service connections at the watermain along No. 3 Road frontage.
    - ii. Install a new water service connection along the No 3 Road frontage.
  - d) The developer is required to:
    - i. Upgrade the existing lane drainage sewer, ICs and manholes to meet current City standards.
  - e) At developer's cost, the City is to:
    - i. Cut and cap all existing storm sewer service connections along No 3 Road frontage.
    - ii. Install a new storm service connection complete with an IC along the No. 3 Road frontage, ROW may be required to accommodate IC.
  - f) The developer is required to:
    - i. Redirect sanitary flows to the new Buswell Street sewer (that the City is in the process of procuring) by installing approximately 212m of 200mm sanitary sewer running south within the Lane and east along Park Road to Buswell Street.
    - ii. Tie the new 200mm sanitary sewer into the existing sewer within Park Road and reconnect the existing service connections to 6740-6760 No. 3 Road and 8071 Park Road.
    - iii. Install a new sanitary service connection complete with IC along the Lane frontage of the development at its south east corner.
    - iv. Abandon the existing sanitary sewer between Park Road and SMH839 by filling with low strength flowable concrete.
    - v. Provide, if necessary, additional SRWs, to be defined through the SA drawings and provided to the City at no cost.
  - g) At developer's cost, the City is to:

- i. Cut and cap all existing sanitary service connections and remove the existing IC's located along the Lane frontage of the development site.
  - ii. Cut and cap the existing sanitary sewer located at the northwest corner of 8080 Park Road to existing SMH839.
  - iii. Complete the two proposed sewer tie-ins to the existing sanitary sewer on Park Road and the proposed sanitary sewer on Buswell St.
- h) The developer is required to:
- i. Coordinate with existing private utility companies to underground pole lines along the sites lane frontage.
  - ii. Locate all above ground utility cabinets and kiosks required to service the proposed development within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be submitted prior to the RZ staff report progressing to Planning Committee and shall be included in the development process design review. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the right of way requirements and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of SRWs that shall be shown in the functional plan and registered prior to SA design approval:
    - 1. BC Hydro PMT – 4mW X 5m (deep)
    - 2. BC Hydro LPT – 3.5mW X 3.5m (deep)
    - 3. Street light kiosk – 1.5mW X 1.5m (deep)
    - 4. Traffic signal kiosk – 1mW X 1m (deep)
    - 5. Traffic signal UPS – 2mW X 1.5m (deep)
    - 6. Shaw cable kiosk – 1mW X 1m (deep) – show possible location in functional plan
    - 7. Telus FDH cabinet – 1.1mW X 1m (deep) – show possible location in functional plan
  - iii. Pre-duct for future hydro, telephone and cable utilities along the No. 3 Rd frontage.
  - iv. Upgrade the sites entire lane frontage as required to meet City lane standards, to include new asphalt, roll over curb, drainage and lighting.
  - v. Provide dedication for any proposed lane widening.
  - vi. Other frontage improvements as per Transportation's requirements.
- i) The developer is required to:
- i. Provide, within the first SA submission, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting or within the development site and provide mitigation recommendations.
  - ii. 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.
- j) The developer is required to:
- i. Submit final interim and ultimate road functional drawings prepared by a registered professional and completed to the satisfaction of the City.

k) The developer is required to:

- i. Design and construct road and infrastructure works, with completion to the satisfaction of the City before the issuance of occupancy permits, including but not limited to the following:
  1. Construction of frontage improvements along the entire length of the west side of the site (No. 3 Road frontage). The scope of work shall include the construction of these frontage improvements: curb and gutter, landscaped boulevard (with hard surface, soft landscaping and/or trees), off-road bicycle lane, street furniture and lighting strip, and concrete sidewalk. The frontage improvement cross-section elements, measured from the existing east curb face of No. 3 Road, shall include:
    - 0.15 m wide top of curb;
    - 2.0 m wide landscaped boulevard;
    - 2.0 m wide off-road bicycle lane. (Note: The exact location of the bicycle lane is being reviewed, i.e. street side of curb or building side of curb. In either case, the bicycle lane is expected to be 2.0 m wide. The curb dimensions may change slightly).
    - 2.0 m wide street furniture/lighting strip; and
    - 3.0 m wide concrete sidewalk.
  2. Widening of the existing north-south lane along the entire length of the east side of the site and construction of frontage improvements along the entire length of the east side of the site (back lane frontage). The scope of work shall include the construction of these lane frontage improvements: rollover curb, concrete sidewalk/lighting strip, and repaving the existing lanes. The frontage improvement cross-section elements, measuring from the new property line (west side of the lane), shall include:
    - 0.35 m wide rollover curb; and
    - 1.5 m wide concrete sidewalk (the lighting strip may be included in the width of the sidewalk as long as it does not reduce the sidewalk width below 0.9 m);

*(Note 1: The above improvements are typical for the lane frontage of 6600/6640/6700 No. 3 Road. For the lane frontage of 6560 No. 3 Road (north end of the site), the road improvements shall also include the construction of a new lane up to the east property line of the development in addition to the rollover curb and sidewalk).*

*(Note 2: Lane upgrade requirements - As the lane provides the only option for vehicular access to the site, it is important to ensure that the existing pavement structure of the lane is adequate to withstand the additional site generated traffic and truck movements. The developer is to consult City Engineering staff on the requirement for repaving the existing lane to support the increased traffic volumes. If it is determined that the existing lane requires repaving, the pavement upgrade will need to cover both the east-west and north-south sections of the lane between Buswell Street and Park Road).*

l) The developer is required to:

- i. provide for the retention of the three (3) remaining existing acer rubrum trees on City property along No. 3 Road (north of the one (1) tree being removed at 6700 No. 3 Road), unless otherwise determined by the SA process, in which case replacement terms shall be determined within the SA process. Retention shall be supported with:
  1. installation of appropriate tree protection fencing around all trees to be retained on the No. 3 Road frontage, as well as trees located in adjacent frontages that may be

- affected by the construction of the proposed development and associated frontage improvements; and
2. submission of a contract entered into by the applicant and a Certified Arborist for the supervision of all works conducted in close proximity to the aforesaid tree protection zones. The contract must include the scope of work to be undertaken, including the proposed number of 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.
- m) Provision of a Letter of Credit to secure the completion of the works in an amount determined by the Director of Engineering and Director of Transportation.
  - n) Registration of the Servicing Agreement on title.
26. (**Development Permit**) Submission and processing of a Development Permit\* application, completed to a level deemed acceptable by the Director of Development, demonstrating:
- a) design development of the rezoning concept, as necessary, to address:
    - i. form and character objectives noted in the associated Report to Planning Committee;
    - ii. Council directions arising out of Public Hearing;
    - iii. pertinent comments of the Advisory Design Panel;
    - iv. form and character objectives described in the OCP and CCAP Development Permit Guidelines;
    - v. technical resolution of building services, private utilities, public utilities, fire access, parking and loading and waste management including provision of final utility, fire access, loading, waste management and signage and wayfinding plans; and
    - vi. technical resolution of the landscape plans including:
      1. the protection, installation and/or maintenance (including automatic irrigation) of retained and/or new landscape; and
      2. the protection, installation and/or maintenance (including automatic irrigation) of retained and/or new trees;
  - b) the owner's commitment to design and construct the development in accordance with rezoning policy, the rezoning considerations and the draft site-specific zoning bylaw, by incorporating information into the Development Permit plans (inclusive of architectural, landscape and other plans, sections, elevations, details, specifications, checklists and supporting consultant work) prepared by qualified professionals including, but not limited to:
    - i. statutory rights of way, easements, encroachments, no build areas, agreements and other legal restrictions;
    - ii. flood construction level(s);
    - iii. use, density, height, siting, building form, landscaping, parking and loading and other zoning requirements;
    - iv. floor area calculation overlays;
    - v. site access locations;
    - vi. horizontal and vertical clearance dimensions for all vehicular circulation, including heights of doors, gateways and other passages;
    - vii. the required shared non-residential parking and residential visitor parking spaces;
    - viii. the required shared loading spaces;
    - ix. the required EV-charging vehicle parking spaces;
    - x. the required car-share parking spaces;
    - xi. the required end-of-trip facilities, including their location, number, size, type and use;
    - xii. the required bicycle maintenance and repair facilities;



- xiii. identification and wayfinding marking and /or signage for all bicycle, vehicle and truck spaces and associated facilities;
- xiv. the location of areas reserved for DEU equipment and/or connection facilities and a notation regarding the need for DEU pre-ducting, as applicable in the case of the final DEU strategy;
- xv. the required affordable housing units, including their size and location;
- xvi. the required aging in place, basic universal, accessible, adaptable and/or convertible dwelling units, as noted below, including notation of their associated design features:

Type	Affordable	Market	Intent	Standard
Aging in Place		142	- support mobility and usability	Per OCP
Adaptable + Basic Universal Housing *	9	15	- renovation potential for wheelchair plus added floor area for manoeuvring	Per BCBC and RZB
Barrier Free **	0	0	- move in with wheelchair	Per BCDH
Total Units	9	157		

\* Includes Aging-in-Place

\*\* Includes Aging-in-Place, Adaptable and Basic Universal Housing

- xvii. an accessibility checklist and identification of specific recommended measures to be incorporated into the Building Permit plans, where relevant;
  - xviii. a CPTED checklist and identification of specific recommended measures to be incorporated into the Building Permit plans, where relevant;
  - xix. a LEED checklist prepared by a LEED AP BD+C to achieve LEED v4 Silver equivalency and identification of specific measures to be incorporated into the Building Permit plans;
  - xx. an Acoustic and Mechanical Report with recommendations prepared by a registered professional regarding measures to be incorporated into the Building Permit drawings to achieve the exterior and interior noise levels and other noise mitigation standards articulated in the various noise covenants;
  - xxi. an Arborist Contract entered into between the applicant and a Certified Arborist for supervision of any 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.
  - xxii. the required common indoor, common outdoor and private outdoor amenity areas including their location, size and use;
  - xxiii. the location, plans, detailing and specifications for landscaping, including but not limited to required replacement trees and irrigation for private and common open space; and
  - xxiv. the dimensions of any tree protection fencing illustrated on the Tree Retention/Management Plan provided with the application.
27. **(Landscape Letter of Credit)** Submission of a letter of credit for landscaping based on 100% of the cost estimate provided by the Landscape Architect, including installation costs, plus a 10% contingency cost.

**(Building Permit)**

*Note: Prior to Building Permit issuance the approved Development Permit and associated conditions, as well as any additional items referenced in "Schedule B: Assurance of Professional Design and Commitment for Field Review", shall be incorporated into the Building Permit plans (drawings and documents) prior to Building Permit issuance.*

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*Note: Prior to Building Permit issuance, the applicant is to submit a detailed Construction Parking and Traffic Management Plan to the Transportation Division for approval. The Management Plan shall identify (for each development phase): construction vehicle access, emergency vehicle access, parking facilities for construction workers, staging areas for construction vehicles, areas for deliveries and loading, and application for any lane closures. The Plan will require the use of proper construction traffic control procedures and certified personnel as per Traffic Control Manual for works on roadways (Ministry of Transportation and Infrastructure) and MMCD Traffic Regulation Section 01570.*

*Note: Prior to Building Permit issuance the developer must obtain a Building Permit 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.*

**General Notes:**

1. Some of the foregoing items (\*) may require a separate application.
2. Where the Director of Development deems it appropriate, legal 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 legal 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.
3. 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.
4. 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 be retained.

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Signed

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Date

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Updated: May 3, 2018 12:26 PM

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**SKETCH PLAN OF PART OF SECTION 9  
BLOCK 4 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT**

**SCHEDULE 1**

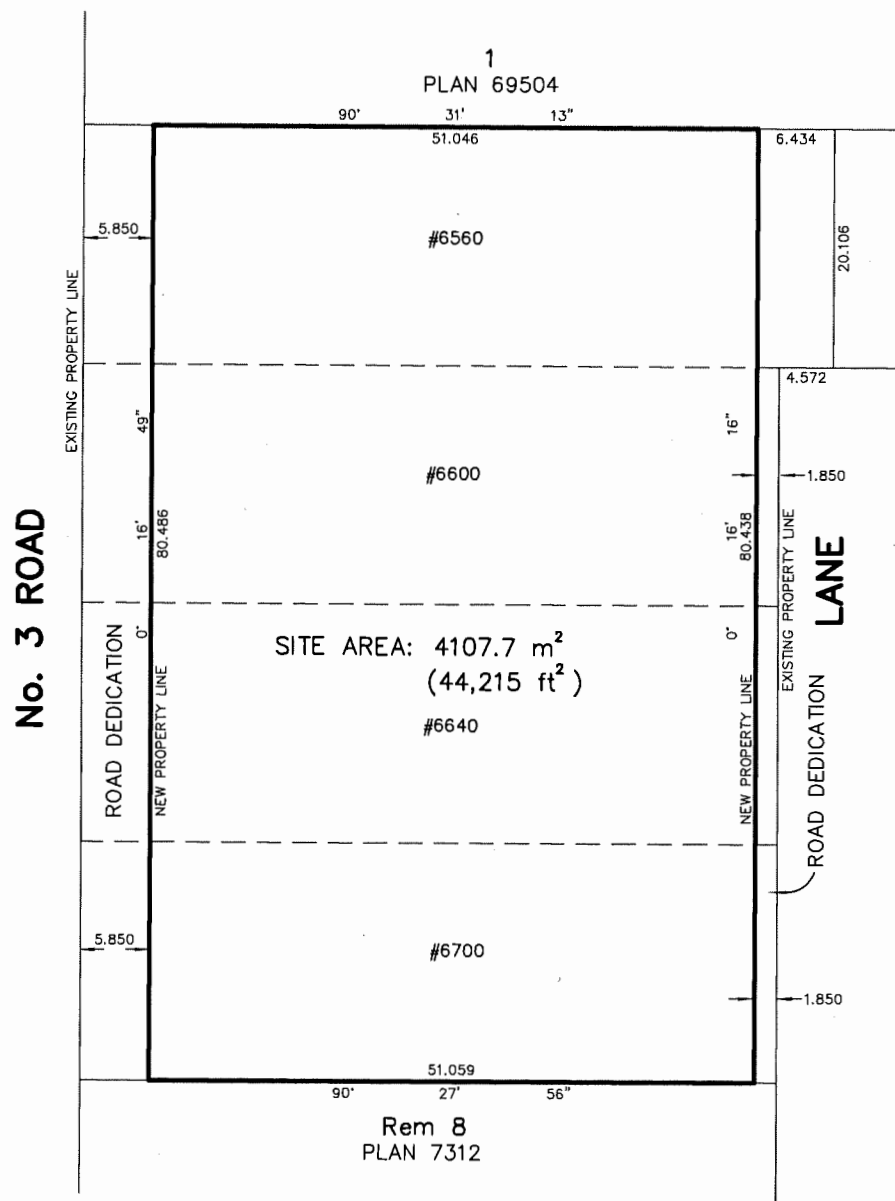
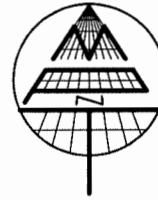
CIVIC ADDRESS

#6560-#6700 No. 3 ROAD  
RICHMOND, B.C.

SCALE 1:400

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ALL DISTANCES ARE IN METRES.



