



Public Notice is hereby given of a Regular Council Meeting for Public Hearings being held on:

Tuesday, April 18, 2017 – 7 p.m.

**Council Chambers, 1st Floor
Richmond City Hall
6911 No. 3 Road
Richmond, BC V6Y 2C1**

OPENING STATEMENT

Page

1. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9293 (RZ 14-670471)**

(File Ref. No. RZ 12-8060-20-009293; 14-670471) (REDMS No. 5304096 v. 3, 4563973, 2221494, 5304096, 5317090, 4728092, 5317102)

PH-11

[See Page PH-11 for full report](#)

Location: 11671 and 11691 Cambie Road

Applicant: Interface Architecture Inc.

Purpose: To rezone the subject properties from “Single Detached (RS1/E)” zone to “Low Density Townhouses (RTL4)” zone, to permit development of 20 townhouse units with driveway access from Cambie Road.

First Reading: March 13, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

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Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9293.



2. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9537 (RZ 14-674068)**

(File Ref. No. 12-8060-20-009537; RZ 14-674068) (REDMS No. 4929297 v. 8, 3651855, 4978849, 4978965)

PH-72

See Page PH-72 for full report

Location: 8480 No. 5 Road

Applicant: Matthew Cheng Architect Inc.

Purpose: To rezone the subject property from “Agriculture (AG1)” zone to “Assembly (ASY)” zone, to permit development of a new Buddhist temple.

First Reading: March 13, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9537.



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3. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9646 (RZ 16-728719)**

(File Ref. No. 12-8060-20-009646; RZ 16-728719) (REDMS No. 5223594, 5242215, 5230551)

PH-117

See Page PH-117 for full report

Location: 9051 and 9071 Steveston Highway

Applicant: Harj Johal

Purpose: To rezone the subject properties from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone, to permit the properties to be subdivided to create four (4) single-family lots, with vehicle access from an extension to the existing rear lane.

First Reading: March 13, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.

PH-136

(a) Taha and Yusra Qaiser, 9093 Steveston Highway

3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9646.



4. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9672 (ZT 16-754143)**

(File Ref. No. 12-8060-20-009672; ZT 16-754143) (REDMS No. 5326902 v. 2; 2221494; 5272021, 5331996)

PH-144

See Page PH-144 for full report

Location: 13100 Smallwood Place

Applicant: OpenRoad Auto Group Ltd.

Page

Purpose: To permit a site-specific zoning text amendment to the “Vehicle Sales (CV)” zone, to increase the overall allowable Floor Area Ratio (FAR) to a maximum of 0.70 for the property located at 13100 Smallwood Place, to permit development of an auto dealership with associated uses, surface parking, and landscaping.

First Reading: March 27, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9672.



5. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9675 (RZ 16-723761)**

(File Ref. No. 12-8060-20-009675; RZ 16-723761) (REDMS No. 5267412 v. 2, 5325193, 5317216, 5317243)

PH-174

See Page PH-174 for full report

Location: 12320 Trites Road

Applicant: 1056023 Holdings Limited Partnership

Purpose: To rezone the subject property from the “Light Industrial (IL)” zone to the “Single Detached (ZS23) – Steveston” zone, to permit subdivision into 30 residential lots, including the creation of two new roads and two new rear lanes.

First Reading: March 13, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

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Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9675.



6. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9684 (RZ 15-713737)**

(File Ref. No. 12-8060-20-009684; RZ 15-713737) (REDMS No. 5303933, 3370153, 5307000, 5307006)

PH-209

See Page PH-209 for full report

Location: 10140 and 10160 Finlayson Drive

Applicant: Benn Panesar

Purpose: To rezone the subject property from the “Single Detached (RS1/D)” zone to the “Single Detached (RS2/B)” zone, to permit the property to be subdivided into three lots with vehicle access from Finlayson Drive.

First Reading: March 13, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9684.



7. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9685 (RZ 16-743867)**

(File Ref. No. 12-8060-20-009685; RZ 16-743867) (REDMS No. 5286384 v. 2; 5308500, 5308512)

PH-228

See Page PH-228 for full report

Location: 9680 Aquila Road

Applicant: Mickey Chow

Page

Purpose: To rezone the subject property from the “Single Detached (RS1/E)” zone to the “Residential Child Care (RCC)” zone, to accommodate a licensed child care facility for a maximum of 16 children.

First Reading: March 27, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9685.



8. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9686 (RZ 15-708960)**

(File Ref. No. 12-8060-20-009686; RZ 15-708960) (REDMS No. No. 5235558 v. 2, 3218459, 5318220, 5318221)

PH-247

See Page PH-247 for full report

Location: 9880 Granville Avenue and 7031 No. 4 Road

Applicant: Zhao XD Architect Ltd.

Purpose: To rezone the subject property from “Single Detached (RS1/F)” zone to “Medium Density Townhouses (RTM2)” zone, to permit the development of seven (7) three-storey townhouse units with vehicle access from 9800 Granville Avenue.

First Reading: March 13, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

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Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9686.



9. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9694 (ZT 16-753545)**

(File Ref. No. 12-8060-20-009694; ZT 16-753545) (REDMS No. 5331834 v. 2; 5331827, 5332142)

PH-271

See Page PH-271 for full report

Location: 9920 River Drive

Applicant: Krahn Engineering Ltd.

Purpose: To amend the “Light Industrial (IL)” zone to allow for “non-accessory parking” for a long-term airport parking lot.

First Reading: March 27, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9694.



10. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9697 (ZT 15-707253)**

(File Ref. No. 12-8060-20-009697; RZ 15-707253) (REDMS No. 5333725; 2303774; 5334091, 5334113)

PH-291

See Page PH-291 for full report

Location: 16160 and 16268 River Road

Applicant: Brook Pooni Associates

Purpose: To amend the “Light Industrial (IL)” zoning district and to allow “outdoor storage” as a site-specific permitted use at 16160 and 16268 River Road.

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First Reading: March 27, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9697.



11. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9698 (ZT 14-656010)

(File Ref. No. 12-8060-20-009698; ZT 14-656010) (REDMS No. 5336093; 5335931, 5335854)

PH-310

See Page PH-310 for full report

Location: 11991 Steveston Highway

Applicant: Suncor Energy Inc. (Petro-Canada Inc.)

Purpose: To amend the “Gas Station Commercial (ZC15) – Broadmoor and Ironwood” zoning district to allow “Restaurant, drive-through” as a site- specific secondary use at 11991 Steveston Highway

First Reading: March 27, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9698.



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12. BYLAWS RELATED TO SHORT-TERM RENTALS

OFFICIAL COMMUNITY PLAN BYLAW 9000, AMENDMENT BYLAW 9691; RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9647; RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9692

(File Ref. No. 08-4430-03-12; 12-8060-20-9691/9647/9692/9649/9650/9651/9652) (REDMS No. 5340970 v. 5; 5324334; 5221655; 5285428; 5323398; 5327463; 5330921; 5327641; 5327538; 5327683; 5327968; 5314950; 5329717; 5329719; 5285428; 5342861; 5329722; 5341501; 5324903; 5328066; 5339923; 5340131; 5339925; 5339922)

PH-327

See Page PH-327 for full report

Location: City-Wide

Applicant: City of Richmond

PH-404

Purpose of Bylaws:

- Official Community Plan Bylaw 9000, Amendment **Bylaw 9691**- To add a provision for a 500 meter buffer between B&B establishments.

PH-405

- Richmond Zoning Bylaw 8500, Amendment **Bylaw 9647** - To amend definitions of “owner” and “family member” to require that the B&B be the Operator’s principal residence and a B&B is only permitted where the operator is the owner of the dwelling or is the owner’s direct family member.

PH-408

- Richmond Zoning Bylaw 8500, Amendment **Bylaw 9692** - To amend Section 5.5 by inserting a new subsection 5.5.10; “Each bed and breakfast use must be no less than 500 m apart, measured from the centre point of each lot.”

First Reading: March 27, 2017

Related Information: In order to incorporate enhanced business licencing requirements and increase fees and penalties, the following bylaws have been introduced:

PH-409

- Business Regulation Bylaw No. 7538, Amendment **Bylaw No. 9649**;

PH-412

- Business Licence Bylaw No. 7360, Amendment **Bylaw No. 9650**;

PH-416

- Municipal Ticket Information Authorization Bylaw No. 7321, Amendment **Bylaw No. 9651**; and

PH-419

- Consolidated Fees Bylaw No. 8636, Amendment **Bylaw No. 9652**.

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Excerpts from Minutes:

Bylaws Related To Short-Term Rentals were considered at the following Committee and Council meetings:

PH-421

- Regular Council – January 9, 2017

PH-428

- General Purposes Committee – February 6, 2017

PH-432

- General Purposes Committee – March 6, 2017

PH-436

- Regular Council – March 13, 2017

PH-449

- Regular Council – March 27, 2017

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Official Community Plan Bylaw 9000, Amendment Bylaw 9691.

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2. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9647.

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3. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9692.

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ADJOURNMENT

☐



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

Date: February 24, 2017
File: RZ 14-670471


Re: Application by Interface Architecture Inc. for Rezoning at 11671 and 11691 Cambie Road from "Single Detached (RS1/E)" Zone to "Low Density Townhouses (RTL4)" Zone

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9293, for the rezoning of 11671 and 11691 Cambie Road from "Single Detached (RS1/E)" zone to "Low Density Townhouses (RTL4)" zone, be introduced and given first reading.

jc
Wayne Craig
Director, Development

EL:blg
Att. 9

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

Staff Report

Origin

Interface Architecture Inc. has applied to the City of Richmond for permission to rezone 11671 and 11691 Cambie Road (Attachment A) from “Single Detached (RS1/E)” zone to “Low Density Townhouses (RTL4)” zone in order to permit the development of 20 townhouse units with vehicle access from Cambie Road (Attachment B). A Report to Committee (Attachment C) was taken to Planning Committee on September 22, 2015.

The original proposal was to rezone the subject site to permit the development of 21 townhouse units with vehicle access from Mellis Drive. To address Committee comments and in response to comments from a public delegation related to on-street vehicle parking, traffic and pedestrian conditions in the vicinity of the development on Mellis Drive, the Planning Committee directed staff to:

“Examine options to address matters related to:

- (1) On-street parking along Mellis Drive;*
- (2) Traffic flow along Mellis Drive and Borgen Drive; and*
- (3) Pedestrian traffic in the area.”*

This supplemental report is being brought forward now to:

- Address the Planning Committee referral with respect to the traffic and parking conditions in the vicinity of the proposed development near Mellis Drive; east of Borgen Drive; in the east Cambie area of Richmond.
- Provide a summary of revisions made to the proposal, details of the public consultation undertaken, and updated staff comments on the revised proposal.

Finding of Fact

Please refer to the attached updated Development Application Data Sheet (Attachment D) for a comparison of the development data with the relevant bylaw requirements. Please refer to the original Staff Report dated September 10, 2015 (Attachment C) for information pertaining to related City’s policies and studies, pre-Planning Committee public input, as well as staff comments on site servicing and frontage improvements, covenants and easements currently registered on Title, tree retention and replacement, and requested variances.

Analysis

Assessment of On-Street Parking

In response to the Planning Committee referral, Transportation and Community Bylaws staff visited the surrounding area of the 11670-block of Cambie Road on three consecutive dates between September 29, 2015 and October 1, 2015 between the hour of 7:30 p.m. to 8:30 p.m. Figure 1 indicates the study area. Table 1 provides detailed counts of the observed parked vehicles.

Bergen Drive

Between Cambie Road and Mellis Drive, parking on Bergen Drive is restricted on the east side of the street from 7:00 a.m. to 6:00 p.m. on weekdays for capacity reasons. The visual surveys conducted indicated very few vehicles parked on Bergen Drive in the evenings on the west side; with minimal to no vehicles observed parked on the east side. The maximum number of vehicles observed parked was two on the west side of the street. None of the vehicles were parked illegally and traffic was observed to flow smoothly on Bergen Drive during the surveys.

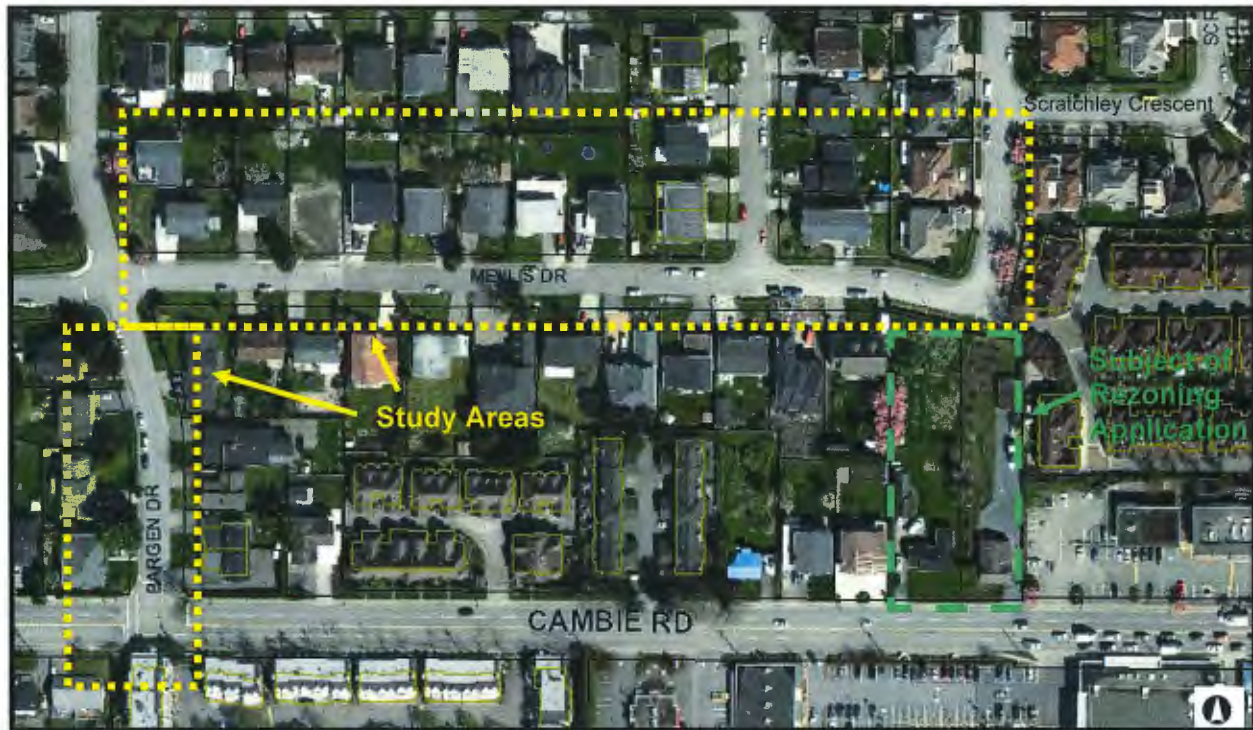


Figure 1: Traffic and Parking Study Area

Mellis Drive

On-street parking is permitted on Mellis Drive between Bergen Drive and the subject site. The on-street parking is typically utilized at approximately 64% on the south side, and up to four vehicles parked on the north side. There is no parking permitted in front of the subject site and along the curved section of the Mellis Drive, as the roadway turns north, due to sightline and wheel path requirements. No parking violations or safety concerns were noted during the surveys and traffic was observed to flow smoothly in this section of roadway as well.

Date	Time	Bergen Drive		Mellis Drive		
		West Side	East Side ⁽²⁾	South Side	North Side	West Side ⁽¹⁾
Tuesday, September 29, 2015	7:30 pm	2	0	8	4	3
Wednesday, September 30, 2015	7:30 pm	2	0	6	4	2
Thursday, October 1, 2015	8:30 pm	1	0	9	0	2
On Street Parking Supply		4	2	14	14	3

(1) Mellis Drive in this section to Scratchley Crescent runs north-south.

(2) Parking Restriction 7 a.m.-6 p.m. Monday-Friday.

Mellis Drive Speed Surveys

Traffic speed counters were installed on Mellis Drive from October 1, 2015 to October 6, 2015 in both directions of traffic. Two locations were studied: the first; along the straight portion of the street (11700-block), and the second one; to capture the vehicle speeds at the east end of Mellis Drive; where it curves north (11900-block). For the straight section of Mellis Drive in the 11700-block; the average speed in both directions was 35 km/h; which is well within the permitted posted speed of 50 km/h. Along the curved section of roadway in the 11900-block; the average speeds were 34 km/h in the southbound direction, and 29 km/h in the eastbound direction. Again, the vehicle speeds were within the posted speed limit. Based on these results, staff conclude that no notable speeding activities exist on this section of Mellis Drive, and no speed mitigation measures are warranted at this time.

Bergen Drive and Cambie Road Intersection – Pedestrian Movements

The Bergen Drive-Cambie Road intersection currently has a pedestrian signal controlled crosswalk across the west leg of the intersection; providing pedestrians the ability to cross Cambie Road on walk indication; with a red traffic signal facing Cambie Road when the pedestrian pushbutton is pressed. The crosswalk is located on the west leg of the intersection to reduce the potential conflicts with vehicles; particularly left-turn vehicles, making the southbound to east bound left turn from Bergen Drive.

To evaluate the operation and assess any concerns with pedestrian and vehicle conflicts at this intersection, vehicular and pedestrian counts were conducted on Tuesday November 3, 2015 in the morning and afternoon peak hours. Based on the number of pedestrian and vehicular traffic movements at the intersection, an upgrade from the pedestrian signal to a full traffic signal is not warranted at this time. Staff support the installation of vehicle detection loops on Bergen Drive which will change the traffic lights on Cambie Road from green to red to better address the demand of vehicles on the local street during the peak hours. Further, no safety concerns or conflicts were observed for motorists turning right (westbound) from Bergen Drive to Cambie Road during the pedestrian walk phase (i.e., when the traffic on Cambie Road is stopped to allow pedestrians to cross). As noted earlier, motorists turning left (eastbound) from Bergen Drive to Cambie Road do not create any conflicts with pedestrians, as the crosswalk is on the west side of the intersection.

Traffic Study Conclusion

The traffic studies conducted on Mellis Drive and Bergen Drive in the study area indicate no traffic or pedestrian safety issues that would require further improvements at this time. As well, as there were no traffic violations or excessive number of vehicles parked on the street during the site visits, no immediate actions are recommended at this time. Staff will continue to monitor this location to determine if any changes to the traffic and parking conditions require further actions.

Staff note that while the traffic studies were conducted in late 2015, there have been no major changes to land use or density in the area to suggest that the results are no longer valid. Staff are of the opinion that the results of the studies still accurately reflect on-street parking and vehicle speed in the area.

Site Access

In response to comments from the Planning Committee and the public delegation at the Planning Committee held September 22, 2015, the applicant is proposing to relocate the single site access from Mellis Drive to Cambie Road. Transportation staff supports the proposed access as it will be located as far away from the No. 5 Road/Cambie Road intersection as possible and be restricted to right-in/right-out movements from Cambie Road to the site. This access will be located at the west end of site's Cambie Road frontage. This vehicular access would also be secured by a Public Right-of-Passage (PROP) Statutory Right-of-Way (SRW) in favour of the adjacent properties to the west of the site, and could be utilized by the adjacent sites when they apply to redevelop into a townhouse development. Registration of a legal agreement on Title ensuring vehicle access is limited to Cambie Road only (with no vehicle access to or from Mellis Drive) will also be required prior to final adoption of the rezoning bylaw.

Site Layout

The site layout has also been revised to accommodate the vehicle access from Cambie Road. One unit in the townhouse cluster fronting Cambie Road and one visitor parking stall have been eliminated. The number of townhouse units proposed has been reduced from 21 units to 20 units. The number of visitor parking stalls provided on site has been reduced from five spaces to four spaces, which meets the minimum requirement of Richmond Zoning Bylaw 8500. The entry driveway off Mellis Drive has also been removed and replaced by a landscape feature. The design details of the landscape feature will be reviewed through the Development Permit application process as part of the review of the overall landscape design.

Affordable Housing Strategy

Consistent with the current Affordable Housing Strategy, the applicant will make a cash contribution to the Affordable Housing Reserve Fund at \$4.00 per buildable square foot for a contribution of \$97,077.28.

Public Art

The applicant will provide a contribution in the amount of \$0.83 per buildable square foot (2017 rate) to the City's Public Art Fund. The amount of the contribution would be \$20,143.54.

Indoor Amenity Space

The applicant is proposing a contribution in-lieu of on-site indoor amenity space in the amount of \$21,000 (based on a 20-unit townhouse development) as per the Official Community Plan (OCP) and Council Policy.

Variances Requested

The proposed development is generally in compliance with the "Low Density Townhouses (RTL4)" zone other than the variances noted below. Based on the review of the current plans for the project, the following variances are being requested:

- Reduce the minimum lot width from 50.0 m to 43.0 m on major arterial road;

- Reduce the front yard setback (Cambie Road) from 6.0 m to 4.5 m; and
- Reduce the rear yard setback (Mellis Drive) from 6.0 m to 4.5 m.

Staff support the requested variances recognizing that a wider side yard setback is provided on the east side to accommodate the pedestrian walkway, and a 2 m road dedication is required along the entire Cambie Road frontage. These variances will be reviewed in the context of the overall detailed design of the project; including architectural form, site design and landscaping at the Development Permit stage.

Public Consultation

Open House

An Open House was held on October 5, 2016 at the Cambie Community Centre regarding the revised development proposal. An Open House flyer was delivered by the applicant to approximately 203 households (see Attachment E for a map of the Notification Area) 10 days prior to the Open House.

Two options were presented at the Open House:

- Option A with two 2-storey end units fronting on Mellis Drive (Attachment F).
- Option B with a 6-unit townhouse cluster (2 to 3-storey units) fronting on Mellis Drive (Attachment G).

Four residents attended the Open House; all attendees reside within the notification area. Staff attended the Open House to observe the meeting and answer policy or process-related questions. Comment sheets were provided to all the attendees. Three completed comment sheets were received (Attachment H). Two attendees were in favour of Option A and generally support the driveway to the proposed townhouse development being relocated to take access from Cambie Road. The applicant is proposing to proceed with Option A.

Rezoning Sign

An updated 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 updated 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*.

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

In response to Planning Committee comments and delegation comments at the Planning Committee held September 22, 2015, the applicant has revised the proposal to reduce the number of units proposed from 21 to 20 townhouse units with sole vehicle access to and from Cambie Road. The proposal is consistent with the 2041 Official Community Plan (OCP) and East Cambie Area Plan land use designations. Further review of the project design is required to ensure a high quality project and design consistency with the existing neighbourhood context, and this will be completed as part of the Development Permit application review process.

The applicant has agreed to the list of rezoning considerations (signed concurrence on file) outlined in Attachment I.

On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9293, be introduced and given first reading.



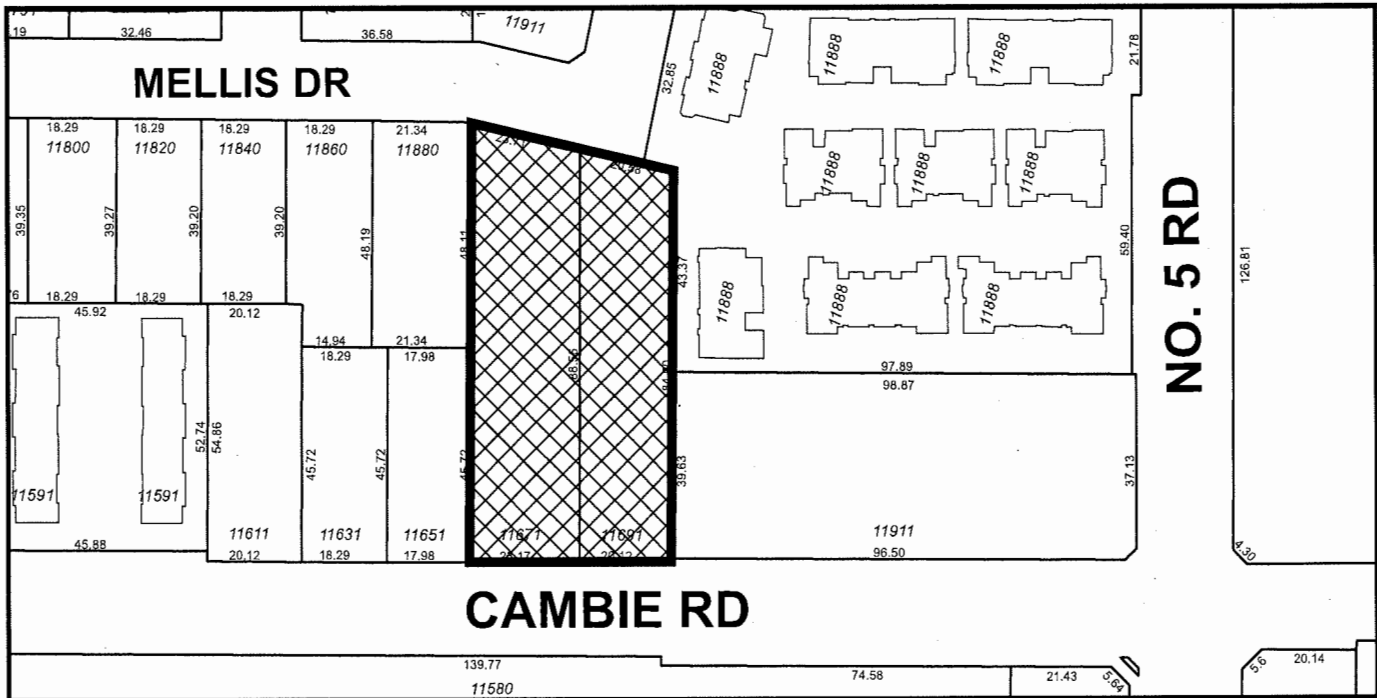
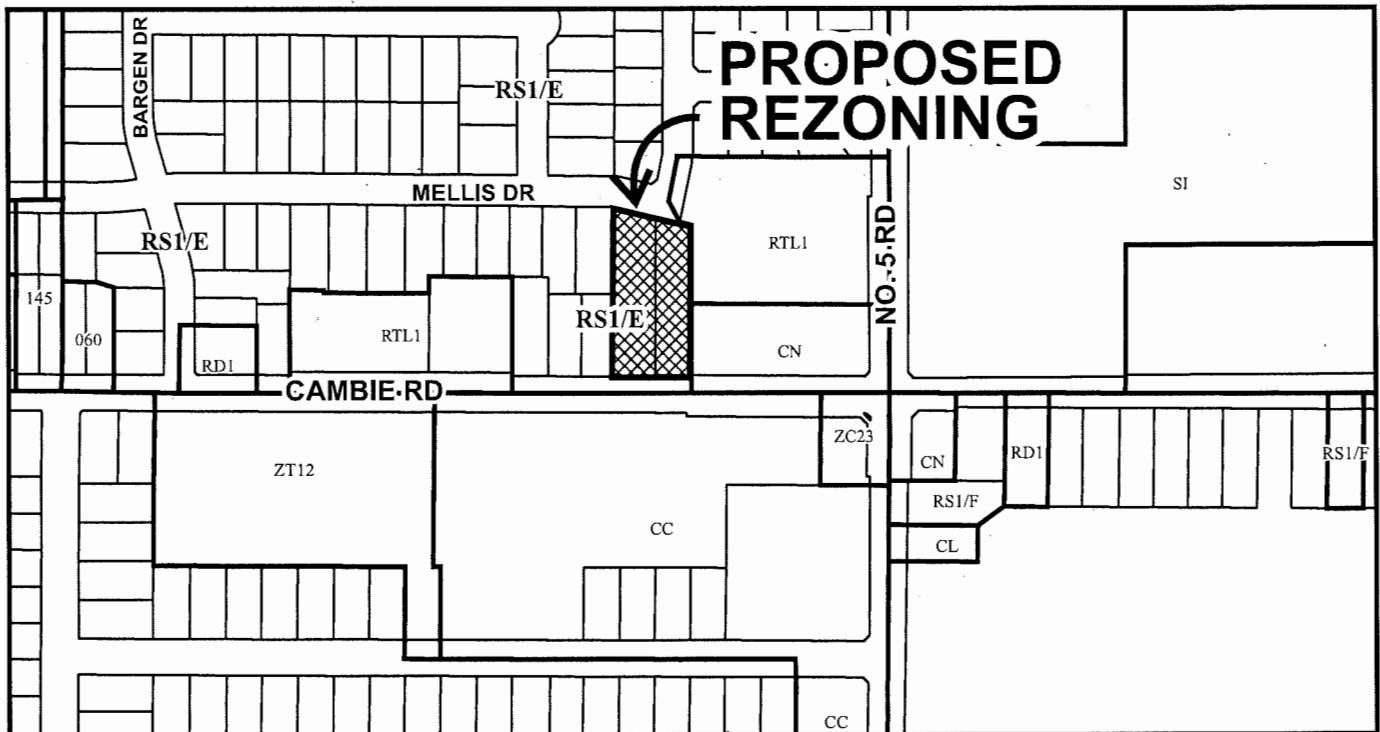
Edwin Lee
Planner 1
(604-276-4121)

EL:blg

Attachment A: Location Map
Attachment B: Conceptual Development Plans
Attachment C: Report to Committee dated September 10, 2015
Attachment D: Development Application Data Sheet
Attachment E: Open House Notification Area
Attachment F: Option A Presented at the Open House
Attachment G: Option B Presented at the Open House
Attachment H: Completed Comment Sheets Received at the Open House
Attachment I: Rezoning Considerations



City of
Richmond



RZ 14-670471

Original Date: 09/04/14

Revision Date: 09/11/15

Note: Dimensions are in METRES



City of Richmond



RZ 14-670471

Original Date: 09/04/14

Revision Date:

Note: Dimensions are in METRES

[illegible][illegible]

LEGEND

- ZONING DISTRICT
- LOT LINE
- LOT LINE (PROPOSED)
- WATER
- PARK
- HIGHWAY
- AIRPORT
- RAILROAD
- OTHER

NOTES

1. ZONING DISTRICTS ARE SHOWN IN YELLOW.
2. LOT LINES ARE SHOWN IN BLACK.
3. LOT LINES IN DASHED BLACK ARE PROPOSED.
4. WATER IS SHOWN IN LIGHT BLUE.
5. PARK IS SHOWN IN LIGHT GREEN.
6. HIGHWAY IS SHOWN IN LIGHT ORANGE.
7. AIRPORT IS SHOWN IN LIGHT PINK.
8. RAILROAD IS SHOWN IN LIGHT PURPLE.
9. OTHER IS SHOWN IN LIGHT GRAY.

SCALE

0 100 200 FEET

DATE

JULY 2011

REVISIONS	
AUG 1, 2014	Issued for R2 Application
NOV 27, 2014	Issued for Review
DEC 14, 2014	Issued for Review
JAN 28, 2015	Minor Revision for Review
FEB 20, 2017	R2 No-Action
CONSULTANTS	
<p>INTERFACIS: 1180 Cambie Road Richmond BC Canada V6X 3Z5 Tel: 604 271 1182 Fax: 604 271 1181 www.interfacisarchitects.com</p>	
<p>PROJECT Proposed 21-Unit Townhouse Development 11871/11881 Cambie Road Richmond, B.C.</p>	
<p>PROJECT NO. 1412</p>	
<p>SCALE As Noted</p>	
<p>DATE Aug. 1, 2014</p>	
<p>DRAWN BY K.C. SRI, E.L. AL</p>	
<p>CHECKED BY KVC</p>	
<p>SHEET TITLE STREETSCAPES</p>	
<p>DRAWN A5.1</p>	



STREETSCAPE ON MELLIS DRIVE
Scale: 1/8" = 1'-0"



STREETSCAPE ON CAMBIE ROAD
Scale: 1/8" = 1'-0"

INTERFACE:

PROJECT

— 100 —

[illegible]

EXTERIOR FINISHES

- HORIZONTAL LARGE PLANK CEDAR/MILL BENDING
- A - Colour: BM C270 (Dove White)
B - Colour: BM 2122-10 (Stone White)
C - Colour: BM 2122-10 (Stone White)
D - Colour: BM 2122-10 (Stone White)
- FIBREGLASS ASPHALT ROOF SHINGLES
- 2x4 WOOD TRIM BOARDS - PAINTED
Colour: BM C270 (Dove White)
- 2x4 WOOD TRIM BOARDS - PAINTED
Colour: BM C270 (Dove White)
- 1/4 T&B BOARD ON 2x6 BARGE BOARD
Colour: BM C270 (Dove White)
- BUILT UP FLOOR - REFER TO DETAILS
Colour: BM C270 (Dove White)
- VINYL-FRAMED DOUBLE-GLAZED WINDOWS
Visible or Externals, Colour: Anodized Aluminum
- 2x6 WINDOW/DOOR BOARD - PAINTED
Colour: BM C270 (Dove White)
- ALUMINUM FLASH GUTTER
Colour: BM 16156 (Kensal Charcoal)
- ENTRY SOLID WOOD DOOR WITH SILENT
Door Colour: BM 2025-10 (Rustic Oak)
Door Colour: BM 174 (Aegean)
- OVERHEAD WOOD PANEL GARAGE DOOR
Colour: BM 2122-10 (Stone White)
- METAL RAILING
Colour: BM 16156 (Kensal Charcoal)
- DOUBLE GLAZE VINYL SLIDING DOOR
Colour: Anodized Aluminum
- ELECTRICAL ROOM DOOR
Colour: BM 2122-10 (Stone White)
- PLASTER BOX
Colour: BM 2122-10 (Stone White)

BUILDING 2 & 5 FRONT ELEVATION
Scale: 1/8"=1'-0"

BUILDING 2 & 5 SIDE ELEVATION
Scale: 1/8"=1'-0"

BUILDING 2 & 5 BACK ELEVATION
Scale: 1/8"=1'-0"

BUILDING 2 & 5 SIDE ELEVATION
Scale: 1/8"=1'-0"

BUILDING 2 & 5 FRONT ELEVATION
Scale: 1/8"=1'-0"

BUILDING 2 & 5 PLAN - LEVEL 1
Scale: 1/8"=1'-0"

BUILDING 2 & 5 PLAN - LEVEL 2
Scale: 1/8"=1'-0"

PH - 23

PROJECT	Proposed 20-Unit Townhouse Development 1347-1134 101st Avenue Barnesville, GA
PROJECT NO.	1412
SCALE	As Indicated
DATE	Aug. 1, 2014
DRAWN BY	KYC, GRS, J.L. AL
CHECKED BY	KYC
SHEET TITLE	BUILDING PLANS & ELEVATIONS: BUILDING 4
DRAWING	A3.4



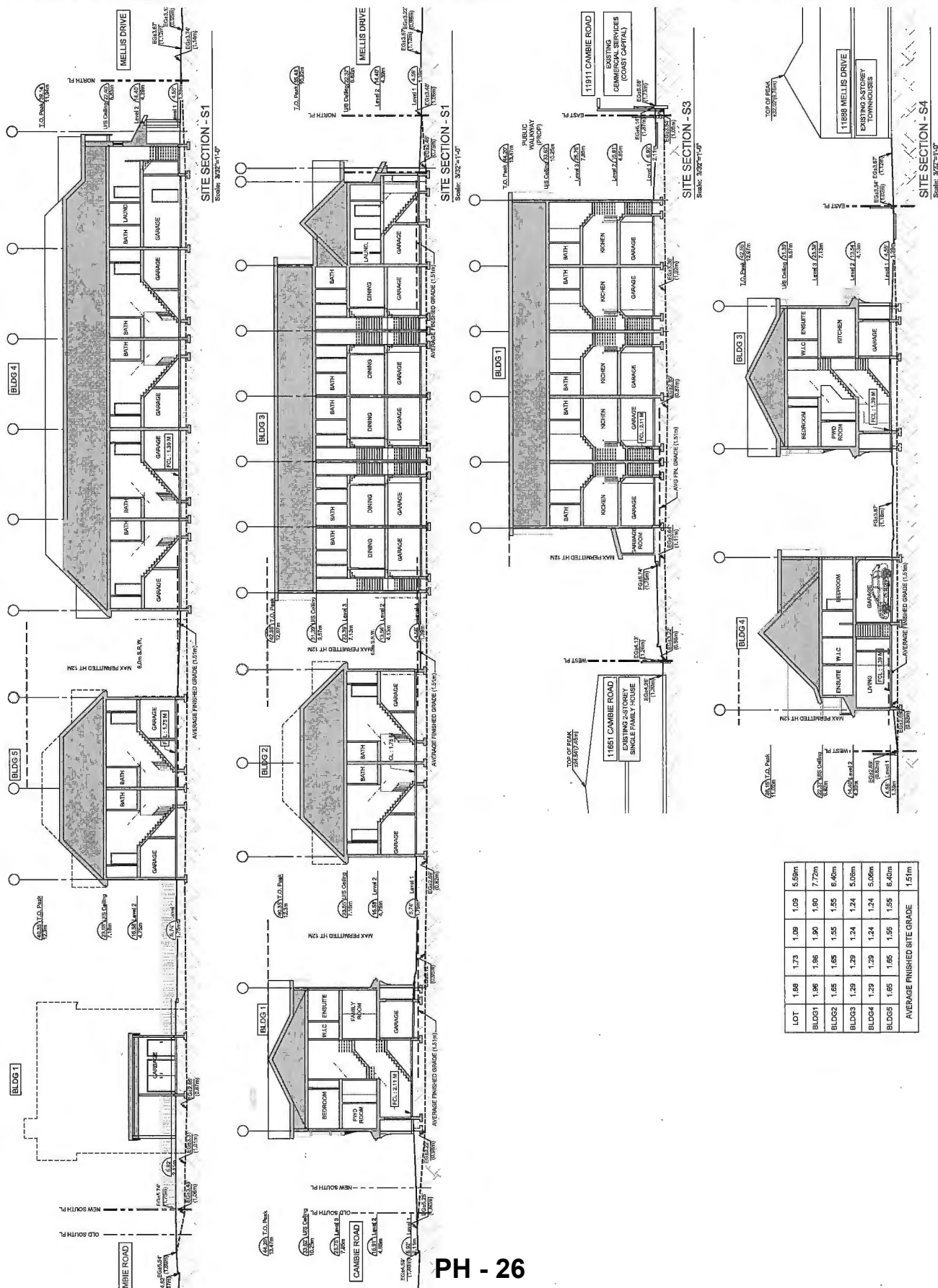
REVISIONS	
AUG 1, 2014	Issued for PZ Application
NOV 27, 2014	Issued for Review
DEC 04, 2014	Issued for Review
JAN 03, 2015	Minor Revisions for Review
AUG 27, 2015	PC No. Submittal
FEB 24, 2017	PC No. Submittal
CONSULTANTS	
<p>ALL RIGHTS AND INTERESTS ARE RESERVED BY THE ARCHITECT. NO PART OF THIS DRAWING MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN OF THE PROJECT AND DOES NOT EXTEND TO THE CONSTRUCTION OF THE PROJECT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT.</p>	
SEA	

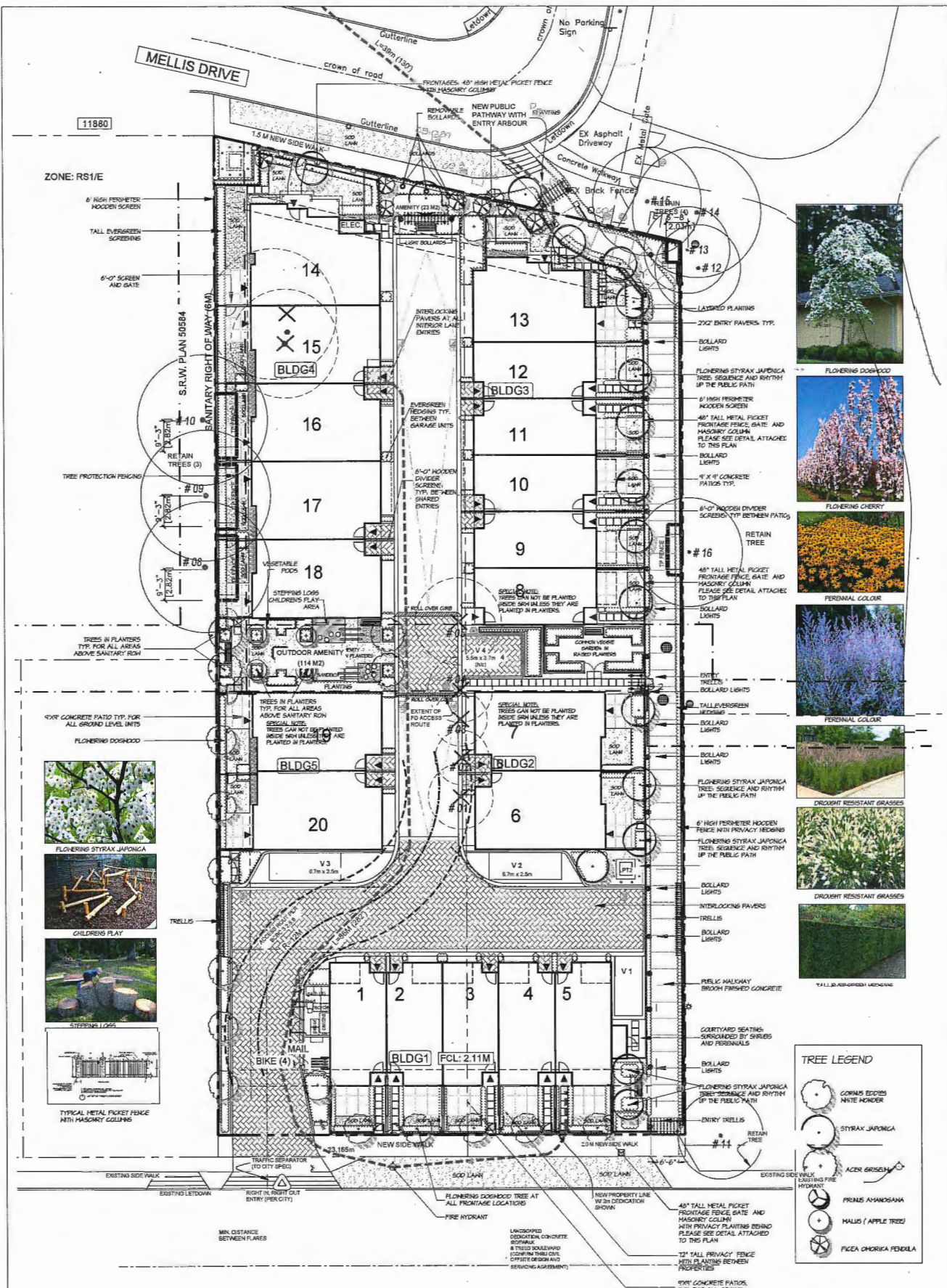
INTERFACE:

11888 Cambie Road
Richmond, BC V6X 3Z5
Tel: 604.271.1188
Fax: 604.271.1188
www.interfacearchitects.com

PROJECT
Proposed 2-Unit
Townhouse Development
11888 Cambie Road
Richmond, B.C.

PROJECT NO.	1412
SCALE	As Shown
DATE	Aug. 1, 2014
DRAWN BY	KYC, SRS, B.L.
CHECKED BY	KYC
SHEET TITLE	SITE SECTIONS
DRAWING	A5.2





PROPOSED 20-UNIT TOWNHOUSE DEVELOPMENT
11671, 11691 CAMBIE ROAD, RICHMOND, BC

M2 LANDSCAPE ARCHITECTURE
220-26 LORNE MEWS
NEW WESTMINSTER BC
T 604 553-0044

REVISION #4
DRAWN BY TK
REVISOR: DSD (HKT)
SCALE: 1/4\"/>





City of Richmond

Report to Committee Planning and Development Division

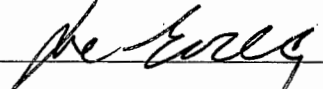
To: Planning Committee **Date:** September 10, 2015
From: Wayne Craig **File:** RZ 14-670471
 Director of Development
Re: Application by Interface Architecture Inc. for Rezoning at 11671 and 11691
 Cambie Road from Single Detached (RS1/E) to Low Density Townhouses (RTL4)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9293, for the rezoning of 11671 and 11691 Cambie Road from "Single Detached (RS1/E)" to "Low Density Townhouses (RTL4)", be introduced and given first reading.


 Wayne Craig
 Director of Development

WC:mp
 Att.

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

Staff Report

Origin

Interface Architecture Inc. has applied to the City of Richmond for permission to rezone 11671 and 11691 Cambie Road from “Single Detached (RS1/E)” zone to “Low Density Townhouses (RTL4)” zone in order to develop 21 townhouse units. Single family houses that previously occupied the site have been demolished. A location map is provided in Attachment 1.

Project Description

The two properties, with a total frontage of 43.3 m, are proposed to be consolidated into one development parcel. The proposed 21 townhouse units are distributed in five buildings arranged around a T-shaped internal driveway with access from Mellis Drive. The six units fronting onto Cambie Road will have direct pedestrian access from the street and garage access from the rear, and the units in the interior buildings will have both their front entrances and garages from the internal driveway.

The two buildings along the west property line and the duplex located in the middle of the site along the east property line are two storeys in height. The building fronting onto Cambie Road and the building at the northeast corner are three storeys in height, but both buildings step down to two storeys where it adjoins the existing two-storey house on the west side and the street (i.e., Mellis Drive) to the north. A wider east side yard setback of 8.2 m is provided to the three-storey building at the northeast corner to reduce any potential impacts on the existing townhouse development to the east.

A common outdoor space is proposed in the middle of the site, and five visitor parking spaces are distributed around the site. The development also includes a 3.5m-wide Public Right-of-Passage (PROP) statutory right-of-way along the eastern edge of the site to provide a pedestrian link between Mellis Drive and Cambie Road.

A preliminary site plan, building elevations and landscape plan are contained in Attachment 2.

Findings of Fact

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

Surrounding Development

To the North: Across Mellis Drive are single-family homes on lots zoned “Single Detached (RS1/E)”.

To the South: Across Cambie Road is a shopping centre on a lot zoned “Community Commercial (CC)”.

To the East: A commercial development on a lot zoned "Neighbourhood Commercial (CN)", which is currently occupied by a financial institution, and a 33-unit townhouse development on a lot zoned "Low Density Townhouses (RTL1)" with vehicular access from Mellis Drive.

To the West: To the west are single family homes on lots zoned "Single Detached (RS1/E)". The properties fronting onto Cambie Road are designated "Residential", which may include multiple family housing, and the properties fronting onto Mellis Drive are designated "Residential (Single-Family Only)" in the East Cambie Area Plan (Attachment 4).

Related Policies & Studies

2041 Official Community Plan

The subject properties are designated "Neighbourhood Residential (NRES)" in the 2041 Official Community Plan (OCP), and "Residential", which permits multiple family housing, in the East Cambie Area Plan. The East Cambie Area Plan land use designation permitting multiple family housing encompasses the entire site. The townhouse proposal is consistent with these designations.

Floodplain Management Implementation Strategy

The applicant is required to comply with the requirement of Richmond Flood Plain Designation and Protection Bylaw 8204. A Flood Indemnity Restrictive Covenant is required to be registered on title prior to adoption of the rezoning bylaw.

Townhouse Energy Efficiency and Renewable Energy Policy

The applicant has committed to achieving an EnerGuide Rating System (ERS) score of 82 or higher and providing pre-ducting for solar hot water for the proposed development. A legal agreement specifying all units are to be built and maintained to the ERS82 or higher, and all units are to be solar-hot-water ready is required prior to rezoning bylaw adoption. As part of the Development Permit application process, the developer is also required to retain a Certified Energy Advisor (CEA) to complete an Evaluation Report to confirm details of construction requirements needed to achieve the rating.

OCP Aircraft Noise Sensitive Development (ANSD) Policy

The site is located within Area 4 of the ANSD map, which allows consideration of all new aircraft noise sensitive uses, including townhouses. An Aircraft Noise Sensitive Use Restrictive Covenant is to be registered on title prior to final adoption of the rezoning bylaw. Also, the applicant is to submit a report for indoor noise mitigation and climate control measures as part of the Development Permit application.

Public Input

The applicant has forwarded confirmation that two development signs have been posted on the site. In addition, the applicant distributed notification to 41 adjacent properties (including properties along Mellis Drive and Bergen Drive located outside of the standard 50m notification

area) to seek input on the proposed development, and invite the residents to a public information meeting. The map showing the properties notified of the proposed development is included in Attachment 5.

The public information meeting was held at 7:00 pm on September 9, 2015 at Cambie Community Centre. The meeting was formatted as an open house to allow attendees to walk around the room, read information on display boards with the conceptual development plans and colour illustrations, and ask questions and/or provide comments. The developer, project architect, landscape architect and traffic consultant were in attendance, and Planning staff also attended the meeting to observe and answer questions about the application process.

Two households at 11880 Mellis Drive and 11720 Mellis Drive were represented at the public information meeting. The meeting attendees were generally supportive of the proposed development and appreciated its high quality design and provision of the proposed pedestrian walkway connecting Mellis Drive and Cambie Road. However, there were concerns regarding potential traffic impact in the established single-family neighbourhood to the north and parking spill-over onto Mellis Drive. The meeting attendees also provided written comments, which are attached to this report.

In addition to the written comments from the meeting attendees, two additional written submissions were received; one resident (no address provided, identified himself as a resident in the Mellis neighbourhood) expressing concerns about traffic increase and parking spill-over onto Mellis Drive, and a resident at 3920 Barga Drive expressing concerns regarding traffic impacts at the Barga Drive and Cambie Road intersection. (The proposed site access and traffic impacts are discussed in detail in the "Analysis" section of the report.)

A total of five written submissions (two submissions are from the same resident at 11720 Mellis Drive) received from residents are included in Attachment 6. Should the rezoning application proceed, a Public Hearing will provide opportunity for additional public input.

Analysis

OCP Compliance

The proposed rezoning is consistent with the 2041 OCP and East Cambie Area Plan land use designations which permit various housing types including townhouses along Cambie Road. Also, the proposed development is generally consistent with the Development Permit Guidelines for multiple-family developments contained in the 2041 OCP.

As identified in the 2041 OCP, a 3.5m-wide public walkway (a 2 m-wide hard-surfaced path with landscaping on both sides) will be provided along the east property line. The proposed walkway would significantly improve the neighbourhood connection by providing a direct pedestrian link from Mellis Drive to Cambie Road.

Transportation and Site Access

Vehicular access is to be from Mellis Drive. Considering potential concerns from residents regarding traffic intrusion in the adjacent area that is predominantly characterized by single

detached homes, the applicant has submitted a Traffic Impact Assessment report prepared by Creative Transportation Solutions Ltd. in support of the proposed access. Based on the data collection and analysis, the consultant has concluded that the traffic impact of the proposed development on the adjacent roads would have a marginal increase in traffic volume over the existing condition.

Transportation staff have accepted that the traffic impacts presented in the report, and support the access from Mellis Drive with a condition that the developer agrees to upgrade traffic signals at the intersection of Barga Drive and Cambie Road, and to provide a partial cash contribution of \$20,000 for future provision of Accessible Pedestrian Signal (APS) and illuminated street signs at the intersection of Cambie Road and No.5 Road.

As part of the off-site roadworks to be secured through a Servicing Agreement (SA), the north leg of Barga Drive at Cambie Road will be upgraded to include vehicle detection devices, which will allow the existing pedestrian signal to transition to a red light on Cambie Road when a vehicle on Barga Drive is waiting at the intersection.

Staff support the proposed access from Mellis Drive based on the following:

- The Traffic Impact Assessment demonstrates that the impacts of the proposed development would be manageable.
- Traffic signal upgrades will be provided at the Cambie Road and Barga Drive intersection, and the developer has also agreed to provide a cash contribution for future improvements at the intersection of Cambie Road and No.5 Road as a condition of rezoning approval.
- The traffic signal upgrades at the intersection of Cambie Road and Barga Drive will improve traffic circulation for area residents that exit the neighbourhood via this intersection.
- The pedestrian walkway will encourage walking by improving connectivity and access to the neighbourhood and help reduce the reliance on private vehicles for short trips.
- Allowing access from Mellis Drive will limit driveway access that would impede through-traffic flow on the major road (i.e., Cambie Road) and help reduce conflicts between vehicular and pedestrian movements.
- A pedestrian-friendly streetscape can be achieved by avoiding vehicular access from Cambie Road.
- The Mellis Drive access will allow full movement access to/from the site for convenience of future residents.

Transportation staff have noted that, should Council wish to pursue access from Cambie Road, the site design could be adjusted through the DP process. If access to Cambie Road is to be accommodated, design features will need to be incorporated to limit turning movements at the site access to right-in and right-out only due to its proximity to the No.5 Road and Cambie Road intersection. As well, a restrictive covenant limiting turning movements may need to be required to be registered on title.

Public Right-of-Passage (PROP)

A Public Right-of-Passage (PROP) statutory right-of-way over the internal driveway will be secured prior to final adoption of the rezoning bylaw to provide an access option from Mellis Drive for a future development to the west along Cambie Road. Should the City receive a development application for the adjacent sites to the west, access to the future development will be assessed by staff at the time of application.

Site Servicing and Frontage Improvements

Prior to final adoption of the rezoning bylaw, the developer is required to enter into a SA for the design and construction of required frontage improvements on Cambie Road and Mellis Drive including new sidewalk and treed boulevard as well as any traffic signal modifications, utility relocations or upgrades. The SA will also include the design of construction of the pedestrian walkway including installation of way-finding signage, and a 2 m road dedication required along the entire Cambie frontage for future road widening.

Existing Legal Encumbrance

A statutory right-of-way (registration number RD32263) for sanitary sewer runs east-west across the subject site. No permanent structure will be allowed on the right-of-way.

Tree Retention and Replacement

A Tree Survey and a Certified Arborist's Report were submitted in support of the application. The City's Tree Preservation Coordinator has reviewed the Arborist Report and provided the following comments:

- Seven (7) trees located on the development site are all in poor condition and have been previously topped or exhibit structural defects such as cavities at the main branch union and co-dominant stems with inclusions. As a result, these trees are not good candidates for retention and should be replaced.
- Nine (9) trees located on neighbouring properties are to be retained and protected as per Arborist report specifications.

Based on the 2:1 tree replacement ratio goal stated in the OCP, 14 replacement trees are required for the removal of 7 trees. According to the preliminary landscape plan, the developer is proposing to plant over 20 new trees on-site. The size and species of replacement trees and a detailed landscape design will be reviewed at the Development Permit stage.

Tree protection fencing has been installed to City standards prior to the demolition of the houses that previously occupied the site in order to ensure the trees on the neighbouring properties are protected. The tree protection plan is included in Attachment 7. Prior to final adoption of the rezoning bylaw, proof that the owner has entered into a contract with a Certified Arborist to monitor all works to be done near or within the tree protection zones will be required.

Requested Variances

The proposed development is generally in compliance with the “Low Density Townhouses (RTL4)” zone other than the variances noted below. Based on the review of the current plans for the project, the following variances are being requested:

- Reduce the front yard setback (Mellis Drive) from 6.0 m to 4.5 m.
- Reduce the rear yard setback (Cambie Road) from 6.0 m to 4.5 m.

Staff support the requested variances recognizing that a wider side yard setback is provided on the east side to accommodate the pedestrian walkway, and a 2 m road dedication is required along the entire Cambie Road frontage. These variances will be reviewed in the context of the overall detailed design of the project, including architectural form, site design and landscaping at the Development Permit stage.

Affordable Housing Strategy

Consistent with the Affordable Housing Strategy, the applicant has agreed to make a cash contribution to the Affordable Housing Reserve Fund at \$2.00 per buildable square foot for a contribution of \$48,534.40.

Public Art

The applicant has agreed to provide a voluntary contribution in the amount of \$0.77 per buildable square foot (2014 rate) to the City’s Public Art Fund. The amount of the contribution would be \$18,685.70.

Indoor Amenity Space

The applicant is proposing a contribution in-lieu of on-site indoor amenity space in the amount of \$23,000 as per the OCP and Council Policy.

Outdoor Amenity Space

Outdoor amenity space will be provided on-site. Based on the preliminary design, the size of the proposed outdoor amenity space meets the Official Community Plan (OCP) requirement of 6 m² per unit. Staff will work with the applicant at the Development Permit stage to ensure the configuration and design of the outdoor amenity space meets the Development Permit Guidelines in the 2041 OCP.

Design Review and Future Development Permit Considerations

A Development Permit will be required to ensure that the proposed development is sensitively integrated with adjacent developments. The rezoning conditions will not be considered satisfied until a Development Permit application is processed to a satisfactory level. In association with the Development Permit, the following issues will be further examined in relation to the site.

- Compliance with Development Permit Guidelines for multiple-family developments contained in Section 14 of the 2041 OCP

- Refinement of building form and architectural character
- Provision of a convertible unit and design of other accessibility/aging-in-place features
- Details of the proposed sustainability features
- Landscaping and open space design: enhancement of the outdoor amenity area, Cambie Road and Mellis Drive frontages.
- Design details of the pedestrian walkway, including paving material, lighting, fencing and planting
- Opportunities to maximize permeable surface areas and better articulate hard surface treatment
- Use of Crime Prevention Through Environmental Design (CPTED) to minimize opportunities for crime and promote a sense of security

Additional issues may be identified as part of the Development Permit application review process.

Financial Impact or Economic Impact

None

Conclusion

The proposed 21-unit townhouse development is consistent with the 2041 Official Community Plan and East Cambie Area Plan land use designations. Further design review will be conducted as part of the Development Permit application process to ensure a high quality project and consistency with the Development Permit Area guidelines.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9293 be introduced and given first reading.



Minhee Park
Planner 1

MP:cas

Attachment 1: Location Map

Attachment 2: Conceptual Development Plans

Attachment 3: Development Application Data Sheet

Attachment 4: East Cambie Area Plan Land Use Map

Attachment 5: Public Information Meeting Notification Area

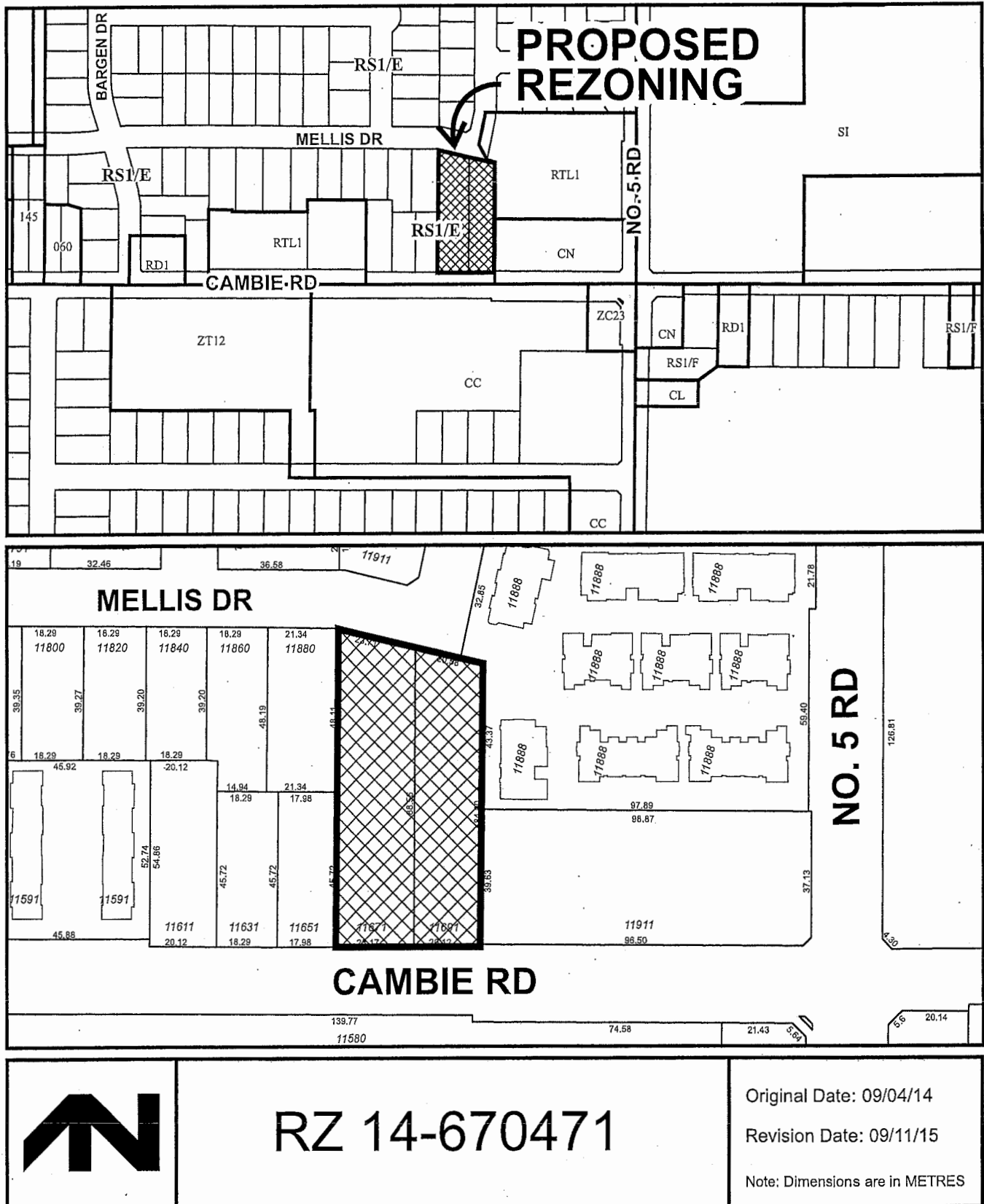
Attachment 6: Comments from Residents

Attachment 7: Tree Management Plan

Attachment 8: Rezoning Considerations

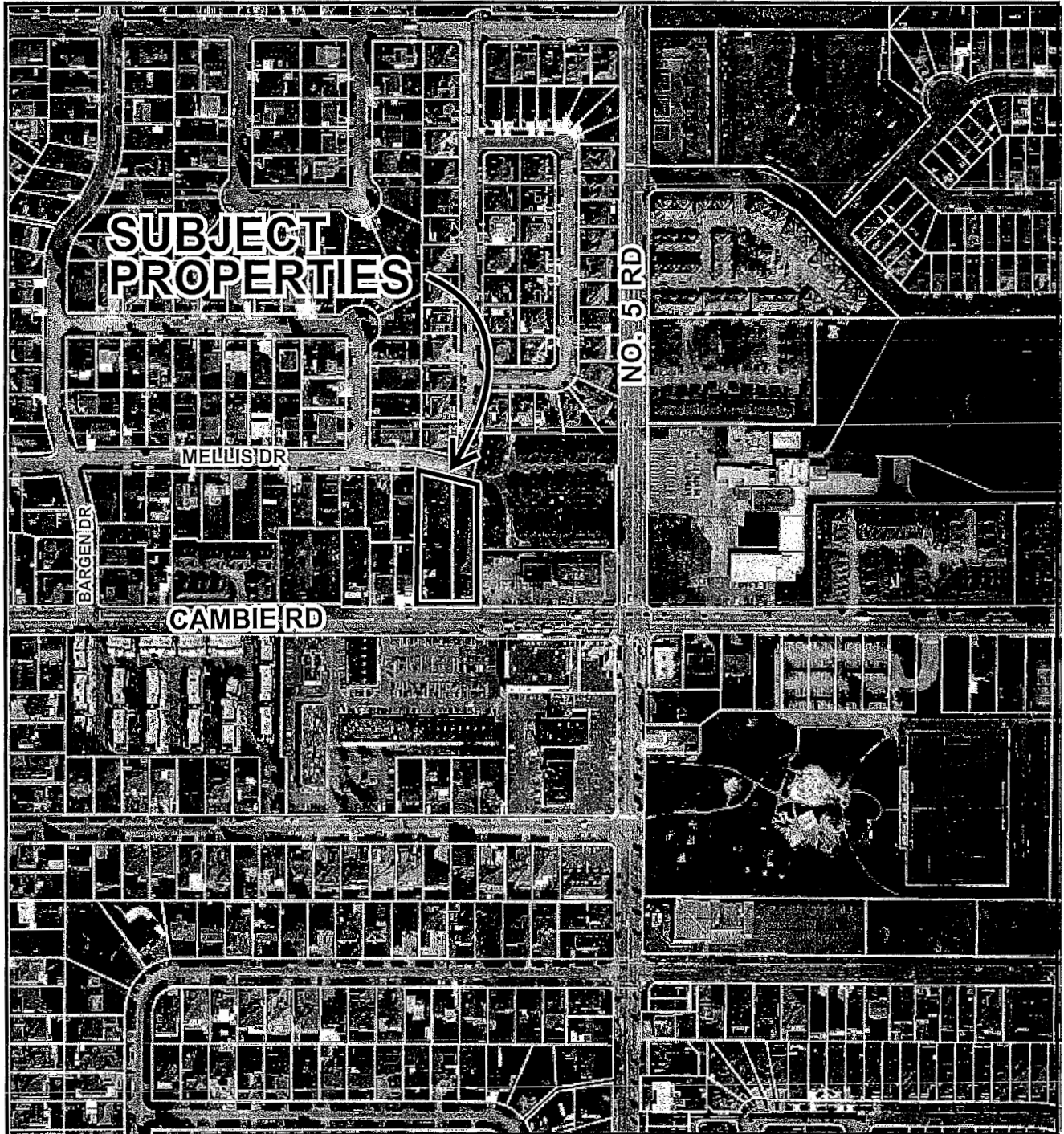


City of
Richmond





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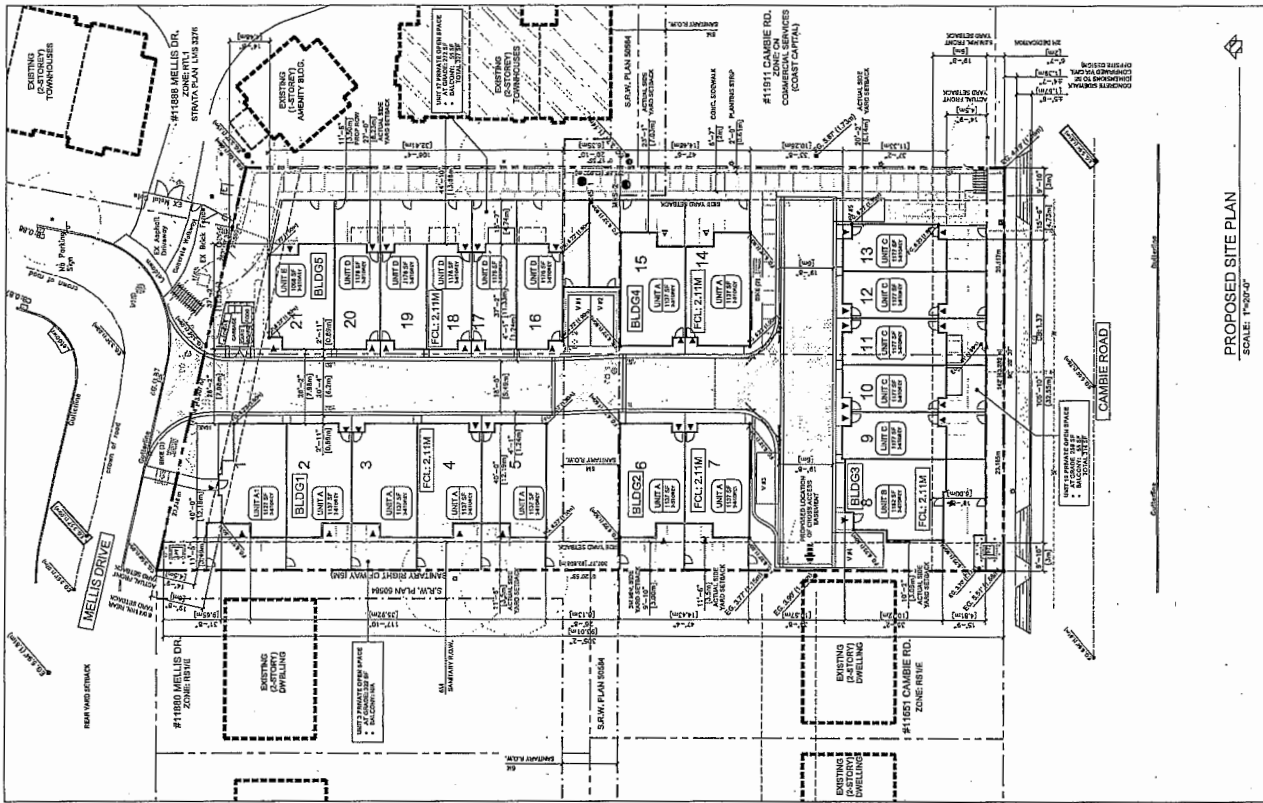
RZ 14-670471

Original Date: 09/04/14

Revision Date:

Note: Dimensions are in METRES

REVISIONS	<p>APR 12, 2014 Issued for 2D Application</p> <p>MAY 02, 2014 Issued for 3D Application</p> <p>JUN 14, 2014 Issued for Review</p> <p>JUN 15, 2014 Minor Revisions for Review</p> <p>AUG 22, 2014 FFE to Interim</p>	
COMMENTS		
<p>INTERFACE:</p> <p>13911 11980 Cumbie Road Richmond, IL 60070 T 604.891.1422 F 604.891.1148 www.danfossamericas.com</p>		
PROJECT	<p>Proposed 24, 400 Ton 13911 11980 Cumbie Road Richmond, IL, 60070</p>	
PROJECT NO.	A11.1	
SCALE	As Shown	
DATE	Aug. 1, 2014	
DRAWN BY	MTC, BLS, EL	
CHECKED BY	MTC	
NO.	000	
SHEET TITLE	PROJECT DATA AND SITE PLAN	
<p>CONVOGS</p> <p style="text-align: right;">A1.1</p>		



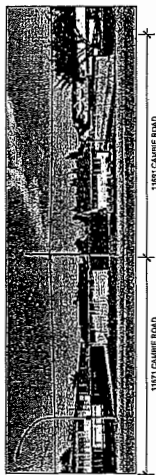
PROJECT DESCRIPTION:

A 21-UNIT TOWNHOUSE DEVELOPMENT IS PROPOSED FOR THIS 3.64 AC. (13,371 SQ. 9,355 ACRES SITE) IN THE EAST CAMBIE NEIGHBOURHOOD. THE 2 EXISTING PARCELS (TWO COMBINED) FRONTING NORTH AVE. WERE PREVIOUSLY ZONED R1B1 AND ARE SUBJECT TO THE EAST CAMBIE CCP AREA PLAN. IT IS A CUL-DE-SAC FRONTING SITE - MAIN FRONTAGE ADDRESSED ONTO CAMBIE ROAD (VAN ARTERIAL, ROAD) WITH A REAR YARD FRONTING ONTO MELLIS DRIVE (A RESIDENTIAL STREET).

THE PROJECT COMPRESES 21 UNITS IN 5 BUILDINGS (TWO DUPLEXES, ONE 4-UPLEX, AND TWO PLEX).

- (1) THE FRONT YARDING IS UP TO 10 FEET WHICH IS TO HAVE 8'0" FOR ANY BIODIVERSITY SPACE, SUBJECT TO THE CONTRIBUTION TO THE APPLICANT'S HOUSING REQUIRE.
 - (2) COMPLIANCE WITH THE ROAD MARKING DESIGN GUIDELINES.
 - (3) COMPLIANCE WITH THE ROAD MARKING DESIGN GUIDELINES.
 - (4) PROVISION OF A 3M ROAD PROTECTION ALONG THE EXISTING ROAD FRONTAGE.
 - (5) PROVISION OF PUBLIC-USE OF PASSAGE (PROVIDE) VIA A PERMITTED PATH WALKWAY THROUGH THE SITE TO CAMDEN ROAD.
 - (6) REGISTRATION OF AN AGREEMENT TO PERMIT FUTURE ACCESS TO THE DEVELOPMENTAL PROPERTIES ON THE WEST.
- ZONING VARIANCES ARE REQUIRED:
- (1) REDUCE THE FRONT YARD SETBACK FROM 6.5M TO 4.5M.
 - (2) REDUCE THE REAR YARD SETBACK FROM 6.5M TO 4.5M.
 - (3) INTERNAL DRIVE WIDTH REDUCED FROM 6.5M TO 4.5M.

PHOTO OF EXISTING CAMBIE ROAD FRONTAGE



CLASS 1 BIKE PARKING (Indoor)					
1.35 spaces per unit: 21 x 1.35 = 27 spaces req'd					
No. Unit	Unit Type	Class	Thr	Class 1	Unit Total
B	A	1	B		
1	A1	1	---	1	1
1	B	1	---	1	1
5	C	2	---	10	10
5	D	2	---	10	10
1	E	---	---	1	1
21					31

BIKE PARKING SUMMARY

BUILDING (SF)		CO-SEGREGATED AREA EXEMPT	CHANGING AREA EXEMPT	STANDARD, FLOOR AREA
1	1	8,535 (259)	(1,038)	(515)
2	2	3,425 (129)	(749)	(239)
3	3	10,002 (179)	(8,819)	(641)
4	4	3,420 (133)	(743)	(230)
5	5	10,002 (179)	(8,819)	(641)
6	6	3,420 (133)	(743)	(230)
7	7	10,002 (179)	(8,819)	(641)
8	8	3,420 (133)	(743)	(230)
9	9	10,002 (179)	(8,819)	(641)
10	10	3,420 (133)	(743)	(230)
11	11	10,002 (179)	(8,819)	(641)
12	12	3,420 (133)	(743)	(230)
13	13	10,002 (179)	(8,819)	(641)
14	14	3,420 (133)	(743)	(230)
15	15	10,002 (179)	(8,819)	(641)
16	16	3,420 (133)	(743)	(230)
17	17	10,002 (179)	(8,819)	(641)
18	18	3,420 (133)	(743)	(230)
19	19	10,002 (179)	(8,819)	(641)
20	20	3,420 (133)	(743)	(230)
21	21	10,002 (179)	(8,819)	(641)
22	22	3,420 (133)	(743)	(230)
23	23	10,002 (179)	(8,819)	(641)
24	24	3,420 (133)	(743)	(230)
25	25	10,002 (179)	(8,819)	(641)
26	26	3,420 (133)	(743)	(230)
27	27	10,002 (179)	(8,819)	(641)
28	28	3,420 (133)	(743)	(230)
29	29	10,002 (179)	(8,819)	(641)
30	30	3,420 (133)	(743)	(230)
31	31	10,002 (179)	(8,819)	(641)
32	32	3,420 (133)	(743)	(230)
33	33	10,002 (179)	(8,819)	(641)
34	34	3,420 (133)	(743)	(230)
35	35	10,002 (179)	(8,819)	(641)
36	36	3,420 (133)	(743)	(230)
37	37	10,002 (179)	(8,819)	(641)
38	38	3,420 (133)	(743)	(230)
39	39	10,002 (179)	(8,819)	(641)
40	40	3,420 (133)	(743)	(230)
41	41	10,002 (179)	(8,819)	(641)
42	42	3,420 (133)	(743)	(230)
43	43	10,002 (179)	(8,819)	(641)
44	44	3,420 (133)	(743)	(230)
45	45	10,002 (179)	(8,819)	(641)
46	46	3,420 (133)	(743)	(230)
47	47	10,002 (179)	(8,819)	(641)
48	48	3,420 (133)	(743)	(230)
49	49	10,002 (179)	(8,819)	(641)
50	50	3,420 (133)	(743)	(230)
51	51	10,002 (179)	(8,819)	(641)
52	52	3,420 (133)	(743)	(230)
53	53	10,002 (179)	(8,819)	(641)
54	54	3,420 (133)	(743)	(230)
55	55	10,002 (179)	(8,819)	(641)
56	56	3,420 (133)	(743)	(230)
57	57	10,002 (179)	(8,819)	(641)
58	58	3,420 (133)	(743)	(230)
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62	62	3,420 (133)	(743)	(230)
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64	64	3,420 (133)	(743)	(230)
65	65	10,002 (179)	(8,819)	(641)
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77	77	10,002 (179)	(8,819)	(641)
78	78	3,420 (133)	(743)	(230)
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92	92	3,420 (133)	(743)	(230)
93	93	10,002 (179)	(8,819)	(641)
94	94	3,420 (133)	(743)	(230)
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97	97	10,002 (179)	(8,819)	(641)
98	98	3,420 (133)	(743)	(230)
99	99	10,002 (179)	(8,819)	(641)
100	100	3,420 (133)	(743)	(230)

PARKING SUMMARY

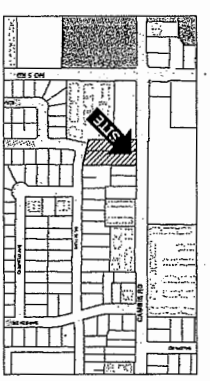
		NO. UNITS	TYPE #1	TYPE #2	TYPE #3	TYPE #4	TYPE #5	TYPE #6
BUILDING 1	5	4	1	—	—	—	—	—
BUILDING 2	2	2	—	—	—	—	—	—
BUILDING 3	6	—	—	1	5	—	—	—
BUILDING 4	2	2	—	—	—	—	—	—
BUILDING 5	6	—	—	—	—	—	—	5
TOTALS	21 units	8 units	1 unit	1 unit	5 units	5 units	5 units	5 units

DRAWING LIST

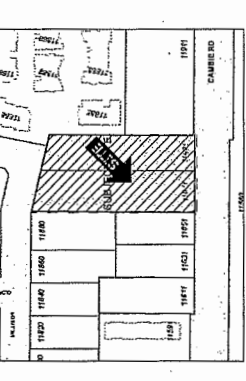
Architectural

A1.1	PROJECT DATA AND SITE PLAN
A1.2	PRE-ACCESS PLAN / TRAILER TURNING PLAN
A1.3	SITE PERMITS / PERMIT CALCULATION
A1.4	PAV. OVERLAY / 2' FLOOR AREA BREAKDOWN
A2	FLOOR PLANS: BUILDINGS 2, 3, 4
A2.1	FLOOR PLANS: BUILDING 2
A2.2	FLOOR PLANS: BUILDING 3
A2.3	FLOOR PLANS: BUILDING 4
A2.4	FLOOR PLANS: BUILDING 5
A2.5	FLOOR PLANS: BUILDING 6
A2.6	FLOOR PLANS: BUILDING 7
A2.7	FLOOR PLANS: BUILDING 8
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A2.97	FLOOR PLANS: BUILDING 98
A2.98	FLOOR PLANS: BUILDING 99
A2.99	FLOOR PLANS: BUILDING 100

LOCATION PLAN



CONTEXT PLAN



PH - 38

[illegible]

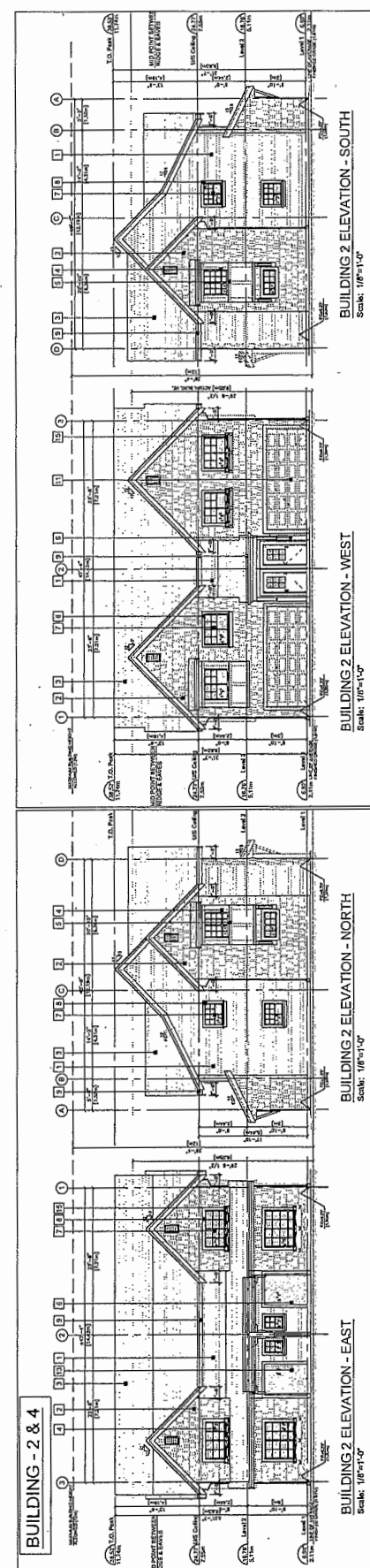
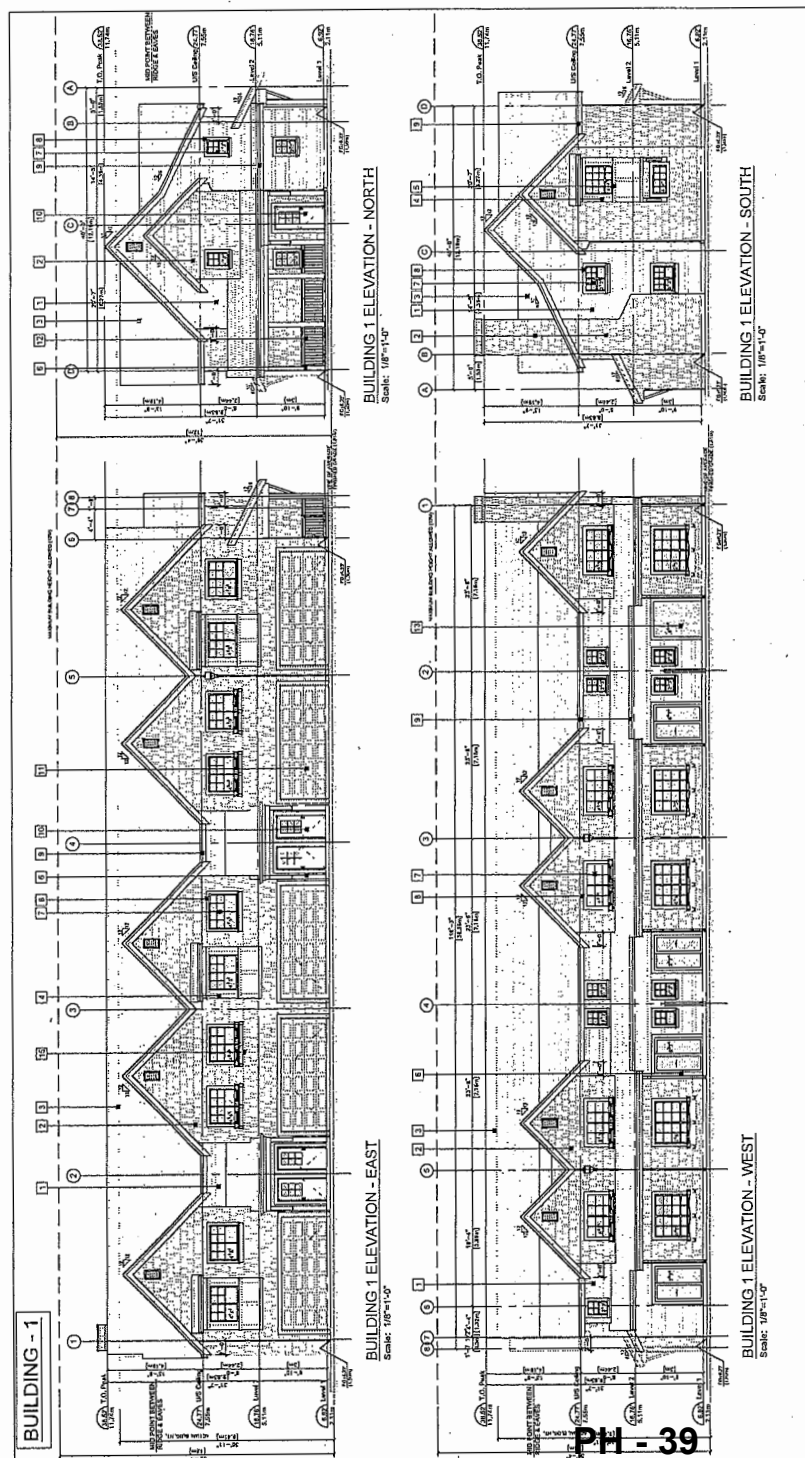
Suite 230
11590 Cambie Road
Richmond BC
Canada V6X 3Z5
T 604 821 1162
F 604 621 1146
www.interfacearchitecture.com

PROJECT	Proposed 21-Unit Townhouse Development 18971 Yucca Canyon Road Buckhorn, WY 82406
PROJECT NO.	1172
SCALE	As Shown
DATE	Aug. 1, 2014
DRAWN BY	KYC, SBE, EL
CHECKED BY	KYC
SHEET TITLE	ELEVATIONS; BUILDING 1/21/4
DRAWING	A3.1

A3.1

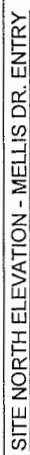
EXTERIOR FINISHES

- | | | |
|----|--|--|
| 1 | HORIZONTAL WHITE PLANK CEDAR/MALL 2X12 | |
| | A - Color: BM C270 (Dove White) | |
| 2 | B - Color: BM 1127-0 (Blow White) | |
| 3 | HARDIE PLANK SHINGLES | |
| | A - Color: BM 1127-0 (Blow White) | |
| 4 | SHEDDING SHINGLES | |
| | A - Color: BM 1127-0 (Blow White) | |
| 5 | SHEDDING SHINGLES | |
| | A - Color: BM 1127-0 (Blow White) | |
| 6 | FIBERGLASS ASPHALT ROOF SHINGLES | |
| | Color: Dark Gray Multiplast, Tremco | |
| 7 | 2x4 WOOD TRIM BOARD - PAINTED | |
| | Color: BM C270 (Dove White) | |
| 8 | 2x4 WOOD TRIM BOARD - PAINTED | |
| | Color: BM C270 (Dove White) | |
| 9 | 2x4 WOOD TRIM BOARD - PAINTED | |
| | Color: BM C270 (Dove White) | |
| 10 | BUILT UP TOP - REFER TO DETAILS | |
| | Color: BM C270 (Dove White) | |
| 11 | VINYL-FRAMED DOUBLE-GLAZED WINDOWS | |
| | Vinyltek or Equivalent, Color: Anodized Aluminum | |
| 12 | 2x4 WINDOW TRIM BOARD - PAINTED | |
| | Color: BM C270 (Dove White) | |
| 13 | ENTRY SOLID WOOD DOOR WITH GLIDEIGHT | |
| | Color: BM C270 (Dove White) | |
| 14 | ENTRY SOLID WOOD DOOR WITH GLIDEIGHT | |
| | Color: BM C270 (Dove White) | |
| 15 | OVERHEAD WOOD PANEL GARAGE DOOR | |
| | Color: BM 1127-0 (Blow White) | |
| 16 | METAL BUILDINGS | |
| | Color: BM H112-1 (Fossil Chassis) | |
| 17 | DOUBLE GLAZE VINYL SLIDING DOOR | |
| | Color: Anodized Aluminum | |
| 18 | ELECTRICAL ROOM DOOR | |
| | Color: BM 1127-0 (Blow White) | |
| 19 | PLASTER BO | |



BUILDING 3 ELEVATION - NORTH

SITE SOUTH ELEVATION - CAMBIE RD. FRONTAGE



INTERFACE:

Suite 230
11590 Cambie Road
Richmond BC
Canada V6X 3Z5

T 604 821 1162
F 604 821 1146
www.janitoria.ca/wholesale.com

STREETSCAPE - MELLIS DRIVE
Scale: 1/8"=1'-0"

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3230 26 Lorne Mews
New Westminster, British Columbia
V3M 3L7
Tel: 604.553.0044
Fax: 604.553.0045
email: office@m2la.com

NO.	DATE	REVISION DESCRIPTION	BY
1	2014.07.01	ISSUED AS PER SET PLAN	SL
2	2014.07.01	ISSUED AS PER SET PLAN	SL
3	2014.07.01	ISSUED AS PER SET PLAN	SL
4	2014.07.01	ISSUED AS PER SET PLAN	SL
5	2014.07.01	ISSUED AS PER SET PLAN	SL
6	2014.07.01	ISSUED AS PER SET PLAN	SL
7	2014.07.01	ISSUED AS PER SET PLAN	SL
8	2014.07.01	ISSUED AS PER SET PLAN	SL
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21	2014.07.01	ISSUED AS PER SET PLAN	SL

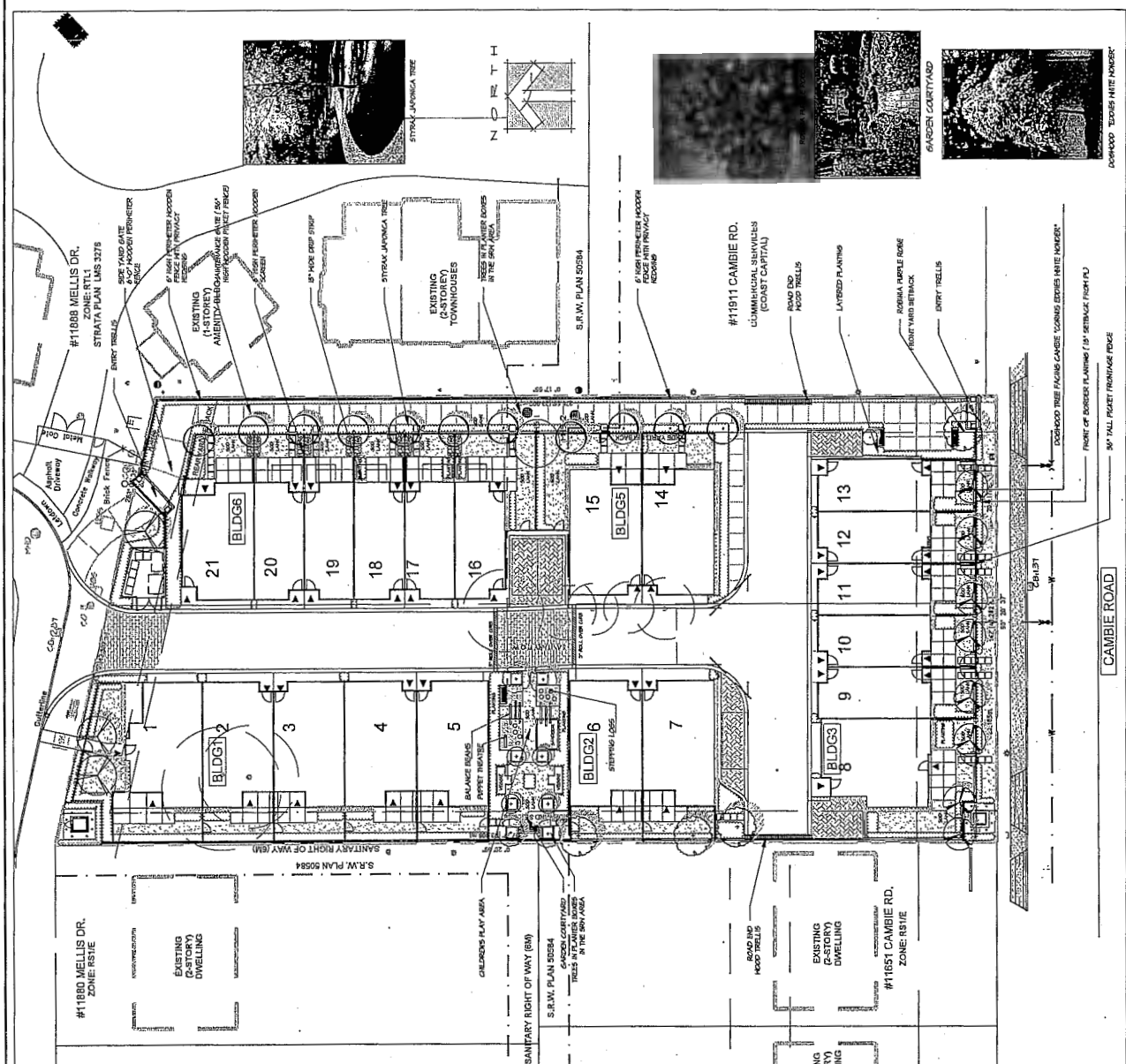
PROJECT:
MULTI RESIDENTIAL
11590 CAMBIE ROAD
RICHMOND

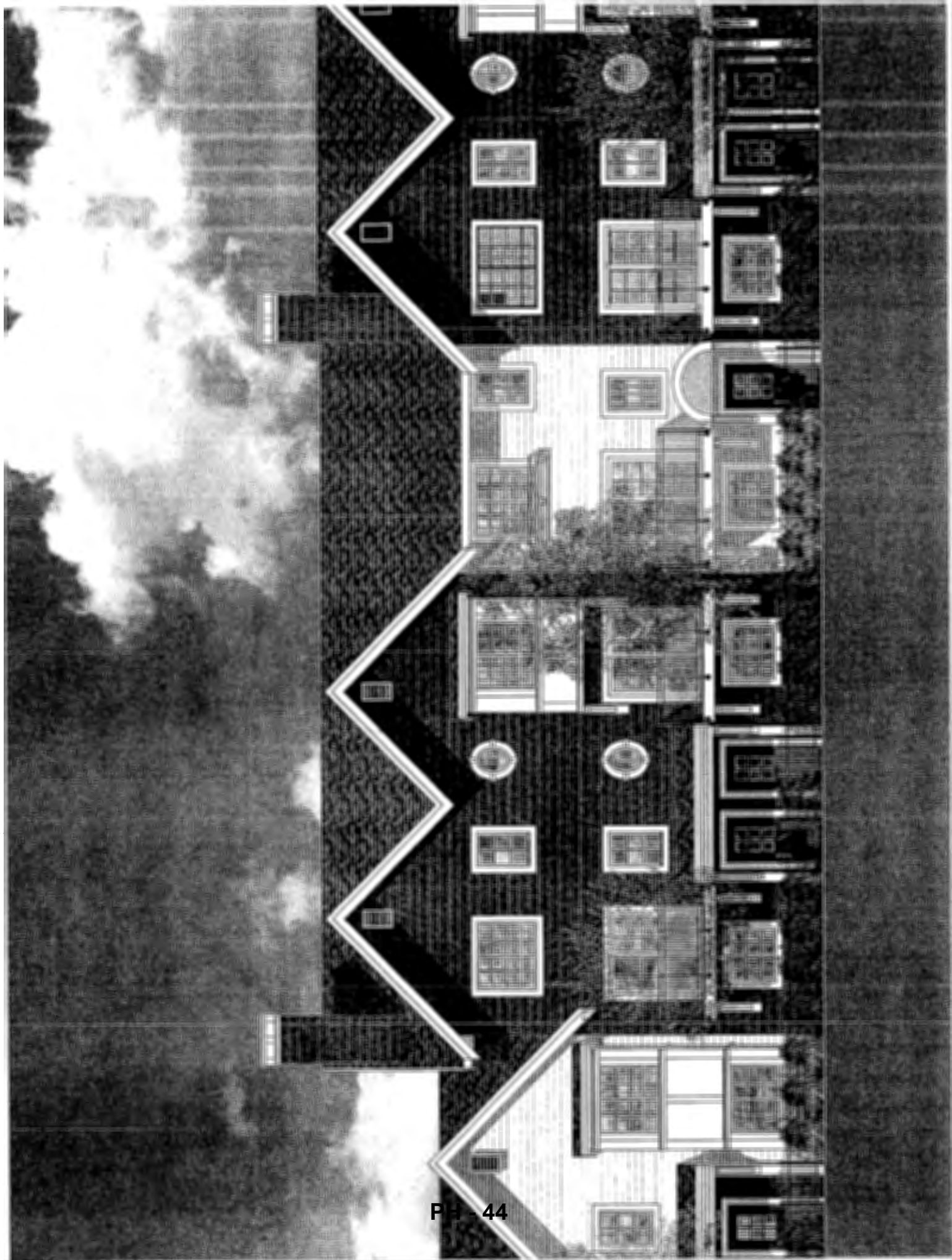
DRAWING TITLE:
LAYOUT
PLAN

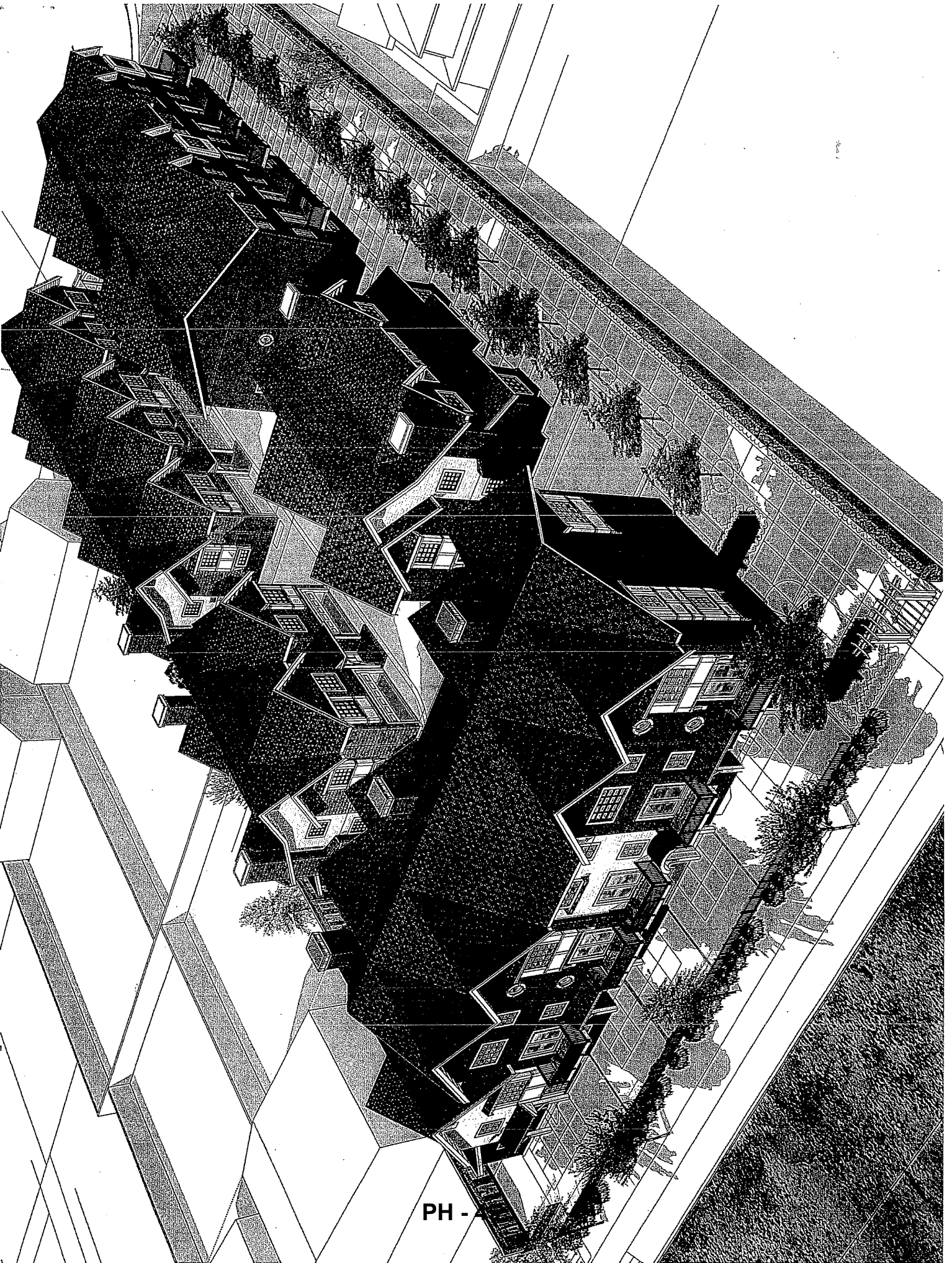
DATE: MAY 07, 2014	DRAWING NUMBER:
SHEET: 001	
DRAWING BY:	
DESIGN BY:	
CHECK BY:	
SCALE: 1"=10'	

L1

OF 2
JOB NO: 10003
M2A PROJECT NUMBER:







PH -



RZ 14-670471

Attachment 3

Address: 11671 and 11691 Cambie Road

Applicant: Interface Architecture Inc.

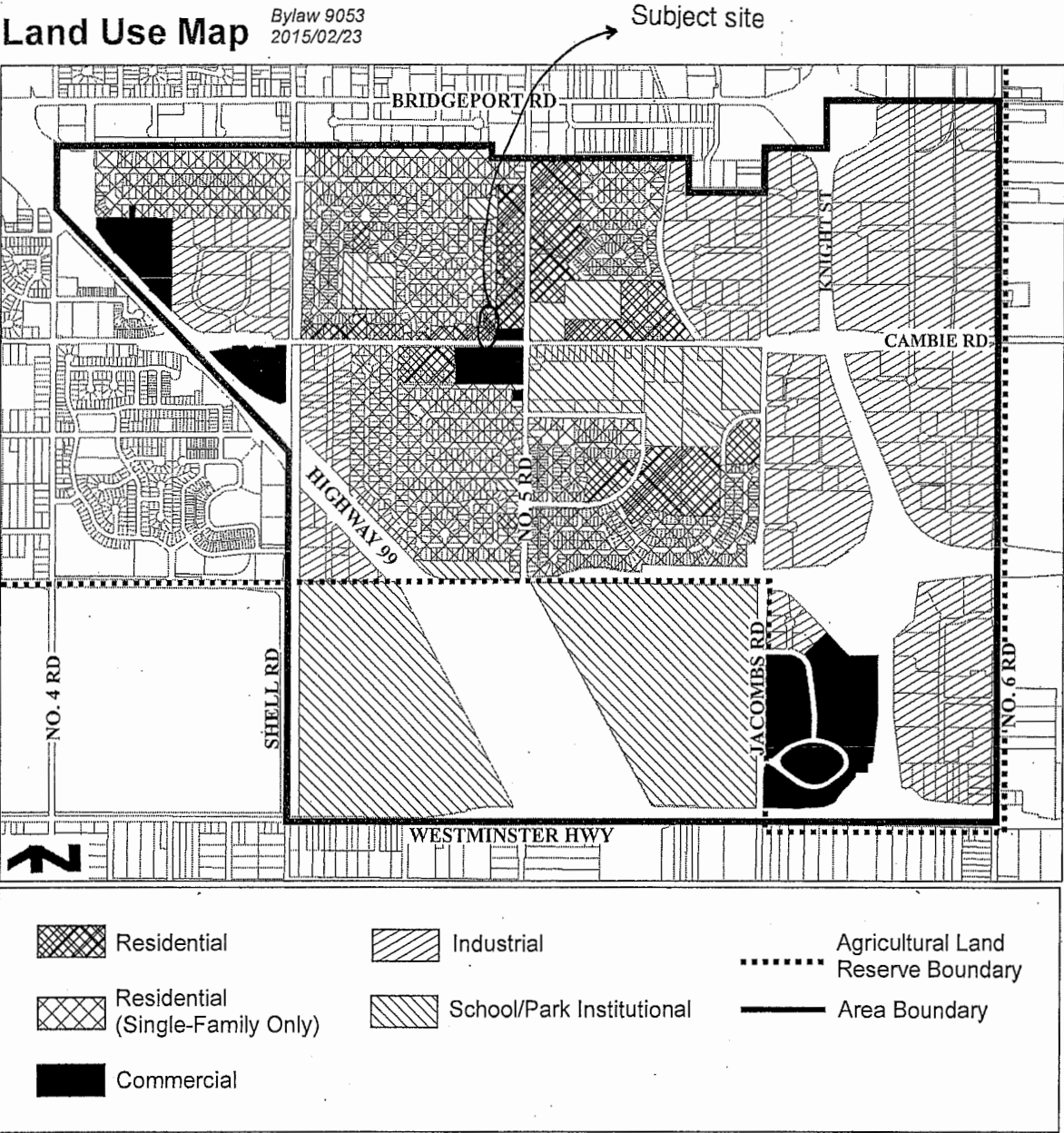
Planning Area(s): East Cambie

	Existing	Proposed
Owner:	11691 Cambie: John Josef Lewisch & Cora May Lewisch 11671 Cambie: Carol Jacqueline Lees & Terry Anne Neithercut	TBD
Land Uses:	Single Family Residential	Multi-family Residential
OCP Designation:	Neighbourhood Residential	No Change
Area Plan Designation:	Residential	No Change
Zoning:	Single Detached (RS1/E)	Low Density Townhouses (RTL4)
Number of Units:	2	21
Lot Size:	3,844 m ²	3,757.4 m ² (after 2m road dedication)

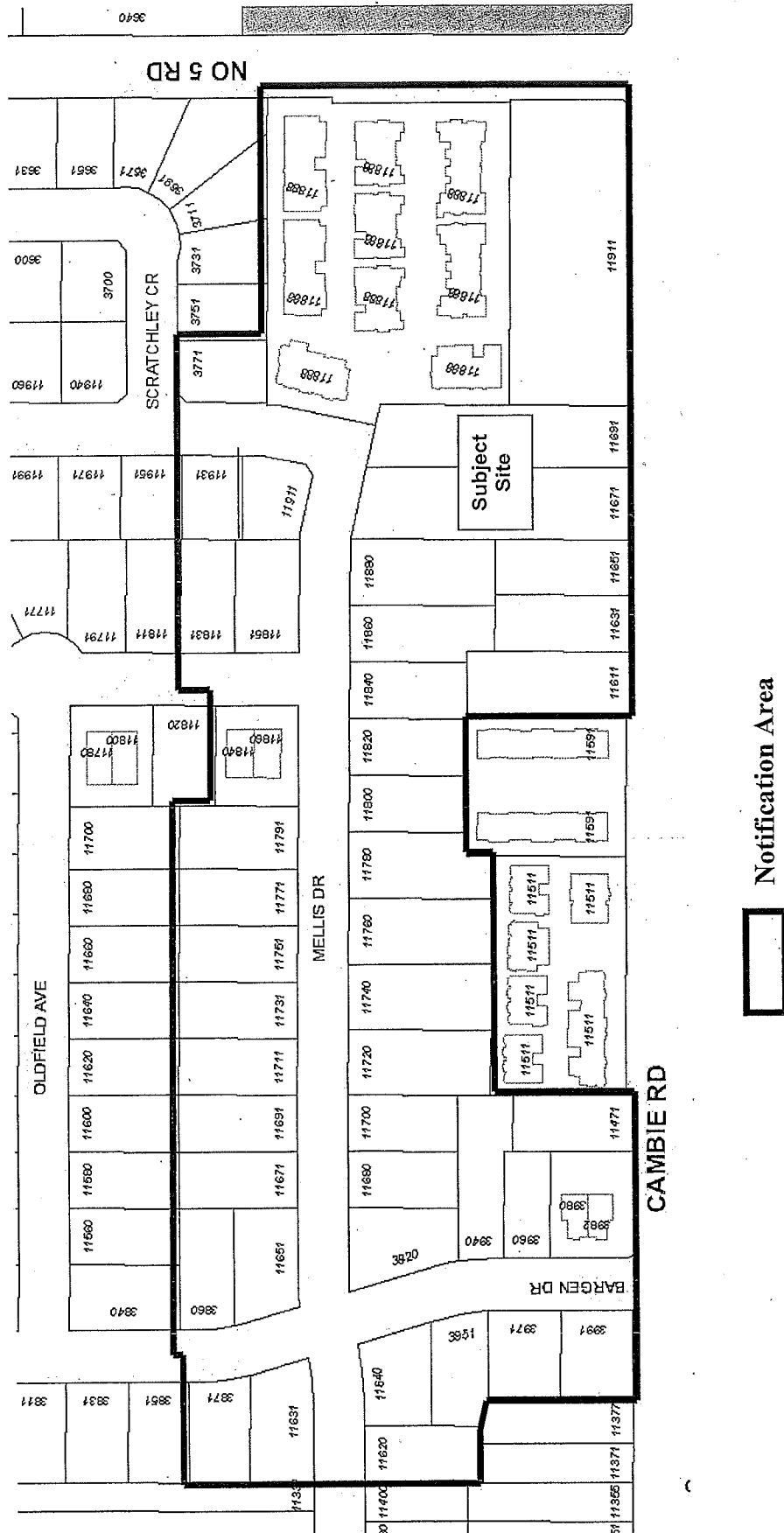
	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.6	0.6	none permitted
Lot Coverage – Building:	Max. 40%	38.5 %	none
Setback – Front Yard (m):	Min. 6 m	Min. 4.5 m	Variance requested
Setback – West Side Yard (m):	Min. 3 m	Min. 3.5 m	none
Setback – East Side Yard (m):	Min. 3 m	Min. 7 m	none
Setback – Rear Yard (m)	Min. 6 m	Min. 4.5 m	Variance Requested
Height (m):	Max. 12 m (3 storeys)	Max. 11.5 m (3 storeys)	none
Off-street Parking Spaces – Regular (R) / Visitor (V):	2 (R) and 0.2 (V) per unit	2 (R) and 0.2 (V) per unit	none
Off-street Parking Spaces – Total:	47	47	none
Tandem Parking Spaces:	Max. 50% (10 spaces)	10 spaces	none
Small Car Parking Spaces	Max. 50% (23 spaces)	11 spaces	none
Handicapped Parking Spaces	Min. 2% (1 space)	1 space	none
Amenity Space – Indoor:	Min. 70 m ² or cash-in-lieu	Cash-in-lieu	none
Amenity Space – Outdoor:	Min. 6 m ² x 21 units = 126 m ²	211 m ²	none

City of Richmond

Land Use Map Bylaw 9053 2015/02/23



PH - 48



Park, Minhee

From: Peter Thackwray [pthackwray@gmail.com]
Sent: Wednesday, 08 April 2015 8:34 AM
To: Park, Minhee
Subject: File No. RZ 14-670471 #230 - 11590 Cambie Road re-development plans
Categories: Follow up

To Minhee Park,

With regards to the City of Richmond plans for re-development from Interface Architecture Inc. for #230-11590 Cambie Road. Based on plans I have seen for this development, which appears to include over 20 units (up to 35 in additional phases), the plans seem to indicate the access to this complex will be from Mellis Drive. As a resident in the Mellis neighbourhood this would create significant traffic concerns. With a 30+ townhouse complex in the south-east corner of Mellis Drive already creating street parking issues along with entry and exit traffic issues from this neighbourhood during significant periods of the day (particularly at Bergen & Cambie) we could not possibly absorb a complex with the requested size and design in that same corner of Mellis Drive. If this complex were to go ahead, it would have to be restricted to Cambie Road for its driveway access. Mellis is already overtaxed in this corner and based on the plans we should expect the parking situation to become impossible, and the many additional vehicles trying to exit this neighbourhood (onto No.5 Road, Cambie, or Shell) would create traffic jams that would be unbearable.