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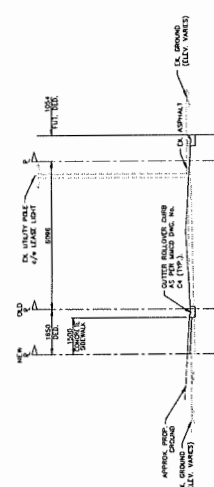
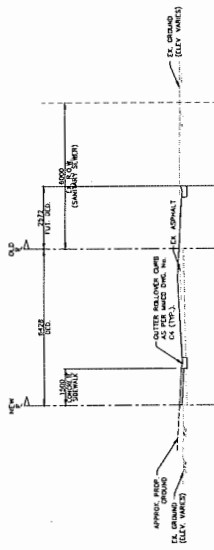
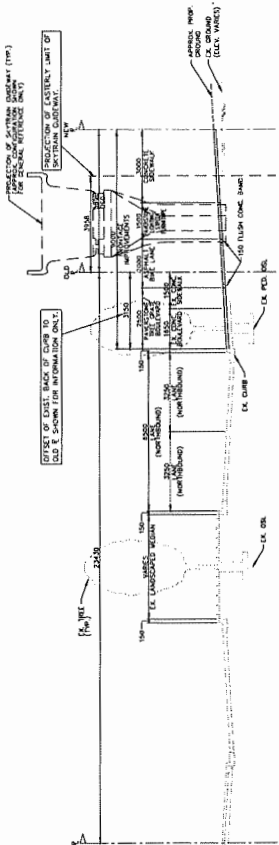
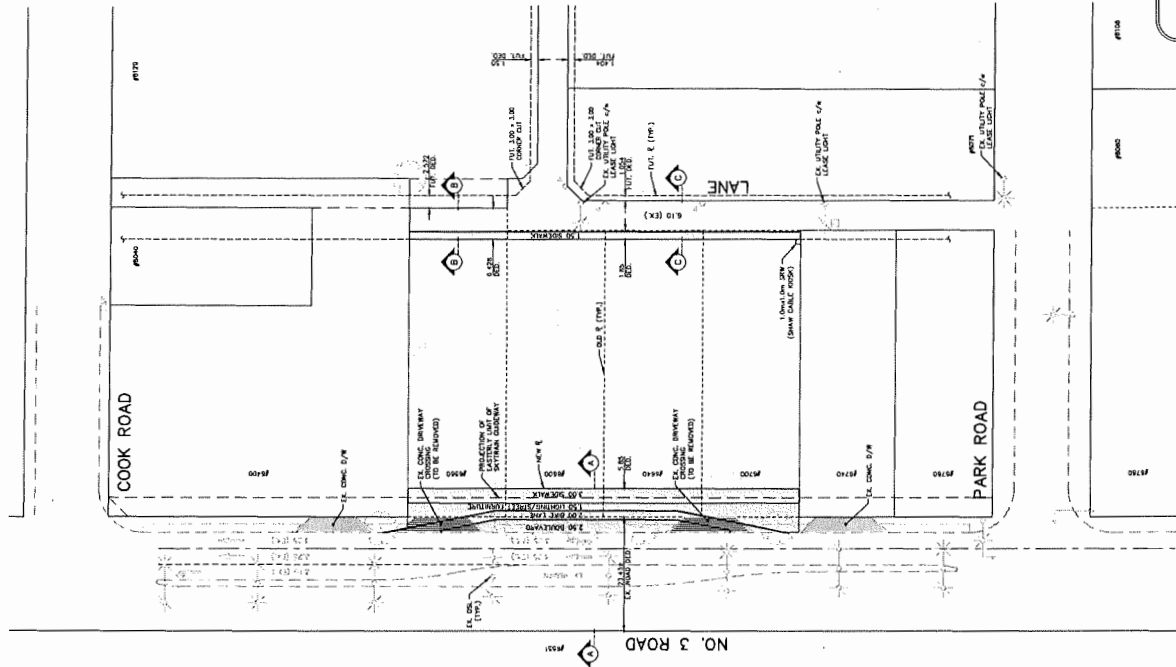
**MATSON PECK & TOPLISS**  
SURVEYORS & ENGINEERS

#320 - 11120 HORSESHOE WAY  
RICHMOND, B.C., V7A 5H7  
PH: 604-270-9331  
FAX: 604-270-4137  
CAOFILE: 17568-004-SKETCH-000.DWG

**PLN - 187**

DATE: MARCH 13, 2018.

R-18-17568-SKETCH



FUTURE DEDICATIONS SHOWN ON THIS DRAWING FOR ADJACENT PROPERTIES/DEVELOPMENTS ARE BASED ON CURRENT CITY STANDARD X-SECTIONS. ACTUAL FUTURE DEDICATIONS MAY VARY, BASED ON PROJECT SITE SPECIFIC FUNCTIONAL PLANS.

**MPT ENGINEERING CO. LTD.**  
1120 HORSESHOE WAY, RICHMOND, BC V7A 5H7 TEL: 604-276-9331 FAX: 604-276-9332

BENE RICHMOND DEVELOPMENT LTD.

MPT DWG. No.: R15296-FP  
SHT. No.: 1 OF 2

NOTES:

Figure 1. The effect of the concentration of the polymer on the gelation time of the epoxy resin system. The concentration of the polymer was 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, 1.0, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 20.0, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 20.9, 21.0, 21.1, 21.2, 21.3, 21.4, 21.5, 21.6, 21.7, 21.8, 21.9, 22.0, 22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7, 22.8, 22.9, 23.0, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 24.0, 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, 24.9, 25.0, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26.0, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 27.0, 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8, 27.9, 28.0, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 28.9, 29.0, 29.1, 29.2, 29.3, 29.4, 29.5, 29.6, 29.7, 29.8, 29.9, 30.0, 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 31.0, 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 32.0, 32.1, 32.2, 32.3, 32.4, 32.5, 32.6, 32.7, 32.8, 32.9, 33.0, 33.1, 33.2, 33.3, 33.4, 33.5, 33.6, 33.7, 33.8, 33.9, 34.0, 34.1, 34.2, 34.3, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 35.0, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8, 35.9, 36.0, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 37.0, 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7, 37.8, 37.9, 38.0, 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 39.0, 39.1, 39.2, 39.3, 39.4, 39.5, 39.6, 39.7, 39.8, 39.9, 40.0, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 41.0, 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8, 41.9, 42.0, 42.1, 42.2, 42.3, 42.4, 42.5, 42.6, 42.7, 42.8, 42.9, 43.0, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 43.9, 44.0, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 44.7, 44.8, 44.9, 45.0, 45.1, 45.2, 45.3, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 46.0, 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8, 46.9, 47.0, 47.1, 47.2, 47.3, 47.4, 47.5, 47.6, 47.7, 47.8, 47.9, 48.0, 48.1, 48.2, 48.3, 48.4, 48.5, 48.6, 48.7, 48.8, 48.9, 49.0, 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, 49.7, 49.8, 49.9, 50.0, 50.1, 50.2, 50.3, 50.4, 50.5, 50.6, 50.7, 50.8, 50.9, 51.0, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.0, 68.1, 68.2, 68.3, 68.4, 68.5, 68.6, 68.7, 68.8, 68.9, 69.0, 69.1, 69.2, 69.3, 69.4,

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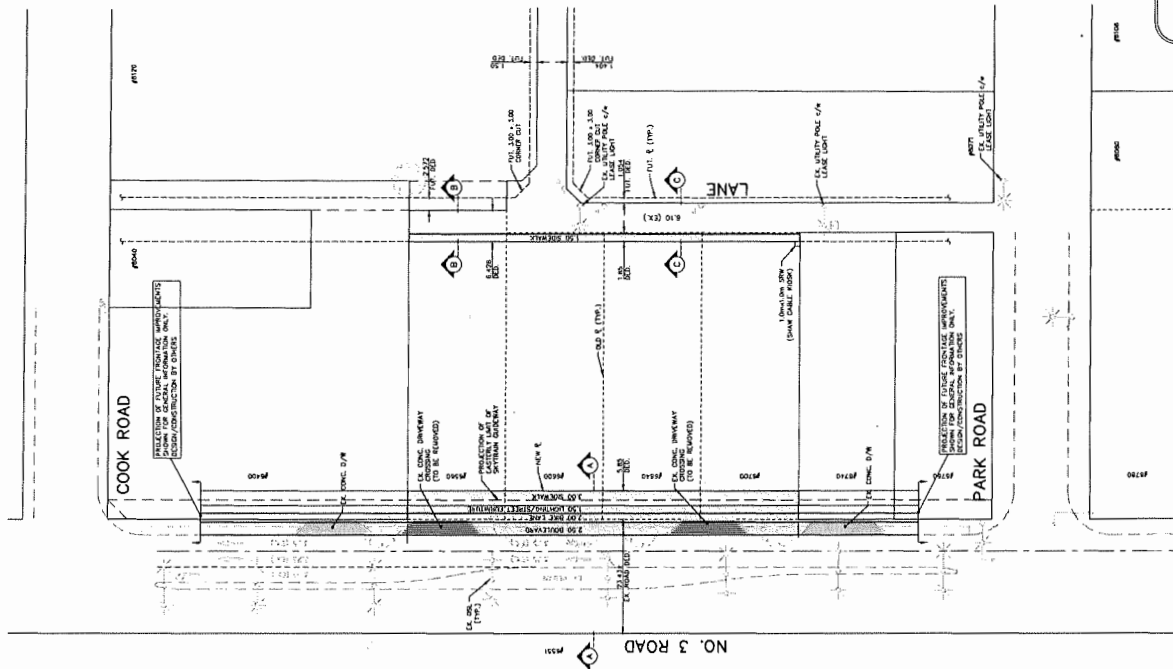
### **INDUSTRIAL GAS SERVICES**

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Case	Age	Sex	Site	Pathologic	Survival
1	60	M	Rectum	Adenocarcinoma	10 mo
2	65	M	Rectum	Adenocarcinoma	10 mo
3	65	M	Rectum	Adenocarcinoma	10 mo
4	65	M	Rectum	Adenocarcinoma	10 mo
5	65	M	Rectum	Adenocarcinoma	10 mo
6	65	M	Rectum	Adenocarcinoma	10 mo
7	65	M	Rectum	Adenocarcinoma	10 mo
8	65	M	Rectum	Adenocarcinoma	10 mo
9	65	M	Rectum	Adenocarcinoma	10 mo
10	65	M	Rectum	Adenocarcinoma	10 mo
11	65	M	Rectum	Adenocarcinoma	10 mo
12	65	M	Rectum	Adenocarcinoma	10 mo
13	65	M	Rectum	Adenocarcinoma	10 mo
14	65	M	Rectum	Adenocarcinoma	10 mo
15	65	M	Rectum	Adenocarcinoma	10 mo
16	65	M	Rectum	Adenocarcinoma	10 mo
17	65	M	Rectum	Adenocarcinoma	10 mo
18	65	M	Rectum	Adenocarcinoma	10 mo
19	65	M	Rectum	Adenocarcinoma	10 mo
20	65	M	Rectum	Adenocarcinoma	10 mo
21	65	M	Rectum	Adenocarcinoma	10 mo
22	65	M	Rectum	Adenocarcinoma	10 mo
23	65	M	Rectum	Adenocarcinoma	10 mo
24	65	M	Rectum	Adenocarcinoma	10 mo
25	65	M	Rectum	Adenocarcinoma	10 mo
26	65	M	Rectum	Adenocarcinoma	10 mo
27	65	M	Rectum	Adenocarcinoma	10 mo
28	65	M	Rectum	Adenocarcinoma	10 mo
29	65	M	Rectum	Adenocarcinoma	10 mo
30	65	M	Rectum	Adenocarcinoma	10 mo
31	65	M	Rectum	Adenocarcinoma	10 mo
32	65	M	Rectum	Adenocarcinoma	10 mo
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34	65	M	Rectum	Adenocarcinoma	10 mo
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70	65	M	Rectum	Ad	

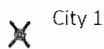
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# ATTACHMENT 7

City 5  
City 4  
City 3  
City 2  
City 1



LEGEND  
— TREE PROTECTION ZONE  
--- NO-BUILD ZONE

— TREE PROTECTION FENCE  
• TREE TO BE RETAINED

○ UNSURVEYED TREE  
X TREE TO BE REMOVED

REFERENCE DRAWINGS  
1. Base Survey by: Unknown.

## NOTES

- The location of unsurveyed trees on this plan is approximate. Their location and ownership cannot be confirmed without being surveyed by a Registered BC Land Surveyor.
- All tree protection fencing must be built to the relevant municipal bylaw specifications. The dimensions shown are from the outer edge of the stem of the tree.
- The tree protection zone shown is a graphical representation of the critical root zone, measured from the outer edge of the stem of the tree. If the tree's diameter was added to the graphical tree protection circles to accommodate the survey point being in the center of the tree.
- Any construction activities or grade changes within the Root Protection Zone must be approved by the project arborist.
- This plan is based on a topographic and tree location survey provided by the owners' Registered British Columbia Land Surveyor (BCLSS) and layout drawings provide by the owners' Engineer (P Eng).
- This plan is provided for context only, and is not certified as to the accuracy of the location of features or dimensions that are shown on this plan. Please refer to the original survey plan and engineering plans.



3551 COMMERCIAL STREET  
VANCOUVER BC | V5N 4E8  
T 604.733.4886 | F 604.733.4870

Project: 6700 **PLN - 190**  
Client: Wyndaco Development Corp.  
Address: 6700, 6640, 6600, 6560 No.3 Rd

Date: 2016/11/17  
Drawn by: MH  
Page Size: TABLOID  
(11"x17")

Page #  
1 of 1



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 9855 (RZ 15-694855)  
6560, 6600, 6640 & 6700 No. 3 Road**

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

1. Richmond Zoning Bylaw 8500 is amended by inserting the following into Section 20 (Site Specific Mixed Use Zones), in numerical order:

**“20.36 High Density Mixed Use (ZMU36) – Brighthouse Village (City Centre)**

**20.36.1 Purpose**

The **zone** provides for a broad range of **commercial, office, service, institutional, entertainment and residential uses** typical of the **City Centre**. Additional **density** is provided to achieve, amongst other things, **City** objectives related to the **development** of **affordable housing units, office uses and community amenities**.

**20.36.2 Permitted Uses**

- amenity space, community
- animal day care
- animal grooming
- broadcasting studio
- child care
- education
- education, commercial
- education, university
- emergency service
- entertainment, spectator
- government service
- health service, minor
- housing, apartment
- library and exhibit
- liquor primary establishment
- manufacturing, custom indoor
- microbrewery, winery and distillery
- neighbourhood public house
- office
- private club
- recreation, indoor
- religious assembly
- restaurant
- retail, convenience
- retail, general
- retail, second hand
- service, business support
- service, financial
- service, household repair
- service, personal
- studio
- veterinary service

### 20.36.3 Secondary Uses

- boarding and lodging
- home business
- home-based business

### 20.36.4 Additional Uses

- district energy utility

### 20.36.5 Permitted Density

1. For the purposes of this **zone**, the calculation of **floor area ratio** is based on a net **development site** area of 4,393.0 sq. m.
2. The maximum **floor area ratio** is 2.0 together with an additional:
  - a) 0.1 **floor area ratio** provided that the additional **floor area** is used entirely to accommodate indoor **amenity space**.
3. Notwithstanding Section 20.36.5.2, the reference to "2.0" is increased to a higher **floor area ratio** of "3.0" if, at the time **Council** adopts a zoning amendment bylaw to create the ZMU36 **zone** and include the **lot** in the **zone**, the **owner**:
  - a) agrees to provide not less than nine (9) **affordable housing units** on the **site** and the combined **habitable space** for the **affordable housing units** is not less than 5% of the total residential **floor area**;
  - b) enters into a **housing agreement** with respect to the **affordable housing units** and registered the **housing agreement** against title to the **lot** and files a notice in the Land Title Office; and
  - c) pays a sum to the **City (Child Care Reserve Fund)** based on 1% of the value of the total residential **floor area ratio** less the value of the **affordable housing unit floor area ratio** (i) multiplied by the "equivalent to construction value" rate of \$6,997/ sq. m., if the payment is made within one year of third reading of the zoning amendment bylaw, or (ii) thereafter, multiplied by the "equivalent to construction value" rate of \$6,997/ sq. m. adjusted by the cumulative applicable annual changes to the Statistics Canada "Non-residential Building Construction Price Index" for Vancouver, where such change is positive.
4. Notwithstanding Section 20.36.5.2 and Section 20.36.5.3, the **density** is increased by an additional **floor area ratio** of "1.0" if, at the time **Council** adopts a zoning amendment bylaw to create the ZMU36 **zone** and include the **lot** in the **zone**, the **owner**:
  - a) agrees to use the "1.0" additional **floor area ratio** for non-residential **uses** only; and



- b) pays a sum to the **City** (*City Centre Facility Development Fund*) based on 5% of the "1.0" additional **floor area ratio**, calculated using the "equivalent to construction value" rate of \$6,997/ sq. m., if the payment is made within one year of third reading of the zoning amendment bylaw, or (ii) thereafter, multiplied by the "equivalent to construction value" rate of \$6,997/ sq. m. adjusted by the cumulative applicable annual changes to the Statistics Canada "Non-residential Building Construction Price Index" for Vancouver, where such change is positive.

#### **20.36.6 Permitted Lot Coverage**

- 1. The maximum **lot coverage** is 90% for **buildings**.

#### **20.36.7 Yards & Setbacks**

- 1. Minimum **setbacks** shall be:
  - a) for a **front yard**, 4.0 m., except that the **front yard** may be reduced to a minimum of 0.5 m. for a maximum of 33% of the **frontage** width for parts of the building at or above 12.0 m. above **finished site grade**, as specified in a Development Permit approved by the **City**;
  - b) for a **side yard**, 0.0 m.; and
  - c) for a **rear yard**, 0.0 m.
- 2. Notwithstanding 20.36.7.1, minimum **setbacks** for parts of a building directly adjacent to **City** land or land secured for public use via **right-of-way**, measured to a **lot line** or the boundary of the **right-of-way**, shall be:
  - a) where a door provides **access**, 1.5 m or the depth of the door swing, whichever is greater.

#### **20.36.8 Permitted Heights**

- 1. The maximum **building height** for **principal buildings** is 47.0 m. geodetic.
- 2. The maximum **building height** for **accessory buildings** is 12.0 m.

#### **20.36.9 Subdivision Provisions/Minimum Lot Size**

- 1. The minimum **lot area** is 4,000.0 sq. m.