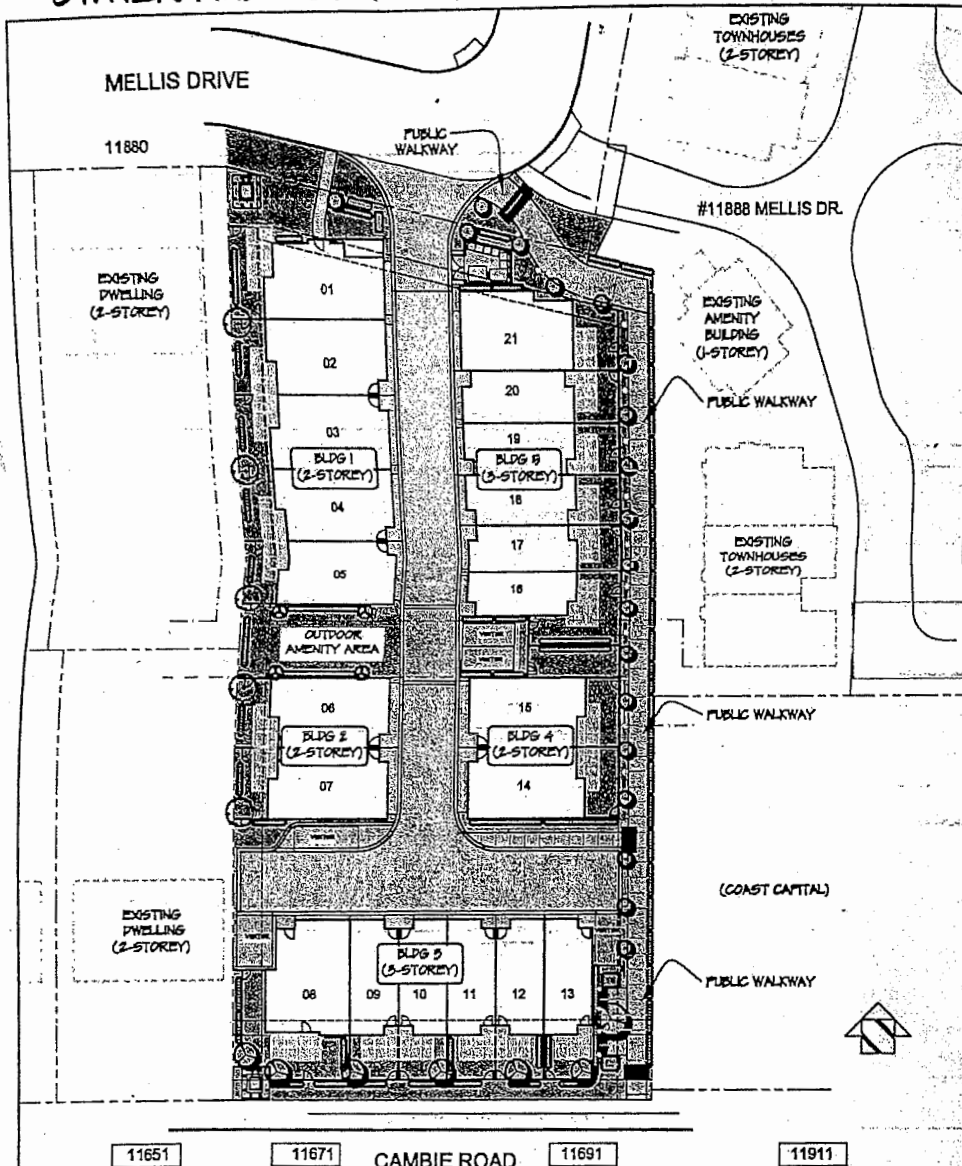
If the building of this complex must go ahead, the only reasonable option would be for the road access to be limited to the four lane Cambie Road *only*. Mellis Drive and this neighbourhood would otherwise become a complete traffic jam, which would be undesirable for the residents and the city. By adding all these vehicles and creating even more traffic in this area, there would be concerns for pedestrians, and children who have to walk through this residential area to get to school (Mitchell Elementary, McNeely Elementary, and Cambie Secondary).

Please reply to confirm to have received this email.

Thank you.

Peter Thackwray

OWNER AND OCCUPANT: WE ARE SEEKING YOUR FEEDBACK & SUPPORT



'BURBERRY LANE DEVELOPMENT'

PRESENTS

A PROPOSAL TO DEVELOP A 20-UNIT CLUSTER OF HIGH-QUALITY TOWNHOMES AT 11671 & 11691 CAMBIE ROAD

REZONING CURRENTLY UNDER STAFF REVIEW

- * TWENTY (20) TOWNHOMES ARE PROPOSED IN 5 SEPARATE BUILDINGS
- * SITE ACCESS FROM MELLIS DRIVE
- * A PEDESTRIAN WALKWAY IS PROVIDED THROUGH THE SITE CONNECTING MELLIS DRIVE AND THE TRAFFIC LIGHT INTERSECTION AT CAMBIE AND NO. 3 RD
- * EACH UNIT HAS ENCLOSED PARKING FOR 2 CARS. THERE ARE 5 VISITOR SPACES
- * THE TRAFFIC REPORT PREPARED FOR THIS PROJECT CONCLUDES THAT THERE WILL BE NO SIGNIFICANT NEGATIVE IMPACT ON LOCAL TRAFFIC *40 vehicles total*
- * ZONING VARIANCES ARE REQUESTED:
 - INTERNAL DRIVE AISLE WIDTH REDUCED FROM 6.7 M TO 6.2 M
 - PRIVATE OPEN SPACE REDUCED FROM 30 M² TO NO LESS THAN 28 M²
- * CITY CONTACT: MINHEE PARK
 - TEL: 604-276-4100
 - EMAIL: MPARK@RICHMOND.CA
 - MAIL: 6011 NO. 3 ROAD RICHMOND BC V6Y 2C1

FEEDBACK

ADDRESS: 3920 BARGEN DR
 NAME: ROBERT WOOD
 INITIALS: JRW

- ☐ I UNDERSTAND THE PROPOSAL
- ☐ I HAVE NO ISSUES WITH THE PROPOSAL
- ☒ I HAVE CONCERNS
- ☒ NOTIFY ME OF THE NEXT CITY PUBLIC MEETING FOR THIS PROJECT

COMMENTS: 40 additional vehicles exiting from MELLIS to BARGEN to CAMBIE.

BARGEN is now a very busy congested street, constant traffic day and night.

FOR COMMENTS TO BE INCLUDED IN THE CITY STAFF REPORT TO BE PRESENTED TO THE CITY'S PLANNING COMMITTEE, ENSURE COMMENTS ARE SUBMITTED BY 9:00 PM WEDNESDAY SEPTEMBER 9, 2015 TO

PROJECT CONTACT: ASAD KHAN

TEL: 604-555-2202
 EMAIL: ASAD@SLEOPMAN.NA
 MAIL: #304-15292 CROYDON C SURREY BC V3S 0Z6

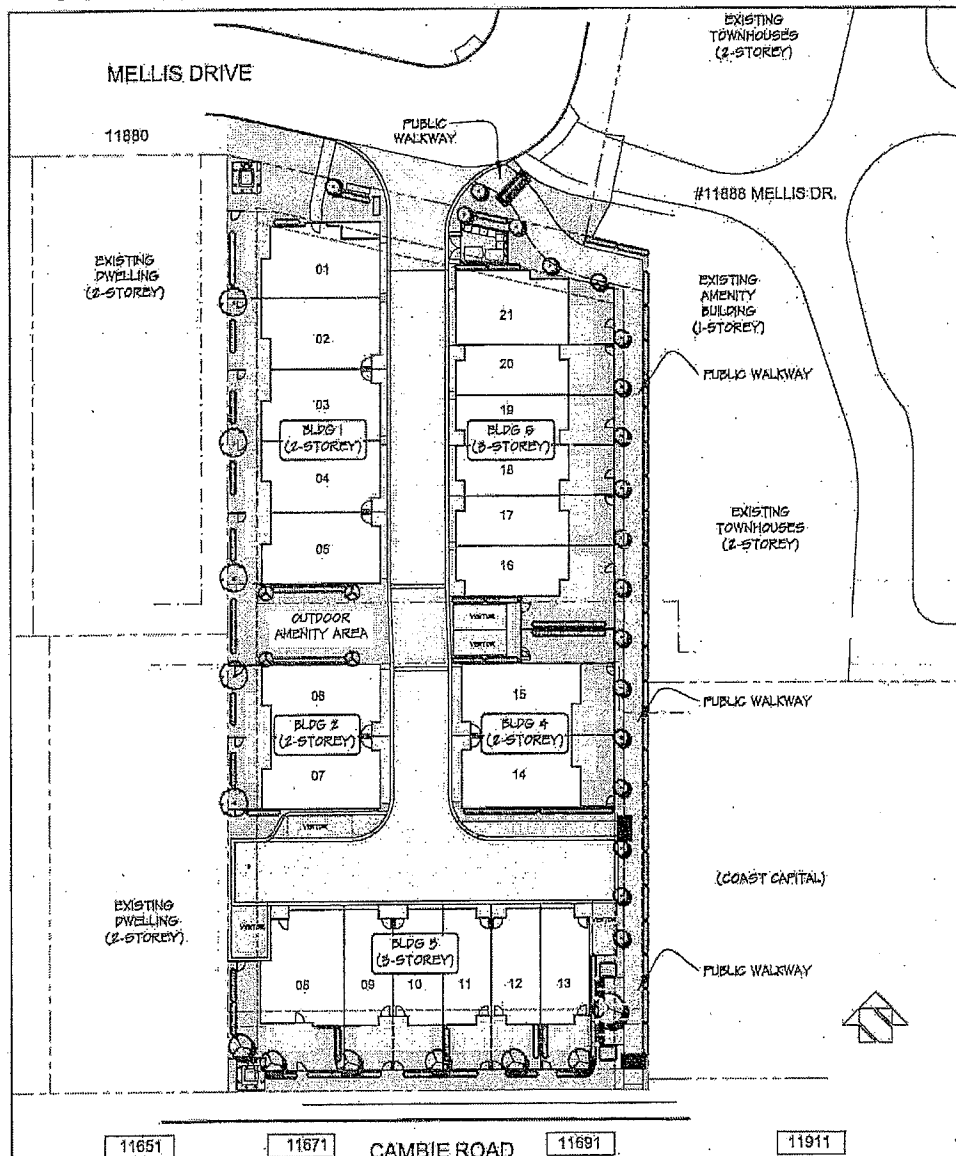
YOU ARE INVITED TO ATTEND

A PUBLIC INFORMATION MEETING TO PROVIDE INPUT

LOCATION: CAMBIE COMMUNITY CENTER, 12800 CAMBIE ROAD
 DATE: WEDNESDAY SEPTEMBER 9, 2015
 TIME: 7:00 PM TO 9:00 PM



OWNER AND OCCUPANT: WE ARE SEEKING YOUR FEEDBACK & SUPPORT



'BURBERRY LANE DEVELOPMENT'

PRESENTS

A PROPOSAL TO DEVELOP A 21-UNIT CLUSTER OF HIGH-QUALITY TOWNHOMES AT 11671 & 11691 CAMBIE ROAD

REZONING CURRENTLY UNDER STAFF REVIEW

- * TWENTY (21) TOWNHOMES ARE PROPOSED IN 5 SEPARATE BUILDINGS
- * SITE ACCESS FROM MELLIS DRIVE
- * A PEDESTRIAN WALKWAY IS PROVIDED THROUGH THE SITE CONNECTING MELLIS DRIVE AND THE TRAFFIC LIGHT INTERSECTION AT CAMBIE AND NO. 5 RD
- * EACH UNIT HAS ENCLOSED PARKING FOR 2 CARS. THERE ARE 5 VISITOR SPACES
- * THE TRAFFIC REPORT PREPARED FOR THIS PROJECT CONCLUDES THAT THERE WILL BE NO SIGNIFICANT NEGATIVE IMPACT ON LOCAL TRAFFIC
- * ZONING VARIANCES ARE REQUESTED:
 - INTERNAL DRIVE AISLE WIDTH REDUCED FROM 6.7 M TO 6.2 M.
 - PRIVATE OPEN SPACE REDUCED FROM 30 M2 TO NO LESS THAN 28 M2.
- * CITY CONTACT: MINHEE PARK
TEL: 604-276-4188
EMAIL: MPARK@RICHMOND.CA
MAIL: 6011 NO. 3 ROAD
RICHMOND BC V6Y 2C1

FEEDBACK

ADDRESS: 11720 MELLIS DRIVE
NAME: ADAM KHAN
INITIALS: AK

- ☒ I UNDERSTAND THE PROPOSAL
- ☐ I HAVE NO ISSUES WITH THE PROPOSAL
- ☒ I HAVE CONCERNS
- ☒ NOTIFY ME OF THE NEXT CITY PUBLIC MEETING FOR THIS PROJECT

COMMENTS:

- PARKING IS A CONCERN.

- ACCESS FROM MELLIS TO CAMBIE IS GREAT!

YOU ARE INVITED TO ATTEND A PUBLIC INFORMATION MEETING TO PROVIDE INPUT

LOCATION: CAMBIE COMMUNITY CENTER, 12800 CAMBIE ROAD
DATE: WEDNESDAY SEPTEMBER 9, 2015
TIME: 7:00 PM TO 9:00 PM



FOR COMMENTS TO BE INCLUDED IN THE CITY STAFF REPORT TO BE PRESENTED TO THE CITY'S PLANNING COMMITTEE, ENSURE COMMENTS ARE SUBMITTED BY 5:00 PM WEDNESDAY SEPTEMBER 9, 2015 TO:

PROJECT CONTACT: ASAD KHAN

TEL: 604-558-2202
EMAIL: ASAD@ISLEOFMANNICA
MAIL: #504-10202 CROYDON DR.
SURREY BC V3S 0Z5

September 10, 2015

Emailed to: mpark@richmond.ca

Minhee Parks, Planner
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Dear Minhee Park,

FEEDBACK RE: PROPOSED REZONING OF 11671 & 11691 CAMBIE ROAD "BURBERRY LANE DEVELOPMENT"


I attended the public information last night hosted by Isle of Mann for a proposal to rezone 11671 & 11691 Cambie Road. I live on Mellis Drive just a few houses down from this development. I am excited about the project and feel the proposed 21 unit townhouse development will greatly improve the former lands. I understand the City OCP currently allows townhouse developments along Cambie Road so it makes sense to permit rezoning of these lands.

The following items were raised at the meeting and I believe the city and developer will address these issues as the project progresses through the approval/consultation process:

- A well lit public walkway from Mellis Drive to Cambie Road is a great idea and will help alleviate pedestrian traffic at Bergen Drive and Cambie Road.
- Concerns over street parking along Mellis Drive and if number of visitor parking stalls proposed is sufficient. I believe 12 of the 21 unit townhouses will have enclosed double side-by-side parking and only 9 units will have tandem parking. Future strata bylaws will restrict the conversion of any enclosed parking space into dwelling space.
- The proposed zoning variance presented at the meeting was different than what was noted in the handout.
- Consideration will be given to upgrade the pedestrian crosswalk signal at Bergen Drive and Cambie Road by the city. This signal does not work with current traffic patterns.
- The proposed architectural style of development fits within the overall form and character of the neighbourhood and project scale feels right. There will be further opportunities during the design development stage to comment on this further.

Overall, the proposed development looks promising and the developer appears to have an excellent track record with delivering quality and sustainable projects. I support this project based on what I see today and look forward to the next city public meeting.

Sincerely,


Adam Khong
11720 Mellis Drive
Richmond, BC V6X 1M1

Park, Minhee

From: Isabel Humphreys [isabel.humphreys@univarcana.com]
Sent: Thursday, 10 September 2015 10:49 AM
To: Park, Minhee
Cc: isabelha47@gmail.com
Subject: Feedback - Burberry Lane Development

Concerns regarding the current proposal for "Burberry Lane" development:

Parking

Each proposed unit has enclosed parking for two cars, however at least 9 of the units have tandem parking. Tandem parking will result in owners seeking a parking alternative – most likely on the street outside – which is Mellis Drive. As you can see in the photo below, the houses on Mellis Drive – which have ample parking with double driveways – are now swamped with parked cars from the existing townhouse complex at 11880 Mellis Drive:



Mellis Drive was never designed for cars parked both sides of the street – it is too narrow. The City installed some "No Parking" signs after multiple accidents in the "L" bend.

The "Burberry Lane" proposal includes 5 visitor spaces. I believe this needs to be increased.

Thanks for your consideration

Bryan and Isabel Alexander
11880 Mellis Drive
Richmond BC V6X 1M1
604-273-7962

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APPENDIX 3 TREE PROTECTION PLAN

SCALED TO FIT
2.5 0 5 10
ALL DISTANCES ARE IN METRES



TREE PROTECTION FENCING

Minimum Radial Distance from trunk

#	Type	DBH	Metres	Feet
8	Cherry	46cm	2.8m	9.1ft
9	Cherry	48cm	2.9m	9.4ft
10	Cherry	50cm	3.0m	9.8ft
12	Pine	28cm	2.0m	6.6ft
13	Pine	27cm	2.0m	6.6ft
16	Magnolia	28cm	1.7m	5.5ft

TOWNHOUSE

S.R.W. PLAN 50584

MINIMUM SIDE
SETBACK

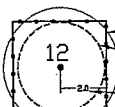
TREE INVENTORY

#	Type	Action	DBH	MPZ
1	Apple	Remove	30/20cm	2.4m
2	Hazelnut	Remove	20/20cm	2.0m
3	Plum	Remove	29cm	1.7m
4	Pear	Remove	23cm	1.4m
5	Hazelnut	Remove	25/20cm	2.2m
6	Hazelnut	Remove	15/15cm	2.0m
7	Hazelnut	Remove	15/15/15	2.0m
8	Cherry	Retain	46cm	2.8m
9	Cherry	Retain	48cm	2.9m
10	Cherry	Retain	50cm	3.0m
11	Cherry	Retain	45cm	2.7m
12	Pine	Retain	28cm	2.0m
13	Pine	Retain	27cm	2.0m
14	Maple	Retain	30cm	1.8m
15	Maple	Retain	35cm	2.1m
16	Magnolia	Retain	28cm	1.7m

EXISTING FIRE
HYDRANT

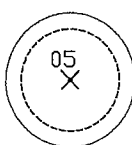
LEGEND

TREE PROPOSED
FOR RETENTION

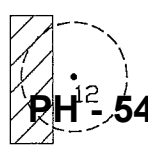


CANOPY
PROTECTION ZONE
(MPZ)
FENCING DIMENSIONS
IN METRES
PROTECTION
FENCING

TREE PROPOSED
FOR REMOVAL



AREA REQUIRING
ARBORIST SUPERVISION



NOTES:

1. SITE LAYOUT
INFORMATION AND TREE
SURVEY DATA PER
SUPPLIED DRAWING

2. REFER TO ATTACHED
TREE PROTECTION
REPORT FOR
INFORMATION CONCERNING
TREE SPECIES, STEM
DIAMETER, HEIGHT,
CANOPY SPREAD AND
CONDITION.

3. ALL MEASUREMENTS
ARE METRIC

Froggers Creek
Tree Consultants Ltd

7763 McGregor Avenue Burnaby BC V5J 4H4
Telephone: 604-721-6002 Fax: 604-437-0970

11671 and 11691 Cambie Road Richmond BC

TREE PROTECTION DRAWING
THE DRAWING PLOTS ALL TREES, PROPOSED FOR
RETENTION, REMOVAL, THEIR CANOPIES,
PROTECTION ZONES AND PROTECTION FENCING IN
RELATION TO PROPOSED LAYOUT

December 21, 2014



Rezoning Considerations

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

Address: 11671 and 11691 Cambie Road

File No.: RZ 14-670471

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9293, the developer is required to complete the following:

1. 2 m road dedication along the entire Cambie frontage.
2. Consolidation of all the lots into one development parcel.
3. Registration of a cross-access easement, statutory right-of-way, and/or other legal agreements or measures, as determined to the satisfaction of the Director of Development, over the full width and extent of the internal drive-aisle in favour of future residential developments to the west to allow future access from the subject property. Language should be included in the SRW document that the City will not be responsible for maintenance or liability within the SRW and that utility SRW under the drive aisle is not required.
4. Registration of a 3.5 metre wide Public Right-of-Passage (PROP) statutory right-of-way along the entire eastern edge of the site for access for a pedestrian walkway, including installation of way-finding signage on the subject property. The City would assume maintenance and liability for hard surfaces and the owner would assume maintenance and liability of soft landscaping.
5. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees located on the neighbouring properties 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.
6. Registration of a Flood Indemnity Covenant on title.
7. Registration of an Aircraft Noise Sensitive Use Restrictive Covenant on title.
8. City acceptance of the developer's offer to voluntarily contribute \$0.77 per buildable square foot (e.g. \$18,685.7) to the City's public art fund.
9. City acceptance of the developer's offer to voluntarily contribute \$2.00 per buildable square foot (e.g. \$ 48,534.4) to the City's affordable housing fund.
10. Contribution of \$23,000 in-lieu of on-site indoor amenity space.
11. Registration of a legal agreement on title prohibiting the conversion of the tandem parking area into habitable space.
12. Registration of a legal agreement on title identifying that the proposed development must be designed and constructed to meet or exceed EnerGuide 82 criteria for energy efficiency and that all dwellings are pre-ducted for solar hot water heating.
13. Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. Works include, but may not be limited to:

Cambie Road Frontage Improvements

- a) Along the Cambie Road frontage, a minimum 1.5m wide new concrete sidewalk at the new property line and a minimum of 1.5m treed/landscape boulevard

Intersection of Borgen Drive and Cambie Road

- a) Installation of side street detection and count-down timer
- b) All civil, utility and traffic signal modifications required due to this development are sole responsibility of the developer including but not limited to:
 - Traffic pole/base relocations
 - Hydro pole relocation and other utility relocation
 - Junction box/conduit relocations
 - Associated traffic signal cable/conductors and vehicle detector loops.
 - Signal head additions or modifications

- Pavement markings and signage, including yellow truncated dome tactile warning strips
- Traffic signal modification design drawings (to be identified during the SA process) the design of the intersection is to be the TAC standard for intersection design.

Intersection of Cambie Road and No. 5 Road

- a) Contribution of \$20,000 related to provision of Accessible Pedestrian Signal (APS) and illuminated street signs

Mellis Drive Frontage Improvements

- a) Along the Mellis Drive frontage, a minimum 1.5m wide new concrete sidewalk at the new property line and a minimum of 1.5m treed/landscape boulevard. Road pavement modification and existing curb alignment works may be required to smooth out the roadway near the vicinity of the site. Additional signage and pavement marking may be required.
- b) SA should demonstrate two SU9 trucks passing simultaneously in opposing directions, with adequate clearance eastbound to northbound on Mellis Drive.

Water Works

- a) Using the OCP Model, there is 144 L/s of water available at a 20 psi residual at the Cambie Road frontage, and 199 L/s of water available at a 20 psi residual at the Mellis Drive frontage. Based on the proposed development, the site requires a minimum fire flow of 220 L/s. Upgrade to the frontage water main along Mellis Dr and Cambie Road may be required. Or alternatively, the developer should submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) to confirm that there is adequate available flow for onsite fire protection without upgrading the existing frontage water main.
- b) The two existing water service connections along the Cambie Road frontage are to be disconnected. Site water service to tie-in to Mellis Drive. Details to be finalized in the Servicing Agreement designs.

Storm Sewer Works

- a) Replace the existing storm manhole SMH2425 (fronting of 11911 Cambie Road) with a 1200mm diameter, and upgrade the frontage storm sewer main to 600mm diameter from SMH2425 to another new 1200mm diameter manhole at the west PL. Details to be finalized in the Servicing Agreement designs.
- b) Site storm drainage is to be directed towards Cambie Road, and one of the exiting tie-in points at Cambie Road is to be utilized for service connection; all other service connections are to be abandoned and/or removed at developer's cost. Details to be finalized in the Servicing Agreement designs.
- c) There is a shared IC with 11911 Cambie Road in the SE corner; the developer is required to confirm if 11911 Cambie Road is utilizing this IC. If yes, cap the west connection at IC and maintain the service to 11911 Cambie Road; if no, remove the IC and connections altogether as mentioned in item b.

Sanitary Sewer Works

- a) No upgrade is required to the sanitary sewer mains.
- b) The existing sanitary ICs and connections in the SROW are to be removed. Site sanitary service to tie-in to a new manhole on Mellis Drive at the west property line. Details to be finalized in the Servicing Agreement designs.

Private Utilities

- a) Developer is responsible for under-grounding of the property's electrical and telecommunication services along Cambie Road and Mellis Drive. The developer shall provide private utility companies with the required rights-of-ways for their equipment (e.g. Vista, PMT, LPT, SAC Pad, kiosks, etc.) and/or to accommodate the future under-grounding of the overhead lines. These equipments must be located on private property and not within the City's SROWs or Public Rights of Passage and not impact public amenities such as sidewalks, boulevards and bike paths. The developer is responsible for coordination with private utility companies.

General Items

- a) 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.

14. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.

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

1. Complete an acoustical and thermal report and recommendations prepared by an appropriate registered professional, which demonstrates that the interior noise levels and noise mitigation standards comply with the City's Official Community Plan 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

2. Complete a proposed townhouse energy efficiency report and recommendations prepared by a Certified Energy Advisor which demonstrates how the proposed construction will meet or exceed the required townhouse energy efficiency standards (EnerGuide 82 or better), in compliance with the City's Official Community Plan.

Prior to a Development Permit* issuance, the developer is required to complete the following:

1. Submission of a Landscaping Security based on 100% of the cost estimate provided by the landscape architect.

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

1. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
2. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
3. 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, underpinning, anchoring, shoring, piling, pre-loading,

Initial: _____

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


RZ 14-670471
Attachment D

Address: 11671 and 11691 Cambie Road

Applicant: Interface Architecture Inc.

Planning Area(s): East Cambie

	Existing	Proposed
Owner:	1058460 B.C. Ltd.	No Change
Site Size (m²):	3,844 m ²	3,757.7 m ² (after road dedication)
Land Uses:	Single Family Residential	Multi-family Residential
OCP Designation:	Neighbourhood Residential	No Change
Area Plan Designation:	Residential	No Change
702 Policy Designation:	N/A	No Change
Zoning:	Single Detached (RS1/E)	Low Density Townhouses (RTL4)
Number of Units:	2	20
Other Designations:	N/A	No Change

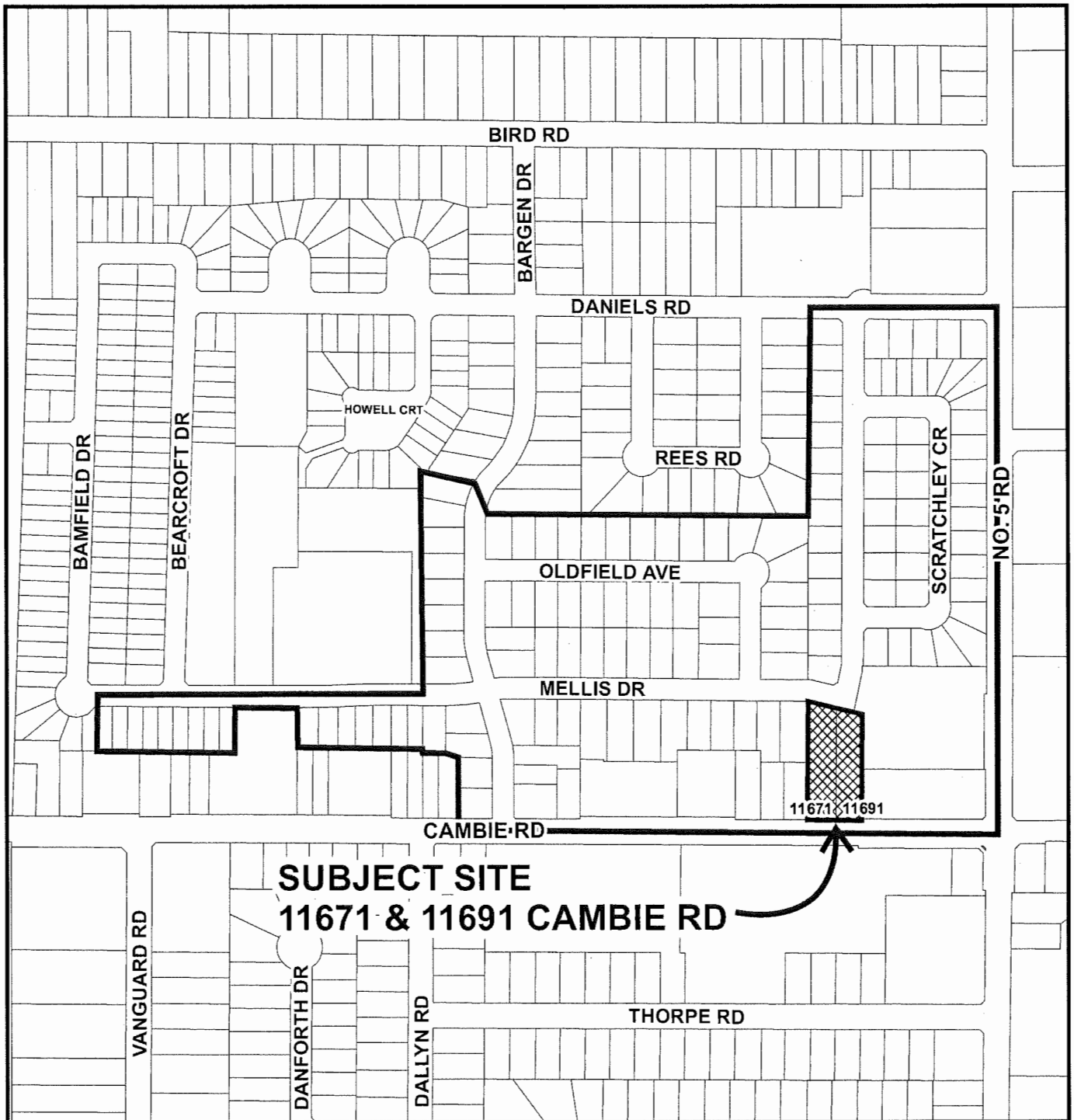
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.6	0.6 Max.	none permitted
Lot Coverage – Building:	Max. 40%	40% Max.	none
Lot Coverage – Non-porous Surfaces:	Max. 65%	65% Max.	none
Lot Coverage – Landscaping:	Min. 25%	25% Min.	none
Setback – Front Yard (Cambie Road) (m):	Min. 6 m	Min. 4.5 m	Variance requested
Setback – West Side Yard (m):	Min. 3 m	3.3 m	none
Setback – East Side Yard (m):	Min. 3 m	6.7 m	none
Setback – Rear Yard (Mellis Drive) (m):	Min. 6 m	Min. 4.5 m	Variance Requested
Height (m):	12.0 m (3 storeys)	12.0 m & 3 storeys Max.	none
Lot Dimensions (m):	Width: 50 m Depth: 35 m	Width: 43.3 m Depth: 86.7 m	Variance Requested
Off-street Parking Spaces – Regular (R) / Visitor (V):	2.0 (R) and 0.2 (V) per unit	2 (R) and 0.2 (V) per unit	none
Off-street Parking Spaces – Total:	40 (R) and 4 (V)	40 (R) and 4 (V)	none

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Tandem Parking Spaces:	Max. 50% of proposed residential spaces in enclosed garages (40 x Max. 50% = 20)	20	none
Small Car Parking Spaces	Max. 50% when 31 or more spaces are provided on site (44 x Max. 50% = 22)	10	none
Handicapped Parking Spaces	Min. 2% when 11 or more spaces are required (44 x 2% = 1 space)	1	none
Bicycle Parking Spaces – Class 1 / Class 2:	1.25 (Class 1) and 0.2 (Class 2) per unit	1.5 (Class 1) and 0.2 (Class 2) per unit	none
Off-street Parking Spaces – Total:	25 (Class 1) and 4 (Class 2)	30 (Class 1) and 4 (Class 2)	none
Amenity Space – Indoor:	Min. 70 m ² or Cash-in-lieu	Cash-in-lieu	none
Amenity Space – Outdoor:	Min. 6 m ² x 20 units = 120 m ²	154 m ² Min.	none

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



City of
Richmond



RZ 14-670471
October 5, 2016 Open
House Notification Area

Original Date: 02/15/17

Revision Date:

Note: Dimensions are in METRES



**PROPOSED 20-UNIT
TOWNHOUSE DEVELOPMENT**
11671, 11691 CAMBIE ROAD, RICHMOND, BC

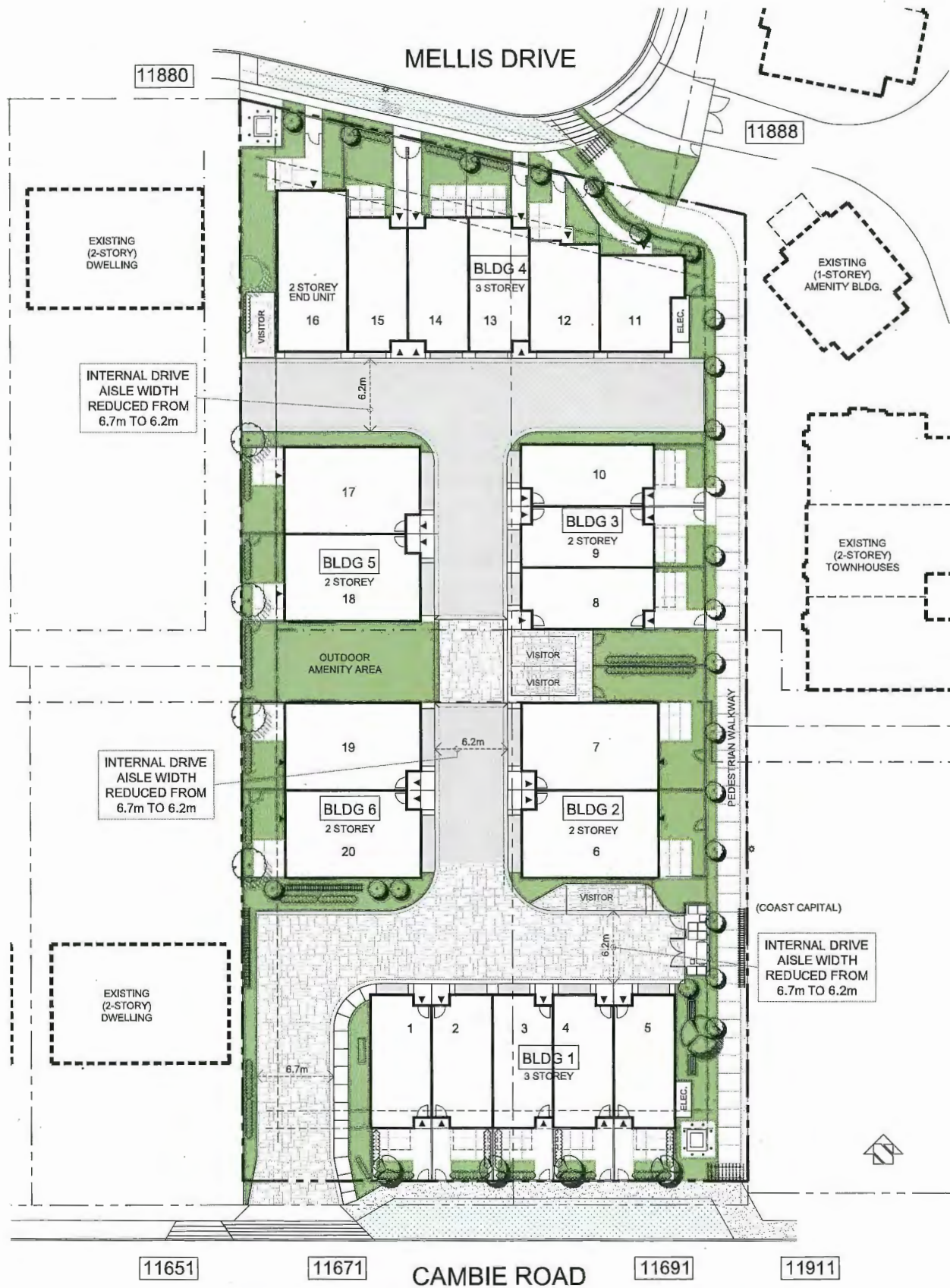
PH-62

**SITE PLAN
(OPTION A)**

INTERFACE:

11590 Cambie Road
Richmond BC
Canada V6X 3Z5

T 604 821 1162
F 604 821 1146
www.interfacearchitecture.com



**PROPOSED 20-UNIT
TOWNHOUSE DEVELOPMENT**
11671, 11691 CAMBIE ROAD, RICHMOND, BC

PH - 63

**SITE PLAN
(OPTION B)**

INTERFACE:

Suite 230
11590 Cambie Road
Richmond BC
Canada V6X 3Z5

T 604 821 1162
F 604 821 1146
www.interfacearchitecture.com

COMMENT SHEET

PROPOSED 20-UNIT PROJECT: 11671, 11691 CAMBIE ROAD, RICHMOND

I feel that the revised options are much more suitable to the neighbourhood than the original site plan. With the driveway opening onto Cambie Rd, this will alleviate traffic concerns on Mellis Drive. I ^{prefer} ~~think~~ Option A over Option B.

(for more space, use back of sheet)



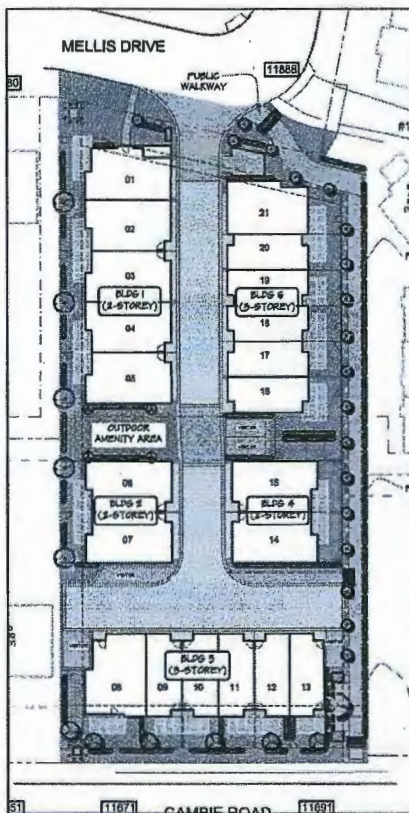
PROPOSED CAMBIE ROAD ELEVATION

YOUR CONTACT INFORMATION:

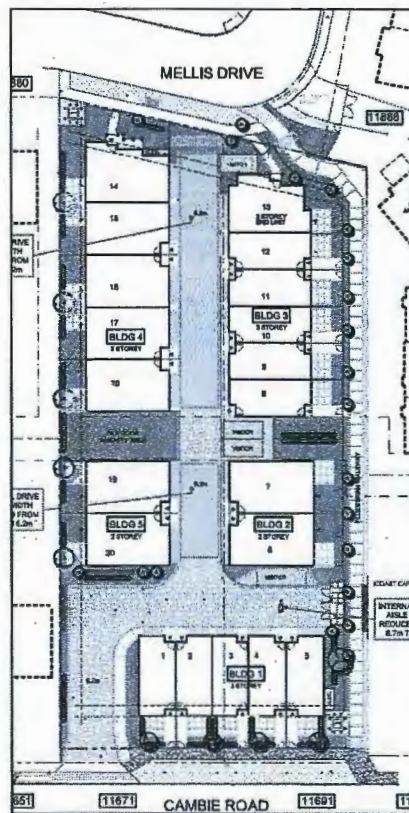
NAME: Winnie Tsang (print clearly)

ADDRESS: 15-11888 Mellis Dr
Richmond, BC (print clearly)
V6X 1M1

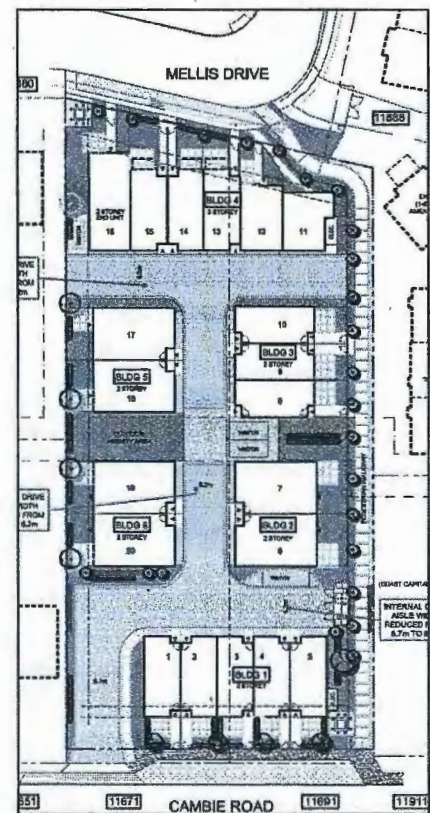
PLEASE CHECK ONE: ☒ OWNER ☐ RENTER



PREVIOUS SITE PLAN (SEPT 2015)



CURRENT SITE PLAN (OPTION A)



CURRENT SITE PLAN (OPTION B)

COMMENT SHEET

PROPOSED 20-UNIT PROJECT: 11671, 11691 CAMBIE ROAD, RICHMOND

Either Option A or B addresses previous concerns of residents. I prefer Option A. This layout is more inviting. The townhouses don't have their back towards Mellis Drive.

(for more space, use back of sheet)

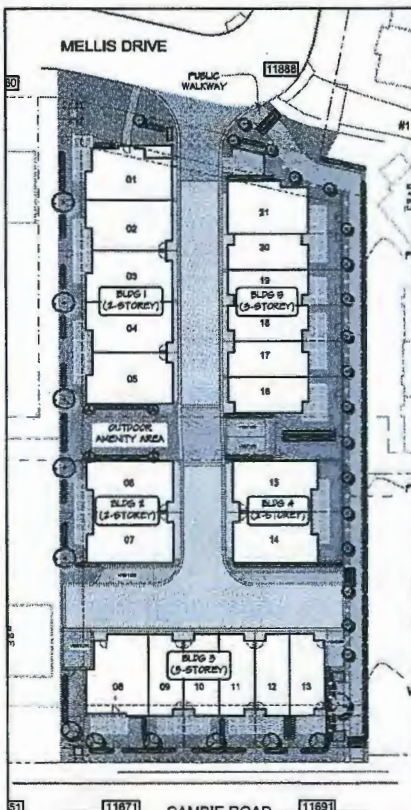


PROPOSED CAMBIE ROAD ELEVATION

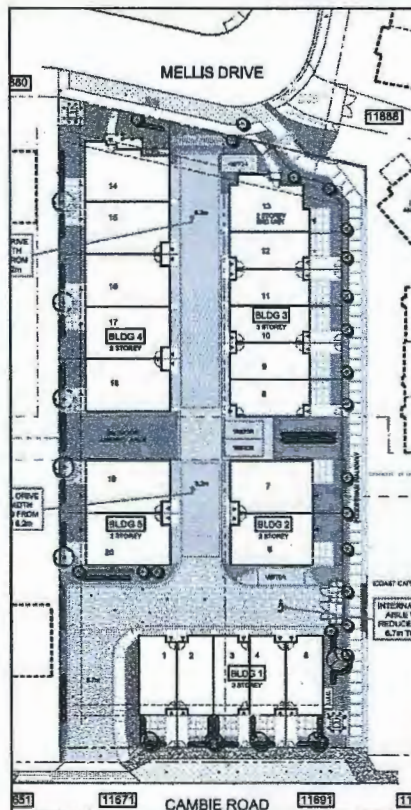
YOUR CONTACT INFORMATION:

NAME: Adam Khong (print clearly)
 ADDRESS: 11720 Mellis Drive (print clearly)

PLEASE CHECK ONE: ☒ OWNER ☐ RENTER



PREVIOUS SITE PLAN (SEPT 2015)



CURRENT SITE PLAN (OPTION A)



CURRENT SITE PLAN (OPTION B)

COMMENT SHEET

PROPOSED 20-UNIT PROJECT: 11671, 11691 CAMBIE ROAD, RICHMOND

I UNDERSTAND THE PROPOSAL.

(for more space, use back of sheet)

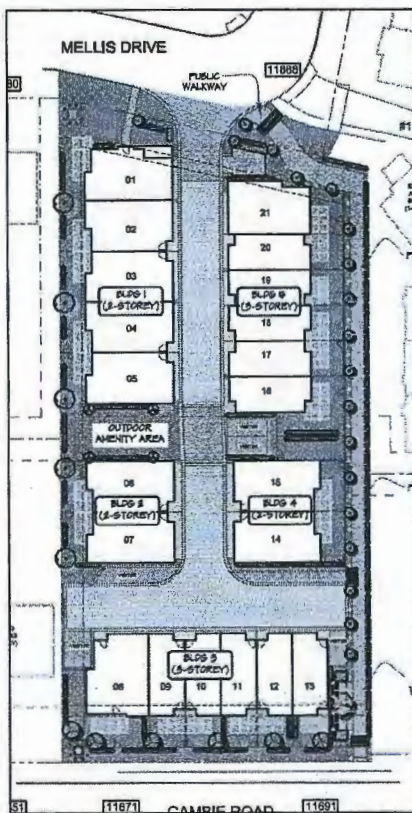


PROPOSED CAMBIE ROAD ELEVATION

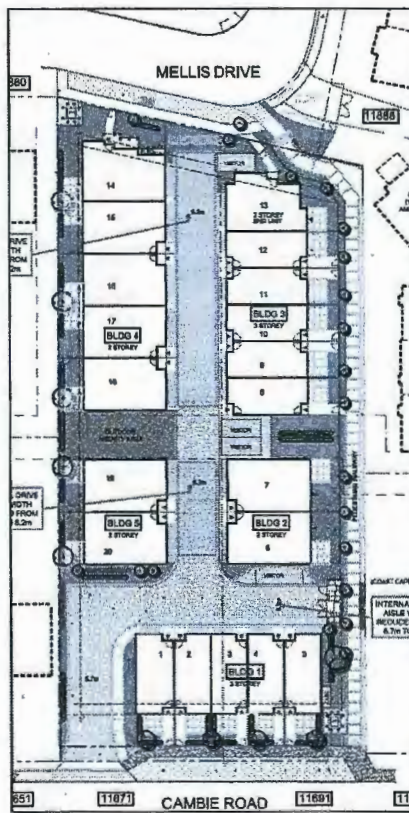
YOUR CONTACT INFORMATION:

NAME: BRENDA TSE
 ADDRESS: 3-11888 MELLIS DRIVE

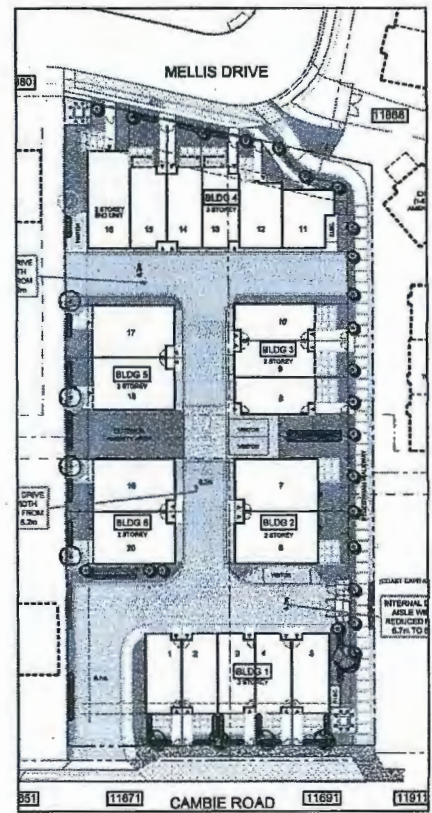
PLEASE CHECK ONE: ☒ OWNER ☐ RENTER



PREVIOUS SITE PLAN (SEPT 2015)



CURRENT SITE PLAN (OPTION A)



CURRENT SITE PLAN (OPTION B)



Address: 11671 and 11691 Cambie Road

File No.: RZ 14-670471

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9293, the developer is required to complete the following:

1. Consolidation of all the lots into one development parcel.
2. Dedicate 2.0 m across the entire Cambie Road frontage.
3. Registration of a 3.5 m wide Public Right-of-Passage (PROP) statutory right-of-way along the entire eastern edge of the site for access for a pedestrian walkway; including installation of way-finding signage on the subject property. The City would assume maintenance and liability for hard surfaces and the owner would assume maintenance and liability of soft landscaping.
4. Registration of a cross-access easement, statutory right-of-way (SRW), and/or other legal agreements or measures; as determined to the satisfaction of the Director of Development, over the full width and extent of the entry driveway in favour of future residential developments to the west to allow future access from the subject property. Language should be included in the SRW document that the City will not be responsible for maintenance or liability within the SRW and that utility SRW under the drive aisle is not required.
5. Registration of a legal agreement on Title ensuring that the only means of vehicle access is to and from Cambie Road; with limited turning movement at site access to right-in/right-out only; and that there be no vehicle access to or from Mellis Drive.
6. Registration of a Flood Indemnity Covenant on Title.
7. Registration of an Aircraft Noise Sensitive Use Restrictive Covenant on Title.
8. Registration of a legal agreement on Title prohibiting the conversion of the tandem parking area into habitable space.
9. Registration of a legal agreement on Title identifying that the proposed development must be designed and constructed to meet or exceed EnerGuide 82 criteria for energy efficiency and that all dwellings are pre-ducted for solar hot water heating.
10. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees located on the neighbouring properties 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.
11. City acceptance of the developer's offer to voluntarily contribute \$0.83 per buildable square foot (e.g. \$20,143.54) to the City's Public Art fund.
12. City acceptance of the developer's offer to voluntarily contribute \$4.00 per buildable square foot (e.g. \$ 97,077.28) to the City's affordable housing fund.
13. Contribution of \$21,000 in-lieu of on-site indoor amenity space.
14. Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. Works include, but may not be limited to:

Cambie Road Frontage Improvements

- a) Along the Cambie Road frontage, a minimum 2.0 m wide new concrete sidewalk at the new property line and a minimum of 1.5 m treed and landscape boulevard within the remaining width to the existing curb.

Mellis Drive Frontage Improvements

- a) New 1.5 m concrete sidewalk at property line and a minimum 1.5 m landscaped and treed boulevard to existing curb.

Public Walkway along the East Property Line

- a) The paved pathway to be 2.5 m with landscaped buffer on either side.
- b) Installation of way-finding signage.

Intersection of Bergen Drive and Cambie Road

- a) Installation of side street detection and count-down timer.
- b) All civil, utility and traffic signal modifications required due to this development are the sole responsibility of the developer including but not limited to:
 - Traffic pole/base relocations and/or new additions if required.
 - Hydro pole relocation and other utility relocation if required.
 - Junction box/conduit relocations and/or new additions if required.
 - Associated traffic signal cables/conductors and vehicle detector loops.
 - Signal head additions or modifications including countdown timer and flasher.
 - Pavement markings and signage.
 - Traffic signal modification design drawings (details to be identified during the SA process).

Intersection of Cambie Road and No. 5 Road

- a) Contribution of \$20,000 related to provision of Accessible Pedestrian Signal (APS) and illuminated street signs.

Water Works

- a) Using the OCP Model, there is 144 L/s of water available at a 20 psi residual at the Cambie Road frontage, and 199 L/s of water available at a 20 psi residual at the Mellis Drive frontage. Based on the proposed development, the site requires a minimum fire flow of 220 L/s. Upgrade to the frontage water main along Mellis Drive and Cambie Road may be required. Or alternatively, the developer should submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) to confirm that there is adequate available flow for onsite fire protection without upgrading the existing frontage watermain.
- b) The two existing water service connections along the Cambie Road frontage are to be disconnected. Site water service to tie-in to Mellis Drive. Details to be finalized in the Servicing Agreement designs.

Storm Sewer Works

- a) Replace the existing storm manhole SMH2425 (fronting of 11911 Cambie Road) with a 1200 mm diameter, and upgrade the frontage storm sewer main to 600 mm diameter from SMH2425 to another new 1200 mm diameter manhole at the west property line. Details to be finalized in the Servicing Agreement designs.
- b) Site storm drainage is to be directed towards Cambie Road, and one of the exiting tie-in points at Cambie Road is to be utilized for service connection; all other service connections are to be abandoned and/or removed at developer's cost. Details to be finalized in the Servicing Agreement designs.
- c) There is a shared IC with 11911 Cambie Road in the south-east corner; the developer is required to confirm if 11911 Cambie Road is utilizing this IC. If yes, cap the west connection at IC and maintain the service to 11911 Cambie Road; if no, remove the IC and connections altogether as mentioned in item b.

Sanitary Sewer Works

- a) No upgrade is required to the sanitary sewer mains.
- b) The existing sanitary ICs and connections in the SROW are to be removed. Site sanitary service to tie-in to a new manhole on Mellis Drive at the west property line. Details to be finalized in the Servicing Agreement designs.

Private Utilities

- a) Developer is responsible for under-grounding of the property's electrical and telecommunication services along Cambie Road and Mellis Drive. The developer shall provide private utility companies with the required rights-of-ways for their equipment (e.g. Vista, PMT, LPT, SAC Pad, kiosks, etc.) and/or to accommodate the future under-grounding of the overhead lines. These equipments must be located on private property and not within the City's SROWs or Public Rights of Passage and not impact public amenities such as sidewalks, boulevards and bike paths. The developer is responsible for coordination with private utility companies.

General Items

- a) 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.
15. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.

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

1. Complete an acoustical and thermal report and recommendations prepared by an appropriate registered professional; which demonstrates that the interior noise levels and noise mitigation standards comply with the City's Official Community Plan 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

2. Complete a proposed townhouse energy efficiency report and recommendations prepared by a Certified Energy Advisor which demonstrates how the proposed construction will meet or exceed the required townhouse energy efficiency standards (EnerGuide 82 or better), in compliance with the City's Official Community Plan.

Prior to a Development Permit* issuance, the developer is required to complete the following:

1. Submission of a Landscaping Security based on 100% of the cost estimate provided by the landscape architect.

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

Note:

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

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

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

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

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9293 (RZ 14-670471)
11671 and 11691 Cambie Road**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"LOW DENSITY TOWNHOUSES (RTL4)"**.

P.I.D. 000-527-360

Lot B Except: Part Subdivided by Plan 83682, Section 25 Block 5 North Range 6 West New Westminster District Plan 9472

and

P.I.D. 011-397-781

Lot A Except: Part Subdivided by Plan 83682, Section 25 Block 5 North Range 6 West New Westminster District Plan 9472

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9293"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

ADOPTED

MAR 13 2017



MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division


To: Planning Committee
From: Wayne Craig
Director, Development

Date: February 22, 2017
File: RZ 14-674068

Re: Application by Matthew Cheng Architect Inc. for Rezoning at 8480 No. 5 Road
from "Agriculture (AG1)" to "Assembly (ASY)"

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9537, for the rezoning of 8480 No. 5 Road from "Agriculture (AG1)" to "Assembly (ASY)", be introduced and given first reading.


Wayne Craig
Director, Development

DB:blg
Att. 10

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER



FOR JOE FRANK

Staff Report

Origin

Matthew Cheng Architect Inc., on behalf of the Tung Cheng Yuen Buddhist Association, has applied to the City of Richmond to rezone the site at 8480 No. 5 Road from “Agriculture (AG1)” to “Assembly (ASY)” to permit development of a Buddhist temple. The site has been cleared of buildings and is currently vacant. A location map and aerial photograph are included in Attachment 1.

Findings of Fact

Exception from the Agricultural Land Commission (ALC) Act

The subject site is located within in the Agricultural Land Reserve (ALR). The Agricultural Land Commission (ALC) has confirmed (Attachment 2) that because the property was on separate Certificate of Title, and was less than two acres in size as of December 21, 1972 when the ALR was established, it is not subject to the restrictions on the use of agricultural land contained in the *Agricultural Land Commission Act* and BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation). No application or approval from the ALC is required for this development.

Project Description

The subject site is 3,416.7 m² (36,777.46 ft²) in area. The proposed temple building will be a two-storey building, approximately 1,308.07 m² (14,080 ft²) in floor area. The building will contain parking on the ground level, a dining hall, offices, a library, and a dormitory containing two sleeping units on the main floor; and a worship hall on the top floor. The proposed uses are permitted under the “Assembly (ASY)” zone.

Attachment 3 shows a building elevation plan which fully meets the ASY zone with no variances and 12 m (39.37 ft.) in height. This plan set represents the subject of this Rezoning Application.

Attachment 4 shows a modified building elevation which would exceed the existing ASY zone’s 12 m (39.4 ft.) maximum height regulation by approximately 2.09 m (6.86 ft.). The modification would be to accommodate a distinctive roof peak that is more in keeping with traditional Chinese temple architecture. A separate Development Variance Permit (DVP) will be required if the applicant wishes to pursue a variance to the height of the building. A discussion of the issues related to a DVP are discussed more fully later in this report.

A Development Application Data Sheet providing details about the development proposal is contained in Attachment 5.

Surrounding Development

North: A property owned by the Shia Muslim Community of BC; at 8320 No. 5 Road on a split- zoned site; “Assembly (ASY)” on the westerly 110 m and “Agriculture (AG1)” on the eastern portion, and located within the ALR and the No. 5 Road Backlands Policy area.

- East and South: A property owned by the Shia Muslim Community of BC; at 8580 No. 5 Road on a split-zoned site, “Assembly (ASY)” on the westerly one-third of the property (approximately 1.3 ha) and “Agriculture (AG1)” on the eastern portion. The site is located within the ALR and the No. 5 Road Backlands Policy area.
- West: Directly across No. 5 Road; at 8451 No. 5 Road, is a split-zoned property with “Roadside Stand (CR)” on the front portion and “Agriculture (AG1)” on the back portion. The property is located within the ALR, but is not located within the No. 5 Road Backlands Policy area.

Related Policies & Studies

2041 Official Community Plan/No. 5 Road Backlands Policy

The site is designated “Community Institutional” in the 2041 Official Community Plan (OCP) and “Agriculture, Institutional and Public” in the East Richmond McLennan Sub-Area Plan. The proposed development complies with the existing OCP and the Sub-Area Plan land use designation (Attachment 6).

As the entire site is designated “Community Institutional” in the OCP and it is entirely located within 110 m of No. 5 Road; the area designated for institutional uses; the applicant is not required to farm the site.

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 plain 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 received two inquiries from the public regarding the application in response to the placement of the rezoning sign on the property. One e-mail was received from a member of the public who wanted to obtain more information about the application; the inquirer did not raise any specific concerns.

The other inquiry was from Shia Muslim Community of BC; which owns immediately neighbouring sites at 8320 No.5 Road (to the north) and 8580 No. 5 Road (to the south and east). The Muslim congregation submitted written comments on May 5, 2016, to express concerns that the height and massing of the building that was originally proposed for the site is out of character with the existing streetscape (Attachment 7). The Buddhist Association’s original proposal was for a building that was approximately 6 m (19.68 ft.) over the 12 m maximum height allowed under the ASY zoning.

In response to the concerns raised, the applicant made extensive revisions to their plans; reducing the overall height of the building, altering the shape of the roof peak to reduce the extent of the area requiring a height variance; and moving the building northward and closer to No. 5 Road – effectively moving further away from the adjacent Muslim building.

A revised plan indicating a building of approximately 14.09 m (46.23 ft.) in height was forwarded to the Shia Muslim Community for review and comment on December 20, 2016 and a follow up meeting between staff and representatives of the Shia Muslim Community took place on January 11, 2017. The Muslim representatives were appreciative of the changes, but did ask whether the building height could be reduced further, or that the building be moved to the north. Having reviewed the request, the applicant determined that neither option was possible without significant implications and they have requested the application to proceed. Staff have kept the Muslim Community apprised of this.

Should the Planning Committee endorse the rezoning 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. A separate application will be required to address any variance to the building height. As shown in Attachment 3 the Architect has provided plans showing the ability for the site to be developed in accordance with the ASY zone.

Staff have reviewed the proposed zoning amendments, with respect to the *Local Government Act* and the City's OCP Consultation Policy No. 5043 requirements, and recommend that this report does not require referral to external stakeholders.

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

Agricultural Advisory Committee (AAC)

The AAC reviewed the application at its meeting held on February 4, 2016, and passed the following motion.

That the rezoning application at 8480 No. 5 Road be supported as presented.

Carried Unanimously

The minutes of the meeting are included in Attachment 8.

Analysis

Vehicular Access and Parking

Vehicle access is provided by a single driveway access from No. 5 Road at the southwest corner of the property. At grade parking is provided along the perimeter of three sides of the site, located away from No. 5 Road.

The applicant has provided a parking study prepared by a transportation consultant to assess the parking needs of the site. The report notes that the proposed temple is expected to have very little activity on weekdays, and the proposed parking spaces to be provided can accommodate the estimated parking demand during weekly peak attendance period and special events. The applicant has also obtained a letter from the neighbour at 8600 No. 5 Road (India Cultural Centre) permitting the proposed temple to use four parking spaces located at 8600 No. 5 Road in case overflow parking is required during high attendance events.

The proposal will provide 75 parking spaces including two handicapped spaces. One medium sized loading stall is also provided in the northeast corner of the property. The provided parking fully meets the required amount of parking under the "Assembly (ASY)" zone.

Transportation staff reviewed the proposed driveway and parking configuration and have no concerns.

Site Layout and Design

The temple building is proposed to be located with its main entrance fronting onto No. 5 Road and parking located along the sides and rear of the site. The building will be setback from the front property line by approximately 7.7 m allowing for a landscaped area along No. 5 Road. The perimeter of the site will be landscaped with various trees and shrubs, providing a visual relief from the adjacent properties. Permeable pavers are used for all the parking spaces adjacent to the property boundaries.

The building's design will be reflective of a traditional Buddhist architectural style incorporating symmetry, various traditional ornamental features, and a modified version of the traditional Chinese temple roof design. Handicapped parking stalls are located near the front entrance and near an elevator for individuals who may require assistance to enter the building.

Anticipated Variance

As noted at the beginning of this report, Attachment 3 shows a building elevation plan which fully meets the ASY zone with a 12 m (39.37 ft.) in building height and no variances. Attachment 4 shows a modified building design with a building height of 14.09 m (46.22 ft.) that exceeds the existing ASY zone's maximum height regulation by 2.09 m (6.86 ft.).

The applicant has indicated that the taller building design illustrated in Attachment 4 is their strong preference as it accommodates a ceremonial roof peak design that is more reflective of traditional Buddhist temple architecture. Staff have made the applicant aware of concerns raised by the adjacent property owners and indicated that they would need to work with their neighbours if they wish to pursue a variance to the height of the building. Staff note that the applicant has made significant modifications to the site plan and reductions to their building design in response to the concerns raised.

Should the applicant wish to pursue the taller building design in Attachment 4 a separate Development Variance Permit application that will need to be considered by the Development Permit Panel on its own merits and by Council for issuance. Staff will again encourage the applicant to work with the neighbours to address their concerns as part of that application.

Tree Retention and Replacement

The applicant has submitted a Certified Arborist Report; which identifies on-site and off-site tree species, assesses their condition, and provides recommendations on tree retention and removal in relation to the proposed development. The Report identifies 10 trees located on City property, 14 trees located on the subject site, 14 jointly-owned trees with 8580 No. 5 Road, one jointly-owned tree with 8320 No. 5 Road, 11 trees located on the neighbouring property to the

north at 8320 No. 5 Road, and eight trees located on the neighbouring property to the south at 8580 No. 5 Road.

The City's Tree Preservation Coordinator and Parks Department Arborist have reviewed the report, conducted visual tree assessments and provide the following comments; which are consistent with the Arborist Report submitted:

- 14 on-site trees (Tag #1, 2, 4, 5, 6, 7, 10, 23, 25, 30, 34, 35, 36 and 37) to be removed due to poor condition.
- 14 jointly-owned trees (Tag #9, 11, 12, 13, 14, 16, 20, 21, 22, 24, 26, 27, 28 and 29) to be removed due to poor condition. The applicant has obtained a letter from the neighbour at 8580 No. 5 Road authorizing the removal of these jointly-owned trees.
- Six off-site trees (Tag #15, 17, 18, 19, 31 and 32); located on the neighbour's site at 8580 No. 5 Road to be removed due to poor condition. The applicant has obtained a letter from the neighbour at 8580 No. 5 Road authorizing the removal of these trees.
- 11 off-site trees (Tag # NT4, NT5, NT6, NT7, NT8, NT9, NT10, NT11, NT12, NT13 and NT14) located at 8320 No. 5 Road and one jointly-owned tree (Tag #33) to be protected.
- There are 10 City-owned trees adjacent to the site. Nine City-owned trees (Tag # 8, NT15, NT 16, NT17, NT18, NT19, NT20, NT21 and NT22) to be removed due to poor condition and one City-owned tree (Tag #NT1) to be protected. Tag #8 is only a stump, so no compensation is necessary.
- Provide tree protection as per City of Richmond Tree Protection Information Bulletin Tree-03.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

Tree Replacement

The applicant wishes to remove 14 on-site trees (Trees # Tag #1, 2, 4, 5, 6, 7, 10, 23, 25, 30, 34, 35, 36 and 37) and 14 jointly-owned trees (Tag #9, 11, 12, 13, 14, 16, 20, 21, 22, 24, 26, 27, 28 and 29). The 2:1 replacement ratio would require a total of 56 replacement trees. The applicant has agreed to plant a total of 58 trees. The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

DBH of Tree Cut or Removed	No. of Trees Removed	No. of Replacement Trees (2 for 1)	Minimum Height of Coniferous Replacement Tree	Minimum Caliper of Deciduous Replacement Tree
20 - 30 cm	9	18	3.5 m	6 cm
30 – 40 cm	10	20	4 m	8 cm
40 – 50 cm	3	6	5 m	9 cm
50 – 60 cm	4	8	5.5 m	10 cm
60 cm+	2	4	6 m	11 cm

For the removal of the eight City-owned trees, the Parks Department requires the applicant to contribute to the City's Tree Compensation Fund in the total amount of \$4,550; which must be

secured prior to adoption of the rezoning bylaw. As part of the required Servicing Agreement for frontage works, the applicant will also be required to provide trees in the City boulevard.

The preliminary landscape plan submitted with the rezoning application shows 58 replacement trees will be planted on-site. To ensure that a minimum of 56 replacement trees are planted at construction stage and maintained, the applicant is required to submit a Final Landscape Plan; showing at least 56 replacement trees prior to final adoption of the rezoning bylaw. The security for the replacement trees to be planted must be included as part of the overall cost estimate of the landscape security; which must be submitted with the Final Landscape Plan.

Tree Protection

Thirteen trees on neighbouring properties or on adjacent City lands are to be retained and protected. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 9). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.
- To ensure successful retention of the 11 off-site trees located on the neighbouring property at 8320 No. 5 Road and one jointly owned tree, the preliminary drawings show the recommended minimum 4 m tree protection zone.
- To ensure successful retention of the one off-site tree on the City boulevard, the applicant is required to provide Tree Survival Security in the amount of \$1,300. The security will not be released until an acceptable impact assessment report is submitted and a landscaping inspection has been passed by City staff.

Environmentally Sensitive Area

The property has a small (approximately 25 m²) Environmentally Sensitive Area (ESA) designation along the north and west property lines, which covers trees on the adjacent property to the north. This area is not to be impacted by the proposed development and an ESA Development Permit (DP) will not be required. Additional trees will be planted on the subject site to enhance and buffer the ESA as part of the proposed development. The proposed site plan also incorporates a tree protection zone setback for parking along the northern property boundary to minimize any potential impacts to the trees on the adjacent property.

Site Servicing and Frontage Improvements

Prior to issuance of a Building Permit, the applicant will be required to secure the design and construction of off-site improvements along No. 5 Road through a Servicing Agreement, as stated in Attachment 10. The required works include:

- The design and construction of a 1.5 m wide treed and grassed boulevard and a new 1.5 m wide concrete sidewalk along No. 5 Road.
- Installation of a new water connection complete with meter and meter box.
- Upgrading of approximately 75 m of routing storm sewer.
- Relocation of an existing storm inspection chamber on the west property boundary.
- Installation of new sanitary service connections and inspection chambers along the frontage.
- Assessment of roadway lighting and recommendations for lighting upgrades, etc.

Financial Impact and 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 proposal at 8480 No. 5 Road is consistent with the 2041 OCP policies that permit community institutional uses on the subject site. The applicant has made significant modifications to their original site and design plans in order to address concerns raised by the Shia Muslim Community Association representatives as owners of the adjacent property to the south.

Based on the submission to date, staff recommend that Zoning Bylaw 8500, Amendment Bylaw 9537, to rezone 8480 No. 5 Road from "Agriculture (AG1)" to "Assembly (ASY)" to permit development of a Buddhist temple, be introduced and given first reading.

Staff note that the proponents will need to make a separate Development Variance Permit application should they wish to pursue the proposed height variance as shown in their rezoning plans submission.



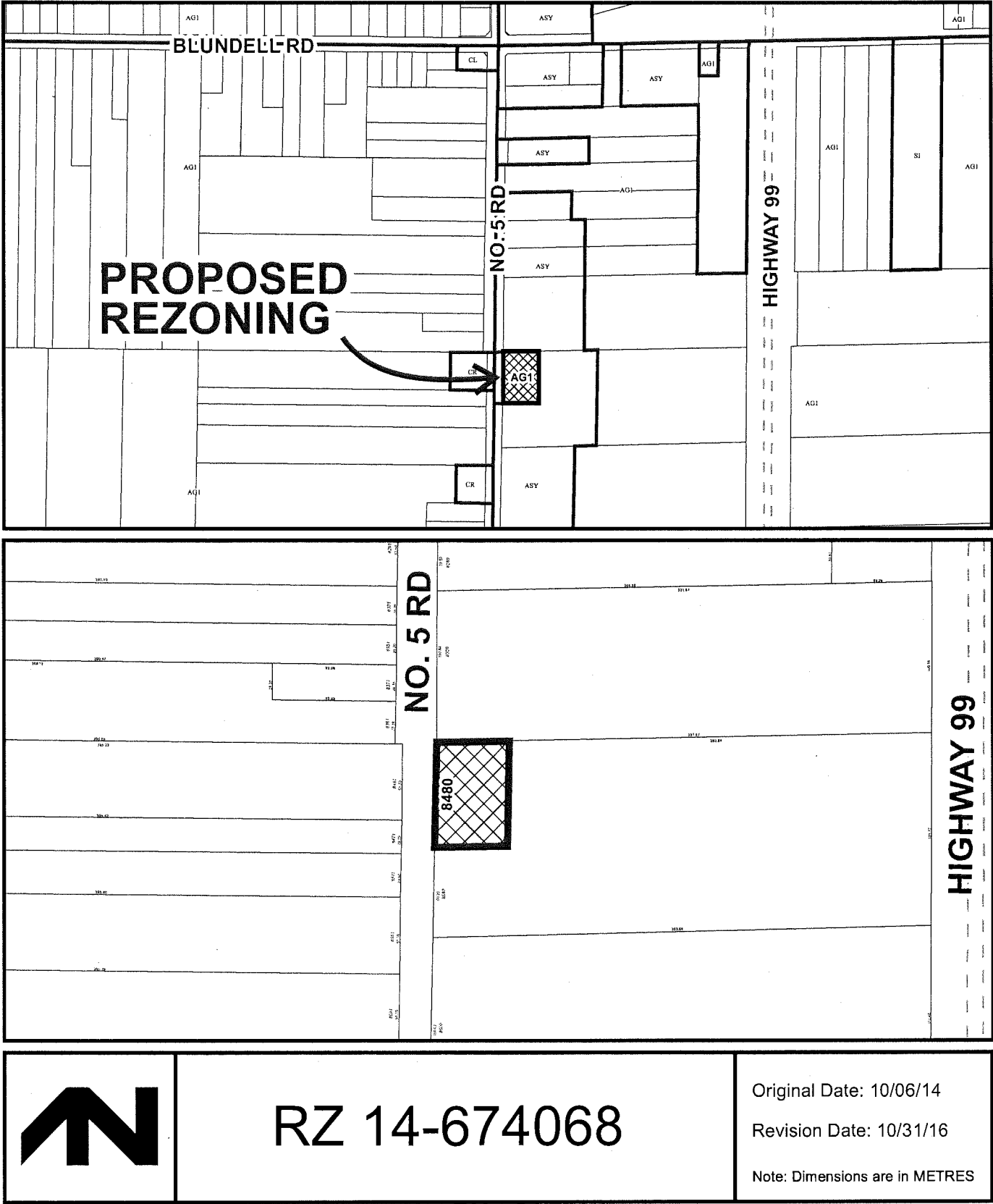
David Brownlee
Planner 2
(604-276-4200)

DB:blg

- Attachment 1: Location Map
- Attachment 2: Agricultural Land Commission Act Exemption
- Attachment 3: Conceptual Development Plans (Responds to “Assembly (ASY)”
- Attachment 4: Conceptual Development Plans with a Height Variance
- Attachment 5: Development Application Data Sheet
- Attachment 6: East Richmond McLennan Sub-Area Plan Land Use Map
- Attachment 7: Written Comments from the Shia Muslim Community of BC
- Attachment 8: Excerpt from February 4, 2016 Agricultural Advisory Committee Meeting Minutes
- Attachment 9: Tree Retention Plan
- Attachment 10: Rezoning Considerations



City of
Richmond

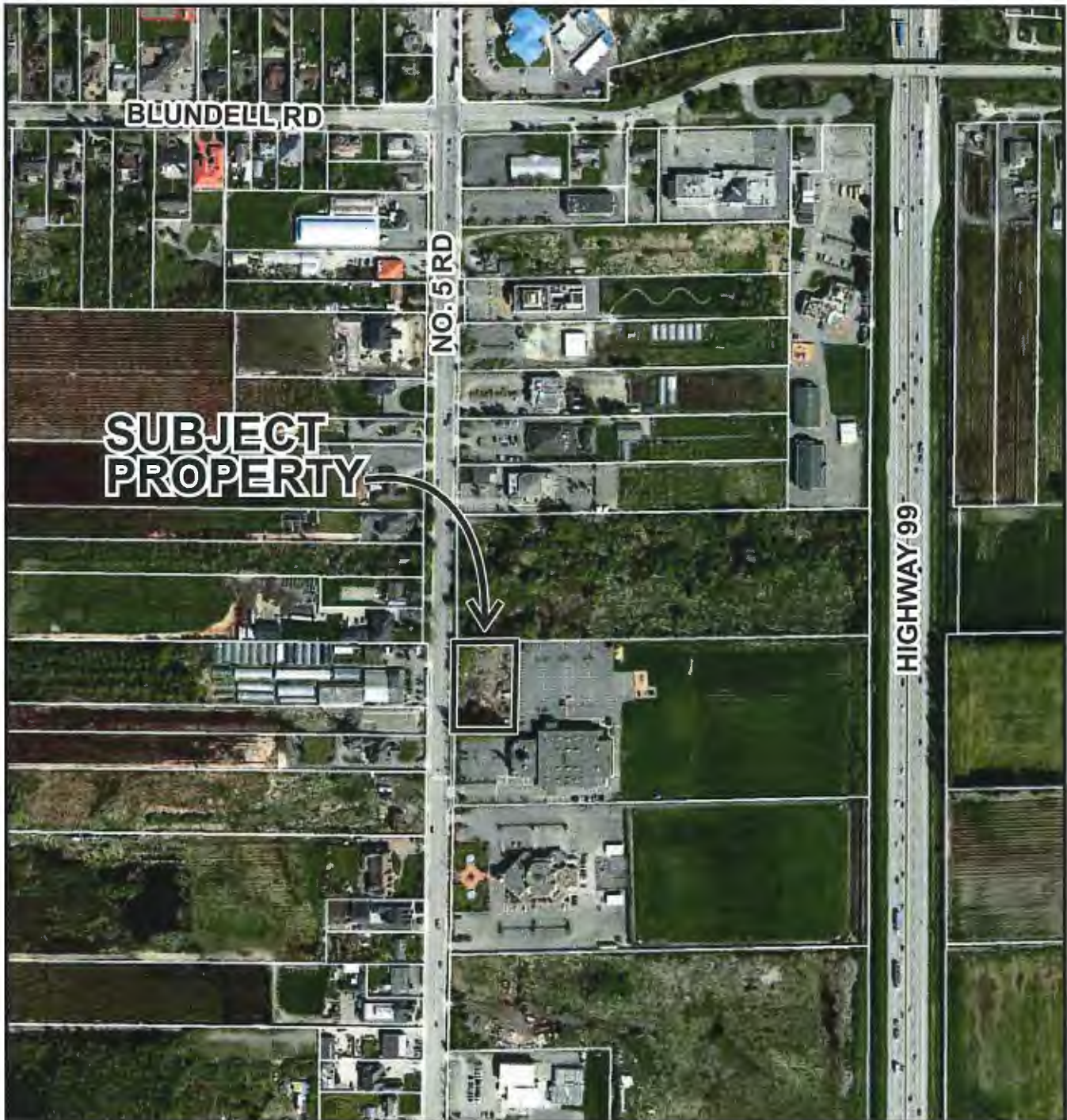


RZ 14-674068

Original Date: 10/06/14
Revision Date: 10/31/16
Note: Dimensions are in METRES



City of
Richmond



RZ 14-674068

Original Date: 10/07/14

Revision Date:

Note: Dimensions are in METRES



January 14, 2015

Minhee Park, Planner
City of Richmond

DELIVERED BY ELECTRONIC MAIL

Dear Ms. Park:

RE: 8480 No. 5 Road, Richmond

This letter is further to correspondence, received by electronic mail on January 14, 2015, from you. The purpose of your correspondence was to confirm that the property is not subject to either the *Agricultural Land Commission Act* or BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation) as per s. 23(1) of the *Agricultural Land Commission Act* which reads:

Exceptions

23(1) Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the *Land Registry Act*, R.S.B.C. 1960, c. 208, less than 2 acres in area.

Based on the information provided, the Agricultural Land Commission (the "ALC") has ascertained the following facts:

1. The property is legally described as:
PID: 009-177-884
Lot 14, Section 19, Block 4 North, Range 5 West, New Westminster District, Plan 29706;
2. The subdivision plan (Plan 29706) which created the property was deposited at the New Westminster Land Registry Office on July 15, 1966;
3. Certificate of Title No. 583213E existed from July 15, 1966 until cancelled on March 16, 1973. During this period of time the property was the only property identified on said Certificate of Title No. 583213E; and
4. The property is approximately 0.85 acres in size.

Given the above, the ALC confirms that the restrictions on the use of agricultural land contained in the *Agricultural Land Commission Act* and BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation) do not apply to the property; however, the property remains in the Agricultural Land Reserve.

Further correspondence with respect to this letter is to be directed to Eamonn Watson (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Deputy Chief Executive Officer

cc: Fred Ngan, 22 – 5729 West Boulevard, Vancouver, BC V6M 3W8

85100-03-2015-MVRD-TungChengYuenBuddhistAssociation



MATTHEW CHENG
ARCHITECT INC.

14250 GLENVIEW AVENUE
VANCOUVER, BC V6A 2C5
Tel: (604) 271-5507 / Fax: (604) 751-5968
Cell: (604) 685-0607 Email: matthew@matthewcheng.ca

THE FIRM HAS BEEN SELECTED BY THE
CITY OF VANCOUVER TO PREPARE THE
LANDSCAPE ARCHITECTURE PLAN FOR
THE PROPOSED JI-GONG BUDDHIST TEMPLE
AT 8480 NO. 5 ROAD, RICHMOND, BC.
THE FIRM HAS BEEN SELECTED BY THE
CITY OF VANCOUVER TO PREPARE THE
LANDSCAPE ARCHITECTURE PLAN FOR
THE PROPOSED JI-GONG BUDDHIST TEMPLE
AT 8480 NO. 5 ROAD, RICHMOND, BC.

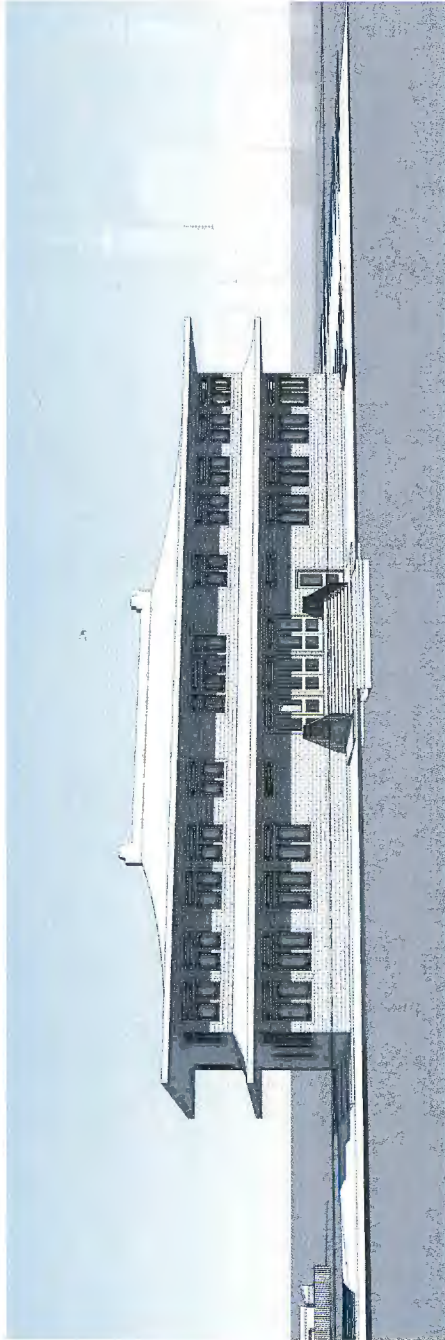
Revised:

Consent:

Project Title
8480 NO. 5 ROAD
RICHMOND

Sheet No.
COVER PAGE

Drawn By: RK
Checked By: MC
Scale:
Project Number:
Revision Date:
Print Date:
2/28/2017
A000



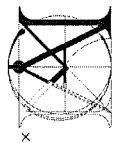
Ji-Gong Buddhist Temple 8480 NO. 5 ROAD, RICHMOND B.C. JANUARY 30, 2017 ISSUED FOR PLANNING COMMITTEE

PROJECT DATA

ADDRESS	EXISTING		PROPOSED	
	METRIC (MSM)	IMPERIAL (F/SF)	METRIC (MSM)	IMPERIAL (F/SF)
LEGAL DESCRIPTION	SURVEY PLAN OF LOT 14, SECTION 19, BLOCK 4 NORTH, RANGE 5 WEST, NEW WESTMINSTER DISTRICT, PLAN 28708			
PID	008-177-584			
SITE AREA	3,416.7	36,777.46	3,416.7	36,777.46
LAND USE	SINGLE FAMILY HOUSE & AGRICULTURE			
CCP DESIGNATION	RESIDENTIAL & AGRICULTURE			
ZONING	AG1			

FLOOR AREA RATIO (FAR)	REQUIRED / ALLOWED		PROPOSED	
	METRIC (MSM)	IMPERIAL (F/SF)	METRIC (MSM)	IMPERIAL (F/SF)
FLOOR AREA TOTAL	1,708.37	18,588.73	1,308.07	14,080.00
FLOOR AREA TOTAL	1,708.37	18,588.73	1,308.07	14,080.00
LOT COVERAGE	1,195.88	12,872.11	654.04	7,040
SETBACK-FRONT YARD	6	19.69	9.08	28.78
SETBACK-SIDE YARD (NORTH)	7.5	24.61	17.95	58.90
SETBACK-SIDE YARD (SOUTH)	7.5	24.61	18.58	60.97
SETBACK-REAR YARD	7.5	24.61	21.49	70.51
HEIGHT (PREFERRED HEIGHT)	12	38.37	12	38.37
LOT SIZE	3,416.7	36,777.46	3,416.7	36,777.46
OFF-STREET PARKING TOTAL	74.95		75	
OFF-STREET PARKING TOTAL	74.95		75	
OFF-STREET PARKING TOTAL	74.95		75	
CLASS 1 BICYCLE SPACE	1 MEDIUM SIZE		1 MEDIUM SIZE	
CLASS 2 BICYCLE SPACE	2.46		2.46	
CLASS 3 BICYCLE SPACE	7.09		7.09	

Sheet Number	Sheet Name
A000	COVER PAGE
A100	CONTEXT PLAN
A101a	CONTEXT SHADOW STUDY
A101b	STREETSCAPES
A101c	TURCK TURNING RADIUS PLAN
A101d	GRADE FLOOR PLAN
A102	LANDSCAPE PLAN
A103	UPPER FLOOR PLAN
A104	PARKING CALCULATION OVERLAY
A105	FLOOR AREA OVERLAY
A106	WEST & EAST ELEVATIONS
A107	NORTH & SOUTH ELEVATIONS
A108	ADDITIONAL 14.1M WEST & EAST ELEVATIONS
A109	ADDITIONAL 14.1M NORTH & SOUTH ELEVATIONS
A110	FLOOR AREA OVERLAY ROOF
A111	ADDITIONAL HEIGHT COMPARISON (WEST ELEVATIONS)
A112	ADDITIONAL HEIGHT COMPARISON (SOUTH ELEVATIONS)
A113	ADDITIONAL HEIGHT COMPARISON (NORTH ELEVATIONS)
A114	ADDITIONAL HEIGHT COMPARISON (EAST ELEVATIONS)
A115	SHRUB PLAN
A116	EXISTING TREE MANAGEMENT PLAN
A117	LANDSCAPE SPECIFICATIONS



**MATTHEW CHENG
ARCHITECT INC.**

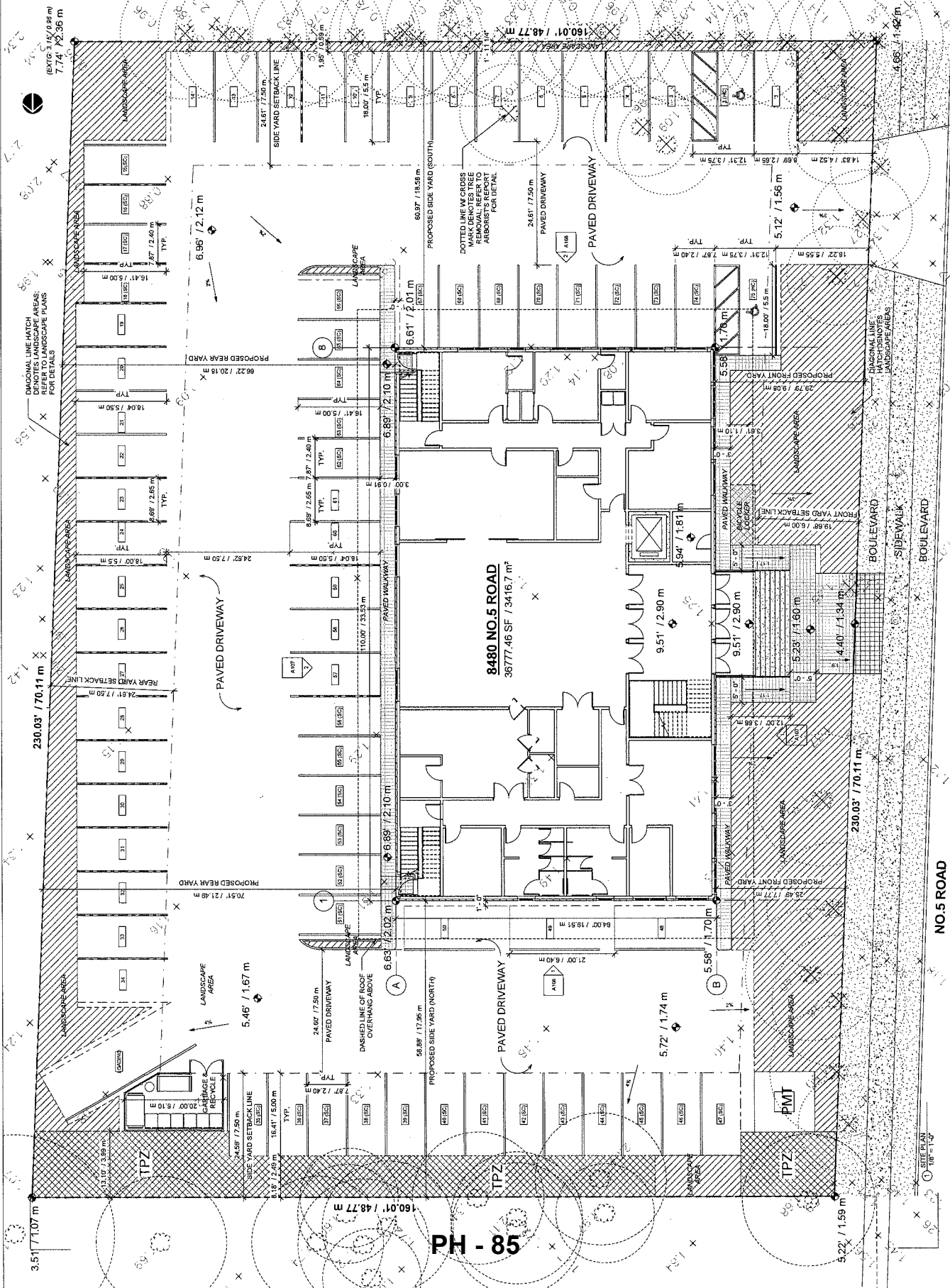
100-200 GOWAN AVENUE
SUITE 200
RICHMOND, BC V6V 1G2
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Cell: (604) 944-9669 Email: matthew@mc.ca

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Project No:
**8480 NO.5 ROAD
RICHMOND**

SITE PLAN

Drawn: RK
Checked: MC
Scale: 1/8" = 1'-0"
Project Number: A101
Revision Date: 11-14-17
Revision Description: 1



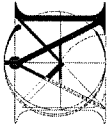
PH - 85

NO.5 ROAD

BOULEVARD

BOULEVARD

BOULEVARD



**MATTHEW CHENG
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1140-305 CHEVY CHASE AVENUE
SUITE 200
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RESOLVED BY THE ARCHITECT.