#### **20.36.10 Landscaping & Screening**

- 1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

### 20.36.11 On-Site Parking and Loading

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the standards set out in Section 7.0.
2. Notwithstanding Section 7.4.4 and Section 20.36.11.1, the minimum number of **parking spaces** required by this bylaw shall be:
  - a) for residential **uses**:
    - i) 0.9 resident **parking spaces** per residential **dwelling unit**; and
    - ii) 0.8 resident **parking spaces** per **affordable housing unit**, and
  - b) for non-residential **uses**:
    - i) for gross leasable floor area above the first two floors, **parking spaces** as required in Table 7.7.2.3 as applicable to development within CDT zones,

and then the minimum on-site parking requirements for residential **uses** (set out above) and for non-residential **uses** (set out in Section 7) may be further reduced by up to a maximum of 10%, where:

  - c) transportation demand management measures are implemented including the use of car co-operatives, transit passes, private shuttles, carpools, enhanced end-of-trip cycling facilities, and other pedestrian, bicycle and transit connectivity improvements suitable to the **site** and the surrounding neighbourhood; and
  - d) the minimum on-site parking requirements are substantiated by a parking study that is prepared by a registered professional engineer and is subject to review and approval of the **City**.
3. Notwithstanding Section 20.36.11.1, the minimum number of truck loading spaces is:
  - a) no large size truck spaces for residential **uses** and non-residential **uses**; and
  - b) 3.0 medium size truck spaces shared between non-residential and residential **uses**.

### 20.36.12 Other Regulations

1. Signage must comply with the City of Richmond's *Sign Bylaw 5560*, as it applies to **development** in the Downtown Commercial (CDT1) **zone**.
2. **Telecommunication antenna** must be located a minimum 20.0 m above the ground (i.e., on a roof of a **building**).
3. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply."

2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following parcels and by designating them **HIGH DENSITY MIXED USE (ZMU36) – BRIGHOUSE VILLAGE (CITY CENTRE)**:

P.I.D. 003-433-005  
LOT 4 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER  
DISTRICT PLAN 7312

P.I.D. 003-420-418  
LOT 129 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER  
DISTRICT PLAN 25835

P.I.D. 003-420-370  
LOT 128 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER  
DISTRICT PLAN 25835

P.I.D. 001-468-375  
LOT 127 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER  
DISTRICT PLAN 25685

3. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9855”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

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CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICE



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**To:** Planning Committee  
**From:** Wayne Craig,  
Director, Development  
**Date:** April 25, 2018  
**File:** AG 16-734186  
**Re:** **Recent Decision by the Executive Committee of the Agricultural Land Commission on Agricultural Land Reserve Application for Non-Farm Use by Sanstor Farms Ltd. at 14671 Williams Road**

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The purpose of this memo is to advise members of the Planning Committee on a recent decision by the Executive Committee of the Agricultural Land Commission (ALC) on the Agricultural Land Reserve (ALR) application for a non-farm use by Sanstor Farms Ltd. at 14671 Williams Road. It was decided by the majority of the Executive Committee to reverse the decision of the South Coast Panel and refuse the application for a sand storage depot on the subject property.

### **Background**

In 2016, Sanstor Farms Ltd. applied to the City of Richmond for permission to apply to the ALC for a non-farm use at 14671 Williams Road to use approximately 5 ha (12.4 ac.) of the eastern portion of the site for an outdoor sand storage facility. The remaining 3.3 ha (8.2 acres) of the site was proposed to be improved and used for soil based agricultural production. On July 24, 2017, City Council resolved to forward this non-farm use application to the ALC for their consideration.

On January 16, 2018, the South Coast Panel of the ALC released its decision that the majority of the South Coast Panel approved the non-farm use application. On January 31, 2018, the City was informed that the ALC Chair had reviewed the decision made by the South Coast Panel and referred the matter to the Executive Committee of the Commission for reconsideration. The ALC Chair directed the reconsideration on the basis that the decision made by the South Coast Panel may not fulfill the purposes of the ALC as set out in Section 6 (Purpose of the Commission) of the *Agricultural Land Commission Act*.

The ALC Executive Committee consists of the ALC Chair and the six Vice-Chairs of the Commission.

### **Executive Committee Decision**

On April 17, 2018, the Executive Committee released its decision on the application. The majority of the Executive Committee decided to reverse the decision of the South Coast Panel and refuse the non-farm use application for a sand storage depot on the subject property. In the reasons for the

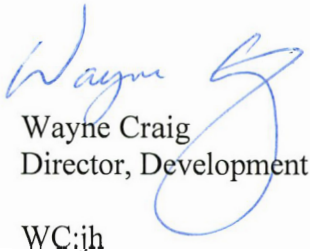


decision of the Executive Committee (Attachment 1), it is indicated that the majority of the Committee found that the proposal does not preserve agricultural land as:

- the proposal is an industrial use and is therefore more appropriately located on land that is available outside of the ALR; and
- the property would be utilized indefinitely for an industrial use that is more appropriately located outside of the ALR.

It is important to note that the applicant has one (1) year from the date that the decision was released, which was on April 17, 2018, to submit a request for reconsideration. Staff will inform members of the Planning Committee should the applicant submit a request for reconsideration. In the meantime, this application will be considered closed. Staff will continue to work with the property owners to find an alternative site, either private or City owned, that are not in the ALR and are industrially zoned which could be suitable for a sand storage facility.

If you have any questions, please contact me at 604-247-4625.



Wayne Craig  
Director, Development

WC:jh

Att. 1: Letter dated April 17, 2018 from the ALC Indicating Release of Decision from ALC Executive Committee



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

April 17, 2018

ALC File: 55285

**Brian French**  
**C&F Land Resource Consultants Ltd.**  
**DELIVERED ELECTRONICALLY**

Dear Mr. French:

**Re: Application 55285 to to conduct a non-farm use in the Agricultural Land Reserve**

Please find attached the Reasons for Decision of the Executive Committee for the above noted application (Resolution #125/2018). As agent, it is your responsibility to notify the applicant accordingly.

**Request for Reconsideration of a Decision**

Under section 33(1) of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the Commission website.

Please direct further correspondence with respect to this application to Shawna Wilson at (Shawna.Mary.Wilson @gov.bc.ca).

Yours truly,

A handwritten signature in black ink that reads 'Shawna Wilson' in a cursive, flowing script.

Shawna Wilson, Land Use Planner

Enclosures: Reasons for Decision (Resolution #125/2018)  
Schedule A: Reasons for Decision of the South Coast Panel, Resolution  
#15/2018  
Schedule B: January 31, 2018 Chair Referral of Resolution #15/2018 to the  
Executive Committee

cc: City of Richmond (File: AG 16-734186)



## **AGRICULTURAL LAND COMMISSION FILE 55285**

### **RECONSIDERATION OF ORIGINAL APPLICATION REASONS FOR DECISION OF THE EXECUTIVE COMMITTEE**

**Non-Farm Use application submitted under s. 20(3) of the *Agricultural Land Commission Act***

**Applicant:** Sanstor Farms Ltd. Inc. No.  
BC0971292

**Agent:** Brian French, C&F Land  
Resource Consultants Ltd.

**Property:** Parcel Identifier: 003-464-504  
Legal Description: South Half of the South East  
Quarter, Section 28, Block 4 North, Range 5 West,  
Except: South 33 Feet, New Westminster District  
Civic: 14671 Williams Road, Richmond, BC  
Area: 8.3 ha

**Executive Committee:** Frank Leonard, Chair  
William Zylmans, South Coast Panel  
Richard Mumford, Interior Panel  
Linda Michaluk, Island Panel  
David Zehnder, Kootenay Panel  
Dave Merz, North Panel



## **OVERVIEW**

- [1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA). The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.
- [2] Pursuant to s. 20(3) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission") to establish a dredged river sand depot (the "Depot") on the eastern 5 ha of the Property (the "Proposal").
- [3] By Resolution #15/2018, dated January 16, 2018, the South Coast Panel approved the Proposal (the "Original Decision").
- [4] On January 31, 2018, the Original Decision was referred by the Chair to the Executive Committee of the Commission under s. 33.1 of the ALCA.
- [5] The Proposal was considered in the context of the purposes of the Commission set out in s. 6 of the ALCA. These purposes are:
  - (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

## **EVIDENTIARY RECORD**

- [6] The Executive Committee considered the following evidence:
  - 1. The Proposal along with related documentation from the Applicant, Agent, local government, third parties, and Commission (collectively referred to as the "Application");
  - 2. The Original Decision; and





3. The Chair Referral of the Original Decision to the Executive Committee, dated January 31, 2018.

### **BACKGROUND**

[7] In 2018, South Coast Panel Chair Zylmans and Commissioner Bains (the “majority of the South Coast Panel”) approved the Proposal by Resolution #15/2018. In their review of the Proposal, the majority of the South Coast Panel found the following:

- “the required pumping infrastructure has already been established for the existing use on the Adjacent Property and that limited additional infrastructure is required for the Depot. In consideration of the location requirements of the sand storage depot, in this circumstance, the majority of the Panel finds that the Depot is appropriately located on the Property”
- “the construction of the berms and implementation of drainage the Proposal would not have a negative impact to surrounding agricultural land”
- “the use of . . . non-permanent structures does not preclude the Property from reclamation of the area in the future”
- “the storage of clean sand does not preclude this portion of the Property from reclamation in the future. The majority of the Panel also finds that the stored river sand could be used for reclamation of the Property in the future”
- “the sand storage depot would facilitate the provision of clean sand, an input used in some agricultural operations, and that its operation would provide a benefit to agricultural activities in the region”

[8] South Coast Panel Commissioner Smith was the dissenting vote of Resolution #15/2018. The dissenting vote outlined the following reasons:

- “the Proposal is not in keeping with the purpose of s.6(a) of the ALCA to preserve agricultural land”
- “sand storage is not a permitted use in the ALR and is more appropriately located on land outside the ALR”
- “alternative locations for sand storage exist outside the ALR”



### **FINDINGS OF THE MAJORITY OF THE EXECUTIVE COMMITTEE**

This section sets out the findings of Chair Leonard, Commissioner Mumford, Commissioner Michaluk, Commissioner Zehnder, and Commissioner Merz (the “majority of the Executive Committee”).

[9] The Application submits that “[t]he requirements for a Fraser River dredge sand storage site are very constrained by distance from the River, proximity to critical dredge sites and suitability of the site for this type of heavy industrial use”. The Executive Committee reviewed submissions included in the Application from the Agent and the City of Richmond regarding potential locations for the Depot outside of the ALR. The majority of the Executive Committee finds that the Proposal is an industrial use and is therefore more appropriately located on land that is available outside of the ALR.

[10] The Application submits that the Depot would occupy the eastern 5 ha of the Property and that a series of berms and canals would be constructed in order to contain the sand storage area. In addition, non-permanent structures, a paved access area, and a constant volume of approximately 100,000 cubic metres of dredged sand will be associated with the Depot. In consideration of the Proposal, the majority of the Executive Committee referred to the purpose of the Commission outlined in s. 6(a) of the ALCA to preserve agricultural land. The majority of the Executive Committee finds that a 5 ha portion of the Property will be utilized indefinitely for an industrial use that is more appropriately located outside the ALR and therefore the Proposal does not preserve agricultural land.

### **DECISION OF THE MAJORITY**

[11] For the reasons given above, the Executive Committee reverses the decision of the South Coast Panel recorded as Resolution #15/2018 and refuses the Proposal.

[12] A decision of the Executive Committee is a decision of the Commission pursuant to s. 10(3) of the *Agricultural Land Commission Act*.



Reasons for Decision of the Executive Committee  
Reconsideration of Resolution #15/2018, Application 55285

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**DISSENTING REASONS**

[13] This section sets out the dissenting reasons of Commissioner Zylmans.

[14] I, Commissioner Zylmans, reaffirm the reasons given as the decision of the majority of Resolution #15/2018.

**RESOLUTION AND RELEASE**

[15] This decision is recorded as Resolution #125/2018 and is released on April 17, 2018.

**CERTIFICATION OF DECISION**

A handwritten signature in black ink, reading "Frank Leonard", is written above a horizontal line.

Frank Leonard, Chair (majority)

A handwritten signature in black ink, reading "Dave Merz", is written above a horizontal line.

Dave Merz, North Panel (majority)

A handwritten signature in black ink, reading "R. Mumford", is written above a horizontal line.

Richard Mumford, Interior Panel (majority)

A handwritten signature in black ink, reading "David Zehnder", is written above a horizontal line.

David Zehnder, Kootenay Panel (majority)



Reasons for Decision of the Executive Committee  
Reconsideration of Resolution #15/2018, Application 55285

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Linda Michaluk, Island Panel (majority)

A handwritten signature in black ink, appearing to read "W. Zylmans", is positioned above a horizontal line.

William Zylmans, South Coast Panel (in dissent)





Agricultural Land Commission Schedule A  
ALC File 55285 (Sanstor Farms Ltd)  
ALC Resolution #125/2018

**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

January 16, 2018

ALC File: 55285

Brian French  
**C&F Land Resource Consultants Ltd.**  
**DELIVERED ELECTRONICALLY**

Dear Mr. French:

**Re: Application to Conduct a Non-Farm Use in the Agricultural Land Reserve (ALR)**

Please find attached the Reasons for Decision of the South Coast Panel (Resolution #15/2018) as it relates to the above noted application. A Decision Map depicting the decision is also attached (Schedule A). As agent, it is your responsibility to notify the applicant accordingly.

**Reconsideration of a Decision as Directed by the ALC Chair**

Please note that pursuant to [s. 33.1 of the Agricultural Land Commission Act](#), the Chair may direct the executive committee to reconsider any panel decision if, within 60 days from the date of this decision, he considers that the decision may not fulfill the purposes of the commission as set out in s. 6.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

**Reconsideration of a Decision by an Affected Person**

We draw your attention to [s. 33\(1\) of the Agricultural Land Commission Act](#) which provides a person affected the opportunity to submit a request for reconsideration.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
  - (b) all or part of the original decision was based on evidence that was in error or was false.

The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the ALC website.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Page 2 of 2

Further correspondence with respect to this application is to be directed to Shawna Wilson at (Shawna.Mary.Wilson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink that reads "Shawna Wilson". The script is cursive and fluid.

Shawna Wilson, Land Use Planner

Enclosures: Reasons for Decision (Resolution #15/2018)  
Schedule A: Decision Map  
Schedule B: Site Plan

cc: City of Richmond (File: AG 16-734186)

55285d1



## **AGRICULTURAL LAND COMMISSION FILE 55285**

### **REASONS FOR DECISION OF THE SOUTH COAST PANEL**

**Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act***

**Applicants:**

**Sanstor Farms Ltd. Inc. No.  
BC0971292  
(the “Applicants”)**

**Agent:**

**Brian French, C&F Land  
Resource Consultants Ltd.  
(the “Agent”)**

**Application before the South Coast Regional Panel:**

**William Zylmans, Panel Chair  
Satwinder Bains  
Ione Smith**



## **THE APPLICATION**

[1] The legal description of the property involved in the application is:

Parcel Identifier: 003-464-504

South Half of the South East Quarter, Section 28, Block 4 North, Range 5 West,

Except: South 33 Feet, New Westminster District

(the "Property")

[2] The Property is 8.3 ha.

[3] The Property has the civic address 14671 Williams Road, Richmond, BC.

[4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.

[6] Pursuant to s. 20(3) of the ALCA, the Applicant is applying to establish a dredged river sand depot (the "Depot") on the eastern 5 ha of the Property (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

[7] In addition to the Proposal, the Applicant wants to make agricultural improvements to the western 3 ha of the Property. The Application submits that the land will be improved by the installation of drainage, the placement of 0.5 metres of topsoil (to be salvaged from the establishment of the proposed Depot on the eastern portion of the Property), and the addition of soil amendments including lime and fertilizer. The agricultural improvements as described do not require an application to the Commission. For this reason, the Panel only considered the Depot.

## **RELEVANT STATUTORY PROVISIONS**

[8] The Application was made pursuant to s. 20(3) of the ALCA:





20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

[9] The Panel considered the Application within the context of s. 6 of the *ALCA*. The purposes of the Agricultural Land Commission (the “Commission”) set out in s. 6 are as follows:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

#### **EVIDENTIARY RECORD BEFORE THE PANEL**

[10] The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Agricultural capability map, ALR context map and satellite imagery
4. Third party comments

All documentation noted above was disclosed to the Agent in advance of this decision.

[11] At its meeting of July 24, 2017, the Council of the City of Richmond resolved to forward the Application to the Commission.

**FINDINGS**

[12] In assessing agricultural capability, the Panel referred to agricultural capability mapping and ratings. The ratings are identified using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability ratings identified on BCLI map sheet 92G/3h for the mapping units encompassing the Property are Class 2 and Class 3, more specifically 99% (6: 03LW - 4: 3DW) 1% (6: 02LW - 4: 3DW) where O represents organic soils.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

The limiting subclasses associated with this parcel of land are L (degree of decomposition-permeability), W (excess water), and D (undesirable soil structure and/or low perviousness).

[13] The Panel reviewed the BCLI ratings and finds that the Property can support agriculture.

[14] This following section sets out the findings of Panel Chair Zylmans and Commissioner Bains (the "majority of the Panel").

[15] E. Mathers Bulldozing, a subsidiary company of Sanstor Farms Ltd., currently operates a dredged river sand storage depot on the adjacent non-ALR property to the east of the Proposal (PID 003-475-727) (the "Adjacent Property"). The property on which the current dredged river sand storage depot is operating is in the process of developing warehouses for industrial use. The Application submits that the dredged river sand depot is incompatible with the industrial development of the Adjacent Property and therefore relocation is required in order to continue operating.