Revision:

Consultant:

Project Title:
**8480 NO. 5 ROAD
RICHMOND**

Sheet Title:
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Drawn: RK

Checked: MC

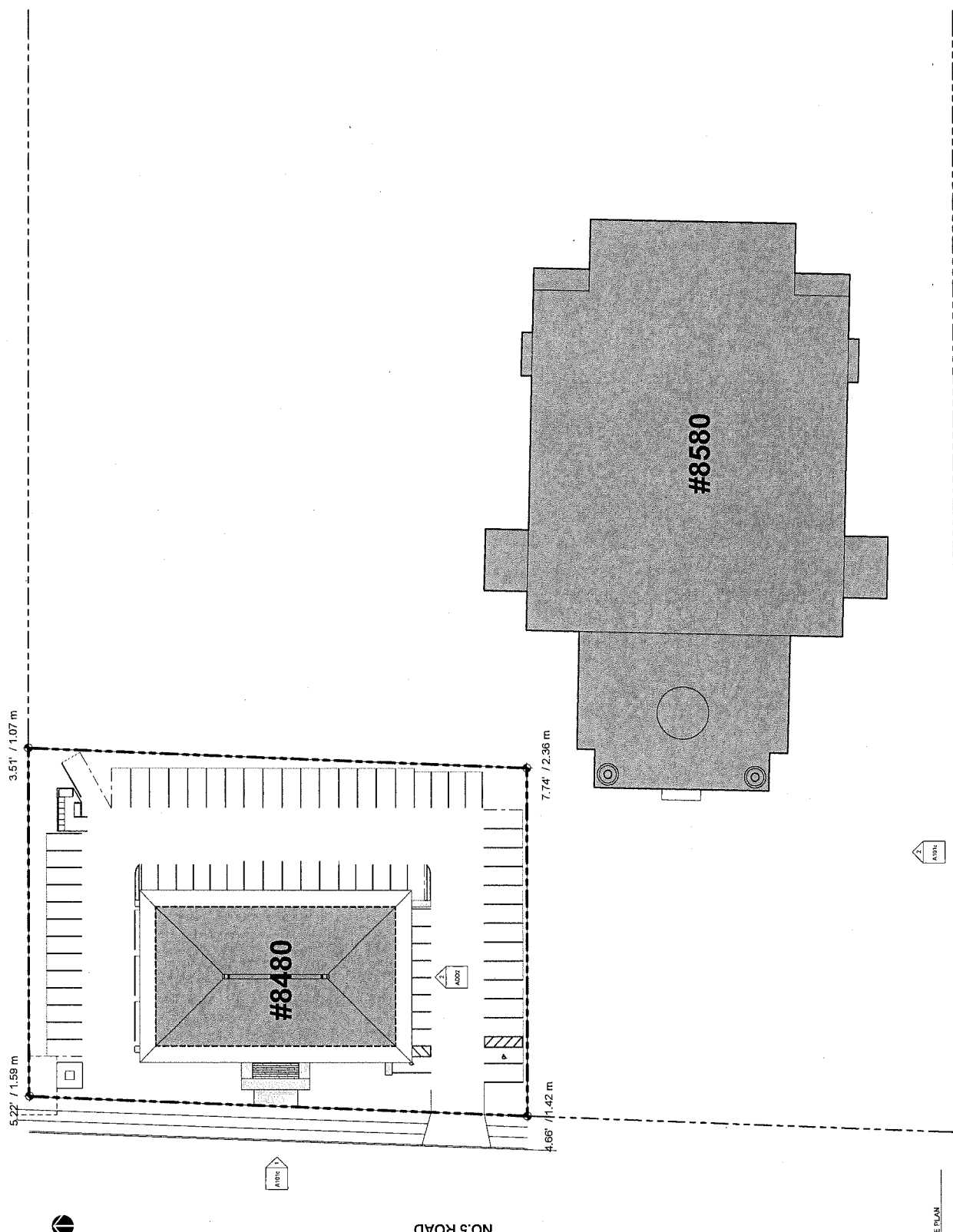
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Revision Date:

Revision No.:

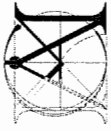
A101a



NO. 5 ROAD

PH - 86

① 8480 & 8580 NO. 5 ROAD SITE PLAN
1" = 20'-0"



**MATTHEW CHENG
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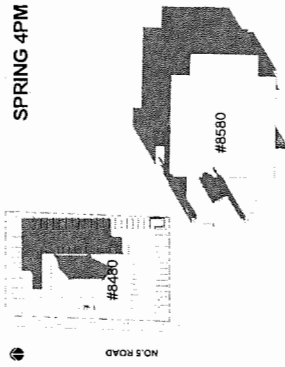
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Project Title
**8480 NO.5 ROAD
RICHMOND**

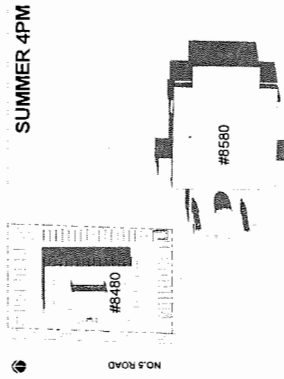
Sheet Title
**CONTEXT
SHADOW STUDY**

Drawn	RK
Checked	MC
Scale	
Project Number	
Revision Date	
Drawn Date	10/14/2015
Drawn By	A101b

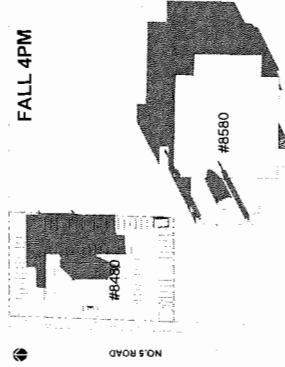
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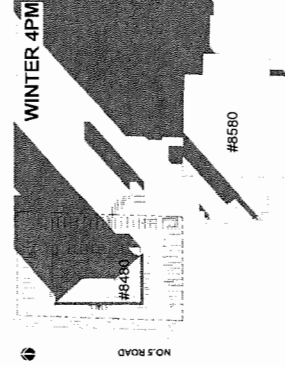
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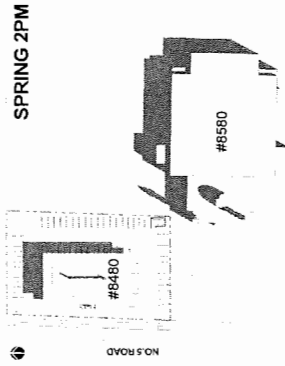
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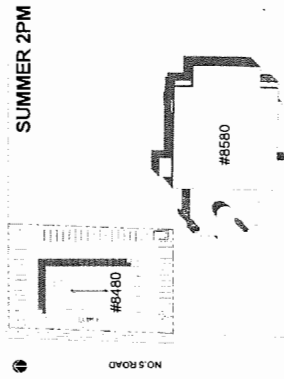
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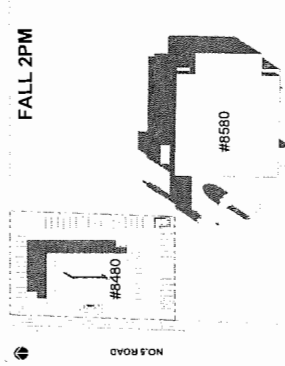
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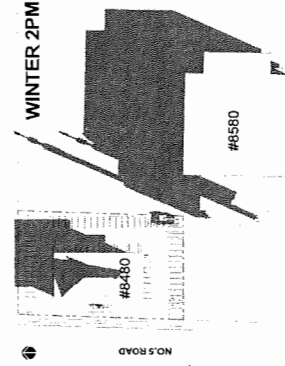
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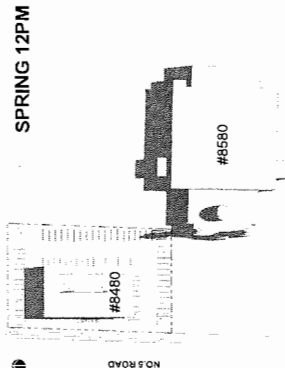
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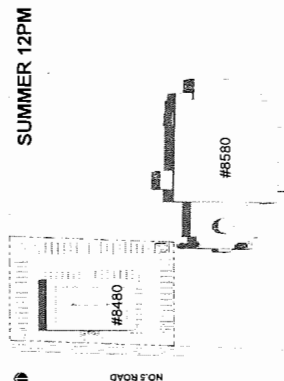
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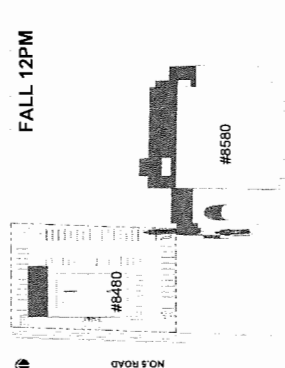
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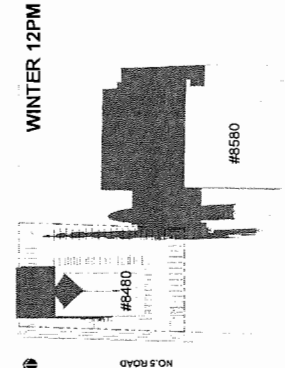
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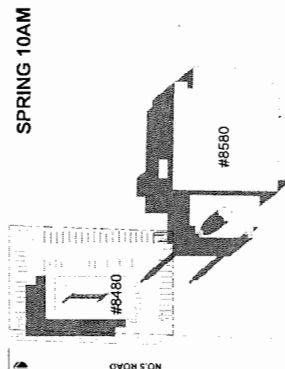
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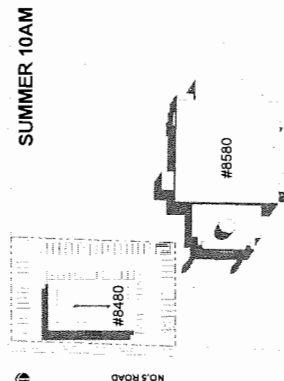
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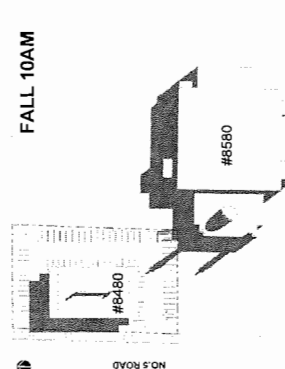
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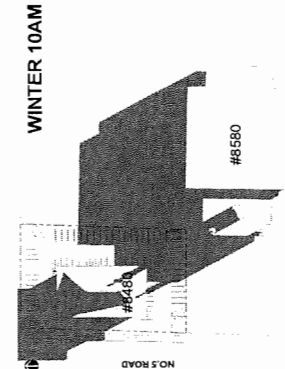
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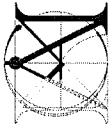


FALL 10AM



WINTER 10AM





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Revision

Comments

Project Title
**8480 NO. 5 ROAD
RICHMOND**

Sheet Title
**TURCK TURNING
RADIUS PLAN**

Drawn: RK

Checked: MC

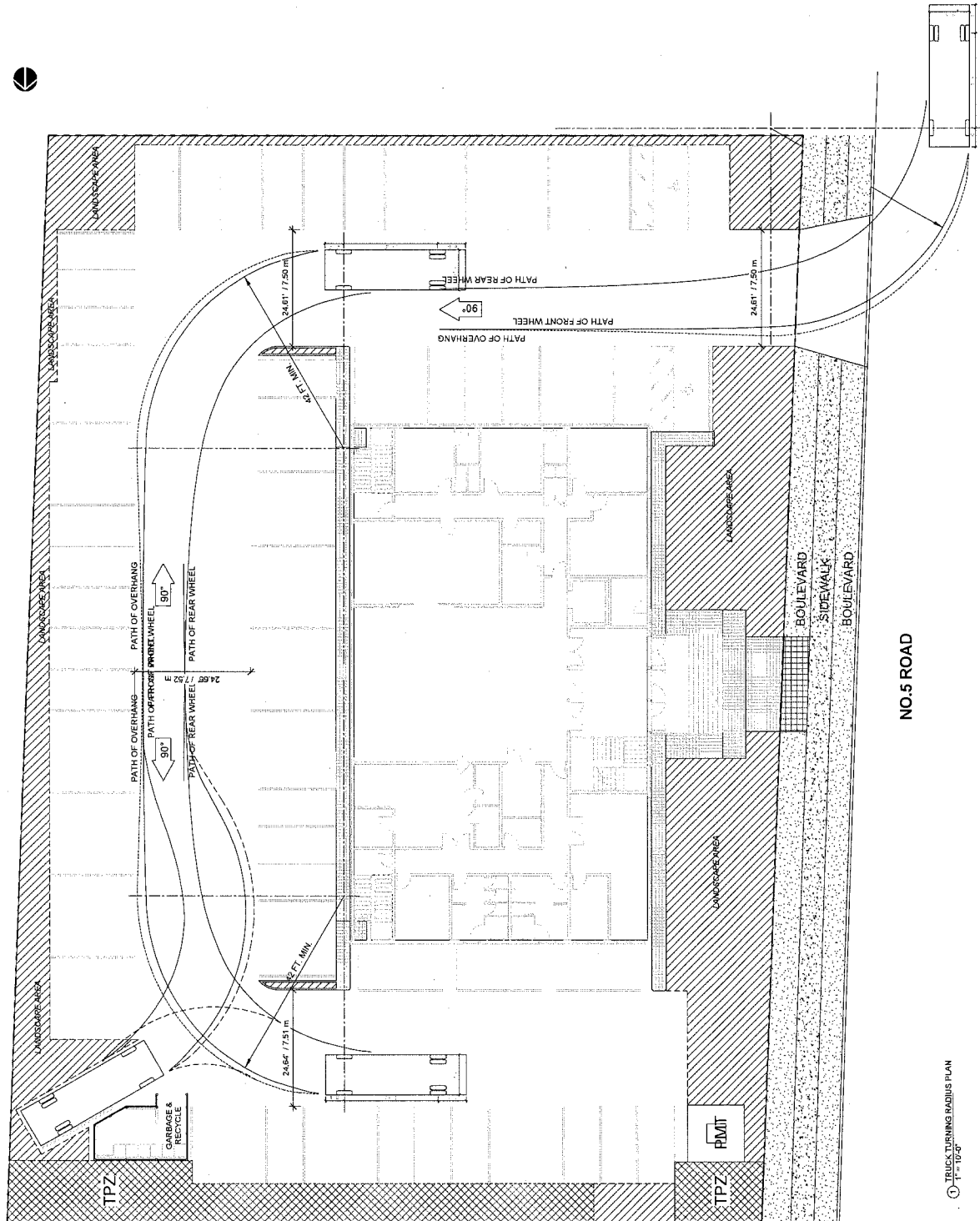
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Project Number

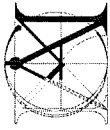
Revision Date

Drawn By

Sheet Number
A101d



① TURCK TURNING RADIUS PLAN
1" = 10'-0"



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1/10/2017

1/10/2017

Project Title
8480 NO. 5 ROAD
RICHMOND

Sheet Title
GRADE FLOOR
PLAN

Drawn: RK

Checked: MC

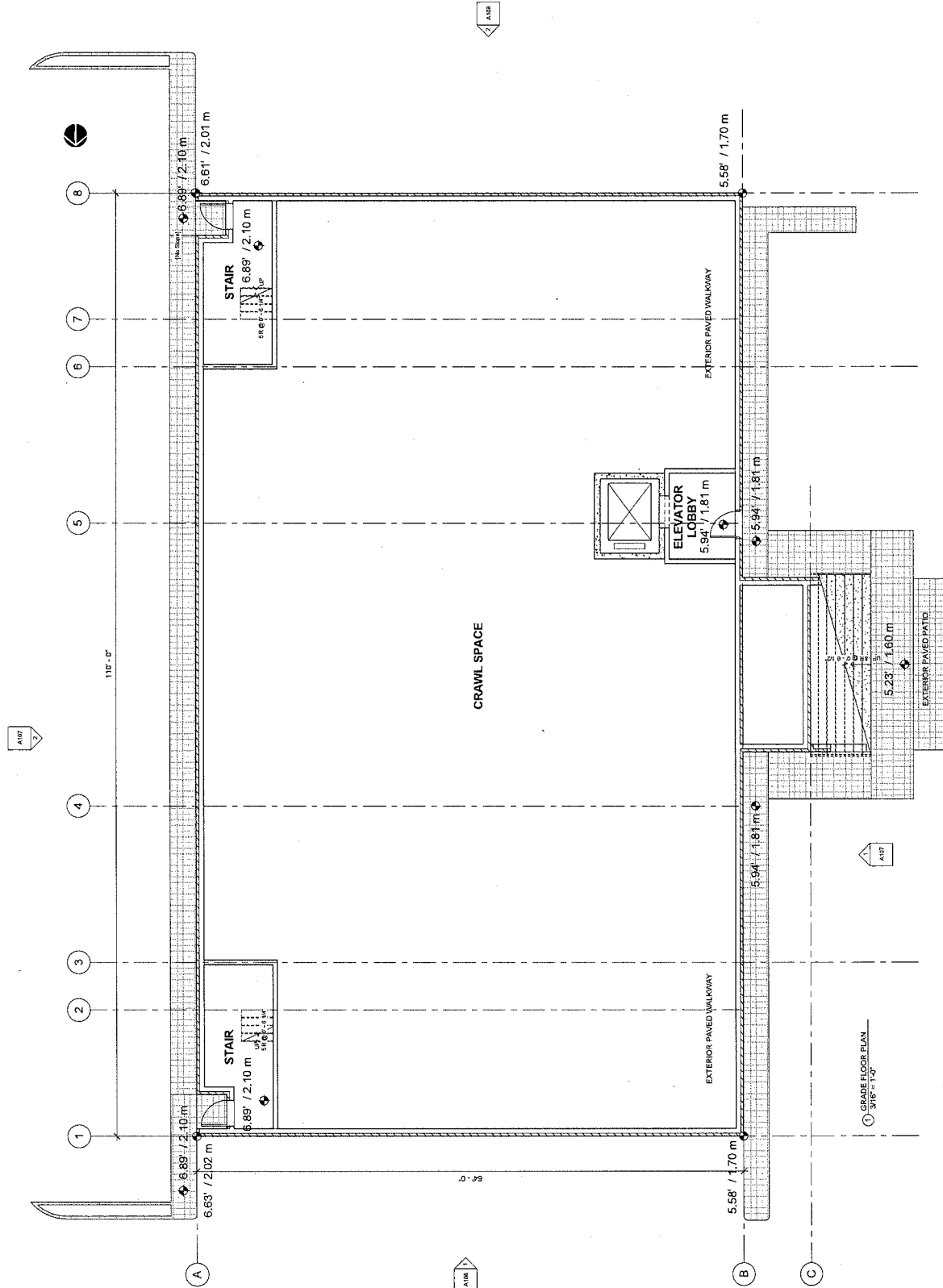
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Project Number:

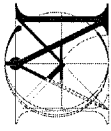
Revised Date:

Drawn: RK

1/10/2017
A102



PH - 90



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Revision:

Consent:

Project Title:
8480 NO. 5 ROAD
RICHMOND

Sheet No.
MAIN FLOOR
PLAN

Drawn: RK

Checked: MC

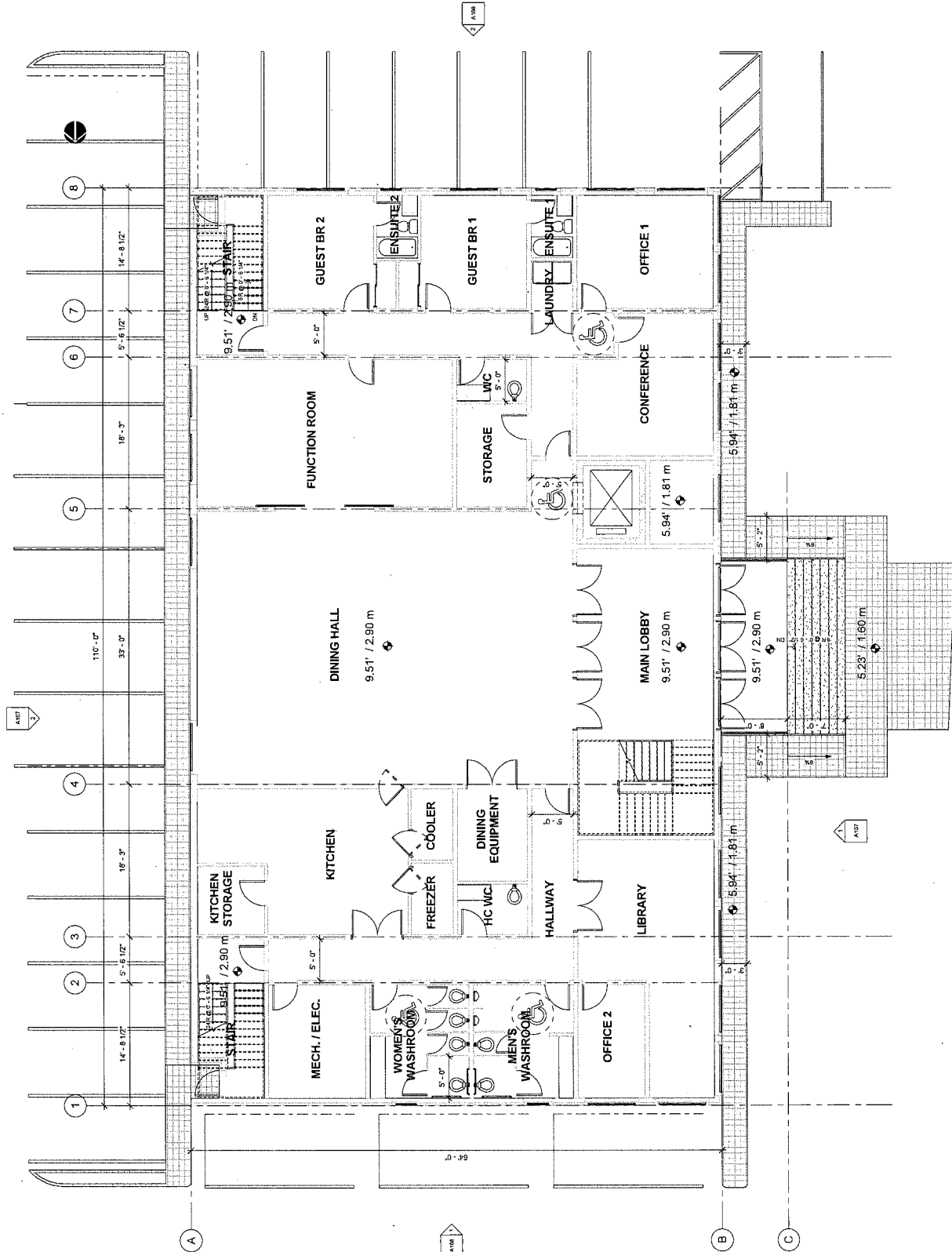
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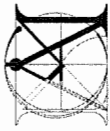
Project Number:

Revised Date:

Drawn: MC

A103





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Version:

Comments:

Project Title
8480 NO. 5 ROAD
RICHMOND

Client Title
UPPER FLOOR
PLAN

Drawn: RK

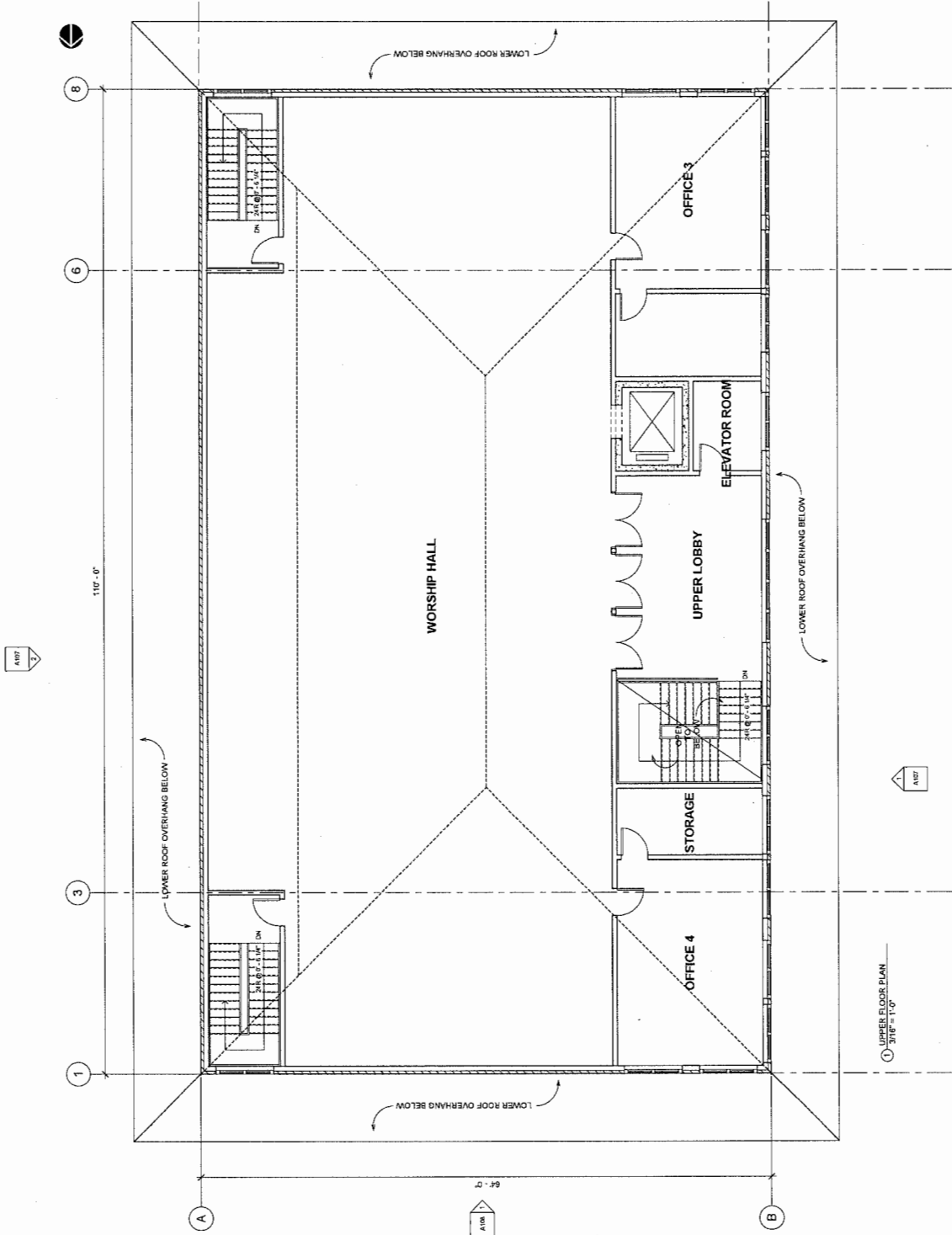
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Project Number:

Revision Date:

Page No.: A104





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8480 NO. 5 ROAD
RICHMOND

PARKING CALCULATION OVERLAY

Drinking

MC

178

Revision Date:

A105





UPPER FLOOR PARKING CALCULATION
 AREA OVERLAY
 ② $\frac{1}{8"} = 1'-0"$

MAIN FLOOR PARKING CALCULATION
AREA OVERLAY
1/20" = 1'-0"

PH - 93

Rentable Area Legend

 Building Common Area
 Office Area

COMMON AREA					
ROOM NAME	AREA		OCCUPANCY OF ROOM	NUMBER OF PARKING SPACE REQUIRED (10 SPACE PER 100 SM LEASABLE AREA)	NUMBER OF BICYCLE PARKING SPACE
	IMPERIAL	METRIC			
					Class 1 (0.27/100sm)
					Class 2 (0.78/100sm)
WORSHIP HALL	4,564	424.01	ASY	42.40	1.14
Main Level Lobby	377	35.02	ASY	3.50	0.09
Upper Level Lobby	377	35.02	ASY	3.50	0.09
Dining Hall	1,512	140.47	ASY	14.05	0.38
Function Room	546	50.73	ASY	5.07	0.14
				68.53	1.84
				5.34	Subtotal

COMMON AREA	ROOM NAME	AREA		OCCUPANCY OF ROOM	NUMBER OF PARKING SPACE REQUIRED (10 SPACE PER 100 SQM LEASABLE AREA)	NUMBER OF BICYCLE PARKING SPACE	
		IMPERIAL	METRIC			Class 1 (0.27/100sm)	Class 2 (0.78/100sm)
	WORSHIP HALL	4,564	424.01	ASY	42.40	1.14	3.31
	MAIN LEVEL LOBBY	377	35.02	ASY	3.50	0.09	0.27
	UPPER LEVEL LOBBY	377	35.02	ASY	3.50	0.09	0.27
	DINING HALL	1,512	140.47	ASY	14.05	0.39	1.10
	FUNCTION ROOM	546	50.73	ASY	5.07	0.14	0.40
					68.53	1.85	5.34
							SUBTOTAL

REQUIRED **74.96 TOTAL**

PROPOSED	75
STANDARD	37
SMALL CAR	36
H/C	2

7

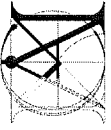
CLASS 1

REQUIRED	2.46
PROPOSED	3
CLASS 2	
REQUIRED	7.09
PROPOSED	8

RE

3

1



MATTHEW CHENG
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Project:

Client:

Project No:
8480 NO.5 ROAD
RICHMOND

Sheet No:
WEST & EAST
ELEVATIONS

Drawn: RK

Checked: MC

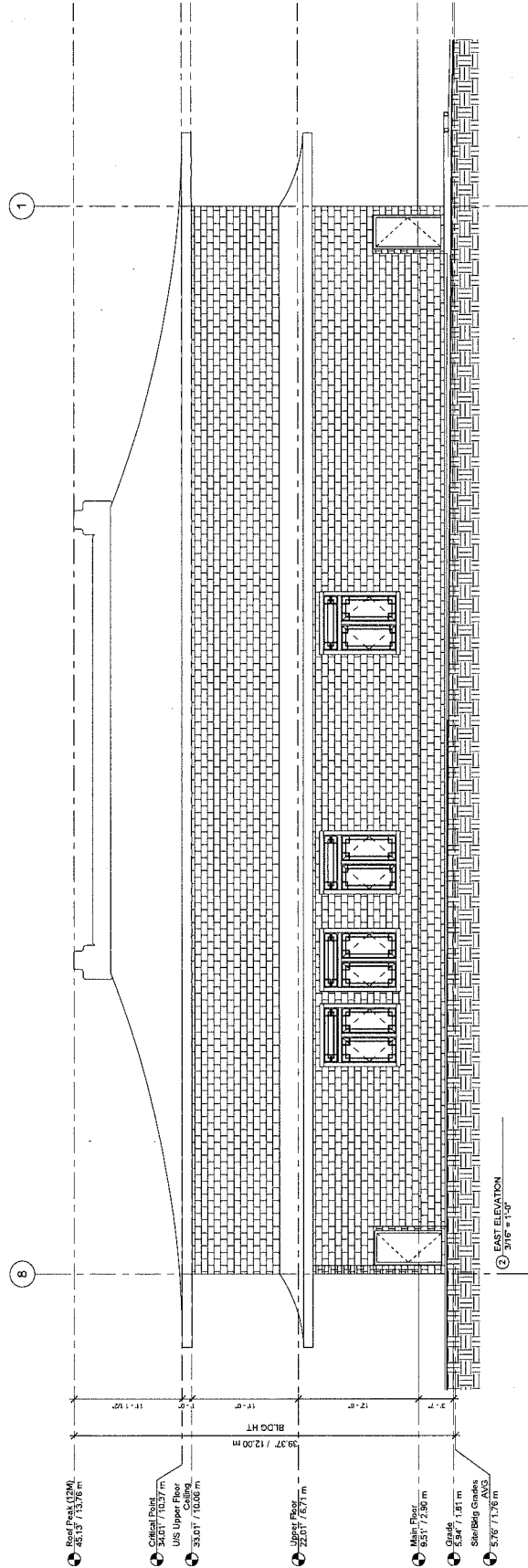
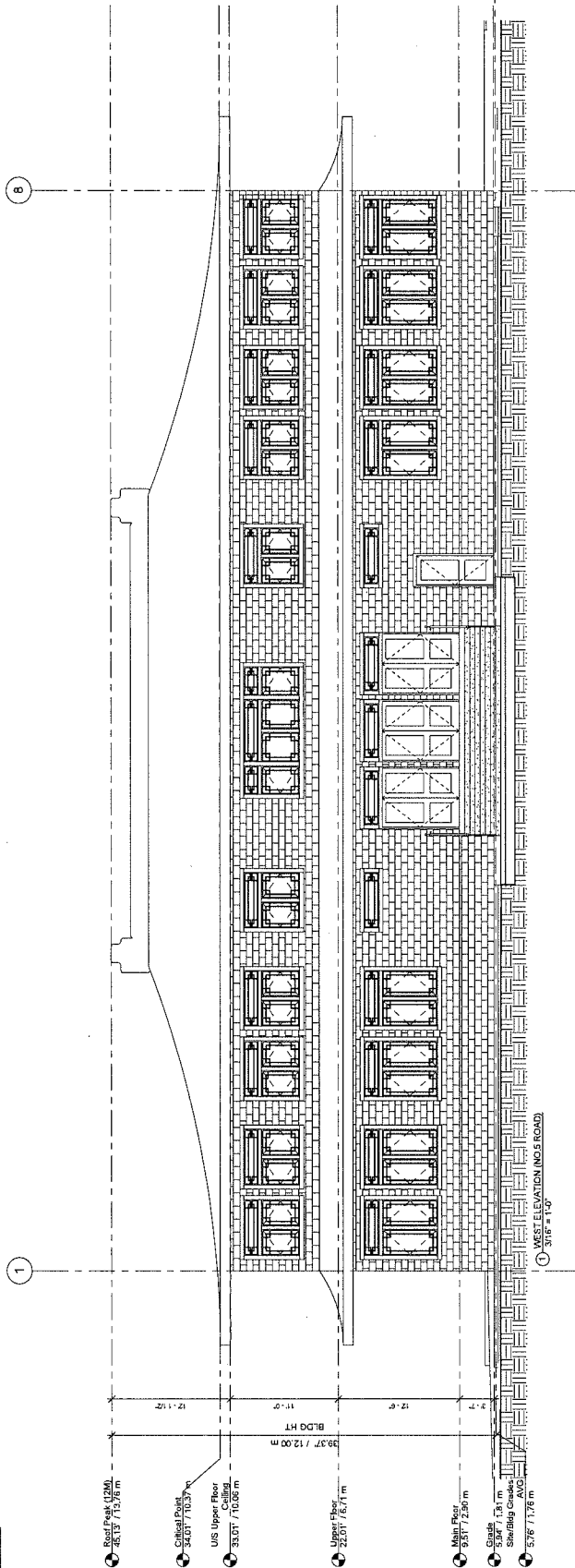
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Project Number:

Revision Date:

Page No.:

Print Date:
03/12/2017
A107



PH - 95



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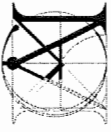
Conclusions

Project Title
**8480 NO. 5 ROAD
RICHMOND**

**NORTH & SOUTH
ELEVATION**

Drawn: RK	Dep. No.:
Checked: MC	
Scale: $3/16" = 1'-0"$	
Project Number:	
Revision Date:	
Print Date: 04/15/2017	A108

PH - 96



**MATTHEW CHENG
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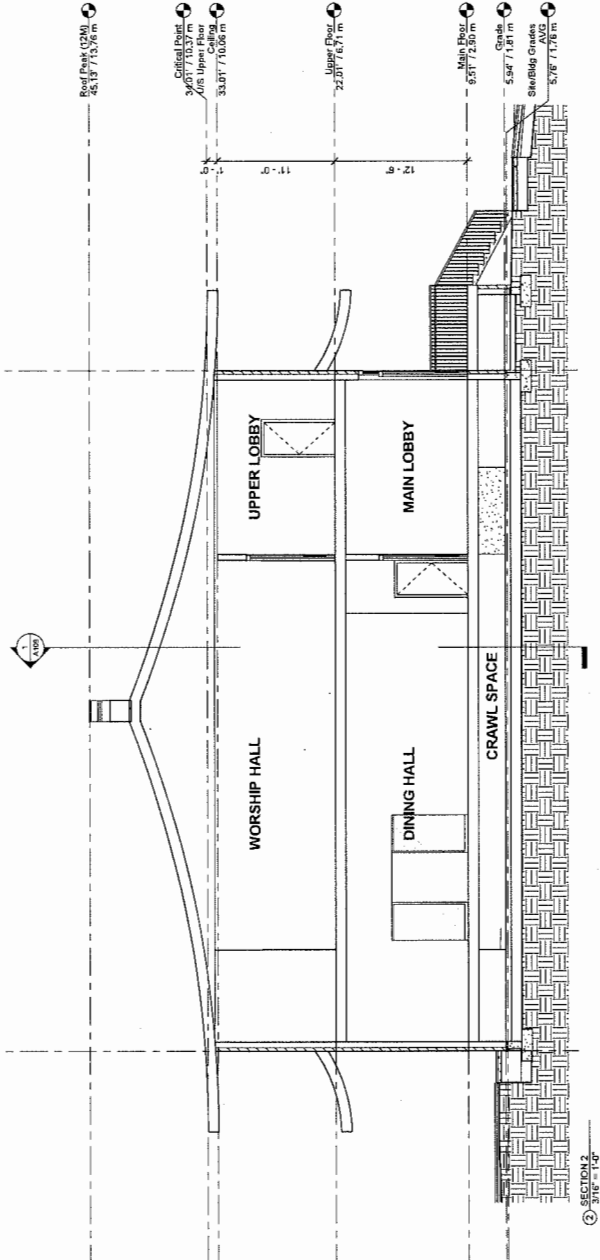
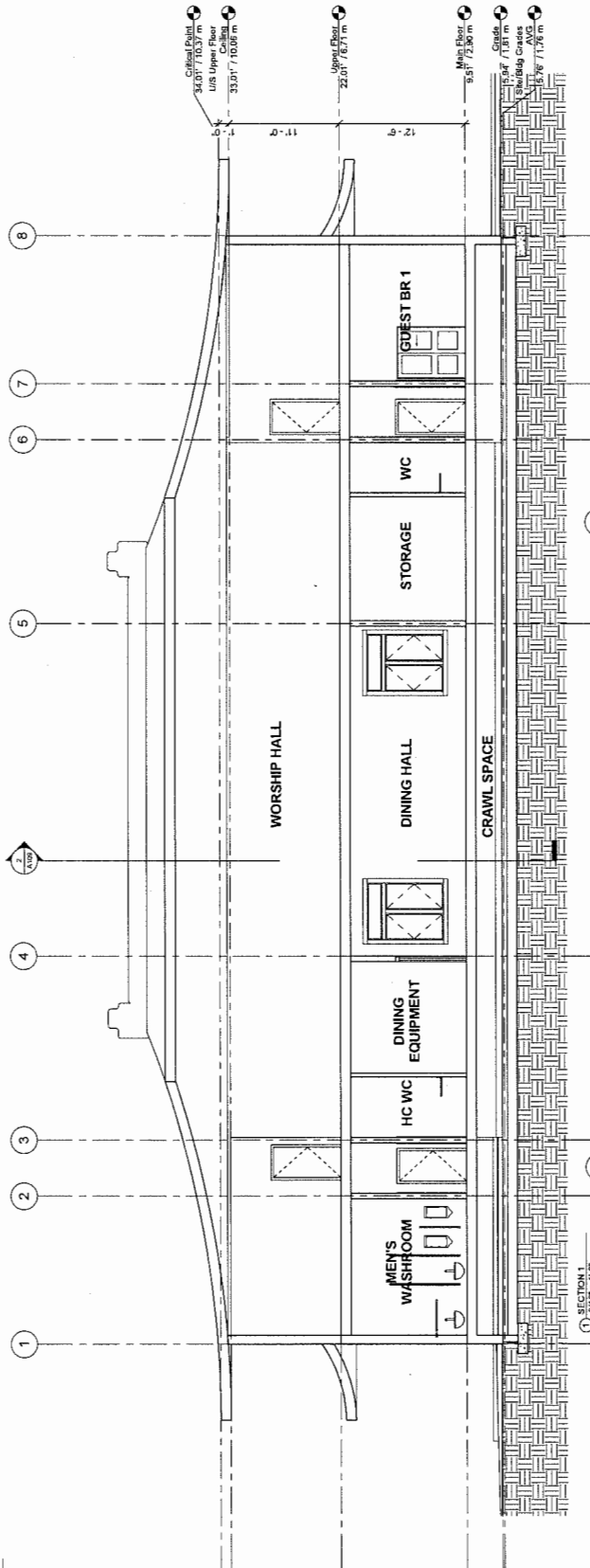
Revision:

Comments:

Project Title
**8480 NO.5 ROAD
RICHMOND**

Sheet Title
SECTIONS

Drawn	RK
Checked	MC
Scale	3/16" = 1'-0"
Project Number	
Revision Date	Dec 11, 2017
Sheet Number	A109



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pmg
P&M LANDSCAPE
ARCHITECTS
Suite C100 - 4185 581 Street Drive
Burnaby, British Columbia, V5C 6G9
P: 604-294-0011 F: 604-294-0022

REAL



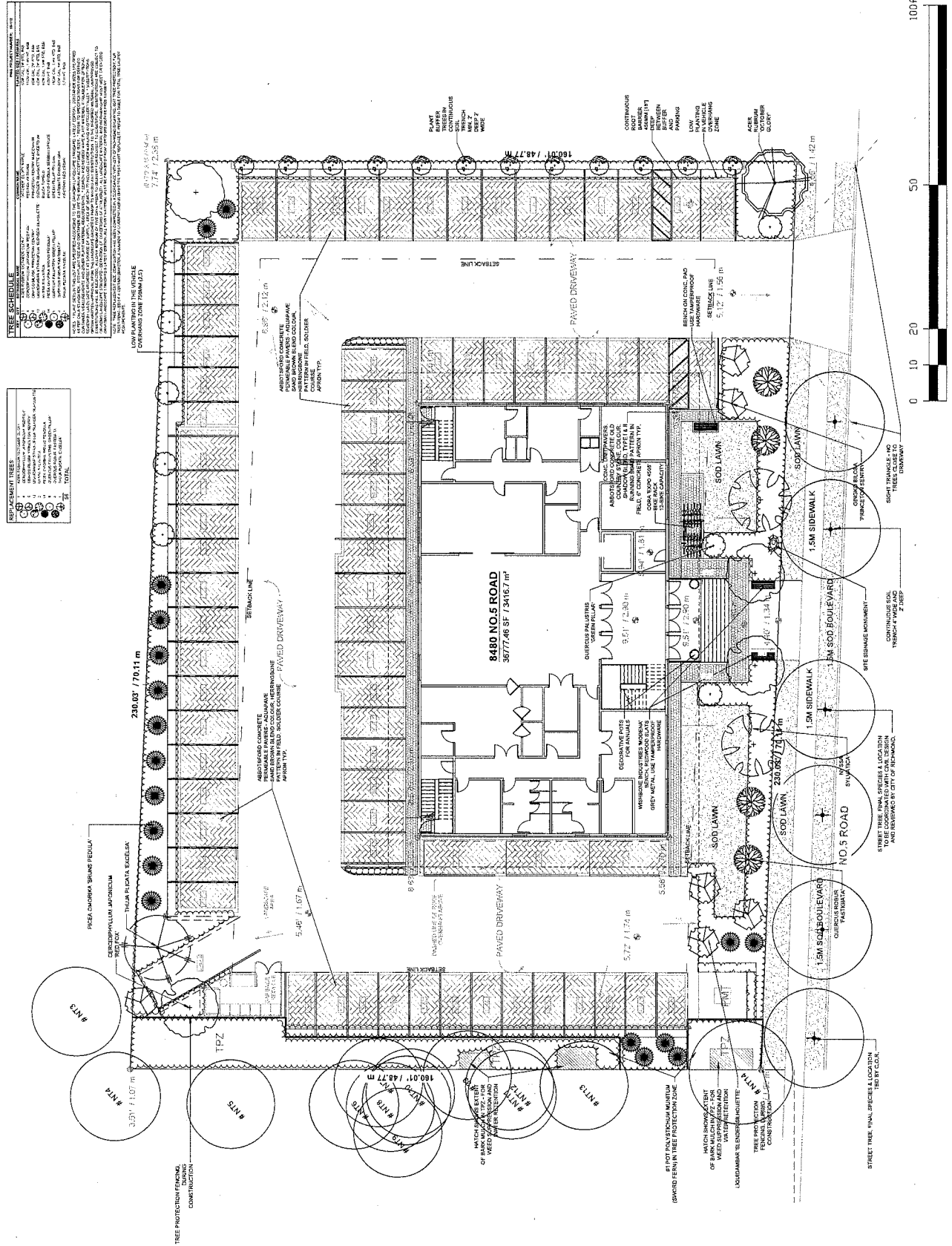
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PROJECT:
BUDDHIST TEMPLE
85 ROAD
RICHMOND, BC

DRAWING TITLE:
LANDSCAPE PLAN

DRAWING NUMBER:
L1
DATE: 10/15/18
SCALE: 1/2" = 1'-0"
DRAWN: CJA
DESIGN: CJA
CHECK: PCW
PMO PROJECT NUMBER: 15-112

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100	PLANT SPECIES: BRUNIA PEDUNULATA



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Burnaby, British Columbia, V5C 5G9
P: 604.294.6111 F: 604.294.6122

SEAL



NO.	DATE	REVISION DESCRIPTION	BY
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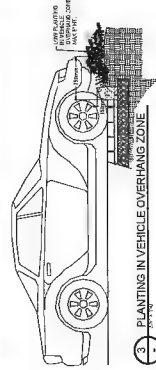
PROJECT:

BUDDHIST TEMPLE
45 ROAD
RICHMOND BC

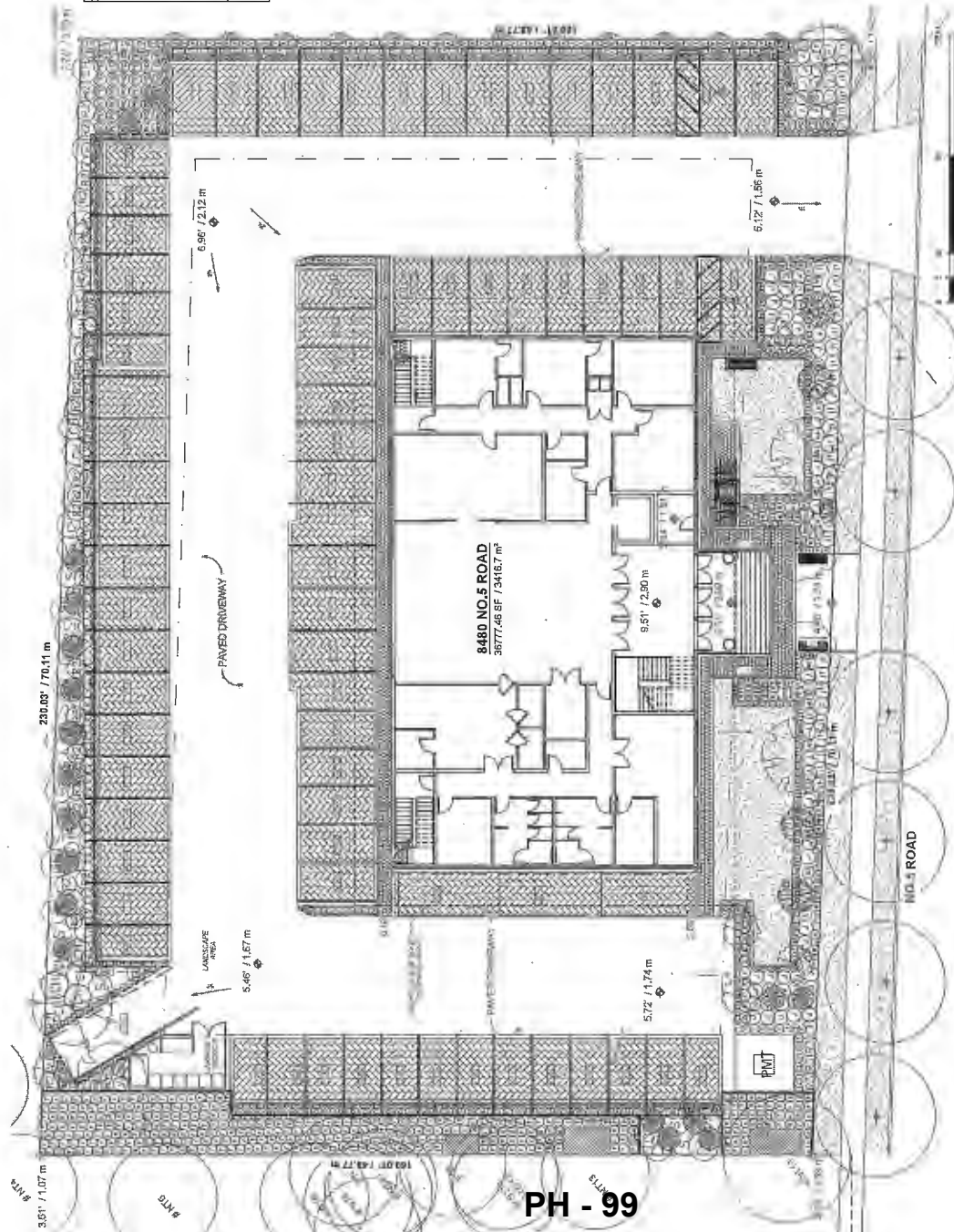
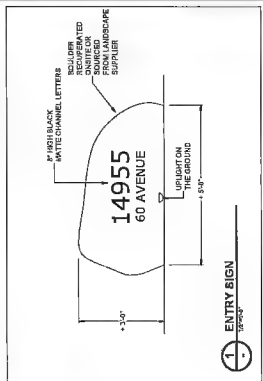
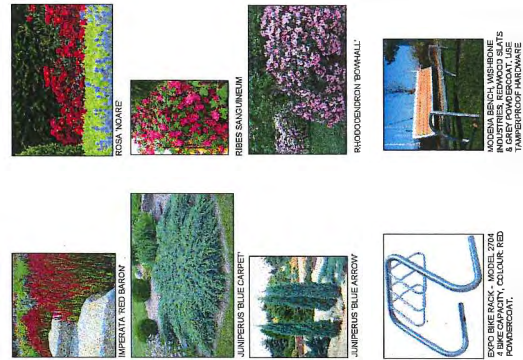
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SHRUB PLAN

DRAWING NUMBER:
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DATE: 15 JUL 08
SCALE: 3/16" = 1'-0"
DRAWN: GGG
DESIGN: GGG
CHECK: KAT
PMS PROJECT NUMBER: 15-112

PLANT MATERIAL	QUANTITY	NOTES
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2. JAPANESE BLUE CARPET	10	10' x 10' x 10'
3. IMPERATA RED BARN	10	10' x 10' x 10'
4. RIVER SAND	10	10' x 10' x 10'
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74. RIVER SAND	10	10' x 10' x 10'
75. RIVER SAND	10	10' x 10' x 10'
76. RIVER SAND	10	10' x 10' x 10'
77. RIVER SAND	10	10' x 10' x 10'
78. RIVER SAND	10	10' x 10' x 10'
79. RIVER SAND	10	10' x 10' x 10'
80. RIVER SAND	10	10' x 10' x 10'
81. RIVER SAND	10	10' x 10' x 10'
82. RIVER SAND	10	10' x 10' x 10'
83. RIVER SAND	10	10' x 10' x 10'
84. RIVER SAND	10	10' x 10' x 10'
85. RIVER SAND	10	10' x 10' x 10'
86. RIVER SAND	10	10' x 10' x 10'
87. RIVER SAND	10	10' x 10' x 10'
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93. RIVER SAND	10	10' x 10' x 10'
94. RIVER SAND	10	10' x 10' x 10'
95. RIVER SAND	10	10' x 10' x 10'
96. RIVER SAND	10	10' x 10' x 10'
97. RIVER SAND	10	10' x 10' x 10'
98. RIVER SAND	10	10' x 10' x 10'
99. RIVER SAND	10	10' x 10' x 10'
100. RIVER SAND	10	10' x 10' x 10'



3' PLANTING IN VEHICLE OVERHANG ZONE



PH - 99

[illegible]

CLIENT:

PROJECT:

BUDDHIST TEMPLE

#5 ROAD
RICHMOND, BC

DRAWING TITLE:

EXISTING TREE MANAGEMENT PLAN

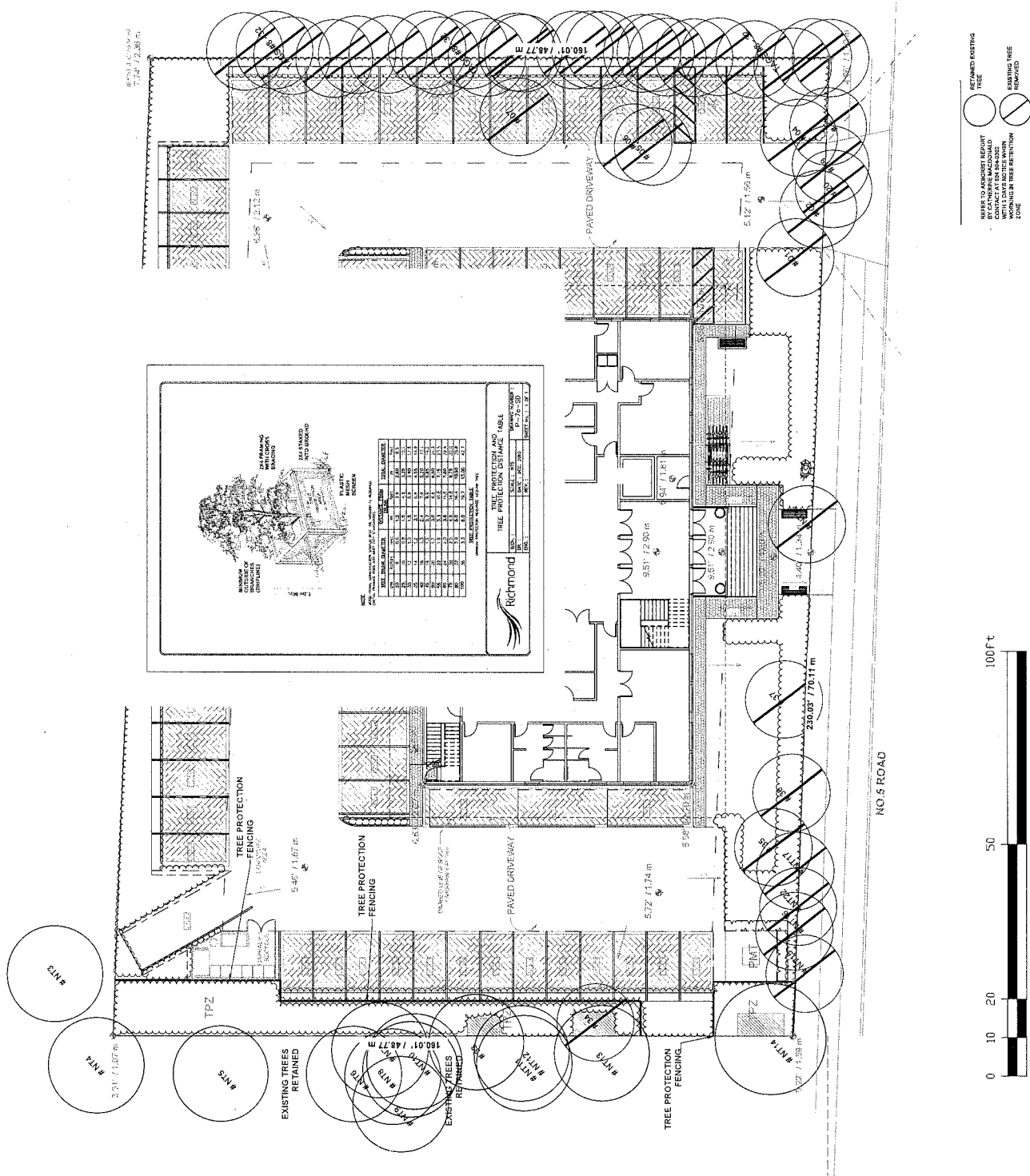
DATE: _____
 NAME OF _____
 COMPANY: _____

—

DF 4

15-112

PMG PROJECT NUMBER:



THIS DRAWING MUST BE SEALED. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LEVELS PRIOR TO COMMENCEMENT TO WORK. ALL ERRORS AND OMISSIONS SHALL BE RECTIFIED IMMEDIATELY BY THE ARCHITECT. NOTIFICATION REQUIRED. THIS IS AN AND DESIGN AKE AND AT ALL TIMES THIS IS THE EXCLUSIVE PROPERTY OF MATTHEW CHENG ARCHITECT INC. AND MAY NOT BE USED OR REPRODUCED WITHOUT MY WRITTEN CONSENT.

Continued

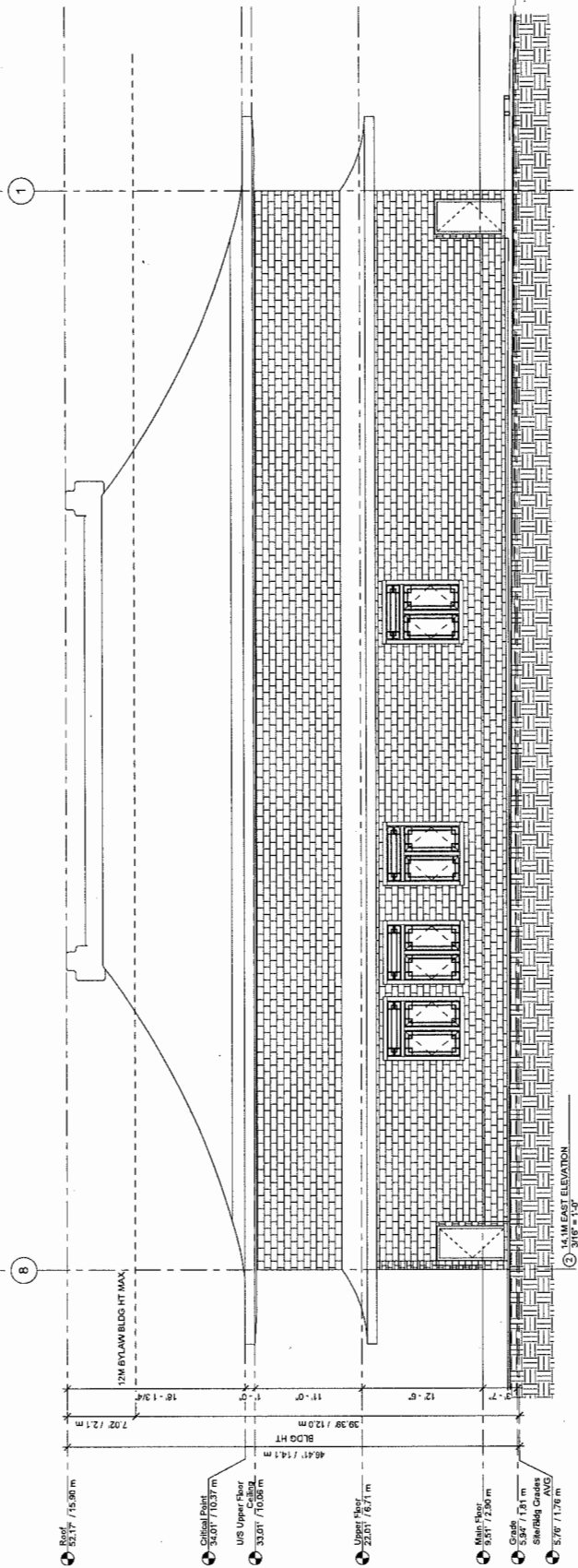
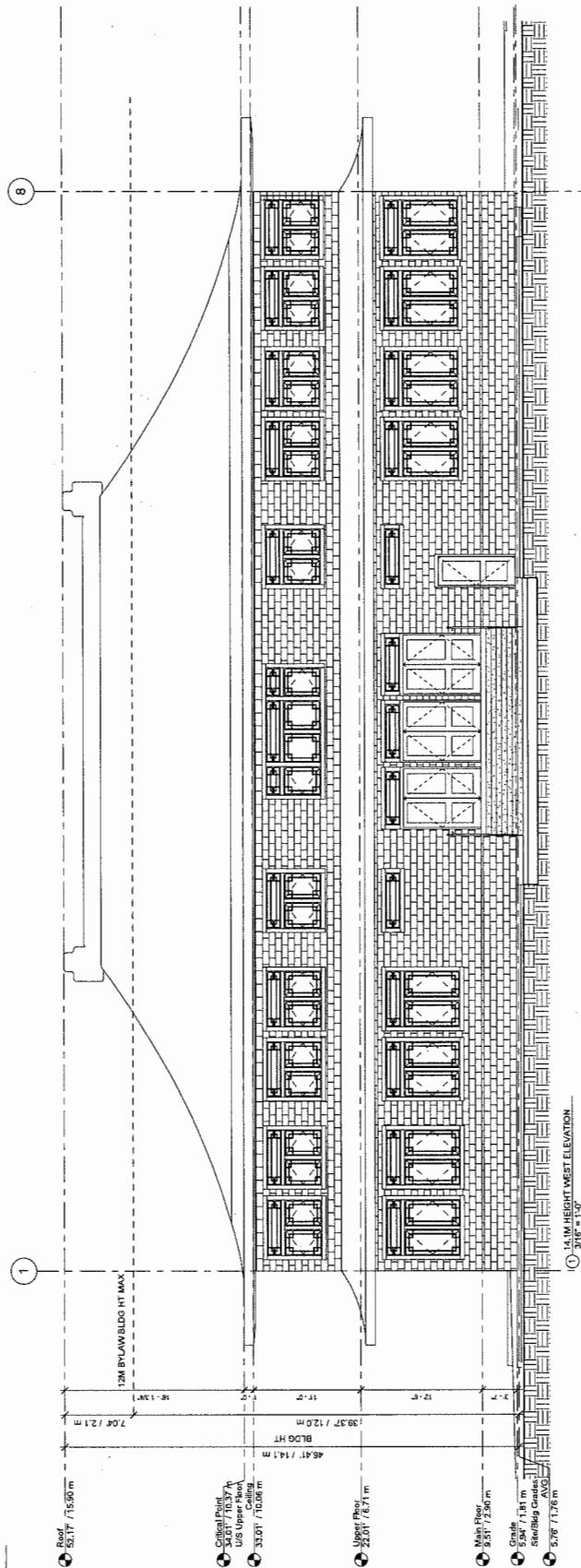
Case Reports

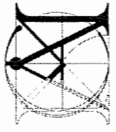
Project Title
8480 NO.5 ROAD
RICHMOND

ADDENDUM 14.1M WEST & EAST ELEVATIONS

ATTACHMENT 4

Drawn: Author	Checked: Checker	Size: 3/16" x 1-0"	Proj Number:	Dep. No.:	ADD
				Revision Date:	
				Plot Date:	5/12/2017





MATTHEW CHENG
ARCHITECT INC.

100-202-091 EVANS AVENUE
VANCOUVER, BC V6A 2S9
Tel: (604) 681-6607 Fax: (604) 681-6607 Email: matthew@mc.ca

THIS DOCUMENT IS THE PROPERTY OF MATTHEW CHENG ARCHITECT INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF MATTHEW CHENG ARCHITECT INC. AND ANY REUSE OR MODIFICATION OF THIS DOCUMENT IS PROHIBITED.

Revision:

Consultant:

Project Title:
8480 NO.5 ROAD
RICHMOND

Sheet Title:
FLOOR AREA
OVERLAY ROOF

Drawn By:
RK

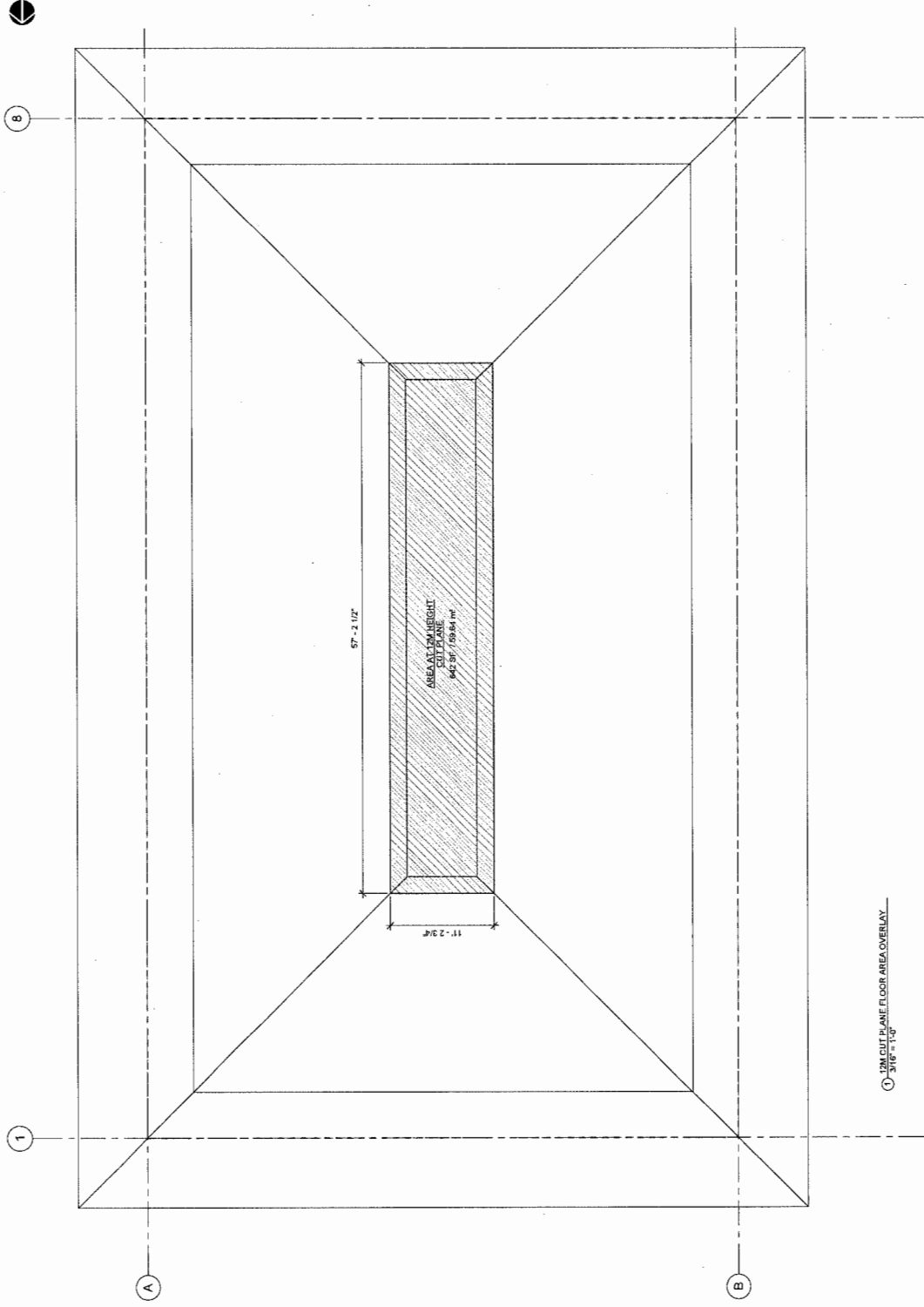
Checked By:
MC

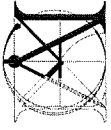
Scale:
3/16" = 1'-0"

Project Number:

Revision Date:

Sheet Number:
ADD3





MATTHEW CHENG
ARCHITECT INC.

15th FLOOR, 609 EVANS AVENUE
SUITE 1500, RICHMOND, BC
V6X 1A7 (604) 271-5001 / FAX (604) 271-5988
CELL (604) 649-6669 / Email: matthew@chc.ca

THIS DRAWING MUST BE SCALED. THE
GENERAL CONTRACTOR SHALL VERIFY ALL
DIMENSIONS AND ELEVATIONS AND
CONFORM TO THE REQUIREMENTS OF THE
LOCAL AUTHORITY. ALL DIMENSIONS AND
ELEVATIONS SHALL BE BASED ON THE
TO THE ARCHITECT. CONTRACTOR SHALL
REMAIN THE RESPONSIBILITY OF THE
CONTRACTOR TO OBTAIN THE NECESSARY
NOTES AND INSTRUCTIONS WITHIN THE
WRITTEN CONSENT.

Revision

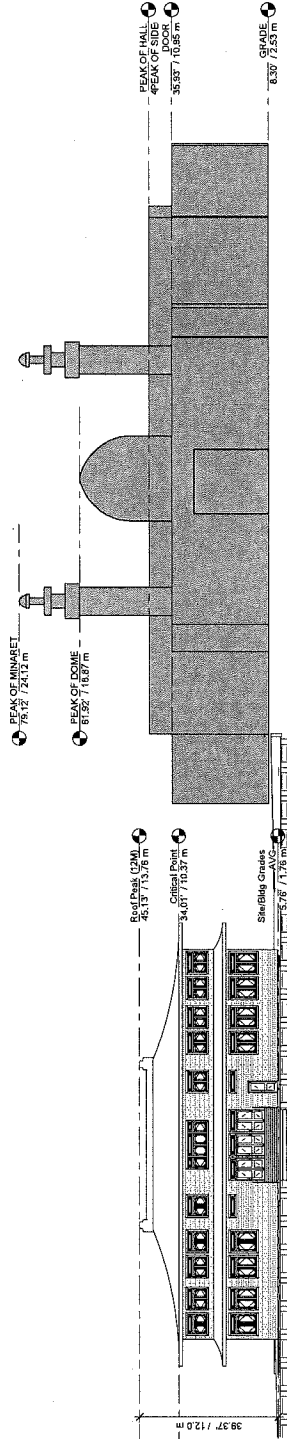
Consolidation

Project Title
8480 NO. 5 ROAD
RICHMOND

Sheet Title
ADDENDUM
HEIGHT
COMPARISON
(WEST
ELEVATIONS)

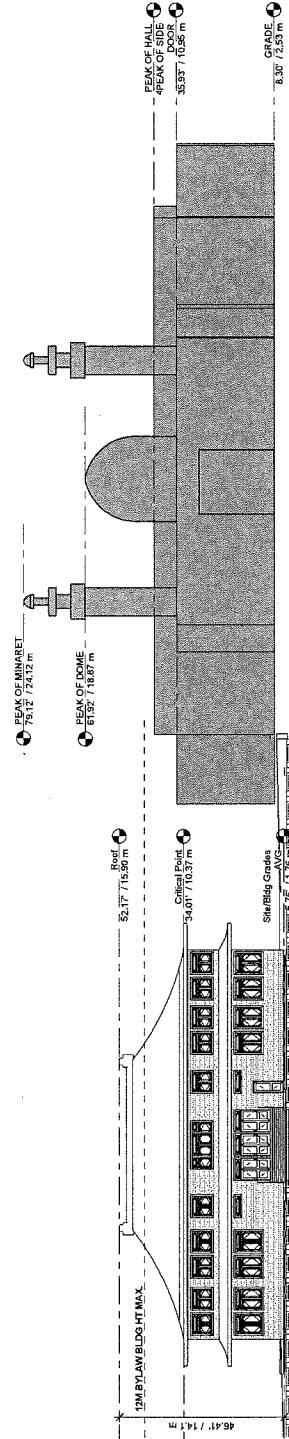
Drawn: RK
Checked: MC
Scale: 1/16" = 1'-0"
Project Number:
Revised Date:
Print Date: 02/28/17
Sheet No.:
ADD4

PROPOSED HEIGHT / 12M



HT COMPARISON - 12M HIP ROOF
UNRENDERED
① 1/16" = 1'-0"

PREFERRED HEIGHT / 14.1M



HT COMPARISON - 14.1M HIP ROOF
UNRENDERED
② 1/16" = 1'-0"



RZ 14-674068

Attachment 5

Address: 8480 No. 5 Road

Applicant: Matthew Cheng Architect Inc.

Planning Area(s): East Richmond – McLennan Sub-Area

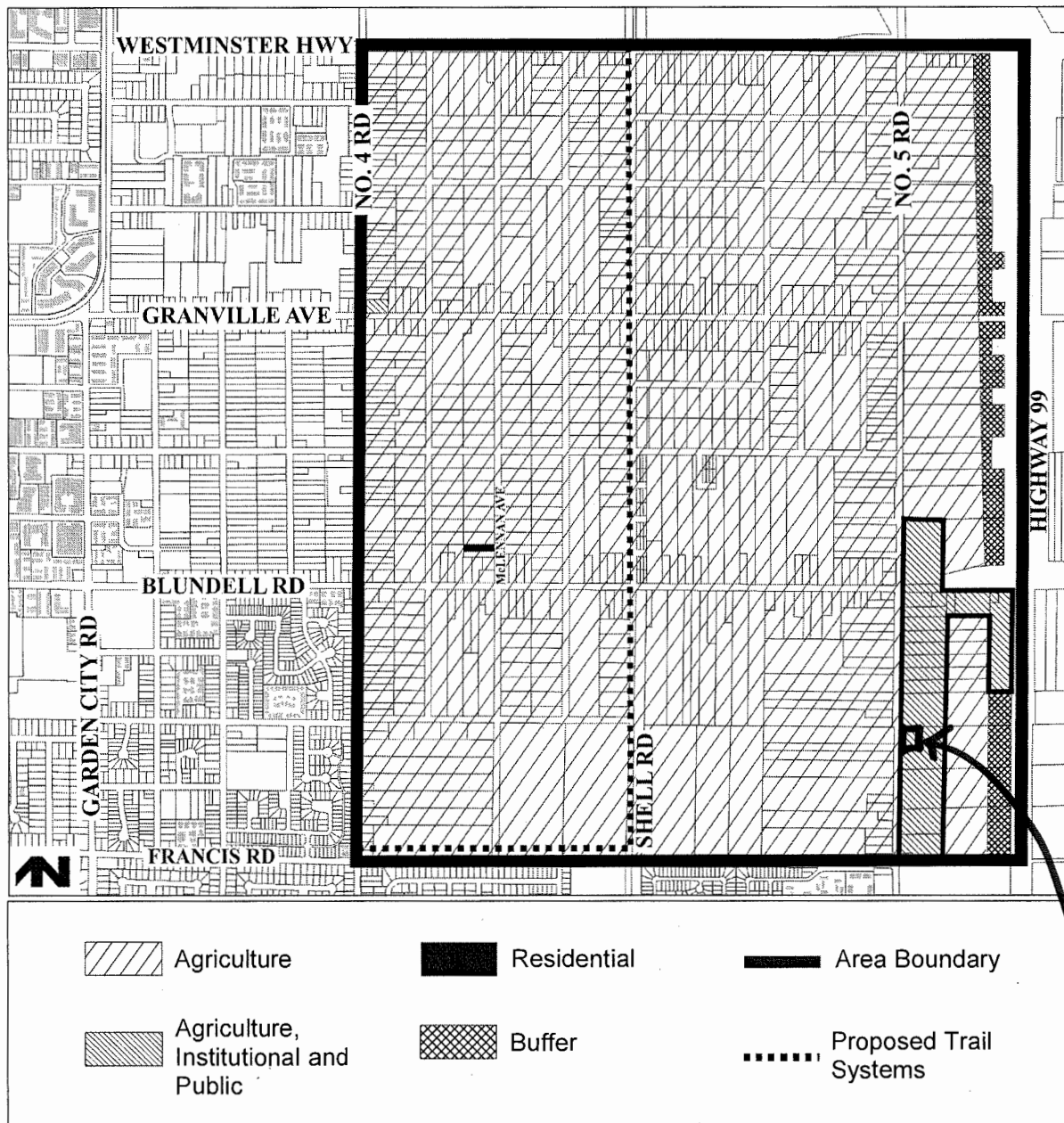
	Existing	Proposed
Owner:	Tung Cheng Yuen Buddhist Association	No Change
Site Size (m²):	3,417.05 m ²	No Change
Land Uses:	Vacant	Institutional
OCP Designation:	Community Institutional	No Change
Area Plan Designation:	Agriculture, Institutional and Public	No Change
Zoning:	Agriculture (AG1)	Assembly (ASY)
Other Designations:	ESA	ESA DP not required

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	0.4	none permitted
Lot Coverage – Building:	Max. 35 %	19 %	none
Setback – Front Yard (m):	Min. 6 m	7.7 m	none
Setback – North Side Yard (m):	Min. 7.5 m	17.95 m	none
Setback – South Side Yard (m)	Min. 7.5 m	18.58 m	none
Setback – Rear Yard (m)	Min. 7.5 m	20.24 m	none
Height (m):	12 m	12 m	none*
Off-street Parking Spaces – Total:	75	75	none
Accessible Parking Spaces	2	2	none
Loading Spaces	1 medium	1 medium	none
Bicycle Spaces	Class 1: 3 Class 2: 8	Class 1: 3 Class 2: 8	none

* The applicant may wish to pursue a development variance application to accommodate a height variance for a more traditional peaked roof design. A separate application will be required.

City of Richmond

Land Use Map

 Bylaw 8791
2012/09/10


Subject Property

Park,Minhee

From: Riyaz Devji <riyaz@DEVJI.CO>
Sent: Thursday, 5 May 2016 17:41
To: Park,Minhee
Cc: Riyaz Devji; Mohamed Ladak - VAN CITY SAVINGS CREDIT UNION (mohamed_ladak@vancity.com); Ebrahim Rehmtulla; Shaheen Rashid
Subject: Proposed Building at 8480 Number 5 Road
Attachments: 20160505_0920098378.pdf

Minhee,

It was a pleasure speaking with you yesterday and I hope you are keeping well. Here is the note we chatted about and I will send you some further information at the beginning of the week.

As we discussed, our Community (Shia Muslim Community of B.C.) owns the land on both sides of 8480 Number 5 Road (Lot 14), at 8580 Number 5 Road (Lot 20) and 8320 Number 5 Road (Sec 19). We have been advised of the proposed development of Lot 14 and have been provided with what we understand to be preliminary designs of the proposed building to be constructed on Lot 14. While we support the proposed use of Lot 14 for assembly purposes, we are gravely concerned about the size, massing and height of the building proposed to be built on Lot 14. We have no objection to the proposed use of the property for institutional or assembly purposes. All three lots are zoned for assembly use, and we are currently using Lot 20 for that same use. However, Lot 20 is approximately 9.8 acres or 3.91 hectares in area, and Sec 19 is approximately 8.26 acres or 3.34 hectares in area. Lot 14 is only .84 acres or .34 hectares, a very small lot for assembly use particularly given the parking requirements for such use.

We have reviewed the design of the building and have significant concerns with respect to the proposed design. Our particular objection is the fact that the current plans show a building that will have a solid roof line approximately six-storeys in height. Moreover the design shows that virtually entire lower level will consist of parking. This is presumably due to the small size of the lot and the parking spaces required. The Lot 14 Owner has achieved the required park spaces by designing a building that includes a full floor of above ground parking, thereby raising their building that already has a large mass for a small lot such that it greatly exceeds the scale of the other buildings along No. 5 Road. By including a full floor of parking, they have raised their building by an extra 12 or more feet along its entire width. Then they have added a high architectural roof structure that adds another 20 feet to the height. In reality they are trying to build a building that is too big for the land they have purchased.

A building of this height is very much out of character with the other buildings along No. 5 Road. Those buildings are all either one or two-storeys in height if they are located near the front of their properties (for example the Richmond Jewish Day School or the Subramaniya Swamy Temple). Others are taller if they are set back from No. 5 Road or are on larger lots. The proposed building is very much out of character of the neighbouring assembly buildings. While other lots may have domes or minarets that are higher, they are on buildings that are set back from No. 5 Road and do not continue along the entire length of the buildings. Thus they do not have the imposing mass that is so untenable with the proposed design.

We have been trying to meet with the Lot 14 Owner to develop other options for their site. We have indicated our willingness to do a land swap with the proponents by having them locate at the North end of the property at 8320 Number 5 Road, and licence or lease them portions of our sites for parking stalls at no cost so they need not build that lower floor. As we discussed, by not building the lower floor they could probably build the same building size they are requesting without needing a height variance. Despite a number of attempts to discuss these issues with the Lot 14

Owner, they have been rebuffed to date stating they would like to build the Centre as soon as possible and making any changes would delay their construction.

Again, we wish to formally record our strong objection to the proposed design and in particular to any variance or relaxation of any City bylaws or policies that may be granted by the City to allow a building of this mass and height, or any rezoning of Lot 14 to allow a building of such mass or height.

Please feel free to reach out to us if we can be of any further help. Take care and thanks for your help and support.

Riyaz R. Devji,

3103—667 Howe Street

Vancouver, British Columbia, Canada V6C 0B5

Direct Line: 604-657-1898

Cell Number: 360-420-7861

E-mail: riyaz@devji.co

Excerpt from the Minutes from
The Agricultural Advisory Committee Meeting

Thursday, February 4, 2016 – 7:00 p.m.
M.2.002
Richmond City Hall

4. Development Proposal – Rezoning 8480 No. 5 Road

Staff provided a brief overview of the rezoning application at 8480 No. 5 Road to develop a new Buddhist temple. The Chair invited the applicants and the project architect to the table.

The Committee had the following questions and comments:

- The Committee asked further information about the site context and properties around the site.
- In response to the Committee' question regarding the capacity of the temple and its parking needs, the applicant noted that regularly there will be only approximately 20 people in the temple but for a special event, they anticipate approximately 100 people.
- The Committee asked about the height variance, and asked how the proposed building will fit into the context. In comparison, staff noted that the proposed height is slightly lower than the height of the existing Thrangu Monastery building at 8140 No. 5 Road.

As a result of discussion, the Committee passed the following motion:

That the rezoning application at 8480 No. 5 Road be supported as presented.

Carried Unanimously



QUEENS CONSULTING
21484 8th Avenue
Langley, BC
V2T 1S7

604.984.0302
cal@queensconsulting.com

GENERAL NOTES:

COPYRIGHT RESERVED: This plan is the property of Queens Consulting and shall not be used or reproduced without written consent.

All landscape work to conform to the BC PLN (A/CCLN) (7th Edition) as a minimum.

All tree work to conform to the International Society of Arboriculture (ISA) as a minimum.

TREE PROTECTION:

Dimension protection barriers as shown and follow technical guidelines as per City of Langley. Barriers to be at least 1.2m in height and constructed of either snow fencing securely fastened to milled or wood stakes spaced at 2m intervals. Barriers shall be placed to protect the trunk of the tree, or other form of barrier satisfactory to City Staff.

No entry of any kind to any tree. This includes, but is not limited to, including people, vehicles, materials or equipment access or storage of any kind. Consult Project Arborist or City Staff in detail about any tree issue.

Dimension lines recommended for removal, as per Arborist.

Dimension lines recommended for removal, as per Arborist.

Dimension lines recommended for removal, as per Arborist.

Dimension lines recommended for removal, as per Arborist.

Dimension lines recommended for removal, as per Arborist.

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Dimension lines recommended for removal, as per Arborist.

Dimension lines recommended for removal, as per Arborist.

Dimension lines recommended for removal, as per Arborist.

NOTE OWNERSHIP OF TREES ALONG PROPERTY LINES. CO-OWNERS OF TREES HAVE AGREE IN WRITING TO REMOVAL

8580 #5 RD

PROPOSED TEMPLE BUILDING
(preliminary building footprint shown)

8480 #5 RD

NO. 5 ROAD

8320 #5 RD

PH 112

PROPOSED
BUDDHIST TEMPLE
8480 No. 5 Rd
Richmond, BC

DRAWING TITLE:
TREE RETENTION
PLAN

DATE: 11 APRIL 2016

SHEET No: 1 OF 1

NORTH SCALE: 1:150m
FULL SIZE SHEET: 24" x 36"

BAR SCALE
0 1 2 3 4 5
10m

Dimension in metres.

Dimension in metres.

Dimension in metres.

Dimension in metres.

Dimension in metres.

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Dimension in metres.

Dimension in metres.



**City of
Richmond**

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

Address: 8480 No. 5 Road

File No.: RZ 14-674068

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9537, the developer is required to complete the following:

1. Submission of a Final Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - Include a mix of coniferous and deciduous trees.
 - Include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report.
 - Include the 56 required replacement trees with the following minimum sizes:

DBH of Tree Cut or Removed	No. of Trees Removed	No. of Replacement Trees (2 for 1)	Minimum Height of Coniferous Replacement Tree	Minimum Caliper of Deciduous Replacement Tree
20 - 30 cm	9	18	3.5 m	6 cm
30 - 40 cm	10	20	4 m	8 cm
40 - 50 cm	3	6	5 m	9 cm
50 - 60 cm	4	8	5.5 m	10 cm
60 cm+	2	4	6 m	11 cm

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

2. City acceptance of the developer's offer to voluntarily contribute \$ 4,550 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
4. Submission of a Tree Survival Security to the City in the amount of \$1,300 for the City-owned tree (Tag #NT1) to be retained. The security will not be released until an acceptable impact assessment report is submitted and a landscaping inspection has been passed by City staff.
5. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
6. Registration of a flood plain covenant on Title identifying a minimum habitable elevation of 2.9 m GSC.

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

1. Enter into a Servicing Agreement* for the design and construction of off-site improvements. Works include, but may not be limited to:

Water works:

- Using the OCP Model, there is 404.8 L/s of water available at a 20 psi residual at the No. 5 Road frontage. Based on the proposed development, the subject site requires a minimum fire flow of 250.0 L/s.

- The Developer is required to submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) to confirm that there is adequate available flow for on-site fire protection.
- At the Developers cost, the City is to:
 - Cut and cap the existing water service connection on No. 5 Road.
 - Install a new water connection complete with meter and meter box.

Storm Sewer Works:

- The Developer is required to upgrade approximately 75 m of fronting storm sewer using a 600 mm diameter pipe from STMH4224 located approximately 4.0 m south of the south property line, up to the north property line.
- At the Developers cost, the City is to:
 - Cut and cap the existing storm service connection at the properties northwest corner, while retaining service to 8320 No. 5 Road.
 - Cut, cap and remove the existing storm sewer service connection and inspection chamber (IC) approximately 33 m south of the north property line.
 - Relocate the existing storm IC located on the west property line, approximately 57 m south of the north property line onto the City boulevard c/w a new service connection to meet the City's engineering standards.

Sanitary Sewer Works:

- At the Developers cost, the City is to install a new sanitary service connection complete with a new IC along proposed development frontage.

Frontage Improvements:

- The Developer is required to:
 - Provide a 1.5 m wide treed and grassed boulevard and a new 1.5 m wide concrete sidewalk along No. 5 Road.
 - Coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground the proposed Hydro service lines.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.).
 - Complete a roadway lighting assessment and recommend lighting upgrades during the service agreement.

General Items:

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

3. 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 _____



City of Richmond

Bylaw 9537

Richmond Zoning Bylaw 8500 Amendment Bylaw 9537 (RZ 14-674068) 8480 No. 5 Road

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

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

P.I.D. 009-177-884

Lot 14 Section 19 Block 4 North Range 5 West New Westminster District Plan 29706

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9537".

FIRST READING

MAR 13 2017

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

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

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

Date: February 20, 2017
File: RZ 16-728719


Re: Application by Harj Johal for Rezoning at 9051 and 9071 Steveston Highway from
"Single Detached (RS1/E)" to "Compact Single Detached (RC2)"

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9646, for the rezoning of 9051 and 9071 Steveston Highway from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, be introduced and given first reading.


Wayne Craig
Director, Development

WC:jr
Att. 6

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

Staff Report

Origin

Harj Johal has applied to the City of Richmond for permission to rezone 9051 and 9071 Steveston Highway from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone, to permit the properties to be subdivided to create four single-family lots, with vehicle access from an extension to the existing rear lane (Attachment 1). The proposed subdivision plan is shown in Attachment 2. There is an existing single-family dwelling on each of the properties, which would be demolished.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North: Single-family dwellings on lots zoned “Single Detached (RS1/E)”, with vehicle access from Ryan Crescent.
- To the South, across Steveston Highway: A single-family dwelling on a lot zoned “Agriculture (AG1)”, a golf course on a lot zoned “Golf Course (GC)”, and a Buddhist temple on a lot that is split-zoned “Agriculture (AG1)” and “Assembly (ASY)”; all with vehicle access from Steveston Highway.
- To the East: Four dwellings on lots zoned “Compact Single Detached (RC1)”; which were created through rezoning and subdivision in 2004, and which have vehicle access from a lane connecting to Steveston Highway.
- To the West: A single-family dwelling on a lot zoned “Single Detached (RS1/E)”, with vehicle access from Steveston Highway.

Related Policies & Studies

Official Community Plan/Broadmoor Area Plan

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

Arterial Road Policy

The subject properties are designated “Compact Lot Coach House” on the Arterial Road Policy Development Map, which allows for compact lot single detached or compact lot coach house developments, based on compliance with the applicable zoning bylaw. The Arterial Road Policy requires all compact lot developments to be accessed from a functional municipal lane only. This application involves the dedication and construction of an extension to the existing rear lane. The proposed rezoning and ensuing development is consistent with the Arterial Road Policy.

Agricultural Land Reserve (ALR) Buffer Zone

Consistent with the OCP guidelines, the applicant is required to register a covenant on Title prior to rezoning to secure a 4.0 m wide landscaped Agricultural Land Reserve (ALR) buffer along the Steveston Highway frontage. The legal agreement will identify the ALR buffer area, ensure that the landscaping will not be abandoned or removed, and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations.

Prior to final adoption of the rezoning bylaw, the applicant must submit a Landscape Security to the City, to ensure that the landscaped buffer is installed.

Floodplain Management Implementation Strategy

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

Public Consultation

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

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

Analysis**Existing Legal Encumbrances**

There are three existing statutory right-of-ways (SRW) on Title for the sanitary sewer. Two SRWs with registration numbers K92841 and E86656 are located along the north property line of the subject site. The applicant is required to dedicate a 6.0 m wide lane along the entire north property line prior to final adoption of the rezoning bylaw. Following lane dedication, the utilities will be located within the City's road network and the two SRWs will no longer be required.

One statutory right-of-way, with registration number G44841, is a 3.0 x 3.0 m corner cut in the southwest corner of the site for the sanitary sewer. The existing SRW is not impacted by the proposed rezoning. The applicant is aware that encroachment into the SRW is not permitted.

Transportation and Site Access

The applicant intends to access the established lane from Steveston Highway via a statutory right-of-way, with registration number BW406323, for utilities and public-right-of-passage that is registered on Title of the lots at 9093 and 9097 Steveston Highway. Vehicle access to the site

is to be from the rear lane only, with no direct vehicle access from Steveston Highway permitted under Residential Lot (Vehicular) Access Regulation Bylaw No. 7222.

The statutory right-of-way at 9093 and 9097 Steveston Highway was secured through the redevelopment proposal that created four lots at 9091, 9093, 9097, and 9099 Steveston Highway in 2004 (RZ 04-268084/SD 03-232827). The statutory right-of-way was designed and constructed as a vehicle lane as part of a Servicing Agreement (SA 04-287038), and includes an asphalt driving surface and lane lighting. The recent rezoning application at 9131 Steveston Highway (RZ 15-703150) confirmed that this statutory right-of-way can be used to access all development in this block. Future development on this block will secure dedication and construction of the rear lane eastward to Mortfield Gate, at which time the access at Steveston Highway will be closed.

Prior to final adoption of the rezoning bylaw, the applicant must complete the following:

- Dedication of a 6.0 m wide extension to the existing rear lane.
- Registration of a legal agreement on Title to acknowledge that the applicant wishes to make use of the statutory right-of-way agreement (BW406323) that is registered on Title at 9093 and 9097 Steveston Highway for vehicular access to the subject site until an alternative exists.
- Registration of a legal agreement on Title to acknowledge that use of the lane is subject to the terms and conditions of the statutory right-of-way agreement (BW406323).

Vehicle access for equipment and all material deliveries to the site during development is proposed from the existing driveways to Steveston Highway. Vehicle parking will be on-site, with additional parking space on Mortfield Gate with the written permission of the owners of 10960 and 10966 Mortfield Gate. A temporary lane closure of a single westbound lane on Steveston Highway is proposed to accommodate delivery and removal of equipment, machinery, and materials, as required.

Prior to issuance of a Building Permit, the applicant is required to submit a Construction Parking and Traffic Management Plan and Lane Closure Request to the City's Transportation Department for review. This unregistered agreement will prohibit the use of any portion of the statutory right-of-way area for vehicle parking, demolition activity, or construction activity.

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 16 bylaw-sized trees on the subject property, four trees on neighbouring properties, and two street trees on City property.

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

- Four trees located on the development site (Tag # 467, 468, 469, 470) between 19-54 cm DBH, exhibit sparse foliage and are in poor condition. These trees are not good candidates for retention and should be removed and replaced.

- Five trees located on the development site (Tag # 463, 981, 983, 989, and 990) between 20-101 cm DBH, are either dying, are infected with Fungal Blight, or exhibit structural defects such as cavities at the main branch union and co-dominant stems with inclusions. These trees are not good candidates for retention and should be removed and replaced.
- One Lawson Cypress tree located on the development site (Tag # 978) that is 92 cm DBH, is in moderate condition, however, the tree is located in the proposed building envelope. As a result of the building envelope conflict, this tree needs to be removed and replaced.
- One Norway Spruce tree located on the development site (Tag # 982) that is 47 cm DBH, is in moderate condition, however, the tree is located in the proposed building envelope. As a result of the building envelope conflict, this tree needs to be removed and replaced.
- Five trees located in the proposed lane dedication (tag # 984, 985, 986, 987, and 988) between 33-93 cm DBH, are in good condition, but in conflict with the new lane and will need to be removed.
- Four trees on 9031 Steveston Highway (Tag # 464, 465, 466, and 471) between 15-8 cm DBH, to be retained and protected.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

Parks Department staff has reviewed the application as it impacts two trees in the City-owned boulevard. Two Cedar trees between 20-32 cm DBH are in poor condition, having been historically topped to provide clearance for BC Hydro lines above, and will be removed and replaced. Compensation of \$2,600 is required for the City to plant four trees at or near the development site.

Tree Protection

Four trees (Tag # 464, 465, 466, and 471) on a neighbouring property are to be retained and protected. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 5). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

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

Tree Replacement

The applicant wishes to remove 16 on-site trees (Tags # 463, 467, 468, 469, 470, 978, and 981-990). The 2:1 replacement ratio would require a total of 32 replacement trees. The

applicant has agreed to plant two trees on each lot proposed; for a total of eight trees. The required replacement trees are to be of the following minimum sizes; based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
8	11 cm	6 m

To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$12,000 to the City's Tree Compensation Fund in lieu of the remaining 24 trees that cannot be accommodated on the subject property after redevelopment.

Prior to final adoption of the rezoning bylaw, the applicant must submit a Landscape Plan for both lots prepared by a Registered Landscape Architect, along with a Landscape Security based on 100% of the cost estimate provided by the Landscape Architect for the proposed planting, including the eight required replacement trees, and a 10% contingency. The Landscape Plan must comply with the regulations for coach house and compact lot development contained in the Arterial Road Policy in the OCP. A portion of the security will be released after construction and landscaping at the subject site is completed and a landscape inspection by City staff has been passed. The City may retain the balance of the security for a one-year maintenance period to ensure that the landscaping survives

Affordable Housing Strategy

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

The applicant proposes to construct a secondary suite on all four proposed lots. Prior to final adoption of the rezoning bylaw, the applicant must register a legal agreement on Title to ensure that no final Building Permit inspection will be granted until a secondary suite is constructed on each of the four future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Site Servicing and Frontage Improvements

There are no servicing concerns with the proposed rezoning. Prior to subdivision, the applicant is required to:

- Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees.
- Enter into a Servicing Agreement for the design and construction of water, storm, and sanitary service works, lane drainage, and frontage upgrades described in Attachment 6.
- Registration of two 3.0 x 3.0 m statutory rights-of-way for the sanitary sewer inspection chambers.

Required lane construction includes, but is not limited to:

- Rollover curb and gutter, asphalt paving, drainage, and lane lighting. The scope of works is to be determined through the Servicing Agreement design review process.

Required frontage improvements along Steveston Highway include, but are not limited to:

- Permanent closure and removal of the existing driveway crossings providing access to the subject site from Steveston Highway.
- Removal of the existing sidewalk located at the curb along the entire site frontage and backfilling of the area to provide a minimum 1.5 m wide grass/treed boulevard (width of the boulevard is exclusive of the 0.15 m wide top of curb).
- Construction of a new 1.5 m wide concrete sidewalk behind the new boulevard along the entire site frontage; connecting to the existing sidewalk east and west of the subject site.
- Street lighting and other utility requirements may be required as part of the frontage improvements; as determined through the Servicing Agreement design review process.

Financial Impact or Economic Impact

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

Conclusion

The purpose of this application is to rezone 9051 and 9071 Steveston Highway from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, to permit the properties to be subdivided to create four single-family lots, with vehicle access from an extension to the existing rear lane.

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

The list of rezoning considerations is included in Attachment 6, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9646 be introduced and given first reading.



Jordan Rockerbie
Planning Technician
(604-276-4092)

JR:blg

Attachment 1: Location Map and Aerial Photo
Attachment 2: Proposed Subdivision Plan

Attachment 3: Development Application Data Sheet

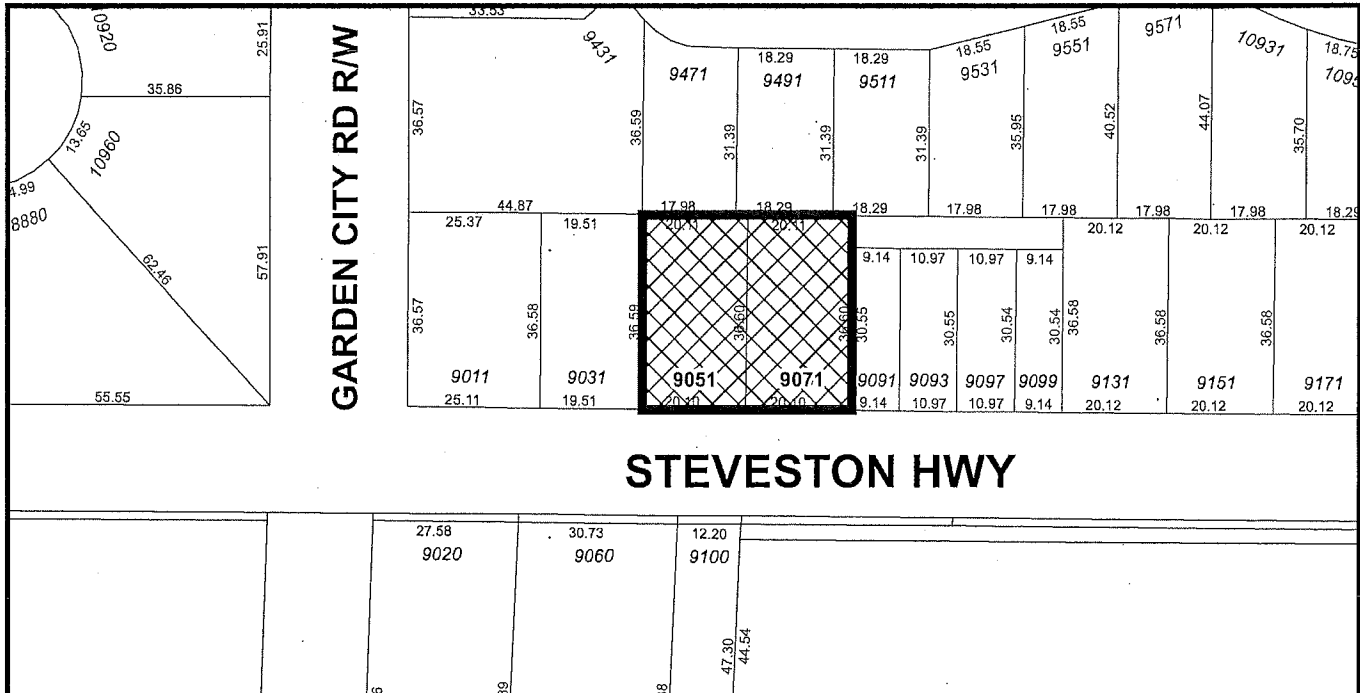
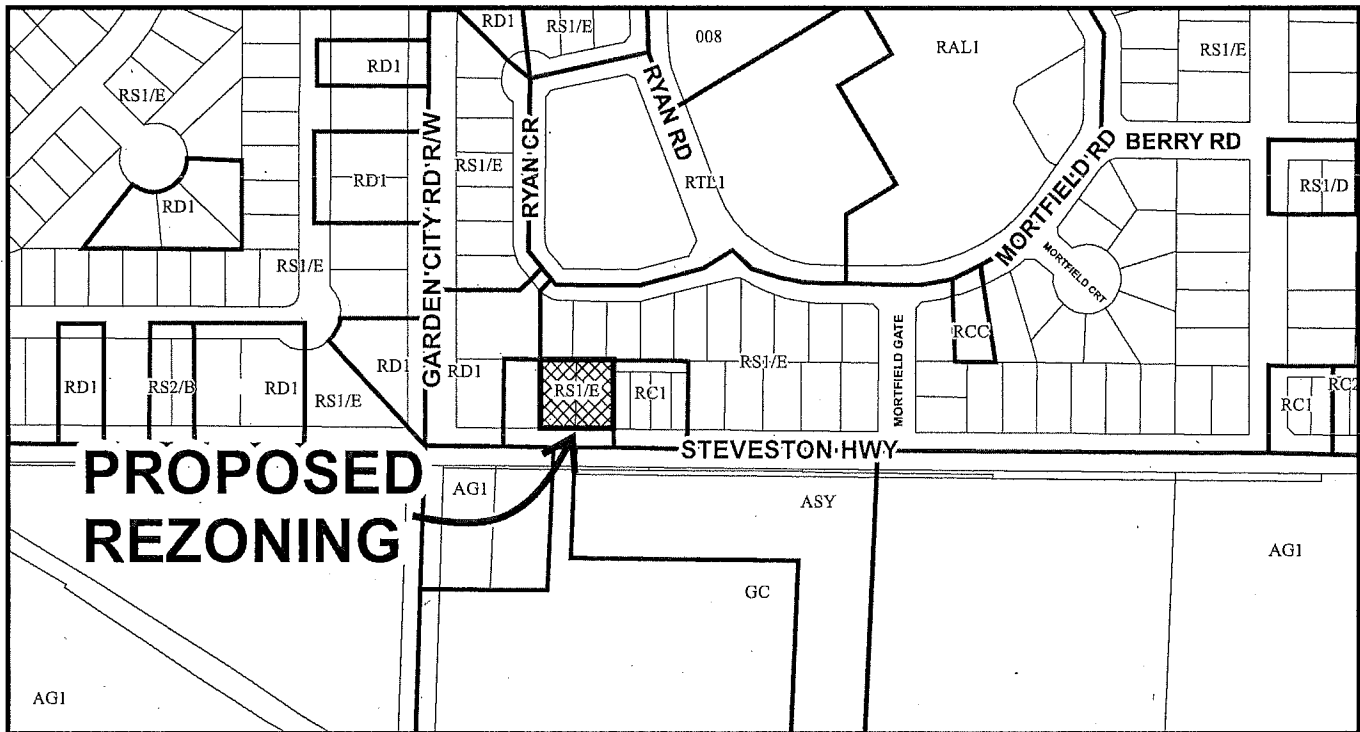
Attachment 4: Broadmoor Area Land Use Map

Attachment 5: Tree Protection Plan

Attachment 6: Rezoning Considerations



City of Richmond



RZ 16-728719

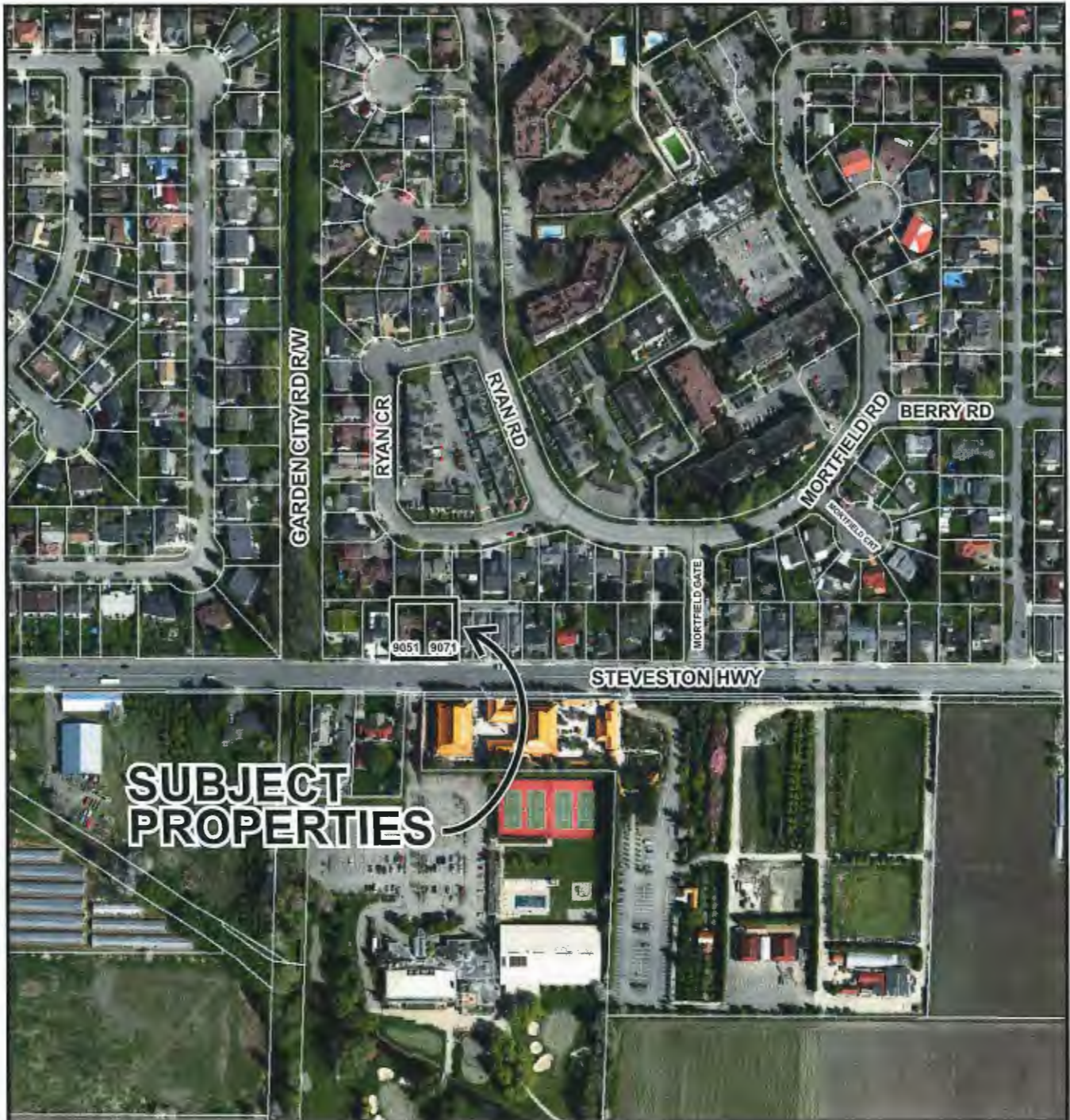
Original Date: 04/18/16

Revision Date: 11/07/16

Note: Dimensions are in METRES



City of Richmond



RZ 16-728719

Original Date: 04/18/16

Revision Date: 11/07/16

Note: Dimensions are in METRES

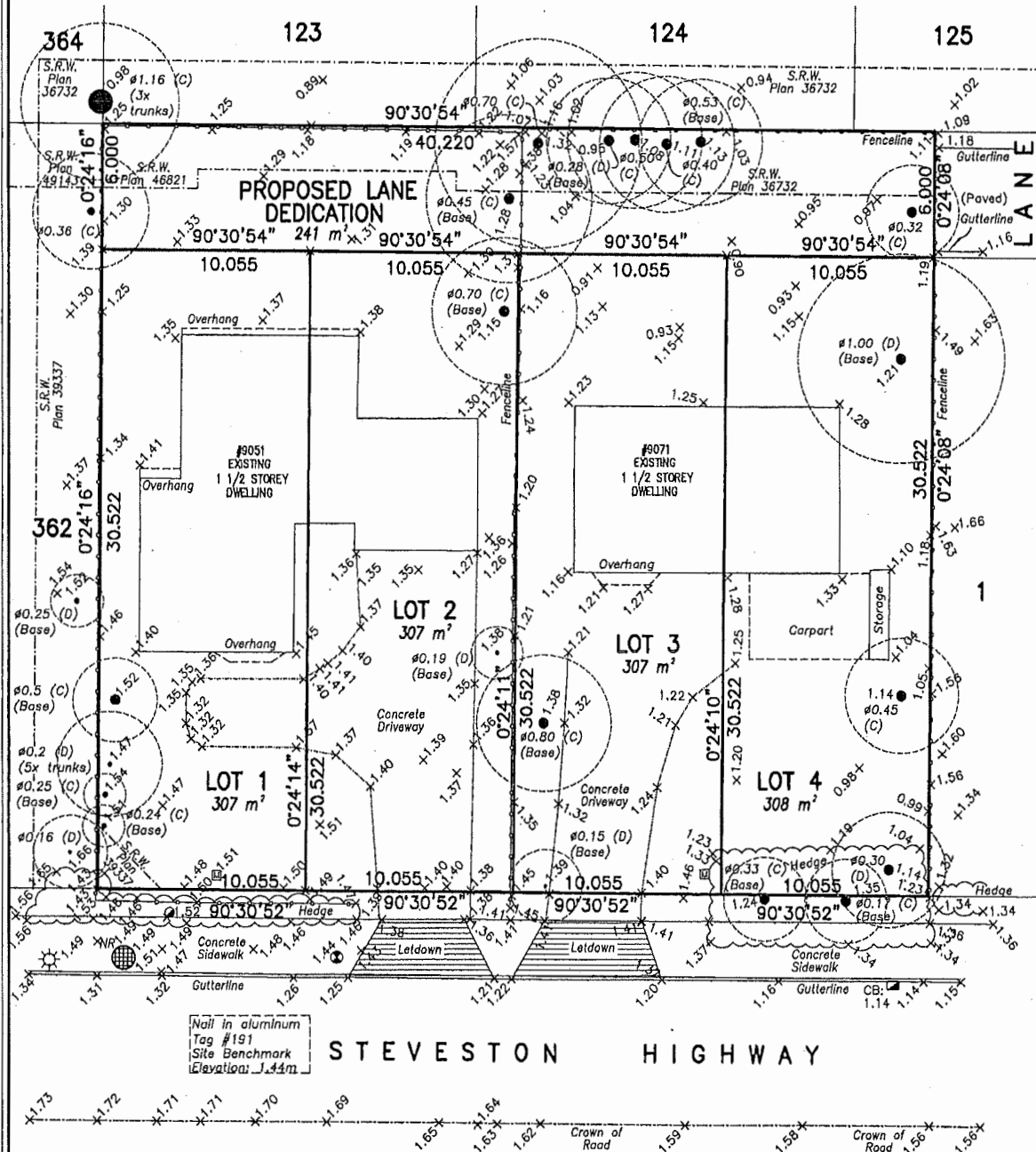
**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION PLAN
OF LOTS 121 AND 122 SECTION 34 BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT PLAN 36731**

#9071 STEVESTON HIGHWAY,
RICHMOND, B.C.
P.I.D. 003-283-542
#9051 STEVESTON HIGHWAY,
RICHMOND, B.C.
P.I.D. 004-335-422

SCALE: 1:200

0 5 10 15

ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



© copyright
J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 6422
FB-314 P32-36
Drawn By: ER

NOTE:

Elevations shown are based on
City of Richmond HPN
Benchmark network.
Benchmark: HPN #204
Control Monument 02H2452
Elevation: 1.559m
Benchmark: HPN #234
Control Monument 77H4891
Elevation: 1.125m

LEGEND:

- (C) denotes conifer
- (D) denotes deciduous
- denotes catch basin
- denotes water meter
- denotes manhole
- NR denotes north rim
- ☼ Lampstand
- ⚡ Powerline pole

NOTE:

Use site Benchmark Tag #191 for
construction elevation control.

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

[Signature]
JOHNSON C. TAM, B.C.L.S.

JULY 18th, 2016.