[16] The eastern 5 ha of the Property is not cleared. The Application submits that the Depot would occupy the eastern 5 ha portion of the Property and that the existing vegetation would

be cleared, the site grubbed, and the topsoil stripped and salvaged for use on the western 3 ha of the Property.

[17] With regard to the proposed site for the Depot, the Application submits that “[t]he requirements for a Fraser River dredge sand storage site are very constrained by distance from the River, proximity to critical dredge sites and suitability of the site for this type of heavy industrial use”. The Application further submits that “dredging infrastructure composed of buried and surface input pipe and drainage water conduit are already installed on the western boundary of the existing Mathers site and would be reconfigured to fit the new site”. In the local government report, the City of Richmond provided alternative locations for the Depot that are outside of the ALR. The Agent provided a response to the alternative locations identified by the City of Richmond in a letter dated August 30, 2017. The Panel reviewed the submissions regarding the location of the Depot. The majority of the Panel finds that the required pumping infrastructure has already been established for the existing use on the Adjacent Property and that limited additional infrastructure is required for the Depot. In consideration of the location requirements of the sand storage depot, in this circumstance, the majority of the Panel finds that the Depot is appropriately located on the Property.

[18] A series of berms and canals are proposed to be constructed for the Depot in order to contain the sand storage area, including:

- a) a one to two metre high perimeter berm to isolate the Proposal from the eastern portion of the Property and adjacent ALR land;
- b) an intercept drainage canal, within the perimeter berm to collect and pump drainage water from the Proposal into the Fraser River;
- c) a berm, inside the intercept canal, approximately four to five metres in height to contain the dredged river sand.

The majority of the Panel finds that with the construction of the berms and implementation of drainage the Proposal would not have a negative impact to surrounding agricultural land.

- [19] No permanent structures are required for the Proposal. The non-permanent structures associated with the Depot include a scale house on wheels and a scale on lock blocks. The Agent submits that a fabric roof building with a lock block base may also be required in the future. The majority of the Panel finds that the use of these non-permanent structures does not preclude the Property from reclamation of the area in the future.
- [20] The Application submits that approximately 100,000 cubic metres of dredged river sand will remain on the eastern 5 ha portion of the Property at all times. As the material proposed to be stored is sand of a quality suitable for agriculture, the Panel finds that the storage of clean sand does not preclude this portion of the Property from reclamation in the future. The majority of the Panel also finds that the stored river sand could be used for reclamation of the Property in the future.
- [21] A paved area is proposed for access to the Depot. The proposed paved area is  $\pm 1,650$  square metres but that it could be reduced to  $\pm 600$  square metres, if necessary. The majority of the Panel finds that a  $\pm 600$  square metres paved area would be sufficient for the proposed use.
- [22] The majority of the Panel finds that the sand storage depot would facilitate the provision of clean sand, an input used in some agricultural operations, and that its operation would provide a benefit to agricultural activities in the region.

### **DECISION OF THE MAJORITY**

- [23] For the reasons given above, the majority of the Panel approves the Application subject to the following conditions:

#### **General**

- a. approval is provided for sand storage of dredged river sand from the south arm of the Fraser River; no other sand may be stored on the Property;
- b. approval for the non-farm use is granted for the sole benefit of the Applicant and is non-transferable;
- c. no permanent infrastructure for the Depot is to be established on the Property;

**Prior to Depot Operations**

- d. the registration of a covenant on title stating that the Depot is for the sole benefit of the Applicant, that the sand storage depot is only to be used for sand storage of dredged river sand from the south arm of the Fraser River, and that approval for the sand storage operations is terminated should the Applicants cease the Depot operations;
- e. siting of the non-farm use as identified in the attached Decision Map (Schedule A) and the attached Site Plan (Schedule B);
- f. the establishment of the berms and canals on the easterly 5 ha of the Property as described in Paragraph 18 above and illustrated as “buffer, berm and collector ditch” on the attached Site Plan (Schedule B);
- g. the maximum area to be paved is 600 square metres;
- h. to ensure the successful implementation of remediation, a financial security in the form of an Irrevocable Letter of Credit (ILOC) in the amount of \$300,000 must be made payable to the Minister of Finance c/o the Agricultural Land Commission. The ILOC is to ensure remediation is conducted in accordance with the information submitted with the Application and the conditions of this decision. For greater clarity, some or all of the ILOC will be accessible to, and used by, the Commission upon the failure of the Applicant to comply with any or all aspects of the conditions of approval contained herein;
- i. should rezoning of the Property be required, the rezoning must include agricultural uses; the proposed rezoning must be reviewed and approved by the Commission prior to first reading;

**During Depot Operations**

- j. heavy equipment that is not required in the daily operations of the Depot cannot be stored on the Property;
- k. sand pumping and storage activities must not negatively impact the drainage of adjacent properties;
- l. the submission of a report every five (5) years for the duration of the Depot operation outlining the following:
  - i. the volume of sand stored annually for each year in the five year period





- ii. the agricultural use and improvements carried out for each year in the five year period

**Post Depot Operations**

m. should the Depot cease operations, the Property must be remediated in accordance with the correspondence dated October 31, 2017 from Brian French and the reclamation plan outlined in the *Assessment of Agricultural Capability for 14671 Williams Road, Richmond, B.C.* prepared by C&F Land Resource Consultants Ltd. dated April 20, 2016 (excerpts from each compiled in the attached Schedule C: Reclamation Plan);

[24] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

[25] When the ALC has received evidence of completion of conditions d, l, and j, it will confirm that the construction and operation can commence.

[26] Where a regional panel consists of three appointed members:

- (a) the quorum to make a decision is 2: *Interpretation Act, s. 18*,
- (b) where all 3 members are present, the decision of the majority governs the Application decision: *Interpretation Act, s. 18*.

[27] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the ALCA.

[28] This decision is recorded as Resolution #15/2018 and is released on January 16, 2018.



#### CERTIFICATION OF DECISION

This is a decision of the majority of the South Coast Panel.

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William Zylmans, Commissioner

A handwritten signature in black ink, appearing to read 'Satwinder Bains', written over a horizontal line.

Satwinder Bains, Commissioner

\*\*\*\*\*

#### DISSENTING VOTE

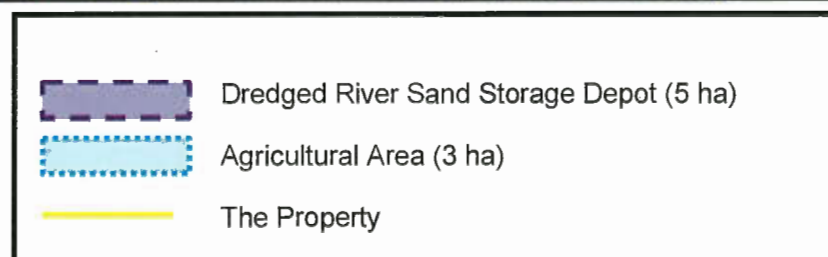
[30] The reasons for which I do not support the decision are:

- a. The Proposal is not in keeping with the purpose of s.6(a) of the *ALCA* to preserve agricultural land;
- b. Sand storage is not a permitted use in the ALR and is more appropriately located on land outside the ALR; and
- c. Alternative locations for sand storage exist outside the ALR.

These are my reasons.

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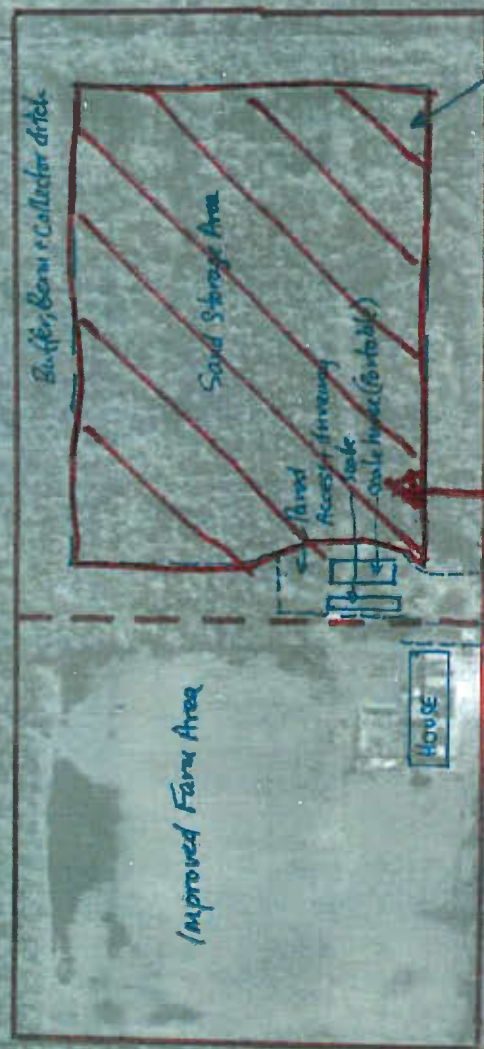
Ione Smith, Commissioner





Schedule B: Agricultural Land Commission Site Plan  
 ALC File 55285 (Sanstor Farms Inc.)  
 Conditionally Approved Non-Farm Use  
 ALC Resolution #15/2018

PROPOSED INFRASTRUCTURE  
 FOR SANDSTOR FARMS  
 Sand Storage Facility  
 Scale 1:2000  
 (Conceptual, subject to adjustment)





Report on Proposed Non-farm Use at 14671 Williams Road  
Mr. Bruce Mathers: April 20, 2016

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### **6.3 Reclamation if Site Decommissioned**

#### **6.3.1 Reclamation Activities**

In the unlikely event of Mathers quitting the site, it would be reclaimed for agricultural use. Reclamation would entail:

- a) stripping and stockpiling of +/-100,000m<sup>3</sup> of sand to be used in reclamation;
- b) removal of infrastructure from the site;
- c) ripping the native sub-base to a depth of 1 metre in two directions at one metre spacing to loosen the clay;
- d) replace stockpiled sand to a depth of +/- 2 metres spread evenly over the disturbed site; the target finished elevation would be 1.0 metres geodetic;
- e) import Class A compost onto the site to provide a placed depth of at least 150mm and cultivate into the sand layer top a depth of 400mm;
- f) Install a subsurface drainage system consistent with the improved system on the existing field;
- f) manage fertility as required to bring the site up to an acceptable agricultural standard for a range of crops;
- g) establish a cover crop if a perennial crop is not intended for immediate planting;
- h) secure a suitable source of irrigation water either from municipal water supply or ditch water having low salt content.

The final reclaimed agricultural capability would be Class 4A unimproved with improvement to Class 2A with irrigation. This reclaimed land would be highly suited for root crops, leafy vegetables, berries and field crops.





Report on Proposed Non-farm Use at 14671 Williams Road  
Mr. Bruce Mathers: April 20, 2016

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### 6.3.2 Reclamation Cost Estimate

The estimated cost to carry out the decommissioning and reclamation of the sand storage site in case of closure is as follows:

ACTIVITY	DETAILS	COST
REMOVE INFRASTRUCTURE	REMOVE BUILDINGS & SCALE	10,000
STRIP AND STOCKPILE SAND FOR RECLAMATION ABOVE CLAY BASE	50000M2 AREA 2M DEEP = 100,000M3 @ \$0.50/M3	50,000
RIP CLAY SUBSOIL TO 1M DEPTH IN 2 DIRECTIONS	RIP WITH DOZER AND RIPPER, 3,000M2/HR FOR TWO TREATMENTS = 25 HRS @ \$200/HR	5,000
REPLACE STOCKPILED SAND	100,000M3 @ 0.50/M3	50,000
SUPPLY & PLACE COMPOST	50,000M2 x 0.15M = 7,500M3 @ \$15.00/M3 IN PLACE	112,500
DRAINAGE, IRRIGATION, CULTIVATION & SEEDING	50,000M2 @ 0.50/M2	25,000
MONITORING AND SUPERVISION	DURING DECOMMISSIONING AND RECLAMATION	20,000
ESTIMATED TOTAL RECLAMATION COST		272,500

Therefore the total estimated cost to reclaim the sand storage site to an acceptable agricultural condition if the sand storage activity were to cease is \$272,500. Bonding to secure this eventuality with contingency allowance in the amount of \$300,000 would ensure that the site could be returned to productive agriculture.



**Decommissioning and Reclamation:** In our April 20,. 2016 report we discuss the estimated cost of reclamation of the site in the unlikely event of it being closed. We suggest a total reclamation cost of \$272,500 which would be secured by bonding. The cost to remove the asphalt paving would be minimal estimated to be about \$5,000 for the 1650m<sup>2</sup> of paving and \$2,250 for the reduced area of 600m<sup>2</sup>. Removal of the buried piping within the ALR area would cost less than \$500.00. Removal of the scale and lockblocks would cost about \$1,500 for an excavator and truck. The total estimated cost of removing the infrastructure is between \$4,250 and \$7,000 depending on the paved area. Of course the bulk of the reclamation cost is associated with the land rehabilitation and return to agricultural production.



**Agricultural Land Commission**

133 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

January 31, 2018

ALC File: 55285

To: Executive Committee Members  
Provincial Agricultural Land Commission

Whereas:

1. I, Frank Leonard, Chair of the Provincial Agricultural Land Commission (the "Commission") have reviewed the *Reasons for Decision of the South Coast Panel*, recorded as Resolution #15/2018 and released on January 16, 2018 ("the Decision"). A copy of the Decision is attached.
2. Section 33.1 of the *Agricultural Land Commission Act* (the "ALCA") states:

Reconsideration of decisions of panel

33.1(1) The chair of the commission may, in writing, direct the executive committee to reconsider a decision made by a panel established under section 11(1) respecting an application or other matter allocated to the panel by the chair of the commission, including a panel's reconsideration of a decision under section 33 (1), if

(a) the chair considers that the decision

- (i) may not fulfill the purposes of the commission as set out in section 6, or
- (ii) does not adequately take into consideration the considerations set out in section 4.3, if applicable, and

(b) the chair makes the direction to the executive committee within 60 days of the decision being made.

- (2) If the chair of the commission directs the executive committee to reconsider a decision under subsection (1), the chair must give notice of the reconsideration to any person that the chair considers is affected by the reconsideration.
- (3) If the chair of the commission directs the executive committee to reconsider a decision under subsection (1), the executive committee must confirm, reverse or vary the decision.
- (4) For the purposes of subsection (3), the executive committee has all the powers, duties and functions of the commission.
- (5) A decision by the executive committee under subsection (3) is for all purposes a decision of the commission.

Reconsideration to Executive Committee  
Re: ALC File: 55285

3. I consider that the Decision may not properly fulfill the purposes of the Commission in section 6 and does not adequately take into consideration the considerations in section 4.3, which factors apply in Zone 2; and
4. This referral to the Executive Committee under s. 33.1(1) does not represent my final conclusion on the proper outcome of the reconsideration, and determines only that this Decision is appropriate for referral to and independent consideration by the Executive Committee, with each Executive Committee member being responsible for exercising their independent judgment as part of the Executive Committee as a decision-making body after deliberation, discussion and consideration of all the information, evidence and submissions.

Therefore I direct as follows:

1. That the Decision is referred to the Executive Committee for reconsideration.
2. That I do consider Sanstor Farms Ltd. Inc. No. BC0971292 ("the Applicants") to be persons entitled to notice under s. 33.1(2), and therefore direct staff to notify the Applicants of the reconsideration.
3. That staff arrange a meeting of the Executive Committee to consider the reconsideration at the first available meeting opportunity following the close of submissions.

PROVINCIAL AGRICULTURAL LAND COMMISSION



---

Frank Leonard, Chair  
Provincial Agricultural Land Commission

January 31, 2018

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Date

55285m1





**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

January 16, 2018

ALC File: 55285

Brian French  
**C&F Land Resource Consultants Ltd.**  
**DELIVERED ELECTRONICALLY**

Dear Mr. French:

**Re: Application to Conduct a Non-Farm Use in the Agricultural Land Reserve (ALR)**

Please find attached the Reasons for Decision of the South Coast Panel (Resolution #15/2018) as it relates to the above noted application. A Decision Map depicting the decision is also attached (Schedule A). As agent, it is your responsibility to notify the applicant accordingly.

**Reconsideration of a Decision as Directed by the ALC Chair**

Please note that pursuant to [s. 33.1 of the Agricultural Land Commission Act](#), the Chair may direct the executive committee to reconsider any panel decision if, within 60 days from the date of this decision, he considers that the decision may not fulfill the purposes of the commission as set out in s. 6.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

**Reconsideration of a Decision by an Affected Person**

We draw your attention to [s. 33\(1\) of the Agricultural Land Commission Act](#) which provides a person affected the opportunity to submit a request for reconsideration.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the ALC website.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.



Page 2 of 2

Further correspondence with respect to this application is to be directed to Shawna Wilson at (Shawna.Mary.Wilson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink that reads "Shawna Wilson". The script is cursive and fluid.

Shawna Wilson, Land Use Planner

Enclosures: Reasons for Decision (Resolution #15/2018)  
Schedule A: Decision Map  
Schedule B: Site Plan

cc: City of Richmond (File: AG 16-734186)

55285d1



## **AGRICULTURAL LAND COMMISSION FILE 55285**

### **REASONS FOR DECISION OF THE SOUTH COAST PANEL**

**Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act***

**Applicants:**

**Sanstor Farms Ltd. Inc. No.  
BC0971292  
(the "Applicants")**

**Agent:**

**Brian French, C&F Land  
Resource Consultants Ltd.  
(the "Agent")**

**Application before the South Coast Regional Panel:**

**William Zylmans, Panel Chair  
Satwinder Bains  
Ione Smith**



## **THE APPLICATION**

[1] The legal description of the property involved in the application is:

Parcel Identifier: 003-464-504

South Half of the South East Quarter, Section 28, Block 4 North, Range 5 West,

Except: South 33 Feet, New Westminster District

(the "Property")

[2] The Property is 8.3 ha.

[3] The Property has the civic address 14671 Williams Road, Richmond, BC.

[4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.

[6] Pursuant to s. 20(3) of the ALCA, the Applicant is applying to establish a dredged river sand depot (the "Depot") on the eastern 5 ha of the Property (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

[7] In addition to the Proposal, the Applicant wants to make agricultural improvements to the western 3 ha of the Property. The Application submits that the land will be improved by the installation of drainage, the placement of 0.5 metres of topsoil (to be salvaged from the establishment of the proposed Depot on the eastern portion of the Property), and the addition of soil amendments including lime and fertilizer. The agricultural improvements as described do not require an application to the Commission. For this reason, the Panel only considered the Depot.

## **RELEVANT STATUTORY PROVISIONS**

[8] The Application was made pursuant to s. 20(3) of the ALCA:



20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

[9] The Panel considered the Application within the context of s. 6 of the *ALCA*. The purposes of the Agricultural Land Commission (the "Commission") set out in s. 6 are as follows:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

#### **EVIDENTIARY RECORD BEFORE THE PANEL**

[10] The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Agricultural capability map, ALR context map and satellite imagery
4. Third party comments

All documentation noted above was disclosed to the Agent in advance of this decision.

[11] At its meeting of July 24, 2017, the Council of the City of Richmond resolved to forward the Application to the Commission.



**FINDINGS**

[12] In assessing agricultural capability, the Panel referred to agricultural capability mapping and ratings. The ratings are identified using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability ratings identified on BCLI map sheet 92G/3h for the mapping units encompassing the Property are Class 2 and Class 3, more specifically 99% (6: 03LW - 4: 3DW) 1% (6: 02LW - 4: 3DW) where O represents organic soils.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

The limiting subclasses associated with this parcel of land are L (degree of decomposition-permeability), W (excess water), and D (undesirable soil structure and/or low perviousness).

[13] The Panel reviewed the BCLI ratings and finds that the Property can support agriculture.

[14] This following section sets out the findings of Panel Chair Zylmans and Commissioner Bains (the "majority of the Panel").

[15] E. Mathers Bulldozing, a subsidiary company of Sanstor Farms Ltd., currently operates a dredged river sand storage depot on the adjacent non-ALR property to the east of the Proposal (PID 003-475-727) (the "Adjacent Property"). The property on which the current dredged river sand storage depot is operating is in the process of developing warehouses for industrial use. The Application submits that the dredged river sand depot is incompatible with the industrial development of the Adjacent Property and therefore relocation is required in order to continue operating.

[16] The eastern 5 ha of the Property is not cleared. The Application submits that the Depot would occupy the eastern 5 ha portion of the Property and that the existing vegetation would

be cleared, the site grubbed, and the topsoil stripped and salvaged for use on the western 3 ha of the Property.

[17] With regard to the proposed site for the Depot, the Application submits that “[t]he requirements for a Fraser River dredge sand storage site are very constrained by distance from the River, proximity to critical dredge sites and suitability of the site for this type of heavy industrial use”. The Application further submits that “dredging infrastructure composed of buried and surface input pipe and drainage water conduit are already installed on the western boundary of the existing Mathers site and would be reconfigured to fit the new site”. In the local government report, the City of Richmond provided alternative locations for the Depot that are outside of the ALR. The Agent provided a response to the alternative locations identified by the City of Richmond in a letter dated August 30, 2017. The Panel reviewed the submissions regarding the location of the Depot. The majority of the Panel finds that the required pumping infrastructure has already been established for the existing use on the Adjacent Property and that limited additional infrastructure is required for the Depot. In consideration of the location requirements of the sand storage depot, in this circumstance, the majority of the Panel finds that the Depot is appropriately located on the Property.

[18] A series of berms and canals are proposed to be constructed for the Depot in order to contain the sand storage area, including:

- a) a one to two metre high perimeter berm to isolate the Proposal from the eastern portion of the Property and adjacent ALR land;
- b) an intercept drainage canal, within the perimeter berm to collect and pump drainage water from the Proposal into the Fraser River;
- c) a berm, inside the intercept canal, approximately four to five metres in height to contain the dredged river sand.

The majority of the Panel finds that with the construction of the berms and implementation of drainage the Proposal would not have a negative impact to surrounding agricultural land.

[19] No permanent structures are required for the Proposal. The non-permanent structures associated with the Depot include a scale house on wheels and a scale on lock blocks. The Agent submits that a fabric roof building with a lock block base may also be required in the future. The majority of the Panel finds that the use of these non-permanent structures does not preclude the Property from reclamation of the area in the future.

[20] The Application submits that approximately 100,000 cubic metres of dredged river sand will remain on the eastern 5 ha portion of the Property at all times. As the material proposed to be stored is sand of a quality suitable for agriculture, the Panel finds that the storage of clean sand does not preclude this portion of the Property from reclamation in the future. The majority of the Panel also finds that the stored river sand could be used for reclamation of the Property in the future.

[21] A paved area is proposed for access to the Depot. The proposed paved area is  $\pm 1,650$  square metres but that it could be reduced to  $\pm 600$  square metres, if necessary. The majority of the Panel finds that a  $\pm 600$  square metres paved area would be sufficient for the proposed use.

[22] The majority of the Panel finds that the sand storage depot would facilitate the provision of clean sand, an input used in some agricultural operations, and that its operation would provide a benefit to agricultural activities in the region.

### **DECISION OF THE MAJORITY**

[23] For the reasons given above, the majority of the Panel approves the Application subject to the following conditions:

#### **General**

- a. approval is provided for sand storage of dredged river sand from the south arm of the Fraser River; no other sand may be stored on the Property;
- b. approval for the non-farm use is granted for the sole benefit of the Applicant and is non-transferable;
- c. no permanent infrastructure for the Depot is to be established on the Property;

**Prior to Depot Operations**

- d. the registration of a covenant on title stating that the Depot is for the sole benefit of the Applicant, that the sand storage depot is only to be used for sand storage of dredged river sand from the south arm of the Fraser River, and that approval for the sand storage operations is terminated should the Applicants cease the Depot operations;
- e. siting of the non-farm use as identified in the attached Decision Map (Schedule A) and the attached Site Plan (Schedule B);
- f. the establishment of the berms and canals on the easterly 5 ha of the Property as described in Paragraph 18 above and illustrated as "buffer, berm and collector ditch" on the attached Site Plan (Schedule B);
- g. the maximum area to be paved is 600 square metres;
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- i. should rezoning of the Property be required, the rezoning must include agricultural uses; the proposed rezoning must be reviewed and approved by the Commission prior to first reading;

**During Depot Operations**

- j. heavy equipment that is not required in the daily operations of the Depot cannot be stored on the Property;
- k. sand pumping and storage activities must not negatively impact the drainage of adjacent properties;
- l. the submission of a report every five (5) years for the duration of the Depot operation outlining the following:
  - i. the volume of sand stored annually for each year in the five year period



- ii. the agricultural use and improvements carried out for each year in the five year period

**Post Depot Operations**

m. should the Depot cease operations, the Property must be remediated in accordance with the correspondence dated October 31, 2017 from Brian French and the reclamation plan outlined in the *Assessment of Agricultural Capability for 14671 Williams Road, Richmond, B.C.* prepared by C&F Land Resource Consultants Ltd. dated April 20, 2016 (excerpts from each compiled in the attached Schedule C: Reclamation Plan);

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**CERTIFICATION OF DECISION**

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William Zylmans, Commissioner

Satwinder Bains, Commissioner

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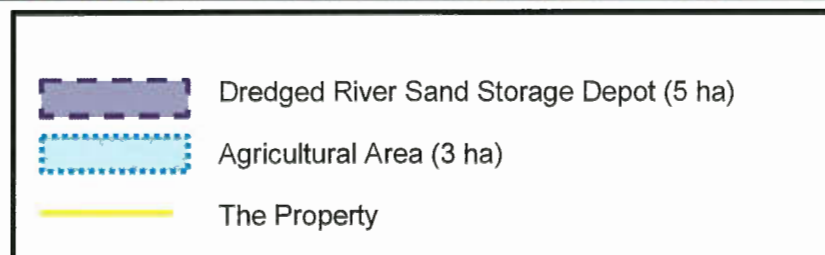
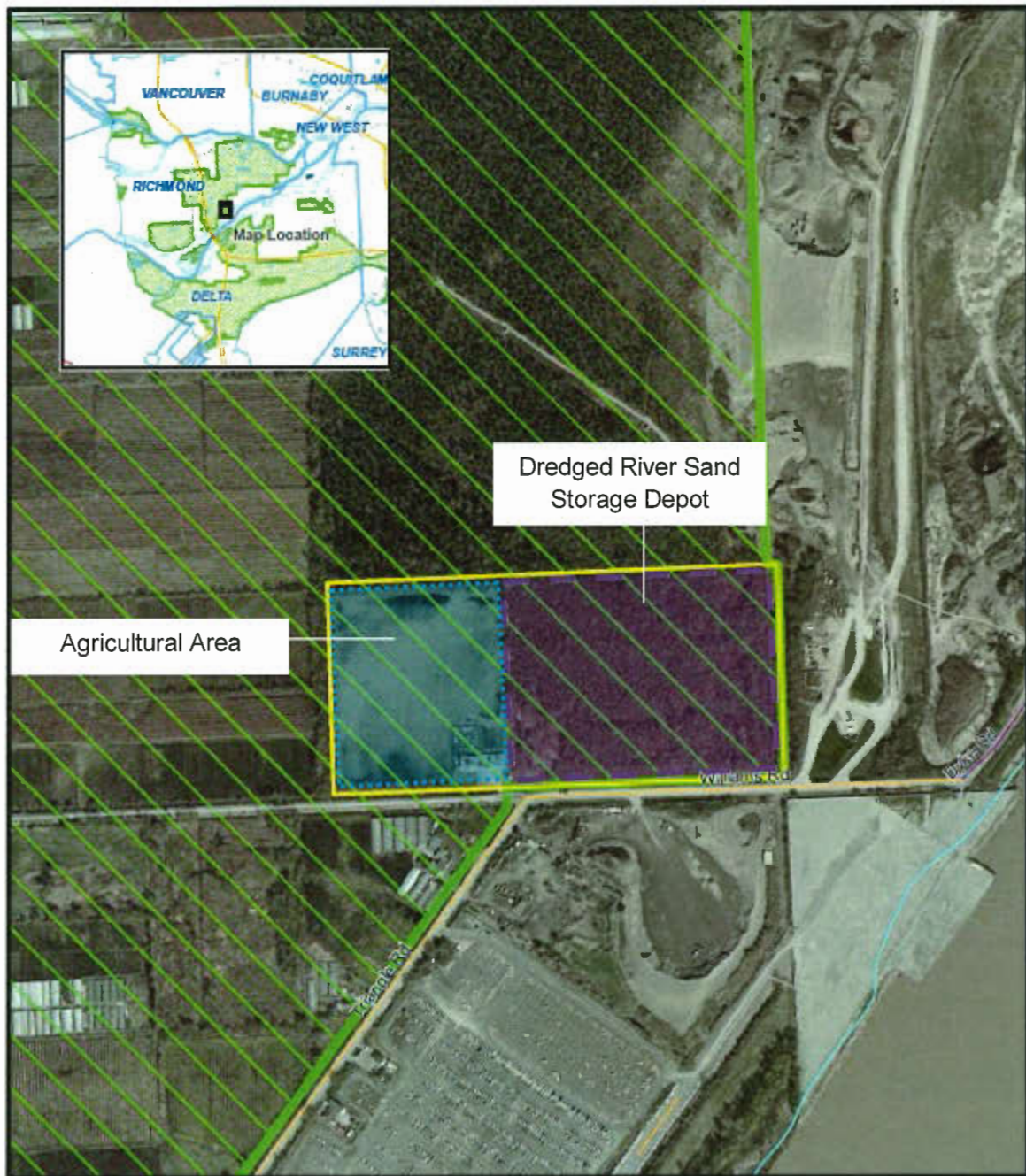
**DISSENTING VOTE**

[30] The reasons for which I do not support the decision are:

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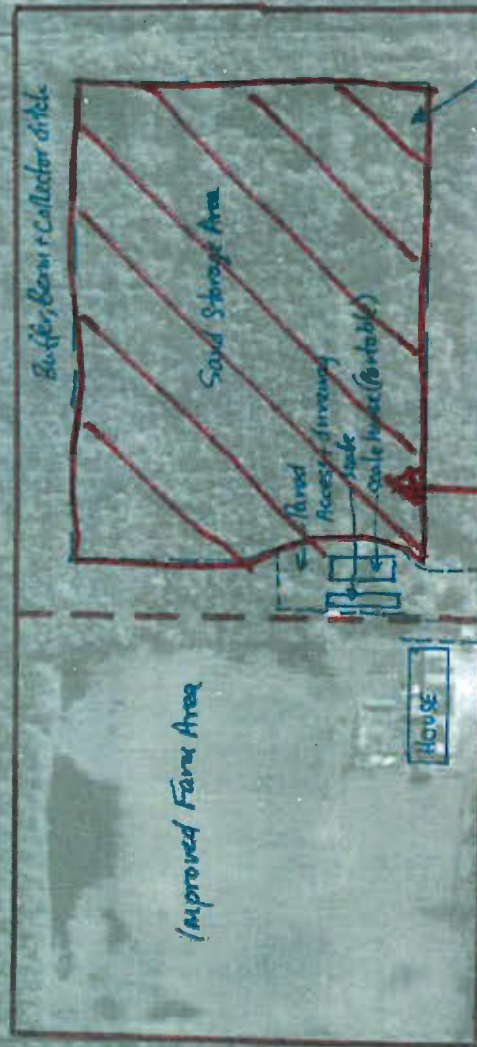
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Schedule B: Agricultural Land and Commission Site Plan  
 ALC File 55285 (Sanstor Farms Inc.)  
 Conditionally Approved Non-Farm Use  
 ALC Resolution #15/2018

PROPOSED INFRASTRUCTURE  
 FOR SANSTOR FARMS  
 Sand Storage Facility  
 Scale 1:2000  
 (Conceptual, Subject to adjustment)



Area proposed for storage of sand,  $\pm 30,000 \text{ m}^2$   
 Base  $\pm 100,000 \text{ m}^3$  of sand to remain in place  
 in case needed for reclamation of site



Report on Proposed Non-farm Use at 14671 Williams Road  
Mr. Bruce Mathers: April 20, 2016

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### **6.3 Reclamation if Site Decommissioned**

#### **6.3.1 Reclamation Activities**

In the unlikely event of Mathers quitting the site, it would be reclaimed for agricultural use. Reclamation would entail:

- a) stripping and stockpiling of +/-100,000m<sup>3</sup> of sand to be used in reclamation;
- b) removal of infrastructure from the site;
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- d) replace stockpiled sand to a depth of +/- 2 metres spread evenly over the disturbed site; the target finished elevation would be 1.0 metres geodetic;
- e) import Class A compost onto the site to provide a placed depth of at least 150mm and cultivate into the sand layer top a depth of 400mm;
- f) Install a subsurface drainage system consistent with the improved system on the existing field;
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- g) establish a cover crop if a perennial crop is not intended for immediate planting;
- h) secure a suitable source of irrigation water either from municipal water supply or ditch water having low salt content.

The final reclaimed agricultural capability would be Class 4A unimproved with improvement to Class 2A with irrigation. This reclaimed land would be highly suited for root crops, leafy vegetables, berries and field crops.





Report on Proposed Non-farm Use at 14671 Williams Road  
Mr. Bruce Mathers: April 20, 2016

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### 6.3.2 Reclamation Cost Estimate

The estimated cost to carry out the decommissioning and reclamation of the sand storage site in case of closure is as follows:

ACTIVITY	DETAILS	COST
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RIP CLAY SUBSOIL TO 1M DEPTH IN 2 DIRECTIONS	RIP WITH DOZER AND RIPPER, 3,000M2/HR FOR TWO TREATMENTS = 25 HRS @ \$200/HR	5,000
REPLACE STOCKPILED SAND	100,000M3 @ 0.50/M3	50,000
SUPPLY & PLACE COMPOST	50,000M2 x 0.15M = 7,500M3 @ \$15.00/M3 IN PLACE	112,500
DRAINAGE, IRRIGATION, CULTIVATION & SEEDING	50,000M2 @ 0.50/M2	25,000
MONITORING AND SUPERVISION	DURING DECOMMISSIONING AND RECLAMATION	20,000
ESTIMATED TOTAL RECLAMATION COST		272,500

Therefore the total estimated cost to reclaim the sand storage site to an acceptable agricultural condition if the sand storage activity were to cease is \$272,500. Bonding to secure this eventuality with contingency allowance in the amount of \$300,000 would ensure that the site could be returned to productive agriculture.