DWG No. 6422-Topo-02

PH - 127



RZ 16-728719

Attachment 3

Address: 9051 & 9071 Steveston Highway

Applicant: Harj Johal

Planning Area(s): Broadmoor

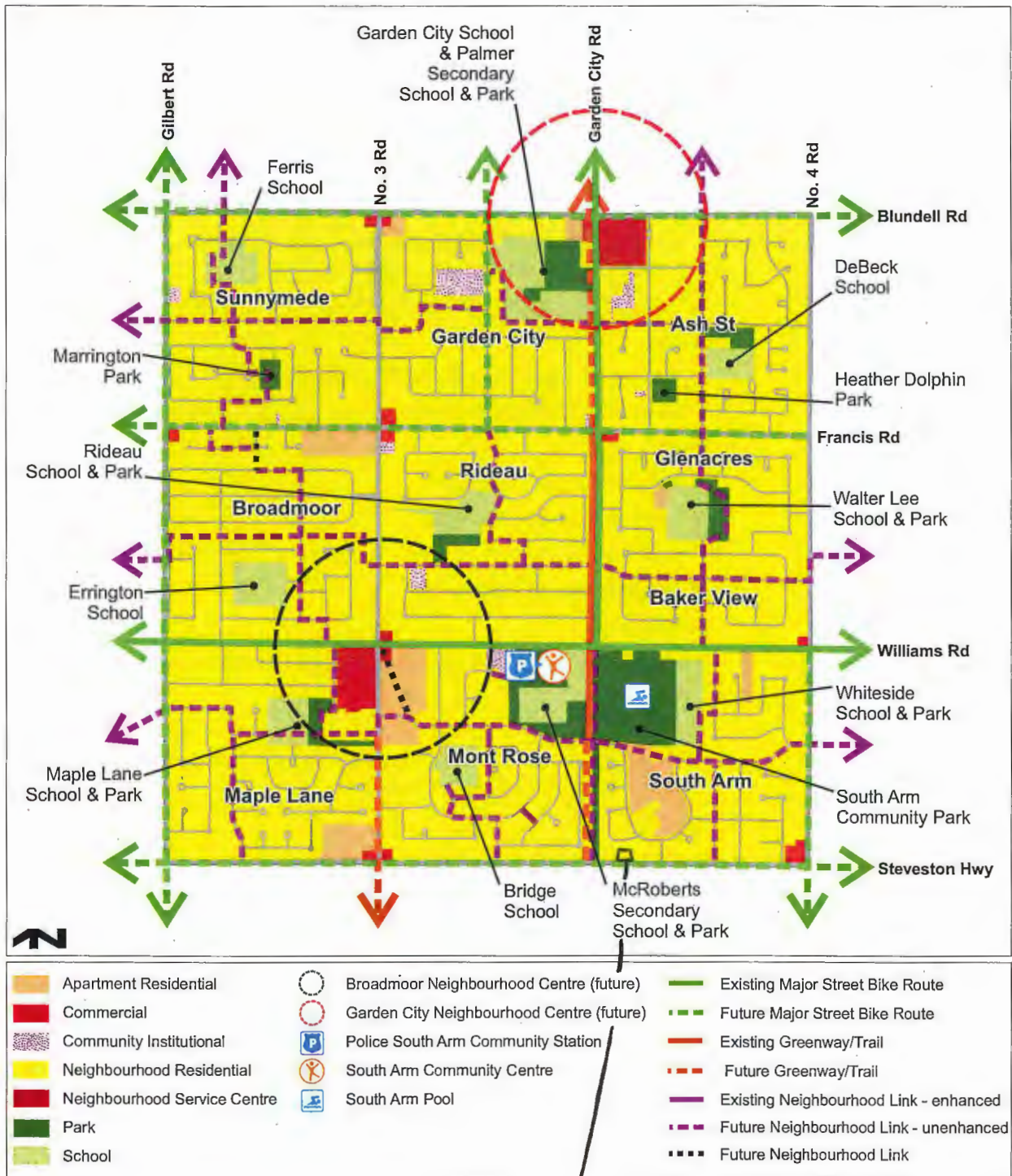
	Existing	Proposed
Owner:	Gavin Singh Bahd Gurdeep Singh Johal Navreet Johal	To be determined
Site Size (m²):	Two lots, each 734.46 m ²	Four lots, each 307 m ² Road dedication: 241.32 m ²
Land Uses:	Two single-family dwellings	Four single-family dwellings
OCP Designation:	Neighbourhood Residential	No change
Arterial Road Policy Designation:	Undesignated	Compact Lot Coach House
Zoning:	Single Detached (RS1/E)	Compact Single Detached (RC2)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60 for lot area up to 464.5 m ² plus 0.30 for area in excess of 464.5 m ²	Max. 0.60 for lot area up to 464.5 m ² plus 0.30 for area in excess of 464.5 m ²	none permitted
Buildable Floor Area (m ²):*	Max. 184.2 m ² (1,982 ft ²)	Max. 184.2 m ² (1,982 ft ²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 50% Non-porous Surfaces: Max. 70%	Building: Max. 50% Non-porous Surfaces: Max. 70%	none
Lot Size:	270 m ²	307 m ²	none
Lot Dimensions (m):	Width: 9.0 m Depth: 24.0 m	Width: 10.055 m Depth: 30.522 m	none
Setbacks (m):	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	none
Height (m):	Max. 9.0 m	Max. 9.0 m	none

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

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

6. Broadmoor



SUBJECT
PROPERTY



**City of
Richmond**

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

Address: 9051 & 9071 Steveston Highway

File No.: RZ 16-728719

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9646, the developer is required to complete the following:

1. 6.0 m lane dedication along the entire north property line.
2. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs and a 10% contingency. The Landscape Plan should:
 - Comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line.
 - Include a mix of coniferous and deciduous trees.
 - Include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report.
 - Include the eight required replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	Minimum Height of Coniferous Tree
8	6 cm	11 m

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

3. City acceptance of the developer's offer to voluntarily contribute \$12,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
4. Payment to the City of \$2,600 as compensation for the removal of two trees on the south property line, shared with the City, for the City to plant four trees at or near the development site.
5. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
6. Registration of a flood indemnity covenant on Title.
7. Registration of a legal agreement on Title to ensure that landscaping planted along a 4.0 m wide ALR buffer (as measured from the south property line) along the Steveston Highway frontage is maintained and will not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.
8. Registration of a legal agreement on Title to acknowledge that the applicant wishes to make use of the statutory right-of-way agreement (BW406323) registered on Title at 9093/9097 Steveston Highway for vehicular access to the subject site until access is secured by construction of the lane east to Mortfield Gate.
9. Registration of a legal agreement on Title to acknowledge that use of the lane is subject to the terms and conditions of the statutory right-of-way agreement (BW406323).
10. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on each of the four future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Prior to removal of trees on the boulevard in City-owned property, the applicant is required to:

1. Contact the City's Parks Department (604-244-1208 ext. 1314) four business days prior to removal of trees to enable proper signage to be posted.

At demolition* stage, the following is required:

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 and must remain in place until construction and landscaping on-site is completed.

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. This unregistered agreement will prohibit the use of any portion of the statutory right-of-way area for vehicle parking, demolition activity, or construction activity
2. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

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

1. Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees.
2. Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. Works include, but may not be limited to:

Water Works:

- Using the OCP Model, there is 523 L/s of water available at a 20 psi residual at the hydrant fronting 9160 Steveston Highway. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- The Developer is required to:
 - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
- At the Developers cost, the City is to:
 - Install four new water service connections, each complete with meter and meter box off of the existing 300 mm PVC watermain on the south side of Steveston Highway.

Storm Sewer Works:

- The Developer is required to:
 - Upgrade the existing 250 mm storm sewer to 600 mm on the north side of the Steveston Highway frontage, extending east from existing manhole STMH2097 to tie-in via a new manhole at the east property line of 9071 Steveston Highway, approximately 40 m.
 - Construct approximately 40.0 m of 200 mm lane drainage, complete with catch basins, from the existing lane drainage at Lot 9091's west property line, extending 40.0 m west to the subject site's west property line and terminate with a new manhole. No service connections are permitted to connect to lane drainage.
 - Install two new storm service connections, complete with inspection chambers and dual service leads, at the adjoining property lines of the four newly subdivided lots off of the proposed 600 mm storm sewer.

- Cut and cap the existing service leads off of the existing inspection chambers at the southeast and southwest corners of the subject site.
- At the Developers cost, the City is to:
 - Complete all tie-ins for the proposed works to existing City infrastructure.

Sanitary Sewer Works:

- The Developer is required to:
 - Provide, at no cost to the City, a 1.2 m wide SRW along the entire western property line of 9051 Steveston Highway for the existing sanitary sewer.
 - Install two new sanitary service connections in the proposed back lane off of the existing 150 mm FRP sanitary main complete with inspection chambers and dual service leads at the adjoining property lines of the newly subdivided lots.
 - Cut and cap the existing southern sanitary service leads off of the existing inspection chambers SIC16523 and SIC12082.
 - Provide, at no cost to the City, two new 3.0 m x 3.0 m SRWs for the proposed sanitary inspection chambers at the adjoining property lines of the newly subdivided lots.
 - Cut, cap, abandon, and fill, per MMCD specifications, the existing 150 mm sanitary sewer along the development site's north frontage. Any damage or nuisance to the neighboring lot's structures (i.e. fencing) must be repaired at the Developer's cost. It is the Developer's responsibility to obtain written approval from the owners of all affected lands at least one month prior to start of construction; written proof of approval must be submitted to the City prior to Servicing Agreement approval.
 - Install a new 150 mm sanitary sewer in the proposed rear-yard laneway and reconnect all existing sanitary service connections. Tie-in to the west shall be to the existing north-south aligned sanitary sewer west of the development site via a new manhole; tie-in to the east shall be to the existing east-west aligned 150 mm FRP sanitary sewer at the east property line of 9071 Steveston Highway via a new manhole.
- At the Developers cost, the City is to:
 - Complete all tie-ins for the proposed works to existing City infrastructure.

Frontage Improvements:

- The Developer is required to:
 - Coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground Hydro service lines.
 - To pre-duct for future hydro, telephone, and cable utilities along the entire Steveston Highway frontage.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.).
 - Dedicate and construct a new 6.0 m wide lane across the entire north property line, which:
 - Connects to and matches the lane works completed to the east as part of the Servicing Agreement associated with redevelopment of 9091, 9093, 9097, and 9099 Steveston Highway (SA 04-287038).
 - Includes rollover curb and gutter, asphalt paving, drainage, and lane lighting, and other works to be determined through the Servicing Agreement design review process.
 - Complete frontage improvements to Steveston Highway, which include:
 - Permanent closure and removal of the existing driveway crossings providing access to the site from Steveston Highway.
 - Removal of the existing sidewalk located at the curb along the entire site frontage and backfilling of the area to provide a minimum 1.5 m wide grass/tree boulevard (Note: the width of the boulevard is exclusive of the 0.15 m wide top of curb).
 - Construction of a new 1.5 m wide concrete sidewalk along the entire site frontage, connecting to the existing sidewalk east and west of the subject site.

- Street lighting and other utility requirements may be required as part of the frontage improvements, as determined through the Servicing Agreement design review process.

General Items:

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

Note:

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

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

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

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

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9646 (RZ 16-728719)
9051 & 9071 Steveston Highway**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"COMPACT SINGLE DETACHED (RC2)"**.

P.I.D. 004-335-422

Lot 122 Section 34 Block 4 North Range 6 West New Westminster District Plan 36731

P.I.D. 003-283-542

Lot 121 Section 34 Block 4 North Range 6 West New Westminster District Plan 36731

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9646"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 13 2017

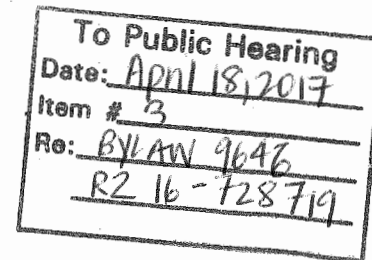
CITY OF RICHMOND
APPROVED by <i>BK</i>
APPROVED by Director or Solicitor <i>JA</i>

MAYOR

CORPORATE OFFICER

SUBMISSION FOR PUBLIC HEARING ON April 18TH, 2017
FAX NO. 604-278-5139

Attn: The Mayor and Councillors – Director, City Clerk's Office
City of Richmond
6911 No. 3 Road
Richmond BC V6Y 2C1



April 12th, 2017

RE: Objection to Re-zoning Application No. RZ16-728719 relating to 9051 & 9071 Steveston Hwy property – Right of Way/Public Access over our Private properties

Objections to Re-zoning application RZ16-728719 on the ground that it poses serious risk to adjacent homeowners and increases the possibility of accidents due to increased traffic in an unsuitable private lane (Between 9093 & 9097 Steveston Hwy)

Dear sir/madam,

We are in receipt of public hearing notice scheduled for April 18th, 2017. As we have been to many earlier meetings/public hearings with the same city staff. I am not sure what else the city wants us to present that we had not already presented. We still strongly object to giving public passage over our private properties based on all the evidence we previously presented related to RZ15-703150.

We had presented an independent legal interpretation on document # **BW406323** to the City council but it seems our every effort falling of City's deaf ears. We have also attached the copy of this letter for your consideration. This letter is self-explanatory and clearly states that this Statuary Right of Way (SRW) is only permitted for utility maintenance and NOT for public passage or access.

We are not objecting city re-zoning Bylaws, the city can very well re-zone but not at the expense of our private properties. We are expressing our strong objection because city is forcefully entering onto our private properties and trying to give public access through our private properties. The city must wait until the back lane is through before allowing re-zoning. Alternatively city could allow to keep atleast one access from Steveston Hwy to 9051 and 9071 because both properties have already two approved entrances from the Steveston Hwy.

I drove all the way from Dyke to the Watermania and there are no such lanes like this one that exists on Steveston highway which has public excess. There are some roads but those are owned by the city. We also offered the city an option of buying this lane from us at the market rate value but it seems the city is adamant in grabbing our land for free of cost and use as public passage based on an interpretation of the easement that it was not intended for (i.e. public access).

The letter from the City Bylaw manager (copy attached) to me clearly indicated that Bylaws are not applicable to this lane because the lane is a private property; it's NOT a PUBLIC ROAD. I am sure your City Bylaw Manager must have consulted your legal department before issuing that firm statement. Now City is denying its own statement because City staff feels that they are above the law of the land.

We are sure that this current controversial decision could be challenged in the court of law but unfortunately we are working people with limited resources. It is unfair that the city's legal department is using our tax money to give this controversial interpretation of SRW document # **BW406323** which is kept hidden from us under the blanket of so called "Privileged information. If you talk about fairness, then give us some budget from the City public contingency fund to

challenge this legal interpretation in the court of law. All we are asking is that you be fair to these homeowners rather than to the developer that stand to gain financially at our expense. Please don't play with our lives as we are similar to all other residents of Richmond who are paying your salaries. Put yourself in our shoes before deciding and think about that before making your final decision

This is very unfortunate that we voted for these councillors who are supporting this re-zoning. These councillors supposed to be protecting our rights but unfortunately they blindly decide to go along with their legal and planning department's advice because they want to protect their political seats.

We are really expecting proper justice from the city in this case. Council really needs to connect with people and broaden their vision. One day you could also be in the same situation. It's very easy to do the postal service; you really need to analyze the whole situation before making your final decision. There should be a third independent party with no influence from city hall to handle such controversial cases.

Therefore we are requesting the city council to re-consider and reject this re-zoning application under the current situation.

Below are the main points that we have been highlighting to the council, please do consider these genuine facts before making your final decision on this issue;

1. Loss of privacy and intrusion to local community
2. Increased property damage due to vehicle hitting the walls (we have already seen 3 hits on our retaining walls by non-residents)
3. Inadequacy of parking, traffic generation and endangerment to resident safety
4. Noise and disturbance resulting from increased local traffic
5. Unfounded grounds for the application - This new one sided legal interpretation of our right of way does not provide evidence of giving the access to public through our properties. The SRW Document # **BW406323** does not automatically allow City to give public access over our private property. City does need our consent to do that which we have already declined many times.

-----The intent of this document (SRW document # BW406323) was to provide the City of Richmond the "right of way" for occasional access to maintain the back-lane. The City of Richmond has now taken the position to treat this "right of way" as a public road and provide access to the back-lane for general public. There are many safety concerns if this lane is to be treated as a public road with regular two-way traffic. This private lane is connected directly to Steveston Hwy where vehicles are moving at 65 km/hr and so the turning radius used by some drivers is quite large and the speed at which they turn is alarming.

This is a narrow lane which poses potential dangers of vehicle colliding with the walls of our home. Wooden retaining walls have already seen three vehicle hits. It is a sharp right turn into this lane with not much advance visibility of any cars coming out at the time someone is going in.

The traffic on Steveston Highway is much heavier than 10 years ago and the city should revisit this decision to reflect the real traffic situation.

Who is liable for a traffic accident on this private lane due to the increase of traffic imposed by the City of Richmond and Department of Transportation?

The City of Richmond planner and planning committee dismissed our concerns and deem the lane to be fit for two way traffic because it is as wide as the back-lane. The back-lane does not connect to Steveston Hwy, but this lane does.

Request for information/clarification:

PH - 137

hwy. It does not matter whose fault it is when a bus or truck hits a small car from the back on a dark rainy day on Steveston Hwy – the folks in the car will be the ones getting hurt. No one even considered it worth looking up/ trying out despite all of us saying that we are having difficulty with the existing situation, so we have come to the conclusion that we are not significant enough in the large scheme of things to be considered. ***We feel truly sorry for the buyers of the proposed new homes if this goes forward. They will not know what they are getting into till they move in and start using this access. Just like we did not realize how difficult this type of access would be for us.***

We do need piece of mind for our families. This is very unfair imposition. We feel like we are being victimised by the City's interpretations of this SRW document. Our original objection to give access to builder over our properties still stands..

A few years back a pedestrian was hit by a visitor while turning onto the Steveston Hwy from this lane meaning more traffic more chances of hitting the pedestrian.

My neighbour "George", resident of 9091, was also involved in an accident. He was coming out of this lane slowly and a fast moving west bound car hit his car on the front side. These are real events that the city must re-consider

Everyone agrees that the anterior lane from Mortfield Gate is the solution. ***Perhaps the reason no steps are being taken to implement that is because there appears to be a free and easy out. Can you stop this free and easy out now?***

We trust our objections will be taken into consideration in this final hearing.

Sincerely,

Qaiser Iqbal and Naureen Qaiser - owner of 9093 Steveston Highway, Richmond BC

Phone: 604-277-6493, Email: q_iqbal@hotmail.com

Taha Qaiser and Yusra Qaiser – Children above 18 years of age at 9093 Steveston Highway

Attachment: 1. Copy of the Letter from the City ByLaw Manager dated Sept 6th, 2011
2. An independent legal interpretation letter on the SRW document # BW406323 from Goodwin & Mark LLP

1. Is there any other city road that enables a right turn from Steveston Hwy that has the same width with no pavement? There's NONE as far as we discussed with City planning department?
2. Did transportation authority run any safety trials before approving this plan for increased traffic? (Like having someone drive out and another person turn in at the same time) We would like to know the results of these safety assessments and credible reasons why this is considered safe regulation of traffic for the public and if there are any other similar roads (precedents) on Steveston Highway. If not we would like a proper safety assessment. That it is the same width as the back lane is a poor reason and does not make us feel safe.
3. Is it acceptable means and method to use private road not design to regular city road standard as a mean to connect city road ("the back lane") and the Steveston Hwy?
4. If damage or accidents occur on our private properties will the City's insurance cover-off the costs? Will it be ICBC? Will it be the owner's property insurance?

City Staff's response to our questions: No we cannot stop anyone from building a larger single family home in the way on the anterior lane making this plan permanent. No we have no information on how many other homes are ready to implement this. No we cannot wait to implement this solution by bringing the lane in from Mortfield Gate or Roseland Gate. No we cannot do anything about the risk of the lane getting blocked at any time.

So we have come to the conclusion that no work or planning has been done to ensure the implementation of the anterior lane. In the private sector, when we prepare a "temporary plan" we are required to support it with feasibility studies, risk assessments, time line for implementation of permanent solution, budgets and actions for implementation. It comes as a BIG disappointment that the same standards do not apply in the public sector. That all it takes to constitute a "PLAN" is a color print-out presented by the staff at the planning meetings with purple paint depicting where they WISH the anterior lane to eventually appear.

We now present a real case to show the outcome of such planning – we have spoken to the owner affected by a similar situation on No 2 Road and Colville Road. The owner expressed that he was told that the anterior lane would work its way out and he would have his land back. Many years have gone by and increased numbers of homes are using the lane but a large home on both sides has stopped the progress and made the so-called temporary solution permanent. His words were "I will not get my land back in this lifetime". He expressed his dissatisfaction and helplessness at the situation. When asked why he did not fight back at that time, the answer brought the true helplessness of the Richmond resident to the fore. Many residents are not native English speakers, not only do they find speaking in front of council too daunting and a stage show only, they also are not able to understand fully what goes on and express themselves well enough to be convincing. Today we speak for this gentleman as well as the voice of the voiceless. But the voted council is intended to be the voice of the voiceless. The average resident is not a trained lawyer or a leader who can communicate well in public. ***In a city like Richmond, we need a council who can visualize the common man's pain beyond what mere words can convey because the sad truth is that the common man cannot convey.***

We have expressed safety concerns that while turning in from a fast road like Steveston hwy, a large turning radius is required.. The only answer we receive is that "22ft meets requirements". Even an intern from the staff/ transportation has not shown up to drive in and see if it is possible to turn in without coming to a complete stop while another car is trying to come out. Transportation can look up how likely it is to be rear-ended when one comes to a complete stop on Steveston

Goodwin & Mark LLP

Barristers & Solicitors
Trade Mark Agents

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217 WESTMINSTER BUILDING
713 COLUMBIA STREET
NEW WESTMINSTER, B.C. V3M 1B2

REPLY ATTENTION OF: Alex Sweezy
OUR FILE #41,403s

December 11, 2015

Mayor/Councillors
City of Richmond
6911 No. 3 Road
Richmond, B.C.
V6Y 2C1

Fax to: (604)278-5139

Attention: Director, City Clerk's Office

Dear Sirs/Mesdames:

**Re: Application RZ 15-703150 by Maryem Ahbib for Rezoning at 9131 Steveston Hwy -
Amendment Bylaw 9505 to Zoning Bylaw 8500 - Public Hearing December 15, 2015 - 7PM**

We have been consulted by Qaiser Iqbal and Naureen Qaiser, the owners of 9093 Steveston Highway, and by M. Anandraj Dorairaj and Nisha Cyril the owners of 9097 Steveston Highway, with respect to this rezoning application.

This letter will not address the merits of the rezoning application generally; our clients and other neighbours have done that separately.

However, our clients have consulted us more specifically about the significance of Statutory Right of Way ("SRW") BW406323 to the rezoning application. Our clients have expressed surprise at the recent change in the City's interpretation of the SRW. City staff have always looked at the SRW as simply for sewers, drains, etc., and what our clients and their neighbours otherwise did with the SRW area over their property was up to them.

Now, however, the City seems to be viewing the SRW as a public roadway, available to the current applicant, for example, to use for access instead of their own driveway.

In our opinion, this is an untenable interpretation of the SRW, as well as an unrealistic one.

It is instructive to read the SRW carefully.

In Part 1, setting out the objectives of the SRW

"(b) Richmond desires to obtain from the Owner a statutory right of way to construct certain Works on, over and under the hereinafter described portion of the land;

"(c) The statutory right of way is necessary for the operation and maintenance of Richmond's undertaking."

- 2 -

This is the whole of the purpose of the SRW. There is no other purpose or objective.

In Part 2, the specific grant is stated:

"...the Owner does hereby grant unto Richmond the full, free and uninterrupted right of way for Richmond, its licensees, servants, officials, workmen, machinery and vehicles, at any time and at their will and pleasure for the benefit of Richmond."

Again, the grant itself does nothing to expand the purpose set out in Part 1.

Part 3 then merely sets out the usual specific ways in which Richmond can exercise the grant given in Part 2, for the purpose set out in Part 1. Anything in Part 3 must be interpreted as merely implementing Parts 1 and 2, and not as expanding them. If the intent of the SRW was to establish a public roadway, that would have been stated in Parts 1 and 2.

Or, in the normal way, in a wholly separate SRW, not imbedded in two or three words buried away in a sewer and drainage SRW.

In fact, in 40 years of practice, I don't believe I have ever seen one single combined SRW used for both purposes, rather than separate SRWs.

And a SRW intended for a public roadway would have considerably more provisions specific to such use.

To illustrate the impracticality of this being intended for a public roadway, consider the very limited restrictions placed upon the Owner. He is not required to do any maintenance of a roadway, or even to provide one at all. In fact he is prohibited from having a concrete driveway.

There is nothing to prevent him from removing all existing ground cover and replace it with grass, bushes or other vegetation (as long as he does not diminish or increase the depth), and allowing children to play in the whole area.

There is nothing to prevent him from parking vehicles across the SRW area, or installing a fence (so long as he allows Richmond access for its "Works".)

There is a "Lane" across the North end of the Lots, and perhaps the Applicant can access that from the West end. But, in our opinion, Richmond has no right to purport to allow the Applicant the use of the SRW.

If you have a legal opinion to the contrary, please provide a copy, and we would be pleased to address it.

Yours truly,

GOODWIN & MARK LLP

Alex Sweezy
ALEX SWEEZEY

Iqbal, Qaiser

To: Mercer, Wayne
Cc: MacKinnon, Deb; Mayor and Councillors; Toews, Curt
Subject: RE: Alleged Dogs Off Leash - 9000 blk Steveston Hwy

From: Mercer, Wayne [mailto:WMercer@richmond.ca]
Sent: 2011, September 06 2:49 PM
To: Iqbal, Qaiser
Cc: MacKinnon, Deb; Mayor and Councillors; Toews, Curt
Subject: Alleged Dogs Off Leash - 9000 blk Steveston Hwy

Mr. Iqbal:

Your message to the Mayor's Office has been referred to my office for investigation and response.

Thank you very much for forwarding the video as you did – it makes it very clear as to where your neighbours are removing the leashes from their dogs' collars.

In reviewing the area between your house at 9093 Steveston Hwy and your neighbour at 9097 Steveston Hwy, where the unleashing took place, this is not public property. This vehicle access is provided jointly by you and your neighbour so that vehicles can access the garages at the rear of the 4 houses in this complex. I would expect that, when you purchased your home, you agreed to provide such access as part of the purchase agreement.

Because this is private property, evenly split between you and your neighbor, the leashing requirements for dogs under the City's Animal Control Regulation Bylaw do not apply – they only apply on City-owned property. Therefore, your neighbours are not acting contrary to the Bylaw in releasing their dogs from their leashes in this area and we will not be pursuing any enforcement for these actions.

Thanks.....

Wayne G. Mercer
Manager, Community Bylaws

City of Richmond
6911 No 3 Road
Richmond, BC V6Y 2C1

direct: 604.247.4601
fax: 604.276.4036
email: w Mercer@richmond.ca
web: www.richmond.ca



City of Richmond

Notice of Public Hearing

Tuesday, April 18, 2017 – 7 pm

**Council Chambers, 1st Floor, Richmond City Hall
6911 No. 3 Road, Richmond, BC V6Y 2C1**

Richmond Zoning Bylaw 8500, Amendment Bylaw 9646 (RZ 16-728719)

Location/s: 9051 & 9071 Steveston Highway
Applicant/s: Harj Johal
Purpose: To rezone the subject properties from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, to permit the properties to be subdivided to create four (4) single-family lots, with vehicle access from an extension to the existing rear lane.
City Contact: Jordan Rockerbie, 604-276-4092, Planning and Development Division

How to obtain further information:

- **By Phone:** If you have questions or concerns, please call the CITY CONTACT shown above.
- **On the City Website:** Public Hearing Agendas, including staff reports and the proposed bylaws, are available on the City Website at <http://www.richmond.ca/cityhall/council/agendas/hearings/2017.htm>
- **At City Hall:** Copies of the proposed bylaw, supporting staff and Committee reports and other background material, are also available for inspection at the Planning and Development Division at City Hall, between the hours of 8:15 am and 5 pm, Monday through Friday, except statutory holidays, commencing April 7, 2017 and ending April 18, 2017, or upon the conclusion of the hearing.
- **By FAX or Mail:** Staff reports and the proposed bylaws may also be obtained by FAX or by standard mail, by calling 604-276-4007 between the hours of 8:15 am and 5 pm, Monday through Friday, except statutory holidays, commencing April 7, 2017 and ending April 18, 2017.

Participating in the Public Hearing process:

- The Public Hearing is open to all members of the public. If you believe that you are affected by the proposed bylaw, you may make a presentation or submit written comments at the Public Hearing. If you are unable to attend, you may send your written comments to the City Clerk's Office by 4 pm on the date of the Public Hearing as follows:
 - **By E-mail:** using the on-line form at <http://www.richmond.ca/cityhall/council/hearings/about.htm>
 - **By Standard Mail:** 6911 No.3 Road, Richmond, BC, V6Y 2C1, Attention: Director, City Clerk's Office
 - **By Fax:** 604-276-5139, Attention: Director, City Clerk's Office
- **Public Hearing Rules:** For information on public hearing rules and procedures, please consult the City website at <http://www.richmond.ca/cityhall/council/hearings/about.htm> or call the City Clerk's Office at 604-276-4007.
- All submissions will form part of the record of the hearing. **Once the Public Hearing has concluded, no further information or submissions can be considered by Council.** It should be noted that the rezoned property may be used for any or all of the uses permitted in the "new" zone.

David Weber
Director, City Clerk's Office



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

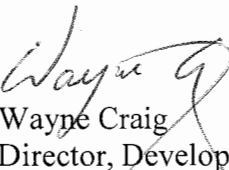
Date: March 13, 2017

File: ZT 16-754143

Re: Application by OpenRoad Auto Group Ltd. for a Zoning Text Amendment to the "Vehicle Sales (CV)" Zone to Increase the Maximum Permitted Floor Area Ratio to 0.70 for the Property Located at 13100 Smallwood Place

Staff Recommendation


That Richmond Zoning Bylaw 8500, Amendment Bylaw 9672, for a Zoning Text Amendment to the "Vehicle Sales (CV)" zone, to increase the maximum permitted Floor Area Ratio (FAR) to 0.70 for the property located at 13100 Smallwood Place, be introduced and given first reading.


Wayne Craig
Director, Development

CL:blg
Att. 8

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER


FOR JOE ERCEG

Staff Report

Origin

OpenRoad Auto Group Ltd. has applied to the City of Richmond for a Zoning Text Amendment to the "Vehicle Sales (CV)" zone in order to increase the maximum permitted Floor Area Ratio (FAR) to 0.70 for the property located at 13100 Smallwood Place, to allow the development of an auto dealership. A location map of the subject site is included in Attachment 1. A survey of the site is included in Attachment 2.

Findings of Fact

The applicant proposes a text amendment to the "CV" zone to increase the maximum permitted FAR on the subject site to 0.70 FAR based on consideration of the site-specific context (i.e., the Richmond Auto Mall), and the feasibility of accommodating the proposed density on the subject site. Under the current "CV" zone, the maximum permitted FAR is 0.50. The "CV" zone includes reference to three other properties within the Richmond Auto Mall where the maximum density ranges from 0.58 FAR to 0.78 FAR. The proposed 0.70 FAR at the subject site would be consistent with other developments in the auto mall, and evolving trends for new car dealerships to more intensively utilize the land.

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

Site Description and Surrounding Development

The subject property is located within the Richmond Auto Mall at the northeast corner of the intersection of Westminster Highway and Jacombs Road. The former fleet facility operated by OpenRoad Auto Group Ltd. at the subject site has been demolished and the applicant has commenced site preparation for the proposed auto dealership. Existing land uses and development immediately surrounding the subject site are as follows:

- To the North, immediately across Smallwood Place, is an existing Hyundai dealership on a site zoned "Vehicle Sales (CV)" within the Richmond Auto Mall at 13171 Smallwood Place.
- To the South, across Westminster Highway and a frontage road further south, are large properties zoned "Agriculture (AG1)" in the Agricultural Land Reserve (ALR), which contain single-family dwellings and accessory buildings.
- To the East is an existing Nissan dealership on a site zoned "Vehicle Sales (CV)" within the Richmond Auto Mall at 13220 Smallwood Place.
- To the West, across Jacombs Road, is the "Richmond Nature Park East" on a site zoned "School & Institutional Use (SI)" at 5991 Jacombs Road.

Related Policies & Studies**Official Community Plan/East Cambie Area Plan**

The subject site is designated “Commercial” in both the Official Community Plan (OCP) and the East Cambie Area Plan (Attachment 4). The proposed auto dealership at the subject site is consistent with the OCP and Area Plan land use designations.

Agricultural Land Reserve (ALR) Buffer Zone

Where there is an intervening road between ALR lands and non-ALR lands, the OCP encourages an appropriate landscaping buffer on the non-ALR lands through the rezoning and Development Permit processes.

The applicant’s proposal is consistent with these land use considerations in the OCP, as follows:

- The Agricultural Land Reserve (ALR) is located to the south of the site and to the west (Richmond Nature Park). The site is separated from the ALR by existing roads (Jacombs Road and Westminster Highway). Formal landscaping plans to adequately buffer the site from the ALR will be a requirement of the forthcoming Development Permit for the proposed auto dealership.
- There is an existing 1.8 m high solid fence along the south property line next to Westminster Highway and the applicant proposes a row of new trees, a 3 m setback to on-site surface parking, and a setback of approximately 15 m to the south building façade.
- The applicant also proposes to retain the existing planting and 1.8 m high solid fence along the west property next to Jacombs Road, replace the existing London Plane trees (which are in poor condition) with a new row of Ginkgo Biloba trees, and to provide a minimum 3 m setback to on-site surface parking and proposed buildings.

Details of the landscaping plans will be finalized during the Development Permit.

Prior to final adoption of the rezoning bylaw, the applicant is required to register a legal agreement on title to identify the buffer area and ensure that landscaping planted within the buffer is maintained and will not be abandoned or removed. The covenant is also to indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations.

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. In this location, the required Flood Construction Level is 2.9 m GSC for habitable spaces.

Aircraft Noise Sensitive Development Policy

The OCP's Air Noise Sensitive Development (ANSD) Policy applies to the subject site, which is located within the "Restricted Area (Area 1B)". The proposed auto dealership at the subject site is consistent with the ANSD Policy as it is not a residential use.

Registration of an Aircraft Noise Indemnity Covenant on Title will be required prior to final adoption of the rezoning bylaw. At future Building Permit stage, the applicant is required to submit an Acoustic Report and to incorporate noise mitigation into building construction.

Ministry of Transportation and Infrastructure (MOTI) Approval

As the subject site is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, this redevelopment proposal was referred to MOTI. Preliminary approval from MOTI for the proposed development was granted for a period of one year (i.e., until January 10, 2018). Final approval from MOTI is required prior to final adoption of the rezoning bylaw.

Ministry of Environment (MOE) Approval

Since the Site Profile submitted by the applicant identifies that the subject site had been used for one of the industrial or commercial purposes or activities set out in the provincial Contaminated Sites Regulation, this rezoning application may not be approved until a Certificate of Compliance (or alternative approval) has been provided by the MOE.

Richmond Auto Mall Association Review

The applicant has confirmed that the proposed Zoning Text Amendment to permit increasing the density on the subject site from 0.5 FAR to 0.70 FAR is supported by the Richmond Auto Mall Association (Attachment 5).

Public Consultation

A rezoning sign has been installed on the subject property. Notification signage of the associated Development Permit application for the auto dealership is also currently posted on-site. Staff have not received any comments from the public about the Zoning Text Amendment 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

Site Access, Built Form and Architectural Character

The applicant has submitted preliminary concept plans of the proposed auto dealership, associated on-site uses and surface parking, and landscaping, as shown in Attachment 6. Further review of the preliminary concept plans, including transportation-related issues, will be undertaken as part of the Development Permit Application review process to ensure consistency with the design guidelines in the OCP with specific consideration of the Richmond Auto Mall context.

The proposed concept plans show a principal two-storey building in the centre of the subject site with surface parking and landscaping located around the perimeter of the site. A one-storey carwash and garbage/recycling enclosure is proposed in the southwest of the site. The main floor of the principal building is to contain the sales reception area, vehicle showroom, customer lounge, and associated uses such as offices, auto servicing and detailing, parts and tool storage, accessory retail of parts, etc. The upper and rooftop levels of the principal building are to contain vehicle display, storage, and delivery areas, as well as meeting rooms and offices, indoor and outdoor staff amenity areas.

Vehicle access to the site is proposed from Smallwood Place via two driveway crossings. Pedestrian access is proposed from Smallwood Place to the building main entry via a wide walkway and entry plaza.

Variances Requested

Based on the proposed preliminary concept plans, the applicant will be requesting to vary the provisions of Richmond Zoning Bylaw 8500 at the Development Permit Application review stage to:

- 1) Waive the requirement for on-site medium/large size loading spaces.
- 2) Increase the maximum permitted height for a building from 12.0 m to a maximum of 15.44 m for rooftop mechanical equipment and storage, as well as an elevator and stairways, which enable access to/maintenance of the rooftop parking area.

Staff is supportive of the proposed variances, as they are similar to those that have been granted to other auto dealerships in recent years, due to the special context and operating characteristics within the Richmond Auto Mall. These variance requests will be reviewed and analysed further at the Development Permit Application review stage.

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 a number of undersized and bylaw-sized trees on-site, on the adjacent property to the east at 13220

Smallwood Place, and on City-owned property along Smallwood Place, Jacombs Road, and Westminster Highway.

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

- 10 trees located on-site have been historically topped (are in poor condition) and should be removed and replaced with new trees on-site along Jacombs Road (Trees # C11 to C20).
- Nine trees located on-site are in good condition and should be retained and protected (Trees # 2105 to 2113).
- One tree located on the shared neighbouring property line with 13220 Smallwood Place to the East is in good condition and should be retained and protected (Tree # OS1)
- Tree protection fencing must be installed as per the City's Tree Protection Information Bulletin TREE-03.
- Replacement trees should be specified at a 2:1 ratio, as per the OCP.

The City's Parks Department staff have reviewed the Arborist's Report and provide the following comments:

- Three trees on City-owned property along Smallwood Place are authorized for removal due to conflict with the proposed construction and site access (Trees # C3, C4, C5), and three trees along Jacombs Road are authorized for removal due to poor structure and health (Trees # C8, C9, C10).
- The remaining 12 trees on City-owned property are to be retained and protected as per the City's Tree Protection Information Bulletin TREE-03 (Trees # C1, C2, C6, C7 and OS2 to OS9).

Tree Protection

A total of nine trees on-site, one tree shared with 13220 Smallwood Place, and 12 trees off-site are proposed to be retained and protected (Trees # 2105 to 2113, C1, C2, C6, C7, and OS1 to OS9). The applicant has submitted a Tree Management Drawing showing the trees to be retained and the required tree protection zones (Attachment 7).

To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw:
 - Submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.

- Submission of a Tree Survival Security in the amount of \$16,000 for Trees # 2105 to 2113.
- Submission of a Tree Survival Security in the amount of \$22,300 for Trees # C1, C2, C6, C7 and OS2 to OS9 on City-owned property.
- Prior to Building Permit issuance:
 - Installation of tree protection barriers in accordance with the City's Tree Protection Information Bulletin TREE-03.

Tree Replacement

The applicant proposes to remove 9 bylaw-sized trees from the subject site (Trees # C12 to C20). According to the 2:1 replacement ratio specified in the OCP and the size requirements for replacement trees in Tree Protection Bylaw No. 8057, a total of 18 replacement trees are required to be planted and maintained on-site, with a minimum size of 6 cm caliper (deciduous) or 3.5 m high (conifer).

The preliminary Landscape Plan illustrates that the applicant proposes to plant 45 trees on-site, of a variety of sizes. To ensure that the proposed Landscape Plan and replacement trees are installed and maintained on-site, the applicant is required to submit a Landscaping Security in the amount of 100% of a cost estimate prepared by the Registered Landscape Architect prior to Development Permit issuance.

The applicant proposes to remove six trees located off-site on City-owned property (Trees # C3, C4, C5, C8, C9, C10). The applicant is required to submit a cash-in-lieu contribution in the amount of \$7,800 to the City's Tree Compensation Fund prior to final adoption of the rezoning bylaw (\$650/tree at a 2:1 replacement ratio).

Existing Legal Encumbrances

There is an existing 1.5 m wide statutory right-of-way for utilities (X135851, Plan 68776) along the north property line to which the City is a party, as well as a covenant (Y2390) registered on title to ensure that the original development at the subject site was consistent with the original Development Permit (DP 84-134). Covenant Y2390 must be discharged from title as part of the new Development Permit application process (DP 16-741123).

The applicant is required to ensure that the proposed development at the subject site does not conflict with any other third party charges registered on title.

Site Servicing and Frontage Improvements

The City's Engineering Department has conducted a review of the proposed development, and has identified that a Servicing Agreement is required prior to Building Permit issuance to design and construct water, storm and sanitary sewer connections, as well as a drainage upgrade along Jacombs Road. The requirements involve the granting of a 3.0 m wide Statutory Right-of-Way

for utilities parallel to the Smallwood Place frontage. Further details on the scope of the required servicing and frontage works associated with this application are described in Attachment 8.

The City's Transportation Department has conducted a review of the proposed development, and has identified that road dedication of a 4 m x 4 m corner cut at the southeast corner of Jacombs Road and Smallwood Place is required prior to final adoption of the rezoning bylaw. All other transportation-related aspects of the proposal will be reviewed as part of the Development Permit application process.

Financial Impact


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

Conclusion

OpenRoad Auto Group Ltd. has applied to the City of Richmond for a Zoning Text Amendment to the "Vehicle Sales (CV)" zone in order to increase the overall allowable Floor Area Ratio (FAR) to 0.70 for the property located at 13100 Smallwood Place; where the development of an auto dealership is proposed.

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

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9672 be introduced and given first reading.



Cynthia Lussier
Planner 1
(604-276-4108)

CL: blg

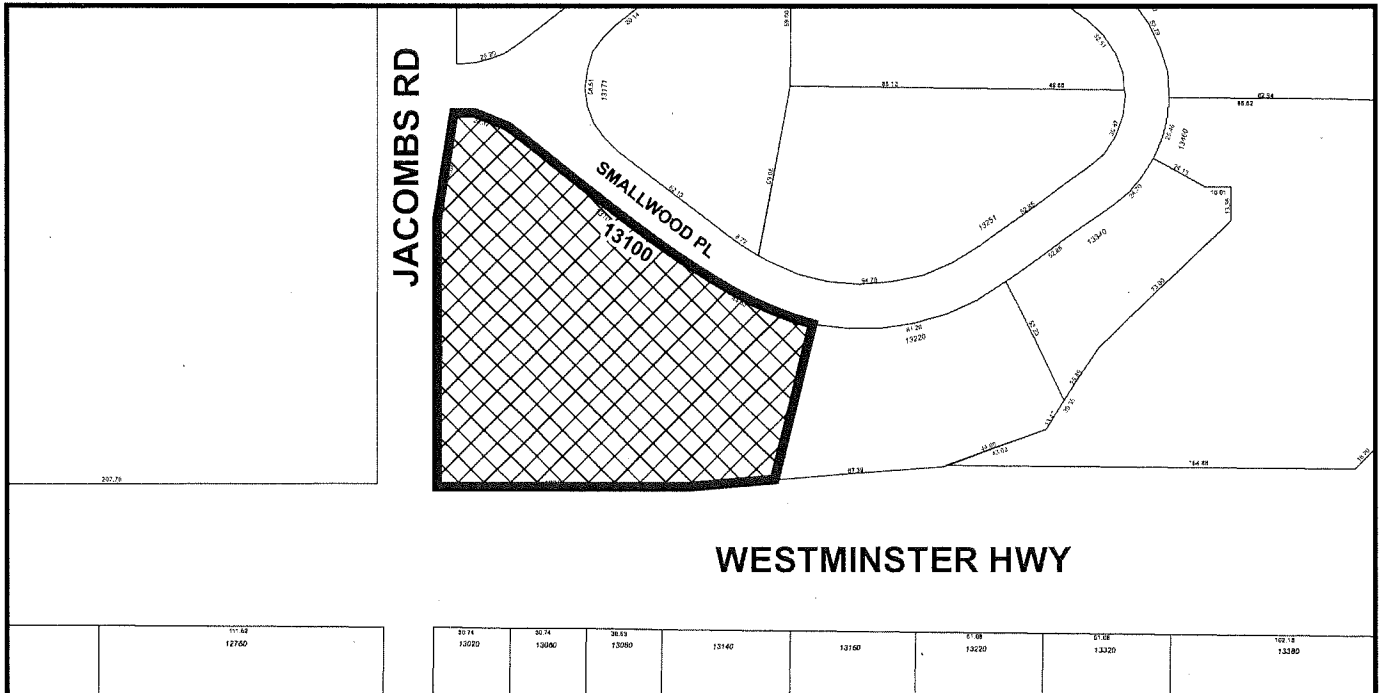
- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Site Survey
- Attachment 3: Development Application Data Sheet
- Attachment 4: East Cambie Area Plan Land Use Map
- Attachment 5: Letter from Richmond Auto Mall Association
- Attachment 6: Preliminary Concept Plans
- Attachment 7: Tree Management Drawing
- Attachment 8: Rezoning Considerations

The map shows a street grid with the following labels:

- JACOMBS RD** (vertical, left side)
- PARKWOOD WAY** (vertical, top center)
- KNIGHT-ST** (vertical, right side)
- COMMERCE PKWY** (vertical, far right)
- WIRELESS WAY** (horizontal, right side)
- WESTMINSTER HWY** (horizontal, bottom)
- SMALLWOOD PL** (diagonal, top left)

Key features and labels on the map:

- SITE**: A hatched area labeled 'CV' located at the intersection of JACOMBS RD and WESTMINSTER HWY, indicated by an arrow.
- CV**: A large label in the center of the map, and another 'CV' label within the hatched site area.
- IB1**: A label in the upper right quadrant.
- Z13**: A label in the lower right quadrant.
- S1**: A label in the top left corner.
- AG1**: A label in the bottom left corner.



Note: Dimensions are in METRES



City of Richmond

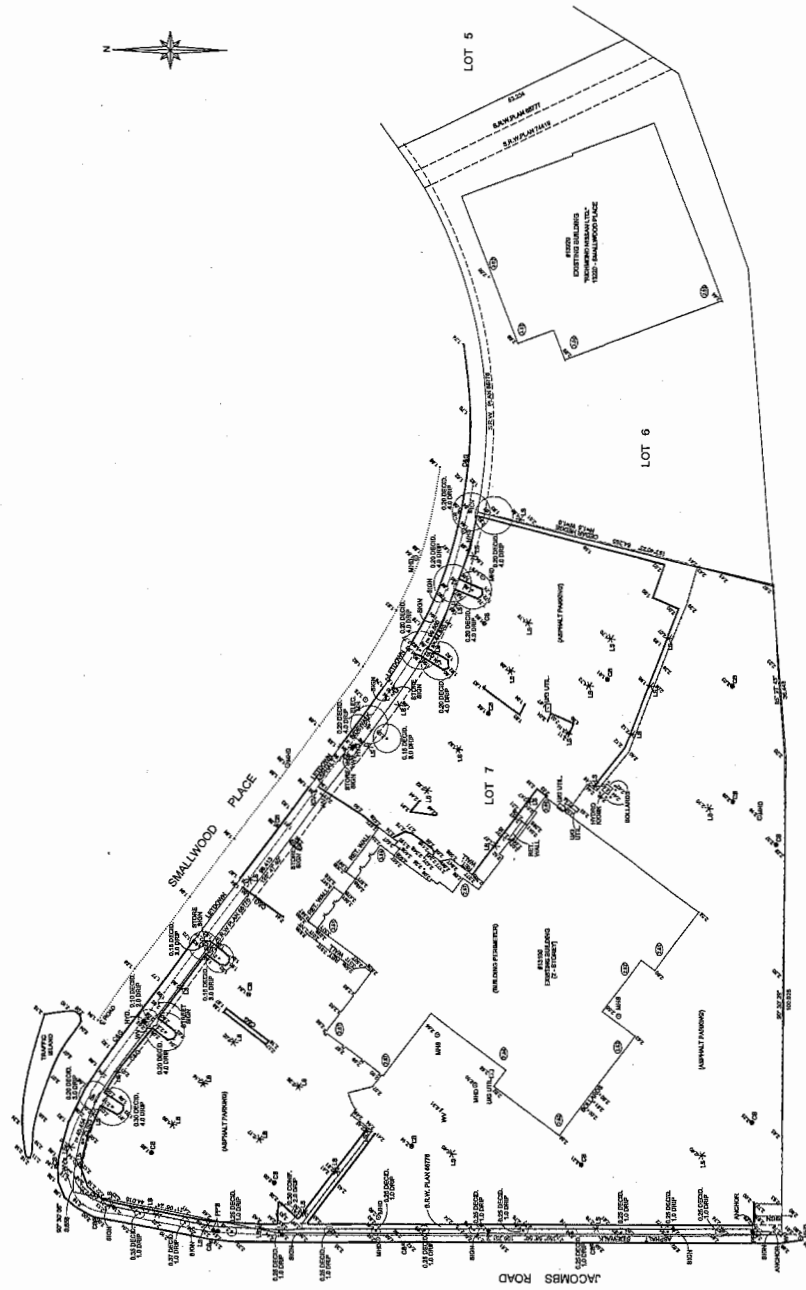


ZT 16-754143

Original Date: 12/14/16

Revision Date:

Note: Dimensions are in METRES



PLAN OF TOPOGRAPHY

CITY OF RICHMOND
SCALE: 1:500 (MAY 2015)
CIVIC ADDRESS: 15100 - SMALLWOOD PLACE, RICHMOND, B.C.
FIELD SURVEY COMPLETED: MARCH 18, 2015
FILE: 1100
MAP:

LEGAL DESCRIPTION: LOT 7 SECTION 8 BLOCK 4 NORTH RANGE 8
N.W.D. PLAN 81775

BUILDER: OPEN ROAD TOYOTA
15100 - SMALLWOOD PLACE
RICHMOND, B.C. V6X 1A6
TEL: (604) 283-2022

LEGEND:
--- DENOTES FENCE LINE
--- DENOTES CENTER LINE OF ROAD
--- DENOTES RIGHT OF WAY
--- DENOTES SUBURBAL
--- DENOTES FLOOD PLAIN
(2.5)

MILNER SURVEYS LTD.

REGISTERED LAND SURVEYOR
REGISTERED COLLABORATOR
REG. NO. 12345
P.O. BOX 1234
VANCOUVER, B.C. V6X 1A6
TEL: 604-123-4567
FAX: 604-123-4568

NOTES:
ELEVATIONS ARE ON DATUM 1984, BURNING MOUNTAIN
ELEVATION + 1.00 M.
--- DENOTES BOUNDARY

THIS PLAN, DAY OF, MONTH, YEAR

REGISTERED LAND SURVEYOR
AND LAND EXAMINER
VANCOUVER, B.C. V6X 1A6
TEL: 604-123-4567
FAX: 604-123-4568



ZT 16-754143

Attachment 3

Address: 13100 Smallwood Place

Applicant: OpenRoad Auto Group Ltd.

Planning Area(s): East Cambie

	Existing	Proposed
Owner:	OpenRoad Auto Group Ltd.	No change
Site Size (m²):	15,932 m ² (171,490 ft ²)	No change
Land Uses:	Vacant lot	Auto dealership and service
OCP Designation:	Commercial	No change
Area Plan Designation:	Commercial	No change
Zoning:	Vehicle Sales (CV)	Vehicle Sales (CV), with a Zoning Text Amendment to allow a maximum 0.70 FAR at the subject site
Other Designations:	ANSD Policy applies to the subject site; which is located in Area 1B, where all new residential land uses are prohibited and some other noise sensitive uses will be considered.	The proposed auto dealership and services is consistent with the ANSD Policy as it is a commercial use.

	Zoning Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	A Zoning Text Amendment is proposed to allow a maximum 0.70 FAR at the subject site	0.68 FAR	none permitted
Buildable Floor Area (m ²):*	11,152 m ² (120,043 ft ²)	10,842 m ² (116,703 ft ²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 50%	Building: 37.56%	none
Building Setbacks (m):	Front: Min. 3.0 m	16.00 m	none
	Rear: Min. 3.0 m	<ul style="list-style-type: none"> Principal building: 14.75 m (main floor) 10.81 m (2nd floor) Garbage/recycling enclosure: 3.0 m 	none
	Interior Side: Min. 3.0 m	21.81 m	none
	Exterior Side: Min. 3.0 m	<ul style="list-style-type: none"> Principal building: 22.63 m Carwash: 3.0 m 	none

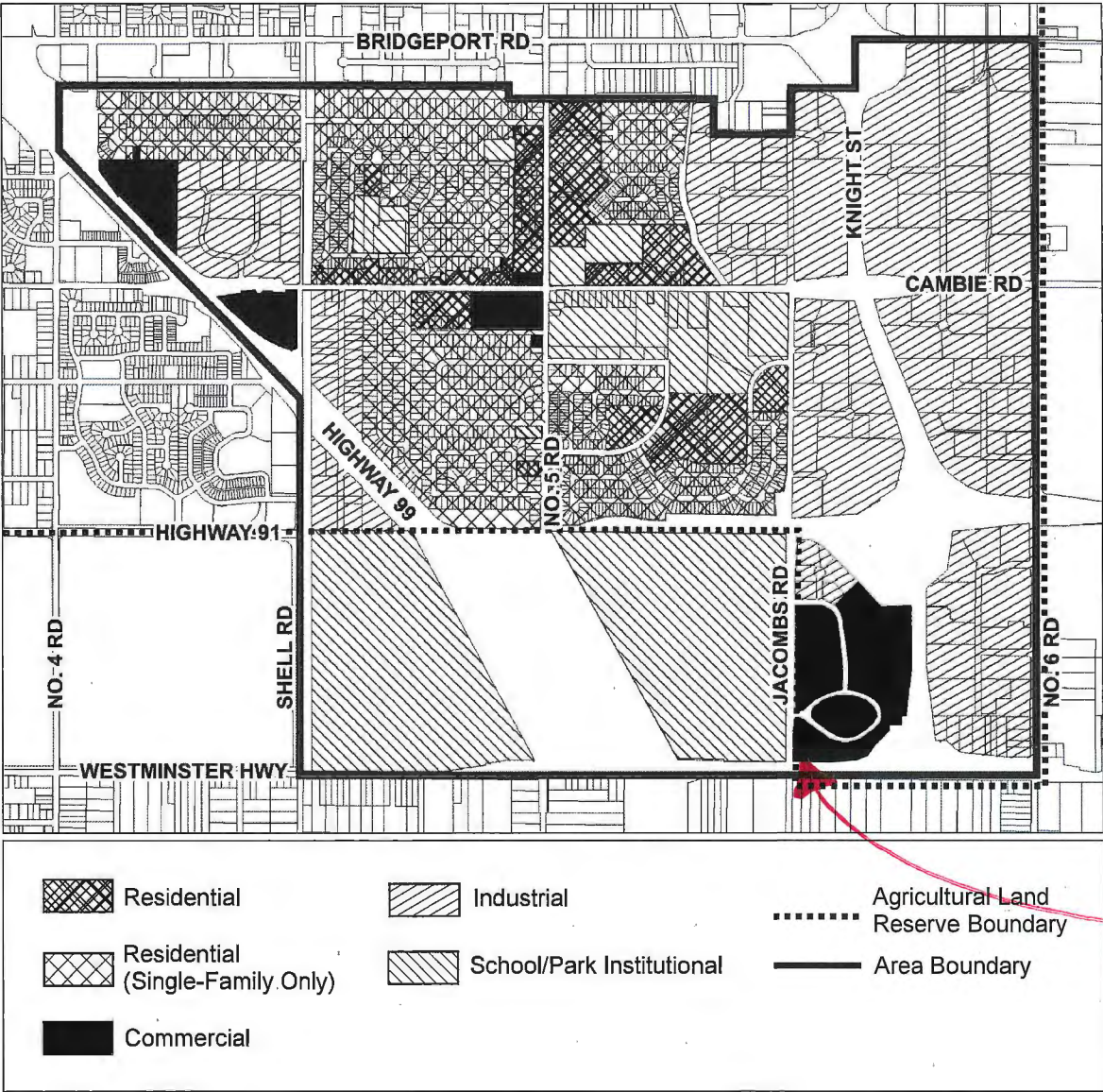
	Zoning Bylaw Requirement		Proposed	Variance
Height (m):	12.0 m		Main roof height: 11.81 m SE stair, roof equip/ storage: 13.02 m NW elevator: 15.44 m Car wash: 5.20 m	Variances to be considered for stair/elevator/ rooftop equipment and storage as part of DP 16-741123
On-site Vehicle Parking Spaces:	Rate	# Spaces	Min. 146	none
Vehicle sales and Office:	3 spaces per 100 m ² gross leasable area	146		
Service Area, parts and storage:	2 spaces per 100 m ² gross leasable area; plus 3 spaces per bay	111		
Carwash:	1 space per bay	2		
Accessible:	0.2 spaces of the total required spaces	6		
On-site Bicycle Parking Spaces (Class 1 & Class 2):	Rate	# Spaces	Class 1 Min. 20 Class 2 Min. 20	none
	0.27 spaces per each 100 m ² of gross leasable area greater than 100 m ²	Class 1 Min. 20 Class 2 Min. 20		
On-site Loading	Rate	# M/L Spaces	N/A	Variance to be considered as part of DP 16-741123
	1 space, plus 1 per 5000 m ²	3		
Amenity Space – Indoor:	1 m ² per 100 m ² of gross leasable area = 182 m ²		Approx 300 m ² For customers and employees	none

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

City of Richmond

Land Use Map

Bylaw 8948
2016/10/24





June 23, 2016

MEMO TO: Christian Chia, OpenRoad Toyota Richmond

FROM: RAMA Board of Directors

RE: OpenRoad Toyota Richmond Building Design Application

Dear Christian,

This letter is to inform you that your building design application submitted on June 21, 2016 for the new OpenRoad Toyota Richmond dealership in the Richmond Auto Mall has been approved by RAMA's Board of Directors.

We note that the maximum Floor Area Ratio of .7 is higher than the municipal bylaw of .5 and that the height of the stair and elevator tower exceeds the bylaw maximum of 12m by 2.86 m. Based on the variances granted on the recent Audi and Jaguar LandRover applications on these same two issues, the Board has also approved the variances on your application.

If you have any questions, please don't hesitate to call. On behalf of the Directors and myself, we wish you the very best with your new facility!

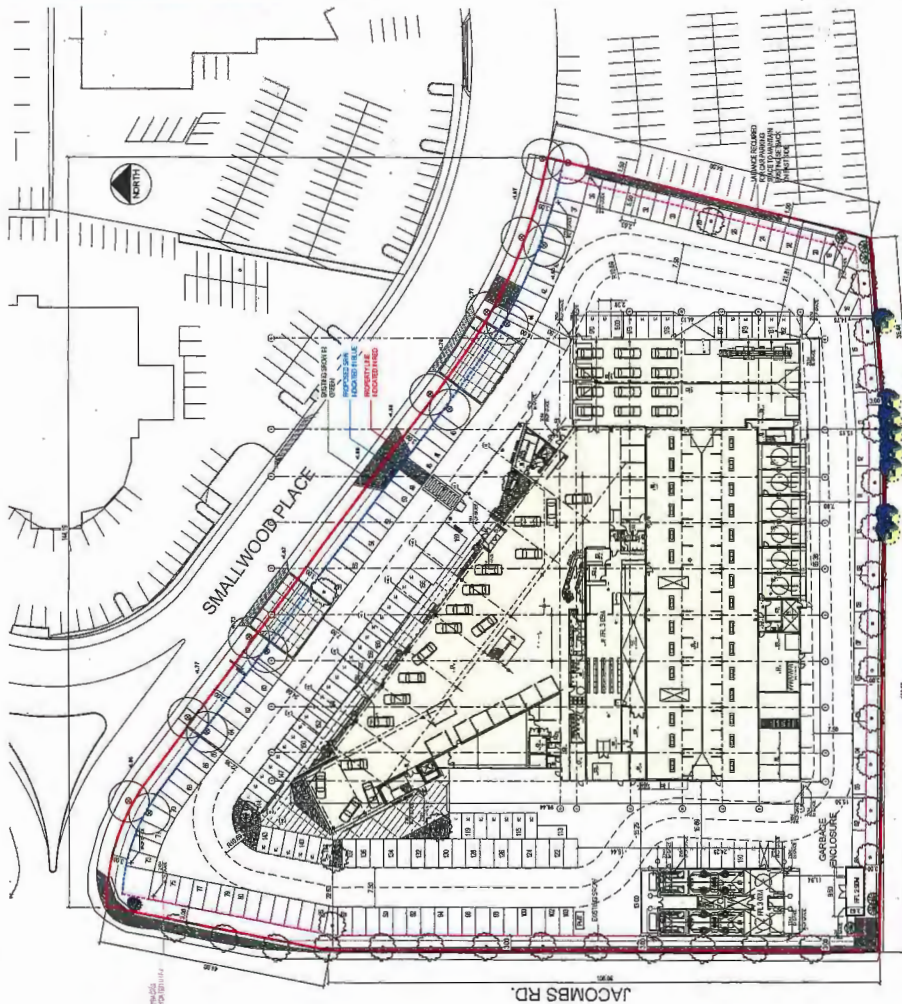
Kind regards,

A handwritten signature in black ink, appearing to be 'Gail Terry', written in a cursive style.

Gail Terry
General Manager
Richmond Auto Mall Association

CC: RAMA Board of Directors, Bibiane Dorval

CHRISTOPHER
BOZYK ARCHITECTS LTD
44-47 KENNEDY ROAD, MISSISSAUGA, ONT. L4V 1N1
TEL: (905) 876-1111 FAX: (905) 876-1112



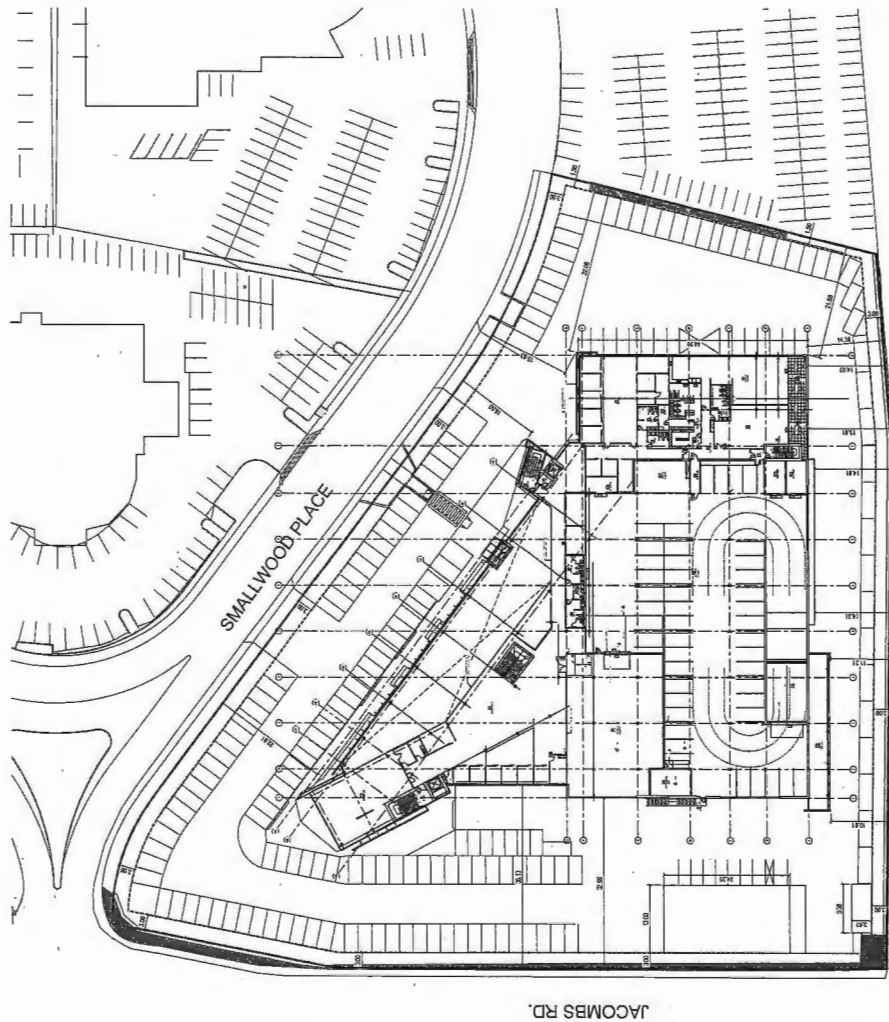
PH - 159

① SITE LOCATION

PROPERTY #/STATISTICS:	OPEN SPACE TO THE UNIVERSITY
LEGAL ADDRESS:	1000 SMALLWOOD PLACE, RICHMOND HILL, ONT. L4B 1N1
LOT #/AREA:	LOT 7 SEC 5 BLK 44A RICHMOND HILL PL. 8876
ZONING:	QV OF RICHMOND
USE:	CAR SHOWROOM
LOT AREA:	19,923 M ²
FLOOR AREA:	
1ST FLOOR:	6,851.519 M ²
2ND FLOOR:	4,851.879 M ²
3RD FLOOR:	3,552.302 M ²
CAR WASH:	215.320 M ²
TOTAL:	15,562.020 M ²
LOT COVERAGE:	
1ST FLOOR:	35.5%
2ND FLOOR:	24.3%
3RD FLOOR:	17.7%
CAR WASH:	1.1%
TOTAL:	78.6%
PERMITS:	0.0005
LANDSCAPE:	51/10, 11,662.9 M ²
SETBACKS:	
NORTH:	25M
EAST:	15M
WEST:	15M
REAR:	17 SECURE
VEHICULAR PARKING:	
SURFACE PARKING:	132
UNDERGROUND PARKING:	100
TOTAL PARKING:	232
WITHIN BUILDING:	200
TOTAL PARKING:	232
REQUIRED:	200
REMAINING:	32
BUILDING HEIGHT:	
AVERAGE ELEVATION:	200 M - 200 M
HIGHEST ELEVATION:	11.00 M from grade
LOWEST ELEVATION:	11.00 M from grade
ADJACENT ELEVATION:	11.00 M from grade
ADJACENT ELEVATION:	11.00 M from grade
ADJACENT ELEVATION:	11.00 M from grade
ADJACENT ELEVATION:	11.00 M from grade

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A0.02



NO.	DATE	REVISION	BY
1	07/21/18	ISSUED FOR DP	CB
2	07/21/18	ISSUED FOR DP	CB

NOTES:
1. ALL DIMENSIONS ARE IN METERS.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

OpenRoad
Troyda Richmond

DP-16-741123 PLAN#1-A
SECOND LEVEL PLAN
WITH CONTEXT

DATE: 07/21/18
DRAWN: JAC
CHECKED: JAC
SCALE: 1:100

WESTMINSTER HIGHWAY

0. SITE PLAN

A0.02-a



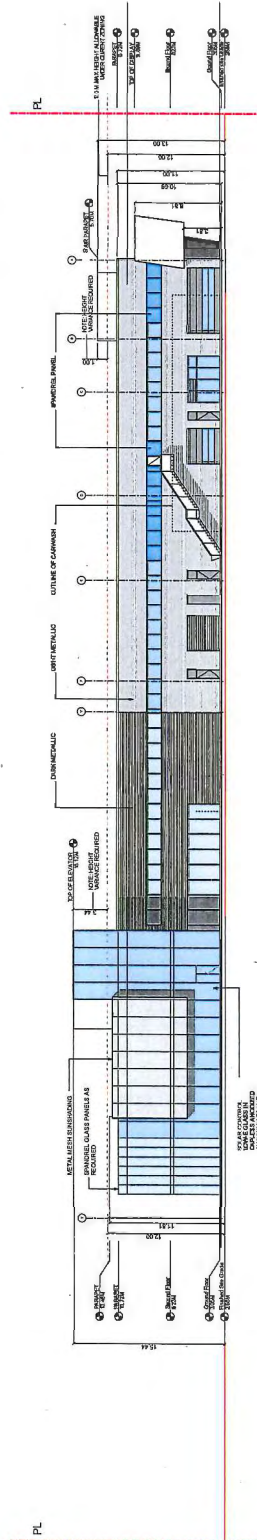
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2	08/10/10	ISSUED FOR PERMIT

NOTES:
1. THIS DRAWING IS A PART OF A SET OF DRAWINGS FOR THE PROJECT.
2. THE PROJECT IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY.
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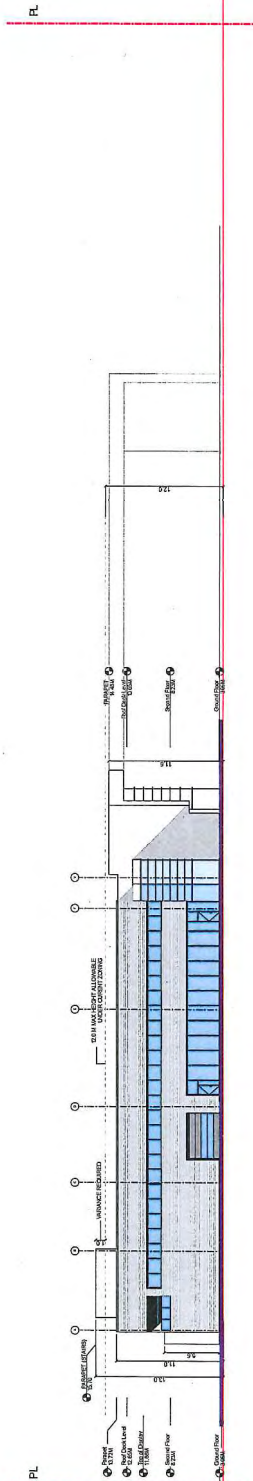
OpenRoad
Toyota Richmond

DP 16-74123 PLAN#1B
ROOF LEVEL PLAN
WITH CONTEXT
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PROJECT NUMBER: 1601

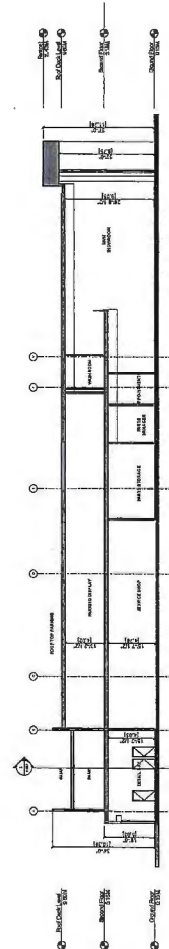
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② WEST ELEVATION
1/8" = 1'-0"



③ EAST ELEVATION
1/8" = 1'-0"



④ SECTION AA
1/8" = 1'-0"

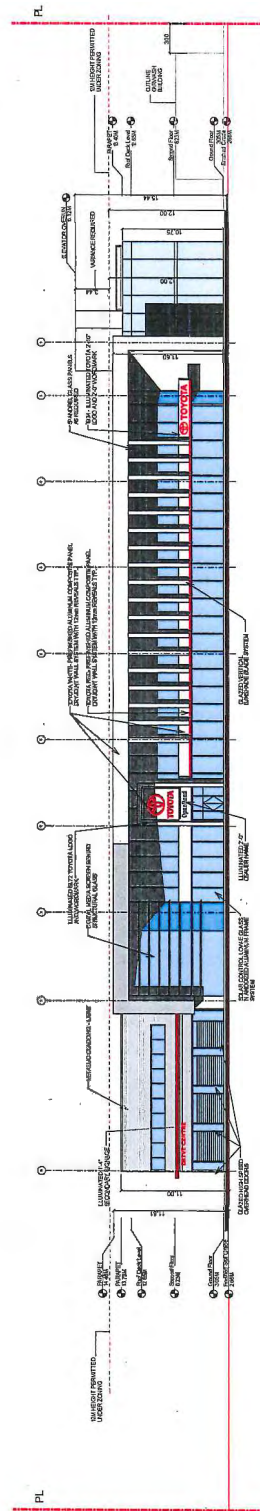
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2	REVISION	05/11/11	BOZYK	BOZYK

NOTES:
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.
2. ALL MATERIALS AND FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS.
3. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADIAN NATIONAL BUILDING CODE (CNBC) AND THE BRITISH COLUMBIA BUILDING CODE (BCBC).
4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADIAN NATIONAL ELECTRICAL CODE (CNEC) AND THE BRITISH COLUMBIA ELECTRICAL CODE (BCEC).
5. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL MECHANICAL CODE (CNMC) AND THE BRITISH COLUMBIA MECHANICAL CODE (BCMC).
6. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL PLUMBING CODE (CNPC) AND THE BRITISH COLUMBIA PLUMBING CODE (BCPC).
7. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL FIRE CODE (CNFC) AND THE BRITISH COLUMBIA FIRE CODE (BCFC).
8. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL SAFETY CODE (CNSC) AND THE BRITISH COLUMBIA SAFETY CODE (BCSC).
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15. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL EXCELLENCE CODE (CNXC) AND THE BRITISH COLUMBIA EXCELLENCE CODE (BCXC).
16. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL ACHIEVEMENT CODE (CNAC) AND THE BRITISH COLUMBIA ACHIEVEMENT CODE (BCAC).
17. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL DISTINCTION CODE (CNDIC) AND THE BRITISH COLUMBIA DISTINCTION CODE (BCDIC).
18. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL HONOR CODE (CNHC) AND THE BRITISH COLUMBIA HONOR CODE (BCHC).
19. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL GLORY CODE (CNGC) AND THE BRITISH COLUMBIA GLORY CODE (BCGC).
20. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL PRAISE CODE (CNPAC) AND THE BRITISH COLUMBIA PRAISE CODE (BCPAC).
21. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL CELEBRATION CODE (CNCC) AND THE BRITISH COLUMBIA CELEBRATION CODE (BCCC).
22. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL TRIUMPH CODE (CNTC) AND THE BRITISH COLUMBIA TRIUMPH CODE (BCTC).
23. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL VICTORY CODE (CNVC) AND THE BRITISH COLUMBIA VICTORY CODE (BCVC).
24. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL SUCCESS CODE (CNSC) AND THE BRITISH COLUMBIA SUCCESS CODE (BCSC).
25. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL TRIUMPH CODE (CNTC) AND THE BRITISH COLUMBIA TRIUMPH CODE (BCTC).
26. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL VICTORY CODE (CNVC) AND THE BRITISH COLUMBIA VICTORY CODE (BCVC).
27. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL SUCCESS CODE (CNSC) AND THE BRITISH COLUMBIA SUCCESS CODE (BCSC).
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30. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CANADAN NATIONAL SUCCESS CODE (CNSC) AND THE BRITISH COLUMBIA SUCCESS CODE (BCSC).

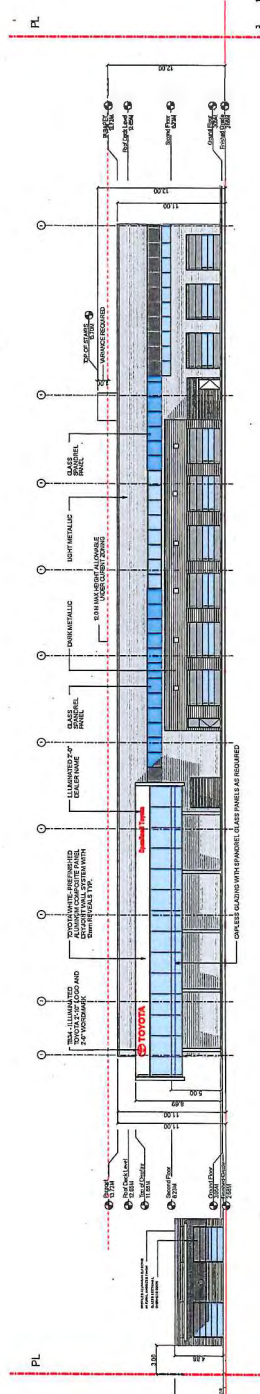
OpenRoad
Toyota Richmond

DP 16-74123 PLAN#4
ELEVATIONS AND
SECTIONS
DATE: 05/11/11
BY: BOZYK
CHKD: BOZYK

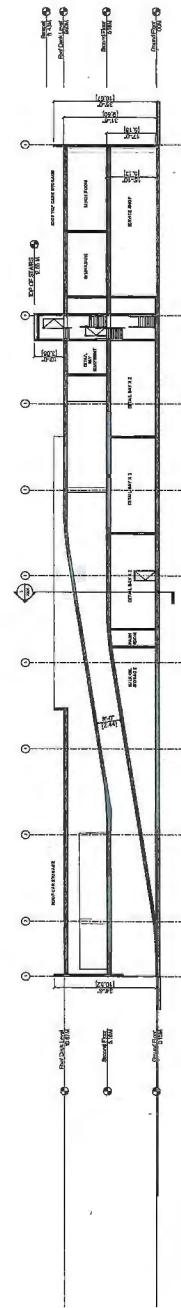
A.006



① NORTH ELEVATION
1/8" = 1'-0"



② NORTH ELEVATION
1/8" = 1'-0"



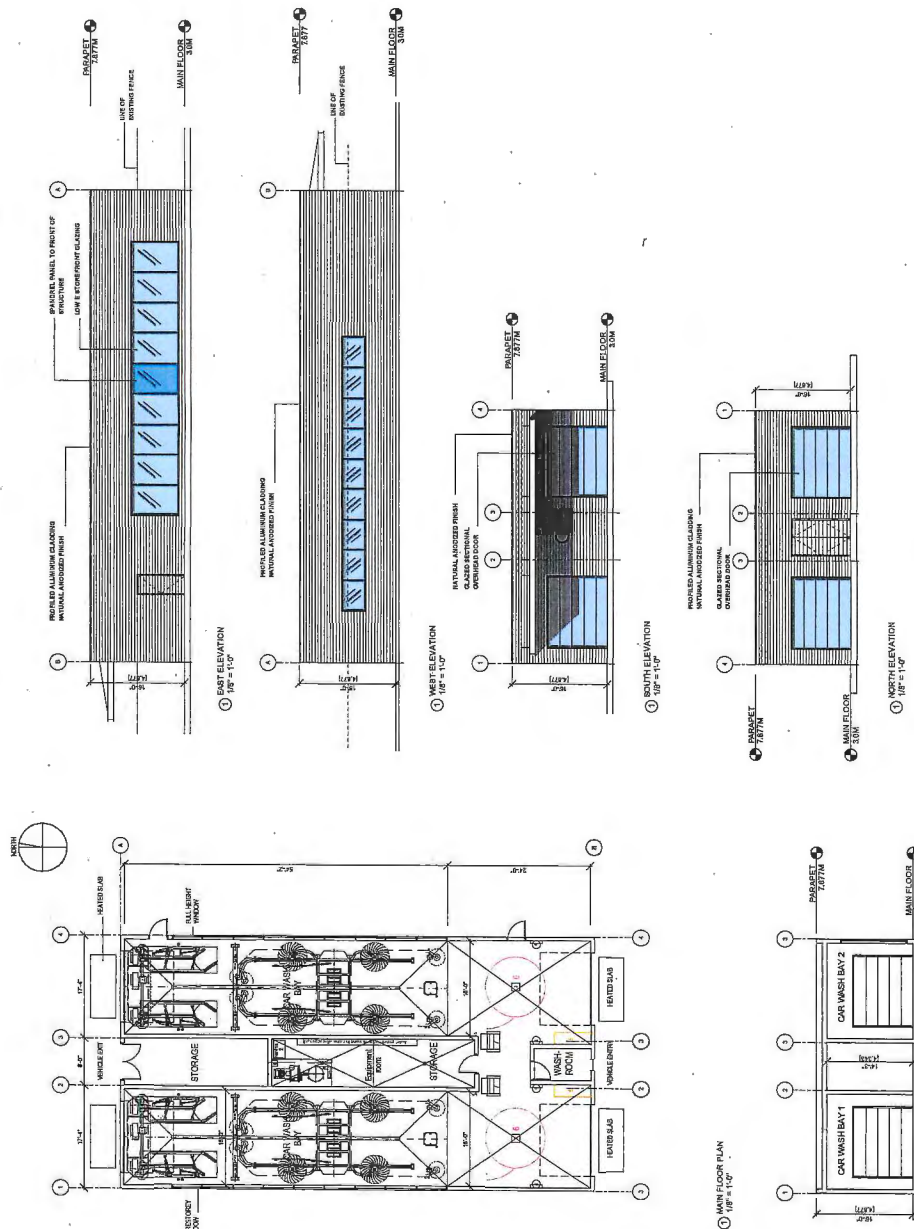
③ SECTION THROUGH RAMP
1/8" = 1'-0"

NO.	DATE	DESCRIPTION
1	05.11.11	ISSUED FOR PERMIT
2	05.11.11	ISSUED FOR PERMIT
3	05.11.11	ISSUED FOR PERMIT

DESIGNED BY: Christopher Bozyk Architects Ltd.
DRAWN BY: Christopher Bozyk Architects Ltd.
CHECKED BY: Christopher Bozyk Architects Ltd.
DATE: 05.11.11
PROJECT NAME: Toyota Richmond

PROJECT NAME: Toyota Richmond
PROJECT NUMBER: 16-741123
DATE: 05.11.11
SCALE: 1/8" = 1'-0"

A.007



NO.	DATE	DESCRIPTION
1	10.22.06	RELEASED FOR CP
2	11.11.06	REVISION FOR BUILDING PERMIT
3	11.22.06	REVISION FOR BUILDING PERMIT
4	11.22.06	REVISION FOR BUILDING PERMIT
5	11.22.06	REVISION FOR BUILDING PERMIT
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99	11.22.06	REVISION FOR BUILDING PERMIT
100	11.22.06	REVISION FOR BUILDING PERMIT

OpenRoad
Toyota Richmond

CAR WASH BUILDING

DATE: 10-11-06
DRAWN: JAC
CHECKED: JAC
PROJECT NUMBER: 1000000000

A0.08

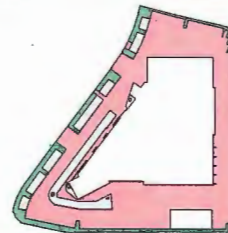
CONNECT LANDSCAPE ARCHITECTURE INC., DDB &
NOT GUARANTEE THE EXISTENCE, LOCATION,
AND ELEVATION OF UTILITIES (AND/OR
CONCEALED STRUCTURES) AT THE PROJECT SITE.






THE CONTRACTOR IS RESPONSIBLE FOR
DETERMINING THE EXISTENCE, LOCATION, AND
ELEVATION OF ALL UTILITIES (AND/OR
CONCEALED STRUCTURES) AND IS RESPONSIBLE
FOR NOTIFYING THE APPROPRIATE COMPANY.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INTENTION
TO CARRY OUT ITS OBLIGATIONS.

ARCHITECT

CHRISTOPHER BOZAK ARCHITECTS

LAYOUT AND MATERIALS

[illegible]

	PERMEABLE HANDSCAPE	1211A.3m2
	PERMEABLE SOFTSCAPE	1120A.4m2
	INFILTRATION SWALE	3.85C.4m2
	NON-PERMEABLE HANDSCAPE	7921B.9m2
	BUILDING AREA	6031L.7m2

1 PERMEABLE SURFACING
NOT TO SCALE

OPENROAD TOYOTA

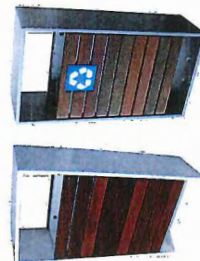
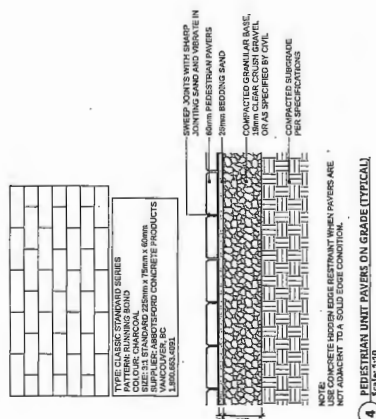
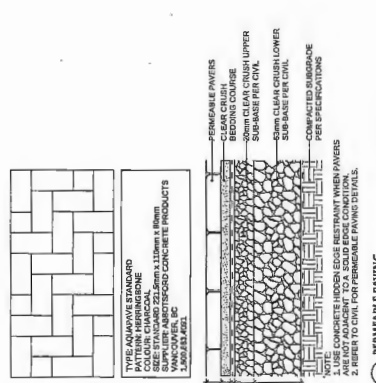
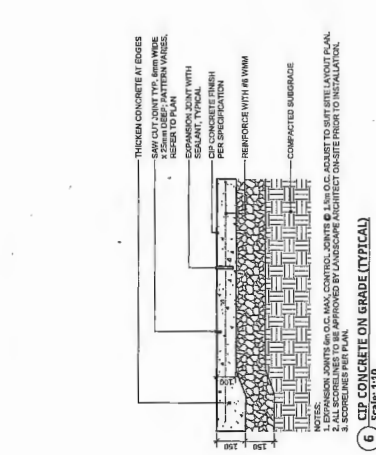
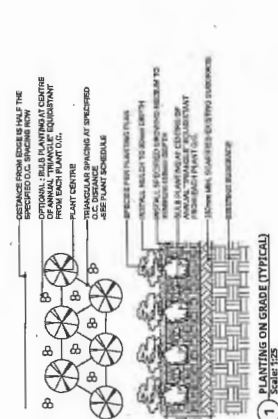
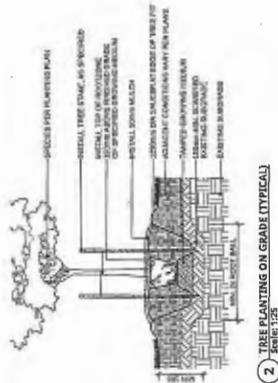
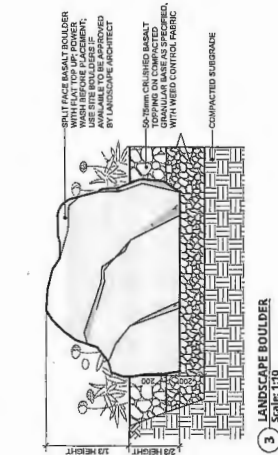
13100 Smailwood Place
Richmond, British Columbia

Scale:	1:200
Drawn:	KD
Reviewed:	KL
Project No.	05-490

LANDSCAPE
SITE PLAN

L1.0





TYPE RUNS BLUE PLAIN
SIZE: W 635mm X H 680mm

10 BIKE RACK

TYPE: EP3920 PARK TRASH/RECYCLING RECEPTACLE
SIZE: D 305mm x L 950mm x H 1015mm

9 TRASH/RECYCLING RECEPTACLE

TYPE: ONE40TWO BENCH
BY: BARKMAN CONCRETE
PORT MOODY, BC 778.689.7670

8 CONCRETE BENCH

CORRECT UNDERSTANDING ARCHITECTURE INC. DOES NOT GUARANTEE THE EXISTENCE, LOCATION, AND DIMENSION OF UTILITIES AND/OR CONCEALED STRUCTURES IN THE PROJECT SITE.

THE CONTRACTOR IS RESPONSIBLE FOR THE DETERMINATION OF ALL UTILITIES AND/OR CONCEALED STRUCTURES, AND IS RESPONSIBLE FOR NOTIFYING THE APPROPRIATE COMPANY, DEPARTMENT OR PERSONNEL OF ITS INTENTION TO DARY CUT ITS UTILATIONS.

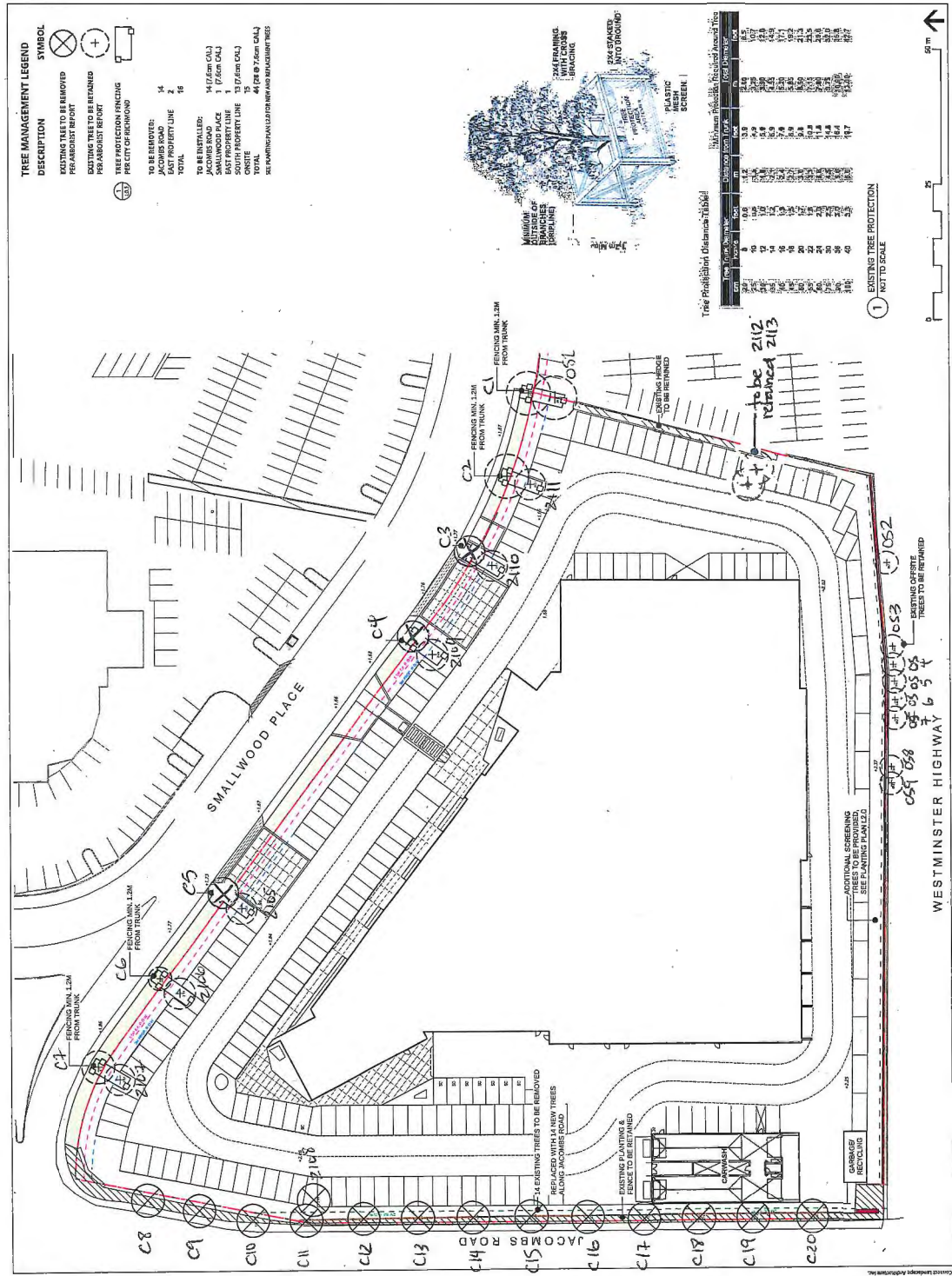
ARCHITECT:

CHRISTOPHER BOZAK ARCHITECTS

4	RECEIVED FOR DP	17-01-09
3	ISSUED FOR EP	16-11-26
2	ISSUED FOR DP	15-07-27
1	ISSUED FOR CLIENT REVIEW	14-06-20
REVISIONS		

OPENROAD TOYOTA

13100 Smallwood Place Richmond, British Columbia	1300
Scale:	
Drawn:	KD
Reviewed:	KL
Project No.	06-490

LANDSCAPE
SITE PLAN



Address: 13100 Smallwood Place

File No.: ZT 16-754143

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9672, the applicant is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Ministry of Environment (MOE) Certificate of Compliance or alternative approval to proceed granted from MOE regarding potential site contamination issues. This approval is required prior to dedication of land or road to the City if applicable.
3. Road dedication of a 4 m x 4 m corner cut at the southeast corner of Jacombs Road and Smallwood Place.
4. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any works conducted within the tree protection zones of the trees to be retained (Trees # 2105 to 2113, C1, C2, C6, C7, and OS1 to OS9). 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.
5. Submission of a Tree Survival Security to the City in the amount of \$16,000 for the nine trees to be retained on-site (Trees # 2105 to 2113).
6. Submission of a Tree Survival Security to the City in the amount of \$22,300 for the 12 trees to be retained on City-owned property (Trees # C2, C6, C7, and OS2 to OS9).
7. City acceptance of the applicant's contribution in the amount of \$7,800 to the City's Tree Compensation Fund for the removal of Trees # C3, C4, C5, C8, C9, C10 from City-owned property so that replacement trees may be planted within the City.
8. The granting of a 3.0 m wide statutory utility right-of-way along the north property line for the existing water main along the Smallwood Place frontage.
9. Registration of an aircraft noise indemnity covenant on Title.
10. Registration of a flood plain covenant on Title identifying a minimum habitable elevation of 2.9 m GSC.
11. Registration of a legal agreement on Title to identify the landscaped ALR Buffer area along the south property line and to ensure that landscaping planted within the buffer is maintained and will not be abandoned or removed. The legal agreement is also to indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations.
12. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.

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

- Discharge Covenant Y2390 that is registered on title of the subject site for the original Development Permit (DP 84-134).
- Submit a Landscaping Security in the amount of 100% of a cost estimate for the proposed Landscape Plan, prepared by a Registered Landscape Architect (including a 10% contingency).

Prior to Building Permit* issuance, the applicant must complete the following requirements:

- Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. Works are to include, but are not limited to: .

Water Works

- Using the OCP Model, there is 551.0 L/s of water available at a 20 psi residual at the Smallwood Pl frontage. Based on your proposed development, your site requires a minimum fire flow of 200.0 L/s.
- At future Building Permit application stage, the applicant is required to submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs. If adequate flow is not available, the Developer shall be required to upgrade the existing water system that may extend beyond the development site frontage.
- The applicant is required to:
 - Retain the existing 150 mm water service connection off of the 300 mm PVC water main along the Smallwood Place frontage, subject to adequate fire flow being achieved based on the fire flow calculations.
 - Grant to the City, a 3.0 m wide Statutory Right-of-Way (SRW) for utilities along the entire Smallwood Place frontage.

Storm Sewer Works

- The applicant is required to:
 - Confirm the capacity and condition of the existing northwest 375 mm storm service connection and inspection chamber off of the 600 mm storm main along the Smallwood Place frontage via video inspection. If the capacity and condition of the pipe meets the satisfaction of the City, the developer shall retain the connection. If not, a new storm service connection complete with inspection chamber shall be installed at applicant's cost.
 - Remove the existing 300 and 375 mm storm sewers along the Jacombs Road frontage, from Westminster Highway to Smallwood Place.
 - Install approximately 170 m of new 600 mm storm sewer along the Jacombs Road frontage west of the existing water main. Tie-in to the north shall be to the existing manhole STMH6747, tie-in to the south shall be to the culvert along Westminster Highway via a new manhole.
 - Reconnect all existing catch basins to the new storm sewer.
 - Cut and cap, at manhole, the existing southeast 375 mm storm service connection off of the 600 mm storm main along the Smallwood Place frontage.
 - Cut and cap, at manhole, the existing 375 mm storm service connection off of the 375 mm storm main along the Jacombs Road frontage.
- At the applicant's cost, the City is to:
 - Perform all tie-ins of the proposed works to existing City infrastructure.

Sanitary Sewer Works

- At the applicant's cost, the City is to upgrade the existing 100 mm PVC sanitary service connection to 150 mm.

Frontage Improvements

- The applicant is required to coordinate with BC Hydro, Telus and other private communication service providers:
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc).
 - Complete other frontage improvements as per Transportation's requirements.

General Items

- The applicant is required to provide, prior to Development Permit issuance, a geotechnical assessment of the proposed retaining wall along the development's south property line. The report must confirm no impact to the existing ditch through the installation of the proposed retaining wall, including subsidence and any other nuisance or damage.

- The applicant is required to retain a professional geotechnical engineer to monitor settlement at the storm sewer along the Jacombs Road frontage and the water main along the Smallwood Place frontage during pre-loading. Any breakage, nuisance, settlement, or other damage caused by the site preparations (including pre-load, densification, etc) shall be repaired/replaced at the applicant's cost via the Servicing Agreement.
- The applicant is not allowed to encroach into the Statutory Rights-of-Ways along the Smallwood Place frontage with trees, parking, fencing, or other on-site elements.
- 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.
- Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. The Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

Note:

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

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

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

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

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9672 (ZT 16-754143)
13100 Smallwood Place**

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

1. Richmond Zoning Bylaw 8500, section 10.7 entitled "Vehicle Sales (CV)", is amended by inserting the following subsection 10.7.4.1 d) after subsection 10.7.4.1 c):
 - d) 0.70
13100 Smallwood Place
P.I.D. 000-955-574
Lot 7 Section 5 Block 4 North Range 5 West New Westminster District Plan 68775
2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9672"**.

FIRST READING

MAR 27 2017

PUBLIC HEARING

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

OTHER CONDITIONS SATISFIED

ADOPTED

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

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

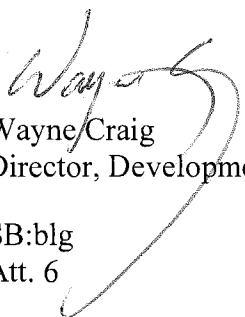
To: Planning Committee
From: Wayne Craig
Director, Development

Date: February 14, 2017
File: RZ 16-723761


Re: Application by 1056023 Holdings Limited Partnership for Rezoning at
12320 Trites Road (Formerly 12280/12320 Trites Road) from "Light Industrial (IL)"
Zone to "Single Detached (ZS23) – Steveston" Zone

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9675, for the rezoning of
12320 Trites Road (Formerly 12280/12320 Trites Road) from the "Light Industrial (IL)" zone to
the "Single Detached (ZS23) – Steveston" zone, be introduced and given first reading.


Wayne Craig
Director, Development

SB:blg
Att. 6

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	 FOR JOE ERCEL
Engineering	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	

Staff Report

Origin

1056023 Holdings Limited Partnership has applied to the City of Richmond to rezone 12320 Trites Road (Attachment 1) from the “Light Industrial (IL)” zone to the “Single Detached (ZS23) – Steveston” zone to permit subdivision into 30 single-family residential lots. The development would also result in the creation of two new roads, a new rear lane system and a new pedestrian walkway (Attachment 2). The site previously contained two industrial buildings.

Findings of Fact

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

Surrounding Development

Surrounding development is as follows:

- To the North: a recently approved 30-lot single-family subdivision fronting onto Moncton Street and Shinde Street, also zoned “Single Detached (ZS23) – Steveston”.
- To the Northwest: fronting onto Trites Road, is a single-family home, zoned “Single Detached (RS1/E)”.
- To the South: fronting onto Trites Road are two light industrial buildings, zoned “Light Industrial (IL)”.
- To the East: across a public walkway and fronting onto No. 2 Road, is a 54-unit townhouse complex, zoned “Town Housing (ZT48) – Trites Area (Steveston) and South McLennan (City Centre)”.
- To the West: across Trites Road and fronting onto Trites Road, are single-family homes, zoned “Single Detached (RS1/B)”.

Related Policies & Studies

The rezoning application has been reviewed in relation to the 2041 Official Community Plan (OCP) and the Steveston Area Plan, Flood Plain Designation and Protection Bylaw 8204, Noise Regulation Bylaw No. 8856, Affordable Housing Strategy and the Public Art Program.

Official Community Plan/Steveston Area Plan

The site is located in the Trites Area of the Steveston planning area (Schedule 2.4 of the OCP). The 2041 OCP Land Use Map designates the site for “Neighbourhood Residential”. The Trites Area Land Use Map in the Steveston Area Plan designates the site for “Single-Family Housing” (Attachment 4). The proposed development of single-family lots is consistent with the general land use map in the OCP and the Steveston Area Plan.

The Trites Area Land Use Map includes a conceptual road network which is designated as "Road/Lane (Possible road and lane alignment; others may be permitted)". This flexibility allows for the proposed road layout on the subject site (Attachment 2), which connects to existing roads north of the site and is intended to connect to existing road and lane further south when the two industrial properties to the south redevelop in the future.

The proposed road layout provides additional lane, and the increased number of homes with lane access will provide a more attractive and pedestrian friendly streetscape. The proposed road layout was reviewed by staff and achieves all transportation and engineering requirements. There is no impact on the remaining lots to the south in terms of anticipated lot yield as illustrated in a concept prepared by the applicant and placed in the development file.

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 plain indemnity covenant on Title is required prior to final adoption of the rezoning bylaw. The required Flood Construction Level for the site is Minimum 2.9 m GSC. All rezoning considerations are listed in the attached Rezoning Considerations (Attachment 5).

Affordable Housing Strategy

For single-family rezoning applications, Richmond's Affordable Housing Strategy requires a secondary suite within a dwelling on 50% of new lots created through rezoning and subdivision, or a cash-in-lieu contribution of \$2.00/ft² of total building area towards the City's Affordable Housing Reserve Fund.

Staff have discussed opportunities to provide secondary suites in the proposal, but the developer advises that this is not feasible given the modest size of the homes which could be constructed, averaging 1,975 square feet in size.

The applicant has agreed to provide a voluntary cash-in-lieu contribution to the City's Affordable Housing Reserve Fund as a consideration of rezoning approval (i.e., \$118,541.77 for 30 future lots).

Public Art Program

The developer has agreed to provide a voluntary contribution to the City's Public Art Program as a consideration of rezoning approval. The contribution rate for residential uses with 10 or more units is \$0.81 per buildable square foot (for a total contribution of \$48,009.42).

Public Consultation

The applicant has confirmed that information signage describing the proposed rezoning has been installed on the subject site and the statutory Public Hearing will provide local property owners and other interested parties with an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Staff received 12 items of correspondence from eight Richmond residents regarding subject rezoning application (Attachment 6). Seven of the writers expressed concern regarding the loss of an existing child care program. Subsequent to receiving the letters, the program was relocated from the subject site into a newer development a few blocks away and now provides an expanded out-of-school child care program. One of the writers expressed concern regarding the loss of businesses nearby to residents.

Analysis

The proposed rezoning would allow for the redevelopment of one large industrial lot into 30 new compact single-family lots.

a) Proposed “Single Detached (ZS23) – Steveston” Zone

The applicant has applied to rezone the subject site to the “Single Detached (ZS23) – Steveston” zone that was created for the adjacent 30-lot subdivision under construction to the north. The “ZS23” zone was created to manage development on the site to the north, subject site and future potential development on adjacent Trites Road sites to the south; taking into consideration the established development pattern in the Trites area, the City’s Affordable Housing Strategy, and the City’s Flood Plain Designation and Protection Bylaw 8204.

The “ZS23” zone is proposed for the subject site to:

- Allow compact lots (Minimum 9 m lot width).
- Include an Affordable Housing density bonus to secure either a voluntary contribution towards Affordable Housing, or construction of a secondary suite.
- Limit building height to a maximum of 9 m and two-storey, and to measure residential vertical envelopes from the required Flood Construction Level instead of the average finished grade to accommodate the higher required level for the area (Minimum 2.9 m GSC).
- Allow roof elements to project above the residential vertical envelopes to a maximum of 1.0 m for side dormers and 2.5 m for a gable facing a road similar to what is permitted in the single-family subdivision further to the south.
- Provide front yard setbacks large enough to accommodate grade transition from sidewalk elevations to the higher required level for the area (Minimum 2.9 m GSC).
- Complement the existing streetscape with a 6 m setback along Trites Road.

There is a significant grade difference between the lower Trites Road sidewalk (approximately 1.8 m GSC) and higher required flood construction level for the homes (minimum 2.9 m GSC). The front yards are proposed to be sloped down to the new Trites Road sidewalk, and the required 6 m setback to Trites Road will allow this grade difference to be addressed through landscaping. Submission of final site grading plans for the proposed lots to the satisfaction of the Director of Development is a consideration of rezoning approval.

b) Industrial Uses

There were previous industrial uses on the subject site. Confirmation that the site has achieved approval from the Ministry of Environment for residential uses is required prior to rezoning approval.

The subject site is adjacent to industrial uses on property to the south. Registration of an Industrial Noise Sensitive Use Restrictive Covenant is a consideration of rezoning approval to ensure that the future residents are aware of the potential impacts of adjacent industrial activities, and to ensure that appropriate indoor sound level mitigation is provided in the single-family homes. The covenant requires that a professional engineer confirm that the design and construction of the homes meet appropriate specified standards.

b) Proposed Landscape Form and Character

The applicant has submitted a preliminary landscape plan (Attachment 7) to address:

- The interface along Trites Road for proposed lots 1 through 6;
- The interface along the new internal roads for proposed lots 12 through 24; and
- The interface along the Trites Area pedestrian walkway system for lots 25 through 30.

Prior to final adoption of the rezoning bylaw, the applicant is required to submit a final landscape plan for all 30 proposed lots, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, along with a landscaping security based on 100% of the cost estimate provided by the Landscape Architect (including all fencing, hard surfaces, tree planting, landscaping materials, and installation costs) and 10% contingency.

c) Vehicle and Pedestrian Access

The proposed single-family subdivision application includes improvements to the Trites area road and pedestrian path networks (Attachment 2). As a consideration of rezoning approval, the applicant is required to dedicate:

- Two new lanes;
- Two new roadways connecting to Shinde Street;
- Widening of Shinde Street to ultimate 15 m width along the north edge of the site;
- Widening of the easterly pedestrian walkway to ultimate 6 m width;
- Widening of the northerly pedestrian walkway to ultimate 6 m width; and
- A new interim southerly pedestrian walkway.

Vehicle access will be from Shinde Street; which connects to Moncton Street. The East-West portion of Shinde Street will be widened to ultimate 15 m width along the north edge of the subject site. New proposed westerly road and lane will ultimately connect to the existing Buchanan Street to the south through future development of the two industrial properties to the south of the subject site. New proposed easterly road and lane are intended to be extended to the south through future development the two industrial properties to the south of the subject site. The curb line of Shinde Street will be straightened out to provide a continuous alignment from Moncton Street through the subject site. In the new area that will be created behind the curb and gutter immediately north of the subject site, the sidewalk, boulevard, walkway and driveway will be reconfigured.

Secondary access is provided for emergency vehicles through a public-rights-of-passage (PROP) right-of-way (ROW) registered over the property at 5460 Moncton Street. This is an interim

measure and the ROW may be discharged in the future when a permanent road connection is provided through future development to the south.

Temporary access is required to be provided for vehicles, including garbage and recycling trucks through public-rights-of-passage (PROP) right-of-way (ROW) registered over proposed lots 7 and 19 as a consideration of rezoning. This is an interim measure and the ROWs may be discharged in the future when a permanent road connection for the westerly road and a road terminus for the easterly road are provided through future development to the south.

Vehicle access to 24 of the 30 proposed lots will be to the two proposed dedicated abutting rear lanes. Vehicle access to the other six proposed lots along the east edge of the development will be from the fronting road. Registration of a legal agreement on title of the proposed lots to ensure lane access only for all lots that abut a lane is a consideration of rezoning approval.

The proposed six lots along the east edge of the development will back onto an existing pedestrian walkway along the east edge of the development site. If approved, the developer will complete interim pedestrian walkways along the north and east edges of the development site to ultimate 6 m width and will provide a new interim pedestrian walkway along the southeast edge of the development site. The proposed southerly walkway is intended to be widened through future development to the south.

c) 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 one bylaw-sized tree on the subject property and five trees on neighbouring properties.

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

- One tree (tag# 002) located on the development site is a multi-branching Black Cottonwood identified in poor structural condition. This tree is not a good candidate for long-term retention and should be removed and replaced at a 2:1 replacement ratio as per the OCP.
- Two new trees are to be planted on each of the 30 proposed lots, including two replacement trees sized as per Tree Protection Bylaw No. 8057 (at least 11 cm caliper for deciduous trees or 6 m tall for coniferous trees).
- Five trees (not tagged) located in the adjacent public walkway statutory right-of-way (SRW) on the neighbouring property to the east are identified to be retained and protected.

d) Servicing

As a consideration of rezoning approval, the applicant will be required to enter into a standard Servicing Agreement for the design and construction of infrastructure and frontage upgrades along Trites Road, Shinde Street, the two proposed laneways, the two proposed roadways, and three pedestrian walkways. Trites Road works extend across the frontages of the development site and the adjacent property at 12260 Trites Road to connect to recently constructed works at the corner of Trites Road and Moncton Street. The walkways are required to have an ultimate

cross-section of centred paths with grass swales on both sides, and asphalt only due to proximity to existing sanitary sewers. To achieve this walkway cross-section, existing works (including concrete) will be removed from the northerly and easterly interim walkways. The developer will also be required to negotiate and install private utilities.

Financial Impact or Economic Impact

As a result of the proposed development, the City will take ownership of developer contributed assets such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals. The anticipated operating budget impact for the ongoing maintenance of these assets is estimated to be \$7,000.00. This will be considered as part of the 2018 Operating Budget.

Conclusion

This rezoning application to rezone the subject site to the "Single Detached (ZS23) – Steveston" zone and to subdivide the subject industrial lot into 30 lots under the new zoning is consistent with the applicable policies and land use designations outlined within the OCP.

The applicant has agreed to the list of rezoning considerations (Attachment 5).

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9675 be introduced and given first reading.



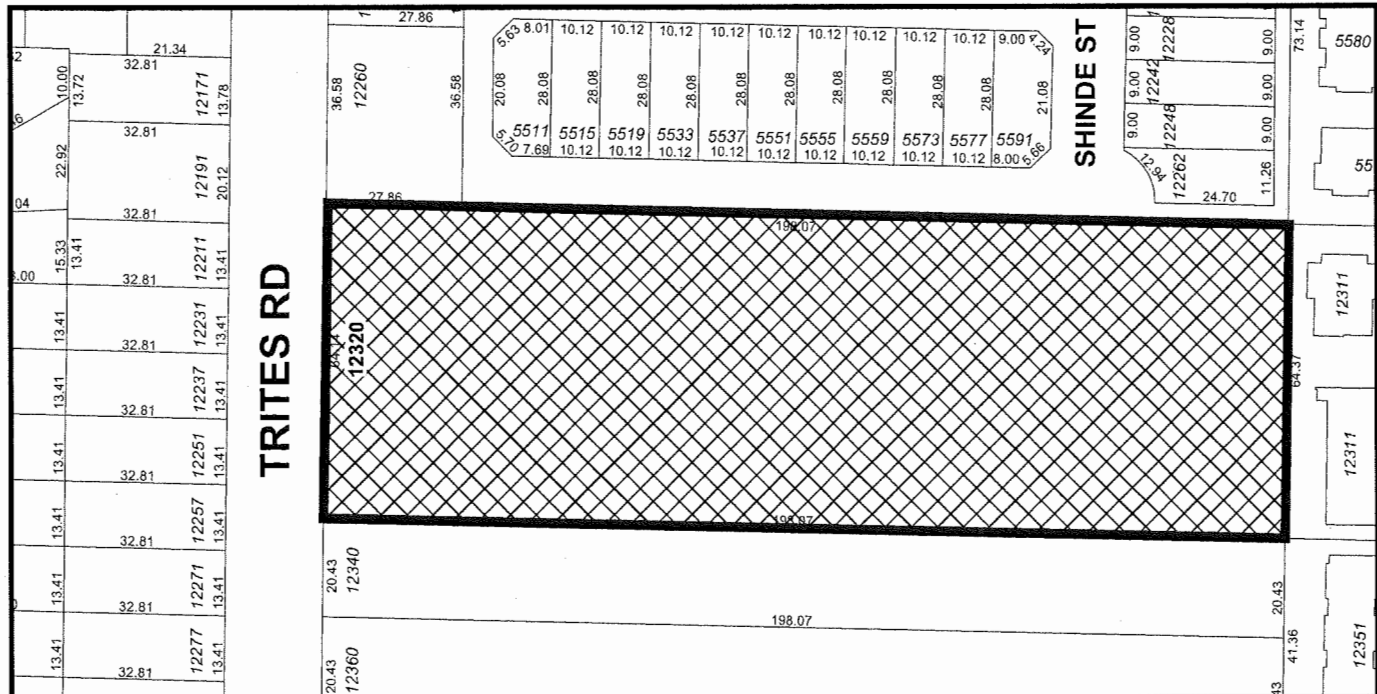
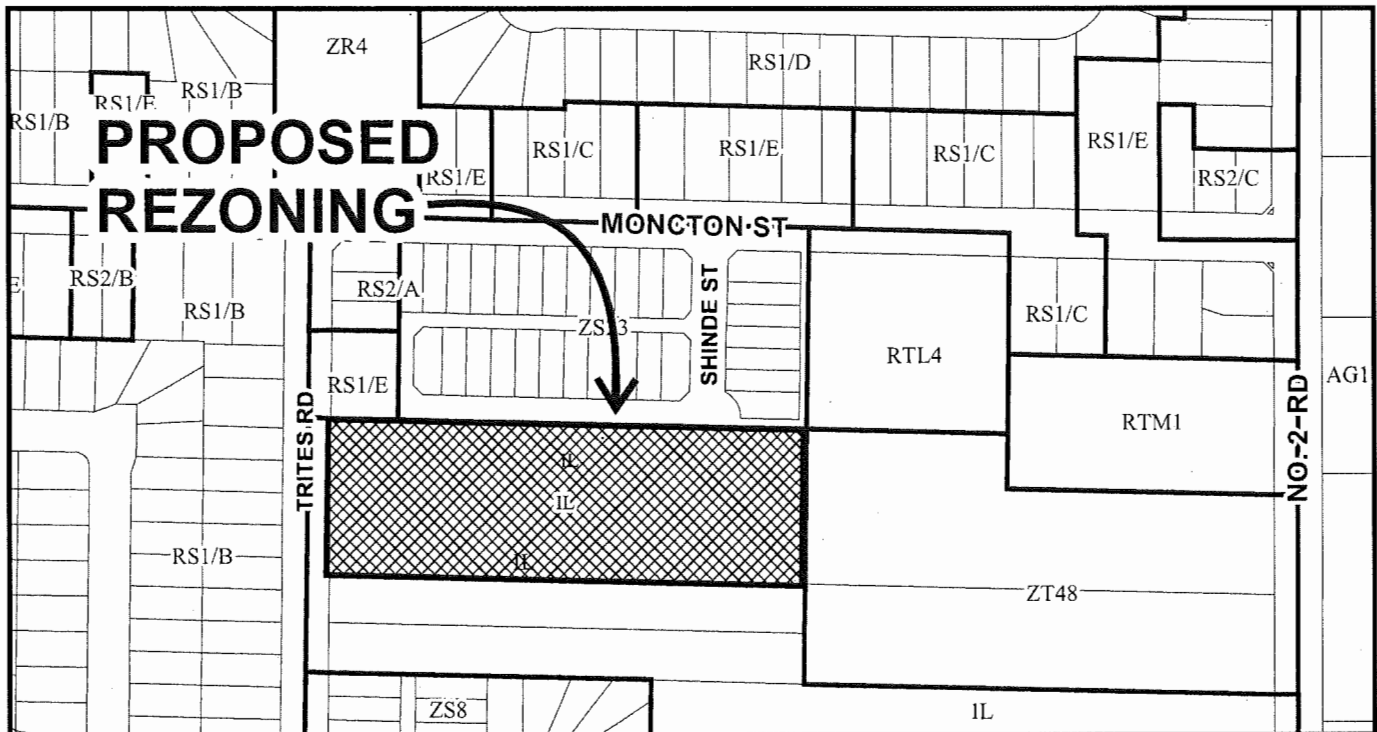
Sara Badyal, M. Arch, MCIP, RPP
Planner 2
(604-276-4282)

SB:blg

- Attachment 1: Location Map & Aerial Photo
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: OCP Context Land Use Map
- Attachment 5: Rezoning Considerations
- Attachment 6: Public Correspondence
- Attachment 7: Preliminary Landscape Plan



City of Richmond



RZ 16-723761

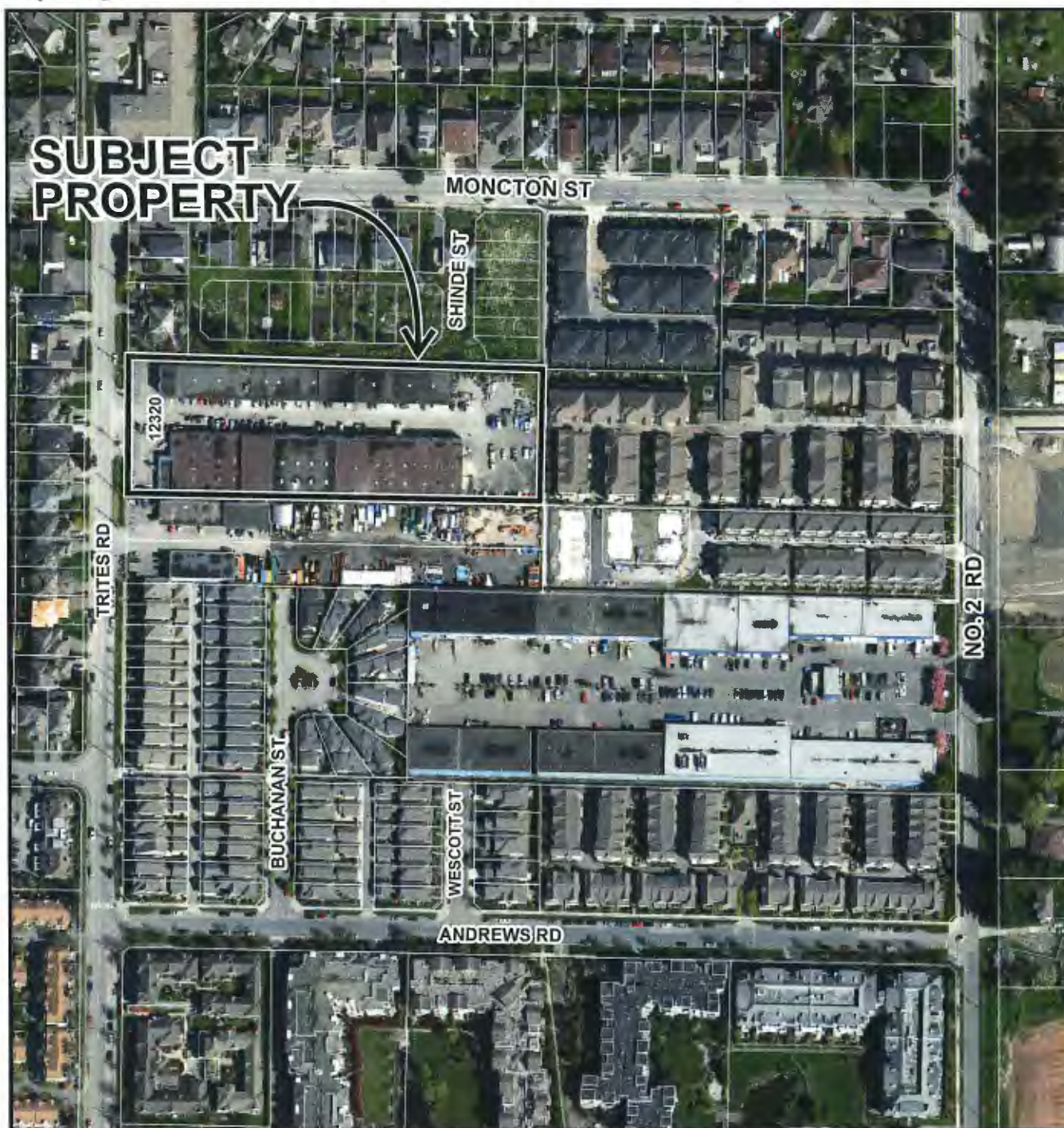
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Revision Date: 02/15/17

Note: Dimensions are in METRES



City of
Richmond



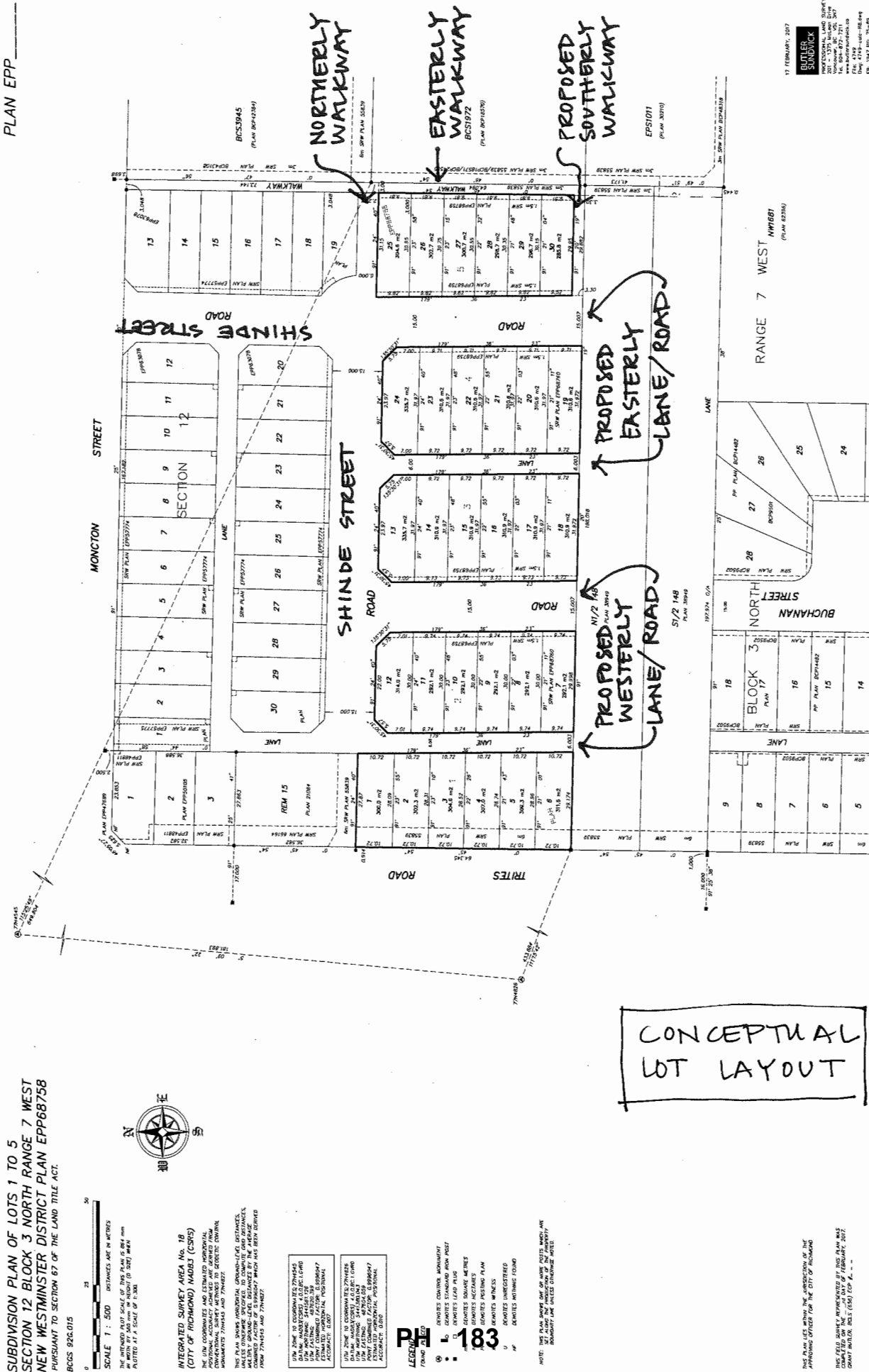
RZ 16-723761

Original Date: 02/15/16

Revision Date: 02/15/17

Note: Dimensions are in METRES

SUBDIVISION PLAN OF LOTS 1 TO 5
SECTION 12 BLOCK 3 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT PLAN EPP68758
PURSUANT TO SECTION 67 OF THE LAND TITLE ACT.



THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT



RZ 16-723761

Attachment 3

Address: 12320 Trites Road (Formerly 12280/12320 Trites Road)

Applicant: 1056023 Holdings Limited Partnership

Planning Area(s): Trites Area (Steveston)

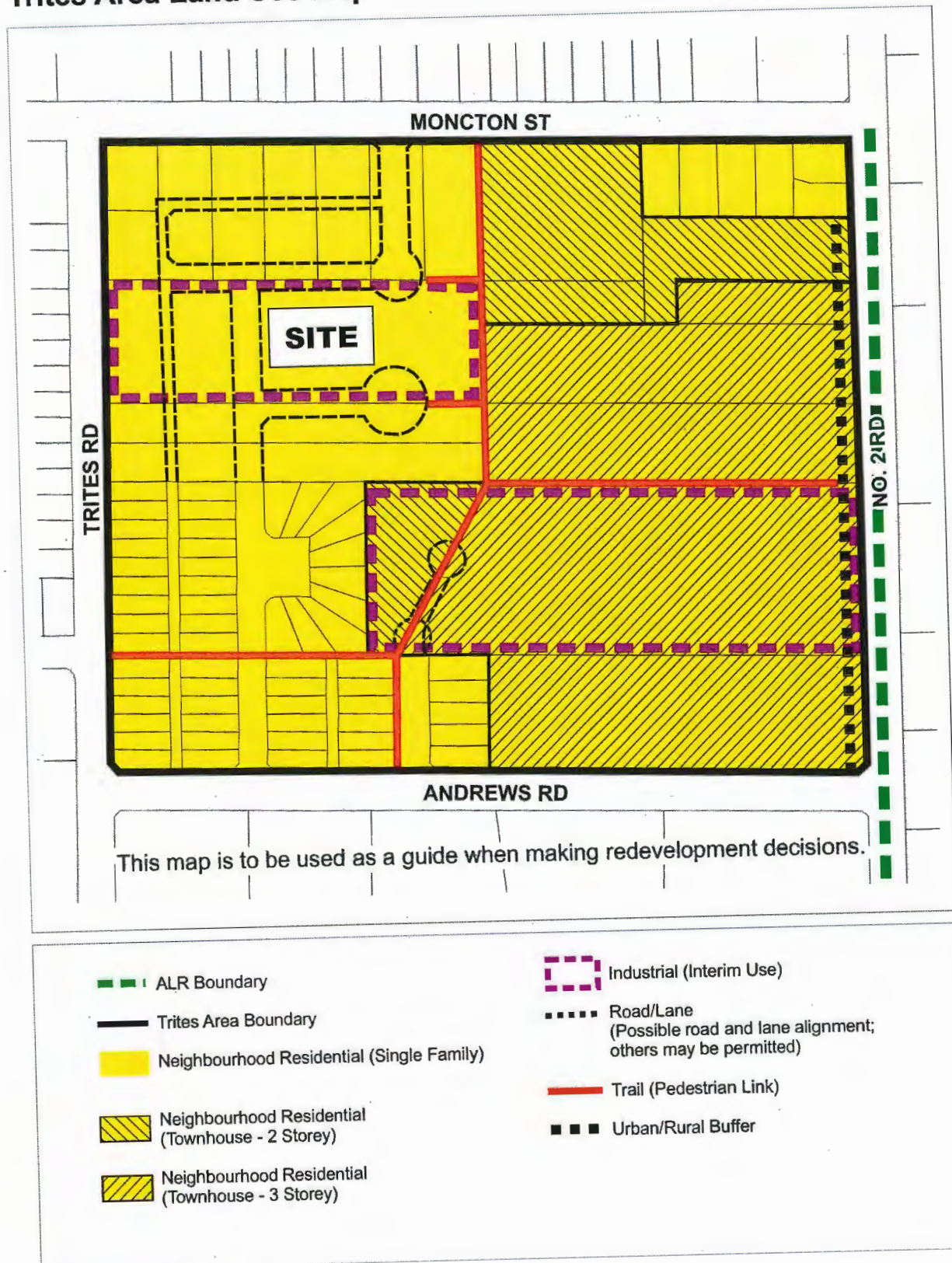
	Existing	Proposed	
Owner	1056023 BC Ltd.	No change	
Site Size	12,716.9 m ²	Net site	9,177.4 m ²
		Road/Walkway Dedication	3,539.5 m ²
		Total	12,716.9 m ²
Land Uses	Industrial	Single-family Residential	
OCP Designation	Neighbourhood Residential	Complies	
Area Plan Designation	Industrial (Interim Use) and Single-Family	Complies	
Zoning	Light Industrial (IL)	Single Detached (ZS23) – Steveston	
Number of Units	Former Strata-titled Industrial Lot	30 Single Detached Lots	
Flood Construction Level	Min. 2.9 m GSC	Complies	
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio	Max. 0.6	Will comply	None permitted
Buildable Floor Area (m ²):*	Lot 1: Max.180 m ² (1,937 ft ²) Lot 2: Max.181 m ² (1,952 ft ²) Lot 3: Max.182 m ² (1,967 ft ²) Lot 4: Max.184 m ² (1,982 ft ²) Lot 5: Max.185 m ² (1,997 ft ²) Lot 6: Max.186 m ² (2,012 ft ²) Lots 7-11: Max.175 m ² (1,886 ft ²) Lot 12: Max.188 m ² (2,027 ft ²) Lot 13: Max.201 m ² (2,168 ft ²) Lots 14-18: Max.186 m ² (2,007 ft ²) Lots 19-23: Max.186 m ² (2,006 ft ²) Lot 24: Max.201 m ² (2,168 ft ²) Lot 25: Max.182 m ² (1,967 ft ²) Lot 26: Max.181 m ² (1,954 ft ²) Lot 27: Max.180 m ² (1,942 ft ²) Lot 28: Max.179 m ² (1,929 ft ²) Lot 29: Max.178 m ² (1,916 ft ²) Lot 30: Max.176 m ² (1,903 ft ²)	Will comply	None permitted
Lot Coverage (% of lot area)	Building: Max. 50% Non-porous Surfaces: Max. 70% Total: Max. 70%	Will comply	None
Lot Size:	Min. 270 m ²	Complies	None
Lot Dimensions (m):	Width: Min. 9 m Depth: Min. 24 m	Complies	None
Setbacks (m):	Trites Road: Min. 6 m Other roads: Min. 5.3 m Rear Yard: Min. 6 m Interior Side Yard: Min. 1.2 m Exterior Side Yard: Min. 3 m	Will comply	None
Height (m):	Max. two-storey & 9 m	Will comply	None

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

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

OCP Context Land Use Map (RZ 16-723761)

Trites Area Land Use Map





Address: 12320 Trites Road (Formerly 12320/12280 Trites Road)

File No.: RZ 16-723761

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9675, the developer is required to complete the following:

1. Ministry of Environment (MOE) Certificate of Compliance or alternative approval to proceed granted from MOE regarding potential site contamination issues. This approval is required prior to dedication of land or road to the City.
2. Road dedication:
 - a) Northerly road - 4.6 m wide road dedication along north property line to widen Shinde Street to ultimate 15.0 m width.
 - b) Easterly road - 15.0 m wide road dedication for new north-south road aligned with Shinde Street to connect to Moncton Street.
 - c) Westerly road - 15.0 m wide road dedication for new north-south road to be aligned to connect to Buchanan Street through future redevelopment of 12340 and 12360 Trites Road properties south of the development site.
 - d) Easterly lane - 6.0 m wide road dedication for new north-south rear lane.
 - e) Westerly lane - 6.0 m wide road dedication for new north-south rear lane.
 - f) Corner cuts - (i) 'Lane-to-lane' and 'lane-to-road' intersections - 3 m x 3 m, or additional as needed to accommodate garbage and fire truck turning; and (ii) 'Road-to-road' intersections - 4 m x 4 m.
 - g) Northerly walkway - 2.25 m wide road dedication along north property line to widen existing walkway to ultimate 6 m width.
 - h) Easterly walkway - 3 m wide road dedication along east property line to widen existing walkway to ultimate 6 m width.
 - i) Southerly walkway - 3.3 m wide road dedication along south property line to provide half of ultimate 6 m walkway width and accommodate retaining wall.
3. The granting of the following statutory rights-of-way (SRWs). Any fill, structure or retaining wall is not permitted within SRW areas without the written approval from Engineering.
 - a) Easterly road - 1.5 m wide utility rights-of-way (SRW Utilities) along frontage of proposed lots on both sides for proposed water meters, sanitary inspection chambers, and storm inspection chambers.
 - b) Westerly road - 1.5 m wide utility rights-of-way (SRW Utilities) along frontage of proposed lots on both sides for proposed water meters, sanitary inspection chambers, and storm inspection chambers.
 - c) Easterly walkway - 1.5 m wide utility rights-of-way (SRW Utilities) along new east property line (e.g., over new lots after easterly walkway road dedication) for existing sanitary sewer.
 - d) Temporary lanes public-rights-of-passage (SRW PROP) along the south property line to maintain traffic circulation including general traffic, emergency vehicle access, truck movements, and maintenance until such a time as 12340 and 12360 Trites Road properties south of the development site redevelop and the associated road network is complete and functional. Works to be constructed by developer and maintained by the City.
 - i. Southeasterly temporary lane - SRW PROP over entire future lot (Lot 19) from easterly road to easterly rear lane to accommodate 6.0 m wide lane, 3 m x 3 m corner cuts, retaining wall and maintenance access.
 - ii. Southwesterly temporary lane - SRW PROP over entire future lot (Lot 7) from westerly road to westerly rear lane to accommodate 6.0 m wide lane, 3 m x 3 m corner cuts, retaining wall and maintenance access.
4. Registration of a flood plain covenant on Title, identifying a minimum habitable elevation of 2.9 m GSC.
5. Registration of a legal agreement on Title, ensuring that there be no vehicle access to Trites Road and that the only means of vehicle access is to an abutting rear lane for all lots that abut a rear lane.

6. Registration of a legal agreement on Title; to ensure that landscaping planted within 1 m of the south property lines of the south lots to address the interim industrial interface is maintained and will not be abandoned or removed until such a time as the 12340 and 12360 Trites Road properties south of the development site redevelop for residential use.
7. Registration of a legal agreement on Title; identifying that the proposed development must be designed and constructed in a manner that mitigates potential industrial noise 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.
8. The City's acceptance of the applicant's voluntary contribution of \$2.00 per buildable square foot of the single-family developments (i.e. \$118,541.77 for 30 future lots) to the City's Affordable Housing Reserve Fund.
Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a proposal to build a secondary suite on any of the 30 future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.
 9. City acceptance of the developer's offer to voluntarily contribute \$0.81 per buildable square foot to the City's Public Art Program (e.g., \$48,009.42).
 10. Submission of a Grading Plan to the satisfaction of the Director of Development.
 11. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - Comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line.
 - Include at least two trees on every lot.
 - Include a mix of coniferous and deciduous trees.
 - Include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report.
 - Include the two required replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
2	11 cm		6 m

12. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
13. Installation of appropriate tree protection fencing around all trees to be protected as part of the development prior to any construction activities, including building demolition, occurring on-site.
14. Enter into a Servicing Agreement* for the design and construction of transportation and engineering infrastructure. Works include, but may not be limited to, the following:
 - a) Transportation works are as follows and are required to be to the satisfaction of the Director of Transportation. A comprehensive set of detailed interim and ultimate road functional plans is to be submitted for review and approval by the City to determine the adequate amount of land dedication and roadworks. Traffic control signage and pavement marking plans are to be submitted for review and approval by the City.

i. Trites Road

- The Developer is required to carry out the following works on the east side of Trites Road across the entire frontage of the subject site (including Lots 1 to 6) and the frontage of 12260 Trites Road, tying into works from Moncton Street.
- Cross-section of improvements is as follows (measured from east to west): pavement widening to provide 11.0 m wide curb-to-curb pavement; 0.15 m wide curb, barrier curb and gutter; 3.35 m wide grass boulevard with street trees; upgrade existing street lighting as required; and 1.5 m wide sidewalk.
- Development site existing driveways are to be closed permanently. Vehicle access to proposed lots (Lots 1 - 6) is to be provided via the back lane.
- 12260 Trites Road driveway is to be rebuilt at the existing location to City driveway design standards for single-family dwelling units.

ii. Northerly Road

- Cross-section of this 15 m wide roadway is as follows (measured from north to south): pavement widening to provide 8.5 m wide curb-to-curb pavement; 0.15 m wide curb, barrier curb and gutter; 1.7 m wide grass boulevard with street trees and street lighting; and 1.5 m wide sidewalk.

iii. Easterly Road

- Roadway to be aligned to connect with Shinde Street to the north.
- Cross-section of this 15 m wide roadway is as follows: 8.5 m wide curb-to-curb pavement; 0.15 m wide curb, barrier curb and gutter on both sides; 1.6 m wide grass boulevard on both sides; including street trees and street lighting; and 1.5 m wide sidewalk on both sides.
- Connection to existing road to be provided. The east curb of the road at Lot 25 is to be constructed as a straight curb. The same straight curb is to be extended north to include frontages of the walkway and 12262 Shinde Street. Behind the new straight curb, the developer is required to back fill the excess area with City standard sidewalk, grass boulevard, street trees, walkway and wheel chair ramps and driveway reconfiguration as required to maintain access to 12262 Shinde Street. Works include but are not limited to removal of existing curb and gutter, sidewalk, bollards, driveway and walkway let downs.
- Road end treatment at south end of the road; including concrete barriers and traffic control signage.

iv. Westerly Road

- Roadway to be aligned to connect to Buchanan Street in the future when 12340 and 12360 Trites Road properties south of the development site redevelop.
- Cross-section of this 15 m wide roadway is as follows: 8.5 m wide curb-to-curb pavement; 0.15 m wide curb, barrier curb and gutter on both sides; 1.6 m wide grass boulevard on both sides; including street trees and street lighting; and 1.5 m wide sidewalk on both sides.
- Road end treatment at south end of the road including concrete barriers and traffic control signage.

v. Rear Lanes (Easterly and Westerly Lanes)

- Cross section: Minimum 5.1 m wide pavement; roll over curb and gutter on both sides; and street lighting on one side.
- Road end treatment at south ends of the lanes to be provided; including concrete barriers and traffic control signage.

vi. Temporary Lanes (Southeasterly and Southwesterly Lanes)

- Cross-section of these temporary lanes is as follows (measured from south to north): 0.7 m offset from south property line; retaining wall with safety barrier/fencing; Minimum 5.1 m wide pavement with roll over curb and gutter on both sides; street lighting on one side only; 3 m x 3 m corner cuts; and driveway let down at both ends.
- Emergency Vehicle Access: The proposed road network for this subdivision; including the temporary lanes, must meet the requirements of the City Fire and Rescue Department for emergency vehicle access purposes. BC Building Code requirements for Fire Department Access Route Design must be met.

vii. Northerly Walkway

- Cross-section of this walkway to ultimate 6 m wide standard from new curb alignment at Shinde Street is as follows (measured from north to south): 1.5 m wide grass swale surface for drainage; centered 3.0 m wide asphalt walkway; 1.5 m wide grass swale surface for drainage. Including but not limited to removal of interim works (e.g., asphalt, retaining wall) as needed to complete ultimate cross-section as noted.
- Provide walkway sign and removable bollards (1.5 m spacing) at road and walkway connections.
- Provide fencing/safety guardrail as needed.

viii. Easterly Walkway

- Cross-section of this walkway to ultimate 6 m wide standard is as follows (measured from west to east): 1.5 m wide grass swale surface for drainage; centered 3.0 m wide asphalt walkway; and widening if needed of existing landscape buffer with additional grass swale surface for drainage to achieve 1.5 m width. Including but not limited to removal of interim works (e.g., concrete walkway) as needed to complete ultimate cross-section as noted.

ix. Southerly Walkway

- Cross-section of this new walkway to interim 3.3 m wide standard is as follows (measured from north to south): 1.5 m wide grass swale surface for drainage; 1.5 m wide asphalt walkway; retaining wall with 0.3 m curb; and safety barrier/fencing along south property line.
- Provide walkway sign and removable bollards (1.5 m spacing) at road and walkway connections.

b) Water Works Improvements by the Developer

- i. Install 65 m of new 200 mm watermain; complete with fire hydrants, service connections, meters, meter boxes, and blow-offs; within each of the two proposed roads (for a total of approximately 130 meters of new water main) and tie into the existing 150 mm diameter watermain to the north.
- ii. Install one new water service connection; complete with meter and meter box; for each new lot. Connect lots 1 to 6 to the existing 300 mm watermain in Trites Road; lots 7-18 to the proposed 200 mm watermain in the western new road, and lots 19-30 to the proposed 200 mm watermain in the eastern new road.

c) Water Works Improvements by the City at the Developer's Cost

- i. Cut and cap, at main, the existing water service connections on the Trites Road frontage.
- ii. Perform all tie-ins of proposed works to existing City infrastructure.

d) Storm Sewer Works Improvements by the Developer

- i. Trites Road – Infill the existing ditch along the Trites Road frontage and install a new storm sewer, minimum 600 mm or OCP size; from the existing storm sewer at the adjoining property line of 12228/12260 Trites Road to the south property line of the development site; approximately 110 m. If adequate clearance from the proposed storm sewer to the existing water service connection serving 12260 Trites Road cannot be maintained, or if the installation of the storm sewer otherwise impacts the water service connection, the service connection shall be replaced at the Developer's cost.
- ii. New Easterly and Westerly Roads – Install approximately 70 m of new 600 mm storm sewer; complete with manholes, catch basins, service connections, and inspection chambers within each of the two proposed roads (for a total of approximately 140 m of new storm sewer) and tie-in the proposed storm sewer to the existing storm main to the north of the subject site.
- iii. New Easterly and Westerly Lanes – Install approximately 70 m of new 200 mm lane drainage; complete with manholes and catch basins; in each of the two new lanes (approximately 140 m total). No service connections are permitted to connect to lane drainage.
- iv. New Lots – Install one new storm service connection; complete with inspection chamber; for each new lot. Where applicable, a single service connection and inspection chamber with dual service leads may be installed to service two adjacent lots. Direct all drainage from lots 1 to 6 to Trites Road, lots 7-18 to the westerly new road, and lots 19-30 to the easterly new road.
- v. Provide a Sediment and Erosion Control Plan.

- e) Storm Sewer Works improvements by the City at the Developers Cost
 - i. Perform all tie-ins of proposed works to existing City infrastructure.
- f) Sanitary Sewer Works Improvements by the Developer
 - i. Trites Road – Upgrade to 250 mm, and relocate into Trites Road, approximately 75 m of existing 200 mm sanitary sewer located within the right-of-way along the Trites Road frontage, and coordinate with the City to discharge right-of-way. Tie-in to the north for the new sanitary sewer shall be to the diagonally-aligned 200 mm sanitary sewer in Trites Road via a new manhole (downstream portions of diagonally-aligned sewer to be capped and removed) and to the existing manhole SMH4019. Tie-in to the south shall be via a new manhole. It is the Developer's responsibility to notify the owner of 12260 Trites Road one month prior to commencement of works on the existing sanitary main and manhole located within the statutory right-of-way on 12260 Trites Road. Developer shall submit a copy of the notice to the City for review and approval prior to sending it to the owner of 12260 Trites Road.
 - ii. New Easterly and Westerly Roads – Install approximately 70 m of new 200 mm sanitary sewer; complete with manholes, service connections, and inspection chambers within each of the two proposed roads (for a total of approximately 140 m of new sanitary sewer) and tie-in the proposed sanitary sewer to the existing 200 mm sanitary main to the north of the subject site.
 - iii. New Lots – Install one new sanitary service connection; complete with inspection chamber, for each new lot. Where applicable, a single service connection and inspection chamber with dual service leads may be installed to service two adjacent lots. Direct all sewage from lots 1 to 6 to Trites Road, lots 7-18 to the western new road, and lots 19-30 to the eastern new road.
 - iv. Discharge SRW – Existing sanitary sewer within the development site along the Trites Road frontage to be removed and disposed offsite prior to discharge of right-of-way.
- g) Sanitary Sewer Works improvements by the City at the Developer's Cost
 - i. Cut and cap all existing sanitary service connections and remove all existing inspection chambers servicing the development site.
 - ii. Perform all tie-ins of proposed works to existing City infrastructure.
- h) Third Party Utilities:
 - i. The Developer is required to coordinate with BC Hydro, Telus and other private communication service providers to:
 - To underground the overhead service lines.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - Provide a functional plan showing conceptual locations for all above ground utility cabinets and kiosks required to service the proposed development on private property (see list below for examples). All such infrastructure shall be located/relocated within the development site. 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 above ground 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 in the functional plan and registered prior to Servicing Agreement design approval (width x depth):

BC Hydro PMT	4 m x 5 m
BC Hydro LPT	3.5 m x 3.5 m
Street light kiosk	1.5 m x 1.5m
Traffic signal kiosk	1 m x 1 m
Traffic signal UPS	2 m x 1.5 m
Shaw cable kiosk	1 m x 1 m
Telus FDH cabinet	1.1 m x 1 m

i) General Items:

- i. Provide, within the first Servicing Agreement submission, a geotechnical assessment of preload construction impacts on the existing utilities fronting or within the development site.
- ii. Provide, within the first Servicing Agreement submission, a geotechnical report; complete with recommendations for the construction of the new roads within the development site.
- iii. 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.

Prior to Building Permit Issuance, the Developer Must Complete the Following Requirements:

1. Submission of a Subdivision* application, approval and full registration at LTO.
2. Incorporation of grading and landscaping design in the Building Permit application drawings as negotiated through the rezoning.
3. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
4. Submission of Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit building designs.
5. If applicable, payment of latecomer agreement charges associated with eligible latecomer works.
6. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

Note:

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

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

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

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

[Signed copy on file]

Authorized Signature

PH - 191 Date

Public Correspondence

Writer	Date
A. Lerner	June 29, 2016
Andrea and Michael Burke	April 13, 2016 April 6, 2016
Kevin Skipworth	April 13, 2016 April 5, 2016 April 5, 2016 April 1, 2016
Milah and Steve Ngan	April 11, 2016
Lori Marentette	April 11, 2016
Jen Schaeffers	April 6, 2016 April 5, 2016 March 8, 2016

From: annel200 . [mailto:annel200@gmail.com]
Sent: Wednesday, 29 June 2016 20:32
To: MayorandCouncillors
Subject: RE: REZONING APPLICATION

RE: Rezoning application:

FILE RZ 16-723762

I object to the rezoning of this property out of (L) Light Industrial to (ZS23) Single Family.

The businesses/services at this location are well used by the whole neighborhood as seen by the constant attendance of locals on a daily basis.

The city claims to champion mixed use development with businesses/stores as part of new densified residential construction.

We deserve to continue having nearby access to these businesses.

Do not put the desires of a developer's profits before consideration of community needs and make-up.

It is within your powers to deny this rezoning for the benefit of the local community.

Thank you for your attention to this.

A. Lerner
12633 No. 2 Road
Richmond
604.448-8705

Badyal,Sara

From: Badyal,Sara
Sent: Wednesday, 13 April 2016 11:18 AM
To: Badyal,Sara
Subject: Re-zoning on Trites: potential loss of Generation Daycare

From: Andrea Niosi [<mailto:andreaandmichael@gmail.com>]
Sent: Wednesday, 13 April 2016 10:05
To: MayorandCouncillors
Subject: Re-zoning on Trites: potential loss of Generation Daycare

Dear Mayor and City Councillors of Richmond,

Please find below my letter of concern to Sara Badyal regarding the potential re-zoning of the light industrial area on Trites Road in the Steveston area.

I would greatly appreciate you conciser all the concerns I, along with other parents and business owners in the area, have put forward and reconsider approving this application.

Thank you,

Andrea & Michael Burke

Begin forwarded message:

From: Andrea Niosi <andreaandmichael@gmail.com>
Subject: Re-zoning on Trites: potential loss of Generation Daycare
Date: April 6, 2016 at 9:08:51 AM PDT
To: sbadyal@richmond.ca
Cc: Mike Lewis <generationdaycare@gmail.com>

Dear Sarah,
RE: 16 723761 000 00 RZ

I am writing to you to express my deep concerns regarding the potential re-zoning of the light industrial warehousing area on Trites Rd, and specifically about the potential loss of Generation Daycare. I am the mother of an 8 yo and 4yo and we live in the community: my eldest attends Homma Elementary and my youngest will be starting there in September 2016.

Generation Daycare provides an essential service to our family as it is one of the few affordable and flexible daycare options that serves our school (T. Homma Elementary). We value their service as it is within walking distance to/from Homma giving the children the added benefit of being able to spend more time outside each school day.

I have grave concerns about the possible relocation of Generation from our neighbourhood and moving out of catchment forcing the children to be bused to/from school every day. The added expense this has on our family will likely force us to reconsider this service all-together which will severely impact our family's ability to juggle two working parents' careers and our children's childcare needs.

Health & Wellness

Just today the Globe and Mail reported that fewer Canadian children in elementary schools are walking to school:

Article: http://www.theglobeandmail.com/news/national/education/fewer-canadian-students-walking-or-cycling-to-school-raises-concerns/article29535846/?click=sf_globe

And last month a number of news outlets reported that children spend less time outdoors than many prisoners:

Article: <http://www.fastcocreate.com/3058156/children-spend-less-time-outdoors-than-prisoners-according-to-new-persil-ad>

In 2007, Canadian Living featured Richmond, BC in an article and named it Canada's healthiest city. This was the same year my husband and I moved to Richmond and had our first daughter. We are raising our children to uphold this prestigious title: we walk, bike, run, and spend as much time as possible in the outdoors. In Steveston we are extremely fortunate to live in such a walkable neighbourhood; a truly rare and valuable feature for a suburban city.

If Generation Daycare is forced to move from its current location, countless families will no longer be able to ensure their children are receiving additional time outdoors walking to/from school which will have negative effects on their health, well-being, and the manner in which the next generation is being raised in Richmond.

Growing Enrolment

As we know, many Richmond schools face possible closure due to declining enrolment rates. Homma Elementary is not one of those schools and instead has seen increasing enrolment rates. This alone demonstrates the very need for an affordable and flexible neighbourhood-based childcare service such as Generation's.

Article: <http://www.richmond-news.com/news/richmond-school-district-mulling-closures-1.2056418>

Supporting Small Businesses in Canada

Micro-enterprises and small businesses are the backbone of our country's economy. We, as a City, should be doing more to support and foster the growth of businesses in our communities; businesses like Generation Daycare's and its neighbours'.

Small Business Stats: <http://www.cbc.ca/news/business/10-surprising-stats-about-small-business-in-canada-1.1083238>

It is for these 3 central reasons above, that my family strongly opposes the re-zoning of the area in question and the potential relocation of the essential service provided by Generation Daycare. This application, if improved, will have a negative effect on many Richmond families now and into the future. Our children's health and well-being will be negatively impacted, and, our community and neighbourhood services will be eroded and ultimately removed causing potentially severe economic damages to small businesses.

Our neighbourhood is growing and our neighbourhood school is seeing increasing enrolment rates which demonstrates our increasing dependency on affordable and flexible child care services.

Our family asks that you please consider these concerns as well as those voiced by Generation Daycare and the other families it serves and reject the application to re-zone this area.

Thank you,
Andrea Niosi & Michael Burke
604.760.0302

PH - 195

Badyal,Sara

From: Kevin Skipworth <kevin@skipworth.ca>
Sent: Wednesday, 13 April 2016 9:44 AM
To: McPhail,Linda
Cc: Badyal,Sara
Subject: RE: Daycare rezoning

Hello Linda,

Thank you for this information and the update. I have spoken to Mike Lewis at Generations Daycare. Yes, both Vancouver Coastal Health and the City's Economic Development staff have been in contact with Mike. Unfortunately both have said that there is no viable space in Steveston. So we are back to square one. They suggested the empty space at Imperial Landing, but we know that is not zoned for child care facilities. That would be a very good fit but unless you can tell me otherwise, the city hasn't allowed for rezoning of that site from Mixed Maritime Use. Perhaps it should be looked at to allow partial rezoning to get the daycare into the space and start with that? But as it stands now, as of September 1 along with 40 other families will be scrambling to sort out what we do with our children before and after school. Very disappointing.

On another note, a representative of the owner of the property on Trites Road did go and visit the owner of the daycare. He started out asserting that no matter what we as a group did the zoning would go through, then suggested he could "buy" his way through the process (presuming he would pay off tenants to quietly leave?) then by the end suggested he would contact the city to assist in finding a new location. Can that be confirmed?

Thank you everyone for the assistance. We'll keep trying.

Kevin Skipworth
Dexter Associates Realty

Once again I'm taking part in the Ride To Conquer Cancer with a goal of raising \$3,000. To help me reach my goal please go to www.conquercancer.ca/goto/KevinSkip

604-868-3656 (C)
604-689-8226 (O)
604-689-8206 (F)
www.skipshomes.com

"Some people see things as they are and ask why. Others dream things that never were and ask why not." - George Bernard Shaw.

-----Original Message-----

From: McPhail,Linda [mailto:LMcPhail@richmond.ca]
Sent: Wednesday, April 06, 2016 2:26 PM
To: Kevin Skipworth <kevin@skipworth.ca>
Cc: Badyal,Sara <SBadyal@richmond.ca>
Subject: RE: Daycare rezoning

Hi Mr. Skipworth - thank you for email. With regards to your question about the 6 months notice, the City would not typically get involved in a lease issue between a private landowner and their tenant.

Staff have informed me that the Vancouver Coastal Health licensing officers have been working with the owner of Generation Daycare in suggesting possible relocation sites and that the City's Economic Development staff have been asked to assist the displaced business owners if they request help with relocation.

If you have any questions about day care facilities in Richmond, our Child Care Coordinator, Coralys Cuthbert, would be happy to speak with you. Her contact information is below

Coralys Cuthbert/Child Care Coordinator - Phone: (604) 204-8621 Community Social Development Department
Community Services Division, City of Richmond

Please let me know if you have any other questions.

Regards - Linda McPhail

Councillor, City of Richmond
www.richmond.ca

From: Kevin Skipworth [kevin@skipworth.ca]
Sent: Tuesday, April 05, 2016 9:47 PM
To: McPhail, Linda
Cc: Badyal, Sara
Subject: RE: Daycare rezoning

Thank you Linda for your response. I am hoping that the concerns of the parents and community will have some merit on this upcoming decision. I did read through the Steveston OCP and while it does note that this area in question is to become single family homes over time, there is reference to maintaining child day care as well. To me that means that this should be a priority and that Generations Daycare needs to be looked after.

What really concerns me as a tax paying resident of Richmond and member of our community is how the owner/developer has acted in this situation. It would seem their plans are to have all the tenants removed from the property well in advance of a decision being made and possibly demolishing the buildings thus leaving the city with little choice but to rezone. The fact that only 6 month's notice was given at this early stage shows very little respect for our community and the residents that this affects. Our children are our future and I can tell you that the prospects of what will happen in September are not good without this daycare being maintained within our community of Steveston.

Is there anything the city can do about this 6 month's notice being given so early and not allowing sufficient time to find a new location within Steveston? And if nothing can be done about that, can the city help with a new location within Steveston?

Thank you Linda. This is going to create a lot of unhappiness within our community and it should be given immediate consideration as time is of the essence.

Best regards,

Kevin Skipworth
Dexter Associates Realty

Once again I'm taking part in the Ride To Conquer Cancer with a goal of raising \$3,000. To help me reach my goal please go to www.conquercancer.ca/goto/KevinSkip

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604-689-8206 (F)

PH - 197

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"Some people see things as they are and ask why. Others dream things that never were and ask why not." - George Bernard Shaw.

-----Original Message-----

From: McPhail,Linda [mailto:LMcPhail@richmond.ca]

Sent: Tuesday, April 05, 2016 9:25 AM

To: kpskip@shaw.ca

Subject: Daycare rezoning

Hello Mr. Skipworth - I am in receipt of your email to Mayor and Councillors regarding RZ 2016-723761 at 12280 - 12320 Trites Rd.

I was first made aware of the situation in a phone call I received from Alan Campbell of the Richmond News at 2:15 pm yesterday. He asked if I was aware of the application and, I was not.

It often takes several months for applications to be brought forward to a Planning Committee. This area is in transition and, while we have not discussed this site in particular, there have been discussions about the area in general, during previous rezoning applications. I can assure you that each application is evaluated on their own merit.

I am the Chairperson of the Planning Committee and had a Planning Committee agenda review meeting at 3 pm yesterday - just after the phone call from the Richmond News. I asked staff about this application. Staff commented that- they received an application 4-5 weeks ago and the application is in the very early stages of the process; applications can take several months to work through the process -the OCP - Steveston Area plan does allow for neighbourhood residential -Planning staff have been in contact with the City of Richmond's Child Care coordinator and the Economic Development office to see if they can provide assistance

As a parent myself -my children are now young adults - I did need child care when my children were younger and do understand the need for access to quality child care.

Thank you for sharing your concerns. Your email has been forwarded to Wayne Craig, Director of Planning - please feel free to contact him at 604-276-4000 to discuss this application. It is protocol for staff to contact people who have corresponded on planning applications to let them know when the application will be on a public committee or public hearing agenda so that they have the opportunity to participate. Your correspondence will be included in the materials that make up the rezoning application report.

Regards -Linda McPhail

Councillor, City of Richmond
www.richmond.ca

Badyal,Sara

From: Badyal,Sara
Sent: Wednesday, 6 April 2016 10:07 AM
To: Badyal,Sara
Subject: FW: Daycare Rezoning - RZ 2016-723761 - 12320/12280 Trites Road

From: Kevin Skipworth [<mailto:kpskip@shaw.ca>]
Sent: Friday, 1 April 2016 23:22
To: MayorandCouncillors
Subject: Daycare Rezoning

I am extremely disappointed that there has been a rezoning application:

2016 723761 000 00 RZ (In Circulation) MATT STOGRYN has applied to the City of Richmond for permission to rezone 12320/12280 Trites Road from Light Industrial (IL) to Single Family (ZS23) in order to create 30 single family lots.

My son goes to Generations Daycare which has been served a 6 month eviction notice as they have applied to have that location rezoned. The owner of the daycare has not been able to find suitable space to replace their current location other than a location at Ironwood. That would mean that the students instead of walking to Homma Elementary would have to be bussed back and forth to school each day. That not only adds extra time to their day as well as their parents, adds traffic congestion on our roads and most importantly adds risk to our children for this unnecessary transportation. I cannot understand how this can be passed without any consideration for our community and what will be the lack of daycare. Any rezoning should either involve a daycare space for Generations or it should not be allowed to happen. Our community of Steveston needs this type of service and there will not be a replacement for it.

Can you please let me know where this rezoning application is in the process and how I can voice my opposition as well as anyone else in the community. This cannot happen!

Kevin Skipworth
Dexter Associates Realty

604-868-3656 (C)
604-689-8226 (O)
604-689-8206 (F)
www.skipshomes.com

"Some people see things as they are and ask why. Others dream things that never were and ask why not." – George Bernard Shaw.

Badyal,Sara

From: Kevin Skipworth <kevin@skipworth.ca>
Sent: Tuesday, 5 April 2016 12:00 AM
To: Badyal,Sara
Subject: Daycare Rezoning - RZ 2016-723761 - 12320/12280 Trites Road

Thank you Sarah for your time today. I appreciate your insight and feedback.

I did read through the official community plan and while yes there is the reference to that area on Trites Road being converted to Single Family in time, it does say in the near future nothing would change. But what I read I feel needs to be considered. That is on page 10 where it says that community amenities (child care, affordable housing) shall be encouraged. This is certainly something I think is important in the plan. There are no other after school/before school day care programs with space. This is a unique facility servicing Steveston and allowing children that go to Homma Elementary to walk back and forth to school. It provides an alternative for parents to ensure their children from K to Grade 7 have an option and a very safe option for care. The thought that my son may have to be bussed back and forth to school from a location like Ironwood, after having been driven to the daycare and picked up in the evening frustrates me. Not only does it add congestion to our roads, but it produces a very unnecessary risk to our children.

What really puzzles me is that the owner of the property gave notice so far in advance and only gave 6 months notice to the tenants to find a new space. My concern is what happens if this rezoning is not approved? Then the businesses in this location have already lost their homes. Does the city have any impact on this notice being given and the timing. And can anything be done to provide for more time?

Thank you Sarah, please feel to pass on these comments.

Kevin Skipworth
Dexter Associates Realty

Once again I'm taking part in the Ride To Conquer Cancer with a goal of raising \$3,000. To help me reach my goal please go to www.conquercancer.ca/goto/KevinSkip

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Badyal, Sara

From: MNgan <mngan@shaw.ca>
Sent: Monday, 11 April 2016 10:02 PM
To: Badyal, Sara
Subject: rezoning application 16 723761 000 00 RZ

Hello Sarah,

We are sending this email in regards to rezoning application 16 723761 000 00 RZ.

Our concern with the rezoning is the excessive densification of our neighborhood and the resulting strain on our existing resources. Homma is one of the few schools that has increasing enrolment. With such a large population of families that live in our neighborhood, we need services like Generation Daycare. Generation is, by far, the best after-school centre we have found and we love and trust the staff. Without the care and support Generation provides, my husband and I would not be able to work full-time. It's all tied together and we need the city to understand and support families by not taking away the resources we need. Aside from the YMCA, there is no other after-school care program in our neighborhood. Generation Daycare is an essential service for our family.

So far Mike (the owner of Generation) has not been able to secure another location for his business. What happens if he doesn't find a suitable place? What if he finds a place but its not big enough and he can't take all the children currently in his care? We need this business in our neighborhood as we don't have any other support for after school care. We are incredibly upset and frustrated by this situation. We hope the the city will help us in ensuring we don't lose Generation Daycare from our neighborhood.

Please let us know if you have any questions. Thank you,
Milah and Steve Ngan

Badyal,Sara

From: Badyal,Sara
Sent: Monday, 11 April 2016 12:25 PM
To: Badyal,Sara
Subject: Rezoning application regarding 12280 and 12320 No 2 Road

From: Lori [mailto:lorel26@yahoo.com]
Sent: Thursday, 7 April 2016 23:09
To: MayorandCouncillors
Subject: Generation Daycare, Richmond News April 5th

Greetings Mayor and City Councillors;

It has become apparent that there was an exorbitant oversight concerning the development of the property that Generation Daycare currently occupies. This daycare is a crucial part of the childcare initiatives that the city of Richmond's social planning, child care needs assessment and strategy document outlined for the city up until 2016.

[http://www.richmond.ca/shared/assets/Child Care Needs Assessment and Strategy 2009-201629995.pdf](http://www.richmond.ca/shared/assets/Child_Care_Needs_Assessment_and_Strategy_2009-201629995.pdf)

Considering the recent article that was posted by CBC News today, April 7th,

<http://www.cbc.ca/news/canada/british-columbia/richmond-school-closures-1.3524496>

there will be an increased need in the community as these schools will adjust the demographic areas needed to provide adequate childcare services to the residents of Richmond / Steveston.

I urge city council to repeal all development from commencing on this property as it will further derail the progress that the social planning councillors have published as their strategy to increase, not decrease child care provisions.

Thank you for your time, once again, please reconsider this development as it may create an environment of public protest if council does not change the course of the closure of Generation Daycare.

Regards,

Lori Marentette

Badyal,Sara

From: Jen Schaeffers <Jen.Schaeffers@cknw.com>
Sent: Wednesday, 6 April 2016 9:51 AM
To: Badyal,Sara
Subject: Opposition to Rezoning regarding application 16 723761 000 00 RZ

Good morning Sarah,

My name is Jen Schaeffers and I am the mother of Kaylee Schaeffers that attends the Generation Daycare after school program at 12280-12320 Trites Road, near Moncton in Steveston.

We have been informed that the after school care in which our child and another 50 families utilize will be closing in six months due to a developer who has bought the land and is having it rezoned.

I have a problem with this. If the City keeps approving developers coming in and clearing out essential services for families then where are our children going to go? There are little to no alternative childcare options in the Steveston area. Furthermore, the area continues to densify. I would imagine the City are aware of this problem and in particular the planning department when figuring out the essential services that are going to of use for all the families that continue to move to the area.

I look forward to your timely response. Thank you.

Kindest regards,

Jen Schaeffers
Executive Director
CKNW Orphans' Fund

T. 604.331.2782 C. 604.306.5311 : 2000 - 700 West Georgia Street Vancouver, BC V7Y 1K9
Connect with us: CKNWOrphansFund.com : [Twitter](#) : [Facebook](#)

From: Jen Schaeffers [Jen.Schaeffers@cknw.com]
Sent: Tuesday, April 05, 2016 9:37 AM
To: McPhail,Linda
Subject: RE: Opposition to Rezoning

Thank you Linda. I greatly appreciate your reply and further information you provided.

It is great to hear that the City is involved in the planning of this area. I did read through the Community Plan for Steveston. Child care is very, very limited in the Steveston area with really only Generations, the YMCA and Renaissance Kids as options. As the development in the area progresses, this will place more pressure on Homma School to expand and I have begun to hear rumours that the YMCA will need to leave the school due to the influx of students (likely in the next 1-2 years). So either they will close or need to find other space, which is incredibly limited.

Quality child care is important, as is affordable child care - given the extraordinary cost of living in the Steveston area (and really all over the lower mainland).

At the heart of the matter, I just want to ensure that the City is involved in helping navigate the difficulties arising from so much densification in the area. I hope there is a plan for where all these children are going to go that are moving to the area and in addition, accommodating the ones that currently reside here. In my mind, it's completely unrealistic to force a child care facility to the other side of Richmond because there is no space in the area. That is just poor planning and an incredible shame.

Thank you again Linda.

Warmest regards,
Jen

Jen Schaeffers
Executive Director
CKNW Orphans' Fund

T. 604.331.2782 C. 604.306.5311 : 2000 - 700 West Georgia Street Vancouver, BC V7Y 1K9 Connect with us: CKNWOrphansFund.com : Twitter : Facebook

-----Original Message-----

From: McPhail,Linda [mailto:LMcPhail@richmond.ca]
Sent: Tuesday, April 05, 2016 9:28 AM
To: Jen Schaeffers
Subject: Opposition to Rezoning

Hello Ms. Schaeffers - I am in receipt of your email to Mayor and Councillors regarding RZ 2016-723761 at 12280 - 12320 Trites Rd.

I was first made aware of the situation in a phone call I received from Alan Campbell of the Richmond News at 2:15 pm yesterday. He asked if I was aware of the application and, I was not.

It often takes several months for applications to be brought forward to a Planning Committee. This area is in transition and, while we have not discussed this site in particular, there have been discussions about the area in general, during previous rezoning applications. I can assure you that each application is evaluated on their own merit.

I am the Chairperson of the Planning Committee and had a Planning Committee agenda review meeting at 3 pm yesterday - just after the phone call from the Richmond News. I asked staff about this application. Staff commented that- -they received an application 4-5 weeks ago and the application is in the very early stages of the process; applications can take several months to work through the process - the OCP - Steveston Area plan does allow for neighbourhood residential -Planning staff have been in contact with the City of Richmond's Child Care coordinator and the Economic Development office to see if they can provide assistance

As a parent myself -my children are now young adults - I did need child care when my children were younger and do understand the need for access to quality child care.

Thank you for sharing your concerns. Your email has been forwarded to Wayne Craig, Director of Planning - please feel free to contact him at 604-276-4000 to discuss this application. It is protocol for staff to contact people who have corresponded on planning applications to let them know when the application will be on a public committee or public hearing agenda so that they have the opportunity to participate. Your correspondence will be included in the materials that make up the rezoning application report.

Regards -Linda McPhail

Councillor, City of Richmond
www.richmond.ca
Linda McPhail

Badyal,Sara

From: PlanningDevelopment
Sent: Wednesday, 9 March 2016 2:30 PM
To: Badyal,Sara
Subject: FW: Rezoning a family after school care with no public consultation

From: Jen Schaeffers [<mailto:Jen.Schaeffers@cknw.com>]
Sent: Tuesday, 8 March 2016 20:16
To: PlanningDevelopment
Subject: Rezoning a family after school care with no public consultation

Hi Joe,

My name is Jen Schaeffers and I work with CKNW radio station. I also happen to be a parent of a child that attends an after school program at 12280-12320 Trites Road, near Moncton in Steveston.

We were informed tonight that the after school care in which our child and another 40 families utilize will be closing in six months due to a developer who has bought the land and is having it rezoned.

So I have a few questions:

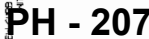
1. Has the zoning been approved for this? I found documentation online that looks like the developer (Omni Pacific) just applied for this March 3rd. I can't imagine zoning as already been approved by the City. Apparently the owner of the child care facility simply received a letter in their mail slot letting them know they need to vacate the facilities within six months (no name attached...nice way of doing business!)
2. Will there be community consultation before the rezoning is approved? And if so, what are the timelines on this?

You see, I have a problem with this. If the City keeps approving developers coming in and clearing out essential services for families then where are our children going to go? There are little to no alternative childcare options in the Steveston area. Furthermore, the area continues to densify. I would imagine the City are aware of this problem and in particular the planning department when figuring out the essential services that are going to of use for all the families that continue to move to the area.

I look forward to your timely response. Thank you.

Kindest regards,

Jen Schaeffers
CKNW AM980



LOT COVERAGE CALCULATIONS		B. AREA, PER CENT		B. AREA, PER PLANT	
LOT NUMBER	PLANT	AREA	PER CENT	AREA	PER PLANT
1	30053	43.6	26.2	25.0	25.0
2	30052	43.6	26.2	25.0	25.0
3	30010	42.3	25.8	25.0	25.0
4	30016	42.3	25.8	25.0	25.0
5	30015	42.3	25.8	25.0	25.0
6	30014	42.3	25.8	25.0	25.0
7	30013	42.3	25.8	25.0	25.0
8	30012	42.3	25.8	25.0	25.0
9	30011	42.3	25.8	25.0	25.0
10	30010	42.3	25.8	25.0	25.0
11	30009	42.3	25.8	25.0	25.0
12	30008	42.3	25.8	25.0	25.0
13	30007	42.3	25.8	25.0	25.0
14	30006	42.3	25.8	25.0	25.0
15	30005	42.3	25.8	25.0	25.0
16	30004	42.3	25.8	25.0	25.0
17	30003	42.3	25.8	25.0	25.0
18	30002	42.3	25.8	25.0	25.0
19	30001	42.3	25.8	25.0	25.0
20	30000	42.3	25.8	25.0	25.0
21	30000	42.3	25.8	25.0	25.0
22	30000	42.3	25.8	25.0	25.0
23	30000	42.3	25.8	25.0	25.0
24	30000	42.3	25.8	25.0	25.0
25	30000	42.3	25.8	25.0	25.0
26	30000	42.3	25.8	25.0	25.0
27	30000	42.3	25.8	25.0	25.0
28	30000	42.3	25.8	25.0	25.0
29	30000	42.3	25.8	25.0	25.0
30	30000	42.3	25.8	25.0	25.0

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SINGLE FAMILY SUBDIVISION
12280 12320 TRITES ROAD
RICHMOND BC

PROJECT:

SEAL:

DRAWING TITLE:

CONCEPTUAL
LANDSCAPE
PLAN

DRAWING NUMBER:



City of Richmond

Bylaw 9675

Richmond Zoning Bylaw 8500 Amendment Bylaw 9675 (RZ 16-723761) 12320 Trites Road

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"SINGLE DETACHED (ZS23) – STEVESTON"**.

P.I.D. 029-912-474

Lot 1 Section 12 Block 3 North Range 7 West New Westminster District Plan EPP63719

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9675"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 13 2017



MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

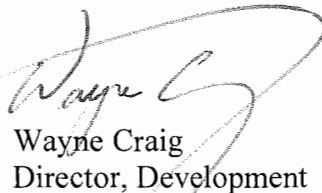
Date: February 3, 2017

File: RZ 15-713737


Re: Application by Benn Panesar for Rezoning at 10140 and 10160 Finlayson Drive
from "Single Detached (RS1/D)" to "Single Detached (RS2/B)"

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9684, for the rezoning of 10140 and 10160 Finlayson Drive from "Single Detached (RS1/D)" to "Single Detached (RS2/B)", be introduced and given first reading.


Wayne Craig
Director, Development

CL:blg
Att. 7

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

Staff Report

Origin

Benn Panesar has applied to the City of Richmond for permission to rezone the properties at 10140 and 10160 Finlayson Drive from the “Single Detached (RS1/D)” zone to the “Single Detached (RS2/B)” zone, to permit the property to be subdivided to create three lots (Attachment 1).

The applicant proposes to pursue subdivision of the land in two stages. Initially, the proposal involves demolition of the dwelling at 10160 Finlayson Drive, shifting of the common property line to create a smaller south lot, and retention of the existing dwelling on a larger north lot at 10140 Finlayson Drive. Subsequently, the applicant proposes to subdivide the larger north lot at 10140 Finlayson Drive into two smaller lots, ultimately yielding a total of three lots at the subject site.

A survey of the subject site illustrating the first stage of the proposed subdivision is included in Attachment 2. A survey of the subject site illustrating the second stage of the proposed subdivision is included in Attachment 3.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 4).

Site Description and Surrounding Development

The subject site is located on the west side of Finlayson Drive, between Gilmore Crescent and Finlayson Court, in the Bridgeport Planning Area. The property at 10140 Finlayson Drive currently contains an existing dwelling, which will be demolished at future development stage. At 10160 Finlayson Drive, the original dwelling has been demolished and a single-family dwelling is currently under construction on the south side of the lot (further discussion of the new dwelling being constructed on-site is included in the “Analysis” section of this report).

Existing development immediately surrounding the subject site is as follows:

- To the North, is a dwelling on a lot zoned “Single Detached (RS1/D)”.
- To the South, are new dwellings on lots zoned “Single Detached (RS2/B)”.
- To the East, immediately across Finlayson Drive, is Tait Neighbourhood School Park.
- To the West, fronting No. 4 Road, are dwellings on lots zoned “Single Detached (RS1/D)”.

Related Policies & Studies

Official Community Plan/Bridgeport Area Plan

The Official Community Plan (OCP) land use designation for the subject site is “Neighbourhood Residential”. The Bridgeport Area Plan land use designation for the subject site is “Residential (Single Family)”. This redevelopment proposal is consistent with these designations.

Single-Family Lot Size Policy 5448

The subject site is located within the area governed by Single-Family Lot Size Policy 5448, adopted by Council on September 16, 1991, and subsequently amended in 2012 (Attachment 5). The Policy permits properties on Finlayson Drive to be rezoned and subdivided subject to the requirements of the “Single Detached (RS2/B)” zone.

This redevelopment proposal would allow for the creation of three (3) lots, each with an average width of approximately 12 m and between 623 m² and 729 m² in area, consistent with the requirements of the “Single Detached (RS2/B)” zone.

Aircraft Noise Sensitive Development (ANSD) Policy

Consistent with the OCP, the ANSD Policy applies to the subject site, which is located within the “High Aircraft Noise Area (Area 2)”. In accordance with this Policy, all aircraft noise sensitive land uses may be considered, including single-family uses resulting from the rezoning of one “Single Detached (RS1)” sub-zone to another “Single Detached (RS2)” sub-zone. Registration of an Aircraft Noise Sensitive Use Covenant on Title will be required prior to final adoption of the rezoning bylaw.

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.

Ministry of Transportation and Infrastructure Approval

As the subject site is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, this redevelopment proposal was referred to the Ministry of Transportation and Infrastructure (MOTI). Confirmation has been received from MOTI indicating that they have no objections to the proposed redevelopment and that preliminary approval has been granted for a period of one year. Final approval from MOTI 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

New Construction at 10160 Finlayson Drive, and Proposed Timing of Rezoning/ Subdivision

As described earlier in this report, the applicant proposes to pursue subdivision of the land in two stages (as shown in Attachments 2 and 3). Also, the original dwelling at 10160 Finlayson Drive has been demolished and a single-family dwelling is currently under construction on the south side of the lot under Building Permit (B7 15-716522).

Through the Building Permit application review process for the new dwelling at 10160 Finlayson Drive, the applicant has demonstrated that the dwelling under construction complies with all aspects of the current "Single Detached (RS1/D)" zone and with the proposed "Single Detached (RS2/B)" zone after the first stage of subdivision. As further evidence of conformity, prior to the first stage of subdivision approval, the applicant is required to submit a signed and sealed plan from a BC Land Surveyor that the existing buildings and structures at 10160 Finlayson Drive meet all of the requirements of the RS2/B zoning, including the Permitted Density, Lot Coverage, Live Landscaping and Setbacks.

In order to secure the ultimate 3-lot subdivision plan shown in Attachment 3, the applicant is required to register a legal agreement on title prior to rezoning approval stating that no Building Permits may be issued at 10140 Finlayson Drive, and that subdivision of the land is only permitted as shown in Attachments 2 and 3.

Should the rezoning application not proceed, only one single-family dwelling is permitted on each of the existing lots.

Existing Legal Encumbrances

There is currently a Statutory Right-of-Way (SRW) registered on Title of the subject properties for sanitary sewer, which is located in the rear yard along the west property line.

Site Access

Vehicle access to the proposed lots is to be from Finlayson Drive via separate driveway crossings.

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 a total of six trees: one bylaw-sized tree on the subject property, three trees located on the common property line with the neighbouring property to the south at 10180 Finlayson Drive, one tree located on the neighbouring property to the west at 2380 No. 4 Road, and one tree located in the Finlayson Drive boulevard on City-owned property.

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

- One Holly tree located on-site is in good condition and should be retained and protected (tag# 5).
- Three trees located on the common property line with the adjacent property to the south (tag# 2, 3, 4) were approved for removal at 10180 Finlayson Drive (RZ 11- 594451) and have since been removed.
- One tree located on the adjacent property to the west at 2380 No. 4 Road must be retained and protected as per the Arborist Report specifications (tag#6).

The one tree in the Finlayson Drive boulevard on City-owned property (tag # 1) was approved for removal by the City's Parks Department as part of the Building Permit application review process at 10180 Finlayson Drive due to conflict with the proposed driveway crossing (B7 16- 732271). This tree has since been removed (T1 16- 732273).

Tree Protection

One tree on the subject site and one tree on the neighbourhood property to the west at 2380 No. 4 Road are to be retained and protected (tag #'s 5 and 6). The applicant has submitted a tree retention plan showing the trees to be retained and the tree protection area to be used during development stage (Attachment 6, annotated). To ensure that the trees identified for retention are protected at development stage, the applicant is required to submit the following items prior to final adoption of the rezoning bylaw:

- A contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones (tag #'s 5 and 6). The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- A survival security in the amount of \$10,000 for tree tag # 5. The security will be held until construction and landscaping on the subject site is completed and a landscape inspection has been passed by City staff. The City may retain a portion of the security for a one-year maintenance period from the date of the landscape inspection to ensure that the tree survives.

Prior to demolition of the existing dwelling at 10140 Finlayson Drive, the applicant is required to install tree protection fencing around all trees to be retained (tag #'s 5 and 6). Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

Tree Planting

In accordance with City Policy 5032 – Tree Planting (Universal), the applicant has agreed to plant a total of five new trees (yielding two trees per lot), as follows:

- two trees on the proposed north lot.
 - two trees on the proposed middle lot.
 - one tree on the proposed south lot.
- (minimum 6 cm deciduous caliper or 3 m high conifer).

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

Affordable Housing Strategy

The City's Affordable Housing Strategy for single-family rezoning applications requires: a) secondary suite(s) on 100% of new lots proposed; b) secondary suite(s) on 50% of new lots proposed and a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund based on \$2.00/ft² of the total buildable area on the remaining lots; or c) in cases where a secondary suite cannot be accommodated, a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund based on \$2.00/ft² of the total buildable area on 100% of new lots proposed.

Consistent with the Affordable Housing Strategy, the applicant proposes to construct a secondary suite on each new lot proposed. Prior to rezoning, the applicant is required to register a legal agreement on title, stating that no final Building Permit inspection will be granted until the secondary suites are constructed to the satisfaction of the City in accordance with the BC Building Code and Richmond Zoning Bylaw 8500.

Site Servicing and Frontage Improvements

Prior to rezoning bylaw adoption, the applicant is required to enter into a Servicing Agreement for the design and construction of water, storm, and sanitary service connections for the proposed lots, as well as for frontage improvements to current City standards from the north property line of 10140 Finlayson Drive to the south property line of 10200 Finlayson Drive, tying into the existing condition to the north and south. The scope of the works is described in Attachment 7, and includes but is not limited to concrete curb and gutter, a 1.5 m wide treed/grassed boulevard at the back of the curb, a 1.5 m wide concrete sidewalk, street lighting, and undergrounding of Hydro and Telus service lines.

Subdivision

Prior to approval of the first stage of subdivision, the applicant is required to submit a signed and sealed plan from a registered BC Land Surveyor that the existing buildings and structures at 10160 Finlayson Drive meet all of the requirements of the RS2/B zoning, including the Permitted Density, Lot Coverage, Live Landscaping and Setbacks.

Prior to approval of the second stage of subdivision, the applicant is required to pay Development Cost Charges (City and GVS&DD), School Acquisition Charges, Address Assignment Fees and the current year's taxes.

Financial Impact or Economic Impact

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

Conclusion

The purpose of this application is to rezone the property at 10140 and 10160 Finlayson Drive from the "Single Detached (RS1/D)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create three lots. The applicant proposes to pursue the project in stages.

This rezoning application complies with the land use designation and applicable policies for the subject site that are contained within the OCP and Single-Family Lot Size Policy 5448.

The list of Rezoning Considerations is included in Attachment 6, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9684 be introduced and given first reading.



Cynthia Lussier
Planner 1
(604-276-4108)

CL:blg

Attachment 1: Location Map/Aerial Photo

Attachment 2: Site Survey and proposed subdivision plan for 1st stage

Attachment 3: Site Survey and proposed subdivision plan for 2nd stage

Attachment 4: Development Application Data Sheet

Attachment 5: Single Family Lot Size Policy 5448

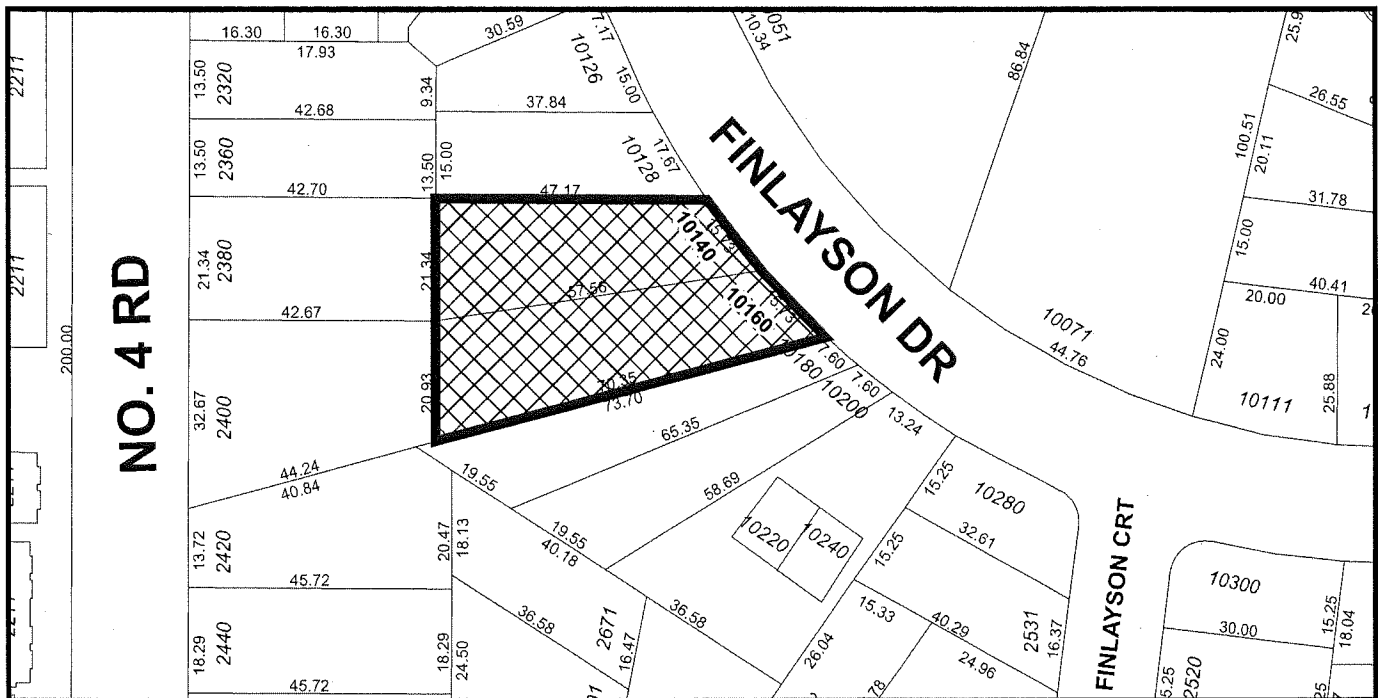
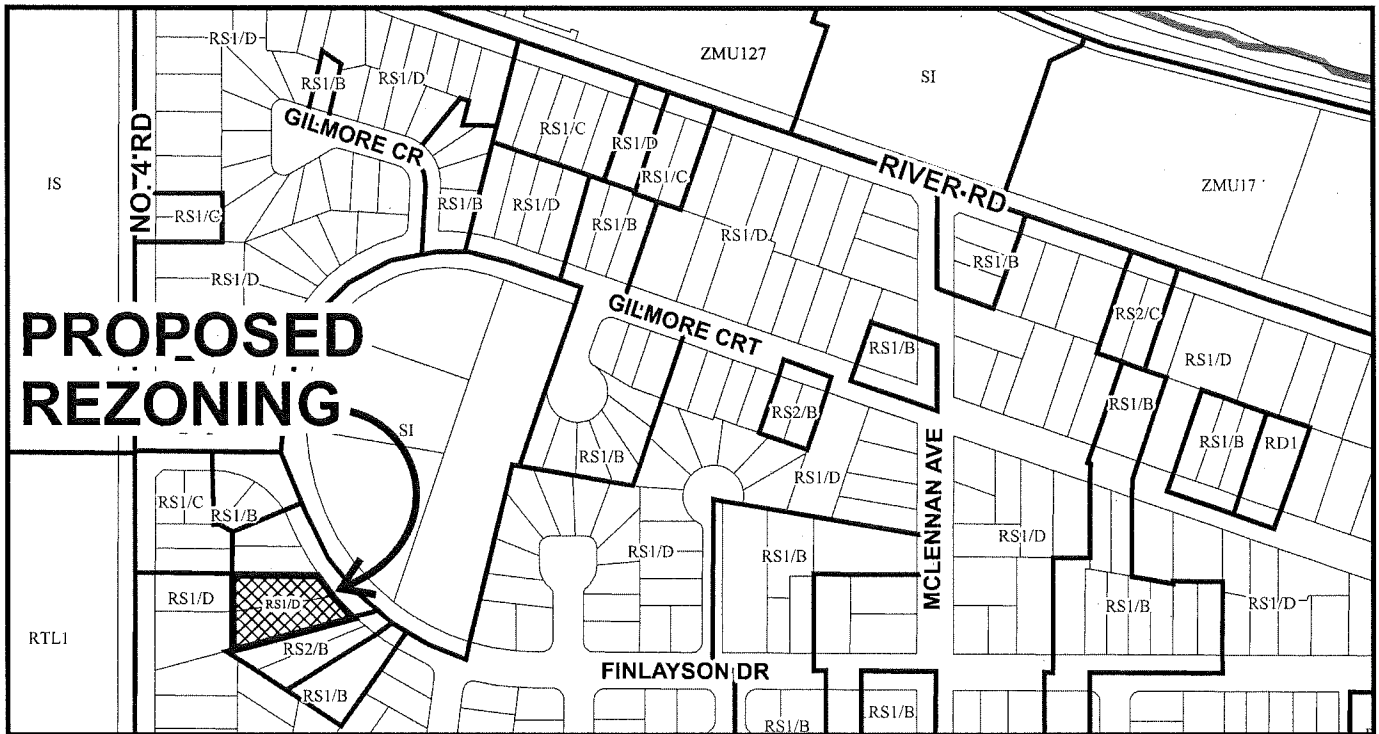
Attachment 6: Proposed Tree Retention Plan

Attachment 7: Rezoning Considerations



City of Richmond

ATTACHMENT 1



RZ 15-713737

Original Date: 12/16/15

Revision Date: 02/23/17

Note: Dimensions are in METRES



City of Richmond



RZ 15-713737

Original Date: 12/16/15

Revision Date: 02/23/17

Note: Dimensions are in METRES

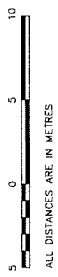
SURVEY PLAN OF LOTS 327 AND 328 BOTH OF SECTION 23 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 46141

PARCEL IDENTIFIER (PID): LOT 327: 001-320-912
LOT 328: 003-690-768

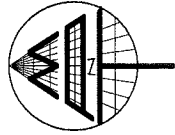
CIVIC ADDRESSES:
#10140/10160 FINLAYSON DRIVE
RICHMOND, B.C.

LEGEND

SCALE 1:200



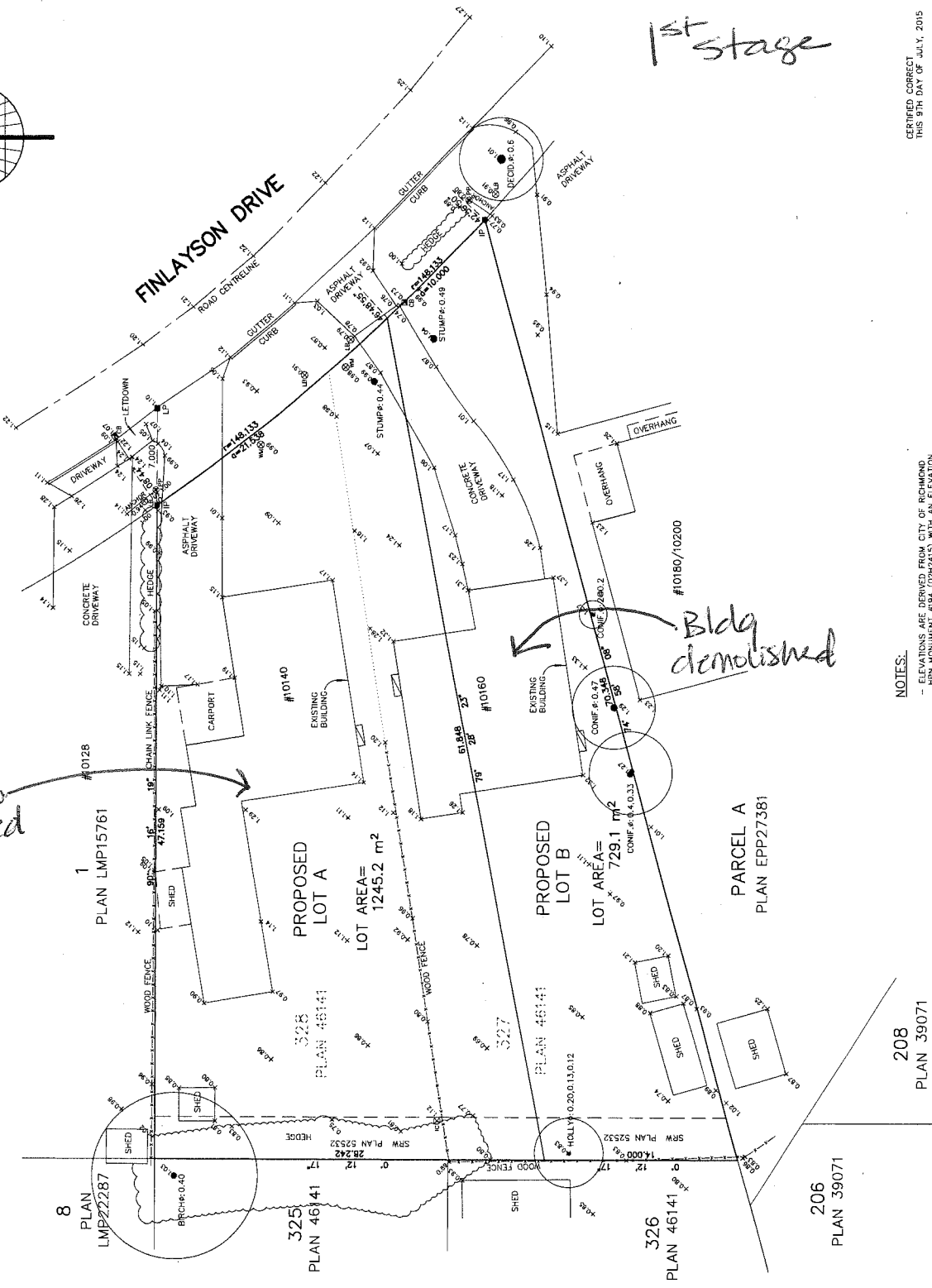
- ALL DISTANCES ARE IN METRES
- CB INDICATES SPOT ELEVATION
 - CB INDICATES CATCH BASIN
 - PP INDICATES POWER POLE
 - LB INDICATES LAWN BASIN
 - MH INDICATES MANHOLE
 - WM INDICATES WATER METER
 - IP INDICATES IRON POST
 - LP INDICATES LEAD PLUG



Bldg to be retained

1st stage

Bldg demolished



© COPYRIGHT

MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
#320 - 11120 HORSESHOE WAY
RICHMOND, B.C., V7A 5H7
PH: 604-270-9331
FAX: 604-270-4137
CADFILE: 17889-001-TPG-000.DWG

CLIENT REF: BALVIR & SAREJIT RANDHAWA

R-15-17889-TPG

NOTES:

- ELEVATIONS ARE DERIVED FROM CITY OF RICHMOND DATUM (1984) WITH AN ELEVATION OF 3.337 METRES.
- PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS AND LEGAL FIELD SURVEYS.
- ALL DESIGNATED TREES AS DEFINED BY CITY OF RICHMOND BYLAW NO. 8057, ARE SHOWN HEREON.

CERTIFIED CORRECT
THIS 9TH DAY OF JULY, 2015

B.C.L.S.

DATE OF SURVEY: JULY 3, 2015

SURVEY PLAN OF LOT A SECTION 23 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN EPP

FORMERLY LOT 328 AND PART OF LOT 327 BOTH OF SECTION 23
BLOCK 5 NORTH RANGE 6 WEST NWD PLAN 46141

CIVIC ADDRESSES:
#10140/10160 FINLAYSON DRIVE
RICHMOND, B.C.

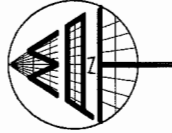
LEGEND

SCALE 1:200



ALL DISTANCES ARE IN METRES

- CB INDICATES SPOT ELEVATION
- PP INDICATES CATCH BASIN
- LB INDICATES POWER POLE
- LB INDICATES LAMP BASIN
- MH INDICATES MANHOLE
- WM INDICATES WATER METER
- IP INDICATES IRON POST
- LP INDICATES LEAD PLUG

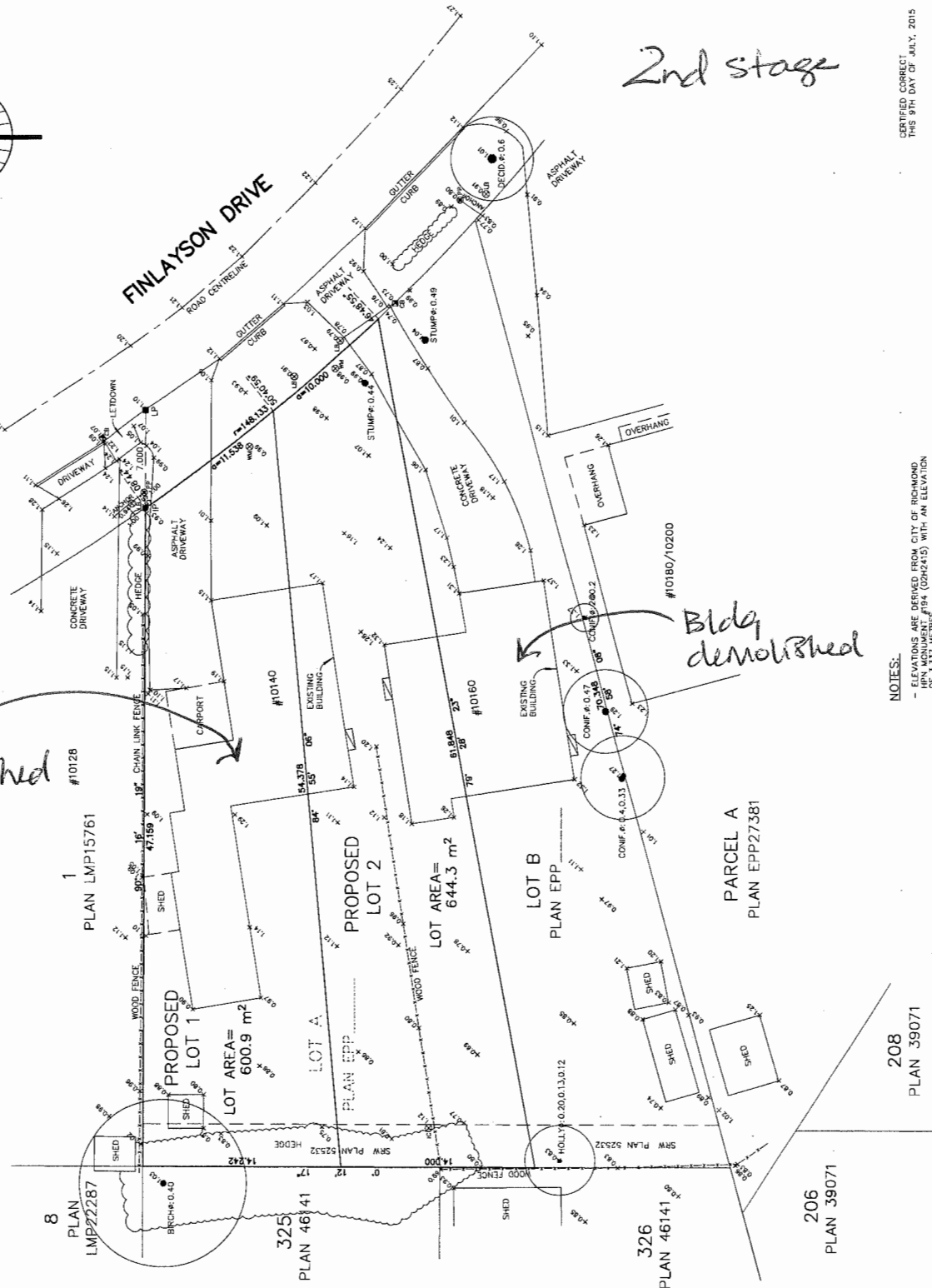


FINLAYSON DRIVE

2nd stage

Bldg to be demolished

Bldg demolished



NOTES:

- ELEVATIONS ARE DERIVED FROM CITY OF RICHMOND DATUM (CH2415) WITH AN ELEVATION OF 1.337 METRES
- PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS AND LEGAL FIELD SURVEYS.
- ALL DESIGNATED TREES AS DEFINED BY CITY OF RICHMOND BY-LAW NO. 8057, ARE SHOWN HEREON.

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MATSON PECK & TOPLISS
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RICHMOND, B.C. V7A 5H7
PH: 604-270-5331
FAX: 604-270-4137
CADFILE: 17889-002-TPG-000JWG

CLIENT REF: BALVIR & SARBUT RANDHAWA

R-15-17889-TPG

DATE OF SURVEY: JULY 3, 2015

B.C.L.S.

CERTIFIED CORRECT
THIS 9TH DAY OF JULY, 2015



RZ 15-713737

Attachment 4

Address: 10140 and 10160 Finlayson Drive

Applicant: Benn Panesar

Planning Area(s): Bridgeport

	Existing	Proposed
Owner:	Sunny Sukvir Singh Kandola Amandeep Singh Kandola	To be determined
Site Size (m²):	1974.3 m ² (21,251 ft ²)	Three lots, ranging in size from 600 m ² to 729 m ² (6,458ft ² to 7,847ft ²)
Land Uses:	Two residential lots; each with a single-family dwelling	Three residential lots; each with a single-family dwelling
OCP Designation:	Neighbourhood Residential	No change
Bridgeport Area Plan Designation:	Residential (Single Family)	No change
Single-Family Lot Size Policy Designation:	Single-Family Lot Size Policy 5448 permits properties on Finlayson Drive to rezone and subdivide consistent with the minimum requirements of the "Single Detached (RS2/B)" zone.	No change
Zoning:	Single Detached (RS1/D)	Single Detached (RS2/B)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	none permitted
Buildable Floor Area (m ²):*	Ranges from maximum 334 m ² (3,190 ft ²) to 296 m ² (3,604 ft ²)	Ranges from maximum 296 m ² (3,604 ft ²) to 334 m ² (3,190 ft ²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70% Live Plant Material: Min. 25%	Building: Max. 45% Non-porous Surfaces: Max. 70% Live Plant Material: Min. 25%	none
Min. Lot Size:	360 m ²	Ranges from 600 m ² to 729 m ²	none
Min. Lot Dimensions (m):	Width: 12 m Depth: 24 m	Ranges from 12 m to 12.89 m wide 51.2 m to 66.1 m deep	none
Min. Setbacks (m):	Front/Rear: Min. 6 m Side: Min. 1.2 m	Front/Rear: Min. 6 m Side: Min. 1.2 m	none
Height (m):	2 ½ storeys (max. 9.0 m, peaked roof; max. 7.5 m flat roof)	2 ½ storeys (max. 9.0 m, peaked roof; max. 7.5 m flat roof)	none
On-site Vehicle Parking Spaces:	Min. two spaces	Min. two spaces	none

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



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: September 16, 1991

POLICY 5448

Amended By Council: February 20, 2012

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 23-5-6

POLICY 5448:

The following policy establishes lot sizes in a portion of Section 23-5-6, bounded by the **Bridgeport Road, Shell Road, No. 4 Road and River Drive:**

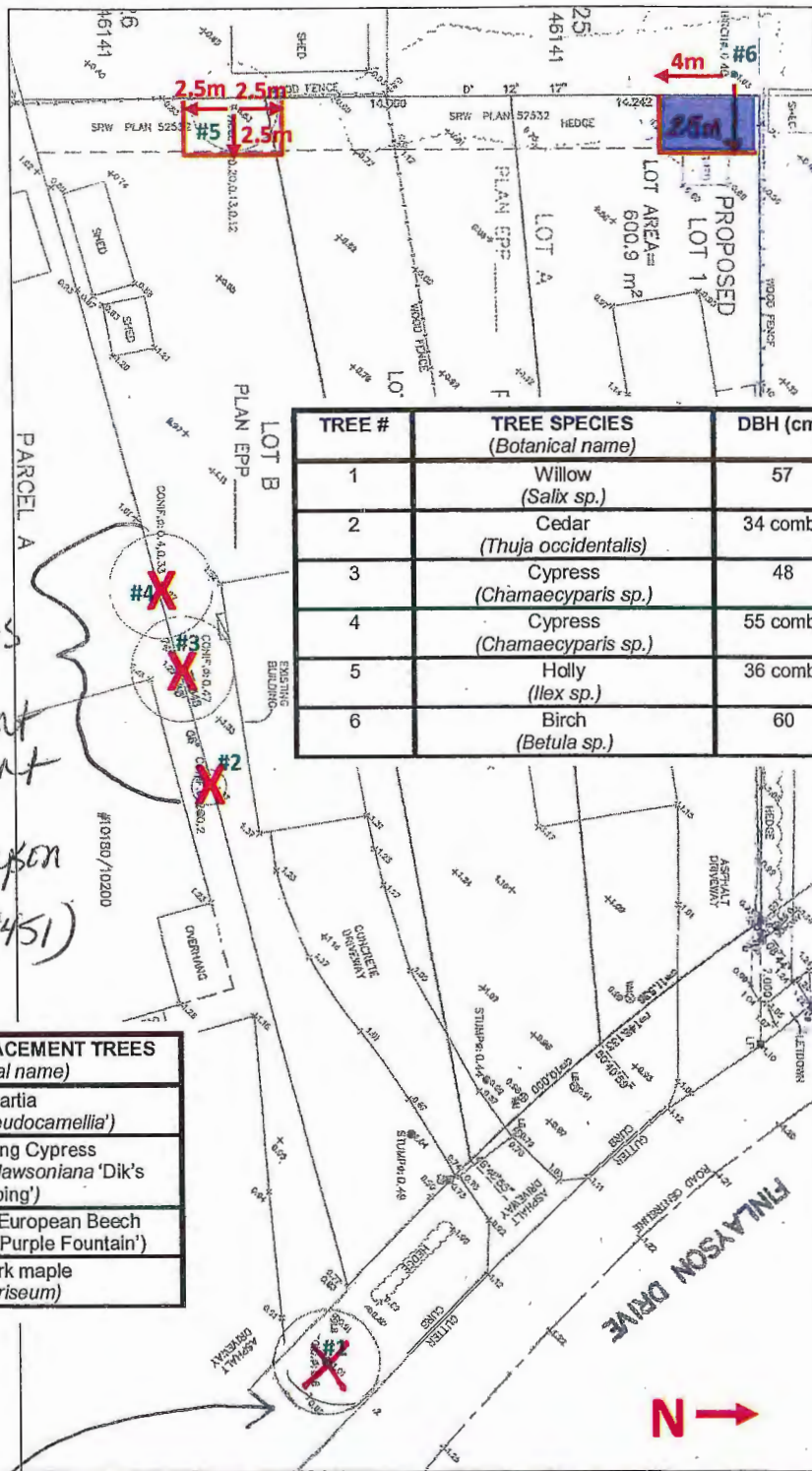
That properties within the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west, in a portion of Section 23-5-6, be permitted to rezone and subdivide in accordance with the provisions of Single Detached (RS1/B) in Zoning and Development Bylaw 8500, with the following provisions:

- (a) Properties along Bridgeport Road (between McKessock Avenue and Shell Road) and along Shell Road will be restricted to Single Detached (RS1/D) unless there is lane or internal road access in which case Single Detached (RS1/B) will be permitted;
- (b) Properties along Bridgeport Road between No. 4 Road and McKessock Avenue will be restricted to Single Detached (RS1/D) unless there is lane access in which case Compact Single Detached (RC2) and Coach Houses (RCH) will be permitted;
- (c) Properties along No. 4 Road and River Drive will be restricted to Single Detached (RS1/C) unless there is lane or internal road access in which case Single Detached (RS1/B) will be permitted;

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

removed as
part of
redevelopment
on adjacent
site at
10180 Finlayson
Drive
(RZ 11-594451)

SUITABLE REPLACEMENT TREES (Botanical name)
Stewartia (<i>Stewartia pseudocamellia</i>)
Dik's Weeping Cypress (<i>Chamaecyparis lawsoniana</i> 'Dik's Weeping')
Purple Fountain European Beech (<i>Fagus sylvatica</i> 'Purple Fountain')
Paperbark maple (<i>Acer griseum</i>)



TREE #	TREE SPECIES (Botanical name)	DBH (cm)	SPREAD (m) Radius
1	Willow (<i>Salix sp.</i>)	57	3
2	Cedar (<i>Thuja occidentalis</i>)	34 comb.	1
3	Cypress (<i>Chamaecyparis sp.</i>)	48	3
4	Cypress (<i>Chamaecyparis sp.</i>)	55 comb.	3
5	Holly (<i>Ilex sp.</i>)	36 comb.	2
6	Birch (<i>Betula sp.</i>)	60	6

Preliminary Tree Retention & Removal Plan, Scale 1:400

removed
as part of
redevelopment
at 10180 Finlayson Drive
(T1-16-732273)

ANNOTATED TREE RETENTION PLAN



Address: 10140 and 10160 Finlayson Drive

File No.: RZ 15-713737

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9684, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Submission of a Landscape Security in the amount of \$2,500 (\$500/tree) to ensure that a total of five trees are planted and maintained, as follows (minimum 6 cm deciduous caliper or 3.5 m high conifers):
 - Two trees on the proposed north lot.
 - Two trees on the proposed middle lot.
 - One tree on the proposed south lot.
3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained (tag #'s 5 and 6). The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
4. Submission of a Tree Survival Security to the City in the amount of \$10,000 for tree tag # 5 to be retained.
5. Registration of an aircraft noise sensitive use covenant on Title.
6. Registration of a flood indemnity covenant on Title.
7. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on each of the three lots proposed, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
8. Registration of a legal agreement on Title stating that no Building Permits may be issued at 10140 Finlayson Drive, and that subdivision of the land is only permitted as shown in Attachments 2 and 3.
9. Entrance into a Servicing Agreement* for the design and construction of water, storm, and sanitary service connections for the proposed lots, as well as for frontage improvements to current City standards from the north property line of 10140 Finlayson Drive to the south property line of 10200 Finlayson Drive, and tying into the existing condition to the north and south. The scope of works is to include (but is not limited to):

Water Works

- a. Using the OCP Model, there is 152 L/s of water available at a 20 psi residual at the Finlayson Drive frontage. Based on your proposed development, your site requires a minimum fire flow of 120 L/s.
The applicant is required to submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs. If adequate flow is not available, the applicant shall be required to upgrade the existing water system that may extend beyond the development site frontage.
- b. At the applicant's cost, the City is to:
 - Cut and cap the two northernmost existing water service connections at the watermain along the Finlayson Drive frontage, and remove meters and meter boxes.
 - Install two new water service connections along the Finlayson Drive frontage, each with meter and meter box.

Storm Sewer Works

- a. The applicant is required to retain the newly installed southernmost storm service connection and inspection chamber, which was installed via Building Permit B7 15-716522 for 10180 Finlayson Drive.
- b. At the applicant's cost, the City is to:

- Cut and cap, at the inspection chamber, the existing storm sewer service connection at the northeast corner of the development site.
- Cut and cap the existing storm sewer service connection located at the middle of the east property line of the development site and remove the inspection chamber.
- Install a new storm service connection, complete with inspection chamber and dual service leads, at the adjoining property line of the two northernmost newly subdivided lots.

Sanitary Sewer Works

- a. The applicant is required to:
 - Not undertake any on-site construction or foundation excavation until completion of the rear yard sanitary works by City crews.
 - Retain the newly installed southernmost sanitary service connection and inspection chamber, which was installed via Building Permit B7 15-716522 for 10180 Finlayson Drive.
- b. At the applicant's cost, the City is to:
 - Cut and cap the existing northernmost sanitary service connection and remove the inspection chamber.
 - Install a new sanitary service connection, complete with inspection chamber and dual service leads, at the adjoining property line of the two northernmost newly subdivided lots.

Frontage Improvements

- a. The applicant is required to design and construct frontage improvements to current City standards along Finlayson Drive, from the north property line of 10140 Finlayson Drive to the south property line of 10200 Finlayson Drive, to include concrete curb and gutter, a 1.5 m wide treed/grassed boulevard at the back of the curb, a 1.5 m wide concrete sidewalk, and street lighting, complete with transition to the existing condition to the north and south.
Note: After the SA works are completed, the applicant will be reimbursed a total of \$33,703.20, previously paid to the City as part of SD 11- 594452 in-lieu of constructing boulevard improvements along the frontage of 10180 and 10200 Finlayson Drive.
- b. The applicant is required to replace Hydro lease light with City Street light and review street lighting levels along the Finlayson Drive frontage and upgrade lighting as required.
- c. The applicant is required to coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground proposed Hydro service lines (this is required for all 3-lot subdivision proposals).
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.).

General Items

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

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

- Installation of tree protection fencing around all trees to be retained (tag #'s 5 and 6). Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

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

- Prior to approval of the first stage of subdivision, the applicant is required to submit a signed and sealed plan from a registered BC Land Surveyor that the existing buildings and structures at 10160 Finlayson Drive meet all of the requirements of the RS2/B zoning, including the PH-225

- Prior to approval of the second stage of subdivision, the applicant is required to pay Development Cost Charges (City and GVS&DD), School Acquisition Charges, Address Assignment Fees and the current year's taxes.

Prior to Building Permit* issuance, the applicant must complete the following requirements:

- Submit a Construction Parking and Traffic Management Plan to the Transportation Department. The Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

Note:

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

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

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

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

(signed concurrence on file)

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9684 (RZ 15-713737)
10140 and 10160 Finlayson Drive**

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

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

P.I.D. 001-320-912

Lot 327 Section 23 Block 5 North Range 6 West New Westminster District Plan 46141

P.I.D. 003-690-768

Lot 328 Section 23 Block 5 North Range 6 West New Westminster District Plan 46141

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9684"**.

FIRST READING

MAR 13 2017

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER





City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

Date: March 6, 2017
File: RZ 16-743867


Re: Application by Mickey Chow for Rezoning at 9680 Aquila Road from Single Detached (RS1/E) to Residential Child Care (RCC)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9685, for the rezoning of 9680 Aquila Road from "Single Detached (RS1/E)" to "Residential Child Care (RCC)", be introduced and given first reading.


Wayne Craig
Director, Development

SDS:blg
Att. 7

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Community Social Development	<input checked="checked" type="checkbox"/>	 FOR DOF ELC/CA

Staff Report

Origin

Mickey Chow has applied to the City of Richmond for permission to rezone the property at 9680 Aquila Road from the “Single Detached (RS1/E)” zone to the “Residential Child Care (RCC)” zone, to accommodate a licensed child care facility for a maximum of 16 children (Attachment 1). The site is currently occupied by a single-family dwelling, which will be demolished. A site survey is included in Attachment 2.

The existing single-family dwelling on the subject property currently accommodates a licensed child care facility for a maximum of 10 children, which is permitted under the existing “Single Detached (RS1/E)” zone. Rezoning is required in order to accommodate the proposed child care facility for a maximum of 16 children.