**Decommissioning and Reclamation:** In our April 20,. 2016 report we discuss the estimated cost of reclamation of the site in the unlikely event of it being closed. We suggest a total reclamation cost of \$272,500 which would be secured by bonding. The cost to remove the asphalt paving would be minimal estimated to be about \$5,000 for the 1650m<sup>2</sup> of paving and \$2,250 for the reduced area of 600m<sup>2</sup>. Removal of the buried piping within the ALR area would cost less than \$500.00. Removal of the scale and lockblocks would cost about \$1,500 for an excavator and truck. The total estimated cost of removing the infrastructure is between \$4,250 and \$7,000 depending on the paved area. Of course the bulk of the reclamation cost is associated with the land rehabilitation and return to agricultural production.



# City of Richmond

## Report to Committee

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** April 26, 2018  
**File:** 08-4100-01/2018-Vol 01

**Re:** Secondary Suites in Duplexes

### Staff Recommendation

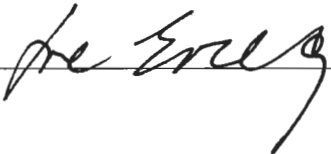

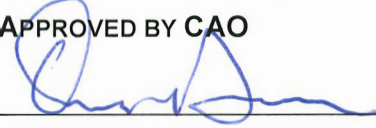
1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9865, to allow secondary suites as a permitted use in standard two-unit dwelling (duplex) zones, be introduced and given first reading.
2. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9864, to allow secondary suites as a permitted use in arterial road duplexes, be introduced and given first reading;
3. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9864, having been considered in conjunction with:
  - a. the City's Financial Plan and Capital Program; and
  - b. the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;is hereby found to be consistent with the said programs and plans, in accordance with Section 477(3)(a) of the *Local Government Act*;
4. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9864, having been considered in accordance with Section 475 of the *Local Government Act* and the City's Official Community Plan Bylaw Preparation Consultation Policy 5043, is found not to require further consultation;
5. That upon submission of a Building Permit application for construction of a secondary suite in a two-unit dwelling (duplex), staff is authorized to discharge any restrictive covenants on title limiting the use of the property to a maximum of two dwelling units.
6. That Council Policy 5042 "Rezoning Applications for Two-Family Housing Districts – Involving Existing Non-Conforming Two-family Dwellings" adopted March 29, 2005, be amended to remove the requirement for the registration of a legal agreement limiting the use of the property to a maximum of two dwelling units.

  
Wayne Craig  
Director, Development  
(604-247-4625)

April 26, 2018

- 2 -

WC:sds  
Att. 7

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

## **Staff Report**

### **Origin**

At the September 11, 2017 meeting of Regular Council, the following referral motion was passed:

*That:*

- 1) staff provide a history of duplexes and their requirements; and*
  - 2) staff provide information on options to legitimize secondary suites in duplexes that are within the City's jurisdiction*
- and report back.*

This report responds to the referral by providing information on the history of duplex development and presents a number of options to permit secondary suites in duplexes for Council's consideration.

This report 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.*

### **Findings of Fact**

From 1956 to 1987, Richmond Zoning Bylaw 1430 permitted the development of either single-family dwellings or two-family dwellings (duplexes) in a number of residential zones. Richmond Zoning Bylaw 1430 was amended in 1987 to prohibit any new development of two-family dwellings, due to public concerns at the time regarding two-family dwellings, including:

- The potential proliferation of two-family dwellings in predominantly single-family residential neighbourhoods;
- The trend of two-family dwellings being occupied on a rental basis; and
- The alteration of two-family dwellings into triplexes or fourplexes.

### **Previous Richmond Zoning and Development Bylaw 5300**

Richmond Zoning and Development Bylaw 5300 replaced Richmond Zoning Bylaw 1430 in 1989 and excluded two-family dwellings as a permitted use, which resulted in all existing two-family dwellings becoming legal non-conforming uses. However, due to property owners' concerns regarding the non-conforming status, Zoning and Development Bylaw 5300 was further amended to create a new two-family dwelling zone (Two-Family Housing District) in order to:

- Give legitimacy to existing genuine (previously conforming) two-family dwellings;
- Establish areas where new two-family dwellings could be developed; and
- Regulate the future development and redevelopment of two-family dwellings.

Council also endorsed a temporary voluntary program in 1990, which gave property owners of existing two-family dwellings the opportunity to rezone to the new two-family dwelling zone without having to pay a rezoning application fee. This would allow previously authorized two-family dwellings to regain the lawful status that was lost with the introduction of Richmond Zoning and Development Bylaw 5300. Property owners who consented to the voluntary program were required to confirm bylaw compliance through a building inspection and were also required to register a legal agreement on Title, restricting the property to a maximum of two dwelling units. The purpose of this restrictive covenant was to:

- Make the current and future owners aware of the maximum number of units permitted;
- Prevent future alterations to triplexes or fourplexes; and
- Act as an additional enforcement tool to ensure compliance with the new two-family dwelling zone.

Approximately 354 properties were rezoned as part of the temporary voluntary program, which was terminated in 1995. Subsequent rezoning applications to legitimize existing two-family dwellings have been considered on a case-by-case basis. It is estimated that an additional 17 properties were rezoned since 1995 to legitimize the existing non-conforming two-family dwelling.

#### Single-Family Lot Size Policies

Single-Family Lot Size Policies were first introduced in 1989 in Richmond Zoning and Development Bylaw 5300 to protect existing single-family neighbourhoods from development pressure (rezoning and subdivision into smaller lots), and provide stability for neighbourhoods by defining a public process for any zoning changes that would facilitate subdivision.

In 1996, and again in 1998, the procedure for the Single-Family Lot Size Policies was amended to allow applications to rezone and subdivide existing two-family dwellings into two single-family lots to be considered on their own merits, without conducting a Lot Size Policy study. The rationale used at the time was that the subdivision of duplex lots was different than the subdivision of single-family lots, as it does not add to the number of units in the existing neighbourhood. Additionally, a survey was conducted by the City in 1992 within a specific Lot Size Policy area, which revealed that the majority of respondents supported subdivision of duplex lots, preferring two single-family dwellings to one duplex.

The provision to allow the rezoning and subdivision of existing two-family dwellings is contained in the current Richmond Zoning Bylaw 8500, under Section 2.3.7, whereby the requirements of the Single-Family Lot Size Policies (i.e. conducting a Lot Size Policy Study) do not apply to a property which is the subject of the application if the land is the site of a legal duplex and is intending to subdivide into no more than two single-family lots.

This provision has led to the redevelopment of many existing duplexes into two single-family dwellings. Should Council wish to revisit this provision, Council can pass a specific resolution to direct staff to review the City's zoning provisions and Single-Family Lot Size Policies supporting the subdivision of duplex lots and report back.



Attachment 1 provides more information on the history of duplex development and secondary suites.

#### Current Regulations of Duplexes and Secondary Suites in Richmond Zoning Bylaw 8500

Currently, Richmond Zoning Bylaw 8500 allows duplex development on properties zoned “Two Unit Dwellings (RD1, RD2)”, “Infill Residential (RI1, RI2)” and a number of site specific zones. In addition, owners of existing legal non-conforming duplexes zoned for single-family development can continue to apply for a rezoning to legitimize the existing duplex. More information regarding existing duplexes is provided in the “Analysis” section of this report.

Secondary suites are currently not a permitted use in any zones that allows duplexes. Richmond Zoning Bylaw 8500 allows secondary suites in a number of other zones, including all standard single-family and townhouse zones. Secondary suites became a permitted use in all single-family zones in 2007. Allowing secondary suites in single-family dwellings was an opportunity to address housing affordability issues and to provide more housing variety. In addition, it allowed greater control over health and safety issues in existing suites.

Secondary suites became a permitted use in standard townhouse zones more recently in May 2017, in order to provide additional opportunities to increase the supply of secondary suites city-wide through new townhouse developments. Incorporating secondary suites in new construction is significantly easier than retrofitting existing buildings to accommodate suites, which can be challenging and expensive, depending on the existing condition.

#### BC Building Code (BCBC)

The BCBC contains different construction requirements for a secondary suite within a single-detached dwelling compared to a suite within other forms of housing (i.e. duplexes), including, but not limited to, the following:

<b>BCBC requirements</b>	<b>Secondary suite in a single-detached dwelling</b>	<b>Suite in a multi-family dwelling (i.e. duplex)</b>
Fire separation	45 min. fire rating; or 30 min. if smoke alarmed; or 0 min. if sprinklered.	1 hr. fire rating (2 storey building).
Smoke alarms	Not required if 45 min. fire rating.	Required in each unit.
Sound transmission	Not required.	Minimum sound transmission classification of 50 between units.

Attachment 2 provides a comprehensive comparison table, produced by the Provincial Building and Safety Standards Branch, which identifies these differences. Generally, the requirements for a suite within a duplex are significantly more onerous and costly compared to a secondary suite within a single-detached dwelling.

Legitimizing an existing suite within a duplex may require extensive works, depending on the age and condition of the existing duplex. In addition to the BCBC requirements, other building and servicing concerns may need to be addressed, including, but not limited to, the following:

- Water and sanitary sewer pipe sizes and or material used may be inadequate and may require upgrades.
- If each side of the duplex is not already metered separately, the installation of a separate water service connection and meter would be required.
- If a gas line exists, separate services to each unit would be required.
- General upgrading and separation of existing electrical wiring.
- Asbestos may currently exist in the drywall, flooring, insulation, etc.
- Existing back-to-back fireplaces may be an issue in order to maintain fire separation and sound rating between units.

The scope of upgrades required for existing suites to meet current Building Code requirements and address building and servicing concerns will vary significantly depending on the age and condition of the existing duplex, making it difficult to provide cost estimates. Property owners are recommended to consult a BC Building Code Consultant or equivalent registered professional to determine the scope of upgrades and costs required in order to achieve compliance to the BCBC. At Building Permit stage, a detailed code analysis outlining the scope of upgrades would be required. The requirements noted above would apply to all duplexes, regardless if the property has been strata-titled or not.

## **Related Policies & Studies**

### Official Community Plan/Arterial Road Land Use Policy

The Official Community Plan (OCP) encourages a variety of forms of housing in neighbourhoods in appropriate locations to provide a range of housing choices, including duplexes and secondary suites. Secondary suites are identified in the OCP as an option to increase the affordability of housing for the homeowner, and at the same time provides affordable accommodations for renters.

The Arterial Road Land Use Policy contained within the OCP supports densification along arterial roads. It was recently updated in 2016 to include arterial road duplex and triplex development in order to encourage more housing variety.

Allowing secondary suites in duplexes would be consistent with the OCP policies that strive to encourage more varied housing forms.

### Council Policies

Two other Council policies exist to provide direction to staff in the review of applications involving two-family dwellings (duplexes), specifically:

- Policy 5007 – “Rezoning of Strata-Titled Two-Family Dwellings to Two-Family Housing District” (1990) (Attachment 3), which allows the entire property to be considered for rezoning with the consent of the owner of one unit of a strata-titled two-family dwelling; and

- Policy 5042 – “Rezoning Applications for Two-Family Housing Districts – Involving Existing Non-Conforming Two-family Dwellings” (2005) (Attachment 4), which provides a list of requirements to guide staff review of these types of applications (legitimizing an existing duplex), including requiring registration of a restrictive covenant limiting the property to a maximum of two dwelling units prior to rezoning approval.
  - These types of rezoning applications are commonly accompanied by a Strata-title Conversion application. The purpose of stratifying an existing duplex is typically to have the ability to sell each unit of the duplex independently. Policy 5042 is used to guide the review of the Strata-title Conversion application, including those without an associated rezoning application.

## **Analysis**

### **Existing Duplexes**

There are currently approximately 547 existing duplex buildings city-wide. Additional information regarding these existing duplexes is provided below and in Attachment 5:

- 321 duplexes are conforming uses, on lots zoned for “two-unit housing” (i.e. RD1, RD2, RI1, RI2, and site-specific).
- 226 duplexes are existing legal non-conforming uses, on lots zoned for single-family development (i.e. RS1 and RS2).
- 304 of the 547 existing duplexes are currently strata-titled; meaning each unit of the duplex is its own strata unit (for a total of 608 strata units). 243 duplexes are not stratified.
- The average age of existing duplexes is 43 years.

There are two existing standard zones and six site-specific zones in Richmond Zoning Bylaw 8500 which permit the use of “two-unit housing”, including the following:

- Standard zones: “Two-Unit Dwellings (RD1, RD2)”, “Infill Residential (RI1, RI2)”.
- Site-specific zones: ZD1, ZD2, ZD3, ZD4, ZT56 and ZT61.

None of these zones currently permit the construction of a legal secondary suite.

### **Current Suite Requirements**

Secondary suites are currently permitted only in standard single-family and townhouse zones, and are not permitted in duplex zones. Current regulations related to secondary suites in single-family dwellings and townhouses are included in Richmond Zoning Bylaw 8500, and provided in Attachment 6.

Specific provisions in the current secondary suite regulations included in Richmond Zoning Bylaw 8500 apply only to single-family development, due to the BC Building Code distinction between a secondary suite within a single-detached dwelling and a suite within a multi-family

dwelling. The definition of secondary suite in a single-family dwelling as per the BC Building Code includes the following requirements:

- Having a total floor space of not more than 90 m<sup>2</sup> in area; and
- Having a floor space less than 40% of the habitable floor space of the building.

Since a suite within a duplex is classified differently than a secondary suite within a single-family dwelling in the BC Building Code, it would not be subject to the same requirements from a code perspective. The proposed zoning bylaw amendment does not include a maximum floor area (i.e. 90 m<sup>2</sup>) for the secondary suite within a duplex, but does include a maximum percentage of floor area (i.e. 40%), in order to ensure the suite is a secondary use to the principal dwelling, consistent with the current requirements for suites in townhouse development.

### Options

Allowing suites in duplexes presents a number of benefits and challenges. These are described below along with two options for Council's consideration, in order to address the referral.

#### ***1) Status quo, continue to prohibit secondary suites in duplexes (not recommended):***

Benefits:

- No action required and no change to the existing single-family neighbourhoods.

Challenges:

- Does not address the demand for additional housing in single-family neighbourhoods.
- Existing illegal suites may have life and safety issues as they are built without City inspections.
- Enforcement of existing non-compliance would continue to be challenging. Enforcement of non-compliance (i.e. the construction and use of secondary suites in existing duplexes) would continue to be on a complaint basis and addressed by Community Bylaws.

#### ***2) Allow secondary suites as a permitted use in two-unit dwelling (duplex) zones (recommended):***

Benefits:

- Would provide increased opportunities for affordable ground-oriented rental housing within existing single-family neighbourhoods.
- Would provide homeowners the option to utilize rental suites (secondary suites) as mortgage helpers.
- May allow older households, who may no longer need a large house, the opportunity to add a secondary suite in order to remain in their homes longer. This would facilitate aging in place and could also add a sense of security.
- Bringing existing secondary suites into BC Building Code compliance allows the City to have control over the health and safety conditions in such units.

- Provide incentive for property owners to retain existing duplexes, rather than pursue demolition and redevelopment. This can maintain alternative forms of housing and reduce demolition waste to the landfill.

Challenges:

- Retrofitting an existing duplex to accommodate a secondary suite to BC Building Code standard may require significant financial investment, depending on the age and condition of the building.
- In neighbourhoods where on-street parking is limited, secondary suites may potentially have an effect on parking availability.

In order to pursue this option, Richmond Zoning Bylaw 8500 would have to be amended to add secondary suites as a permitted use in standard duplex zones. Additionally, the Arterial Road Policy would have to be amended to remove the provisions which explicitly prohibit secondary suites in duplex development along arterial roads.

Richmond Zoning Bylaw 8500 Amendments

In order to allow secondary suites in duplexes, the following amendments to Richmond Zoning Bylaw 8500 would be necessary:

1. Update the definition of “secondary suites” (Section 3) to identify that secondary suites can also be contained within two-unit housing.
2. Update the *Specific Use Regulations for Secondary Suites* (Section 5.4) to accommodate secondary suites in duplex developments.
3. Amend the standard duplex zones to add “secondary suite” as a permitted use in duplex developments.

The following additional provisions would be required to ensure consistency with the existing requirements for secondary suites in single-family dwellings and townhouses. Secondary suites in a duplex:

- Must be completely enclosed within a duplex unit;
- Must not exceed 40% of the total floor area of the duplex unit (one side of the duplex);
- Must have an additional parking stall (over and beyond the number of parking stalls required for the duplex unit) for its exclusive use, if located on a lot fronting an arterial road. Where this is the case, allow the parking spaces to be provided in tandem arrangement;
- Must be the only secondary suite contained within the same duplex unit.

In order to prevent the future stratification of the secondary suites (the development of triplexes and fourplexes), an additional provision will be added to the Zoning Bylaw to prohibit the Strata-title Conversion of a secondary suite.