The applicant is proposing to demolish the existing single-family dwelling and construct a new single-family dwelling; with the ground floor dedicated to child care space and the second floor used for residential purposes only (Attachment 3). Registration of a legal agreement on Title to ensure that all habitable floor area on the ground floor is used for child care purposes only is required prior to final adoption of the rezoning bylaw.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 4).

Surrounding Development

Development immediately surrounding the site is as follows:

- | | |
|--------------------------|---|
| To the North
& South: | Single-family dwellings on lots zoned “Single Detached (RS1/E)” fronting Aquila Road. |
| To the East: | Single-family dwellings on lots zoned “Single Detached (RS1/E)” fronting Anahim Drive. |
| To the West: | Across Aquila Road, McNair Secondary School on a lot zoned “School & Institutional Use (SI)”. |

Related Policies & Studies

Official Community Plan

The Official Community Plan (OCP) land use designation for the subject property is “Neighbourhood Residential” (NRES), which supports child care facilities. The proposed rezoning would comply with this designation.

Floodplain Management Implementation Strategy

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

Richmond Child Care Needs Assessment and Strategy

The Richmond Child Care Needs Assessment and Strategy provides a comprehensive review and analysis of Richmond's city-wide child care needs from 2009 to 2016. The applicant's proposal addresses the need for child care spaces as identified in the Strategy. Community Social Development staff are currently conducting an update to the Strategy, which is anticipated to be presented to Council in the spring of 2017 for consideration.

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*.

Vancouver Coastal Health

The proposal was referred to Vancouver Coastal Health (VCH), which administers child care facility licensing programs, and reviews applications to ensure health, safety and care requirements. VCH Child Care Facility Licensing staff commented that the proposal meets licensing requirements and there are no concerns with the proposal.

Analysis**Legal Encumbrances**

There is an existing 3.0 m wide statutory right-of-way (SRW) registered on Title for utilities (sanitary sewer) along the rear of the property. However, the existing inspection chamber is outside the existing SRW. Prior to final adoption of the rezoning bylaw, the applicant must provide a new 3.0 m wide utility SRW in the northeast corner of the lot; extending from the east property line to 1.0 m past the inspection chamber. The existing and new SRWs will not be impacted by the proposed development and encroachment into the SRWs is not permitted.

Zoning

The proposed "Residential Child Care (RCC)" zone allows child care as a permitted use within single-family dwellings. The zone is modelled after the standard single-family zones; with the primary difference being that it allows an increase in the number of children permitted in the

child care facility, from 10 to 16. The zone would allow for a maximum house size of 323.5 m² (3,482 ft²) to be constructed on the subject property. The proposed redevelopment would comply with the requirements of the "Residential Child Care (RCC)" zone.

BC Building Code

As per the BC Building Code, the child care space on the ground floor and the residential space on the second floor have different classifications and as a result, different code requirements, with the child care use requiring a higher level of fire and life safety protection. The applicant has provided a Code Report prepared by a Professional Engineer that demonstrates compliance to the BC Building Code for both portions of the proposed structure. The proposal includes fire-resistant building materials, a fire alarm and sprinkler system throughout the entire building, and separate dedicated access to the residential area.

The City's Building Approvals Department have reviewed the Code Report and find the report satisfies their requirements. Compliance to the BC Building Code will be ensured at the Building Permit stage.

Parking

Based on the proposal, the Zoning Bylaw requires a total of seven vehicle parking spaces to be provided on-site; three spaces for staff, two spaces for visitors and two spaces for residents. The applicant proposes to provide two spaces in an enclosed garage and the remaining five spaces in front of the proposed single-family dwelling (Attachment 3).

Bicycle parking will be provided in accordance with the Zoning Bylaw; one Class 1 stall will be provided in a secured area in the garage and four Class 2 stalls will be provided in an accessible area in the front yard, near the entry of the proposed child care facility.

Landscaping

In order to screen the required vehicle parking from the street, the applicant is proposing to provide a 3 m wide landscaped buffer between the front lot line and the parking area (Attachment 5). The landscaped buffer will consist of trees, shrubs, flowers and a 1.2 m high cedar fence.

To ensure the proposed landscaping works are undertaken, the applicant will be required to provide a Landscaping Security in the amount of \$5,000 prior to final adoption of the rezoning bylaw. Securities will not be released until a landscaping inspection has been passed by City staff after construction and landscaping has been completed. The City may retain a portion of the security for a one year maintenance period from the date of the landscape inspection.

Tree Retention and Replacement

A Certified Arborist's Report was submitted by the applicant; which identifies tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses five trees located on the subject site, two trees located on neighbouring properties, and one City-owned tree.

The Arborist's recommendations include retaining two trees on-site (tag# 5 & 6), two trees on the neighbouring property (tag# 7 & 8) and one City-owned tree (tag# 1), and removing three trees on-site (tag# 2, 3 & 4) in poor condition. Staff have reviewed the Arborist's Report, conducted an on-site visual tree assessment, and concur with the Arborist's recommendations.

Tree Protection

The proposed Tree Management Diagram is shown in Attachment 6, which outlines the protection of the two trees on-site; two trees on the neighbouring property; and one City-owned tree. Prior to the demolition of the existing dwelling on the subject site, the applicant is required to install tree protection fencing around all trees to be retained, in accordance with the City's Tree Protection Information Bulletin TREE-03.

To ensure the protection of the five trees (tag# 1, 5, 6, 7 & 8), the applicant is required to complete the following prior to final adoption of the rezoning bylaw:

- Submission to the City of a contract with a Certified Arborist for supervision of all works conducted within or in close proximity to tree protection zones.
- Submission of a Tree Survival Security to the City in the amount of \$20,000 for the two on-site trees to be retained.
- Submission of a Tree Survival Security to the City in the amount of \$3,100 for the one City-owned tree to be retained.

Tree Replacement

For the removal of the three trees on-site, the Official Community Plan (OCP) tree replacement ratio goal of 2:1 requires a minimum of six replacement trees to be planted and maintained on the proposed lots. The applicant has proposed to plant and maintain six replacement trees on the subject lot.

As per Tree Protection Bylaw No. 8057, based on the sizes of the on-site trees being removed (26, 33, 34 cm dbh), replacement trees shall be the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	or	Minimum Height of Coniferous Replacement Tree
2	6 cm		3.5 m
4	8 cm		4 m

To ensure the six replacement trees are planted on-site at development stage, the applicant will be required to provide a Landscape Security. Additional information is provided in the "Landscaping" section of this report.

Site Servicing and Frontage Improvements

At Building Permit stage, the applicant is required to pay the costs associated with the completion of the required servicing works as described in 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 purpose of this rezoning application is to rezone the property at 9680 Aquila Road from the "Single Detached (RS1/E)" zone to the "Residential Child Care (RCC)" zone, to accommodate a licensed child care facility with a maximum of 16 children.

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

The list of rezoning considerations is included in Attachment 7, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9685 be introduced and given first reading.



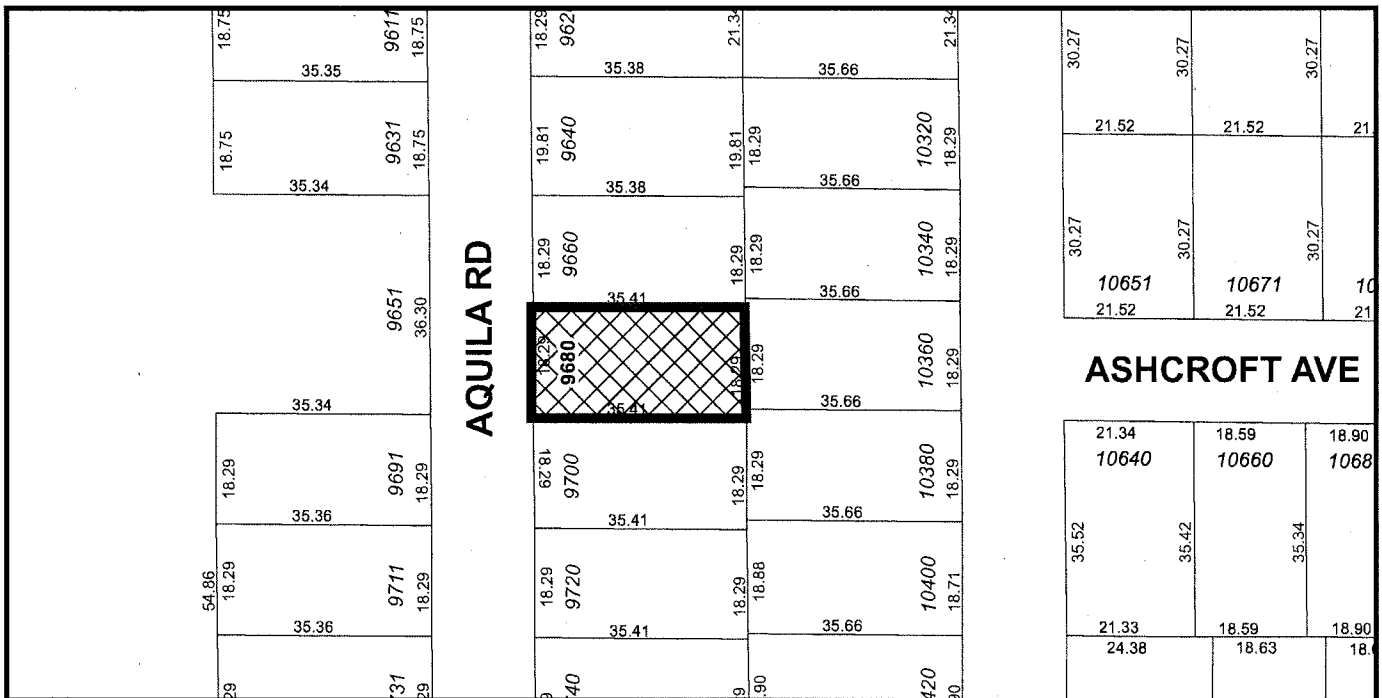
Steven De Sousa
Planning Technician – Design
(604-276-8529)

SDS:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Legal Survey
- Attachment 3: Proposed Site Plan
- Attachment 4: Development Application Data Sheet
- Attachment 5: Landscape Plan
- Attachment 6: Tree Management Plan
- Attachment 7: Rezoning Considerations

PROPOSED REZONING

Map showing various zoning districts (e.g., RS1/E, RD1, RTL3, SI, ASY, RC1, RC2, RC3, ZS4, CH) and streets (e.g., Albion Rd, Aquila Rd, Williams Rd, Aragon Rd, Anaheim Dr, Ashcroft Ave, Anglesea Dr, Athabasca Dr). A large area is designated for **PROPOSED REZONING**.



RZ 16-743867

Note: Dimensions are in METRES



City of
Richmond



RZ 16-743867

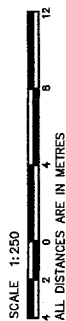
Original Date: 09/27/16

Revision Date:

Note: Dimensions are in METRES

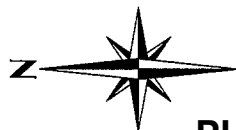
**ELEVATION PLAN OF LOT 45
SECTION 26 BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT PLAN 32239**

Q/MC ADDRESS:
9680 Aquila Street
RICHMOND B.C.
PID: 003-961-770

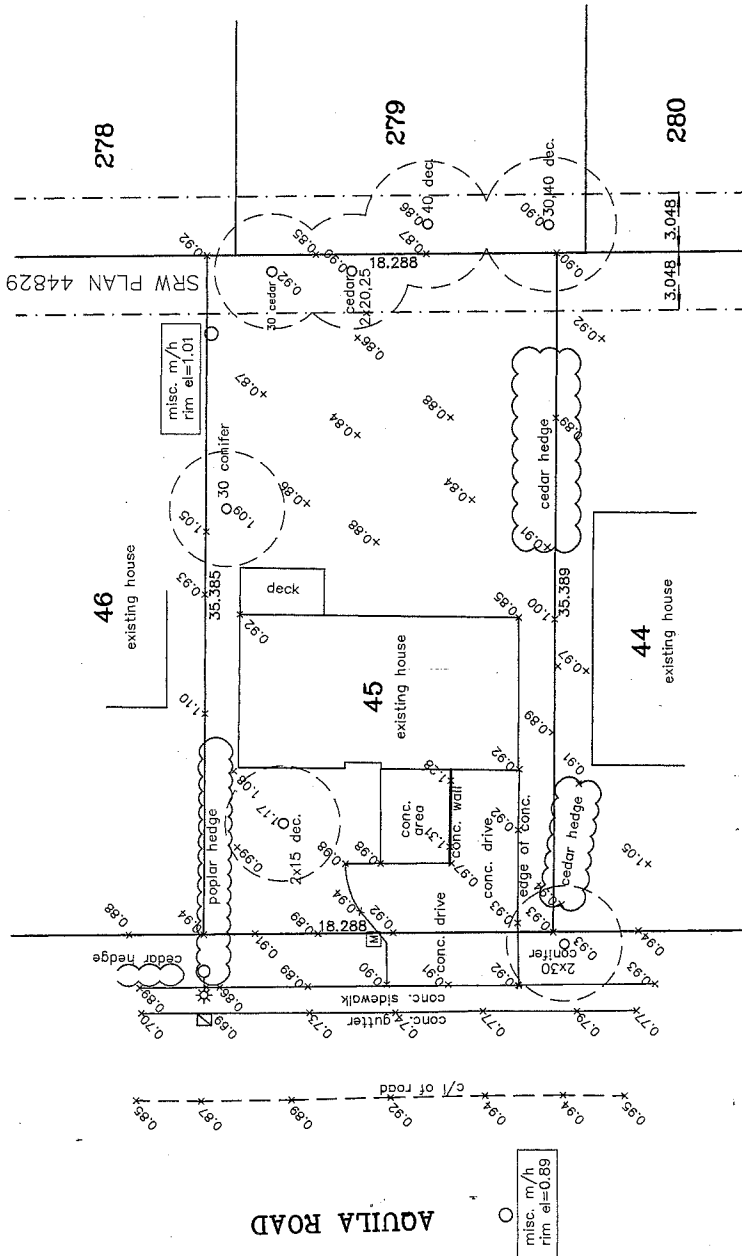


SURVEY LEGEND	
dec.	DECIDUOUS
■	LEAD PLUG
□	CATCH BASIN
*-O	LAMP POST
W	WATER METRE

ZONING CODE: RS1/E
LOT AREA= 6965 s.f.



PH - 236



JAMES CHENG LAND SURVEYING LTD
B.C. Land Surveyor
#35-6736 Southpoint Drive
Burnaby B.C. V3N0A4
(604) 786-8870
jlandsurveying@gmail.com
FILE: 16-70-TP

NOTES:
1) Elevations are in metres and are geoidal.
2) Elevations are derived from City of Richmond
HPN Monument #205(77H4927) el=1.044.
3) This Plan was prepared for architectural design and
site servicing purposes, and is for the exclusive use
of our client.

Dated This 16th Day of
June, 2016.

JAMES CHENG B.C.L.S.



RZ 16-743867

Attachment 4

Address: 9680 Aquila Road

Applicant: Mickey Chow

Planning Area(s): Shellmont

	Existing	Proposed
Owner:	C. Chow & S. Guo	No change
Site Size:	647 m ² (6,965 ft ²)	No change
Land Uses:	Single-family residential and child care	No change
OCP Designation:	Neighbourhood Residential	Complies
Zoning:	Single Detached (RS1/E)	Residential Child Care (RCC)
Number of Units:	1	1
Child Care:	10 children	16 children

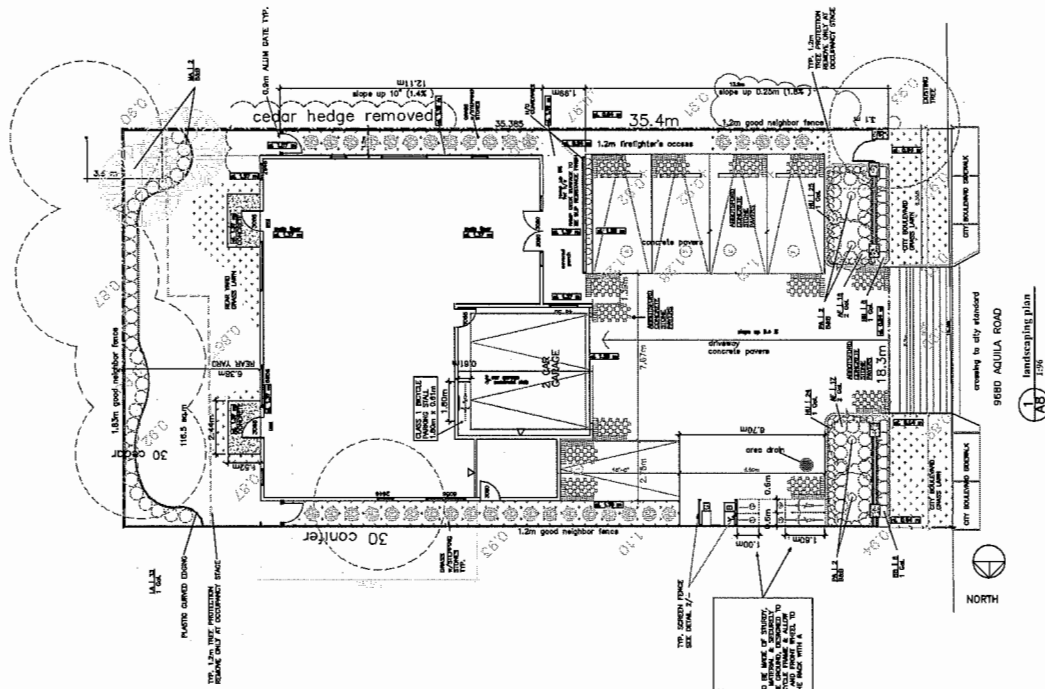
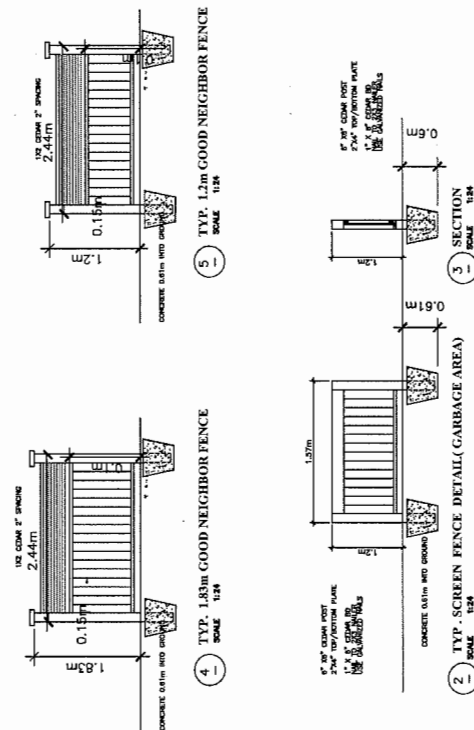
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	0.49	None Permitted
Buildable Floor Area:*	Max. 323.5 m ² (3,482 ft ²)	316.5 m ² (3,407 ft ²)	None Permitted
Child Care	Max. 16 children	Max. 16 children	None
Lot Coverage:	Building: Max. 40% Non-porous: Max. 70% Landscaping: Min. 20%	Building: 35% Non-porous: 69% Landscaping: 31%	None
Lot Size:	540.0 m ²	647 m ²	None
Lot Dimensions:	Width: 15.0 m Depth: N/A	Width: 18 m Depth: 35 m	None
Setbacks:	Front: Min. 6.0 m Rear: Min. 6.0 m Interior Side: Min. 1.2 m	Front: 13.67 m Rear: 6.38 m Interior Side: 1.22 m	None
Height:	Max. 2 ½ storeys	Max. 2 ½ storeys	None
Off-street Parking Spaces:	Residents: 2 Employees: 3 Visitors: 2 Total: 7	Residents: 2 Employees: 3 Visitors: 2 Total: 7	None
Bicycle Parking:	Class 1: 1 Class 2: 4	Class 1: 1 Class 2: 4	None

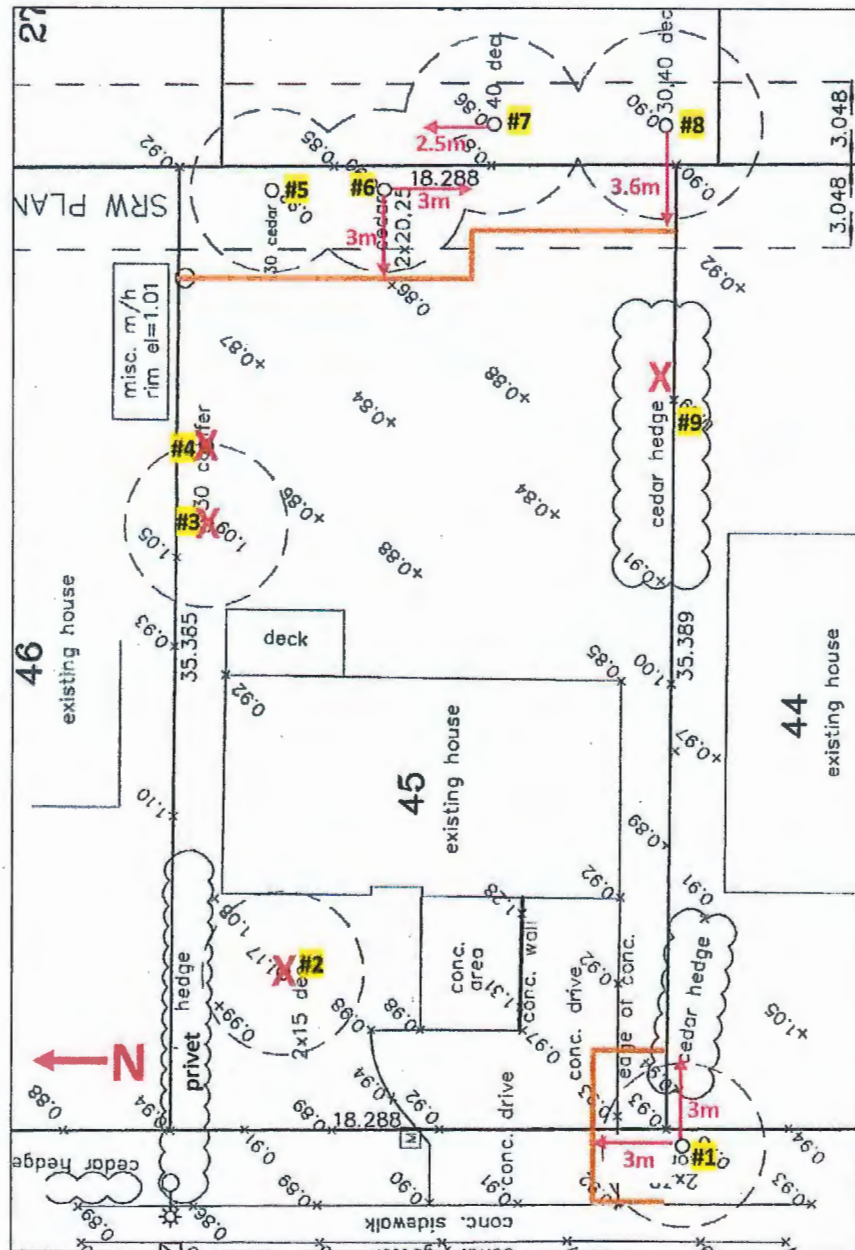
Other: Tree replacement compensation required for loss of significant trees.

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

HEIGHT AND CALIPER SIZE SHOWN ARE AT TIME
OF PLANTING. ALL TREES TO BE B&B (ball & burlap) AND
PLANT TO AT LEAST MINIMUM SIZE AS SHOWN ON TABLE.
ALL PLANTS AND TREES TO BE SUPPLIED BY ART'S NURSERY (www.artnursery.com)

PLANT SCHEDULE					
TREES	QTY.	BOTANICAL/COMMON NAME	SIZE	HEIGHT	SPREAD
PM	4	ARECACEAE/PALM TREE	B&B	4m	2.4m
MA	2	MAGNOLIA	B&B	4m	3m - 5m
SHRUBS/FLOWERS					
BB	16	BUXUS BOXWOOD	1 Gal.	0.9m	0.9m
HU	49	HOSTA UNDULATA	1 Gal.	0.5m	0.5m
AF	33	ASTELIA FRAGRANS/BUSH LILY	2 Gal.	1m	1m
LA	33	HIDCOTE/LAVENDER	1 Gal.	0.9m	0.6m





Tree Retention & Removal Plan, Scale 1:250

SUITABLE REPLACEMENT TREES (Botanical name)
Stewartia (<i>Stewartia pseudocamellia</i>)
Dik's Weeping Cypress (<i>Chamaecyparis lawsoniana</i> 'Dik's Weeping')
Purple Fountain European Beech (<i>Fagus sylvatica</i> 'Purple Fountain')
Japanese Tree Lilac 'Ivory Silk' (<i>Syringa reticulata</i> 'Ivory Silk')
Paperbark maple (<i>Acer griseum</i>)



Address: 9680 Aquila Road

File No.: RZ 16-743867

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9685, the developer is required to complete the following:

1. Submission of a Landscape Security in the amount of \$5,000 to ensure that the proposed landscaping works in Attachment 5 are undertaken and that a total of six replacement trees are planted and maintained on the lot with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	or	Minimum Height of Coniferous Replacement Tree
2	6 cm		3.5 m
4	8 cm		4 m

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

2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
3. Submission of a Tree Survival Security to the City in the amount of \$20,000 for the two (2) on-site trees to be retained.
4. Submission of a Tree Survival Security to the City in the amount of \$3,100 for the one (1) City-owned tree to be retained.
5. The registration of a 3 m wide statutory right-of way in the northeast corner of the development site for sanitary sewer, extending from the east property line to 1.0 m past the existing inspection chamber.
6. Registration of a flood indemnity covenant on Title.
7. Registration of a legal agreement on Title, ensuring that all habitable floor area on the ground floor is used for child care purposes only.

At Demolition Permit* stage, the developer must complete the following requirements:

1. Installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and must remain in place until construction and landscaping on-site is completed.

At Building Permit* stage, 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. The following servicing works and off-site improvements may be completed through either: a) a Servicing Agreement* entered into by the applicant to design and construct the works to the satisfaction of the Director of Engineering; or b) a cash contribution based on a City cost estimate for the City to manage the design and construction of the works:

Water Works:

- a. Using the OCP Model, there is 142.0 L/s of water available at a 20 psi residual at the Aquila Road frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- b. The Developer is required to:

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Initial: _____

- Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
- c. At Developer's cost, the City is to:
 - Install a new 25 mm water service connection, complete with meter and meter box, off of the existing 150 mm AC water main on the Aquila Road frontage.
 - Cut and cap, at main, the existing water service connection on the Aquila Road frontage.

Storm Sewer Works:

- d. At Developer's cost, the City is to:
 - Cut and cap, at inspection chamber, the existing storm service connection at the northwest corner of the development site.
 - Install a new storm service connection, complete with inspection chamber, off of the existing 250 mm storm sewer along the Aquila Road frontage.

Sanitary Sewer Works:

- e. The Developer is required to:
 - Check the existing sanitary service connection at the northeast corner of the development site and confirm the material, capacity, and condition of the inspection chamber and pipe by video inspection. If deemed acceptable by the City, the existing service connection may be retained. In the case that the service connection or inspection chamber is not adequate, a new sanitary service connection, complete with inspection chamber, shall be installed off of the existing rear-yard sanitary main by the City at the Developer's cost.
 - Provide, at no cost to the City, an additional 3.0 m-wide statutory right-of-way in the northeast corner of the development site, extending from the east property line to 1.0 m past the existing sanitary inspection chamber.

Frontage Improvements:

- f. The Developer is required to:
 - Coordinate with BC Hydro, Telus and other private communication service providers.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.). These shall be located on-site.
 - Other frontage improvements as per Transportation's requirements

General Items:

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

Note:

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

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

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

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

[Signed copy on file]

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9685 (RZ 16-743867)
9680 Aquila Road**

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

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

P.I.D. 003-961-770

Lot 45 Section 26 Block 4 North Range 6 West New Westminster District Plan 32239

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9685"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 27 2017

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

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

Date: February 24, 2017
File: RZ 15-708960

Re: Application by Zhao XD Architect Ltd. for Rezoning at 9880 Granville Avenue and 7031 No. 4 Road from "Single Detached (RS1/F)" Zone to "Medium Density Townhouses (RTM2)" Zone

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9686, for the rezoning of 9880 Granville Avenue and 7031 No. 4 Road from "Single Detached (RS1/F)" zone to "Medium Density Townhouses (RTM2)" zone, be introduced and given first reading.

W. Craig
for: Wayne Craig
Director, Development

EL:blg
Att. 6

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	<i>[Signature]</i> FOR DOE PRLSH

Staff Report

Origin

Zhao XD Architect Ltd. has applied to the City of Richmond for permission to rezone 9880 Granville Avenue and 7031 No. 4 Road (Attachment 1) from the “Single Detached (RS1/F)” zone to the “Medium Density Townhouses (RTM2)” zone in order to permit the development of seven three-storey townhouse units with vehicle access from 9800 Granville Avenue. The two properties are proposed to be consolidated into one development parcel, which will have a frontage of approximately 41.60 m along No. 4 Road and a frontage of approximately 28.85 m along Granville Avenue. A preliminary site plan, building elevations, and landscape plan are contained in Attachment 2. The site currently contains two single-family homes (one on each lot), which will be demolished.

Findings of Fact

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

Surrounding Development

- To the North: Across Granville Avenue, a seven-unit townhouse development on a site zoned “Town Housing (ZT60) – North McLennan (City Centre)” and a duplex on a site zoned “Two-Unit Dwellings (RD1)”.
- To the South: A 22-unit townhouse development on a site zoned “Low Density Townhouses (RTL1)”.
- To the East: Across No. 4 Road, a single-family home on a lot zoned “Agriculture (AG1)” located within the Agriculture Land Reserve (ALR).
- To the West: A recently approved townhouse development with 18 three-storey townhouse units (RZ 14-658085 and DP 14-671945).

Related Policies & Studies

Official Community Plan

The subject property is designated “Neighbourhood Residential (NRES)” in the Official Community Plan (OCP). This land use designation allows single family, two-family and multiple family housing (specifically townhouses). The proposed townhouse development would be consistent with the OCP.

McLennan South Sub-Area Plan

The subject property is located within the McLennan South Sub-Area Plan (Schedule 2.10D of OCP Bylaw 7100) (Attachment 4 – Land Use Map). The site is designated as “Neighbourhood C2” for residential developments up to three storeys. The proposal of three-storey townhouse development in triplex and quadplex form is consistent with the Sub-Area Plan.

Minimum Site Assembly Size

The configuration of the subject site does not comply with the minimum site assembly guidelines under the McLennan South Sub-Area Plan in terms of both minimum frontage width and minimum lot area. The subject site is an orphaned lot landlocked by a recently approved townhouse development to the west (9800 Granville Avenue) and the existing townhouse development to the south (7060 Bridge Street).

A Public Rights-of- Passage (PROP) statutory right-of-way (SRW) on 9800 Granville Avenue was secured for vehicle access in anticipation of the development of the subject site, the proposed development can be considered as an extension of the adjacent townhouse development. A high quality pedestrian environment along the fronting streets will be created, as no driveway access to Granville Avenue will be required.

Project Density

While the base density permitted on the subject site is 0.55 FAR, the Area Plan provides allowances for density bonusing in order to achieve community amenities and affordable housing. The proposed rezoning to "Medium Density Townhouses (RTM2)" zone would allow a maximum density of 0.65 FAR (i.e., total buildable area approximately 812.5 m² or 8,746 ft²). This density would be in keeping with the range of densities of other projects within the "C1" and "C2" neighbourhoods in the McLennan South Sub-Area Plan, and is supportable to staff.

Staff support the proposed density based on the following:

- Affordable housing: the City's Affordable Housing Strategy supports the use of density bonusing to achieve the objectives of the Strategy. The applicant has agreed to provide a voluntary cash contribution in the amount of \$34,983.85 (\$4.00 per buildable square foot) to the City's Affordable Housing Reserve Fund in keeping with the Affordable Housing Strategy requirements for townhouse developments.
- The subject development is considered an extension of the adjacent recently approved townhouse development at 9800 Granville Avenue (RZ 14-658085 and DP 14-671945) The proposed density for the subject site is the same as the density permitted on the adjacent site.
- The Area Plan supports use of density bonusing to promote child care facility development and the applicant has agreed to provide a voluntary cash contribution in the amount of \$13,000 to the City's Child Care Fund.
- The Area Plan supports use of density bonusing to promote the development of barrier-free housing and the proposal will provide two convertible housing units.
- A 2.0 m wide road dedication across the entire No. 4 Road development frontage and a 4 m x 4 m corner cut at the No. 4 Road/Granville Avenue intersection are required.
- Frontage improvements along Granville Avenue including: minor widening of Granville Avenue and modification to the southwest corner of the No. 4 Road/Granville Avenue intersection; a new 1.75 m wide concrete sidewalk; and a 1.5 m wide grass and treed boulevard, as well as storm sewer upgrades, will be required.

- Frontage improvements along No. 4 Road including: a new 1.5 m wide concrete sidewalk; a 2.0 m wide grass boulevard; and a 3 m x 9 m concrete bus pad will be required.

Agricultural Land Reserve (ALR) Buffer Zone

A landscape buffer is required within the subject site; along the site's No. 4 Road frontage. The buffer is intended to mitigate land use conflicts between the residential uses on the subject site and any agricultural land uses east of No. 4 Road. The proposed landscape buffer was referred to the Agricultural Advisory Committee (AAC) on January 19, 2017 for their review and comments. Overall, the AAC was supportive of the proposal, but requests that the species *vaccinium ovalifolium* (Oval-leaf Blueberry) be replaced/removed, as it may play host to disease. Staff will work with the applicant to amend the proposed planting plan through the Development Permit stage.

In addition to the landscaping requirements of the buffer, a restrictive covenant will be registered on Title, indicating that the landscaping implemented along the eastern side of the development site's No. 4 Road frontage cannot be removed or modified without the City's approval. The covenant would identify that the landscape planting is intended to be a buffer to mitigate the impacts of noise, dust and odour generated from typical farm activities.

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

The applicant has forwarded confirmation that a development sign has been posted on the site. Staff did not receive any written correspondence expressing concerns in association with the subject application.

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 applicant proposes to consolidate the two properties into one development parcel with a total net site area of 1,250 m² and construct seven townhouse units in two clusters. The layout of the townhouse units is oriented around a single driveway; providing access to the site from the adjacent townhouse development at 9800 Granville Avenue. An east-west internal manoeuvring aisle providing access to the unit garages is proposed. The amenity area will be situated along the west property line, to the north of the internal drive aisle.

A Development Permit processed to a satisfactory level is a requirement of zoning approval. Through the Development Permit, the following issues are to be further examined:

- Demonstrate compliance with Development Permit Guidelines for multiple-family projects in the 2041 Official Community Plan Bylaw 9000 and the McLennan South Sub-Area Plan.
- Refinement of the proposed building form to achieve sufficient variety in design and setbacks to create a desirable and interesting streetscape along Granville Avenue, No. 4 Road and along the internal drive aisle.
- Address potential privacy concerns through landscaping and built form.
- Review of size and species of replacement trees to ensure bylaw compliance and to achieve a mix of conifer and deciduous trees onsite.
- Refinement of the outdoor amenity area design including the choice of play equipment.
- Refinement of landscape/ALR buffer design and plant species in respond to Agricultural Advisory Committee's comments.
- Review of a sustainability strategy for the development proposal including measures to achieve an EnerGuide Rating System (ERS) score of 82.

Additional issues may be identified as part of the Development Permit application review process.

Existing Legal Encumbrances

There is an existing 3.0 m wide utility right-of-way along the southern portion of the west property line of the site. A portion of this existing utility right-of-way can be discharged as the development will alter existing service connections. The extent of the sanitary right-of-way to be discharged will be finalized via the servicing agreement design, at Building Permit stage.

Transportation and Site Access

No direct vehicular access is permitted along either the Granville Avenue or No. 4 Road development frontage. Vehicular access to the subject site will be provided via the Public Rights-of-Passage (PROP) statutory right-of-way (SRW) over the internal drive-aisle secured through the development of the adjacent site to the west at 9800 Granville Avenue in 2016. A legal opinion prepared by the applicant's lawyer confirms that the City can rely on this SRW. The developers of the adjacent site at 9800 Granville Avenue are aware of this arrangement. Registration of a legal agreement on Title, ensuring that all vehicle access will be limited to the SRW on 9800 Granville Avenue, will be required prior to final adoption of the rezoning bylaw.

The proposal will feature four units with a total of eight stalls in a tandem arrangement, which is consistent with the tandem parking provision of Richmond Zoning Bylaw 8500. A restrictive covenant to prohibit the conversion of the tandem garage area into habitable space is required prior to final adoption.

Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which assesses the structure and condition of on-site and off-site tree species, and provides recommendations on tree retention and removal. The Report assesses seven bylaw-sized trees on the subject properties, and one street tree on City property (Attachment 5). All seven trees on site will be removed due to poor structural condition; 14 replacement trees are required. According to the Preliminary Landscape Plan (Attachment 2), the developer is proposing to plant 16 new trees on-site. The size and species of replacement trees will be reviewed in detail through Development Permit and overall landscape design.

Parks Operation staff has reviewed the Arborist's Report, conducted a site visit, and authorize the removal of the Birch tree on the northwest corner of this property, as well as the portion of the Cedar hedge along the north property line due to their poor condition. Compensation of \$1,300 is required for the removal of the Birch tree.

Affordable Housing Strategy

Consistent with the Affordable Housing Strategy, the applicant proposes to make a cash contribution to the Affordable Housing Reserve Fund at \$4.00 per buildable square foot; for a contribution of \$34,983.85.

Townhouse Energy Efficiency and Renewable Energy

The applicant has committed to achieving an EnerGuide Rating System (ERS) score of 82 and providing pre-ducting for solar hot water for the proposed development. A Restrictive Covenant; specifying all units are to be built and maintained to the ERS 82 or higher, and that all units are to be solar-hot-water-ready, is required prior to rezoning bylaw adoption. As part of the Development Permit Application review process, the developer is also required to retain a certified energy advisor (CEA) to complete an Evaluation Report to confirm details of construction requirements needed to achieve the rating.

Amenity Space

The applicant is proposing a contribution in-lieu of on-site indoor amenity space in the amount of \$7,000 as per the Official Community Plan (OCP) and Council Policy.

Outdoor amenity space will be provided on-site. Based on the preliminary design, the size of the proposed outdoor amenity space complies with the Official Community Plan (OCP) minimum requirements of 6 m² per unit. Staff will work with the applicant at the Development Permit stage to ensure the configuration and design of the outdoor amenity space meets the Development Permit Guidelines in the OCP.

Site Servicing and Frontage Improvements

Prior to final adoption of the rezoning bylaw, the developer is required to provide a 2.0 m wide road dedication across the entire No. 4 Road development frontage; including a 4 m x 4 m corner cut at Granville Avenue.

Then, prior to issuance of the Building Permit, the client is required to enter into the City's standard Servicing Agreement to design and construct frontage beautification along both Granville Avenue and No. 4 Road site frontages, as well as storm upgrades along Granville Avenue (see Attachment 6 for details). All works are at the client's sole cost (i.e., no credits apply). The developer is also required to pay DCC's (City & GVS & DD), School Site Acquisition Charge, Address Assignment Fee.

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 seven-unit townhouse development is consistent with the Official Community Plan (OCP) regarding developments within the McLennan South Sub-Area. The proposal would be consistent with the form and character of the surrounding area. Further review of the project design is required to ensure a high quality project and design consistency with the existing neighbourhood context, and this will be completed as part of the Development Permit application review process.

The applicant has agreed to the list of rezoning considerations (signed concurrence on file) outlined in Attachment 6.

On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9686 be introduced and given first reading.



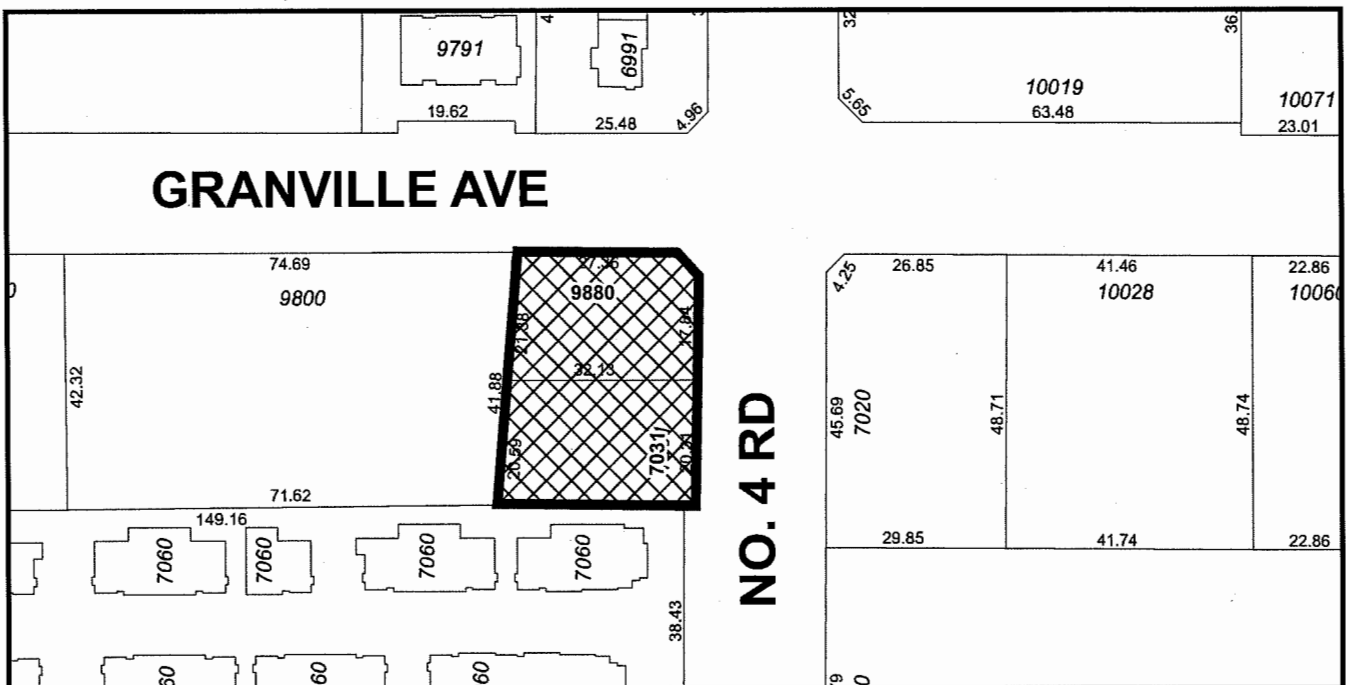
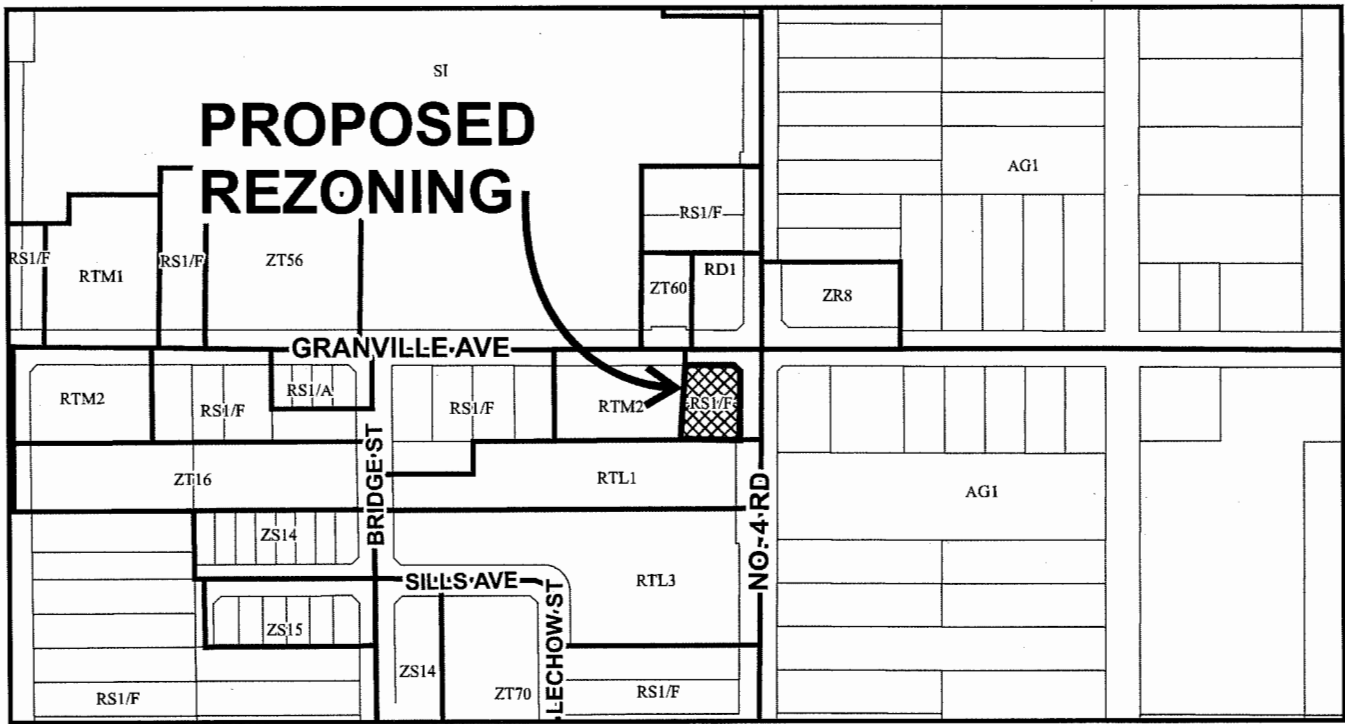
Edwin Lee
Planner 1
(602-276-4121)

EL:blg

Attachment 1: Location Map
Attachment 2: Conceptual Development Plans
Attachment 3: Development Application Data Sheet
Attachment 4: McLennan South Sub-Area Plan Land Use Map
Attachment 5: Tree Management Plan
Attachment 6: Rezoning Considerations



City of
Richmond



RZ 15-708960

Original Date: 09/16/15

Revision Date: 02/15/17

Note: Dimensions are in METRES



City of
Richmond



RZ 15-708960

Original Date: 09/17/15

Revision Date: 02/15/17

Note: Dimensions are in METRES

7-UNIT TOWNHOUSE DEVELOPMENT

9880 GRANVILLE AVE. & 7031 NO. ROAD
RICHMOND, BC

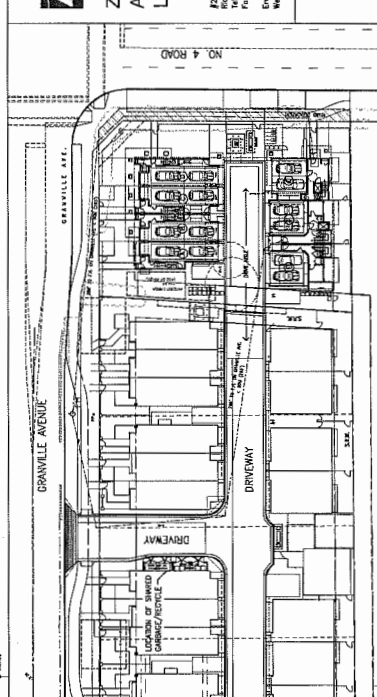
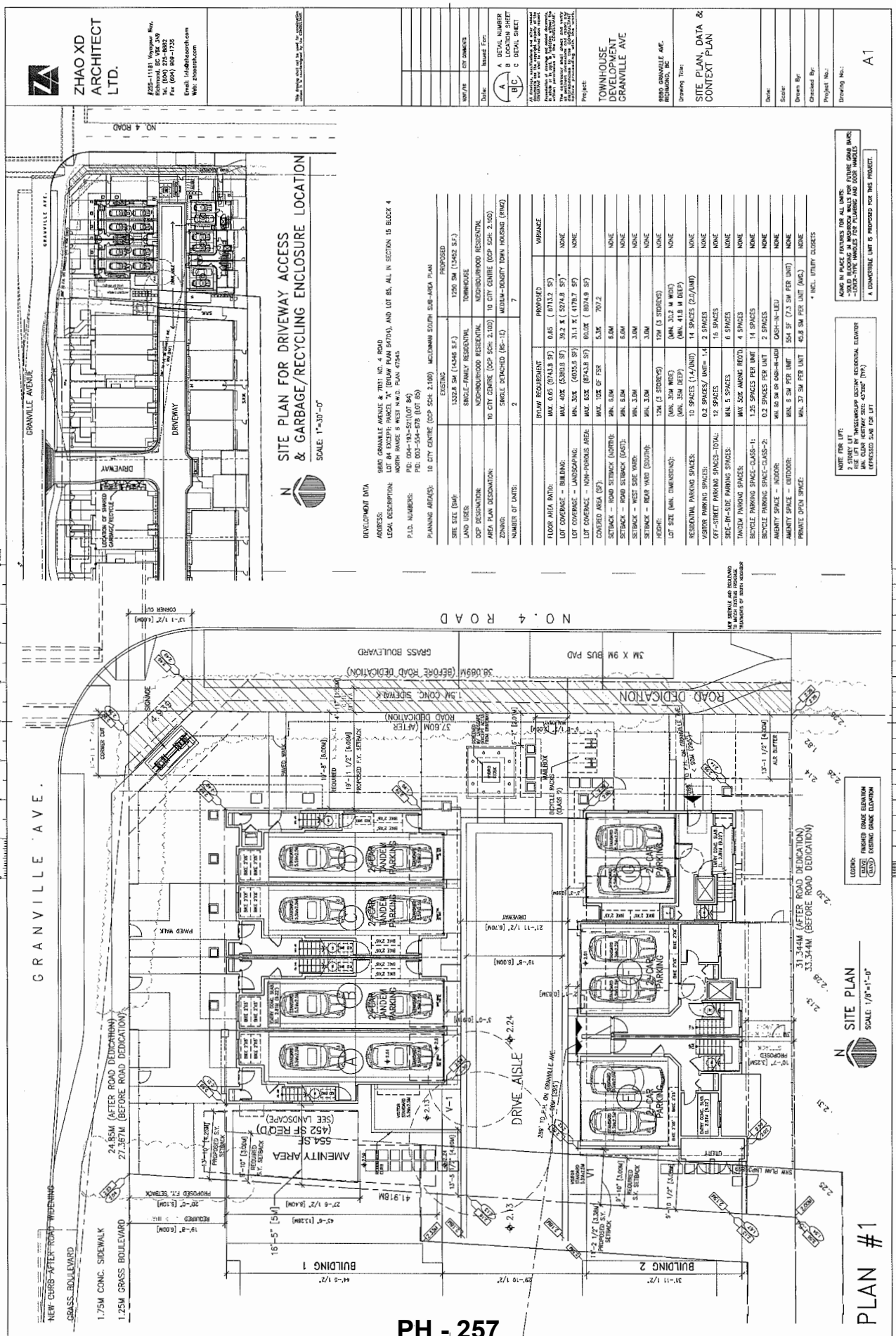


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ZHAO XD ARCHITECT LTD.

www.zhaoarch.com tel: 604 275-8882



**SITE PLAN FOR DRIVEWAY ACCESS
& GARBAGE/RECYCLING ENCLOSURE LOCATION**
SCALE: 1"=30'-0"

DEVELOPMENT DATA

ADDRESS: 1800 GRANVILLE AVENUE & TOWN NO. 4 ROAD
LEGAL DESCRIPTION: LOT 14 EXCEPT, PARCEL 7, (TOWN PLAN 6070), AND LOT 85, ALL IN SECTION 15 BLOCK 4
MUNICIPALITY: NORTH RANGE 8 WEST N.W.3 PLAN 47345
P.L.D. NUMBERS: P.D. 004-193-52 (LOT 84)
P.D. 003-554-679 (LOT 85)
PLANNING AREA: 10 CITY CENTRE (COP SCH. 2.100) MEDIAN SOUTH SUB-AREA PLAN
SITE SIZE (BAY): 1332.8 SM (1448 S.F.) PROPOSED 1250 SM (1348 S.F.)
LAND USE: SINGLE-FAMILY RESIDENTIAL, TOWNHOUSE
COP RESOLUTION: NEIGHBORHOOD RESIDENTIAL
AREA PLAN DESIGNATION: 10 CITY CENTRE (COP SCH. 2.100) 10 CITY CENTRE (COP SCH. 2.100)
ZONING: SINGLE DETACHED (RS-1) MEDIUM-DENSITY TOWN HOUSING (RM2)
NUMBER OF UNITS: 2 7

ITEM	PROPOSED	VARIANCE
FLOOR AREA (SQ. FT.)	1332.8 (1448 S.F.)	0.05 (1711.2 S.F.)
LOT COVERAGE - BUILDING	MAX. 40% (538.12 S.F.)	39.2 X (5274.8 S.F.)
LOT COVERAGE - LANDSCAPING	MIN. 30% (403.59 S.F.)	31.1 X (4178.7 S.F.)
LOT COVERAGE - NON-POROUS AREA	MAX. 10% (133.28 S.F.)	6.0 X (8074.9 S.F.)
COVERED AREA (SQ. FT.)	MAX. 10% OF F.S.R.	5.3 X 707.2
SETBACK - FRONT SETBACK (MIN.)	MIN. 5.0M	NONE
SETBACK - SIDE SETBACK (MIN.)	MIN. 5.0M	NONE
SETBACK - REAR SETBACK (MIN.)	MIN. 3.0M	NONE
SETBACK - REAR YARD (MIN.)	MIN. 3.0M	NONE
HEIGHT	12M (3 STOREYS)	NONE
LOT SIZE (MIN. DIMENSIONS)	(MIN. 30M WIDE)	(MIN. 30.2 M WIDE)
RESIDENTIAL PARKING SPACES	10 SPACES (1.4/UNIT)	14 SPACES (2.0/UNIT)
VEHICLE PARKING SPACES	0.2 SPACES/ UNIT = 1.4	NONE
OFF-STREET PARKING SPACES-TOTAL	12 SPACES	NONE
SPR-ON-SITE PARKING SPACES	MIN. 5 SPACES	NONE
TANDEM PARKING SPACES	MIN. 50% MINIMUM	NONE
VEHICLE PARKING SPACE-CLASS-1	1.25 SPACES PER UNIT	NONE
VEHICLE PARKING SPACE-CLASS-2	0.2 SPACES PER UNIT	NONE
VEHICLE PARKING SPACE-CLASS-3	MIN. 50% OF OFF-STREET	NONE
VEHICLE PARKING SPACE - OUTDOOR	MIN. 8.5M PER UNIT	554 SF (7.3 S.F. PER UNIT)
PRIVATE OPEN SPACE	MIN. 37 SF PER UNIT	45.8 SM PER UNIT (AVAL)

NOTE FOR LIFT:
2 STORY LIFT
MAXIMUM LIFT CLEARANCE ELEVATION
MAX. LIFT CLEARANCE ELEVATION
OPPOSED SIDE FOR LIFT

LEGEND:
EXISTING
PROPOSED
EXISTING GRADE ELEVATION
PROPOSED GRADE ELEVATION

SITE PLAN
SCALE: 1/8"=1'-0"

PLAN #1

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pmg
LANDSCAPE
ARCHITECTS
Suite C100 - 4185 588 Street Drive
Richmond, BC V6X 2C6
P: 604-294-0011 F: 604-294-0022

15-135

PROJECT:
**7 UNIT TOWNHOUSE
DEVELOPMENT**
9880 GRANVILLE AVENUE
AND 7031 No. 4 ROAD
RICHMOND

DRAWING TITLE:
**LANDSCAPE
PLAN**

DRAWING NUMBER:
L1
DATE: August 21, 2015
SCALE: 1/8" = 1'-0"
DRAWN BY: [blank]
DESIGNED BY: [blank]
CHECKED BY: [blank]
PROJECT NUMBER:
15-135

PLANT SCHEDULE	
NO.	PLANT NAME
1	ASHLEAF YEW (HEDERA HELIX)
2	SPRING DAPPLE (LILY OF THE VALLEY)
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PLANT SCHEDULE - ALR BUFFER ONLY	
NO.	PLANT NAME
1	ASHLEAF YEW (HEDERA HELIX)
2	SPRING DAPPLE (LILY OF THE VALLEY)
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FIGURE 1: Concrete Planter: Big Top
By Pico, Inc. Industries

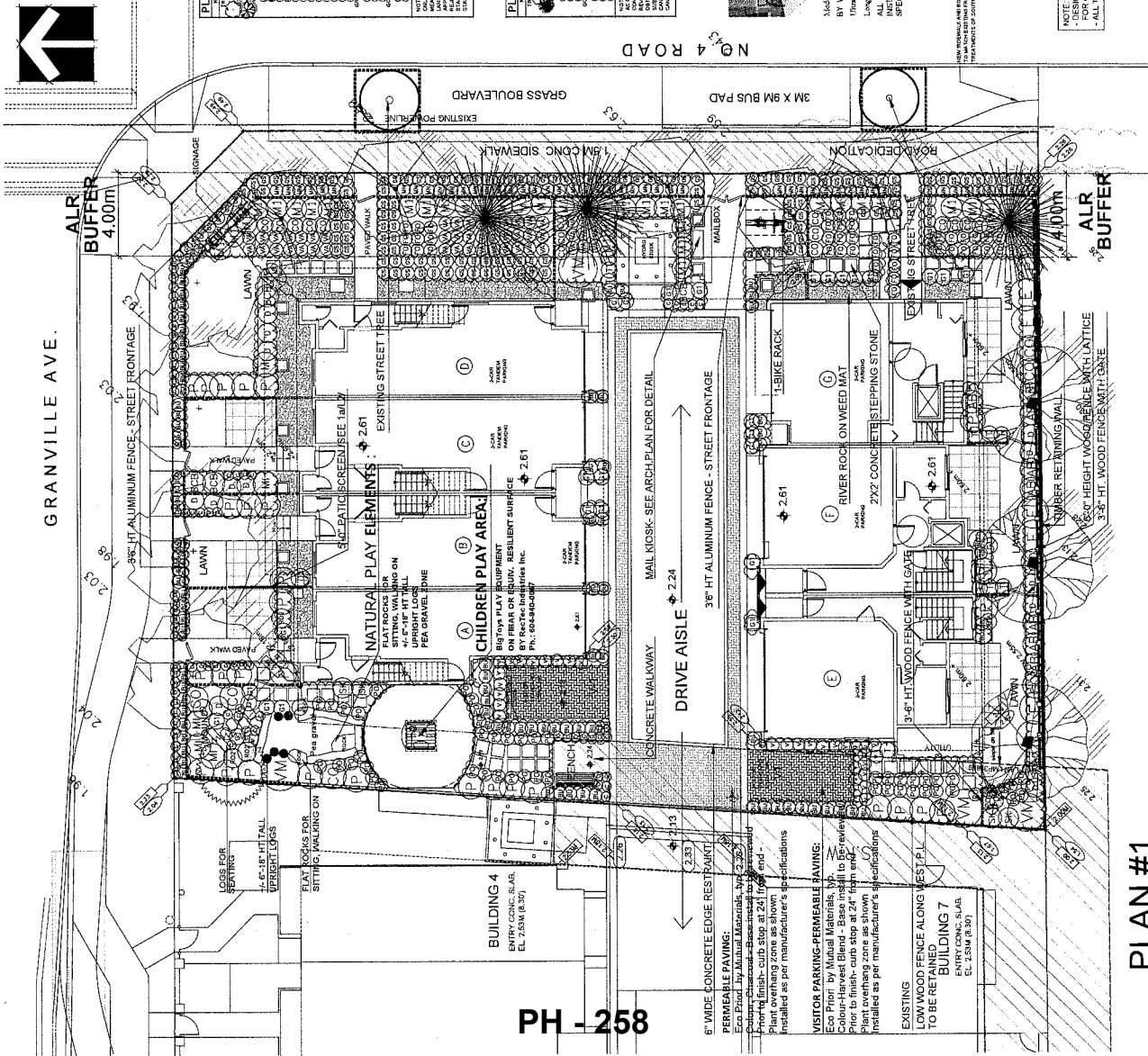


FIGURE 2: Wrought Iron Bench: Big Top
By Pico, Inc. Industries



FIGURE 3: Wrought Iron Bench: Big Top
By Pico, Inc. Industries

NOTE:
- ALL PLANT MATERIALS TO BE PROVIDED.
- FOR OFF-SITE PLANTER, CIVIL PLAN.
- ALL TREES WITHIN FRONT YARDS TO BE CONFIRMED COORDINATED WITH CITY/CDO.



PH - 258

PLAN #1



ZHAO XD
ARCHITECT
LTD.

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Toronto, ON M2H 3P5
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Fax: (416) 906-1726
Email: info@zhaoxd.com
Web: zhaoxd.com

This drawing is not to be used for construction without the written consent of Zhao XD Architect Ltd.

NO.	DATE	BY	CHK	APP
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A. DETAIL NUMBER
B. LOCATION SHEET
C. DETAIL SHEET

TOWNHOUSE
DEVELOPMENT
GRANVILLE AVE

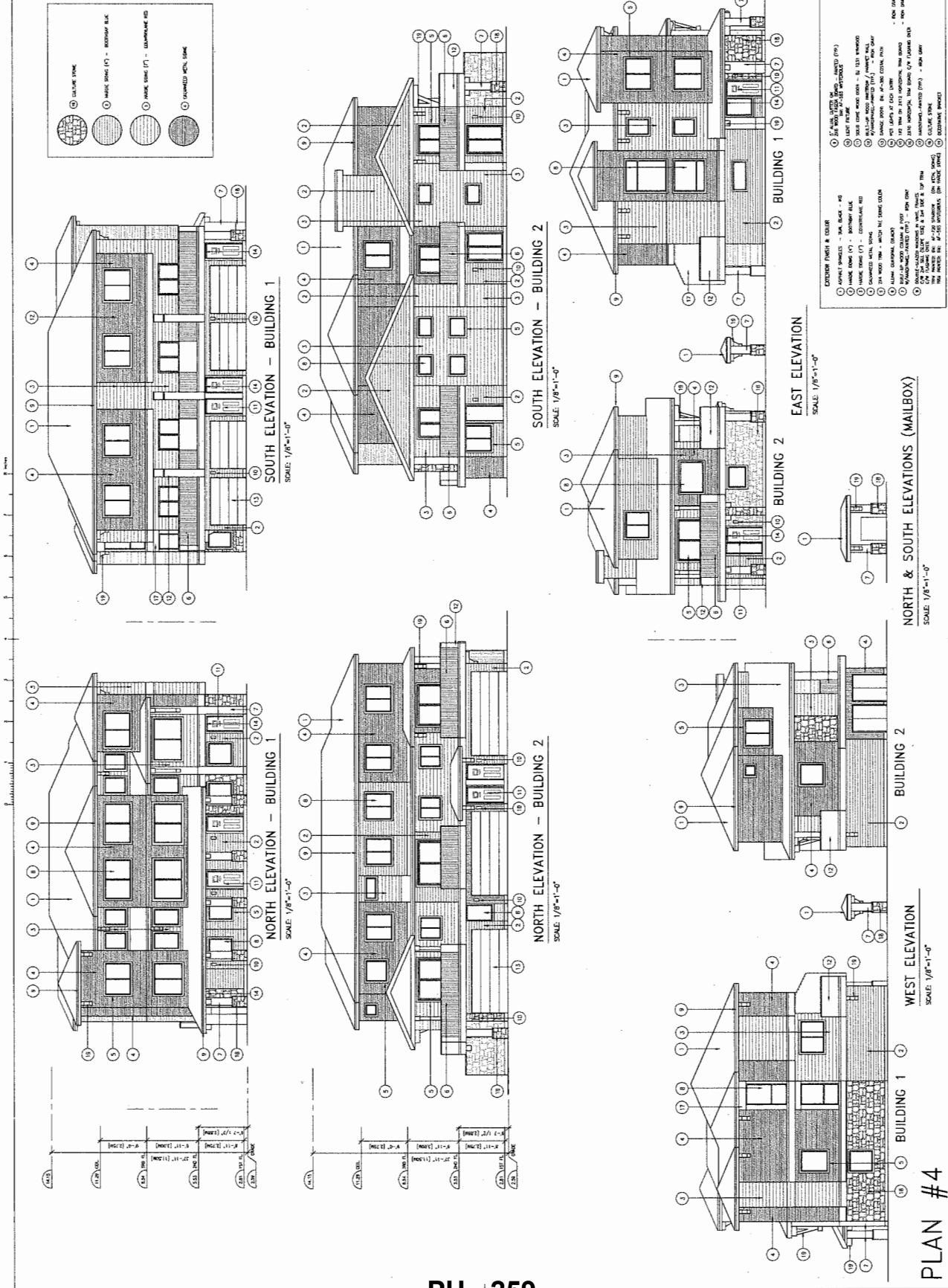
8800 GRANVILLE AVE
RICHMOND, ON

Drawing Title:

ELEVATIONS

Date:
Scale:
Drawn By:
Checked By:
Project No.:
Drawing No.:

A8





ZHAO XD
ARCHITECT
LTD.

855-1181 Woodbury Ave.
New Rochelle, NY 10801
Tel: (646) 275-8882
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Email: info@zhaoxd.com
Web: zhaoxd.com

THE CITY OF NEW YORK
DEPARTMENT OF PLANNING
PLANNING BOARD
100 CITY HALL PLAZA
NEW YORK, NY 10007

DATE: 10/1/2014
DRAWN BY: [Signature]
CHECKED BY: [Signature]
PROJECT NO.: [Signature]
DRAWING NO.: [Signature]

A RETAIL, NUMBER
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C RETAIL, PAGE

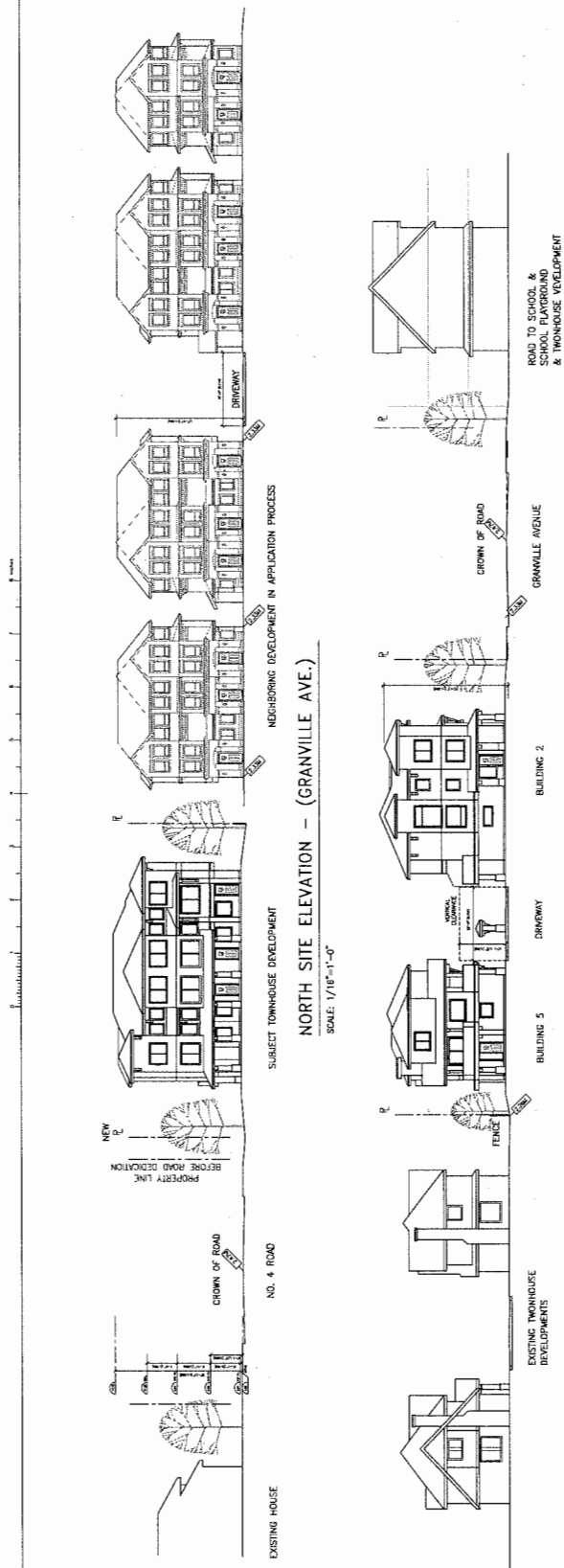
Project:
TOWNHOUSE
DEVELOPMENT
GRANVILLE AVE

8400 GRANVILLE AVE.
BIRMINGHAM, AL

Drawing Title:
STREET ELEVATIONS

Date:
Scale:
Drawn By:
Checked By:
Project No.:
Drawing No.:

A9



AREA CALCULATIONS (PER UNIT)

	OUTDOOR SPACE (SF)	GROSS FLOOR AREA (SF)	EXEMPTED FLOOR AREA (SF)	NET FLOOR AREA (SF)	LOT COVERAGE (SF)	COVERED AREA (SF)	GARAGE AREA (SF)
BUILDING 1							
UNIT A	427.4	1751.4	631.9	1119.5	644.6	39.4	488.0
UNIT B	433.4	1863.8	721.5	1142.3	710.8	74.7	539.3
UNIT C	433.4	1863.8	721.5	1142.3	710.8	74.7	539.3
UNIT D	454.4	1942.2	775.1	1167.1	774.3	131.6	537.6
UNIT E	533.3	1955.2	650.2	1305.0	749.6	131.5	411.1
UNIT F	534.6	2037.5	621.7	1415.8	772.6	108.8	407.3
UNIT G	634.7	2055.5	675.3	1380.2	798.2	145.5	419.0
UTILITY CL.	67.3				64.3		
MALJICE					14.3		
TOTAL	3451.2	13577.7	4797.2	8773.2	5239.5	707.2	3341.8
							* INCLUDING GARAGE AREA

EAST SITE ELEVATION - (NO. 4 ROAD)

SCALE: 1/16"=1'-0"



RZ 15-708960

Attachment 3

Address: 9880 Granville Avenue and 7031 No 4 Road

Applicant: Zhao XD Architect Ltd.

Planning Area(s): South McLennan Sub-Area (City Centre)

	Existing	Proposed
Owner:	Shih Lu Reng Fang Chang	To be determined
Site Size (m²):	1,332.8 m ²	1,250 m ² (after road dedication)
Land Uses:	Single-Family Residential	Multiple-Family Residential
OCP Designation:	Neighbourhood Residential	No Change
Area Plan Designation:	CCAP: General Urban T4 South McLennan Sub-Area Plan: Residential, 2½ storey typical (3-storeys maximum) with 0.55 base FAR	No Change
702 Policy Designation:	N/A	No Change
Zoning:	Single Detached (RS1/F)	Medium Density Townhouses (RTM2)
Number of Units:	2	7
Other Designations:	N/A	No Change

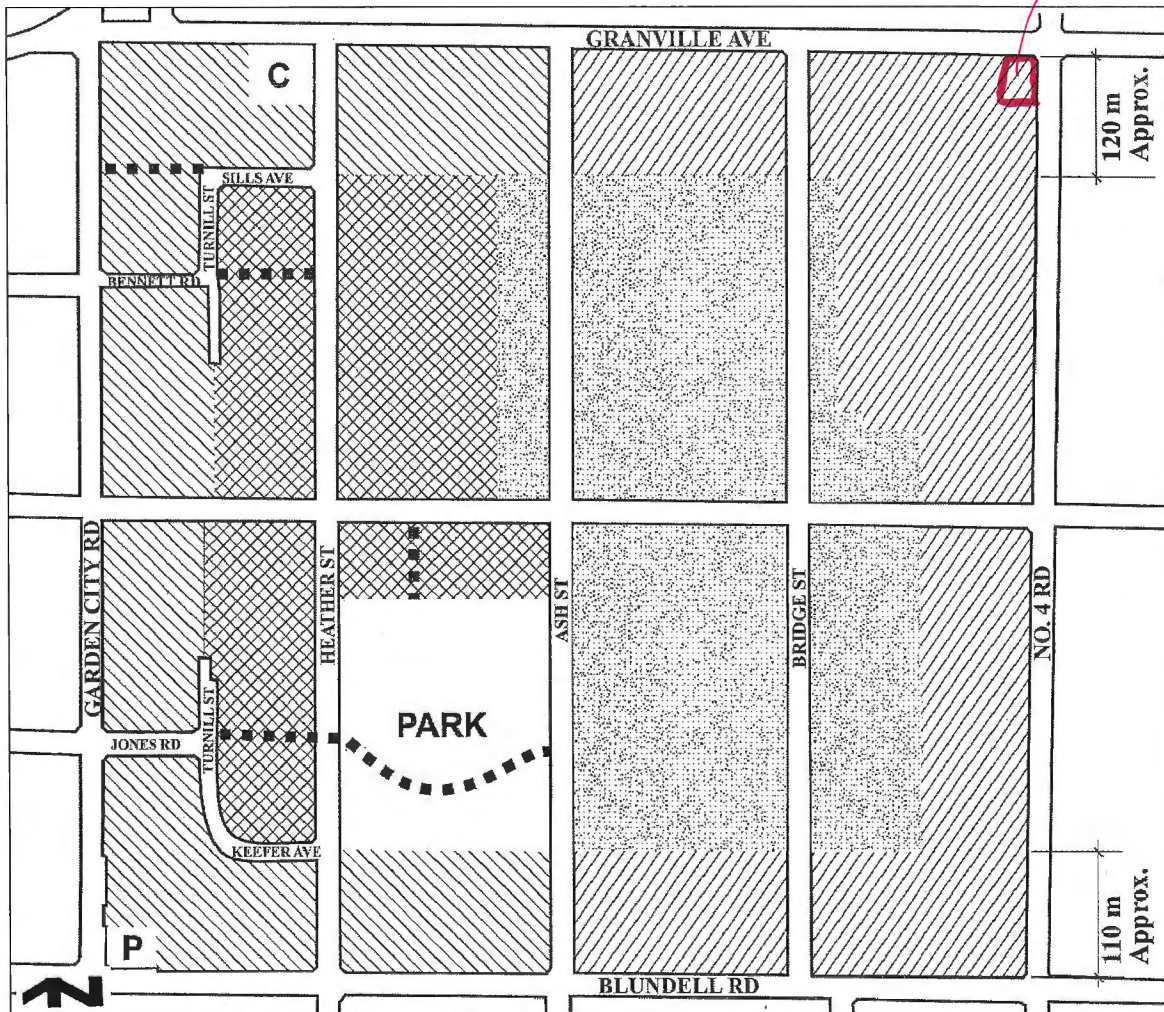
	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.65	0.65 Max.	none permitted
Lot Coverage – Building:	Max. 40%	40% Max.	none
Lot Coverage – Non-porous Surfaces:	Max. 65%	65 % Max.	none
Lot Coverage – Landscaping:	Min. 25%	25% Min.	none
Setback – Front Yard – Granville Avenue (m):	Min. 6.0 m	6.0 m Min.	none
Setback – Exterior Side Yard – No. 4 Road (m):	Min. 6.0 m	6.0 m Min.	none
Setback – Interior/West Side Yard (m):	Min. 3.0 m	3.0 m Min.	none
Setback – Rear Yard (m):	Min. 3.0 m	3.0 m Min.	none
Height (m):	Max. 12.0 m (3 storeys)	12.0 m (3 storeys) Max.	none
Lot Width:	Min. 30.0 m	28.85 m	none
Lot Depth:	Min. 35.0 m	41.60 m	


	Bylaw Requirement	Proposed	Variance
Off-street Parking Spaces – Regular (R) / Visitor (V):	1.4 (R) and 0.2 (V) per unit	2.0 (R) and 0.28 (V) per unit	none
Off-street Parking Spaces – Total:	10 (R) and 2 (V)	14 (R) and 2 (V)	none
Tandem Parking Spaces:	Max. 50% of required residential spaces in enclosed garages (10 x Max. 50% = 5 spaces)	40% of required residential spaces (i.e., 4 spaces) + 4 surplus spaces = total 8 spaces	none
Small Car Parking Spaces	None when fewer than 31 spaces are provided on site	0	none
Handicap Parking Spaces:	None when fewer than 3 visitor parking spaces are required	0	none
Bicycle Parking Spaces – Class 1 / Class 2:	1.25 (Class 1) and 0.2 (Class 2) per unit	2.0 (Class 1) and 0.28 (Class 2) per unit	none
Off-street Parking Spaces – Total:	9 (Class 1) and 2 (Class 2)	14 (Class 1) and 2 (Class 2)	none
Amenity Space – Indoor:	Min. 70 m ² or Cash-in-lieu	Cash-in-lieu	none
Amenity Space – Outdoor:	Min. 6 m ² x 7 units = 42 m ²	51 m ²	none


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


City of Richmond


Land Use Map

Bylaw 9106
2015/09/14

 Residential, Townhouse up to 3 storeys over 1 parking level, Triplex, Duplex, Single-Family 0.75 base F.A.R.

 Residential, 2 ½ storeys typical (3 storeys maximum) Townhouse, Triplex, Duplex, Single-Family 0.60 base F.A.R.

 Residential, 2 ½ storeys typical (3 storeys maximum), predominantly Triplex, Duplex, Single-Family 0.55 base F.A.R.

 Residential, Historic Single-Family, 2 ½ storeys maximum 0.55 base F.A.R. Lot size along Bridge and Ash Streets:

- Large-sized lots (e.g. 18 m/59 ft. min. frontage and 550 m²/5,920 ft² min. area)

Elsewhere:

- Medium-sized lots (e.g. 11.3 m/37 ft. min. frontage and 320 m²/3,444 ft² min. area), with access from new roads and General Currie Road;

Provided that the corner lot shall be considered to front the shorter of its two boundaries regardless of the orientation of the dwelling.

■■■■ Trail/Walkway

C Church

P Neighbourhood Pub

Note: Sills Avenue, Le Chow Street, Keefer Avenue, and Turnill Street are commonly referred to as the “ring road”.

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pmg
LANDSCAPE
ARCHITECTS
Suite C190 - 4185 8th Creek Drive
Richmond, British Columbia, V6C 6G9
P: 604-274-8111 F: 604-274-9222

SCALE

NO.	DATE	REVISION DESCRIPTION	BY	CHK.
1	2018.08.21	ISSUED FOR PERMIT	PMG	PMG
2	2018.08.21	REVISED PERMIT COMMENTS	PMG	PMG
3	2018.08.21	REVISED PERMIT COMMENTS	PMG	PMG
4	2018.08.21	REVISED PERMIT COMMENTS	PMG	PMG
5	2018.08.21	REVISED PERMIT COMMENTS	PMG	PMG
6	2018.08.21	REVISED PERMIT COMMENTS	PMG	PMG
7	2018.08.21	REVISED PERMIT COMMENTS	PMG	PMG
8	2018.08.21	REVISED PERMIT COMMENTS	PMG	PMG

PROJECT
**7 UNIT TOWNHOUSE
DEVELOPMENT**
9880 GRANVILLE AVENUE
AND 7031 NO. 4 ROAD
RICHMOND

DRAWING TITLE:
**TREE MANAGEMENT
PLAN**

DRAWING NUMBER:
L3
DATE: August 21, 2018
SCALE: 1/8" = 1'-0"
DESIGN: JDO
CHECK: PMG
PMG PROJECT NUMBER:
15-135

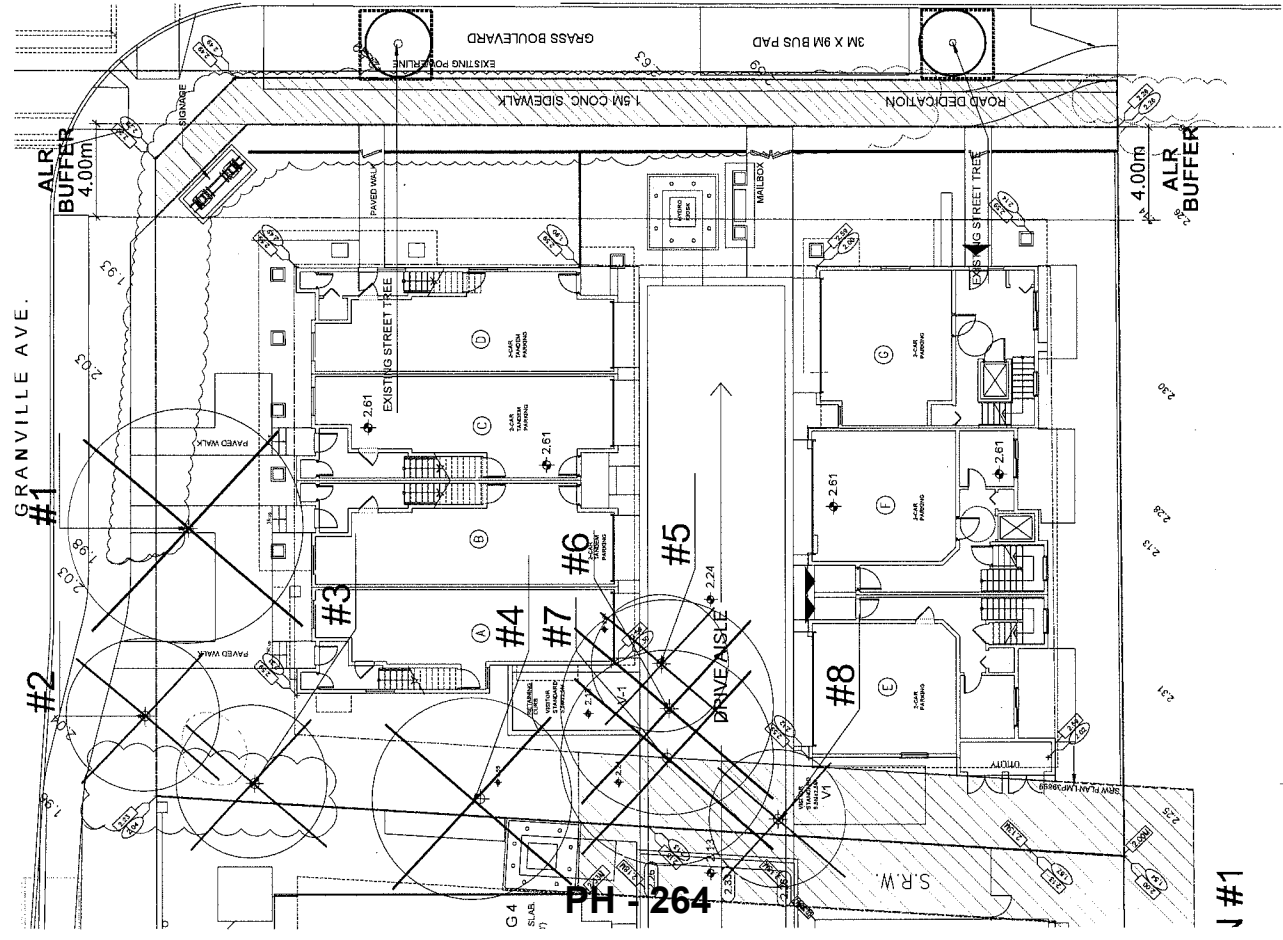
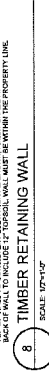
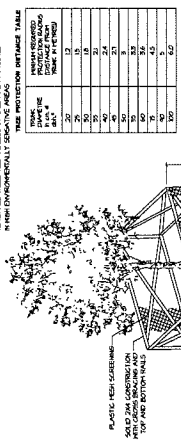


Table of Trees		
Tree No.	Common Name	DBH (cm)
No. 1	Cherry	20
No. 2	Paper Birch	20
No. 3	Paper Birch	30
No. 4	Cherry	25
No. 5	Western Red Cedar	28
No. 6	Western Red Cedar	40
No. 7	Western Hemlock	35
No. 8	Douglas Fir	30

Suitable Replacement Trees	
Species	Common Name
Botanical Name	Common Name
AGER RUBRUM 'ARMSTRONG'	COLUMBIAN ARMSTRONG MAPLE
AGER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE
CHAMAECYPARIS ORTUSA GRACILIS	SLENDER HORN FLARE CYPRESS
PHNUS NIGRA 'ARNOLD SENTINEL'	ARNOLD SENTINEL AUSTRALIAN BLACK PINE
STYRAX JAPONICUS	JAPANESE SNOWBELL



NOTE: ALL TREES SHOWN AS TO BE REMOVED
OR NEW ENVIRONMENTAL SENSITIVE AREAS



NOTE: ALL TREES SHOWN AS TO BE REMOVED
OR NEW ENVIRONMENTAL SENSITIVE AREAS

TREE PROTECTION BARRIER

15135-2-218



Address: 9880 Granville Avenue and 7031 No. 4 Road

File No.: RZ 15-708960

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9686, the developer is required to complete the following:

1. Consolidation of all the lots into one development parcel (which will require the demolition of the existing dwellings).
2. 2.0 m lane dedication along the entire No. 4 Road frontage and a 4 m x 4 m corner cut at the southwest corner of the intersection between Granville Avenue and No. 4 Road.
3. Registration of a legal agreement on Title to identify the Agriculture Land Reserve (ALR) buffer area (4.0 m wide, measured from the new property line along No. 4 Road), to ensure that landscaping planted within this buffer is maintained and will not be abandoned or removed, and to indicate that the subject property is located adjacent to active agricultural operations and subject to impacts of noise, dust and odour.
4. Registration of a flood indemnity covenant on Title.
5. Registration of a legal agreement or measures, as determined to the satisfaction of the Director of Development, ensuring that the only means of vehicle access to and from 9880 Granville Avenue and 7031 No 4 Road is from the Public Rights of Passage (PROP) statutory rights-of-way (SRW) (registered under CA5190034 / CA5190035 / CA5190037) burdening the adjacent property to the west at 9800 Granville Avenue; and that there be no direct vehicle access to or from No. 4 Road.
6. Registration of a legal agreement on Title, prohibiting the conversion of the tandem parking area into habitable space.
7. Registration of a legal agreement on Title, identifying that the proposed development must be designed and constructed to meet or exceed EnerGuide 82 criteria for energy efficiency and that all dwellings are pre-ducted for solar hot water heating.
8. City acceptance of the developer's offer to voluntarily contribute \$1,300.00 to Parks Division's Tree Compensation Fund for the removal of one tree located on the City's boulevard in front of the site.
9. City acceptance of the developer's offer to voluntarily contribute \$13,000.00 to the City's child care fund.
10. City acceptance of the developer's offer to voluntarily contribute \$4.00 per buildable square foot (e.g. \$34,983.85) to the City's affordable housing fund.
11. Contribution of \$1,000 per dwelling unit (e.g. \$7,000) in-lieu of on-site indoor amenity space.
12. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.

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

1. Complete a proposed townhouse energy efficiency report and recommendations prepared by a Certified Energy Advisor which demonstrates how the proposed construction will meet or exceed the required townhouse energy efficiency standards (EnerGuide 82 or better), in compliance with the City's Official Community Plan (OCP).

Prior to a Development Permit* issuance, the developer is required to complete the following:

1. Submission of a Landscaping Security to the City of Richmond based on 100% of the cost estimates provided by the landscape architect.

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, CPTED and sustainability measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
3. Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. Works include, but may not be limited to,

Water Works

- a. Using the OCP Model, 555 L/s of water available at 20 psi residual at the hydrant in front of 9860 Granville Avenue. 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 the development has adequate fire flow for on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs.
 - Install a fire hydrant at No. 4 Road frontage to service the proposed townhouse development.
- c. At the Developer's cost, the City will:
 - Cut and cap at main the existing water service connections at Granville Avenue and No. 4 Road frontages.
 - Install new water connection to service the proposed development off of the existing watermain along Granville Avenue.

Storm Sewer Works

- a. The Developer is required to:
 - Upgrade approximately 35 m of the existing 600 mm diameter storm sewer along Granville Avenue frontage to 750 mm diameter pipe from the site's west property line to the box culvert along No. 4 Road. Tie-in to existing system shall be via new manholes. Details of the upgrade will be finalized in the Servicing Agreement designs.
 - Install new storm sewer connection to service the proposed site off of the proposed storm sewer along Granville Avenue.
- b. At the Developer's cost, the City will cut and cap at main the existing storm sewer service connections at Granville Avenue and No. 4 Road frontages.

Sanitary Sewer Works

- a. The developer is required to remove the existing sanitary lead that services 9880 Granville Avenue and 7031 No. 4 Road and discharge the existing sanitary right of way along the west property lines of 9880 Granville Avenue and 7031 No 4 Road. The extent of the existing sanitary right-of-way to be discharged shall be finalized via the servicing agreement design.
- b. At the Developer's cost, the City will:
 - Provide sanitary service connection to the proposed site off of the east side of the existing sanitary manhole located near the southwest corner of the proposed site.
 - Plug at the north side of the manhole the existing sanitary lead that services 9880 Granville Avenue and 7031 No 4 Road.

Frontage Improvements

a. The Developer is required to:

- 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 rezoning 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-ways 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 SRWs that shall be shown in the functional plan and registered prior to Servicing Agreement design approval:
 - i. BC Hydro PMT – 4 m W X 5 m (deep)
 - ii. BC Hydro LPT – 3.5 m W X 3.5 m (deep)
 - iii. Street light kiosk – 1.5 m W X 1.5 m (deep)
 - iv. Traffic signal kiosk – 1 m W X 1 m (deep)
 - v. Traffic signal UPS – 2 m W X 1.5 m (deep)
 - vi. Shaw cable kiosk – 1 m W X 1 m (deep) – show possible location in functional plan
 - vii. Telus FDH cabinet - 1.1 m W X 1 m (deep) – show possible location in functional plan
- Coordinate with BC Hydro regarding the removal of the existing BC Hydro pole lines along No. 4 Road and possible pole relocations along Granville Avenue frontage.
- Provide frontage improvements on Granville Avenue; works include, but are not limited to the following:
 - i. Design and construct new curb and gutter along the development frontage to meet the curb and gutter west of the site. (Refer to the frontage improvements for 9800/9820/9840/9860 Granville Avenue – RZ 14-658085). The curb and gutter works may require minor widening of Granville Avenue and modification to the southwest corner of the No. 4 Road/Granville Avenue intersection (as determined by the completion of a functional road plan).
 - ii. Measuring from the new curb of Granville Avenue (south side) towards the property line of the subject development, design and construct a minimum 1.5 m wide grass boulevard (exclusive of the 0.15 m wide top of curb) and a 1.75 m wide concrete sidewalk. As the width between the curb and the property line varies along the frontage, the frontage works are to transition to meet the sidewalk and boulevard treatments west of the subject site. (Refer to the frontage improvements for 9800/9820/9840/9860 Granville Avenue - RZ 14-658085).
 - iii. The existing driveway along the Granville Avenue development frontage is to be closed. The applicant/developer is responsible for the removal of the existing driveway letdown and the replacement with barrier curb and gutter, grass/treed boulevard and sidewalk per standards described above).
 - iv. Consult Parks on the requirement for tree preservation/placement including tree species and spacing as part of the frontage works.
 - v. Consult Engineering on lighting and other utility requirements as part of the frontage works.
- Provide frontage improvements on No. 4 Road; works include, but are not limited to the following:
 - i. Remove the existing sidewalk and construct a new 1.5 m wide concrete sidewalk next to the new property line (with the 2.0 m wide road dedication on No. 4 Road). Construct a new boulevard over the remaining width between the new sidewalk and the west curb of No. 4 Road. The 2.0 m wide road dedication is to be treated as a grass boulevard without any tree planting. The new sidewalk and boulevard are to transition to meet the existing frontage treatments south of the subject site.

- ii. The existing driveway along the No. 4 Road development frontage is to be closed. The applicant is responsible for the removal of the existing driveway letdown and the replacement with barrier curb and gutter, grass/treed boulevard and sidewalk per standards described above.
 - iii. Construct a 3 m x 9 m concrete bus pad at the existing southbound bus stop on No. 4 Road south of Granville Avenue. The bus pad works is to include conduit pre-ducting for electrical connections. This bus pad is to be constructed in accordance with Tran slink's 'Universal Accessible Bus Stop Design Guidelines'.
 - iv. Consult Parks on the requirement for tree preservation/placement including tree species and spacing as part of the frontage works.
 - v. Consult Engineering on lighting and other utility requirements as part of the frontage works.
- Provide street lighting along Granville Avenue and No. 4 Road frontages.

General Items:

- a. The Developer is required to:
 - Provide if pre-load is required, prior to pre-load installation, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting or within the development site (e.g., existing sanitary mains), proposed utility installations, the existing houses along the south and west property lines, and provide mitigation recommendations. The mitigation recommendations shall be incorporated into the first Servicing Agreement design submission or if necessary to be implemented prior to pre-load.
 - 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.
4. If applicable, payment of latecomer agreement charges associated with eligible latecomer works.
5. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

Note:

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

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

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

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

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

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9686 (RZ 15-708960)
9880 Granville Avenue and 7031 No. 4 Road**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "**MEDIUM DENSITY TOWNHOUSES (RTM2)**".

P.I.D. 004-193-521

Lot 84 Except: Parcel "A" (Bylaw Plan 64704), Section 15 Block 4 North Range 6 West
New Westminster District Plan 47545

and

P.I.D. 003-554-678

Lot 85 Section 15 Block 4 North Range 6 West New Westminster District Plan 47545

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 9686**".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 13 2017



MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

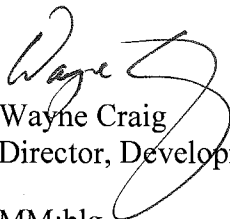
Date: March 13, 2017

File: ZT 16-753545

Re: Application by Krahn Engineering Ltd. for a Zoning Text Amendment to the
"Light Industrial (IL)" Zone for a Site at 9920 River Drive

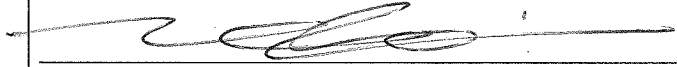
Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9694, for a Text Amendment to the "Light Industrial (IL)" zone to allow "non-accessory parking" on a site-specific basis for the property at 9920 River Drive, be introduced and given first reading.


Wayne Craig
Director, Development
MM:blg
Att. 5

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER


for JDE/PR/EL

Staff Report

Origin

Krahn Engineering Ltd. has applied to the City of Richmond for a Zoning Text Amendment to the “Light Industrial (IL)” zone to allow for “non-accessory parking” at 9920 River Drive (Attachment 1).

The subject 8.44 acre (3.42 ha.) site is currently occupied by a large warehouse and smaller office/warehouse building utilized by a trucking company and two smaller tenants. The application is being made on behalf of Park’N Fly Ltd. for an off-site, long-term parking lot to supplement its current parking lot located near YVR Airport at 6380 Miller Road on Sea Island. Travellers to YVR Airport would drop off and pick up their vehicles at the current Park’N Fly location on Sea Island; with the vehicles being shuttled to and from the subject site by Park’N Fly staff.

The current warehouse and trucking firm tenants; permitted under the current “Light Industrial (IL)” zoning, will vacate the site in three (3) stages between summer 2017 and 2020, as their leases expire. When completely vacated, there will be 816 outdoor parking spaces and potentially some indoor parking (Attachment 3). The existing and proposed uses of the buildings require 89 parking spaces under Zoning Bylaw 8500 with the remaining 727 exterior parking spaces being available for airport parking.

Findings of Fact

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

Surrounding Development

To the North: A vacant light industrial site zoned “Light Industrial (IL)”.

To the South: An active rail line, the Bridgeport Trail, and a vacant site zoned “Light Industrial (IL)”.

To the East: A BC Hydro substation zoned “Light Industrial (IL)”, and a townhouse complex zoned “Low Density Townhouses (RTL1)”.

To the West: A large light industrial/warehouse building zoned “Light Industrial (IL)”.

Related Policies & Studies

Official Community Plan/City Centre Area Plan

The Official Community Plan (OCP) designates the subject site as “Industrial (IND)”. The City Centre Area Plan designates the site as “General Urban T4 (25 m)” and “Area A – Industrial Reserve” which provides for the storing of goods with ancillary office use. Thus, the proposed use is consistent with both plans.

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*.

Approval from the Ministry of Transportation and Infrastructure will be required prior to Council consideration of adoption of the zoning amendment bylaw.

Built Form and Architectural Character

The existing 5,634 m² (60,645 ft²) single-storey, tilt-up concrete warehouse building will be maintained for Park'N Fly service vehicles, a car wash, and indoor long-term airport parking. The existing 523 m² (13,000 ft²), two-storey building includes office space which will be used for Park'N Fly offices and services bays. Park'N Fly does not propose to make exterior alterations to the buildings (Attachment 3).

The existing parking areas that cover the majority of the site will be re-lined and repaired as needed to provide a total of 816 parking spaces. The resultant parking areas will provide parking and loading meeting the City's Zoning Bylaw requirements.

The applicant will also plant a landscape buffer and lawn fronting River Drive. There will be a further 2.5 m (8.0 ft.) wide landscape buffer along the east side of the site adjacent to an existing adjacent townhouse complex. This buffer will include:

- A solid wood 2.4 m (7.9 ft.) high fence.
- 25 Pin Oak and European Hornbeam trees with a 6 cm (2.4 inch) caliper
- 26 Emerald Cedar hedge plants with an minimum initial height of 2.5 m (8.0 ft.).
- 996 other shrub and ground cover plants.

The remainder of the perimeter of the site will be flanked by a 2.0 m (6.6 ft.) high chain link fence with privacy slats.

The applicant will submit a landscape security in the amount of \$214,561 to ensure that the landscaping and fencing is installed within one (1) year of adoption of Bylaw 9694.

Existing Legal Encumbrances

There is an existing City statutory right-of-way (SROW) running along the southern property line for storm, sanitary and water services (AB243356). There is also an existing flood indemnification covenant with a minimum 2.9 m Flood Construction Level (FCL) registered on Title (AC286407) in 1989.

Transportation and Site Access

Primary vehicle access to the site will be provided by the existing driveway to River Drive. This access will be used by Park'N Fly staff shuttling patron's cars to/from their YVR Airport location and for employee use. The gate has been located so as to permit the queuing of up to three (3) vehicles in front of gate on the property. The existing driveway to No. 4 Road will be maintained over a private easement on the lot to the east for secondary access to the site.

The applicant has agreed to registration of a restrictive covenant on title that restricts the use of site so that primary vehicle access is provided to River Drive and that the driveway to No. 4 Road is maintained for only emergency vehicle access and to provide alternative vehicle access to the site at any time that the River Drive access may be temporally blocked or inoperable (e.g. during road construction or repair).

Given the proposed change of use of the site, the applicant has prepared a traffic study as required by the City. The study concludes that there will be approximately 10 vehicles per hour in the peak hour of site traffic with almost all site trips occurring between 7:00 a.m. and 7:00 p.m. The study concludes that the traffic impacts are anticipated to be minimal. Compared to the existing warehouse and light industrial uses, the proposed Park N' Fly operation is anticipated to generate fewer vehicle trips.

For the long-term transportation needs of the area, the applicant has agreed to register a Statutory Right of Way (SRW) over an area of approximately 501 m² (5,392 ft²) of the south-west corner of the site to allow for future City construction of a section of a proposed public road that will connect Bridgeport Road with Van Horne Way (see Attachment 2 and Attachment 5 – Appendix A). The current owner will be able to use the SRW area for surface parking and landscaping until the City requires the SRW area for public road purposes.

The City's parking and loading provisions in Zoning Bylaw require 89 parking spaces; while 816 exterior parking spaces are being proposed to be provided. The proposal also includes two medium-size (SU-9) loading spaces and one large (WB-17) loading space as required under the Zoning Bylaw.

Contaminated Sites Regulation

A Ministry of Environment (MOE) Certificate of Compliance or alternative approval regarding potential site contamination issues will need to be issued by MOE prior to the zoning amendment bylaw being considered for adoption.

Site Servicing and Frontage Improvements

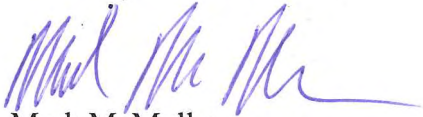
There will be no road frontage improvements required as part of this application. There may be the need to replace and upgrade City utility service connections and mains at the time of a Building Permit application for any tenant improvements.

Financial Impact or Economic Impact

There are no impacts associated with this application.

Conclusion

The proposed Zoning Text Amendment to permit "non-accessory parking" on the site will allow for additional long-term airport parking within the City on an existing developed, industrial site. Given the proposed parking use and enhanced landscaping adjacent to River Drive and the townhouse development to the east, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9694, be introduced and given 1st Reading.