### Official Community Plan (OCP) Bylaw 9000 Amendment

The Arterial Road Land Use Policy was recently updated to include arterial road duplex and triplex development. Amendments to the OCP would be required to remove the provisions in the Arterial Road Land Use Policy which explicitly prohibit secondary suites in new arterial road duplex development. This type of development requires a Development Permit, which provides staff greater control over the massing and design of the duplex. An additional parking space for the exclusive use of the secondary suite on lots along arterial roads would also be required.

The necessary provisions have been included in the proposed Zoning Bylaw 8500, Amendment Bylaw 9865 and Official Community Plan Bylaw 9000, Amendment Bylaw 9684.

### Servicing and Parking

The City's Engineering Department has reviewed the option of allowing secondary suites in duplexes and has no servicing concerns, based on the proposed secondary suite regulations.

Zoning Bylaw 8500 currently requires two on-site parking stalls for each duplex unit. Consistent with the existing secondary suite regulations, the City's Transportation Department has confirmed that additional parking would not be required on-site for secondary suites in duplexes, except for lots that have frontage on arterial roads. In these locations, duplexes with secondary suites would be required to provide one additional parking stall for each secondary suite, which may be provided in tandem arrangement. This approach is consistent with the existing parking requirements for secondary suites in single-family development.

### **Legalization Process of Existing Suites in Duplexes**

This section outlines some of the process and requirements that would be associated with legalizing existing secondary suites in duplexes.

### Rezoning Application

Property owners of existing legal non-conforming duplexes (i.e. a property zoned for single-family development) who wish to construct or legalize a secondary suite would be required to rezone the property to a zone that permits duplexes in order to legitimize the existing duplex and allow the use of a legal secondary suite. If the property is already zoned for duplexes, no rezoning would be required.

### Building Permit Application

Existing suites within duplexes, which were built without a Building Permit, would not immediately be made legal if the proposed amendments were adopted. Property owners would be required to submit a Building Permit application in order to legitimize the previous construction and identify any BC Building Code (BCBC) compliance issues. If outstanding Building Code issues are identified through the Building Permit process, the property owner would be required to correct any deficiencies and pass a building inspection to be granted occupancy.

Enforcement would continue to be on a complaint basis and addressed by Community Bylaws. Any outstanding code issues that are not addressed through a Building Permit application would be identified as Building Regulation Bylaw No. 7230 offences, which could ultimately lead to legal prosecution.

#### Existing Legal Encumbrances

As noted earlier, a number of duplexes were required to register a restrictive covenant on Title, which limits the property to a maximum of two dwelling units. These legal agreements would be required to be discharged if a secondary suite Building Permit application is submitted.

Standard process is to request Council's authority to discharge covenants on a case-by-case basis. However, the City's Law Department has advised that, should Council wish to proceed with the option of allowing secondary suites in duplex zones, Council can grant a blanket authorization for the discharge of these legal agreements at Building Permit stage.

Council Policy 5042, which provides requirements for rezoning applications involving non-conforming duplexes and strata-title conversions, would also be required to be amended (Attachment 7), to remove the requirement for the registration of a legal agreement limiting the use of the property to a maximum of two dwelling units.

#### **Financial Impact**

None.

#### **Conclusion**

This report responds to a Council referral to provide a history of duplexes and their requirements, and provides information on options to legitimize secondary suites in duplexes that are within the City's jurisdiction.

Staff recommend regulating secondary suites in zones that allow two-unit dwellings (duplexes). It is recommended that Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9864 and Richmond Zoning Bylaw 8500, Amendment Bylaw 9865, be introduced and given first reading.



Steven De Sousa  
Planner 1  
(604-204-8529)

SDS:blg

Attachment 1: History of Two-Family (Duplex) and Secondary Suite Regulations  
Attachment 2: Comparison of Code Requirements for Secondary Suites  
Attachment 3: Council Policy 5007  
Attachment 4: Council Policy 5042  
Attachment 5: Statistics of Existing Duplexes  
Attachment 6: Current Richmond Zoning Bylaw 8500 Secondary Suite Regulations  
Attachment 7: Council Policy 5042 Amendment

### History of Two-Family Dwelling (Duplex) and Secondary Suite Regulations

Date	Description
October 29, 1956	<ul style="list-style-type: none"> <li>• Zoning Bylaw 1430, the City's first zoning bylaw, was adopted, which permitted the development of either single-family dwellings (on lots with a minimum width of 18 m) or two-family dwellings (on lots with a minimum width of 24 m) in particular single-family residential zones.</li> </ul>
December 14, 1987	<ul style="list-style-type: none"> <li>• Zoning Bylaw 1430, Amendment Bylaw 4867 was adopted, which prohibited new development of two-family dwellings.</li> <li>• The Zoning Bylaw was amended due to public concerns regarding two-family dwellings, including the potential proliferation of two-family dwellings in predominantly single-family residential neighbourhoods, the trend of two-family dwellings being occupied on a rental basis, and the alteration of two-family dwellings into triplexes or fourplexes.</li> </ul>
April 3, 1989	<ul style="list-style-type: none"> <li>• Zoning Bylaw 1430 was repealed and replaced by Richmond Zoning and Development Bylaw 5300.</li> <li>• The new Zoning Bylaw intentionally excluded two-family dwellings as a permitted use and made all existing two-family dwellings non-conforming.</li> </ul>
October 10, 1989	<ul style="list-style-type: none"> <li>• Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 5386 was adopted, which created the "Two-Family Housing District (R5)" in order to accommodate the existing two-family dwellings.</li> <li>• The Zoning Bylaw amendment responded to concerns regarding the non-conforming status of existing two-family dwellings (related to property insurance and mortgageability concerns).</li> <li>• The purpose of creating the new two-family dwelling zone was to give legitimacy to all existing genuine two-family dwellings, establish areas where new two-family dwellings could be developed, and regulate the development and redevelopment of two-family dwellings.</li> </ul>
April 23, 1990	<ul style="list-style-type: none"> <li>• In order to further address the non-conforming two-family dwellings, Council endorsed a voluntary program, where property owners of existing two-family dwellings were contacted and provided the opportunity to rezone to the new two-family dwelling zone without having to pay a rezoning application fee, for a limited time only.</li> <li>• Property owners who consented to the voluntary program were required to confirm bylaw compliance through an inspection and register a restrictive covenant on Title restricting the property to a maximum of two dwelling units.</li> <li>• The purpose of the restrictive covenant was to make the current and future owners aware of the maximum number of units permitted, prevent future alterations to triplexes or fourplexes, and act as an additional enforcement tool. The requirement also provided consistency with existing strata-titled two-family dwellings, which had covenants registered at the time of strata-title conversion.</li> </ul>

March 18, 1991 to October 16, 1995	<ul style="list-style-type: none"> <li>• On completion of a positive inspection and registration of the restrictive covenant, properties were included in comprehensive rezoning bylaws and rezoned to the new two-family dwelling zone.</li> <li>• From 1991 to 1995, a number of these comprehensive rezoning bylaws were adopted and approximately 354 properties were rezoned to the new two-family dwelling zone.</li> <li>• The voluntary program was terminated in 1995 and subsequent rezoning applications to legitimize existing two-family dwellings were considered on a case-by-case basis and subject to the applicable fees.</li> </ul>
October 15, 1996	<ul style="list-style-type: none"> <li>• Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 6584 was adopted, which amended the procedure for Single-Family Lot Size Policies to remove applications intending to rezone and subdivide existing two-family dwelling lots into two single-family lots.</li> <li>• The Zoning Bylaw was amended due to the rationale that the subdivision of duplex lots is different than the subdivision of single-family lots (i.e. does not add to the number of units in the existing neighbourhood).</li> <li>• Single-Family Lot Size Policy study conducted in 1992 within a specific area indicated that the majority of respondents supported subdivision of duplex lots, preferring two single-family dwellings to duplexes.</li> </ul>
September 14, 1998	<ul style="list-style-type: none"> <li>• Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 6904 was adopted, which amended the procedure for Single-Family Lot Size Policies again, to explicitly allow applications intending to rezone and subdivide existing two-family dwelling lots into two single-family lots to be examined on their own merits without conducting a lot size policy study, even if the proposal was inconsistent with the existing Single-Family Lot Size Policy.</li> </ul>
March 29, 2005	<ul style="list-style-type: none"> <li>• Council Policy 5042: <i>Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-conforming Two-Family Dwellings</i> was adopted.</li> <li>• The Policy provides information requirements for rezoning applications seeking a rezoning to the two-family dwelling zone, involving existing non-conforming two-family dwellings, in order to assist Council to assess the potential impacts. Requirements include a restrictive covenant limiting the property to a maximum of two dwelling units prior to final adoption of the rezoning bylaw.</li> </ul>
November 16, 2009 to Present	<ul style="list-style-type: none"> <li>• Currently, Richmond Zoning Bylaw 8500 allows duplex development on properties zoned the standard "Two Unit Dwellings (RD1, RD2)" zone and the less common "Infill Residential (RI1, RI2)". There are also a number of site specific zones which permit duplex development.</li> <li>• Secondary suites are currently not a permitted use within zones that permit duplexes.</li> </ul>





## Information Bulletin

### Building and Safety Standards Branch

PO Box 9844 Stn Prov Govt

Victoria BC V8W 9T2

Email: [building.safety@gov.bc.ca](mailto:building.safety@gov.bc.ca)

Website: [www.housing.gov.bc.ca/building](http://www.housing.gov.bc.ca/building)

	9.36. Secondary Suite	single-family	Regular Suite	multi-family (i.e. duplexes)
Height of Rooms or Spaces	9.36.2.1.(1)	Min ceiling height 2.0m	9.5.3.1.(1)	Min ceiling height 2.1m
Solid Blocking	9.36.2.2.(1)	Not required for doors where interior wall finish adjacent the door is in place prior to construction.	9.6.8.9.(1)	Required on both sides of door at lock height so jambs will resist spreading by force.
Exit Stairs	9.36.2.3.(1)	Exit stairs to have min. width of 860mm	9.8.2.1.(1)	Exit stairs to have min. width of 900mm.
Dimensions of Landings	9.36.2.4.(1)	Landings serving both dwelling units need not exceed 900mm in length	9.8.6.2.(4)(b)	Lesser of required width of stair or 1100mm.
Handrails and Guards	9.36.2.5.(1)	Conform to 9.8.7. and 9.8.8. as if serving only one dwelling unit	9.8.7. and 9.8.8.	Must fully conform to 9.8.7. and 9.8.8.
Means of Egress	9.36.2.6.(1)	Width of every public and exit corridor shall not be less than 860mm.	9.9.3.3.(1)	Width of every public and exit corridor shall not be less than 1100mm.
Fire Separation for Exits	9.36.2.7.(1)	(a) 45 min., or (b) 30 minute fire resistance rating where smoke alarms conform to 9.36.2.19., or (2) no rating where sprinklered.	9.10.9.14.	(2) 45 minute fire resistance rating between suites, or (3) 1 hr fire resistance rating where the dwelling unit is 2 storeys
Openings Near Unenclosed Exit Stairs and Ramps	9.36.2.8.(1)	If unenclosed stairs or ramp is the only mean of egress from the building and it is exposed to unprotected openings in another fire compartment, the openings must meet 9.10.13.5. to 9.10.13.7.	9.9.4.4.	Openings must meet 9.10.13.5. and 9.10.13.7. when the openings in the exterior walls of the building are within 3 m horizontally and less than 10 m below or less than 5 m above the exit stair or ramp.
Doors in a Means of Egress	9.36.2.9.	Doors that provide access to exit from a suite must be 1980mm high, clear opening of 800mm and may swing inward.	9.9.6.2. to 9.9.6.4.	Must be 2030mm high, clear opening of 800mm.
Travel Limit to Exits or Egress Doors	9.36.2.10.(1)	Distance to an exit may exceed 1 storey if suite has operable window conforming to 9.9.10.1.(2)	9.9.9.1.	Distance to an exit may only exceed 1 storey in limited circumstances.
Shared Egress Facilities	9.36.2.11.	(1) except as provided in 9.9.7.3., exit doors that open to a shared hallway shall provide two opposite directions of travel to exit, unless the suite is equipped with a means of egress conforming to 9.9.10.1.(2).	9.9.9.2.(1)	Except as provided in Sentence 9.9.7.3.(1), where an egress door from a dwelling unit opens onto a public corridor or exterior passageway it shall be possible from the location where the egress door opens onto the corridor or exterior passageway to go in

## Information Bulletin

**Building and Safety Standards Branch**

PO Box 9844 Stn Prov Govt

Victoria BC V8W 9T2

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Website: [www.housing.gov.bc.ca/building](http://www.housing.gov.bc.ca/building)

				opposite directions to 2 separate exits unless the dwelling unit has a second and separate means of egress.
		(2) Each dwelling unit shall have a second means of egress conforming to 9.9.10.1. where the egress door from either dwelling unit opens to a space used by both suites with only one exit.	9.9.9.3.(1)	Except as provided in 9.9.7.3., a separate means of egress to be provided where an exit door opens onto: (a) a stairway serving more than one suite, (b) a public corridor with a single exit stairway, (c) an exterior passageway more than 1.5m above ground and serving more than one dwelling unit, and (d) a balcony more than 1.5m above ground and serving more than one suite.
<b>Exit Signs</b>	9.36.2.12.(1)	No exit signs required.	9.9.10.3.(1)	Exit signs required in 3 storey building or where exit is not easily visible.
<b>Structural Fire Resistance</b>	9.36.2.13.(1)	Table 9.10.8.1. does not apply.	9.10.8.1.	All floors (except over crawl space) to have fire resistance rating of 45 min.
<b>Combustible Drain, Waste and Vent Piping</b>	9.36.2.14.	(1) Drain, waste and vent piping may be combustible and penetrate a fire separation provided (a) (except as allowed in (b)), it is protected by 12.7mm gypsum board, (b) the penetration through gypsum is limited to the size of the pipe, and (c) pipe does not penetrate the underside of gypsum in a horizontal fire separation.	9.10.9.7.	Combustible drain, waste and vent piping may only be used in limited circumstances.
<b>Separation of Residential Suites</b>	9.36.2.15.	Dwelling units must be separated by 45min fire separation, 30min if smoke alarms meet 9.36.2.19., or no required rating if building is sprinklered.	9.10.9.14.	45min separation between dwelling units or 1hr if either dwelling unit is 2 storeys.
<b>Separation of Public Corridors</b>	9.36.2.16.	(a) 45 min., or (b) 30 min. where smoke alarms meet 9.36.2.19., or (c) no required resistance if building is sprinklered.	9.10.9.15.	45min separation required
<b>Air Ducts and Fire Dampers</b>	9.36.2.17.	(1) HVAC system that serves both suites shall be equipped to prevent movement of smoke when detected by alarm. (2) Ducts do not need	9.10.13.13	1) Except as permitted by Sentences (2) to (5) and Sentence 9.10.5.1.(4), a duct that penetrates an assembly required to be a fire separation with a fire-

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		to be equipped with fire dampers as per 3.1.8.9. provided they are non-combustible with all duct openings serving a single fire compartment.		<i>resistance rating</i> shall be equipped with a fire damper in conformance with Articles 3.1.8.4. and 3.1.8.9.
<b>Exposing Building Face of Houses</b>	9.36.2.18.	(1) Except as provided in 9.10.15.3., 9.10.14.5. does not apply provided (a) 45min rating on wall with limiting distance less than 1.2m, and (b) non-combustible cladding used where limiting distance is less than 0.6m. (2) Window openings are not permitted in building face referred to in (1) with limiting distance less than 1.2m and must conform to 9.10.14.4. where limiting distance is greater than 1.2m.	9.10.14. and 9.10.15.	If one of the dwelling units is above the other, 9.10.14. must be used.
<b>Smoke Alarms</b>	9.36.2.19.	(1) Can/ULC-S531 Smoke Alarm to be installed in each suite. (2) Smoke alarms to be interconnected between suites. (3) Smoke alarms in (1) and (2) not required if (a) fire separations in 9.36.2.16. and 9.36.2.17. have a fire resistance rating of 45 min., or (b) the building is sprinklered		Can/ULC-S531 Smoke Alarm in each dwelling unit. Smoke alarms must be interconnected within dwelling units but do not need to be interconnected between dwelling units.
<b>Sound Control</b>	9.36.2.20.	Section 9.11.2. does not apply.	9.11.2.1.(1)	Min. STC 50 between suites.
<b>Attic Space Access</b>	9.36.2.21.	Attic hatchway of min. 0.32m <sup>2</sup> in area of min. 545mm in any direction may serve both dwelling units	9.19.2.1.	1) Shared attic hatchway must be > 3 m <sup>2</sup> in area, > 1 m in length or width, and > 600 mm in height over at least the area described above. 2) Single unit hatch may be 0.32 m <sup>2</sup> in area with no dimension less than 545 mm.
<b>Garages and Carports</b>	9.36.2.22.	Section 9.35. is applicable		Section 9.35 does not apply.



Page 1 of 1	<b>Rezoning of Strata-Titled Two-Family Dwellings to Two-Family Housing District (R5)</b>	<b>Policy 5007</b>
	Adopted by Council: October 9, 1990	

## **POLICY 5007:**

It is Council policy that:

Where the owner of one unit of a strata-titled two-family dwelling has consented to rezoning to Two-Family Housing District (R5), the entire property shall be considered for rezoning.



Page 1 of 1	<b>Rezoning Applications for Two-Family Housing Districts – Involving Existing Non-Conforming Two-family Dwellings</b>	<b>Policy 5042</b>
	Adopted by Council: March 29, 2005	

## POLICY 5042:

It is Council policy that:

Rezoning applications seeking a rezoning to “Two-Unit Dwellings Zone (RD1)”, involving existing non-conforming two-family dwellings, must be supported with adequate information to assist Council assess all potential impacts arising from the rezoning application in the following areas:

1. A certificate prepared by a registered B.C. Land Surveyor showing the location, dimensions, and setbacks of all buildings and structures presently on the property, together with a floor area ratio calculation is required to verify Zoning Bylaw compliance.
2. An inspection of the existing structure by City Staff is required to confirm the building contains a maximum of two dwelling units. A Restrictive Covenant limiting the property to a maximum of two dwelling units is required as a condition of final adoption of a rezoning bylaw.
3. The property owner shall provide a written statement on the following items:
  - a) The building’s age, quality, general conditions and any measures proposed to upgrade or alter the buildings appearance; and
  - b) The occupancy of the existing structure and what impact the proposed rezoning may have on the existing residents of the two-family dwelling.
4. Where as a result of the normal rezoning process, the public has raised concerns over the design of an existing structure or construction of a new two-family dwelling on the subject site, staff will present to Council a summary of the public concerns along with options available to address the concerns.
5. Each application shall be reviewed to determine if there are any off-site improvements required to bring the site up to City standards. Should any off-site improvements be required, such improvements are required as a condition of final adoption of a rezoning bylaw.
6. Where a Council approved 702 Single Family Lot Size Policy would permit the subject site to be subdivided, Council will be advised of the site’s future subdivision potential.
7. Rezoning applications intended to facilitate a strata title conversion of the existing structure shall be accompanied by a Strata Title Conversion Application and such application forwarded to Council concurrently with the rezoning proposal.



## Statistics of Existing Duplexes

Zoning	Number of Duplexes	Sub-Zone	Number of Duplexes
"Two-Unit Dwellings (RD1, RD2)"	289	RD1 RD2	286 3
"Infill Residential (RI1, RI2)"	26	RI1 RI2	22 4
Site Specific	6	ZD1 ZD2 ZT61	1 1 4
"Single Detached (RS1 & RS2)"	226	RS1/A RS1/B RS1/C RS1/D RS1/E RS1/J RS2/B RS2/C RS2/K	4 9 3 1 173 1 18 4 1
<b>Total</b>	<b>547</b>		
Type	Number of Duplexes		
Strata-title	304 (608 strata units)		
Non-strata	243		
Year Built	Number of Duplexes		
1925-1950	6		
1951-1975	378		
1976-2000	121		
2001-present	42		
Average age	43 (e.g. built in 1975)		

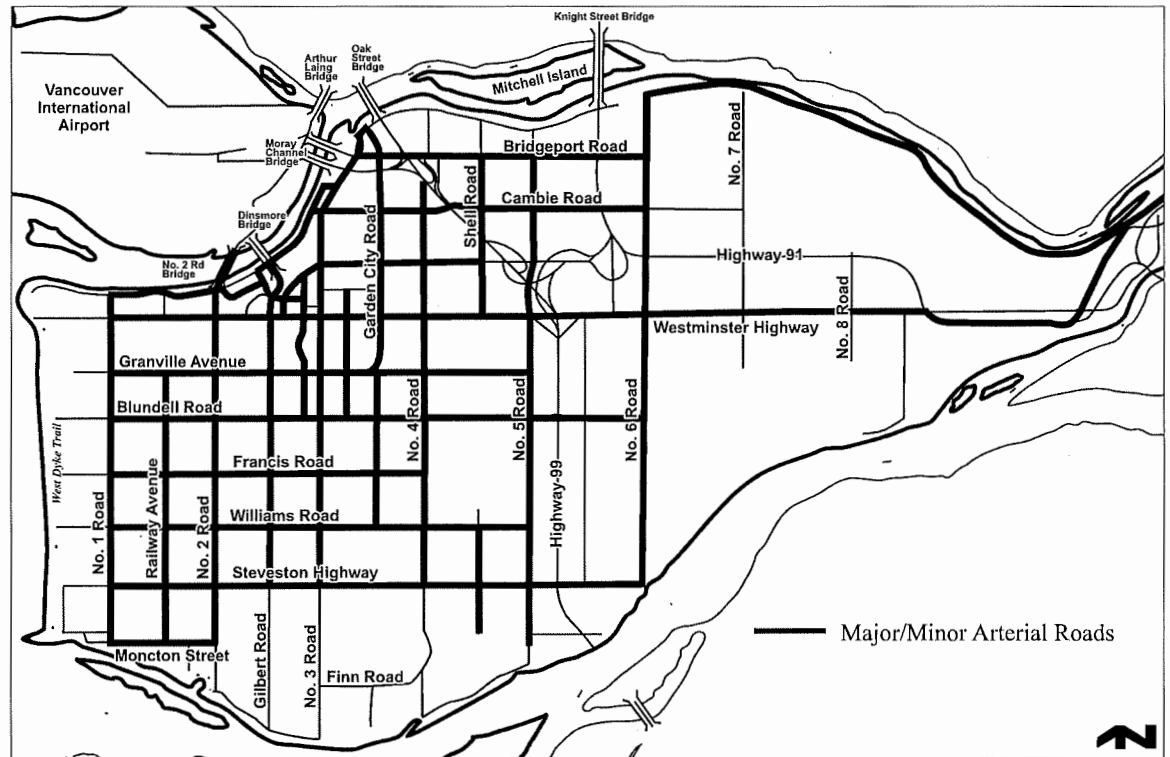
## Current Richmond Zoning Bylaw 8500 Secondary Suite Regulations

### 5.4 Secondary Suites

#### 5.4.1 The following regulations and prohibitions apply to every secondary suite permitted in a zone: [Bylaw 9715, May 15/17]

- a) the **secondary suite** must be completely enclosed within the same **building** as the **principal dwelling unit** in **single detached housing** or completely contained within the same townhouse unit or **strata lot** in **town housing**, and not in a detached **accessory building**; [Bylaw 9715, May 15/17]
- b) no more than one **secondary suite** shall be permitted per **principal dwelling unit** in **single detached housing** or per townhouse unit or **strata lot** in **town housing**; [Bylaw 9715, May 15/17]
- c) the **secondary suite** must be incidental and integrated with the **principal dwelling unit** so as not to externally appear as a separate unit; [Bylaw 9715, May 15/17]
- d) a **City** water meter must be installed on the **lot** on which the **secondary suite** is located; [Bylaw 9715, May 15/17]
- e) the **secondary suite** must have a minimum **floor area** of at least 33.0 m<sup>2</sup> and must not exceed a total **floor area** of 90.0 m<sup>2</sup> in **single detached housing**; [Bylaw 9715, May 15/17]
- f) the **secondary suite** must not exceed 40% of the total **floor area** of the **dwelling unit** in which it is contained; [Bylaw 9715, May 15/17]
- g) home business uses (i.e., licensed crafts and teaching; licensed residential registered office and licensed residential business office), but not child care programs, may be carried out within a secondary suite; [Bylaw 9715, May 15/17]
- h) boarding and lodging and minor community care facilities are not permitted in a secondary suite; [Bylaw 9715, May 15/17]
- i) a **secondary suite** is not permitted in conjunction with a **bed and breakfast**; [Bylaw 9715, May 15/17]
- j) the **building** must be inspected by the **City** for compliance with the *Building Code*, this bylaw and other applicable enactments; [Bylaw 9715, May 15/17]
- k) where a **secondary suite** is on a **lot** fronting an **arterial road** as shown in Diagram 1 below, one additional on-site **parking space** must be provided for the exclusive use of each **secondary suite**; [Bylaw 9715, May 15/17]

Diagram 1: **Arterial Roads Where Additional On-Site Parking Space Required For Secondary Suites** [Bylaw 9715, May 15/17]



- l) where an additional on-site **parking space** for a **secondary suite** is required, the required on-site **parking spaces** for the **principal dwelling unit** in **single detached housing** may be provided in a **tandem arrangement** with one **parking space** located behind the other; and [Bylaw 9715, May 15/17]
- m) internal **access** must be maintained between the **secondary suite** and the **principal dwelling unit** in **single detached housing** or between the **secondary suite** and the associated townhouse unit in **town housing**, except for a locked door. [Bylaw 9715, May 15/17]



Page 1 of 1	<b>Rezoning Applications for Two-Family Housing Districts – Involving Existing Non-Conforming Two-family Dwellings</b>	<b>Policy 5042</b>
	Adopted by Council: March 29, 2005	

**POLICY 5042:**

It is Council policy that:

Rezoning applications seeking a rezoning to “Two-Unit Dwellings Zone (RD1)”, involving existing non-conforming two-family dwellings, must be supported with adequate information to assist Council assess all potential impacts arising from the rezoning application in the following areas:

1. A certificate prepared by a registered B.C. Land Surveyor showing the location, dimensions, and setbacks of all buildings and structures presently on the property, together with a floor area ratio calculation is required to verify Zoning Bylaw compliance.
2. An inspection of the existing structure by City Staff is required to confirm no alterations have been made without a Building Permit.~~the building contains a maximum of two dwelling units. A Restrictive Covenant limiting the property to a maximum of two dwelling units is required as a condition of final adoption of a rezoning bylaw.~~
3. The property owner shall provide a written statement on the following items:
  - a) The building’s age, quality, general conditions and any measures proposed to upgrade or alter the buildings appearance; and
  - b) The occupancy of the existing structure and what impact the proposed rezoning may have on the existing residents of the two-family dwelling.
4. Where as a result of the normal rezoning process, the public has raised concerns over the design of an existing structure or construction of a new two-family dwelling on the subject site, staff will present to Council a summary of the public concerns along with options available to address the concerns.
5. Each application shall be reviewed to determine if there are any off-site improvements required to bring the site up to City standards. Should any off-site improvements be required, such improvements are required as a condition of final adoption of a rezoning bylaw.
6. Where a Council approved 702 Single Family Lot Size Policy would permit the subject site to be subdivided, Council will be advised of the site’s future subdivision potential.
7. Rezoning applications intended to facilitate a strata title conversion of the existing structure shall be accompanied by a Strata Title Conversion Application and such application forwarded to Council concurrently with the rezoning proposal.



**Richmond Official Community Plan Bylaw No. 9000  
Amendment Bylaw No. 9864 (Secondary Suites in Duplexes)**

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

1. **Richmond Official Community Plan Bylaw 9000**, as amended, is further amended at:
  - i. Section 3.6.1 (Arterial Road Land Use Policy) under “Arterial Road Duplex/Triplex Development Requirements” by deleting subsection 6; and
  - ii. Section 3.6.1 (Arterial Road Land Use Policy) under “Arterial Road Compact Lot Development Requirements” by deleting subsection 7 and 10, and renumbering as required.
2. This Bylaw may be cited as “**Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9684**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

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

\_\_\_\_\_  
MAYOR

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





**Richmond Zoning Bylaw No. 8500  
Amendment Bylaw 9865 (Secondary Suites in Duplexes)**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended at Section 3.4 [Use and Term Definitions] by deleting the definition of “**Secondary suite**” in its entirety and substituting the following:

“**Secondary suite** means an accessory, self-contained **dwelling** within **single detached housing, two-unit housing or town housing**, exclusively used for occupancy by one **household**.”

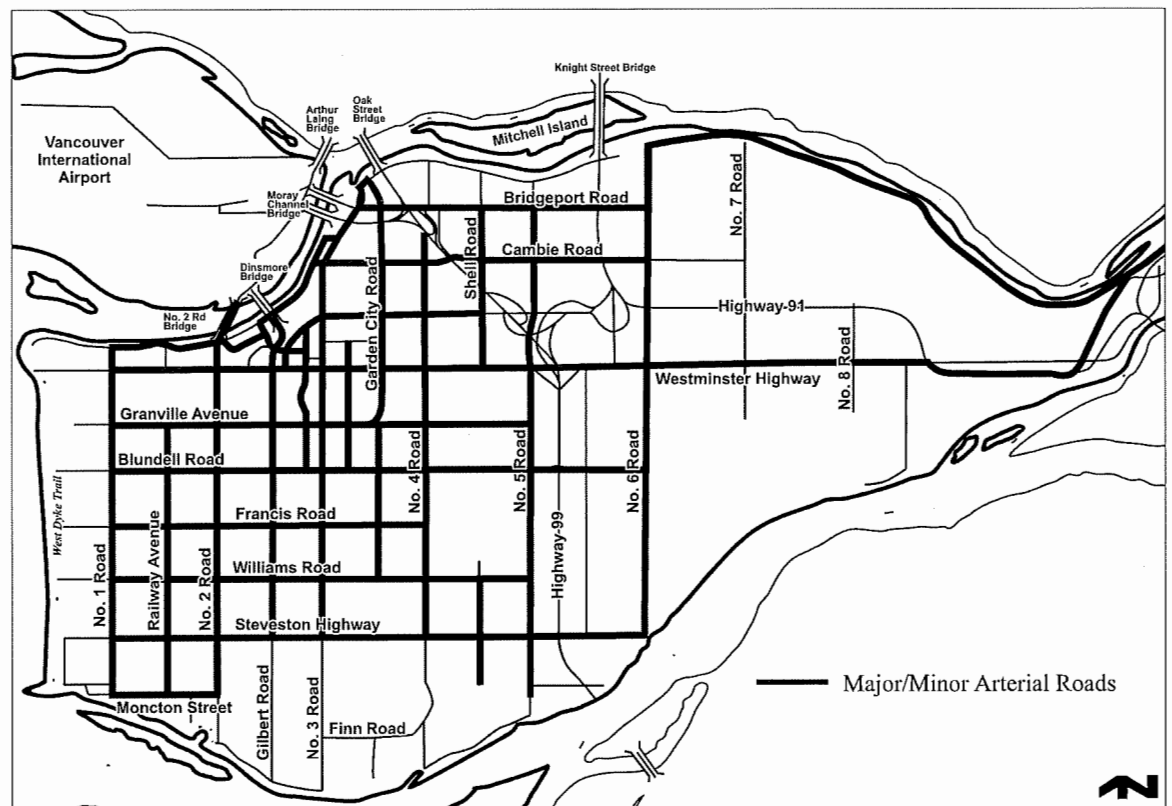
2. Richmond Zoning Bylaw 8500, as amended, is further amended at Section 5.4 [Secondary Suites] by deleting Section 5.4.1 in its entirety and replacing it with the following:

“**5.4.1** The following regulations and prohibitions apply to every **secondary suite** permitted in a zone:

- a) the **secondary suite** must be completely enclosed within the same **building** as the **principal dwelling unit** in **single detached housing** or completely contained within the same **dwelling unit** or **strata lot** in **two-unit housing or town housing**, and not in a detached **accessory building**;
- b) no more than one **secondary suite** shall be permitted per **principal dwelling unit** in **single detached housing** or per **dwelling unit** or **strata lot** in **two-unit housing or town housing**;
- c) the **secondary suite** must be incidental and integrated with the **principal dwelling unit** so as not to externally appear as a separate unit;
- d) a **City** water meter must be installed on the **lot** on which the **secondary suite** is located;
- e) the **secondary suite** must have a minimum **floor area** of at least 33.0 m<sup>2</sup> and must not exceed a total **floor area** of 90.0 m<sup>2</sup> in **single detached housing**;
- f) the **secondary suite** must not exceed 40% of the total **floor area** of the **dwelling unit** in which it is contained;
- g) **home business uses** (i.e., **licensed crafts and teaching; licensed residential registered office and licensed residential business office**), but not **child care programs**, may be carried out within a **secondary suite**;
- h) **boarding and lodging** and **minor community care facilities** are not permitted in a **secondary suite**;

- i) a **secondary suite** is not permitted in conjunction with a **bed and breakfast**;
- j) the **building** must be inspected by the **City** for compliance with the *Building Code*, this bylaw and other applicable enactments;
- k) where a **secondary suite** is on a **lot** fronting an **arterial road** as shown in Diagram 1 below, one additional on-site **parking space** must be provided for the exclusive use of each **secondary suite**;

Diagram 1: **Arterial Roads** Where Additional On-Site **Parking Space** Required For **Secondary Suites**



- l) where an additional on-site **parking space** for a **secondary suite** is required, the required on-site **parking spaces** for the **principal dwelling unit** in **single detached housing** and **two-unit housing** may be provided in a **tandem arrangement** with one **parking space** located behind the other; and
- m) internal **access** must be maintained between the **secondary suite** and the **principal dwelling unit** in **single detached housing** or between the **secondary suite** and the associated **dwelling unit** in **two-unit housing** or **town housing**, except for a locked door.
- n) the **secondary suite** is not permitted to be stratified.”

3. Richmond Zoning Bylaw 8500, as amended, is further amended at Section 8.4 [Two-Unit Dwellings (RD1, RD2)] by amending Section 8.4.3, by adding “**secondary suite**” to the list of permitted secondary uses.
4. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9865**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

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CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

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