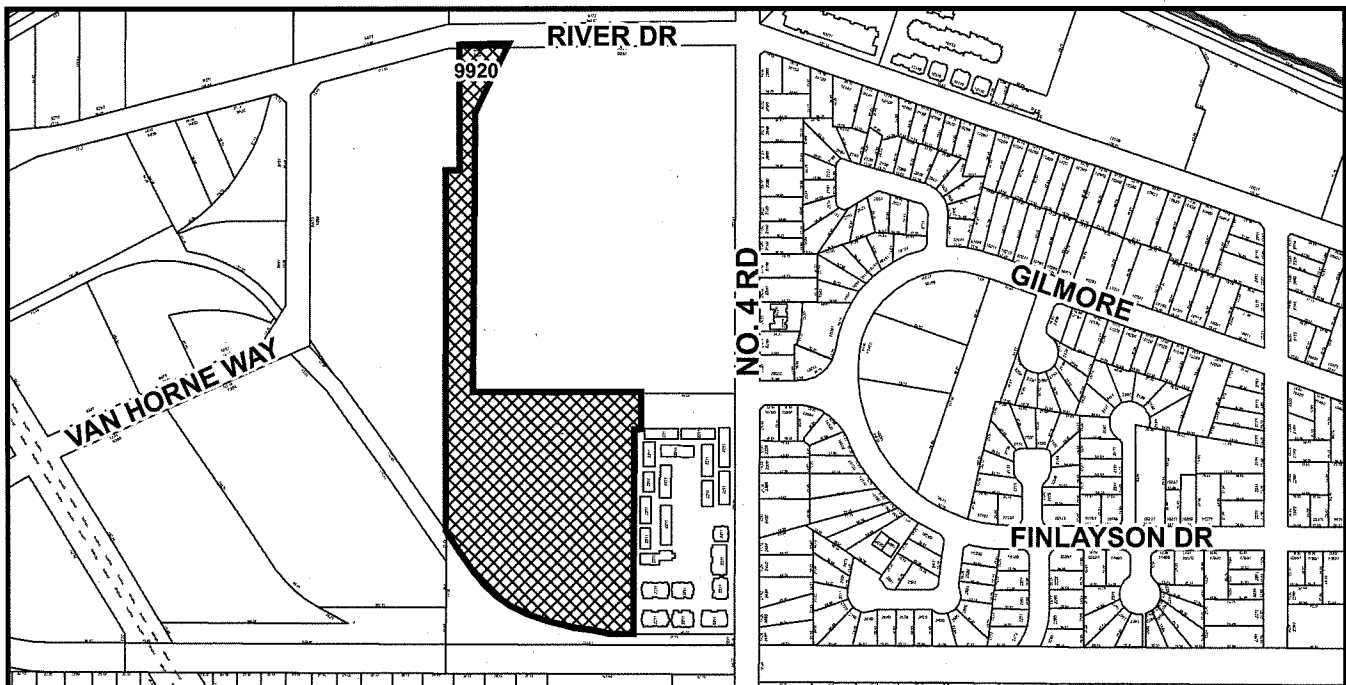
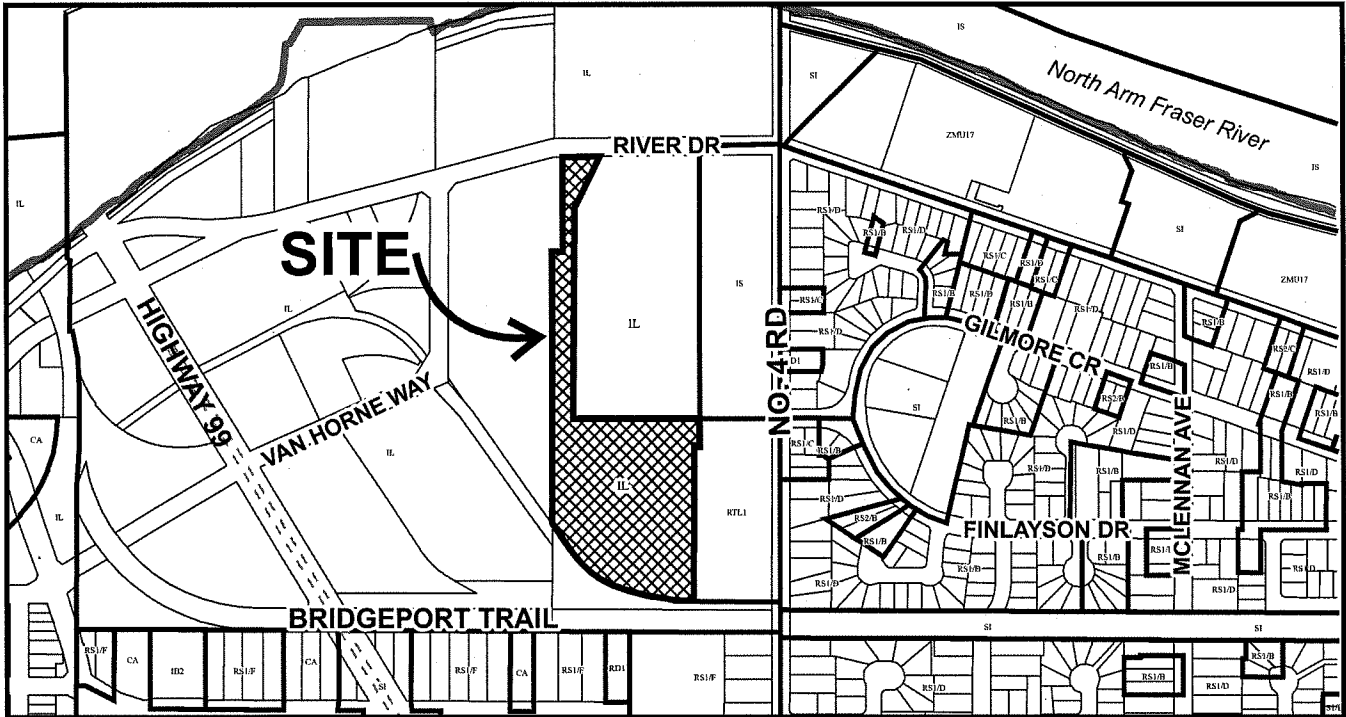
Mark McMullen
Senior Coordinator - Major Projects
(604-276-4173)

MM:blg

Attachment 1: Location Map
Attachment 2: City Centre Area Plan Land Use Map
Attachment 3: Conceptual Development Plans
Attachment 4: Development Application Data Sheet
Attachment 5: Rezoning Considerations



City of
Richmond



ZT 16-735545

Original Date: 12/08/16

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



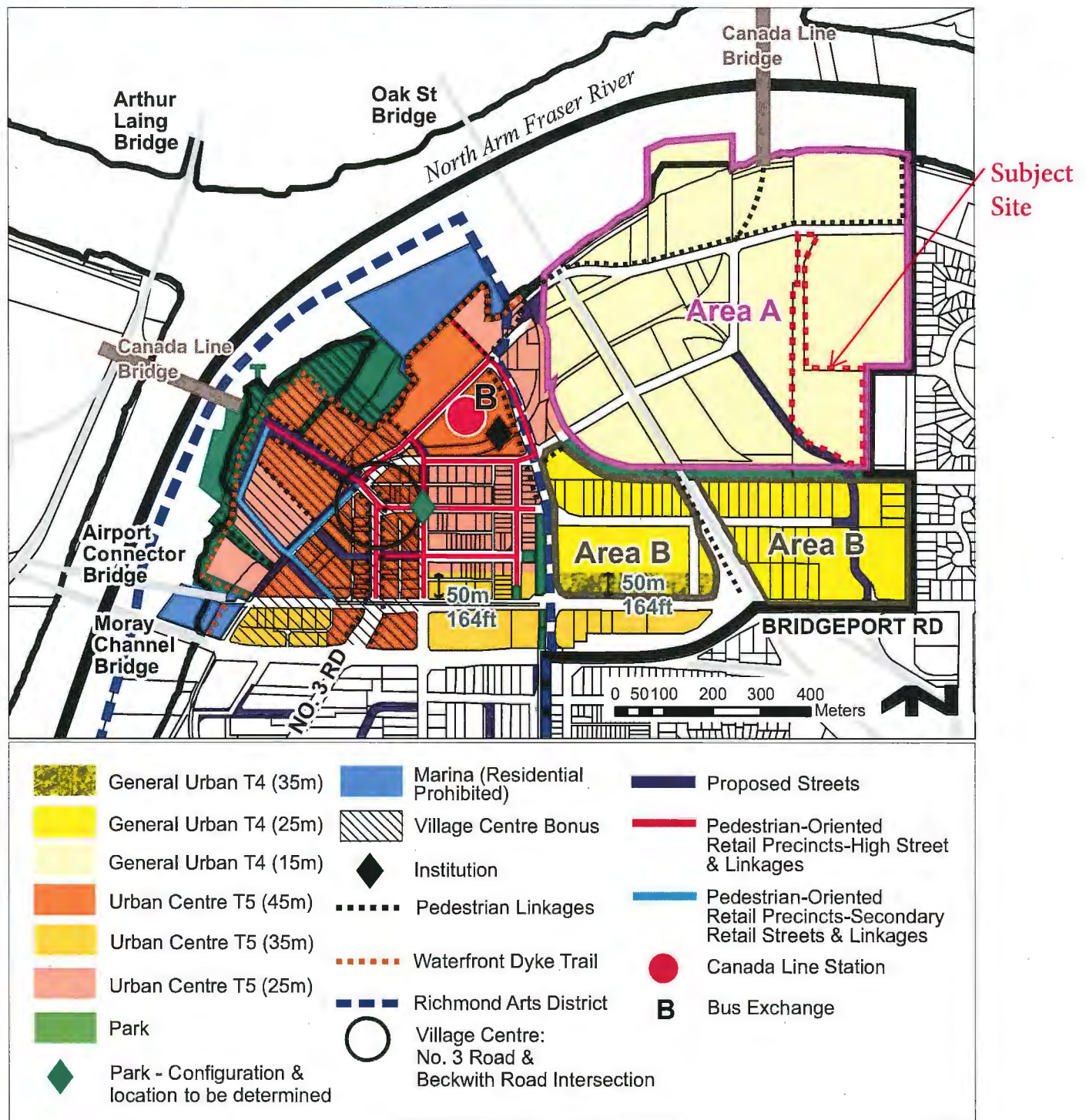
ZT 16-753545

Original Date: 12/08/16

Revision Date:

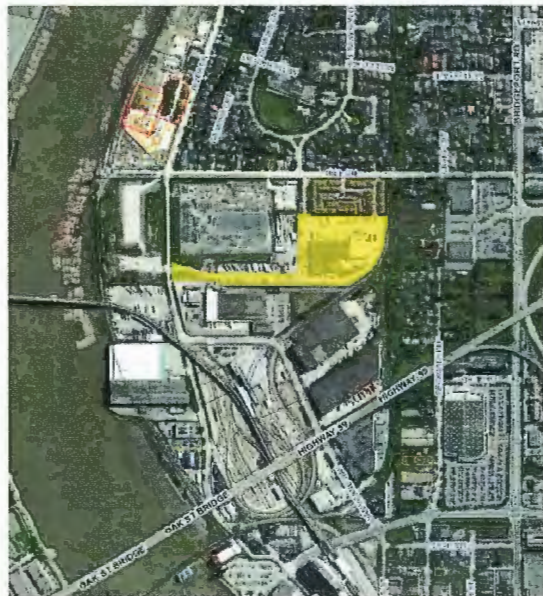
Note: Dimensions are in METRES

City of Richmond

Specific Land Use Map: Bridgeport Village (2031)Bylaw 9041
2016/07/25



KRAHN GROUP OF COMPANIES
 1000 WEST 10TH AVENUE, SUITE 100
 VANCOUVER, BC V6H 2G6
 TEL: 604.681.1111
 FAX: 604.681.1112
 WWW.KRAHNGROUP.COM



2 | CONTEXT PLAN
 A30 | SCALE: NONE



1 | SITE PLAN
 A32 | SCALE: 1"=50'

larry podhora / architect
 1840 BRIMLEY AVE. WEST, VANCOUVER, BC V6L 2G2

PROJECT NAME
 PARK N FLY

PROJECT ADDRESS
 1840 BRIMLEY AVE. WEST, VANCOUVER, BC V6L 2G2

PROJECT OWNER
 RICHMOND, BRITISH COLUMBIA

PROJECT TITLE
 SITE PLAN

DATE	2014.07.01
BY	AL
CHECKED	AL
APPROVED	AL
DATE	2014.07.01

A2.0

THIS DRAWING IS THE PROPERTY OF LARRY PODHORA ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF LARRY PODHORA ARCHITECTS IS STRICTLY PROHIBITED.

1. REQUIRED STALLS (BASED ON 1.5 SPACES PER 1,000 SQ. FT. OF GROSS FLOOR AREA)	2. REQUIRED STALLS (BASED ON 1.5 SPACES PER 1,000 SQ. FT. OF GROSS FLOOR AREA)
RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS	RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS
3. PARKING ANALYSIS	4. BIKE/PEDALING REQUIREMENTS
RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS	RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS

1. ZONING	2. SITE AREA
RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS	RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS
3. SITE COVERAGE	4. BIKE/PEDALING REQUIREMENTS
RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS	RETAIL: 1,000 SQ. FT. x 1.5 = 1,500 STALLS OFFICE: 1,000 SQ. FT. x 1.5 = 1,500 STALLS TOTAL: 3,000 STALLS

PLANTING AREA 1
SEE L2 FOR PLANTING PLAN

PLANTING AREA 2
SEE L2 FOR PLANTING PLAN

PH - 280

1. EXISTING FENCE LINE TO BE MAINTAINED AS IS.
2. NEW FENCE LINE TO BE MAINTAINED AS IS.
3. NEW FENCE LINE TO BE MAINTAINED AS IS.
4. NEW FENCE LINE TO BE MAINTAINED AS IS.
5. NEW FENCE LINE TO BE MAINTAINED AS IS.
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PARK N FLY

9620 RIVER DRIVE
RICHMOND, BRITISH COLUMBIA

OVERALL LANDSCAPE
PLAN

DATE	10/10/2010
PROJECT	9620 RIVER DRIVE
CLIENT	9620 RIVER DRIVE
DESIGNER	KPD Planning
SCALE	1:1000
DATE	10/10/2010

L1

- GENERAL NOTES
1. EXAMINE SITE AND CONFIRM LOCATIONS OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION WORKS.
 2. CONFIRM ALL MEASUREMENTS ON SITE DO NOT SCALE DIMENSIONS.
 3. CONFIRM EXISTING AND PROPOSED DIMENSIONS PRIOR TO BEGINNING CONSTRUCTION WORKS.
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REMOVE EXISTING BLACKBERRY AT EAST PROPERTY LINE AS FOLLOWS:

1. MECHANICALLY CUT STEMS TO GROUND
2. APPLY APPROVED HERBICIDE TO ROOT STUMPS
3. RETURN TO SITE AFTER 3 WEEKS AND GRUB OUT STUMPS AND ROOTS

THIS MATERIAL IS INVASIVE.
DISPOSE OF REMOVED MATERIAL AT AN APPROVED DUMP LOCATION

EXISTING TREES AND SHRUBS. TYP.

EXTENT OF WOOD SCREEN FENCE

2.4m HIGH WOOD SCREEN FENCE

EXTENT OF WOOD SCREEN FENCE

SRW	PLAN	8558
SRW	PLAN	82977

PH PLAN 281

13-17 LORNGRAN BROADWAY COATED CHAIN LINK FENCE WITH BARBED WIRE
ASPHALT
REFER TO DETAIL 2/13

EXISTING TREES. TYP.

11

DI ANTING AREA 2

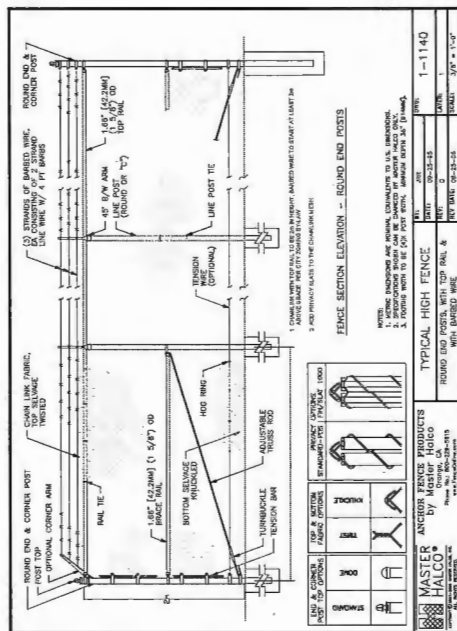
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© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 101–107

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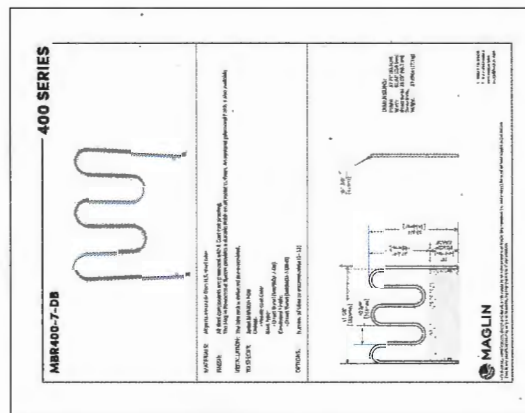
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2m HIGH CHAIN LINK FENCE WITH BARBED WIRE
N.T.S.

	WET-TO-TOUCH TEST
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2	0.00017
3	0.00017

DETAIL 2

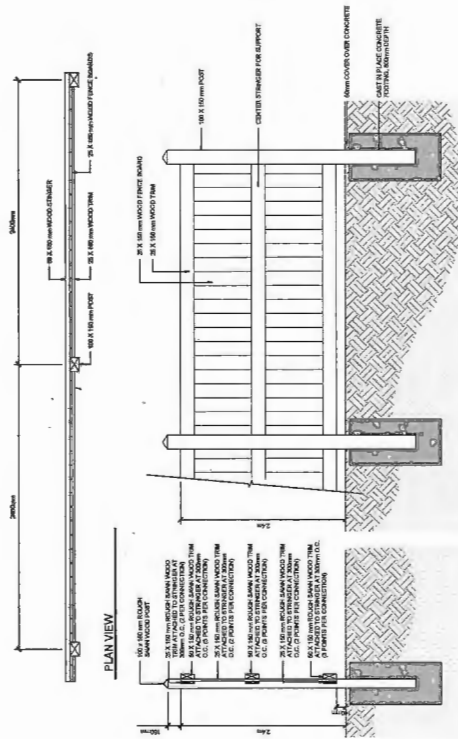


BICYCLE RACK	
N.T.S.	

DETAIL 3

SHRUB AND PERENNIAL PLANTING DETAIL

SHRUTI
N.T. 19



SECTION

10m HIGH WOOD SCREEN FENCE

TO	FROM
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DETAIL 1



DECIDUOUS TREE
N.Y. 24.

DECIDU
N.Y. 18.

SHRUTI
N.T. 19

SHRUB AND PERENNIAL PLANTING DETAIL



ZT 16-753545

Attachment 4

Address: 9920 River Drive

Applicant: Krahn Engineering Ltd.

Planning Area(s): City Centre Area Plan

	Existing	Proposed
Owner:	All Stars Motor Inn Ltd.	Park'N Fly (1884901 Alberta Ltd)
Site Size (m²):	34,200 m ²	34,200 m ²
Land Uses:	Light Industrial / Warehousing	Long Term Airport Parking
OCP Designation:	Industrial	Industrial
Area Plan Designation:	General Urban T4 (25m)	General Urban T4 (25m)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.0	0.20	none permitted
Lot Coverage (% of lot area):	Building: Max. 60%	Building: Max. 18.8%	none
Lot Size:	N/A	N/A	none
Lot Dimensions (m):	Width: N/A Depth: N/A	Width: N/A Depth: N/A	none
Setbacks (m):	Front: Min. 3.0 m Rear: Min. 0.0 m Side (east): Min. 3.0 m Side (west): Min. 0.0 m	Front: Min. >3.0 m Rear: Min. 0.0 m Side (east): Min. >3.0 m Side (west): Min. 0.0 m	none
Height (m):	15 m	<15 m	none
Off-street Parking Spaces – Total:	89	816	none



Address: 9920 River Drive

File No.: ZT 16-753545

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9694, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Ministry of Environment (MOE) Certificate of Compliance or alternative approval to proceed granted from MOE regarding potential site contamination issues. This approval is required prior to dedication of land or road to the City if applicable.
3. Registration of a Statutory Right-of-Way (SRW) on title for the purposes of a future public road for the area as shown in Appendix A for vehicle and pedestrian use and for City construction and maintenance of the roadway, sidewalks, street lighting and other services and utilities; and that permits the current owner to use the SRW area for surface parking and landscape until the City provides one (1) year notice of its need to use the SRW area for public road purposes.
4. Registration of a restrictive covenant on title that restricts the use of site so that primary vehicle access is provided to River Drive and that the driveway to No. 4 Road is maintained for only emergency vehicle access and to provide alternative vehicle access to the site at any time that the River Drive access may be temporally blocked or inoperable (e.g. during road construction or repair).
5. Submission of a Landscape Security in the amount of \$214,561 to ensure that the landscaping and fencing proposed in Appendix B is completed within one (1) year of adoption of Bylaw 9694 with 10% of this security to be held by the City as a maintenance security for year (1) after substantial completion of the landscape.

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.

Note:

- 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.

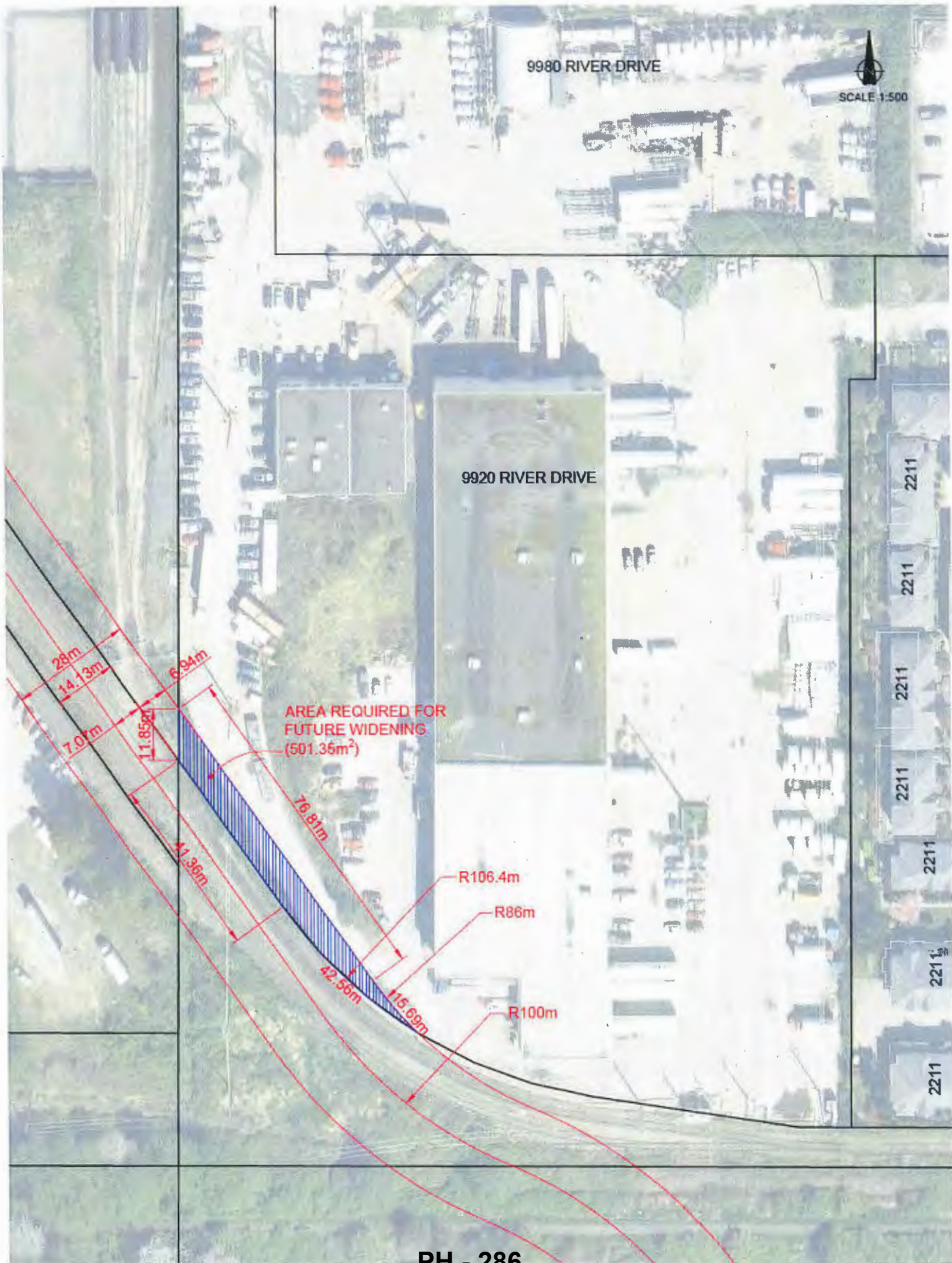
- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, 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.

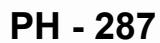
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give 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.

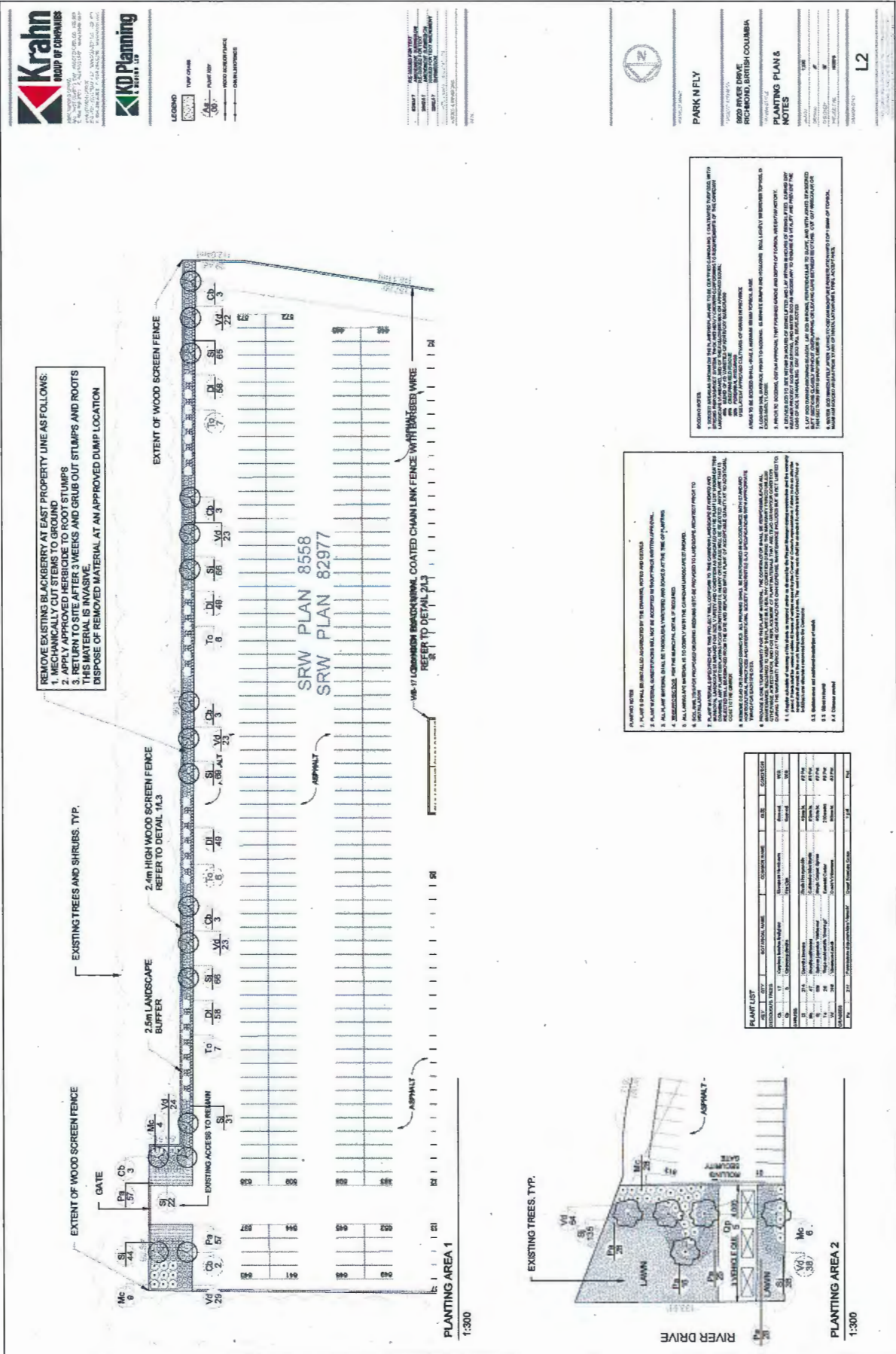
Signed
Park'N Fly (1884901 Alberta Ltd)

Date

Appendix A- Public Road SRW Area









**Richmond Zoning Bylaw 8500
Amendment Bylaw 9694 (ZT 16-753545)
9920 River Drive**

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

1. Richmond Zoning Bylaw 8500 is amended by:

(a) Adding the following to Section 12.2.3 (B. Additional Uses):

“parking, non-accessory”

(b) Renumbering Sections 12.2.11.4 and 12.2.11.5 respectively as 12.2.11.5 and 12.2.11.6, and inserting the following new Section 12.2.11.4:

“Parking, non-accessory shall be only permitted on the following site:

9920 River Drive

P.I.D. 017-483-166

Lot 1 Except; Part Subdivided By Plan LMP 5990, Section 22 Block 5 North
Range 6 West New Westminster District Plan LMP 1596”

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9694”**.
FIRST READING

MAR 27 2017

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

ADOPTED

MAYOR

CORPORATE OFFICER





City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

Date: March 1, 2017

File: RZ 15-707253

Re: Application by Brook Pooni Associates Inc. for a Zoning Text Amendment to the Light Industrial (IL) Zone to Permit Outdoor Storage at 16160 and 16268 River Road

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9697, for a Zoning Text Amendment to the "Light Industrial (IL)" zone to permit "outdoor storage" at 16160 and 16268 River Road, be introduced and given first reading.

Wayne Craig
Director, Development

WC:ke

Att. 7

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER

FOR JOE EDLEY

Staff Report

Origin

Brook Pooni Associates Inc. has applied to the City of Richmond for permission to amend the “Light Industrial (IL)” zoning district of Zoning Bylaw 8500 to add “outdoor storage” as a site-specific permitted use at 16160 and 16268 River Road (Attachment 1).

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is contained in Attachment 2.

There is a history of rezoning applications in the 16000 block of River Road whereby properties have requested zoning to allow for limited light industrial activities generally restricted to outdoor storage, commercial vehicle parking and storage and small industrial/workshop spaces. The rationale for these previous rezonings was to enable these properties to be utilized for uses compatible with the “Industrial” Official Community Plan land use designation for this area while also acknowledging the limited City services (i.e., City sanitary sewer service) necessary to facilitate more intensive industrial development (i.e., warehousing and manufacturing). The Interim and Long-Term Action Plan for the 16000 Block of River Road was a land use strategy approved by Council in February 2008 to consider land use proposals in this area and is discussed in greater detail in the Related Policies and Studies section of this staff report.

Four properties have been approved, through rezoning, to allow for interim industrial land uses (i.e., outdoor storage and commercial vehicle parking and storage):

- 16360 River Road (RZ 10-523713)
- 16700 River Road (RZ 12-603740)
- 16540 River Road (RZ 10-524476)
- 16780 River Road (RZ 09-503308)

Attachment 3 contains a map of these approved rezoning applications in the 16000 Block of River Road.

Surrounding Development

The subject properties contain a total of four light industrial buildings on the north portion of the site close to River Road with open yard space on the remaining portions. A 15 m Riparian Management Area (RMA) is situated along the north edge of the subject sites associated with an existing watercourse within the River Road allowance.

To the North: River Road and the foreshore of the Fraser River

To the South: An active rail line. Further south are “Agriculture (AG1)” zoned properties contained in the Agricultural Land Reserve (ALR).

To the East: A property zoned “Light Industrial (IL)” with commercial vehicle parking and storage activities.

To the West: A property zoned “Light Industrial (IL)” with commercial vehicle parking and storage activities.

Related Policies & Studies

Official Community Plan (OCP)

The subject sites are designated “Industrial” in the OCP. The proposal to allow for outdoor storage to be permitted on the subject site only under the existing “Light Industrial (IL)” zoning complies with the OCP.

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.

Interim and Long Term Action Plan – 16000 Block of River Road

The Interim and Long Term Action Plan for the 16000 Block of River Road (Attachment 4) was approved by Council in 2008 as a land use strategy to help guide consideration of certain land uses (i.e., commercial vehicle truck parking, outdoor storage and limited light industrial development) in this area. Rezoning applications must be submitted for these uses and supporting materials to address traffic, existing watercourses (RMA) and landscape buffers must be provided. This rezoning application is consistent with the Plan.

Public Consultation

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

Should the Planning Committee endorse this application and Council grant 1st reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

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

Analysis

Land Use Proposal and Proposed Zoning Amendment

The applicant notes that their existing and prospective industrial tenants are requesting outdoor storage in support of industrial operations on the subject site. Outdoor storage activities are proposed to be located on portions of the site not currently occupied by buildings or used for

employee vehicle parking and driveway purposes, generally on the southern half of each property (Attachment 5 – Conceptual Development Plan).

This proposal does not involve consolidation of the two properties.

Proposed Zoning Amendment

Outdoor storage is proposed to be added as a permitted use on a site specific basis only in the existing “Light Industrial (IL)” zoning district applicable to the subject site. Restrictions to outdoor storage activities are also proposed to ensure the following:

- No outdoor storage or wrecked/salvaged goods, hazardous materials or those that pose potential nuisances (dust/dirt carried by weather elements) to surrounding areas.
- Outdoor servicing of vehicles and equipment is not permitted.
- A maximum height of 4.5 m applicable to outdoor storage activities is proposed to limit the height of storage activities and minimize impacts to surrounding properties.

The proposal to permit outdoor storage on a site-specific basis, with the restrictions referenced above, is consistent with other rezoning applications approved in this area.

Transportation and Site Access

Existing and Proposed Configuration

Each property has an existing driveway access to River Road. For the eastern property (16268 River Road), the driveway access is proposed to be modified to allow for larger truck access/egress. The driveway access at 16268 River Road will be modified (including widening) to implement physical traffic control measures and signage, ensuring trucks only enter the site with an eastbound to southbound turning movement and exit with a northbound to westbound turning movement. These measures will prevent trucks from travelling on River Road east of the 16000 block. Directional signage will be installed on River Road at the cost of the applicant (voluntary contribution of \$1,000 being secured as a rezoning consideration) to direct trucks west towards No. 6 Road.

For the western property (16160 River Road), the driveway access is proposed to be modified to prevent use by larger trucks and will only be used by passenger vehicles. Submission of a proposed functional design of the driveways at 16268 River Road and 16160 River Road to the approval of the City’s Transportation Department, including construction and implementation of the works are a rezoning consideration for this project. The Transportation Department has reviewed the submitted Traffic Impact Assessment submitted for this proposal by the applicant’s Transportation Engineer and concur with the recommendations and overall approach to managing vehicle access to and from the subject properties. This approach to manage vehicle access and egress along River Road is consistent with requirements for other recent rezonings in the area.

The two subject properties are not being consolidated; therefore, a legal agreement will be required to secure an easement between the two properties to enable vehicles (passenger vehicles

and trucks) to cross between the lots. The legal agreement for the easement is to be secured as a rezoning consideration.

Future Transportation Infrastructure

In support of the transportation objective to establish an industrial service road that would generally run parallel to and south of River Road over the long-term, a 20 m wide land dedication along the entire south edge of the subject site is being secured as a rezoning consideration and is consistent with other land dedications secured in the area.

Upon completion of the east-west road to the south, the existing driveway accesses along River Road must be closed and the existing driveway/culvert crossings removed at the property owners cost. Registration of a legal agreement on both 16160 and 16268 River Road to require removal of the existing vehicle access/driveway from River Road once the new industrial road services the subject properties is required and secured as a rezoning consideration.

In support of the OCP transportation objectives related to use of River Road by a wide range of users (i.e., vehicles, cyclists, pedestrians), a voluntary contribution (\$29,950) is being secured as a rezoning consideration to be used for a future River Road infrastructure and planning study. The timing and terms of reference of the study will be determined by the City's Transportation Department.

Riparian Management Area

There is an existing 15 m wide Riparian Management Area (RMA) along the subject properties River Road frontage for an existing watercourse. On both properties, existing parking and driveway crossings are already located within the RMA. This project proposes RMA planting enhancements along the north edge of the site. A drafted landscape plan is contained in Attachment 6. A plan for the RMA, prepared by the applicant's Qualified Environmental Professional, is required to be submitted and approved by staff as a rezoning consideration for this application.

Landscape Buffer

The RMA plan and preliminary landscape plan referenced above will provide a buffer along the north edge of the site to screen the industrial uses and outdoor storage activities proposed on the southern portions of the subject site. This buffer will generally consist of a post-rail fence, a mix of deciduous and conifer trees and groundcovers and shrubs. Due to the buffers location in the RMA, all fencing and plantings proposed by the applicant's QEP is required to be compliant with Provincial RMA guidelines. The submission and final approval (including bonding) of the landscape buffer plan is required through the applicant's QEP plan for the RMA, which is a rezoning consideration for the site.

Site Servicing and Frontage Improvements

Engineering Planning staff have not identified any servicing works or infrastructure upgrades. A 4 m wide statutory right-of-way (SRW) along both subject properties entire River Road frontage (south of the existing 6 m SRW) is required for future dyke and utility purposes and is a rezoning consideration for this project.

Financial Impact or Economic Impact

The Zoning Text Amendment application results in insignificant Operational Budget Impacts (OBI) for off-site City infrastructure.

Conclusion

The purpose of the Zoning Text Amendment application is to amend the “Light Industrial (IL)” zoning district of Zoning Bylaw 8500 to add “outdoor storage” as a site-specific permitted use at 16160 and 16268 River Road. The proposal will enable existing and future industrial tenants on the subject site to have outdoor storage activities in support of operations on both subject properties and is consistent with Interim Action Plan and other applications approved in the 16,000 block of River Road.

Staff supports this Zoning Text Amendment application as it supports use of industrial zoned and designated land and all traffic, buffering and RMA issues have been addressed.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9697 be introduced and given first reading.



Kevin Eng
Planner 2

KE:cas

Attachment 1: Location Map

Attachment 2: Development Application Data Sheet

Attachment 3: Map of Rezoning Applications in the 16,000 Block of River Road

Attachment 4: Interim and Long Term Action Plan – 16,000 Block of River Road

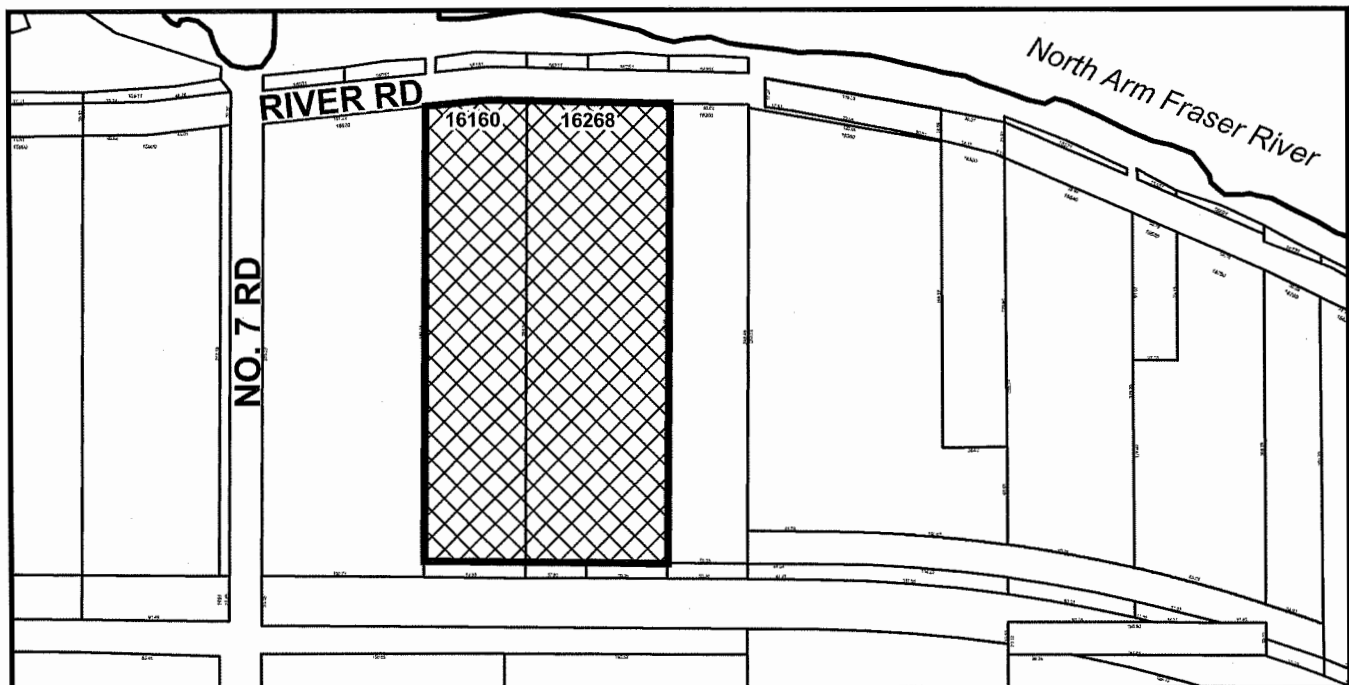
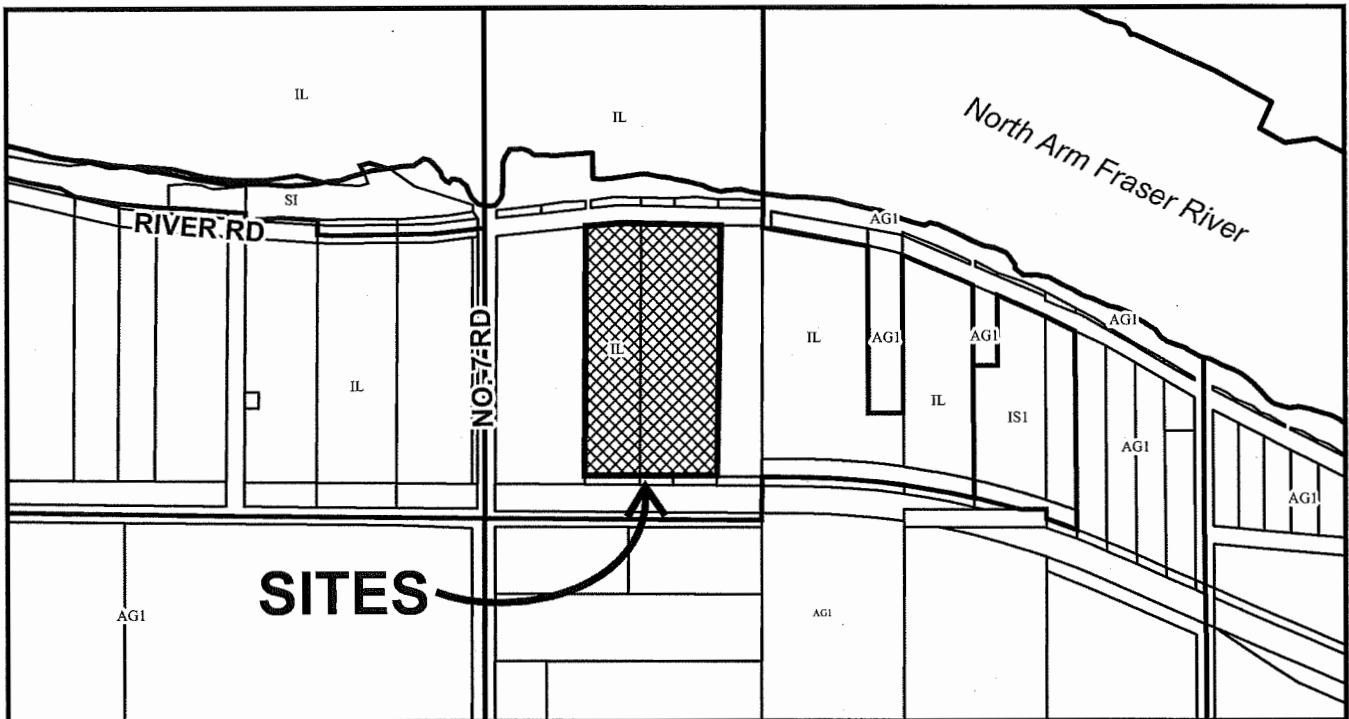
Attachment 5: Conceptual Development Plan

Attachment 6: Conceptual Landscape Plan

Attachment 7: Rezoning Considerations



City of
Richmond



ZT 15-707253

Original Date: 09/09/15

Revision Date: 03/06/17

Note: Dimensions are in METRES



City of
Richmond



ZT 15-707253

Original Date: 09/09/15

Revision Date: 09/10/15

Note: Dimensions are in METRES



City of Richmond

Development Application Data Sheet

Development Applications Department

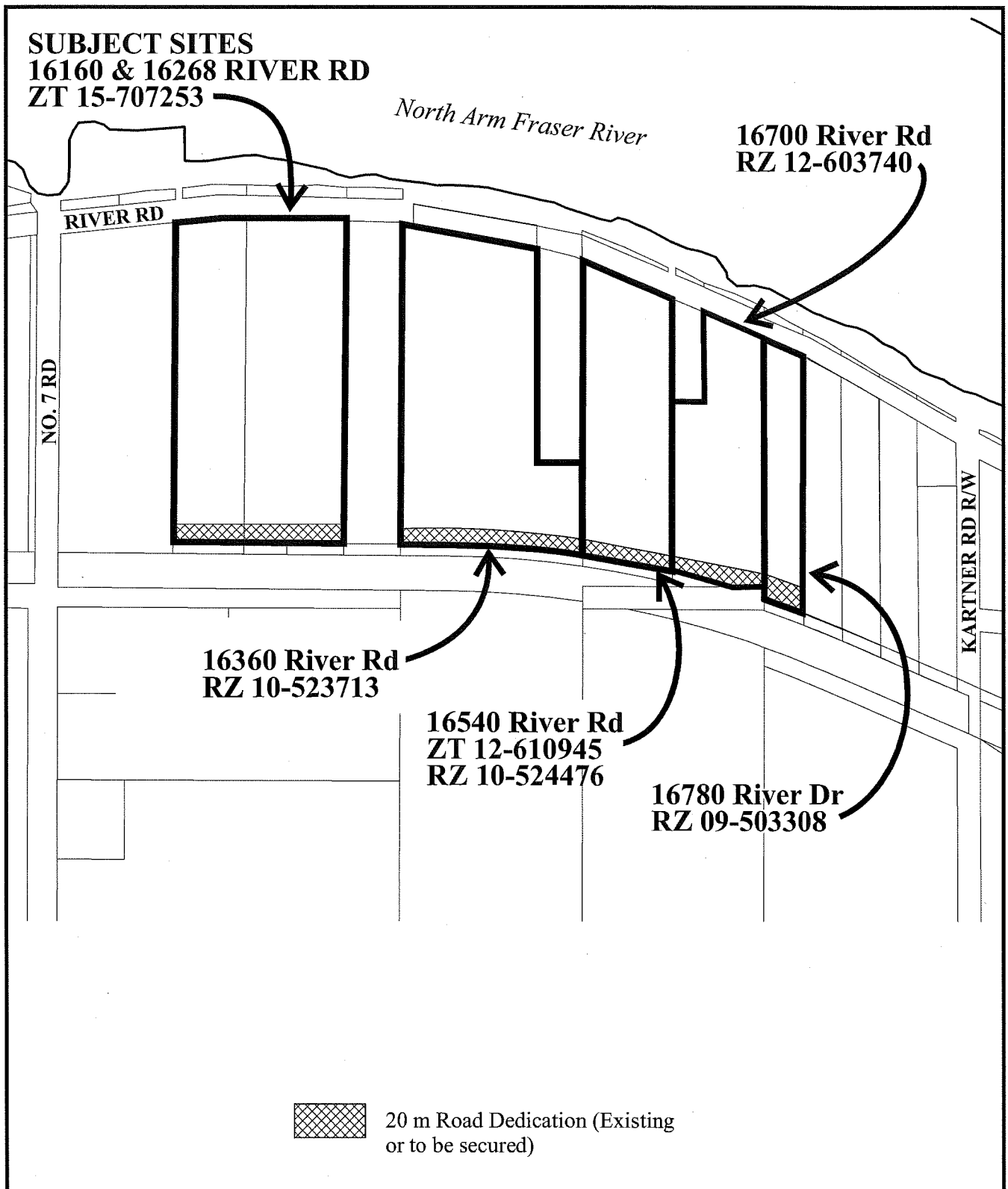
RZ 15-707253

Attachment 2

Address: 16160 and 16268 River Road

Applicant: Brook Pooni Associates Inc.

	Existing	Proposed
Owner:	16160 River Road – H. Brum Enterprises 16268 River Road – H. Brum Enterprises	No change
Site Size (m ²):	16160 River Road – 17,787 m ² 16268 River Road – 24,998 m ²	No change
Land Uses:	Industrial activities	Industrial and outdoor storage activities
OCP Designation:	Industrial	No change - complies
Zoning:	Light Industrial (IL)	Light Industrial (IL) Outdoor Storage – Site Specific



Rezoning Applications in the 16000 Block of River Road

Original Date: 03/31/09

Amended Date: 03/06/17

Note: Dimensions are in METRES

The City of Richmond
Interim Action Plan
16,000 Block of River Road
(Revised based on Public Consultation Feedback)

Land Use

- The 16,000 block of River Road:
 - Is currently designated for 'Business and Industry' in the City's Official Community Plan (OCP).
 - Outdoor parking and storage of vehicles and goods would be consistent with the existing OCP land use designation.
 - This land is not within the Agricultural Land Reserve.
 - Agri-Industrial service activities (operations that support or are directly related to a farm) can also be considered as a potential land use under the "Business and Industry" designation.
- The 17,000 block of River Road:
 - No land use changes are proposed as part of the Interim Action Plan as the properties are contained within the Agricultural Land Reserve and designated for "Agriculture" in the existing OCP.

Proposed Approach to Rezoning Applications

- The City is proposing a restrictive Comprehensive Development District zone in this area. This will allow (if permitted) outdoor storage and parking of vehicles and goods under a set of regulations and conditions – Fencing; Screening; Storage Setbacks; Permeable surface treatment.
- The proposed Comprehensive Development District zone will limit the uses and restrict the amount and size of buildings.

Technical Objectives and Issues

Engineering

- The 16,000 block of River Road is currently **not** adequately serviced by City storm and sanitary systems to sufficiently support intensive light industrial activities involving warehousing/manufacturing buildings or agri-industrial service uses.
- Rezoning proposals for outdoor vehicle storage and parking can be considered, as this use would have minimal impacts on City services.

Transportation

- Vehicle access for traffic generated from proposed uses (i.e., commercial vehicle parking and storage) is to be arranged to mitigate the use and related impact of truck traffic on River Road.
- City staff have recommended that the applicants explore a shared vehicle access across the properties under rezoning application to limit truck and vehicle use of River Road.
- Appropriate traffic assessments and upgrades to applicable portions of River Road and No. 7 Road must be undertaken.

Existing Soil/Fill Conditions

- Confirmation from the Ministry of Environment that any fill previously located on the sites does not pose a contamination risk or negative impact to surrounding areas. A report prepared by the appropriate professional is required to be submitted to the Ministry of Environment to confirm this. The rezoning applicants are to undertake this process, keeping City staff informed of progress and approvals.

Rezoning Considerations (To be completed by the rezoning applicants)

- ☐ Submit an acceptable fence and landscape buffer scheme.
- ☐ Registration on title legal agreements securing shared vehicle access by rezoned properties and restricting access to River Road based on the recommendations set out in the traffic assessment and approved by the City (*additional consideration based on public feedback*).
- ☐ Complete a traffic assessment of **River Road** from No. 7 Road to the eastern extent deemed to be impacted by traffic generated by properties along River Road (16,000 Block).
- ☐ Complete a traffic assessment of **No. 7 Road** from Westminster Highway to River Road by traffic generated by properties along River Road (16,000 Block)(*additional consideration based on public feedback*).
- ☐ Any traffic control measures, joint access infrastructure or road upgrades, including any traffic calming features to minimize the truck impacts in the area, identified as part of the traffic assessment of applicable portions of River Road and No.7 Road (reviewed and approved by City staff) will be the responsibility of the rezoning applicants to complete (*additional consideration based on public feedback*).
- ☐ Dedication of a 20 metre wide strip of land along the south property line of each property to facilitate the creation of a new road.

Forthcoming Process

- ☐ Rezoning applicants will be given a deadline of March 31, 2008 to complete the necessary studies and plans and submit the following materials to City staff for review:
 - Traffic assessments for applicable portions of River Road and No. 7 Road (*additional consideration based on public feedback*).
 - Geotechnical reports, which have been forwarded to the Ministry of Environment for review and approval, to confirm that the sites do not pose any contamination risk or negative impact to surrounding areas.
 - A buffer and landscaped screen plan for the properties under rezoning application.
- ☐ Should Council approve the staff recommendation, this decision will be integrated into the forthcoming City wide review of the OCP.

**The City of Richmond
Long-Term Action Plan
16,000 Block of River Road**

(Revised based on Public Consultation Feedback)

Land Use Examination

- ☐ Monitor outdoor vehicle and goods parking/storage to ensure compliance to regulations and Interim Action Plan provisions.
- ☐ Future rezoning applications will be required, should property owners wish to undertake more intensive light industrial activities or agri-industrial service activities.
- ☐ Intensive light industrial uses or agri-industrial service activities is consistent with the existing City's Official Community Plan (OCP) 'Business & Industry' land use designation.
- ☐ Review agri-industrial service operations to determine if specialized zoning provisions are required.

Technical Objectives and Issues

Traffic and Transportation

- ☐ Establishment of a new road access east of No. 7 Road to serve as the future vehicle access to potential light industrial activities.
- ☐ The proposed alignment for a new road east of No. 7 Road is along the south property line of the River Road properties (a 20 metre wide future road dedication will be secured through current rezoning applications).
- ☐ Design and construction of a new road east of No. 7 Road would be undertaken when the road can be made functional.

City Servicing

- ☐ Intensive light-industrial uses and agri-industrial service activities will require the appropriate servicing infrastructure (sanitary, storm and water systems), which entails significant works to be undertaken.
- ☐ Resolution of City servicing constraints will be required through future rezoning applications in this area to more intensive light industrial uses.

Forthcoming Process

- ☐ Should Council approve the staff recommendation, this decision will be integrated into the forthcoming City wide review of the OCP.



CUSTOMER
BROOK POON ASSOCIATES

PROJECT
16160 & 16268 RIVER
ROAD REZONING



1 CHANGES PER CITY 2/16/2016
2 REVISIONS PER CLIENT COMMENTS 2/16/2016
3 REVISIONS PER CLIENT COMMENTS 2/16/2016
4 REVISIONS PER CLIENT COMMENTS 2/16/2016
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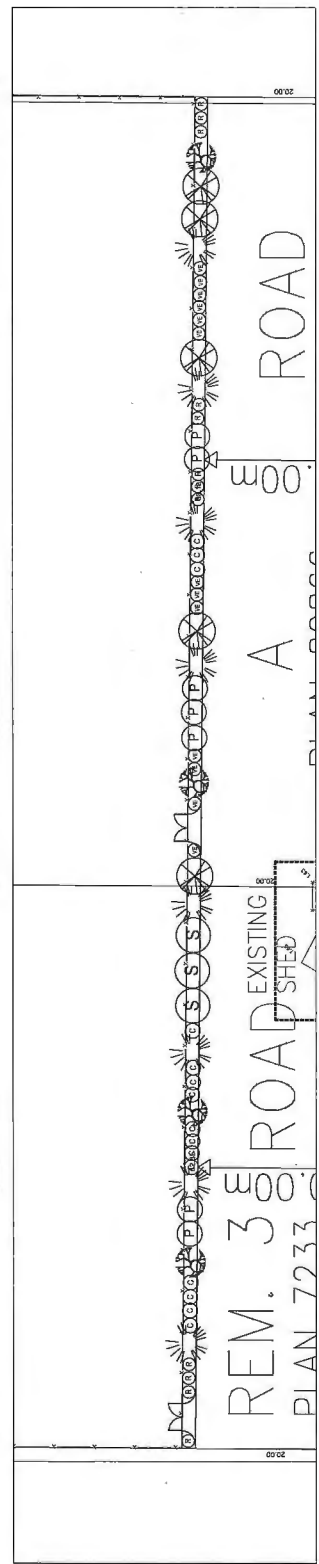
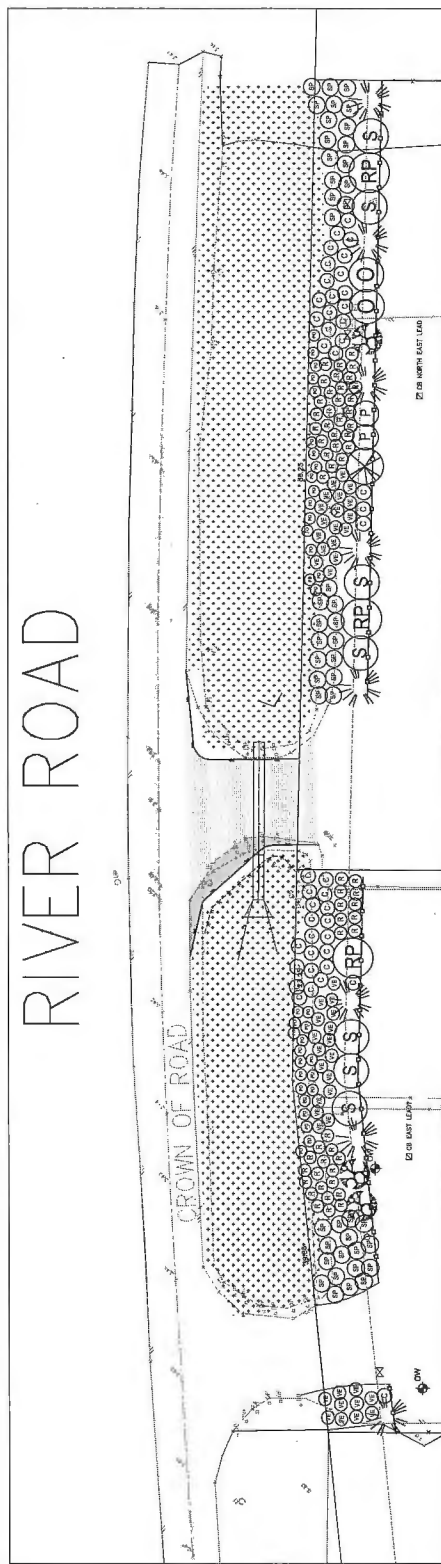
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ENLARGEMENT**

ATTACHMENT 6



L2/3

project no. 15-0119
date: June 30, 2015
scale: 1/250



PLANT LIST

TREES	QTY	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	REMARKS
1	8	ACER CIRCINATUM	VINE MAPLE	3.5m	5CM CAL	B & B
2	7	CORYLUS CORNUTA	BEAKED HAZELNUT	4.0m	5CM CAL	B & B
3	17	PINUS CONTORTA	LOGPOLE PINE	4.5m	2.5m HT.	B & B
SHRUBS						
4	60	CORNUS STOLONIFERA	RED OSIER DOGWOOD	2m	#5 POT	CONTAINER
5	3	OEMLERIA CERASIFORMIS	INDIAN PLUM	4.0m	#5 POT	CONTAINER
6	35	POLYSTICHUM MUNITUM	SWORD FERN	1.5m	#2 POT	CONTAINER
7	9	PRUNUS EMARGINATA	BITTER CHERRY	3.0m	1.5m HT.	CONTAINER
8	4	FRAXINUS PURSHIANA	CASCARA	5.0m	#10 POT	CONTAINER
9	72	RUBUS SPECTABILIS	SALMONBERRY	1.5m	#2 POT	CONTAINER
10	11	SALIX LASANDRA	PACIFIC WILLOW	4.0m	#3 POT	CONTAINER
11	48	SPIREA DOUGLASII	PINK SPIREA	2.0m	#3 POT	CONTAINER
12	59	VIBURNUM EDULE	HIGHBUSH CRANBERRY	1.5m	#3 POT	CONTAINER

ROADSIDE RIPARIAN COASTAL SEED MIX



REVISED AS PER CITY	2017-01-18	REVISED AS PER CLIENT COMMENTS	2016-06-06	REVISED AS PER CLIENT COMMENTS	2016-06-06	REVISED AS PER CLIENT COMMENTS	2016-02-01
RECEIVED	2017-01-18	RECEIVED	2016-06-06	RECEIVED	2016-06-06	RECEIVED	2016-02-01

REV / 4

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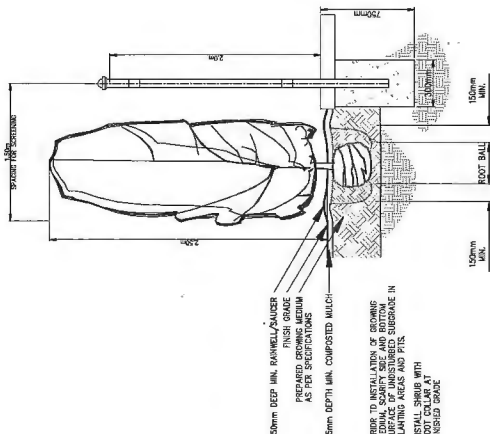
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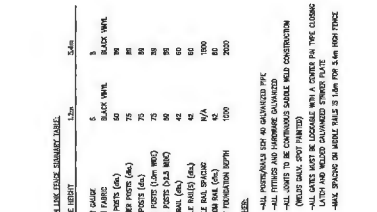
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Project no.	15-0419
Date	June 30, 2015
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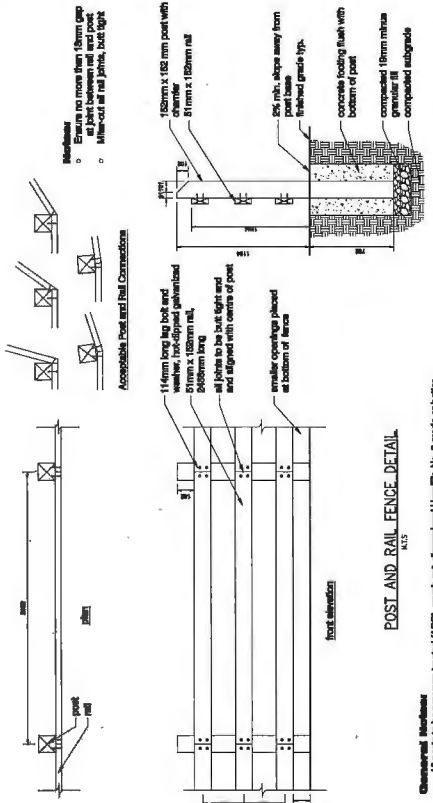
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CHAINLINK PERIMETER FENCE
N.T.S.

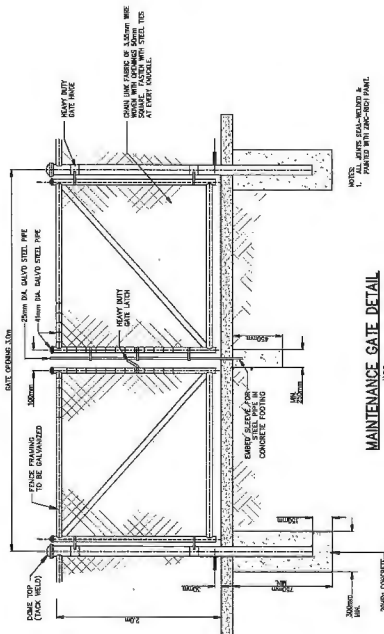
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POST AND RAIL FENCE DETAIL

MTS

Characteristics:

- o All points to be pressure treated (ACQ), rough-cut, dimensional Hem-Fir, No. 2 grade or better
- o All rails to be rough-cut, 4x dimensional Cedar, No. 2 grade or better
- o All fence posts to be rough-cut, 4x dimensional Cedar, No. 2 grade or better
- o All fence posts to be installed plumb and true
- o Field treat all cut surfaces of posts with a minimum of two coats of copper naphthenate
- o If post hole cannot be dug to specified depth due to obstruction, concrete footing may be used, however a minimum of 400mm of post below depth must be maintained



MAINTENANCE GATE DETAIL

30



Address: 16160 and 16268 River Road

File No.: RZ 15-707253

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9697, the developer is required to complete the following:

1. 20 m wide road dedication along the entire south property line of 16160 and 16268 River Road.
2. The granting of a 4 m wide statutory right-of-way along the north portion of 16160 and 16268 River Road, directly south of and abutting SRW Plan 83073 for dyke and utility purposes.
3. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 3.1 m GSC.
4. Registration of a legal agreement on title ensuring that each existing vehicle access and culvert crossing to 16160 and 16268 River Road providing access to the properties from River Road must be closed and removed at the sole cost of the property owner once the new industrial road on the south portion of each property is operational and services 16160 and 16268 River Road. The legal agreement will also include provisions for the owner of 16160 and 16268 River Road to obtain any necessary approvals and permits for works to remove the driveway access/culvert crossing, including ensuring all works comply with Provincial Riparian Area Regulations.
5. Registration of a cross-access easement between 16160 and 16268 River Road (legal agreement cannot be modified or discharged without prior approval from the City) to enable passage of motor vehicles (all types) between 16160 and 16268 River Road to allow access to each property's driveway access to River Road.
6. Submission and approval (from the Director of Transportation) of a finalized design (prepared by a professional transportation engineer) and completion of construction to modify the existing driveway access for:
 - a) 16160 River Road – To design and implement traffic control measures to enable access/egress to passenger vehicles only.
 - b) 16268 River Road – To design and implement traffic control measures that prohibits right-out (northbound to eastbound) and left in (westbound to southbound) for commercial trucks. Design and works to include widening of the existing driveway crossing to accommodate right-in (eastbound to southbound) truck turning movements into the site.

Note: Completion of construction of the approved driveway access design modification (including inspection from the consulting Transportation Engineer) and follow-up inspection and approval by City Transportation staff is required prior to final adoption of the zoning amendment bylaw.

7. Voluntary contribution of \$1,000 to go towards the generation and posting of the necessary traffic control signage along River Road as recommended in the applicant's Traffic Impact Assessment.
8. Voluntary contribution of \$29,950 for the purposes of undertaking future City study and examination of River Road.
9. Submission and approval (by the Director of Engineering) of a plan by a Qualified Environmental Professional (QEP) to address works, compensation and buffer plantings in or adjacent to the Riparian Management Area on the north portions of 16160 and 16268 River Road based on the following terms of reference:
 - a) Generally consistent with the conceptual landscape buffer and RMA plan submitted as part of this land use application.
 - b) Compliant with all Provincial Riparian Area Regulations.
 - c) QEP is required to include a Construction Environmental Management Plan for submission and approval by the City.
 - d) Plan is required to include a review and recommendations from the QEP for any works/modifications to the existing driveway access/culvert crossings at 16160 and 16268 River Road in the RMA.
 - e) Works within the RMA to be supervised by a QEP.

- f) A cost estimate for works is required to be included in the plan submission. A bond based on the approved cost estimate by the City is required to be submitted prior to final adoption of the zoning amendment bylaw to ensure implementation of the works.

Note:

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

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

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

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

— SIGNED COPY ON FILE —

Signed

Date



City of Richmond

Bylaw 9697

Richmond Zoning Bylaw 8500 Amendment Bylaw 9697 (ZT 15-707253) 16160 and 16268 River 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 properties into Section 12.2.11.3 Other Regulations in the Light Industrial (IL) zone:

“16160 River Road
P.I.D. 004-361-130
Lot 3 Except Firstly: East 124 Feet; Secondly: Part On SRW Plan 71683; Section 14
Block 5 North Range 5 West New Westminster District Plan 7233

16268 River Road
P.I.D. 013-418-688
Lot A Section 14 Block 5 North Range 5 West New Westminster District Reference
Plan 80866”
2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9697**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 27 2017

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

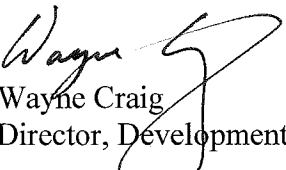
To: Planning Committee
From: Wayne Craig
Director, Development

Date: March 9, 2017
File: ZT 14-656010

Re: Application by Suncor Energy Inc. (Petro-Canada Inc.) for a Zoning Text Amendment to the Gas Station Commercial (ZC15) – Broadmoor and Ironwood Area to Permit a Drive-Through Restaurant at 11991 Steveston Highway

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9698, for a Zoning Text Amendment to the "Gas Station Commercial (ZC15) – Broadmoor and Ironwood" zone to permit "Restaurant, drive-through" at 11991 Steveston Highway, be introduced and given first reading.


Wayne Craig
Director, Development

WC:ke
Att. 4

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER


For J. Erickson

Staff Report

Origin

Suncor Energy Inc. (Petro-Canada Inc.) has applied to the City of Richmond for permission to amend the “Gas Station Commercial (ZC15) – Broadmoor and Ironwood” zoning district of Zoning Bylaw 8500 to add “Restaurant, drive-through” as a site-specific secondary use on the property at 11991 Steveston Highway (Attachment 1).

A previous rezoning (RZ 04-272679) to the “Gas Station Commercial (ZC15) – Broadmoor and Ironwood” zone for the site was adopted by Council on December 10, 2007. A Development Permit (DP 04-278898) was issued by Council on December 10, 2007 to permit redevelopment of the existing Petro-Canada gas station including an expanded retail convenience store. As part of this redevelopment, a drive-through to serve as an order/pick-up window for customers to the retail convenience store was implemented. However, the drive-through order/pick-up window servicing the convenience has never been operational since the site was redeveloped in 2008.

The proposal is for a drive-through restaurant that would reconfigure the existing drive-through and create a kitchen/service and small seating area within the existing convenience store. No additional building or floor area is required for the proposal. A future Development Permit application will be required to address exterior changes to the building and modifications to the site to reconfigure the existing drive-through.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is contained in Attachment 2.

Surrounding Development

The subject site contains an existing Petro-Canada gas station with an accessory retail convenience store zoned “Gas Station Commercial (ZC15) – Broadmoor and Ironwood”. Existing driveways along No. 5 Road and Steveston Highway service the subject site.

To the North: A property zoned “Single-Detached RS1/E” that contains a single family dwelling.

To the South: Across Steveston Highway, a gas station zoned “Gas Station Commercial (ZC15) – Broadmoor and Ironwood” and Ironwood Shopping Centre zoned “Community Commercial (CC)”

To the East: Across No. 5 Road, “The Gardens” mixed use development zoned “Commercial Mixed Use – The Gardens (Shellmont) (ZMU18).

To the West: A townhouse development zoned “Low Density Townhouses (RTL3)”

Related Policies & Studies**Official Community Plan/Ironwood Sub Area Plan**

The Official Community Plan (OCP) designates the subject site Neighbourhood Service Centre. The proposal to add a drive-through restaurant to the existing gas station complies with the OCP designation.

The subject site is also located in the Ironwood Sub Area Plan – Area A. The Development Permit Guidelines for commercial development in the Ironwood Sub Area applies to the proposal and will be reviewed through the forthcoming Development Permit application.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. A flood indemnity covenant was secured and registered through the previous rezoning application (RZ 04-272697.)

Noise Regulation Bylaw 8856

The applicant engaged an acoustical engineer to assess the noise generated from the proposed drive-through restaurant (i.e., idling cars, vehicles travelling through the drive through and order/speaker boxes) in accordance with the applicable provisions of Noise Regulation Bylaw 8856. The acoustical engineer's report notes that the proposed drive-through operation will comply with the bylaw.

At future Development Permit application, an additional acoustical report will be required to confirm the following:

- All building mechanical systems, exhaust venting and heating, ventilation and air conditioning (HVAC) units to be installed as part of the project will comply with Noise Regulation Bylaw 8856.
- All drive-through order/speaker systems will comply with Noise Regulation Bylaw 8856.
- The building envelope is designed to avoid noise generated from the internal use from penetrating into residential areas to ensure compliance with Noise Regulation Bylaw 8856.
- Ensure that any sound/noise attenuation measures recommended by the consultant are reviewed and included as part of the Development Permit application.

Public Consultation

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

Should the Planning Committee endorse this application and Council grant 1st reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

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

Ministry of Transportation and Infrastructure (MOTI)

The project was referred to MOTI staff, who granted preliminary approval to the proposal. Final approval from MOTI will be secured as a rezoning consideration for the subject site.

Analysis

Built Form and Architectural Character

Minor changes will occur to the exterior of the existing building to relocate the drive-thru pick-up window to the west and install signage for the new tenant. Interior changes will convert a portion of the building to accommodate the kitchen/service area for the drive-thru restaurant.

The existing drive through infrastructure located along the north portion of the site will be redesigned to accommodate the following (Attachment 3 – Conceptual Site and Elevation Drawings):

- The drive-thru pick-up window will be relocated to the west to the middle of the building and order boards are situated after entering the drive-thru queue area on the east of the site.
- Sufficient vehicle queue length to accommodate 8 vehicles on-site in the drive-thru order lane, as per City Zoning Bylaw requirements.
- Reconfiguration of the drive-aisle to accommodate a double-lane queue configuration at the drive-thru entrance (merging to single lane), while preserving a pedestrian connection from No. 5 Road to the access to the convenience/retail store.
- No vehicle circulation conflicts on-site or at the No. 5 Road driveway access/exit location to the site will occur.

Transportation and Site Access

The vehicle access location and configuration to the site will not change as a result of this proposal with current right-in/right-out driveways along No.5 Road and Steveston Highway. The applicant has demonstrated that the minimum vehicle queue length for the drive-thru of 8 vehicles (as per the City's Zoning Bylaw) can be accommodated through a double-lane merging to a single-lane drive-through configuration. The proposed site plan also ensures all on-site vehicle manoeuvring and circulation (including at the No. 5 Road and Steveston Highway driveway) can be accommodated without any vehicle conflicts.

On-site parking for the proposed drive-thru restaurant, including the retail convenience store, will be provided consistent with the City's off-street parking requirements in Zoning Bylaw 5300.

Development Permit

Further review of the modifications to the existing building and overall site to accommodate the proposed drive-thru restaurant operation will be undertaken through the Development Permit application. Staff have identified the following items to be examined and addressed through the Development Permit application:

- Information on design and location of (existing and proposed) building mechanical, exhaust ventilation and HVAC units to ensure they are not a visual disturbance to surrounding areas and are properly screened.
- Provide additional details to confirm measures to mitigate against odour, noise and light impacts from the proposed drive-thru operation.
- Examine the existing landscape treatments along the residential adjacencies along the north and west edges of the subject site to determine if there are any opportunities for additional plantings or treatments to strengthen this buffer.
- Landscaping design modifications for the proposed project.

Site Servicing and Frontage Improvements

Engineering Planning staff have not identified any servicing works or infrastructure upgrades for this development.

The following transportation frontage works and related road dedications are required as part of this development:

- Approximately a 22 sq. m dedication along No. 5 Road to accommodate a 1.5 m wide sidewalk and 1.5 m wide boulevard along the entire frontage.
- Along Steveston Highway, a 1.5 m wide concrete sidewalk and 1.5 m wide boulevard along the entire frontage.
- Along Steveston Highway, a 3.0 m wide by 9 m in length concrete landing pad for accessible bus stop requirements, including the necessary on-site statutory right-of-way (SRW) (approximately 1.5 m wide by 5 m in length) for a concrete pad for the placement of a bus shelter (Note - The existing SRW Plan BCP33443 along Steveston Highway will be required to be modified and/or discharged to accommodate the new on-site SRW).
- Voluntary contribution (\$30,000) by the developer to the City for installation of a bus shelter along Steveston Highway.

- Submission of a functional design is a rezoning consideration to confirm the amount of land dedication and dimensions of the statutory right-of-way for the above referenced works.
- Please refer to Attachment 4 for the rezoning considerations for this project.

A Servicing Agreement is required for the frontage works, which will be required to be completed prior to issuance of the Building Permit for the project.

Financial Impact or Economic Impact

The Zoning Text Amendment application results in insignificant Operational Budget Impact (OBI) for off-site City infrastructure.

Conclusion

The purpose of this Zoning Text Amendment application is to amend the “Gas Station Commercial (ZC15) – Broadmoor and Ironwood” to add “Restaurant, drive-thru” as a site specific secondary use at 11991 Steveston Highway. The proposal will enable the conversion of a portion of the existing retail convenience store to a drive-thru restaurant and reconfiguration of the existing drive-thru layout to accommodate the proposed use.

Staff supports this application as it facilitates frontage upgrades and bus stop infrastructure consistent with the surrounding area. Furthermore, modifications to the drive-thru to ensure efficient and safe vehicle movements will be undertaken and no increases to the building footprint are required.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9698 be introduced and given first reading.



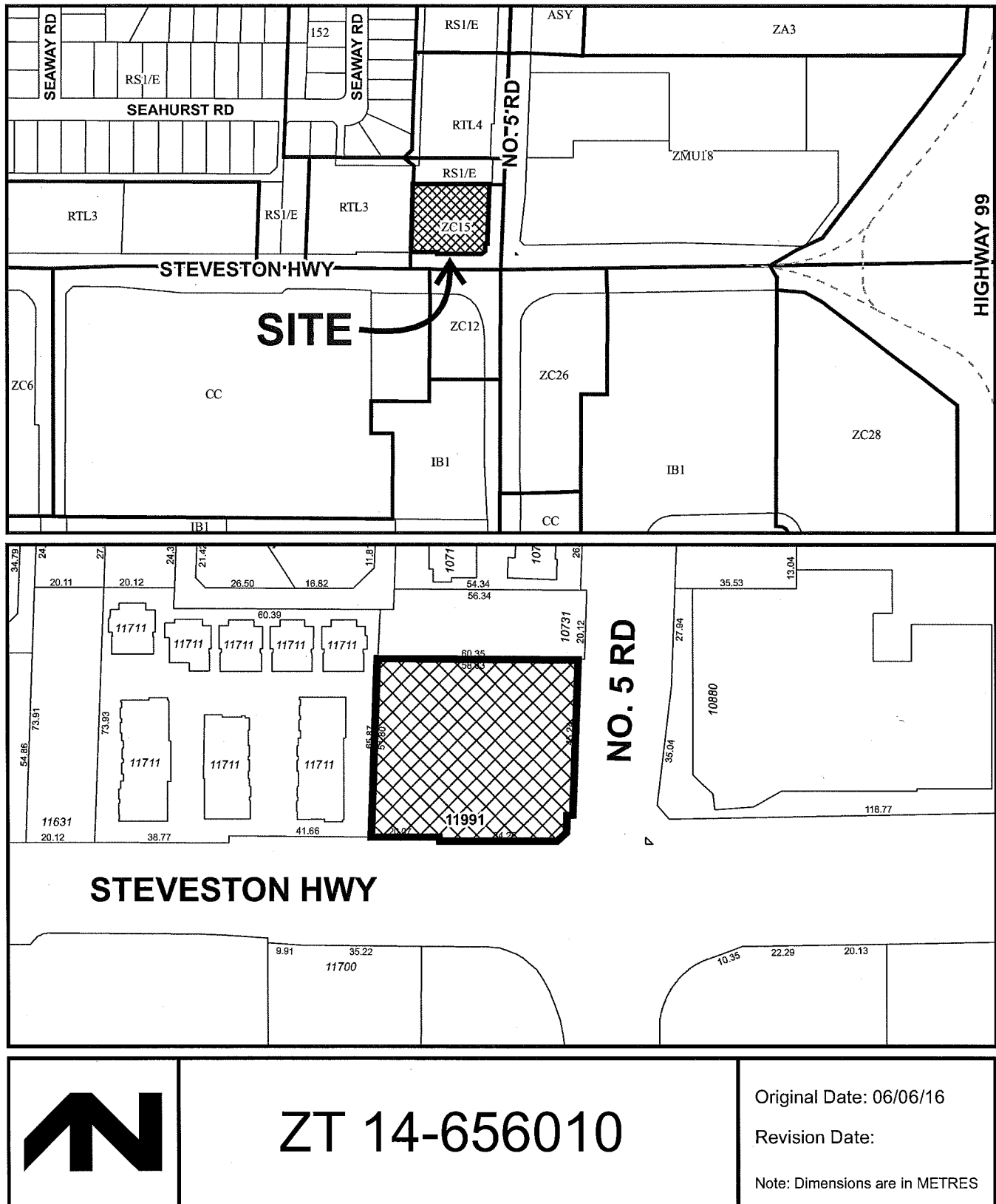
Kevin Eng
Planner 2

KE:rg

Attachment 1: Location Map
Attachment 2: Development Application Data Sheet
Attachment 3: Conceptual Development Plans
Attachment 4: Rezoning Considerations



City of
Richmond





City of
Richmond



ZT 14-656010

Original Date: 02/21/14

Revision Date: 06/06/16

Note: Dimensions are in METRES



ZT 14-656010

Attachment 2

Address: 11991 Steveston Highway

Applicant: Suncor Energy Inc.

Planning Area(s): Ironwood Sub Area

	Existing	Proposed
Owner:	Suncor Energy Inc.	No change
Site Size (m²):	3,042 m ²	No change
Land Uses:	Gas station and accessory retail convenience store	Add a drive-through restaurant to the existing building as a secondary use
OCP Designation:	Neighbourhood Service Centre	No change - complies
Area Plan Designation:	Ironwood Sub Area Plan – Area A (Development Permit – Commercial Development)	No change
Zoning:	Gas Station Commercial (ZC15) – Broadmoor and Ironwood	Add "Restaurant, drive-through" as a site specific secondary use

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.35 FAR	0.1	none permitted
Lot Coverage (% of lot area):	Max. 35%	17% (Includes canopy over gas pumps)	none
Building Setbacks (m):	Road: Min. 12 m Rear: Min. 3 m Side: Min. 3 m	Road: 33 m (Steveston Highway) Road: 18 m (No. 5 Road) Rear: 6.5 m (north) Side: 20 m (west)	none
Building Height (m):	9 m	5.2 m	none
Off-street Parking Spaces – Total:	8 stalls	11 stalls	none

- ALL DIMENSIONS ARE IN METRES U.N.D.
- CONTRACTOR TO CHECK/VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE REPORTED TO THE PROJECT OFFICER.
- DO NOT SCALE DRAWINGS

Revisions						FORMAL DATE	REVISION DATE
REV.	DESCRIPTION	REVISION	DATE	BY	DATE	DATE	DATE
1	FORMAL DRAFT FOR DISCUSSION WITH CLIENT		2024-11-15			2024-11-15	
2	PRELIMINARY FUNCTIONAL DESIGN ADDRESSING CLIENT FEEDBACK COMMENTS		2024-11-18			2024-11-18	
3	DESIGN APPROVED AT PM OFFICE & SIGNATURE		2024-10-17				

[illegible]

WESTERN REGION

ROAD FRONTAGE
FUNCTIONAL DESIGN

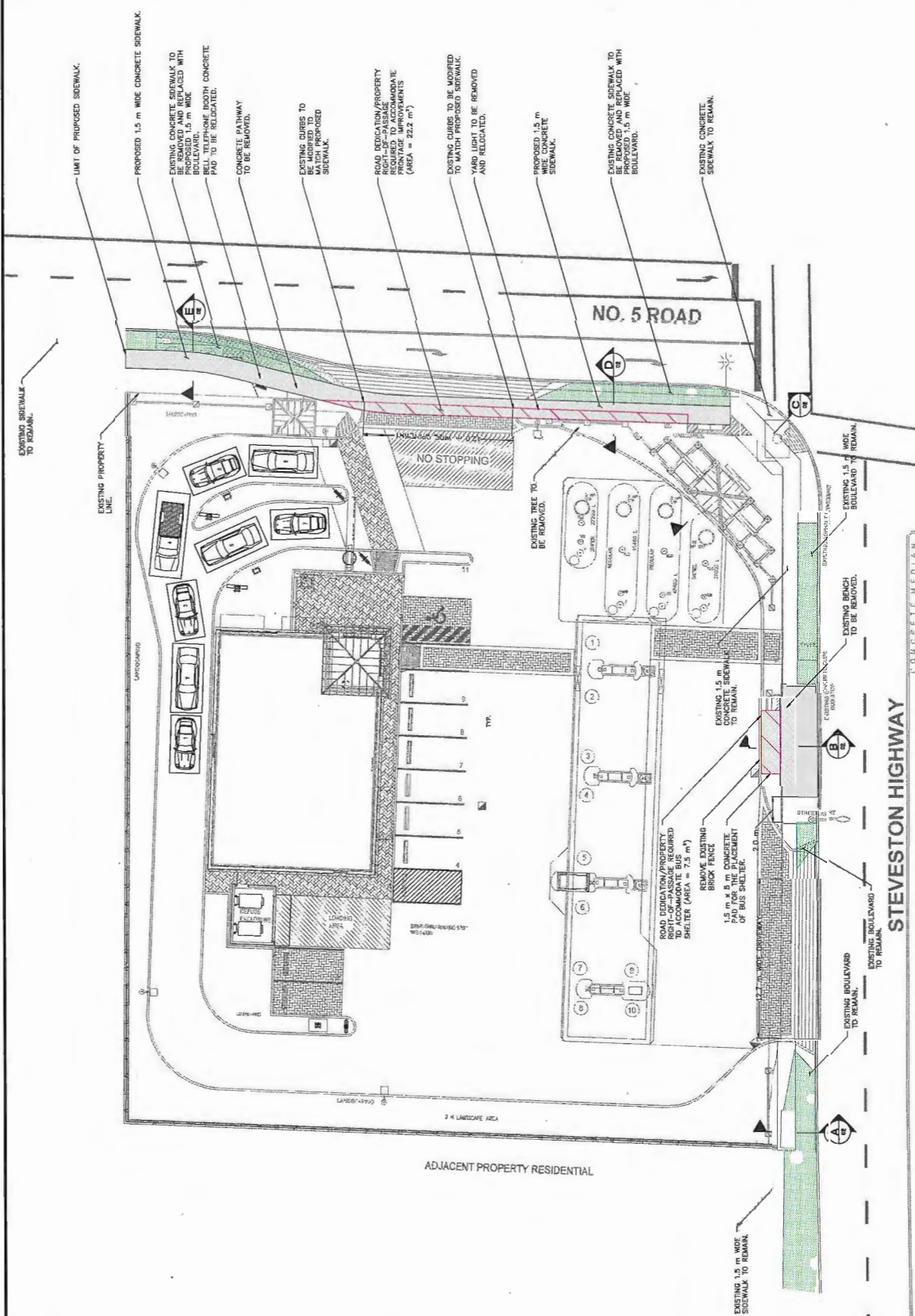
References

NO.5 ROAD AND
STEVESTON HWY.

CASUALTY SHEET SIZE 3 1/8" x 6" PRINTING-COMPA ON YELLOW CONSULTANT CDR FILE NO. FLIGHT SCALE FLIGHT DATE FLIGHT CONFIGURATION PARAMETERS	CHL 1:50 2016-23-03 DAB DAB
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XXXXXX
e/OUTLET No.

10



STEVESTON HIGHWAY

PLAN

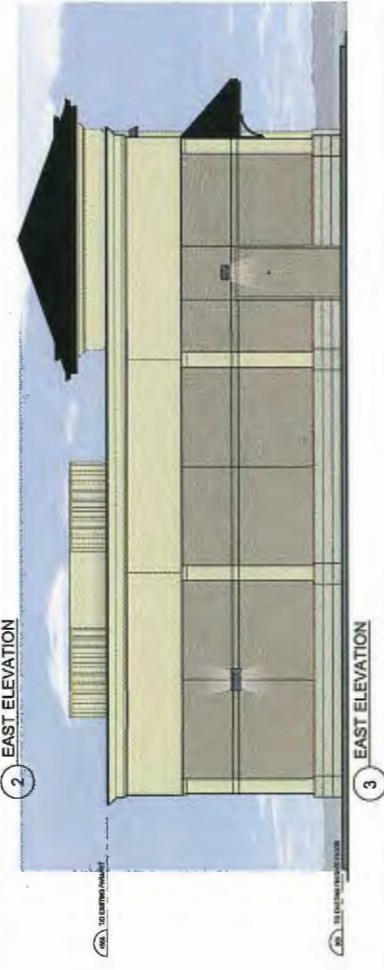
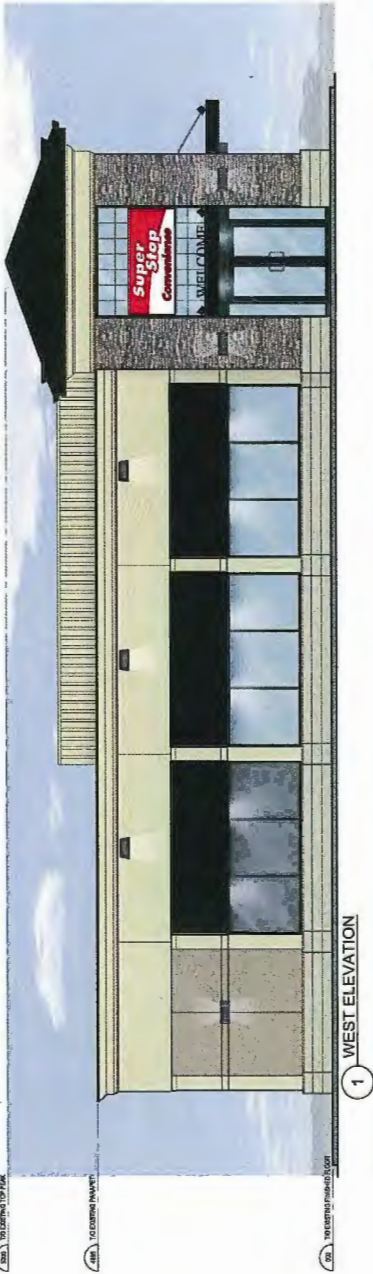
ADJACENT PROPERTY RESIDENTIAL

PH - 320

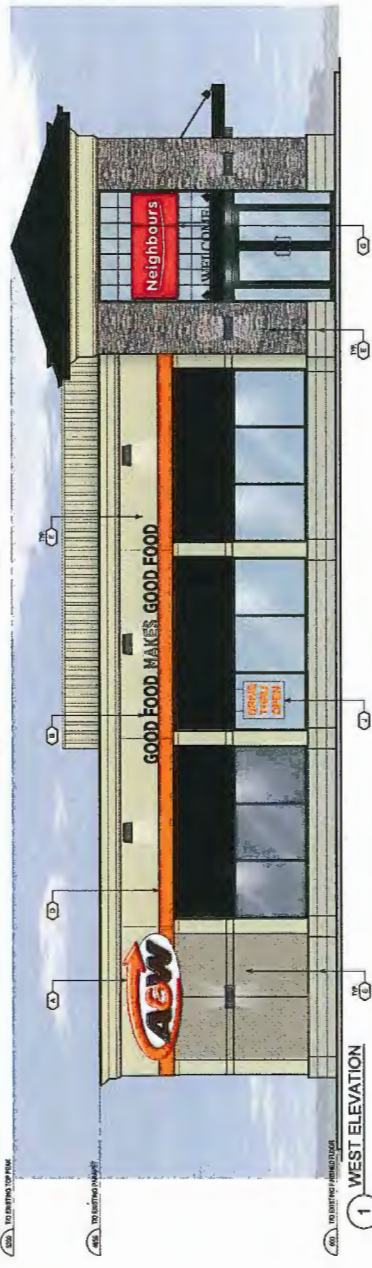


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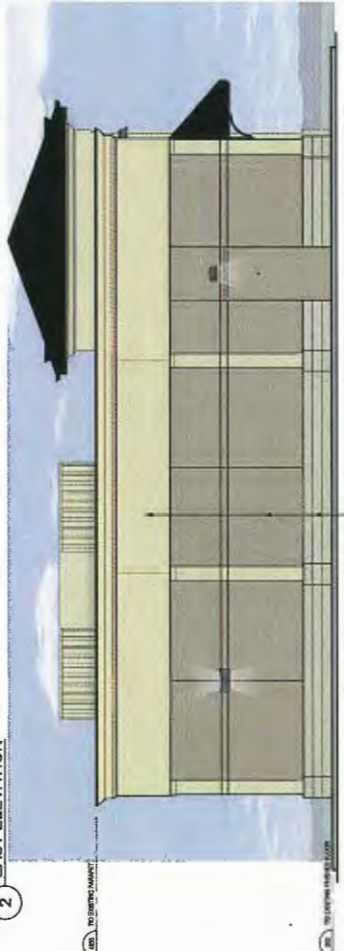
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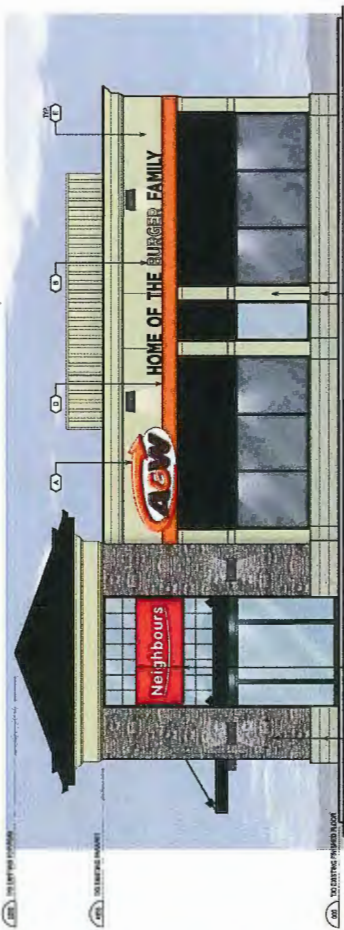
1 WEST ELEVATION



2 EAST ELEVATION



3 EAST ELEVATION



4 WEST ELEVATION

NO.	PRODUCT	SPECIFICATION & COLOUR	REMARKS
A	NEW ILLUMINATED LOGO SIGN		
B	NEW NON-ILLUMINATED LETTER SIGN		
C	RELOCATED DRIVE-THRU WINDOW		
D	ILLUMINATED BOOKENDING LIGHT BOX	TO BE REPAINTED TO MATCH ANY CHANGE	SUPPLIED BY A&W INSTALLED BY D.C.
E	EXISTING EXTERIOR FINISH		
F	NEW SIGN FACE	PATCH & REPAIR WHERE REQ'D (BITE VERIFY)	
G	NON-ILLUMINATED A&W GRAPHIC SNAP FRAME UNIT	APPLY ON EXISTING ILLUMINATED SIGN BOX	PROVIDED BY A&W
H	A&W DRIVE-THRU OPEN ILLUMINATED SIGN	INTERIOR SUSPENDED	PROVIDED BY A&W
I	ACM WALL PANEL	COLOUR TO MATCH - A&W CRANSE	
J	CULTURED STONE IN-FILL	TO MATCH ADJACENT	

5 EXTERIOR FINISH SCHEDULE



Address: 11991 Steveston Highway

File No.: ZT 14-656010

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9698, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Submission of a functional design to confirm any land dedication and/or statutory right-of-way requirements for frontage works along No. 5 Road and Steveston Highway, including but not limited to the following:
 - a) No. 5 Road – Approximately 22 sq. m of land dedication along a portion of the subject site's No.5 Road frontage.
 - b) Steveston Highway – statutory right-of-way (SRW) to accommodate an approximate 1.5 m wide by 5 m length concrete pad for a bus shelter. Provisions to be included in the SRW to be consistent with bus shelters located on private property (Note: The existing SRW Plan BCP33443 along Steveston Highway will be required to be modified and/or discharged to accommodate the new on-site SRW).
3. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
4. Voluntary contribution of \$30,000 to go towards the installation of a bus shelter.

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

1. Submission of a report from an acoustical engineer to ensure noise generated from the proposed development (Building, mechanical systems, HVAC/exhaust and drive-through operations) complies with Noise Regulation Bylaw 8856, including any recommended sound/noise attenuation measures to be incorporated into the development.
2. Submission of a landscape bond/letter of credit for all on-site landscaping works.

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. Enter into a Servicing Agreement* for the design and construction of frontage works along No. 5 Road and Steveston Highway. Works include, but may not be limited to:
 - a) Along No. 5 Road – 1.5 m wide sidewalk and 1.5 m wide boulevard.
 - b) Along Steveston Highway
 - 1.5 m wide sidewalk and 1.5 m wide boulevard.
 - 3.0 m wide by 9 m in length concrete landing pad for accessible bus stop requirements, including the necessary on-site statutory right-of-way (SRW) (approximately 1.5 m wide by 5 m in length) for a concrete pad for the placement of a bus shelter.
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 COPY ON FILE -

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9698 (ZT 14-656010)
11991 Steveston Highway**

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 use in Section 22.15.3 Secondary Uses in the Gas Station Commercial (ZC15) – Broadmoor and Ironwood zone:

“Restaurant, drive-through”
 - b. Inserting the following clauses into Section 22.15.11 Other Regulations in the Gas Station Commercial (ZC15) – Broadmoor and Ironwood zone:

“3. Restaurant, drive-through is only permitted on the following site:
11991 Steveston Highway
P.I.D. 027-287-513
Lot 1 Section 36 Block 4 North Range 6 West New Westminster District Plan
BCP33442”
2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9698”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 27 2017



MAYOR

CORPORATE OFFICER



City of Richmond

Report to Council

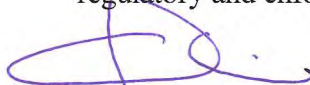
To:	Richmond City Council	Date:	March 21, 2017
From:	Cecilia Achiam, MCIP, BCSLA Director, Administration and Compliance	File:	03-0900-01/2017-Vol 01
Re:	Revised Proposed Bylaws and Options for Short-Term Rentals		

Staff Recommendation

In respect to bed and breakfast (“B&B”) uses in single-family and agricultural zones, implementing a distance buffer between B&B establishments, requiring that the B&B is the primary residence of the owner-operator and to the enhanced enforcement of such short-term rental regulation:

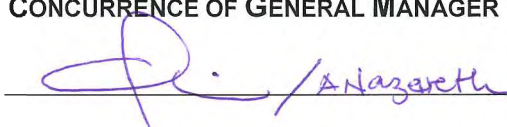

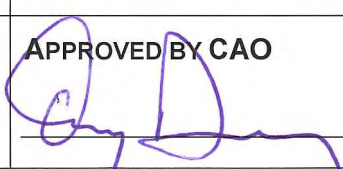
1. That Official Community Plan Bylaw 9000, Amendment Bylaw 9691, which amends Official Community Plan Bylaw 9000 by adding a provision for a 500 meter buffer between B&B establishments be introduced and given first reading;
2. That Bylaw 9691, having been considered in conjunction with:
 - a) the City’s 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 said program and plans in accordance with section 477(3)(a) of the *Local Government Act*;
3. That Bylaw 9691 be sent to the Agricultural Land Commission for comment;
4. That Bylaw 9691, 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 Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 to amend definitions, be introduced and given first reading;
6. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9692 to require a distance buffer between B&Bs, be introduced and given first reading;
7. To incorporate enhanced business licencing requirements and increase fees and penalties, that:
 - a) Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;
 - b) Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;
 - c) Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and

- d) Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652;
each be introduced and given first, second and third readings;
8. That the proposed communication plan described in Attachment 3 of this report explaining the proposed changes (identified in the above recommendation) to the short-term rental regulations be endorsed;
9. That:
- the information regarding tax requirements including whether a hotel tax should apply to short-term rentals provided in this report be received for information; and
 - staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax, including the definition of accommodation providers;
10. That staff conduct a one-year review of the City's proposed short-term rental regulation, and include issues surrounding a requirement for the operator of the short-term rental to be the owner of the property and report back to Council;
11. That staff consider options and report back on the issue of short-term rentals for multi-family dwellings; and
12. That staff formulate a robust public engagement process to address additional options and regulatory and enforcement gaps for future consideration.



Cecilia Achiam, MCIP, BCSLA
Director, Administration and Compliance
(604-276-4122)

Att.

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

Staff Report

Origin

This report is supplemental to the staff report titled “Short-Term Rentals – Proposed Bylaws and Options”, dated February 27, 2017 from the Director, Administration and Compliance which was considered by General Purposes Committee on March 6, 2017 and by Council on March 13, 2017 (Attachment 1).

At the meeting on March 13, 2017, Council made the following referral:

That the recommendations and the staff report titled “Short-term Rentals – Proposed Bylaws and Options” dated February 27, 2017 from the Director Administration and Compliance, be referred back to staff to continue with the existing approach subject to:

- 1. an additional requirement for a short-term rental operator to be the owner of his/her principal residence;*
- 2. the definition applying to an individual, not a corporate owner; and*
- 3. the definition applying to an owner’s direct family members;*

and report back to the March 27, 2017 Regular (open) Council meeting with the revised Bylaws.

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.

Analysis

A complete analysis has been provided in the staff report titled “Short-Term Rentals – Proposed Bylaws and Options”, dated February 27, 2017 from the Director, Administration and Compliance. This report is only intended to address the requirement for a short-term rental operator of a licenced Bed and Breakfast (B&B) to be the principal residence of the owner or his/her family member as directed by Council on March 13, 2017.

Defining “Owner” and “Family Member”

Staff propose amending the Zoning Bylaw to state that, in addition to the requirement that the B&B be the operator’s principal residence, a B&B is only permitted where the operator is the owner of the dwelling or is the owner’s direct family member.

Staff also propose amending the Business Licence Bylaw, the Business Regulation Bylaw, and the Municipal Ticket Information Authorization Bylaw to:

- a) require licence applicants to be individuals, and not a corporation;

- b) require the applicant to be the owner of the premises, or certify that they are a direct family member of the owner; and
- c) introduce MTI tickets in the amount of \$1,000 if the operator is not the owner or the owner's direct family member (as certified on the application form).

The term "Owner" is defined in the Zoning Bylaw as "any person who is an **owner** of land as defined in the *Community Charter* or any agent or other applicant on behalf of an **owner**." This definition is broader than the registered owner of a property. As directed by Council, staff propose introducing definitions of "registered owner" and "family member" to the Zoning Bylaw, to restrict B&B use to properties where the operator is the registered owner or the registered owner's direct family member (spouse, child, parent, grandparent, or grandchild). While these terms can be interpreted to have broad meanings, the proposed definitions for the Zoning Bylaw are:

"Individual Registered Owner means with respect to land, any individual person who is:
a) the registered owner of an estate in fee simple; or
b) the tenant for life under a registered life estate."

"Family Member means, with respect to a person:
a) the person's spouse;
b) the person's child;
c) the person's spouse's child;
d) the person's parent, or the person's spouse's parent;
e) the person's grandparent, or the person's spouse's grandparent; or
f) the person's grandchild, or the person's spouse's grandchild."

Staff have contacted several local governments (Vancouver, Surrey, Burnaby, Delta, Langley, New Westminster and Fernie) in the region to provide an overview of the requirements of B&B operators and definitions for reference. A summary of findings is provided in Attachment 2.

Public Consultation

In addition to the required public consultation processes for bylaw amendments including Public Notification and Public Hearing, staff have included a Communication Plan (Attachment 3), which was previously presented to Committee and Council for endorsement. The Communication Plan ensures that current licenced B&B operators are notified of the proposed changes; new applicants are well informed by an updated B&B Application Guide and that information on short-term rentals are readily accessible to the general public on the City's website, in brochures and through the City's social media channels.

Financial Impact

None

Conclusion

Regulating short-term rentals in the context of a sharing economy involves complex and evolving issues. The adoption of the regulatory changes and enforcement enhancements outlined in this and past reports, considered by Committee and Council since January 2017, provide a regulatory framework to address short-term rentals as B&Bs in single-family and agricultural zones. The retention of “boarding and lodging” uses enables up to 2 boarders or lodgers in all residential zones.



Cecilia Achiam, MCIP, BCSLA
Director, Administration and Compliance
(604-276-4122)



Carli Edwards, P.Eng.
Chief Licence Inspector
(604-276-4136)

CA:ca

- Att. 1: Staff report titled “Short-Term Rentals – Proposed Bylaws and Options”, dated February 27, 2017
- 2: Summary of B&B Requirements of Selected Local Governments
- 3: Communication Plan



City of Richmond

Report to Committee

To:	General Purposes Committee	Date:	February 27, 2017
From:	Cecilia Achiam, MCIP, BCSLA Director, Administration and Compliance	File:	03-0900-01/2017-Vol 01
Re:	Short-term Rentals - Proposed Bylaws and Options		

Staff Recommendation

In respect to bed and breakfast ("B&B") uses in single family and agricultural zones, implementing a distance buffer between B&B establishments and to the enhanced enforcement of such short-term rental regulation:


1. That Official Community Plan Bylaw 9000, Amendment Bylaw 9691, which amends Official Community Plan Bylaw 9000 by adding a provision for a 500 meter buffer between B&B establishments be introduced and given first reading;
2. That Bylaw 9691, 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 said program and plans in accordance with section 477(3)(a) of the *Local Government Act*;
3. That Bylaw 9691 be sent to the Agricultural Land Commission for comment;
4. That Bylaw 9691, 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 Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 to amend definitions, be introduced and given first reading;
6. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9692 to require a distance buffer between B&Bs, be introduced and given first reading;
7. To incorporate enhanced business licencing requirements and increase fees and penalties, that:
 - a. Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;

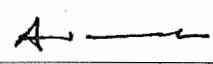

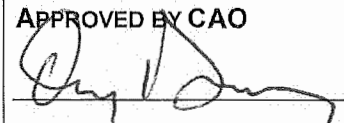
- b. Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;
- c. Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and
- d. Consolidation Fees Bylaw No. 8636, Amendment Bylaw No. 9652;

each be introduced and given first, second and third readings.

- 8. That the proposed communication plan described in Attachment 12 of this report explaining the proposed changes (identified in the above recommendation) to the short-term rental regulations be endorsed; and
- 9. That:
 - a. the information regarding tax requirements including whether a hotel tax should apply to short-term rentals provided in this report be received for information; and
 - b. staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax, including the definition of accommodation providers, and
- 10. That staff conduct a one-year review of the City's proposed short-term rental regulation and report back to Council.


 Cecilia Achiam, MCIP, BCSLA
 Director, Administration and Compliance
 (604-276-4122)

Att. 12

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

Staff Report

Origin

This report responds to a number of referrals and resolutions made by Council and General Purposes Committee since January 6, 2017. Staff were directed to:

- 1) *bring forward the appropriate bylaw amendments to the Open General Purposes Committee on March 6, 2017 to*
 - a) *continue and enhance the existing regulations limiting short-term rentals to B&Bs in single-family and agricultural zones only, and*
 - b) *implement a distance buffer between Bed and Breakfast (B&B) establishments;*
- 2) *provide information and respond to various referral questions including:*
 - a. *tax requirements including whether a hotel tax should apply to short-term rentals;*
 - b. *summarize the various approaches regarding short-term rentals that have been considered;*
 - c. *the adequacy of the definition for boarding and lodging;*
 - d. *the number of short-term rental listings on Agricultural Land Reserve land; and*
 - e. *licence / permit fees for boarding and lodging.*

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.

Executive Summary

Short-term rentals of residential units have increased recently due to the emergence of the sharing economy and internet service providers that provide easy access to the marketplace. This has provided a business opportunity for some property owners but has also led to an increase of illegal hotel-like operations that are causing a nuisance to their neighbours.

This issue has been discussed at several meetings of Council where staff have been directed to limit short-term rental to those uses already in place but to enhance regulations related to Bed and Breakfasts while strengthening the enforcement of illegal operations. When considering enhancements to the regulations, Council has asked staff to explore a variety of new requirements including, insurance, "spot" rezonings, buffer distances and allowing only owner-operators. The response to these issues as well as a summary of all of the reports is provided in this report.

Having explored a variety of options, including an expansion of licencing schemes, this report puts forward the analysis and details to support a number of bylaw changes in accordance with direction from Council. The bylaw changes include an amendment to the OCP to implement a buffer distance between all new B&B's. Taken together, these bylaw changes introduce new requirements for B&B's and impose new penalties and increased fines for the illegal operations that are not proposed to be licenced.

This report further recommends engaging the province to discuss provincial tax laws to level the playing field between B&B's and hotels. While some of the bylaw changes have statutory requirements for notice periods and a public hearing prior to approval, staff are also proposing a comprehensive communication plan to notify the public of the changes. It will take some time for the outcome of the proposed changes and enhanced enforcement on illegal short-term rentals to show results and so it is recommended that staff conduct a one-year review and report back to Council.

Part 1 – Summary of Present Council Position/Direction

Since January 3, 2017, in addition to this report, Council has received three reports on short-term rentals. All three reports are listed in Table 1 below and reports 1 and 2 are provided in Attachment 1. Attachment 2 to this report summarizes the history of the first three reports and highlights the key recommendations for reference.

Table 1: Reports on Short-Term Rentals

Report Title	Report Dated	Presented to Committee/Council	Outcome
1. Regulation of Short-Term Rental Units	November 29, 2016	General Purposes Committee on January 3, 2017	Recommendations endorsed by Committee and forwarded to January 9, 2017 Council.
		Council Meeting on January 9, 2017	Council did not endorse the recommendations and referred the matter back to staff for further analysis on the implementation of Option 2 (Prohibition).
2. Short-Term Rental Regulations	January 26, 2017	General Purpose Committee on February 6, 2017	Committee referred the report back to staff for further consideration of issues raised at the Committee.
3. Short-Term Rentals – Enforcement and Bed & Breakfast Regulations	February 9, 2017	Closed General Purposes Committee to provide legal advice on options related to referral items	Committee received the legal advice (in closed session) and instructed staff to bring a report to General Purposes Committee on March 6, 2017.

There are a number of current City bylaws that are applicable to and regulate short-term rental units. For example, subject to the regulations in the *Richmond Zoning - Bylaw 8500* (the Richmond Zoning Bylaw) and the City's *Business Regulation – Bylaw 7538* (the Business Regulation Bylaw), the City permits bed and breakfast accommodation (B&B) in residential and

agricultural zones. The Zoning Bylaw also permits and regulates boarding and lodging in residential and agricultural zones.

Council Direction: Council has instructed staff to continue and enhance the existing regulations limiting short-term rentals to B&Bs in single-family and agricultural zones only.

To carry out Council's direction, staff recommend defining "short-term rental", strengthening some of the existing regulations and increasing penalties and fines to support enhanced enforcement of illegal and un-licensed short-term rental operations. Staff note that taking these steps do not preclude further exploration of additional regulations or expansion of short-term rental into other residential zones as directed by Council.

Analysis Regarding Part 1

A. Summary of Proposed Changes to Continue and Enhance the Limitation of Short-Term Rentals to Single Family and Agricultural Zones

In order to implement Council's direction to continue and enhance the existing regulations limiting short-term rentals to B&Bs in single-family and agricultural zones only, a number of bylaw amendments are recommended. Attachment 3 contains two tables that provide an analysis of how each amendment enhances the existing regulations and which bylaws are affected. This attachment also provides a table that summarizes regulations which are not proposed to change, along with a copy of the amended code of conduct that is provided to all licensed B&B's.

Part 2 – Response to Referral Questions and Issues

A. Response to Referrals

This section summarizes all the referrals requested since January 3, 2017 by General Purposes Committee and Council. These referrals are provided in greater detail in Attachment 4.

Referral 1: Implementation a proof of insurance requirement

Staff Response: The City currently does not require B&B applicants to provide proof of insurance prior to being approved for a B&B licence. This is consistent with current practice with other BC jurisdictions. While it would be prudent for B&B operators to obtain the requisite insurance, staff do not recommend that the City take-on the obligation of assuring that the applicable insurance is in place.

Proposed Action: Maintain current practice of not requiring insurance but amend the Richmond Bed and Breakfast Code of Conduct Guidelines (provided in Attachment 3) to recommend that B&B operators carry adequate liability and property damage insurance specifically written for B&B's.

Referral 2: Amending definition of Operator to require Owner/Operator

Staff Response: The current B&B regulations do not require the operator to be an owner. The current regulations require the operator to reside in the unit. Staff have investigated the question of ownership and have concluded that restricting the ability to operate a home-based business, such as a bed and breakfast, to only the owner(s) of the property on which the operation is to be located is likely beyond the authority provided by legislation.

Proposed Action: Strengthen requirement of proof that B&B is the principal residence of the operator.

Referral 3: Establishing a “Spot” (Site Specific) Rezoning Process

Staff Response: Staff were directed to explore mechanisms, including “spot” (site specific) rezoning to address potential negative impacts such as noise, parking, increased traffic, etc., that could occur as a result of a concentration of short-term rentals in a single-family neighbourhood. A number of options were considered. The current B&B regulations do not require rezoning. Requiring “spot” rezoning to change the use to a B&B would be costly, time consuming and onerous for a small business.

Permitting B&Bs is consistent with the planning objective of accommodating a range of uses in the City’s neighbourhoods. At the same time, creating a buffer between B&B’s will prevent the densification of B&Bs thereby reducing over-commercialisation and protecting the character and community values of the neighbourhood. A 500 m buffer will mitigate nuisances including noise, traffic and parking issues. In general, the 500 m buffer would allow approximately one (1) B&B per quarter section when implemented. Based on the location of the 19 existing licenced B&Bs, 7 are within 500 m from another B&B operation. These 7 B&Bs may be, in accordance with the legislation, “grand-fathered” if the 500 m buffer is adopted. For illustration purposes, a map (Attachment 5) outlining single family zones (including Agricultural Zones), the existing licenced B&Bs, and the proposed 500m buffer is included to model the potential impact of implementing the 500 m buffer.

Operationally, a buffer requirement would be relatively easy to verify as part of the Business Licence application review and is preferable to the onerous requirements, costs and processing time associated to spot rezoning.

Proposed Action: Amend the Official Community Plan and the Zoning Bylaw to implement a minimum 500 m separation between B&B operations.

Referral 4: Tax Requirements Including Whether a Hotel Tax Should Apply to Short-Term rentals

Staff Response: Staff were directed to further explore hotel tax and the Whistler “hotel tax” and their applicability to the City. Attachment 6 summarizes the findings. The Municipal and Regional District Tax (MRDT) is the only local level tax that impacts short term rentals, as long as they are classified as “accommodation providers” under the Provincial Sales Tax Act (which governs the MRDT).

The MRDT is legislated by the province and the province determines who remits it. The City does not currently have authority to impose a tax on hotel/short-term rentals. It would require a change in provincial legislation to enable local government to impose a short-term rental tax.

The Whistler hotel/short-term rental tax model is not immediately transferable to Richmond.

Proposed Action: There is no current mechanism to enable a local government to levy a hotel or rental tax on short-term rental. Staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax, including the definition of accommodation providers

Referral 5: Summary of Various Approaches That Have Been Considered

Staff Response: In the report dated November 29, 2016, titled "Regulation of Short-Term Rental Units" Staff identified three options for Council, they are:

Option 1 – *status quo*. Make no changes to the existing City regulatory regime

Option 2 – prohibit all short-term rentals

Option 3 – develop regulations specifically tailored to short-term rentals¹

Council considered these options on January 9, 2017 and instructed staff to prepare appropriate bylaw amendments that clarify that short-term rentals are limited to single family and agricultural zones as B&B uses and to implement a distance buffer between B&B establishments.

Many other cities in North America and Europe have taken different approaches to the growth of short-term rentals in their community. Their responses reflect the unique situations in their communities related to housing, tourism, and taxation. Many choose to make different rules for shared spaces (like B&B's where the house is shared) as compared to rental of the entire unit and several have attempted to impose limits on the number of nights to be rented. A summary of the approaches taken in Vancouver, San Francisco, CA, Quebec, Portland, DC, and Austin, Texas, are provided in Attachment 7.

Proposed Action: There are significant variances in the approaches different local governments have taken to address short-term rentals. Should Council wish to consider expanding short-term rental regulations, staff recommend that Council direct staff to develop a separate consultation plan on these alternatives and report back to Council for endorsement for the purpose of public consultation.

¹ Recommended in the staff report but not endorsed by Council.

Referral 6: Review the Adequacy of the Definition of Boarding and Lodging

Staff Response: In the current Richmond Zoning Bylaw 8500 “**Boarding and lodging** means:

sleeping unit accommodation, without cooking facilities in the sleeping units, that is supplied for remuneration for not more than 2 boarders, and which may or may not include meal service, but does not include senior citizen lodges, hotels, motels, congregate housing, bed and breakfasts, agri-tourist accommodation, minor or major community care facilities, secondary suite or coach house.

Boarding and lodging are permitted as a **secondary use** in most residential zones (single family and multi-family) where **secondary use**:

“means one or more **uses** in the list of **secondary uses** in the **zones** of this bylaw that must be:

- a) in conjunction with a **principal use**;
- b) located on the same **lot** as the **principal use**; and
- c) clearly accessory to the principal use. For example, a home business is a secondary use to the principal use of a single detached housing.”

Boarders and lodgers have been permitted in the City’s zoning bylaws since 1956. It is notable that there is currently no duration requirement for a boarder and lodger. Boarding and lodging could be a day, week, month or several months.

There is no reliable record as to the number of boarders and lodgers in the City or if the practice causes a nuisance. While there has not been any formal consultation processes to date, anecdotally staff are told by the School District and sports organizations that boarding and lodging are used to accommodate student exchanges, home stay programs, and sports hosting in all neighbourhoods in Richmond. These programs are seen to be beneficial and to support national and international exchange programs and amateur sports.

A preliminary review of data from data of one of the online listing service (Airbnb listings on January 12, 2017- i.e. data for one day from a single listing service only) indicated that approximately 440 out of 760 rooms available on that day for booking were private rooms in a home. These numbers are for rooms available that day, and not the total number of listings or total number of people potentially hosted. Staff were unable to find data to indicate what percentages of these listings were for home stay and/or sports hosting programs.

Short-term rental of private rooms is a very complex issue. The fact that these rentals are private rooms within dwelling units (i.e. boarding and lodging) would indicate that these homes are occupied and not left vacant. In the context of “vacant home” syndrome where Richmond has a <1% vacancy rate for rental properties, knowing that these homes are occupied could be considered a positive outcome.

Based on the current boarding and lodging regulations there are two options for Council's consideration in the context of short-term rental:

1. ***Status Quo - No change to current definition or practice:*** Boarding and Lodging does not currently require any permit or licences. Records on neighbourhood nuisance do not track whether they are a result of boarding and lodging uses. There is also no evidence that boarding and lodging uses are creating negative impact on the City's utility services. Richmond has a "pay for service" approach to garbage, recycling, water and sewerage utilities. As a result, the cost of any additional usage of City utilities would be recovered; or
2. ***Require a minimum 30 days requirement to boarding and lodging:*** Adding a 30 day minimum to boarding and lodging would eliminate a significant number of short-term rentals in all neighbourhoods but would potentially impact homestay and sports hosting programs significantly.

Proposed Action: Given the lack of data at this point that boarding and lodging has a negative impact to neighbourhood character, staff recommend *status quo* but to monitor and report back to Council after 1 year should Council choose to implement new regulations on boarding and lodging.

Referral 7: The Number of Short-Term Rental Listings in Agricultural Land Reserve

Staff Response: Of the licenced B&B's in Richmond, only one is on agricultural land. In examining the data provided by one of the listing services, "Airbnb", it would appear that only 4-5% of the unlicensed providers are located on agricultural land. The majority of listings are in single family areas, or in multi-family zones in City Centre.

Proposed Action: The proposed changes and enhancements to the licencing scheme and the increased fines and penalties will enable enforcement staff to deal with unlicensed providers on agricultural land and in multi-family zones (where B&Bs are not permitted). These changes and enhancements include the proposal to reduce the number of rooms permitted as part of a B&B in the ALR from 4 to 3.

Referral 8: Licence/Permit Fees for Boarding and Lodging

Staff Response: The City can levy licence and permit fees to recover administration costs (e.g. the cost of inspecting a business premises and administering and enforcing regulations). Richmond has a "pay for service" approach to garbage, recycling, water and sewerage utilities. As a result, the cost of any additional usage of City utilities would be recovered. Attachment 8 provides a comparison of the City's Business Licence Fees with other local jurisdictions.

Proposed Action: This report proposes changes to the Consolidated Fees Bylaw but only to create a separate category for the B&B licence fee. The current licence fee for a B&B is \$162.

Part 3 – Other Considerations

Other considerations that have been presented and discussed at Committees/Council include:

- A. Enforcement on Illegal Short-Term Rentals
- B. Fines and Penalties
- C. Consultation and Communication Processes

These considerations are included in this report to provide a comprehensive overview related to short-term rentals in the City.

A. Enhanced Enforcement on Illegal Short-Term Rentals

The attached memorandum from the Acting Senior Manager, Community Safety, titled “Request for Statistics Related to Enforcement of Short-Term Rentals” dated February 9, 2017 (Attachment 9) provides an overview of the enforcement action taken by Community Bylaws to date.

In addition to an enhanced regulatory regime, staff will be taking intensified enforcement action and pursuing an increase in prosecutions as a deterrent. The City’s Community Bylaws Division has already commenced a proactive approach by monitoring various short-term rental listing web-sites for operations that are not compliant with City regulations and bylaws. The Community Bylaws Division will continue to follow up on these listings.

B. Fines and Penalties

Along with amendments that provide specific prohibitions and enhancements to the B&B licensing regulations, this report also recommends new penalties and increased fines. The new penalties will give enforcement and licence officers more options to deal with illegal operations, including those either refusing to be licenced or those proceeding with activities not permitted in any licencing or land use scheme. The increased fines relate both to illegal operations and to licenced B&B’s not operating within the regulations. A summary of the increased fines is described in Attachment 10.

C. Consultation and Communication Processes

1. **Required Processes:** The public consultation processes required for amendment of the Official Community Plan, Zoning and other Bylaws are summarized in Attachment 11.
2. **Communication Plan:** In addition to the statutory requirements for a public hearing and public notification, it will be important to notify the public of the changes, including those currently operating, or impacted by, any type of short-term rentals.

Staff are recommending the implementation of a communications plan (Attachment 12) that will be implemented should Council adopt the proposed changes in this report.

If the new regulations are adopted by Council, staff will also monitor the implementation of the changes and provide an update to Council on the progress, public feedback, long term impacts on budgets and other programs and further recommendations for enhancements after approximately one year of implementation.

3. **Consultation for Future Short-Term Rental Regulation Changes:** If Council directs staff to explore the regulation of short-term rentals outside the B&B use in the single-family and agricultural zones, or to further explore regulations that other jurisdictions have adopted (e.g. San Francisco, Portland, Quebec) or are contemplating (e.g. Vancouver), it would be recommended that staff be instructed to prepare a full public engagement plan and for Council's consideration and endorsement, separate from the above public notification and public hearing processes described, prior to engaging the public for consultation.

Financial Impact

The temporary full-time bylaw enforcement officers will initially be funded from within the existing Community Bylaws budget. Staff will continue to monitor the implementation of the changes and enforcement costs related to short-term rentals. Should additional funding be required to support ongoing operations, a report will be prepared for Council's consideration.

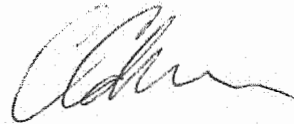
Conclusion

It is challenging for local governments to develop and enforce a short-term rentals regulatory regime. Staff believe that a "phased" approach of stepping up enforcement; adopting the proposed enhanced regulations and guidelines to address the most egregious cases (i.e. illegal and un-licensed operations in the single family and agricultural zones) is a sound response. This would enable a robust public engagement process to address additional options, and regulatory and enforcement gaps for future consideration. This approach does not preclude Council from consulting with the public to further enhance or expand regulations and enforcement for short-term rentals.

The adoption of the Staff Recommendation (p. 1-2) proposed in this report represents a concrete move towards addressing short-term rentals and other emerging trends of the sharing economy going forward.



Cecilia Achiam, MCIP, BCSLA
Director, Administration and Compliance
(604-276-4122)



Carli Edwards, P. Eng
Chief Licence Inspector
(604-276-4136)

- Att. 1: Staff report titled "Regulation of Short-Term Rental Units" dated November 29, 2016 and staff report titled "Short-Term Rentals-Enforcement and Bed and Breakfast Regulations", dated February 9, 2017
2: History of Short-Term Rental Staff Reports and Highlights
3: Summary of Proposed Changes and amended Code of Conduct Guidelines
4: Analysis on Referrals from Closed General Purposes Committee, February 20, 2017

February 27, 2017

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- 5: Map of Licenced B&Bs with 500 m Buffer
- 6: Summary of Tax Regimes Related to Short-Term Rentals
- 7: Comparison of Short-Term Rental Regulations in Other Cities
- 8: Comparison of Licence Fees for Bed and Breakfast Businesses
- 9: Memorandum titled "Request for Statistics Related to Enforcement on Short Term Rental", dated February 14, 2017
- 10: Proposed New Penalties and Increased Fines
- 11: Required Public Consultation Process for OCP and Bylaw Amendments
- 12: Proposed Communication Plan: Short-Term Rentals



City of Richmond

Report to Committee

To: General Purposes Committee
From: Doug Long, City Solicitor
 Carli Edwards, Chief Licence Inspector
Re: Regulation of Short-Term Rental Units

Date: November 29, 2016

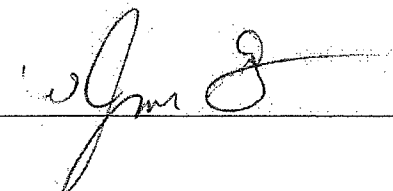

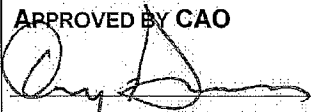
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Staff Recommendation

1. That the regulation of short-term rental units as set-out in the staff report from the City Solicitor and Chief Licence Inspector titled "Regulation of Short-Term Rental Units", dated November 29, 2016, be endorsed in principle for the purpose of public consultation;
2. That the public consultation process set-out in the staff report be approved; and
3. That staff be directed to engage with the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax and Municipal and Regional District Tax in regards to accommodation providers and report back to Council as part of the one-year review of the City's proposed short-term rental regulation.

Doug Long
 City Solicitor
 (604-276-4339)

Carli Edwards
 Chief Licence Inspector
 (604-276-4136)

REPORT CONCURRENCE		
ROUTED TO: Economic Development Affordable Housing Community Bylaws Fire Rescue Building Approvals Development Applications Policy Planning Transportation	CONCURRENCE <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER (ACTING) 
REVIEWED BY THE SENIOR MANAGEMENT TEAM	INITIALS: 	APPROVED BY CAO 

November 29, 2016

- 2 -

Staff Report

Origin

This report responds to the following referral from the closed General Purposes meeting held on November 7, 2016:

That staff explore options on regulation and enforcement in respect to daily property rentals in Richmond.

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

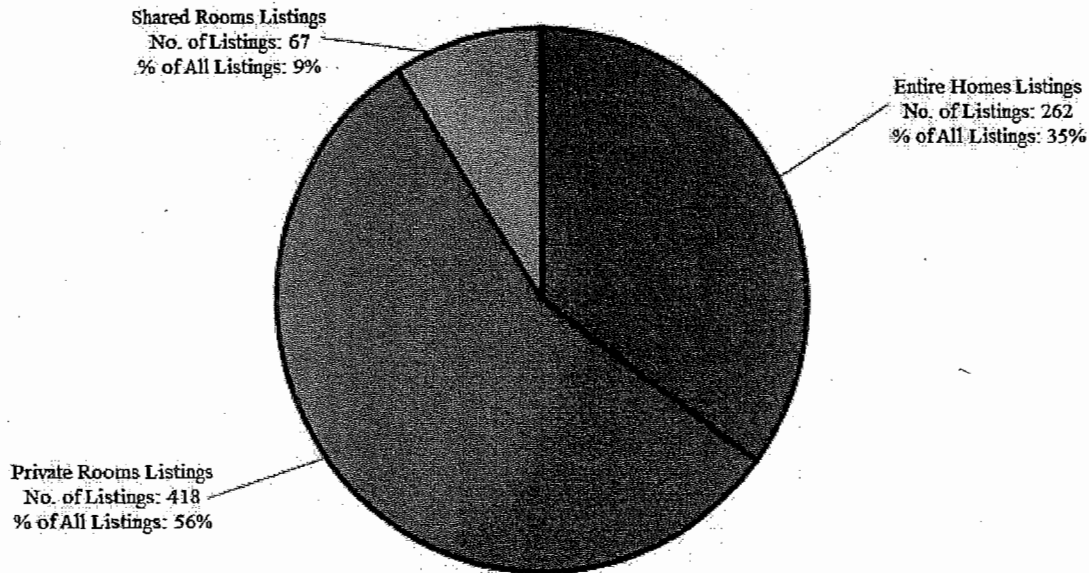
Adhere to effective planning and growth management practices to maintain and enhance the livability, sustainability and desirability of our City and its neighbourhoods, and to ensure the results match the intentions of our policies and bylaws.

Findings of Fact

Short-Term Rental Listings

Short-term rental units in Richmond are listed online on numerous websites which include Airbnb, Vacation Rentals By Owners (VRBO), HomeAway, VacationRentals.com, Travelmob, Homelidays, Abritel, Ownersdirect, Flipkey, Craigslist and Booking.com. On November 16, 2016, there were approximately 1,586 short-term rental listings in Richmond on the above-noted websites. There were approximately 747 short-term rental listings on Airbnb, which accounted for approximately 47% of the total Richmond listings, while approximately 40% of the short-term listings were on VRBO.

Further breakdown of the Airbnb short-term listings show that 35% of the listings were for entire houses/strata units/apartments, 56% were for private room rentals and 9% for shared room rentals. Airbnb defines a private room rental as having a bedroom to yourself but sharing living space with others (operator or other guests), and defines a shared room rental as sharing a bedroom with other people (operator or other guests).

Figure 1: Airbnb Listings for City of Richmond - November 16, 2016 (Total Listings = 747)

Current City Bylaws

There are a number of current City bylaws that are applicable to short-term rental units. For example, subject to the regulations in the *Richmond Zoning - Bylaw 8500* (the Richmond Zoning Bylaw) and the City's *Business Regulation - Bylaw 7538* (the Business Regulation Bylaw), the City permits bed and breakfast accommodation (B&B) in residential zones. The Zoning Bylaw also permits and regulates boarding and lodging¹ in residential zones.

The Zoning Bylaw limits, with exceptions, the permitted use in RS-1 zones to single detached housing², which essentially means housing for a single family/household. As a result, houses that provide multiple accommodations, that are not B&Bs or boarding and lodging, in essence become hotels and are not permitted in the RS-1 zones.

Pursuant to the Business Regulation Bylaw, a person is not permitted to carry on a business in the City without a business licence. Further, the Building Regulation Bylaw may require a building permit for construction or renovation of a house to accommodate short-term rentals.

¹ Boarding and lodging means sleeping unit accommodation, without cooking facilities in the sleeping units, that is supplied for remuneration for not more than two (2) boarders, and which may or may not include meal service, but does not include senior citizen lodges, hotels, motels, congregate housing, bed and breakfasts, agri-tourist accommodation, minor or major community care facilities, secondary suite or coach house.

² Single Detached Housing means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household, and may include one room that, due to its design, plumbing, equipment and furnishings, may be used as a secondary kitchen (e.g., a wok kitchen) provided that no more than two kitchens are located in one single detached housing dwelling unit, and includes modular homes that conform to the CSA A277 standards, but does not include a manufactured home designed to CSA Z240 standards or town housing.

In 2015, the City's Community Bylaws department received 26 complaints relating to suspected short-term rental operations. As of December 2016, the number of 2016 complaints is approximately 100. The substance of the complaints, with respect to short-term rentals, includes illegal renovations, parking and noise/nuisance issues. Figure 2 below is a map of the location of complaints and the type of short-term rental generating such complaint.

[illegible]

Current Provincial Consultation re Sharing Economy

Pursuant to a Staff Report dated June 13, 2016³, staff recommended that the following comments be sent to the B.C. Minister of Community, Sport and Cultural Development in respect to the Minister's consultation with stakeholders, including municipalities, to explore how the sharing economy may be better integrated and the role of local governments in this process:

1. Integrate public safety as top priority;
2. Enable greater choices to consumers;
3. Incorporate meaningful feedback from the public and relevant stakeholders, including local and regional regulators, sharing economy companies and sharing economy end users;
4. Develop fair and balanced regulations to encourage healthy competition among existing players and new entrants; and
5. Ensure no downloading of responsibilities to local governments through regulatory and enforcement processes.

Analysis

Impacts of Short-Term Rentals

Effect on Rental Housing Stock

Studies are beginning to suggest that short-term rentals adversely affects long-term rental stock. The concern is that rental housing stock is being converted from long-term rentals to short-term rentals. In many cities, this concern is exacerbated by already low rental housing vacancy rates. The current rental vacancy rate in Richmond is less than 1%⁴. The Canada Mortgage and Housing Corporation is of the opinion that a healthy vacancy rate is about 3%. City of Vancouver staff identified in a staff report, dated September 28, 2016, that there is a "strong financial incentive to rent in the short-term"⁵ and if short-term units "were rented long-term instead of short-term, it would have a positive impact on Vancouver's 0.6 rental vacancy rate"⁶.

Land Use Conflicts

Most short-term rentals are located in areas zoned for residential use and not for hotel-like accommodation. Short-term rentals may have a number of impacts or nuisances on a residential neighbourhood or residential strata complex which include parking, noise, poor guest behaviour and so forth. These problems are exacerbated as there is often no management on site to address such issues.

³ Staff Report dated June 13, 2016 from the Director, Administration and Compliance, titled "Forthcoming Provincial Consultation on new Models of Transportation, Accommodation Services and Other Sharing Economy Applications"

⁴ Metro Vancouver. "Metro Vancouver Housing Data Book". March 2016.

http://www.metrovancouver.org/services/regional-planning/PlanningPublications/MV_Housing_Data_Book.pdf

⁵ City of Vancouver. Administrative Report: "Regulating Short-Term Rentals in Vancouver". September 2016.

⁶ Ibid.

Level Playing Field

Hotels and B&Bs pay taxes and fees, which include Good and Services Tax, Provincial Sales Tax, Hotel Room Tax and Business Licence fees and are subject to provincial and municipal regulation and oversight. Short-term rentals are not subject to the same taxes and regulation. As a result, there is an inequity between hotels or B&B accommodations and other short-term rental accommodations.

Health, Fire and Safety

Similarly, hotels must comply with certain building and fire code standards and are subject to health and safety inspections. For example, pursuant to the *Fire Services Act*, a municipality "must provide for a regular system of inspection of hotels". Short-term rentals are usually located in houses or strata lots and, therefore, not subject to the same requirements.

Economic Benefits

Against concerns, short-term rentals can provide economic benefits to residents and the local economy. Short-term rentals are beginning to open up neighbourhoods and provide visitors with the opportunity to experience cities as locals, not tourists. Studies have also documented that users of short-term rentals stay longer and spend more compared to traditional visitors who opt for hotels. Short-term rentals also provide local residents with a means to generate additional income by renting out rooms in their homes⁷.

A study released on November 1, 2016 suggests that the overall annual impact of Airbnb alone on the Vancouver economy is \$402 million in direct and indirect revenue⁸. The study also found that 267,000 guests stayed almost 1.2 million nights and their hosts earned an average of \$60 per night for a total income of \$71 million in 2016. According to Airbnb data, there are an estimated 8,000 Airbnb listings in Vancouver and 4,600 hosts. Earlier Airbnb research on the Vancouver market suggests that the average incremental income each host earns is \$6,600 per year.

This information, and the necessary research and data, is not available for Richmond. The data necessary to conduct a similar economic impact report is owned by Airbnb, who commissioned the research.

Enforcement

Enforcing bylaws that prohibit or regulate short-term rental operations is very challenging. Among other things, the barrier for entry into the short-term rental operator market is low and therefore often results in little, if any, modification of a short-term rental unit such as a house or

⁷ Smith, Brock, Dr., Airbnb 2015-2016 Vancouver Economic Impact Report, Cordova Bay Consulting (November, 2016)

Coles, Peter and Lauf Vanessa, Airbnb and the Vancouver Housing Market, Airbnb (September, 2016).

⁸ Smith, Brock, Dr., Airbnb 2015-2016 Vancouver Economic Impact Report, Cordova Bay Consulting (November, 2016)

Coles, Peter and Lauf Vanessa, Airbnb and the Vancouver Housing Market, Airbnb (September, 2016).

a strata unit. If the threat of bylaw enforcement is perceived the operator may simply choose to stop renting and resume again when the threat has lessened. Further, building and prosecuting a case requires the application of significant staff time and resources. For example, when the Province of Quebec implemented comprehensive laws regulating short-term rentals it increased the number of inspectors from two to 18.

San Francisco's actions in respect to short-term rentals provide a good example of the challenges. San Francisco enacted a comprehensive short-term rental ordinance in 2015 and when doing so created the "Office of Short-Term Rentals" with a staff of six. The San Francisco ordinance included:

- restricting short-term rentals to single family dwellings in which the owner resides for not less than 275 days per year and limiting to 90 days as being the maximum period that an owner could not be present;
- restricting the rentals to primary residences;
- ensuring insurance requirements are met; and
- collecting payment for permit fees and taxes.

After significant difficulties with compliance, almost 80% non-compliance⁹, San Francisco Council passed another ordinance in 2016 which purported to fine the internet booking service \$1000 per day if its operators failed to register under the 2015 ordinance. In July 2016, Airbnb commenced action against the City of San Francisco arguing that the 2016 ordinance breaches its freedom of speech rights under the First Amendment of the United States' Constitution.

To date, local governments in Canada have attempted to regulate internet booking services, like Airbnb and Uber, with little success. The City of Toronto, for example, sought an injunction against Uber on the basis that Uber was operating a taxi business without a business licence. However, the Court found that "Uber's peer-to-peer process operates, in a sense, as a super-charged directory service" that plays no role in taxis bookings and therefore Uber's service was not subject to the City's bylaw. The City of Edmonton experienced a similar unsuccessful outcome against Uber.

Strata Corporations

As strata corporations can prohibit short-term rentals under their bylaws and impose fines for breaches, they can play an important role in regulation. To do so, however, a strata corporation's bylaws need to be specifically drafted to address short-term rentals. If a bylaw is not currently drafted to prohibit short-term rentals, an amendment to the bylaw is required to include this prohibition. The amendment can only be passed if 75% of the owners agree and vote at an annual or special general meeting. Not only might it be difficult to obtain a 75% owner vote, it is also likely that many owners would not agree to such a prohibition as some units may have been purchased to use as short-term rentals or short-term rentals may assist some owners to pay their living expenses.

⁹ City and County of San Francisco. Policy Analyst Report: "Short-Term Rentals 2016 Update". April 7, 2016. Further, in this respect, in 2014 Portland changed its zoning code to regulate short-term rentals. Portland's September 2016 "Accessory and Short-term Rentals Monitoring Report, found that only 22% of short-term listings had been issued short-term rental permits.

Options and Recommendations

Staff identify three options for Council, they are:

Option 1 – *status quo*. Make no changes to the existing City regulatory regime

Option 2 – prohibit all short-term rentals

Option 3 – develop regulations specifically tailored to short-term rentals (**Recommended**)

Option 1 (*status quo*) (Not Recommended) – this option has the advantage that a new and comprehensive regulatory regime would not be implemented and therefore, the very significant difficulties that staff anticipate in implementing, obtaining compliance, monitoring and enforcing a new regime would be avoided. Short-term rentals, however, continue to increase. Also, it is clear, that not only in Canada but globally, there is a trend of more comprehensive regulatory regimes specifically targeting short-term rentals. Like many cities grappling with this relatively new issue, other than for B&Bs, current City bylaws are not tailored to address short-term rentals. Given the same, Option 1 is not recommended.

Option 2 (*prohibit all short-term rentals*) (Not Recommended) – like Option 1 this option would avoid implementing a new and comprehensive regulatory regime and the pitfalls associated with the same. However, staff anticipate that if this option was selected, non-compliance would be significant and, therefore, enforcement would be difficult. Additionally, as identified in this report, there are some economic and social benefits to permitting short-term rentals. For these reasons, staff do not recommend Option 2. If Council wished to implement Option 2, implementation would require an amendment to the Richmond Zoning Bylaw prohibiting rentals for less than 30 days, with the exceptions of hotels, motels, B&Bs, boarding and lodging, agri-tourism accommodation and community care facilities. A draft of the bylaw that would effect this prohibition is Attachment 1 of this report.

Option 3 (*regulatory regime*) (**Recommended**) – having kept in mind the comments provided by the City to the Minister of Community, Sport and Cultural Development in respect to the Minister's consultation regarding the sharing economy, the currently available data and information on the effects of short-term rentals in Richmond, and the experience of a number of jurisdictions including Vancouver, Toronto, Quebec, San Francisco, Portland and others, staff recommend that Council consider Option 3. The regulation anticipated by Option 3 would require amendments to many City bylaws including the Business License Bylaw, Business Regulation Bylaw, Richmond Zoning Bylaw, Municipal Ticket Information Bylaw, and the Consolidated Fees Bylaw. Drafts of the proposed bylaw amendments are Attachments 2, 3, 4, 5 and 6 to this report. If Option 3 is approved by Council, then the amendment bylaws would be introduced to Council by subsequent report(s).

Implementation and Enforcement Challenges with Option 3

Staff acknowledge that it is unusual to make a recommendation but then immediately identify concerns with the recommendation; however, the experience to date from other cities is that there has been significant difficulties with implementing and enforcing the regime. For example, as identified above, in San Francisco and Portland, both of which implemented comprehensive short-term rental regimes in the past two years, even adding staff their experience is that only

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about 20% of short-term rental operators have brought themselves within the regime and obtained the requisite permits. Further, the experience of San Francisco, Portland, and others is that the implementation and enforcement of comprehensive regimes has proved very difficult.

While the trend across the globe is to regulate short-term rentals, staff expect that the short-term regulatory regime proposed in this report will face many of the same implementation and enforcement challenges experienced by other cities. Given the same, in order to hopefully mitigate, staff recommend:

- full public consultation be conducted prior to introduction of any bylaw amendment(s). Staff would report back to Council on the consultation results together with any revisions to the attached draft bylaws resulting from such consultation; and
- once adopted, staff will monitor the short-term regulatory regime, with an emphasis on compliance, enforcement issues with compliance, and complaint issues. Staff would report back to Council on the first anniversary of adoption, and on the second anniversary of adoption, on compliance and enforcement together with any recommended changes.

Staff strongly believe that an essential mechanism in assisting implementation and enforcement is to work collaboratively with the principal booking platforms, such as Airbnb. Possible outcomes may include the booking platforms referring prospective users to Richmond's short-term rules and/or requiring a local permit as a condition of use of the booking platform. If Council endorses a regulatory approach set-out in this report, then staff will begin to engage the principal booking platforms.

Business Licence

Staff recommend that short-term rental operators require a short-term rental business licence. For the purposes of the regime, a short-term rental is a rental for less than 30 days. The requirement for a business licence has the following benefits:

- it identifies the short-term operator;
- it informs patrons that the operation is regulated;
- it allows for a particular type of license for each type of permitted short-term rental;
- it allows a business licence fee to be charged which will assist in the costs of administering regulation and enforcement; and
- it permits the City a mechanism through initial business licence issuance and subsequent annual renew to set terms and conditions upon which the City may issue and renew the business licence.

The initial principal elements of the proposed regime for a short-term rental are set-out below.

Regulations Applying to All Short-Term Rentals

The following regulations apply to all short-term rentals:

- all short-term rental operators must have a business licence;
- rentals of less than 30 days are not permitted in any dwelling in the City, unless such dwelling is a permitted short-term rental, forms part of a hotel or a motel, or is used for boarding and lodging, agri-tourist accommodation, community care facility, or dormitory in compliance with all applicable bylaws;

- short-term rentals are not permitted if the dwelling unit contains a secondary suite, agri-tourists accommodation, minor care facility, or child home care business, or the lot has a granny flat or a coach house;
- the short-term rental unit must be the short-term operator's primary residence. Annual confirmation required;
- compliance with zoning, building, fire and other applicable City bylaws is required; and
- if the applicant is not the owner, the owner must sign the licence application and renewal.

Regulations Applying to Specific Categories of Short-Term Rentals

Staff propose the following three initial categories:

- Type A – Entire Single-Detached Home
- Type B – Portion of Single Detached Home (essentially current B&B regulations)
- Type C – Strata Units

Type A – Entire Single-Detached Home

- single-detached dwelling only (no duplexes, row houses, etc.);
- no more than six patrons at any one time, and as one booking;
- building and fire inspections are a condition of obtaining and maintaining a business licence; and
- notice of operations, including operator contract information, provided to neighbours.

Type B - Portion of Single-Detached Home

- single-detached dwelling units only;
- no more than six patrons at any one time;
- no more than three guest rooms with two guests each;
- one parking stall per guest room;
- permitted signage prescribed; and
- building and fire inspections, and health inspections (if serving breakfast) are a condition of obtaining and maintaining a business licence.

In addition to the current B&B rules above, staff also recommend the following addition to the existing regulations:

- notice of operations, including operator contract information, provided to neighbours

Type C – Strata Unit

- regulations apply to strata corporations comprised of five or more strata units – no short-term rentals in strata corporations having four or less strata units;
- no more than six patrons at any one time;
- bylaws of the strata corporation must permit short-term rentals; and
- strata council must sign the licence application and renewal.

Some Key Rationales and Further Explanations

Principal Residence Only

There are two underlying rationales for this requirement. First, as the principal residence of the short-term rental operator, use for short-term rentals is less likely to impact long-term rental stock. Second, as the short-term operator's residence, it is more likely that the operator will be present thereby resulting in more oversight.

Single-Detached Dwelling Units Only (Type A and B)

The principal rationale is to reduce impacts on long-term rental stock. By limiting to single-detached dwellings only, the following types of units are excluded from short-term rental:

- affordable housing units; and
- market rental duplexes, row houses, townhouses and apartments.

A secondary rationale is mitigating nuisances and parking issues that may arise as a result of short-term rentals.

Little Regulation on Short-Term Rental of Strata Units (Type C)

Regulation is more limited for strata units as a strata corporation has, pursuant to the *Strata Property Act*, the tools to prohibit, regulate and enforce a short-term rental regime crafted by the particular strata corporation.

The rationale for requiring the strata corporation to have at least five strata units is to prevent duplexes, triplexes and row houses, in which short-term rentals would otherwise not be permitted, from being permitted under Type C simply as a result of being stratified. Further, strata corporations of more than five strata units are more likely to have a functional strata council.

Parking

The rationale for:

- not requiring additional parking for Type A (Entire Single-Detached Home) short-term rentals, is that this type of short-term rental would occur when the owners were not present, therefore, there should be limited or no increased parking;
- one parking stall per guest room for Type B (Portion of Single-Detached Home) short-term rentals, is to preserve existing B&B rules; and
- not requiring additional parking for Type C (Strata Unit) short-term rentals, is that parking for owners and guests of most strata lot units will be regulated by the strata corporation.

Notice Provisions

The rationale for requiring notice to neighbours is to better inform neighbours of the type of short-term operation and, in particular, as the notice includes the name, telephone number and

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email address of the operator, this will permit neighbours to contact the operator in the event of complaints.

Enforcement

The challenges with respect to the enforcement of short-term rental regulations have been set out above. Before setting out staff's recommendations, below is an over-view of the formal bylaw enforcement mechanisms.

Provincial Court Prosecutions

Provincial Court prosecutions by way of long-form information under the *Offence Act* have the benefit of potentially large fines (up to \$10,000 per day) and injunctive relief which could prohibit operators from continuing illegal short-term rental operations. On the other hand, obtaining the evidence necessary to be successful in a prosecution, expenses (including staff and legal costs), and obtaining Court time (which can take many months) are the down-side of a Provincial Court prosecution. As to collection of awarded fines and penalties, a court order may be collected in the same way as a judgment; however, the outstanding fines and penalties cannot be added to the tax roll.

Municipal Tickets

Bylaw officers may issue tickets for bylaw infractions pursuant to the municipal ticket or "MTI" provisions of the *Community Charter*. The maximum amount of a ticket is \$1,000 per offence, and if the offence is a continuing offence a maximum of \$1,000 per day. If the person disputes the ticket, then the matter must be referred to the Provincial Court for a hearing. Unpaid tickets can be collected in the same way as a judgment.

Local Government Bylaw Notice Enforcement Act

Pursuant to the *Local Government Bylaw Notice Enforcement Act*, the City has adopted the Notice of Bylaw Violation Dispute Adjudication bylaw. This bylaw creates a more informal adjudication system. An adjudicator, appointed by the Province, hears disputes and determines if the contested bylaw contravention occurred, so as to confirm or cancel the bylaw notice, or if compliance agreements have been breached. The ordinary rules of evidence are not applicable and the burden of proof is lesser. With some exceptions, decisions are final. The maximum penalty is \$500 per contravention of the bylaw. Continuing violations require separate bylaw notices for each violation.

Generally, in addition to an enhanced regulatory regime, staff recommend intensified enforced action and an increase in prosecutions as a deterrent. More specifically, staff recommend:

- short-term rental operators are the focus of regulatory enforcement, not the booking service;
- continuing use of Municipal Tickets with fines for fundamental breaches of the proposed regulation being set at the maximum, \$1000 per occurrence. For example, the fine for a non-resident operator under the current B&B regime is \$250. Staff recommend that a

similar breach under the proposed short-term rental regime would be \$1000. A full set-of proposed fines is set-out in Attachment 5; and

- use of formal “long-form” prosecution, including injunctive relief, in egregious cases of bylaw violation.

Coupled with the three recommendations above, staff identify three other enforcement matters. First, enforcement will likely require further resources, and as such this issue is identified below. Second, the viability of making use of *Local Government Bylaw Notice Enforcement Act* regime for short-term rentals be studied. Third, and perhaps fundamental, the City may wish to collaborate and coordinate with the on-line booking services to provide, and regulate, the short-term rental market. As discussed earlier, staff recommend engaging the on-line booking services in the “Public Consultation” section, set out below.

Next Steps and Public Consultation and Monitoring

As to public consultation, before amendments to the Business Licence and Business Regulation bylaws are adopted by Council, the *Community Charter* requires that public notice of the amendments must be given and “persons who consider they are affected by the bylaw” must be given the opportunity “to make representation to council.” In respect to the amendments to the Richmond Zoning bylaw, a public hearing must take place prior to adoption.

Given the nature and complexity of regulating short-term rentals, staff recommend that Council conduct full public consultation beyond the statutory requirements and prior to introduction of the bylaws to Council. Consultation would include the public, housing advocates, short-term rental operators, users and booking companies. Further, consultation would include the Let’s Talk Richmond website and a dedicated email address for receiving comments. Consultation may include a public open house. Staff will incorporate feedback from the community and stakeholder consultation into a subsequent report and may include such feedback into the proposed bylaws. Consultation will take place in Spring 2017 and staff will report back to Council in Spring 2017.

Outstanding Matters

Outstanding Matters fall into two categories. The first category is a general list of outstanding matters. The second category identifies some regulations that, while not included in the regulation above, could be considered as additions or modifications to the regulatory regime recommended in this report.

General Outstanding Matters

Given the complexity of this matter, staff continues to address several matters in respect to short-term rentals. These matters include the following:

1. **Full Richmond Analysis** – the requirement of a business licence that staff recommend to Council is similar to what Vancouver staff recommended to their Council. However, based on differing regulation and anecdotal evidence, it may be the case that the

Richmond short-term rental operations will differ from Vancouver's and this difference may be important in regulation.

For example, it may be the case that in Richmond there are more owners dealing directly with end users and, therefore, do not rely on booking platforms to find guests. If this is the case, then tracking short-term rentals in Richmond may be more difficult than in Vancouver. Also, the majority of Richmond's enforcement efforts to date that are associated with short-term rentals have been based on nuisance complaints, such as noise and parking violations. In contrast, according to a recent Vancouver survey, noise and property damage effects of short-term rentals were of least concern to respondents while quality, affordable, long-term housing was of most concern.¹⁰

Furthermore, there are many types of short-term rental scenarios beyond what is immediately visible through online listing sites. Some scenarios include:

- a. multiple owners within a multi-family building where a management company that operates within the same building or across multiple buildings rents out to end users;
- b. single owners of multiple properties across multiple multi-family buildings renting directly to end users;
- c. single owners of multiple properties across multiple multi-family buildings where a management company rents out to end users;
- d. single owners renting out single units in a multi-family building renting directly to end users; and
- e. single owners in large single-family dwellings with multiple rooms renting out to single or multiple end users.

To assess the effectiveness of regulation, additional research is required to quantify the short-term rental scenarios above and the impacts of regulation in each scenario. Such additional research would require data owned by the management companies and the online booking providers. Therefore, engaging with stakeholders is necessary to conduct a full Richmond analysis, including assessment of the economic benefits of short-term rentals. The results from the full Richmond analysis can be integrated into the 1-year regulation review and follow-up regulatory amendments.

Assessing economic benefits would also be part of this study.

2. **Taxes** – a concern identified above is in respect to short-term rental providers not paying the same 8% Provincial Sales Tax (PST) and 3% Municipal and Regional District Tax (MRDT) paid by hotels and motels. Generally, there is an exemption from PST and MRDT if an operator offers less than four units, the units may be in more than one location, for accommodation in British Columbia.

The Provincial government has commenced collecting PST and MRDT on certain short-term operators in Richmond. There are approximately 20 residential units in Richmond that are currently remitting and payees change in conjunction with ongoing government

¹⁰ According to a recent Vancouver staff report, the Talk Vancouver online survey took place in July and August 2016 and received 6,475 responses.

enforcement efforts. Key criteria used to determine the payees includes properties offered as units of accommodation by third parties on behalf of owners, with four or more units offered by the third party. The Province then looks at whether the provider simply lists the units and/or processes payments on behalf of the owners, or whether they have more control with setting prices, managing maintenance, check-in, and the like. Airbnb type services for instance, do not meet the definition of accommodation and are not required to register. Those types of businesses are offering marketing type services only and the units they list are not subject to PST or MRDT.

On November 23, 2016, the City received a letter from the Richmond Hotel Association (RHA) advocating that Richmond Council request that the Province remove the 8% PST and 3% MRDT exemption on accommodation of four rooms or less (Attachment 7), suggesting that such action will facilitate enforcement of local short-term rental regulations. Removing the four-room maximum exemption would level the tax regime across all types of accommodation providers and has the potential to facilitate local enforcement through information sharing between jurisdictions. However, it would also increase the regulatory burden for traditional bed and breakfasts, which are currently exempt from the 8% PST and 3% MRDT.

The Province's approach to taxing short-term rentals, described above, indicates that it is not immediately considering changes to the provincial regulation to lift the four-room exemption. However, considering the position of the Richmond Hotel Association and the broader hotel community, further discussion with the Province is required in respect to taxation of short-term rentals and accommodation providers.

3. **Financial Enforcement Costs** – staff are reviewing the potential revenues derived from a short-term rental licencing regime (both licence fees and fines) and costs of enforcement of the regulation. Once a financial analysis is complete, a resource increase request may be made.
4. **Notice of Bylaw Violation Dispute Adjudication Bylaw** – this bylaw is not currently used in respect to zoning or business license infractions. Staff will study its effectiveness for enforcing short-term rental regulation.
5. **Development of a Code of Conduct for Short-Term Rentals** – staff recommend that similar to the City's code of conduct for B&Bs, a short-term rental code of conduct be developed.
6. **Provincial Consultation** – the Province of British Columbia is currently undertaking consultation with stakeholders, including municipalities, to explore how the sharing economy may be better integrated and what the role of local governments will be in this process. This process may result in the Province developing tools that could assist local governments for managing the sharing economy. Staff will be monitoring the Provincial government's progress in its sharing economy consultation process.

Possible Short-Term Rental Elements

Possible short-term rental elements not included in the regime proposed above include:

1. **Cap on Number of Short-Term Rental Nights** – some cities limit the number of rental nights (San Francisco and Portland for example). This would support the principal residence rule and better prevent the dwelling from becoming a dedicated short-term dwelling. Staff have not included this element in the report, as monitoring is extremely difficult. Vancouver decided not to include such a cap in their proposed regimes for this reason;
2. **Prescribed Number of Days Required for Principal Residence** – while a short-term rental business licence will require identification confirming that the short-term rental unit is the operator's principal residence, this regime can be manipulated. A prescribed number of days required to qualify as an operator's principal residence would add some certainty, but again monitoring and confirmation is difficult;
3. **Linking the Short-Term Operator to Ownership of Short-Term Rental Unit** – ownership would act to limit the number of short-term rentals and, as there is often a link between ownership and principal residence, an ownership requirement could reinforce the principal residence requirement. Ownership could be as restrictive as the registered owner, or expanded to include relatives of the registered owner or even long-term lessees;
4. **Increasing the Number of Guests Permitted in Type B (B&B, Portion of Single Detached Homes)** – it may be the case that, in some cases or neighbourhoods, operations could allow for more rooms/person without adversely impacting the neighbourhood. So as to keep the existing B&B rules, staff have not recommended an increase in permitted guest/rooms. However, consistent with the current B&B regime in Agriculture zones AG1, AG3 and AG4 a B&B may have up to four guest rooms, and in Single detached heritage zone ZS11 – London Landing (Steveston) a B&B may have up to five guest rooms;
5. **Creating a New Type of Permitted Short-Term Rental Unit** – it may be that to accommodate the market, a new type of short-term rental with less units/persons and lesser regulation than Type B could be created. For example, a regime with only two permitted rooms but, provided that impacts are addressed, with lesser regulation may be an option. As another example, unlike Type B rentals, which are only permitted in detached single family houses, short-term rental might be permitted in duplexes or row houses. Staff, have not recommended the creation of this additional short-term rental type but, by preserving (and not requiring a business license) the current boarding and lodging regime (no more than two boarders and lodgers) this market may already be partially accommodated; and
6. **Operator in Type B (B&B, Portion of Single Detached Homes) Must Be Present in Dwelling Concurrently with Short-Term Rental Use** – this may increase monitoring. Currently the dwelling must be where the operator resides (i.e. primary residence), but not that the operator must be residing there while the business is being run.

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Staff will continue to investigate both the possible short-term rental elements and the general outstanding matters identified above and any other further matters and, together with the results of public and stakeholder consultation, will report back to Council in Spring 2017.

Financial Impact

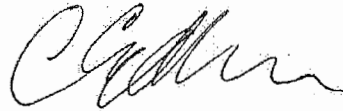
Staff will continue to monitor the investigation and enforcement costs relating to short-term rentals, and if the need for staff increases is determined, staff will report back to Council in Spring 2017.

Conclusion

Short-term rentals pose a challenge to local governments in developing and enforcing a regulatory regime. Staff have recommended that Council consider Option 3 set-out above which is a business license regime. As developing practical regulation and effective enforcement is challenging, full public consultation prior to bylaw introduction is recommended. Thereafter, once the bylaws are adopted, staff will report back to Council after a 12 month trial period.



Doug Long
City Solicitor
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Carli Edwards
Chief Licence Inspector
(604-276-4136)

- Att. 1: Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9647
2: Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9648
3: Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649
4: Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650
5: Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651
6: Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652
7: Letter from the Richmond Hotel Association to the City dated November 23, 2016



City of Richmond

Report to Committee

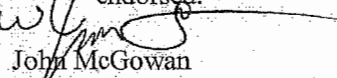
To:	General Purposes Committee	Date:	January 26, 2017
From:	John McGowan General Manager, Law and Community Safety Cecilia Achiam Director, Administration and Compliance	File:	03-0900-01/2017-Vol 01
Re:	Short-Term Rental Regulations		

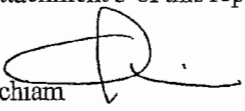
Staff Recommendation

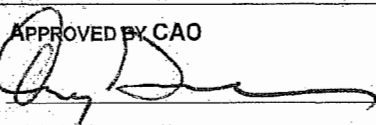
That in respect to the regulation of short-term rentals and the enforcement of such regulation:

1. Richmond Zoning Bylaw No. 8500, Amendment Bylaw, 9647 be introduced and given first reading; and
2. That:
 - a. Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;
 - b. Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;
 - c. Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and
 - d. Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652
 each be introduced and given first, second and third readings.

3. That the proposed communication plan described in Attachment 3 of this report be endorsed.


John McGowan
General Manager, Law and Community Safety
(604-276-4104)


Cecilia Achiam
Director, Administration and Compliance
(604-276-4122)

REPORT CONCURRENCE		
ROUTED TO:	Affordable Housing	CONCURRENCE
	Community Bylaws	<input checked="" type="checkbox"/>
	Fire Rescue	<input checked="" type="checkbox"/>
	Law	<input checked="" type="checkbox"/>
	Building Approvals	<input checked="" type="checkbox"/>
	Development Applications	<input checked="" type="checkbox"/>
	Policy Planning	<input checked="" type="checkbox"/>
	REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS
	DW	

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Staff Report

Origin

This report addresses the resolutions from Council on January 9, 2017:

1. *That the matter be referred back to staff for analysis on the implementation of Option 2 (Prohibition of all short-term rentals as defined in the staff report titled "Regulation of Short-Term Rentals" dated November 29, 2016), and that staff report back with all appropriate bylaw amendments and information including a proposed enforcement program;*
2. *That staff review the current rules governing Bed and Breakfast operations in Richmond and provide an analysis including the current number of Bed and Breakfast operations in Richmond; and*
3. *That staff recommend a process for public consultation for Council's consideration on the proposed program, bylaw amendments, and information in response to the staff referral given in Parts (1) and (2) of this resolution.*

Analysis

A previous staff report titled "Regulation of Short-Term Rental Units", dated November 29, 2016 from the City Solicitor and Chief Licence Inspector (the "previous report") provided detailed analysis on regulations and enforcement in respect to short-term rental units in Richmond. The report presented three short-term options for consideration and at the Council meeting on January 9, 2017, Council endorsed "Option 2" (Prohibition of all short-term rentals), as described in the previous report.

1. Proposed Bylaw Amendments to achieve Option 2 (Prohibition of all short-term rentals)

The existing regulations in the Richmond Zoning Bylaw (bed and breakfast ("B&B") and boarding and lodging regulations in particular) combined with the requirement for a business licence in the Business Licence and Business Regulation Bylaws currently act to restrict short-term rentals. However, unlike many other jurisdictions, short-term rentals, being rentals of less than 30 days (except for B&Bs, boarding and lodging, approved hotels, motels, agri-tourist accommodation, community care facilities and dormitories), are not explicitly prohibited. Consequently, in order to implement "Option 2", staff recommend bylaw amendments that;

1. Provide an explicit prohibition of short-term rentals (except for the most common types currently allowed such as B&Bs and boarding and lodging) and remove agri-tourist accommodation from the Agriculture (AG1) zone;
2. Change the existing B&B regulations; and
3. Increase fines for non-compliance.

Table 1 provides a description of the Zoning Bylaw amendments being proposed to provide an explicit prohibition on short term rentals (except for B&Bs, boarding and lodging, approved hotels, motels, agri-tourist accommodation, community care facilities and dormitories). This

includes a number of proposed amendments that will align zoning regulations with Council direction to limit short-term rentals.

Table 1 – Zoning Bylaw Amendments

Change	Rationale
Add explicit prohibition of Short-term Rental (less than 30 days) of Dwelling Units	All short-term rental explicitly prohibited except for B&Bs, boarding and lodging, approved hotels, motels, agri-tourist accommodation, community care facilities and dormitories
Remove Agri-tourist accommodation as a permitted use in the Agriculture (AG1) zone	This type of short-term rental is not considered an appropriate out-right use but could be considered on a site by site basis.
All B&B operations limited to 3 rooms	Current bylaw includes exceptions for Agricultural Zone (AG1) and for site specific London Landing zone (ZS11)

For example, this report proposes removing agri-tourist accommodation as an out-right permitted use in the Agriculture Zone and that it be considered through site specific rezoning applications only. Agri-tourist accommodation is a permitted farm use in the Agricultural Land Reserve (“ALR”) but the Agricultural Land Commission (“ALC”) legislation permits the City to regulate or prohibit the use. Given that this use may be interpreted to be similar in nature to a hotel, staff believe that any proposals for agri-tourist accommodation should be considered through a site specific rezoning. This will ensure that proposals are consistent with the intended smaller-scale operation of such uses in the ALR. Site specific rezoning applications would allow the details of the agricultural operation and the proposed agri-tourist accommodation activity to be considered by Council and the public through the statutory rezoning process.

The changes proposed to the Zoning bylaw will also eliminate the exceptions that allow some areas of the City to provide 4, instead of 3, B&B rooms per home. Currently, homes in the ALR and in London Landing are permitted 4 B&B rooms. Reducing this to 3 will align with the City wide regulations.

The proposed amendments do not propose changing regulations related to boarders or lodgers. The current zoning bylaw allows 2 boarders/lodgers and this typically includes international students on home stay programs or cultural and sports exchanges. There are also no changes proposed to the status of secondary suites. Secondary suites are currently not eligible to be B&B’s and the new regulations further clarify that they are not permitted to be rented out on a short term basis.

Table 2 provides a summary of how the existing B&B regulations are proposed to be enhanced. In most cases, it is proposed that the the current regulatory regime remain unchanged, but there are several proposed additional requirements including requiring owner consent and neighbourhood notification. These proposals will strengthen the B&B regulations, especially

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considering the growth and increased interest in short-term rentals. These changes also modernize the bylaws and respond to the public input received in writing and from the delegations at the January 9, 2017 Council meeting.

Table 2 – Existing and Proposed B&B Requirements

Bed and Breakfast Regulations	Existing Requirement	Proposed Future Requirement
Business Licence required	√	√
Must comply with zoning, building, fire and other City bylaws	√	√
No cooking facilities in guest rooms	√	√
Minimum size of guest rooms	√	√
One parking stall per guest room required	√	√
Signage permitted	√	√
Must be operator's Primary Residence	Yes, but Residence is not defined	Principal Residence now specifically defined and new rules added
Owner consent required	No	Required
In Dwelling with Boarding and Lodging	Not permitted	Not permitted
In Dwelling with Secondary Suite	Not permitted	Not permitted
Same site as Coach House/Granny Flats	Not specified	Not permitted
No more than 4 guest rooms in the ALR (2 guests each)	√	Removed -Harmonize with other residential zones
No more than 3 guest rooms in all residential zones where B&B are permitted	√	Reduce the max. no. of guest room in ALR from 4 to 3 to harmonize requirements in all residential zones
Notice of operations to neighbours as condition of licence	No	Required

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In order to make these changes, amendments are proposed to the Zoning, Business Regulation, Business License, and Municipal Ticket Information Authorization. This report also proposes changes to the Consolidated Fees Bylaw but only to create a separate category for the fee. The licence fee for a B&B remains at \$162.

Along with amendments that provide specific prohibitions and enhancements to the B&B licensing regulations, this report also recommends new penalties and increases to fines. The new penalties will give enforcement and licence officers more options to deal with illegal operations, including those either refusing to be licenced or those proceeding with activities not permitted in any licencing or land use scheme. The increased fines relate both to illegal operations and to licenced B&B's not operating within the regulations. A summary of the bylaw amendments and increased fines is shown in Table 3.

Table 3 –Proposed New Penalties and Increased Fines

Type of Fine	Penalty (can be applied for each day the offense occurs)	Current Fine	Proposed Fine
Issued as a Municipal Ticket	For a licenced B&B – Failure to maintain Fire Evacuation Plan	\$250	\$1,000
	For a licenced B&B – No access to Guest Register	\$250	\$1,000
	For a licenced B&B – Premises not operator's Principal Residence	\$250	\$1,000
	Rentals for 30 days without a Licence	N/A	\$1,000
	For any B&B – excess guest rooms	\$250	\$1,000
	For any B&B – excess guest capacity	\$250	\$1,000
	For any B&B – excess guest room capacity	\$250	\$1,000
Imposed through prosecution in Court	Conviction for an Offence under the Business Regulation Bylaw	\$2,000	\$10,000
	Conviction for an Offence under the Business Licence Bylaw	\$2,000	\$10,000

2. Proposed Enforcement Program to Address Un-licenced Short-Term Rentals

In the previous report, a search on numerous websites identified approximately 1,600 short-term rental listings in the Richmond area. Further research is being conducted to define the scope of the issue, eliminate duplication of listings and to potentially identify other advertising sites for short-term rentals.

As noted in the previous report, enforcement in other jurisdictions has proven to be very difficult. A collaborative approach working with the principal booking platforms may provide

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the ability for the City to ensure that prospective hosts are aware of the local rules and requirements for listing their property.

Community Bylaws will be the lead department. Support will be provided by Business Licensing, Richmond Fire Rescue, and Building Inspections. This will provide a broad scope of authority to manage and investigate short-term rental properties found to be in contravention of current and amended municipal bylaws. Compliance will be achieved through an integrated graduated enforcement program. The first step in the process is to mail out warning letters to all identified properties to ensure they are aware of the Bylaw requirements governing short-term rentals. That will be followed up by conducting an inspection of the property (both scheduled and unscheduled). Non-compliance will result in the issuance of Municipal Ticket Informations and other fines. The final step in the process would be a prosecution against property owners who remain in contravention.

Bylaw staff are currently researching and identifying properties currently listed on short-term rental web sites. They are also developing a matrix to prioritize the identified properties and are actively managing the most egregious cases at this time. Other home owners who are not properly licensed to offer short-term rental accommodation will be contacted both in person and in writing and provided with information on the licensing requirements. This notice will also direct them to cease operations immediately or until such time as they are in compliance.

To allow for a proactive rather than a reactive approach, Community Bylaws has redeployed three existing resources to immediately address those illegal short-term rental operations which have been identified as having a significant impact on the community. These residences have recently been inspected or have been scheduled for inspections in the near future. The City has also undertaken a hiring process to employ four additional temporary bylaw enforcement officers to address the short-term rental issues in Richmond. This additional staff is expected to be in place by the end of February 2017.

Community Bylaws will conduct an assessment of the impact of these enforcement initiatives and report back to the General Purposes Committee in six months.

3. Current Bed and Breakfast options in Richmond

There are currently 19 B&Bs in the City of Richmond (Attachment 1) that have been licenced according to the requirements in the Business Licence and Business Regulation Bylaws. In addition to the requirements in the Bylaws, the B&B's are provided with the City of Richmond Bed & Breakfast Information Package (Attachment 2). This package provides information on application requirements and expectations for lawful operations and is available in print at City Hall and on the City's website¹.

Eighteen of the licenced B&B's are operating in good standing as Licencing staff have received complaints about only one current operation. Staff are currently investigating the complaint and

¹ <http://www.richmond.ca/shared/assets/bedandbreakfastinfopackage30758.pdf>

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any recommendation for licence suspension or cancellation will be brought back to Council for consideration.

Consultation

This report proposes changes to the existing regulations governing B&B operations, including new rules and increased fines for non-compliance. While agri-tourist accommodation is proposed to be removed as a permitted use from the Agriculture (AG1) zone, the use will continue to be defined so that site-specific rezoning applications may be considered by Council. There are no increases proposed to the existing licence fees and no new types of short-term of licences being proposed. Collectively, changes to these bylaws will require public notification and a public hearing.

As to the proposed amendment to the Richmond Zoning Bylaw, should Council endorse and grant first reading to the proposed Zoning Amendment Bylaw, then it will be forwarded to the next Public Hearing (anticipated to be March 20, 2017). Public notification for the Public Hearing, including notification in the newspaper, will be provided as required under the Local Government Act. The public will have an opportunity to comment at the Public Hearing on the proposed Zoning Amendment Bylaw prior to final consideration of the amendment.

The process for amendments to the Business Licence, Business Regulation, Municipal Ticket Information Authorization and Consolidated Fees bylaws (collectively, the "Amendment Bylaws") requires public notification prior to final consideration. Should the General Purposes Committee endorse the proposed Amendment Bylaws, and if Council grants bylaw readings in accordance with the Community Charter, the public will be given notice and the opportunity to make representations to Council prior to final adoption.

In addition to the statutory requirements for a public hearing and public notification, it will be important to notify the public of the changes, including those currently operating or impacted by any type of short-term rentals. The communications plan in Attachment 3 provides a summary of actions and deliverables that will be implemented should Council adopt the proposed changes in this report.

If the new regulations are adopted by Council, staff will also monitor the implementation of the changes and provide an update to Council on the progress, public feedback, long term impacts on budgets and other programs and further recommendations for enhancements in June, 2017.

Financial Impact

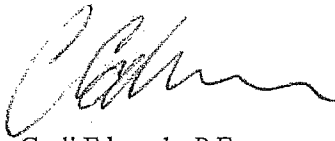
The temporary full time bylaw enforcement officers will initially be funded from within the existing bylaws budget. The investigation and enforcement costs will be monitored and should additional funding be required to support ongoing operations, a report will be prepared for Council's consideration. Operational impacts due to Staff re-deployment will be mitigated by drawing upon experienced temporary staff to backfill required positions.

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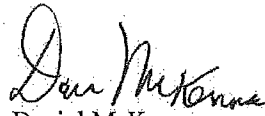
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Conclusion

The proposed changes to various bylaws outlined in this report provide practical regulations that are simple to understand and comply with. The clarity of regulations would enhance enforcement, which, together with the increased penalties would provide further deterrent for non-compliance.



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Acting Senior Manager, Comm Safety
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- Att. 1: Current Licenced B&B in Richmond
2: City of Richmond Bed & Breakfast Information Package
3: Communications Plan

History of Short-Term Rental Staff Reports and Highlights

Corresponding Report	Short-Term Rental Options Proposed in Report	Description	Key Highlights
Staff report titled "Regulation of Short-Term Rental Units" dated November 29, 2016 and presented to General Purposes Committee on January 3, 2017 (http://www.richmond.ca/cityhall/council/agendas/gp/2017/01/03/17minutes.htm) and Council on January 9, 2017. (http://www.richmond.ca/agendas/iles/Open_Council_1-9-2017.pdf)	Option 1: Status Quo (Not recommended)	No changes to bylaws and regulations	<ol style="list-style-type: none"> B&B are currently permitted in single family and Agricultural Zones <ul style="list-style-type: none"> 3 room with 2 guests maximum /room in single family zones 4 rooms with 2 guests maximum/room in AG zones A Business Licence is required to operate B&Bs Lodgers and Boarders <ul style="list-style-type: none"> Max 2 lodgers or boarders are permitted in all residential zones with no licencing requirement <p>Not endorsed by Council</p>
	Option 2: Prohibit all short-term rentals (Not recommended)	Full-ban of short term rental Define short term rental	Not endorsed by Council Council instructed staff to move ahead with bylaw preparation to define "short term rental"
	Option 3: Tailored short-term rental regulations (Recommended)	Tailor regulations to address short-term rentals in different residential zones (single family, town house and condo, etc.)	<ol style="list-style-type: none"> Proposed Short-Term Rental Categories with Associated Custom Regulations: <ul style="list-style-type: none"> Type A – Entire Single-Detached Home Type B – Portion of Single-Detached Home Type C – Strata Unit (5 or more units/building) Addressed public consultation related to bylaw amendments and included a communication plan <p>Not endorsed by Council</p>
On January 3, 2017, General Purposes Committee moved and seconded:			
<ol style="list-style-type: none"> That the regulation of short-term rental units as set-out in the staff report from the City Solicitor and Chief Licence Inspector titled "Regulation of Short-Term Rental Units", dated November 29, 2016, be endorsed in principle for the purpose of public consultation; That the public consultation process set-out in the staff report be approved; and That staff be directed to engage with the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax and Municipal and Regional District Tax in regards to accommodation providers and report back to Council as part of the one-year review of the City's proposed short-term rental regulation. 			
On January 9, 2017, Council did not endorse any of the 3 proposed options and passed the following resolution:			
<ol style="list-style-type: none"> That the matter be referred back to staff for analysis on the implementation of Option 2 (Prohibition of all short-term rentals as defined in the staff report titled "Regulation of Short-Term Rentals" dated November 29, 2016), and that staff report back with all appropriate bylaw amendments and information including a proposed enforcement program; That staff review the current rules governing Bed and Breakfast operations in Richmond; and That staff recommend a process for public consultation for Council's consideration on the proposed program, bylaw amendments, and information in response to the staff referral given in Parts (1) and (2) of this resolution. 			

History of Short-Term Rental Staff Reports and Highlights

Corresponding Report	Short-Term Rental Options Proposed in Report	Description	Key Highlights
Staff report titled "Short-Term Rental Regulations" dated January 26, 2017 considered by General Purpose Committee on February 6, 2017 (http://www.richmond.ca/agenda/files/Open_GP_2-6-2017.pdf)	Enhanced B&B regulations and Code of Conduct	<ol style="list-style-type: none"> Enhanced B&B regulations and Code of Conduct Increase penalties and fines 	<ol style="list-style-type: none"> Enhance B&B regulations and code of conduct guidelines <ul style="list-style-type: none"> Require proof of primary residency for operator Require owner consent for B&B if the operator is not the owner Limit B&B to a maximum of 3 bedroom with a maximum of 2 guests/bedroom in both single-family and agricultural residential zones Require notice to neighbours that a B&B licence has been approved and to provide contact information to neighbours Increase penalties and fines <ul style="list-style-type: none"> Increase Municipal Ticket from \$250 to \$1,000 maximum per daily offence Increase maximum fine for conviction from \$2,000 to \$10,000 (imposed through prosecution in Court)
	Enhanced Enforcement	Temporarily increase the number of Community Bylaw Inspection staff to tackle illegal short-term rentals	Community Bylaws is in the process of hiring 4 temporary Community Bylaw Officers and take proactive action to close down illegal short-term rental in addition to taking action on the basis of complaints.
<p>Council did not endorse the staff recommendation and passed the following referral motion:</p> <p><i>That the staff report titled, Short-Term Rental Regulations be referred back to staff for a detailed analysis of the pros and cons of and options relating to:</i></p> <ol style="list-style-type: none"> implementing a proof of insurance requirement; amending definition of operator to also include owner operator; and establishing a "spot" (site specific) rezoning process; and report back. 			
(Closed) Staff report, dated February 9, 2017 titled "Short-Term Rentals - Enforcement and Bed & Breakfast Regulations" to GP Committed on February 20, 2017 to provide legal advice on options that presented themselves from the previous General Purposes Meeting.	<p>Incorporated changes to address Council's concerns to enhance regulations to limit short-term rentals as B&B in single-family and agricultural zones</p> <p>Requested direction to prepare a report for the Open General Purposes Committee on March 6, based on the endorsed approach, including the appropriate bylaw amendments, and without the legal opinion attached</p>		
<p>Note: The report meets the statutory closed meeting criteria: 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose</p>			

Table A: Proposed Changes to Short-Term Rental Regulations

Requirement		Where is this Regulated?	Process for Approval
1.	All short-term rental explicitly prohibited except for B&Bs, boarding and lodging, approved hotels, motels, agri-tourist accommodation, community care facilities and dormitories	Richmond Zoning Bylaw	Amendment requires a public hearing prior to final approval by Council
2.	No more than 3 guest rooms to be permitted in all residential zones where Bed and Breakfasts are permitted	Richmond Zoning Bylaw	Amendment requires a public hearing prior to final approval by Council
3.	Bed and Breakfast is not permitted on site with a Coach House or Granny Flat	Richmond Zoning Bylaw	Amendment requires a public hearing prior to final approval by Council
4.	Remove Agri-tourist accommodation as a permitted use in the Agriculture (AG1) zone	Richmond Zoning Bylaw	Amendment requires a public hearing prior to final approval by Council
5.	All new B&B's to be separated by 500 m (1640 ft.) to limit over commercialization and to mitigate potential nuisance	Official Community Plan Bylaw and Richmond Zoning Bylaw	Amendments require a public hearing and consultation with the ALC prior to final approval by Council
6.	Operator must provide evidence, annually, that Bed and Breakfast is their Principal Residence	Business Licence Bylaw	Public notification of proposed changes required prior to final approval by Council
7.	Property Owner must consent to Bed and Breakfast business	Business Licence Bylaw	Public notification of proposed changes required prior to final approval by Council
8.	Neighbours must be notified of Bed and Breakfast operation and be provided operator contact information	Business Licence Bylaw	Public notification of proposed changes required prior to final approval by Council
9.	Convictions for an offense under the Business Licence or Business Regulation Bylaw can be imposed a fine of up to \$10,000 (imposed by Provincial Court as a result of bylaw prosecution)	Business Licence and Business Regulation	Public notification of proposed changes required prior to final approval by Council

Requirement		Where is this Regulated?	Process for Approval
10.	Renting rooms, or residential units, for periods of less than 30 days to be issued MTI ticket	Municipal Ticket Authorization Bylaw	Public notification of proposed changes required prior to final approval by Council
11.	Increased fines for MTI tickets, \$250 to \$1000, for: <ul style="list-style-type: none"> • Failure to maintain fire evacuation plan • No access to guest register • Premises not operator's Principal Residence • Excess guest rooms • Excess guest capacity • Excess room capacity 	Municipal Ticket Authorization Bylaw	Public notification of proposed changes required prior to final approval by Council
12.	Operators of Bed and Breakfasts are encouraged to carry adequate liability and property damage insurance	Code of Conduct	Amendments to be made by staff following Council approval of overall program changes
13.	Bed and Breakfast operators are to be available 24 hours a day when hosting guests	Code of Conduct	Amendments to be made by staff following Council approval of overall program changes

Table B: Summary of Existing Regulations (not proposed to change)

Requirement	Where is This Regulated?
A Business Licence is required to operate a Bed and Breakfast	Business Licence Bylaw
Home must comply with zoning, building, Fire and other City bylaws	Business Licence Bylaw
No cooking facilities allowed in guest rooms	Business Regulation Bylaw
Minimum size of rooms permitted for Bed and Breakfasts	Richmond Zoning Bylaw
One parking stall is required for each guest room in a Bed and Breakfast	Richmond Zoning Bylaw
All residential zones allow 2 boarders and lodgers per dwelling unit	Richmond Zoning Bylaw
Bed and Breakfasts are not permitted on a site with a secondary suite	Richmond Zoning Bylaw

Highlight of Proposed Changes

BED AND BREAKFAST CODE OF CONDUCT GUIDELINES (PROPOSED)

The City of Richmond expects the operators of Bed and Breakfast establishments permitted in residential zones to respect the residential character of their neighbourhoods. In addition to complying with all requirements of the Zoning Bylaw and the Business Regulation Bylaw that are applicable to such establishments, the City expects operators to adhere to the following Code of Conduct. In the event that the City receives complaints regarding the operation of a Bed and Breakfast establishment that indicate a failure to adhere to this Code of Conduct, the operator may be required to show cause why their business licence should not be suspended or revoked, or the Licence Inspector may refuse to renew the business licence.

No Residential Dwelling Alterations

With the exception of the small exterior signage permitted by the zoning regulations, no alterations should be made to the exterior of a residential dwelling indicating that it operates as a bed and breakfast establishment.

Noise

The operation of a bed and breakfast establishment should not produce noise detectable beyond the boundary of the premises that would be in excess of that associated with an ordinary residential use. Operators may wish to consult the noise regulations in the City's Public Protection Health Bylaw, available on the City's website:

http://www.richmond.ca/_shared/assets/Bylaw_6989_12140924694.pdf

Traffic and Parking

Operators should be aware that some of the most common complaints regarding bed and breakfast operations in residential neighbourhoods are associated with guest parking and traffic. Complying with City parking and traffic regulations and using on-site parking spaces will eliminate many potential complaints. Operators should ensure that they bring these regulations and amenities to the attention of guests upon check-in.

Insurance

It is recommended that bed and breakfast operators carry adequate liability and property damage insurance specifically written for bed and breakfasts. There are several organizations and service providers that provide further information and assistance, including the BC Bed & Breakfast Innkeepers Guild at www.bcsbestbnbs.com.

Privacy of Neighbours

The use of outdoor spaces such as patios, terraces and gardens by bed and breakfast guests can affect the privacy of neighbours. Such areas should be located, oriented and screened so as to

minimize their impact on neighbouring properties. Operators should also manage check-in and checkout times to minimize the impact of this activity on the neighbourhood.

Guest Services

Operators should be available 24 hours a day when they are hosting guests. If they need to go off-site during a guests' stay, they should be available by phone. In addition, guest rooms should be clearly identified on each door in order to provide adequate safety and security for the guests.

Dealing with Complaints

If approached by neighbours with complaints regarding their bed and breakfast establishment, operators should attempt to resolve the complaint on the basis that residents of residential neighbourhoods have a legitimate expectation of privacy and normal residential amenity, with which the operation of a bed and breakfast operation in the neighbourhood is not intended to significantly interfere. Records of such complaints, and how the operator has dealt with them, should be retained for reference in the event that the City is requested to become involved in the matter.

CITY OF RICHMOND ZONING BYLAW 8500 (PROPOSED)

"Bed and breakfast" means the commercial accommodation of guests for periods of 30 days or less, in a single detached housing dwelling unit in accordance with section 5.5 of this bylaw.

5.5 Bed and Breakfast

- 5.5.1 A bed and breakfast use is permitted only in a single detached housing dwelling unit.
- 5.5.2 A bed and breakfast use is not permitted in a single detached housing dwelling unit or on a lot that contains a secondary suite, a granny flat, or a coach house, or a boarding and lodging, minor community care facility, agri-tourist accommodation, or child care home business use.
- 5.5.3 A bed and breakfast use is permitted only in a single detached housing dwelling unit that is the principal residence of the operator.
- 5.5.4 No facilities or equipment used for the preparation of food shall be installed or provided in a room used for bed and breakfast guest accommodation.
- 5.5.5 A bed and breakfast use is limited to a maximum of three guest rooms unless otherwise provided in this bylaw.
- 5.5.5A Bed and breakfast use of a single detached housing dwelling unit is limited to accommodation of a maximum of 6 guests at one time.
- 5.5.6 A room used for bed and breakfast guest accommodation shall not be equipped, furnished or used to provide accommodation for more than two guests.

- 5.5.7 A room used for bed and breakfast guest accommodation shall have a floor area of not less than 9.75 m².
- 5.5.8 One fascia sign with maximum dimensions of 0.3 m by 0.6 m is permitted on each premises used for a bed and breakfast use, unless otherwise provided in this bylaw.
- 5.5.9 A vehicle parking space provided in respect of a guest room may be provided in a tandem arrangement with another such parking space or a space required in respect of the residential use of the building.
- 7.7.1 Bed and Breakfast Establishments are required to provide one on-site parking space for each guest room.

CITY OF RICHMOND BUSINESS LICENCE BYLAW 7360 (PROPOSED)

- 2.4.1 Every Bed & Breakfast Establishment applicant must at the time of application:
- (a) certify that they reside in the premises as their principal residence and provide proof that the premises are the applicant's principal residence. To demonstrate that the premises is their principal residence, an applicant must be able to produce copies of the applicant's government issued picture identification showing the applicant's address as the premises, and copies of either one or both of the following:
 - (i) a tax assessment for the current year for the lot upon which the premises are constructed showing the applicant as payor, or
 - (ii) a utility bill (electricity, district energy, gas, or telephone) issued within the previous 3 months for the premises showing the applicant as payor, or
 - (iii) such other evidence as required by the City from time to time;
 - (b) provide proof that the owner of the premises has consented to the use of the premises as a bed & breakfast establishment by providing one of the following, as applicable:
 - (i) if the applicant is an owner of the premises, a copy of legal title to the premises showing the applicant as an owner in fee simple or leasehold, or
 - (ii) if the applicant is not an owner of the premises, a copy of legal title to the premises identifying the owner and a declaration from the owner of the premises certifying that use of the premises as a short-term rental is permitted; and
 - (c) provide a copy of the guest register format to be used in the recording of guests stays under the *Hotel Guest Registration Act* (British Columbia).
 - (d) prepare a notification letter that:
 - (i) describes the operation and the number of bedrooms that will be rented to overnight guests; and
 - (ii) includes information on how to contact the operator by phone;

- (e) mail or deliver the notification letter to all residents and owners of residential dwellings (i) abutting or across the street from the premises, or (ii) within a 50 metre radius of the premises, whichever is greater;
- (f) provide a copy of the notification letter and a list with the addresses of all persons that received the notification letter;
- (g) provide a copy of the fire evacuation plan required by the Business Regulation Bylaw;
- (h) provide floor plans, drawn to scale, of the entire floor area of each level of the residence, indicating the use of each room of the residence and clearly identifying the guest rooms to be used in the bed & breakfast establishment;
- (i) provide a property site plan showing:
 - (i) the location and dimension of the driveway identifying vehicle parking spaces for residences and guests for each guest room;
 - (ii) the location of the residence on the property with setbacks indicated from all property lines;
 - (iii) landscaping and open areas as required by the Zoning Bylaw;
 - (iv) signage size and placement as permitted by the Zoning Bylaw; and
- (j) pay the required annual bed & breakfast business licence fee specified in the Consolidated Fee Bylaw No. 8636 for the Bed & Breakfast Use category of this bylaw.

Referral 1 - Implementing a proof of insurance requirement

The City does not require B&B applicants to provide proof of insurance prior to being approved for a B&B licence. This is consistent with current practice in other BC jurisdictions. Staff do not recommend any changes to this practice. Instead, the Richmond Bed and Breakfast Code of Conduct Guidelines (Attachment 2) has been amended to recommend that B&B operators carry adequate liability and property damage insurance specifically written for B&B's and further that the Code of Conduct Guidelines make reference to the BC Bed & Breakfast Innkeepers Guild at www.bcsbestbnbs.com for information and reference.

In the past, Tourism BC operated a voluntary "Approved Accommodation Program" where tourist accommodation operators (e.g. hostels, B&Bs, camp grounds, etc.) could apply to be granted "Approved Accommodation" status. Once the accommodations were inspected and approved by Tourism BC, they were eligible to be listed in the British Columbia Approved Accommodation Guide, which was a widely distributed and popular resource for domestic, regional and international visitors. This voluntary accreditation program no longer exists as the program was too costly to apply across the province and on-line listing services became the principle means for travelers to compare and book tourist accommodations.

It is not the role of a regulator to ensure that a business has adequate insurance. While it would be prudent for B&B operators to obtain insurance, the City might be taking on unnecessary risk exposure to liability if the City requires proof of insurance as a requirement to grant a business licence for B&B.

Staff feel that a responsible and effective approach to address the concern related to an insurance requirement is to strongly encourage B&B operators to obtain adequate insurance coverage in the Bed and Breakfast Code of Conduct Guidelines (Attachment 2) and future communication materials and to advise operators of this "best practice".

Referral 2 - Amending definition of Operator to also include Owner/Operator

Staff have reviewed this issue and are of the view that the applicable legislation likely does not permit restriction requiring an operator to be an owner. Staff note that the current B&B regulation does not require an operator to be an owner. The current regulations require an operator to be "a person who resides" in the premises.

The requirement that the B&B be the principal residence of the owner or operator, rather than owner as occupier vs. operator as occupier, seems to be the key to ensure accountability. Staff are proposing to require owner or operators to provide proof of residency as part of the Business Licence application and annual Business Licence renewal process. This would ensure that the B&B location is the primary residence of the B&B owner or operator. This is consistent with current practice in other BC jurisdictions, the current Richmond Business Licence regulations and the requirements in the voluntary Tourism BC "Approved Accommodation Program" (now defunct) noted in Referral 1 above.

Furthermore, there is no indication that owner vs. tenant operator of B&B affects the neighbourliness of a licenced B&B operation in Richmond. For example, the City has received only one complaint about a licenced B&B, which currently requires that the home is the primary

residence of the owner or operator. In this instance of complaint, the particular business under review is operated by an owner. All other nuisance complaints received by the City were caused by non-licensed establishments.

Referral 3 - Establishing a “spot” (site specific) rezoning process

Staff have considered several options to regulate the location and number of B&Bs and have identified the options set-out below.

General Prohibition - “Spot” (Site Specific) rezoning (NOT RECOMMENDED)

Staff were directed to explore mechanisms, including “spot” (site specific) rezoning to address potential negative impacts such as noise, parking, increased traffic, etc., that may occur if too many short-term rental operations are located within close proximity within a single-family neighbourhood.

The mechanism to require site specific rezoning is well established and the implementation is technically feasible. Should this option be pursued, all future B&B’s would be required to complete a rezoning process and the approved use would be permitted to remain on the site unless the zoning is subsequently amended. However, subject to the applicable legislation, some existing B&B’s would be considered legal non-conforming and could continue to operate. Staff are concerned that deploying such a sophisticated regulatory tool for essentially a “home occupation” type business would be counter-productive. Table 1 below illustrates the pros and cons of implementing such a scheme.

PROS	CONS
Neighbourhood Input: Neighbouring residents have the opportunity to provide input as part of the notification process.	Costly Process: A B&B licence costs \$162. With the spot zoning option, there will be a rezoning application fee of \$2,261. Further costs, such as plan and submission preparation and site notification signs may also be required.
Council Oversight: Council assesses each application and sets requirements and conditions that reflect site specific conditions.	Lengthy Process: Spot rezoning application processes can be lengthy (especially considering the small scale of B&B businesses) and the administrative process requires time for notice of a public hearing.
	Discourage Compliance: Experience from other jurisdictions that implemented complex regulatory requirements indicated a low compliance rate. Spot rezoning may be too onerous for small business operators and further discourage compliance.

Table 1: Pros and Cons for "Spot" Site Specific Rezoning

Staff do not recommend implementing site specific rezoning requirement for B&B’s.

Option 2: Zoning Areas or Sub-Areas – Create geographic areas or sub-areas within each single family and agricultural zone in which B&Bs would be permitted (**NOT RECOMMENDED**)

Discussion in GP Committee on February 6, 2017 also included exploration of implementing limits based on geographical areas whereby some areas would permit B&Bs and some areas would not. This approach could not limit the number of B&Bs in each area. Staff have reviewed this mechanism and while this can be achieved through zoning regulation, there is very little precedence for this approach and staff are unable to propose an equitable way to determine what those limits should be and how many B&B licences would be acceptable to a neighbourhood.

Staff do not recommend geographical limits for B&Bs.

Option 3: Limiting by Text – Create a special class, by description, to limit the properties where a B&B could be located. (**NOT RECOMMENDED**)

In this option, B&Bs would be restricted to single family residential properties having certain characteristics. For example, a characteristic could be a certain lot size. Properties having the characteristic would permit B&Bs and those not having the characteristic would not. Determination of the characteristics would be based on sound planning principles. This option is not recommended as it may be considered as “purported to limit the number of B&Bs or the location of B&Bs” and would likely not be a valid use of the Zoning Bylaw.

Option 4: Minimum Buffer Distance between B&B Operations – Implement a minimum buffer to achieve specific planning objectives. (**RECOMMENDED**)

Permitting B&Bs is consistent with the planning objective of accommodating a range of uses in the City’s neighbourhoods (Section 3.2 Neighbourhood Character and Sense of Place encourages neighbourliness and character retention that are compatible in single family neighbourhoods). At the same time, creating a buffer between B&B’s will prevent the densification of B&Bs thereby reducing over-commercialisation and protecting the character and community values of single family neighbourhoods.

A 500 m buffer will mitigate nuisances including noise, traffic, and parking issues. Staff suggest a 500 m (1640 ft.) separation between B&B operations for consideration should Council adopt Option 4. This distance has been recommended because it is similar to the minimum distance to separate uses that may have negative impact from, school, park or community centres.

A text amendment to the Official Community Plan and the Zoning Bylaw would be required. A buffer requirement would be relatively easy to verify as part of the Business Licence application review and would avoid the need for spot rezoning.

The adoption of a minimum 500 m (1640 ft.) distance between B&B operations would be a consistent application that has a proven record. Staff suggests that any buffer applied to B&B operations would be measured as a radius from the centre of the lot that contains the B&B business. Staff have prepared the necessary bylaw amendments should Council endorse and adopt Option 4.,



Summary of Tax Regimes Related to Short-term Rentals

Current Taxes – Level Playing Field

A concern identified is in respect to short-term rental providers not paying the same 8% Provincial Sales Tax (PST) and 3% Municipal and Regional District Tax (MRDT) paid by hotels and motels. Generally, there is an exemption from PST and MRDT if an operator offers less than four units, the units may be in more than one location, for accommodation in British Columbia.

On November 23, 2016, the City received a letter from the Richmond Hotel Association (RHA) advocating that Richmond Council request that the Province remove the 8% PST and 3% MRDT exemption on accommodation of four rooms or less (Attached), suggesting that such action will facilitate enforcement of local short-term rental regulations. Removing the four-room maximum exemption would level the tax regime across all types of accommodation providers and has the potential to facilitate local enforcement through information sharing between jurisdictions. However, it would also increase the regulatory burden for traditional bed and breakfasts, which are currently exempt from the 8% PST and 3% MRDT.

The Province's approach to taxing short-term rentals, described above, indicates that it is not immediately considering changes to the provincial regulation to lift the four-room exemption. However, considering the position of the Richmond Hotel Association and the broader hotel community, further discussion with the Province is required in respect to taxation of short-term rentals and accommodation providers.

The Municipal and Regional District Tax (MRDT) - Applicable to Richmond

The Municipal and Regional District Tax (MRDT) is the only local level tax that impacts short term rentals, as long as they are classified as "accommodation providers" under the PST Act (which governs the MRDT).

The MRDT is legislated by the Province and the Province determines who remits it. In Richmond, this includes the 23 hotel properties and (as of last year) approximately 20 suites operated by other providers. The Province uses the following criteria to charge these additional providers the MRDT:

"The criteria we use is based on the definitions of "accommodation" and "accommodation provider" in the Provincial Sales Tax Act (PSTA). In the case of properties offered as units of accommodation by third parties on behalf of owners, we first look at the number of units they offer. If it is less than four, they would not be required to register or collect tax regardless of the specific nature of their contract with the owners. When four or more units are offered by the third party, we then examine the specific nature of their business.

It can get complicated, but essentially it comes down to what they are responsible for and in control of regarding the individual units. In order to meet the definition of an

accommodation provider, we look at whether they simply list the units and perhaps process payments on behalf of the owners, or whether they have more control such as setting prices, managing maintenance, check-in, and the like. Air B&B type services for instance, do not meet the definition of accommodation and therefore are not required to register. Those types of businesses are offering marketing type services only and the units they list are not subject to PST or MRDT.”

The following observations and Richmond-specific items regarding the MRDT apply:

- The list of additional providers collecting MRDT changes often, as the Province carries out ongoing enforcement of its own legislation. This is problematic, as the MRDT legislation requires that the MRDT be voted on every 5 years by at least 51% of accommodation providers with 51% of the rooms at a given point in time and for a period of 5 years.
- The Richmond Hotel Association and the BC Hotel Associations are engaging the Province in discussions regarding the MRDT, seeking that all accommodation providers, including B&Bs, be required to pay the MRDT (B&Bs are currently exempt).
- Technically, should the Province expand its definition of accommodation providers in the future to include short term rentals, Richmond will become recipient of the associated MRDT. However, it is unclear how the MRDT voting mechanism will be adjusted (under the current practice, an operator with five rooms represents the same vote as a hotel with 300 rooms; furthermore, multiple fragmented ownership of properties will make it difficult to arrive at a majority MRDT vote in the future, if the Province requests that each provider vote for the MRDT, so the MRDT may not be successful in the future unless the provincial voting regulations change).
- The City has submitted its application to the Province to increase the MRDT to 3% and it is expected that this process will complete on or before June 30, 2017.
- No material changes in the MRDT are anticipated under the current Provincial government term.

The Resort Municipality of Whistler Act – Applicable to Whistler

Whistler is a grandfathered tourism community under the MRDT regulation and the destination marketing organization Tourism Whistler (not the RMOW) receives the MRDT and a provincial grant (both Provincially legislated), as well as a membership fee from all short-term tourism rentals. All owners of what is designated "Resort Lands" in Whistler must be a Member of Tourism Whistler and contribute assessment fees to support ongoing destination marketing and sales initiatives. Those who purchase property on Resort Lands are required to declare, annually, how they are using the property in order to determine associated assessment fees. Generally, those owners using their property for nightly rentals are required to pay commercial fees in addition to the common fees which are paid by all Members (regardless of property use).

More information on the RMOW fees can be accessed on their website:
<https://members.whistler.com/documents-public/fees.pdf>.

Staff Recommendation:

That

- a. the information regarding tax requirements including whether a hotel tax should apply to short-term rentals provided in this report be received for information; and
- b. staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax , including the definition of accommodation providers, and report back to Council as part of the one-year review of the City's proposed short-term rental regulation;

Attachment 7



November 18, 2016

Mayor Brodie and Members of Council
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

RE: Request to rescind Provincial Tax Regulation 78(1)(b)

Dear Mayor and Council,

We understand the City of Richmond has been working to mitigate the negative impacts of nightly short-term rentals in our community. We strongly support these efforts and commend Council for its leadership on this issue. However, we are concerned that Council's resources in this matter are stretched, and that meaningful action from the provincial government is required to resolve this issue in a timely manner.

Richmond Hotel Association represents 20 hotels with the City of Richmond and our members over the last year have experienced continual challenges with assisting new or existing employees to locate affordable monthly rental accommodation. The vacancy rate is often near zero, and in some cases we have lost potential employees due to this chronic rental shortage. Making matters worse, there are no indications this trend will change in the year ahead.

As Council well knows, many British Columbians have embraced short-term residential rental companies such as Airbnb and Vacation Rental by Owner (VRBO). While these online platforms have in some cases brought new visitors and tourism spending to BC, they have also negatively impacted the availability and affordability of monthly rental accommodations. One of the challenges is that these agencies are not subject to the same regulatory, legal, taxation, health and safety, or insurance laws as traditional accommodation providers.

For example, residents who offer fewer than four rooms for rent do not have to collect provincial sales taxes when renting those accommodations. This exemption has created an unclear business environment, and made it all but impossible for municipalities—even those with stringent bylaws targeting short-term rental accommodations—to effectively enforce the rules.

Eliminating section 78(1)(b) of BC's *Provincial Sales Tax Act* (Provincial Sales Tax Exemption and Refund Regulations) will eliminate this exemption and significantly enhance our community's enforcement regime. Not only will it encourage our local renters to register their business income fairly, but it will also increase voluntary compliance among landlords who risk finding themselves off-side with both local bylaws and the provincial tax code.

On behalf of the Board of Directors, we therefore respectfully request that the City of Richmond write to the Minister of Finance and formally request that *Provincial Sales Tax Act* exemption 78(1)(b) be rescinded. Council's support in this matter will be vital to encouraging effective action from BC's provincial government. We have attached a sample letter for Council's consideration.

Yours truly,



Gary Collinge
Chair

Richmond Hotel Association

cc: RHA Board of Directors

Comparison of Short-Term Rental Regulations in other Cities

Vancouver

The City of Vancouver does not presently have laws or policies in place dedicated to regulating the types of home sharing promoted by platforms such as Air BNB. Their zoning bylaw currently prohibits rentals of less than 30 days, unless in approved zones for Hotel or Bed and Breakfast businesses, accompanied by an appropriate City business licence. Recently, Vancouver reported to their Council recommending changes to the regulations and proposed allowing short term rentals in all units, as long as the units are the principal residence of the operator. The proposal has been approved to go out to public consultation in order to refine the policy approach and report back with bylaw amendments and an implementation plan.

San Francisco

San Francisco is the home of California based company, Airbnb, and enacted an ordinance effective February 1, 2015 legalizing short-term rentals in the city. Under the new law, all buildings containing one or more rental units are eligible for short-term rental, subject to the following restrictions:

- Short term rentals are permitted only in units where the owner or resident resides for at least 275 days per year;
- In the event that the host is not present for the rental, the unit may only be rented up to 90 days per year;
- Permanent residents are allowed to rent out their primary residences, but not locations in which they don't live, or second or vacation homes;
- Hosts are required to register and obtain a permit from the Office of Short Term Rental, and pay a \$50 fee every two years;
- Hosts are required to be covered by liability insurance with at least \$500,000 in coverage;
- Hosts who are tenants are not allowed to charge their guests more rent than they are paying to their current landlord;
- The 14% San Francisco hotel tax--called the "Transient Occupancy Tax"--must be collected from renters and paid to the city; and
- Tenants must to notify their landlords before they engage in short-term rentals of their units.

Quebec

Québec is the first Canadian Jurisdiction to regulate the home-sharing industry. The new provincial laws came into effect during April 2016, and require owners who "regularly" rent out their properties to obtain the same provincial certification as hotel and bed-and-breakfast operators. Approval for certification requires that home-sharing operations do not violate any municipal zoning bylaws. Under this scheme, travellers are charged lodging taxes of up to 3.5 per cent.

Occasional hosts are not required to obtain provincial certification and comply with the same regulations as are regular hosts. The current legislation does not make a clear distinction as to what constitutes each category of host. In order to facilitate the new legislation, the government increased its number of inspectors tasked with enforcing hotel laws from two to eighteen.

Portland

The City of Portland adopted regulations that define what is allowed as an Accessory Short-Term Rental (ASTR). A basic definition for a City of Portland ASTR is where an individual or family resides in a dwelling unit and rents bedrooms to overnight guests for less than 30 days. The regulations allow ASTRs in houses, attached houses, duplexes, manufactured homes on its own lot, and accessory dwelling units. Bedrooms in legal detached accessory structures can also be rented to overnight guests and count towards the maximum size limit.

There are two types of ASTRs, each with a specific permitting process:

- Type A - is one where the resident rents no more than 2 bedrooms to overnight guests. A Type A Accessory Short-Term Rental Permit is required, which includes a safety inspection as part of the permit approval and neighborhood notification.
- Type B - is one where the resident rents between 3 and 5 bedrooms to overnight guests. A Land Use Conditional Use Review application is required along with a site inspection or self-certification for the same safety features as the Type A rental.

Austin, Texas

Austin has five short-term rental licences categories. In Austin, an owner can rent his or her entire principal residence up to 179 nights per year and but can also rent a portion of their unit with no time limits. Austin also allows an owner to obtain a permit for on-site accessory dwellings (suite or coach house) with no annual night cap.

Austin also issues short-term rental licences for units that are not principal residences. In this case, the numbers of licences issued are capped at 3% of total housing units in residential areas and 25% of housing units in commercial areas. In all cases, the City of Austin's 9% Hotel Occupancy Tax applies to short-term rentals.

Comparison of Licence Fees for Bed and Breakfast Businesses

City	Bed and Breakfast Licence Fee
Vancouver	\$46 annual (\$54 App fee)
Surrey	\$105
Victoria	\$100
Kelowna	\$27.50
Kamloops	\$67.20
Burnaby	\$380 initial fee, \$130 for renewal
White Rock	\$150
Coquitlam	\$85
Nanaimo	\$165
North Vancouver	\$19 per room
Prince George	\$87
Pitt Meadows	\$49
Abbotsford	\$130
Maple Ridge	\$110
Richmond	\$162



City of Richmond

Memorandum Community Bylaws

To: Mayor and Councillors
From: Daniel McKenna
Acting Senior Manager
Law & Community Safety

Date: February 14, 2017
File: 12-8075-20-AMANDA
#/2017-Vol 01

Re: Request for Statistics Related to Enforcement of Short Term Rentals

This memo will provide an update on enforcement activities by Community Bylaws regarding illegal hotels/bed and breakfasts/short term rentals since the last report to Council titled "Regulation of Short-Term Rental Units" dated November 29, 2016.

1. Since December 1, 2016 the Community Bylaws Staff has received 17 illegal hotel complaints and 10 illegal suite complaints. An additional 46 complaints have been received from a licenced Bed and Breakfast operator, most of which had been previously identified by Community Bylaws Staff.
2. At this time Community Bylaws have a total of 130 open investigations. This includes 61 addresses found on various short term rental web sites and 38 illegal hotel and 31 illegal suite complaints received from the public.
3. Research of current short term rental addresses identified approximately 21% of the residences located outside of single family zones.
4. Since December 1, 2016 Community Bylaws Staff have inspected 23 short term rental accommodations. These inspections were conducted to identify any structural changes and modifications made to the building which may accommodate short-term rentals.
5. Community Bylaws Staff have been verbally notifying short-term rental operators to cease operations when they have been identified through the inspection process. Operators who may be operating illegally and identified through searches conducted on short term rental web sites, will be issued a letter to cease and desist immediately. Failure to comply could result in inspections, fines and prosecutions. This letter has recently been reviewed and approved by Law. The distribution of this letter will commence immediately.
6. Bylaw officers have recently begun issuing tickets for contraventions under Zoning Bylaw 8500 and Business Regulation Bylaw 7538. To date there have been three tickets issued for contraventions to an operator of a licenced B&B. Another property owner operating an illegal hotel has been charged and a trial date of July 18 to July 20, 2017 has been set. The

February 9, 2017

- 2 -

owner has ceased operations and the matter is currently under negotiation with a view to reaching a settlement.

7. Since December 1, 2016 Community Bylaws Staff have closed down six illegal short-term rentals.
8. The four additional Bylaw Enforcement Officers will prioritize investigations and enforcement of illegal hotels/bed and breakfasts/short-term rentals as follows:
 - a. Public complaints
 - b. Web identified addresses:
 - i. Agricultural properties
 - ii. Single Family properties
 - iii. Multi Family properties

This is a synopsis of the enforcement action taken to date. A combination of intensified enforcement and the adoption of the proposed regulations will provide the opportunity to more effectively and efficiently address the illegal short-term rental issue in Richmond.



Daniel McKenna
Acting Senior Manager, Community Safety

DM:rg

pc: John McGowan, Acting GM, Law and Community Safety
Andre Nazareth, GM, Finance and Corporate Services
Doug Long, City Solicitor
Carli Edwards, P.Eng., Chief Licence Inspector
Ron Graham, Manager, Community Bylaws

Proposed New Penalties and Increased Fines

Type of Fine	Penalty (can be applied for each day the offense occurs)	Current Fine	Proposed Fine
Issued as a Municipal Ticket	For a licenced B&B – Failure to maintain Fire Evacuation Plan	\$250	\$1,000
	For a licenced B&B – No access to Guest Register	\$250	\$1,000
	For a licenced B&B – Premises not operator's Principal Residence	\$250	\$1,000
	Rentals for 30 days without a Licence	N/A	\$1,000
	For any B&B – excess guest rooms	\$250	\$1,000
	For any B&B – excess guest capacity	\$250	\$1,000
	For any B&B – excess guest room capacity	\$250	\$1,000
Imposed through prosecution in Court	Conviction for an Offence under the Business Regulation Bylaw	\$2,000	\$10,000
	Conviction for an Offence under the Business Licence Bylaw	\$2,000	\$10,000

Required Public Consultation for OCP and Bylaw Amendments

This report proposes changes to the existing regulations governing B&B operations, including new rules and increased fines for non-compliance. While agri-tourist accommodation is proposed to be removed as a permitted use from the Agriculture (AG1) zone, the use will continue to be defined so that site-specific rezoning applications may be considered by Council. There are no increases proposed to the existing licence fees and no new types of short-term of licences being proposed. Collectively, changes to these bylaws will require public notification and a public hearing.

As to the proposed amendments to the Official Community Plan (OCP) and Richmond Zoning Bylaw, should Council endorse and grant first reading to the proposed Official Community Plan (OCP) and Zoning Amendment Bylaws, then they will be forwarded to the next Public Hearing (anticipated to be April 18, 2017). The Agricultural Land Commission will be notified as the OCP amendment proposed is within the ALR. Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9691 having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found to not require further consultation beyond the Public Hearing (as shown in the table below). Public notification for the Public Hearing, including notification in the newspaper, will be provided as required under the Local Government Act. The public will have an opportunity to comment at the Public Hearing on the proposed Zoning Amendment Bylaw prior to final consideration of the amendment.

Required Public Consultation Process for OCP Amendments

OCP Consultation Summary

Stakeholder	Consultation
The Board of the Greater Vancouver Regional District (GVRD)	No consultation necessary, as the proposed amendments are consistent with the Regional Growth Strategy.
The Councils of adjacent Municipalities	No consultation necessary as adjacent municipalities are not affected.
First Nations (e.g., Sto:lo, Tsawwassen, Musqueam)	No consultation necessary as First Nations are not affected.
Richmond School Board	No consultation necessary as schools are not affected.
TransLink	No consultation necessary as no transportation or road network changes are proposed.
Provincial and federal government and their agencies	No consultation necessary as they are not affected.
Vancouver International Airport Authority (VIAA)	No consultation necessary as it is not affected.
Richmond Coastal Health Authority	No consultation necessary as it is not affected.

The process for amendments to the Business Licence, Business Regulation, Municipal Ticket Information Authorization and Consolidated Fees bylaws (collectively, the "Amendment Bylaws") requires public notification prior to final consideration. Should the General Purposes Committee endorse the proposed Amendment Bylaws, and if Council grants bylaw readings in

accordance with the Community Charter, the public will be given notice and the opportunity to make representations to Council prior to final adoption.

In addition to the statutory requirements for a public hearing and public notification, it will be important to notify the public of the changes, including those currently operating or impacted by any type of short-term rentals. The communications plan in Attachment 12 provides a summary of actions and deliverables that will be implemented should Council adopt the proposed changes in this report.

Communication Plan: Short-term Rentals

Purpose:

Disseminate the proposed changes using a wide range of communication tools to increase understand of and compliance with the regulations:

Highlight of Proposed Communication Plan:

Communication Tool	Timing
Question and answer guide for frontline staff	<ul style="list-style-type: none"> • Immediately following Council granting first reading • Immediately following adoption of new bylaws
News release to be issued immediately following Council's decision	<ul style="list-style-type: none"> • Immediately following Council granting first reading • Immediately following adoption of new bylaws
Print advertisements in the local community paper and ethnic newspapers	<ul style="list-style-type: none"> • Standard advertisement for Public Hearing • After adoption of new bylaws
Prepared letter/email for distribution to residents operating legal B&Bs	<ul style="list-style-type: none"> • Acknowledge legal operations and provide them with additional regulations for annual renewal
First and second notices to residents hosting unlicensed short-term rentals	<ul style="list-style-type: none"> • In co-ordination with Bylaw Enforcement to notify illegal short-term rental operators on bylaw changes and invitation to submit for approval for those who fit the criteria
Updated brochure to explain the changes to the bylaw and related requirements	<ul style="list-style-type: none"> • Immediately following adoption of new bylaws
Web page and social media content	<ul style="list-style-type: none"> • Immediately following Council granting first reading • Immediately following adoption of new bylaws
Prepared letter/email to send to stakeholders such as AirBnB and Expedia	<ul style="list-style-type: none"> • After adoption of bylaws to invite cooperation from these companies to only host legally approved short-term rentals on their websites

Owner as B&B Operator a Review (as of March 16, 2017)

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
Richmond	Zoning Bylaw		Yes	No
	Business Licence Bylaw		With amendment	No
	Business Regulation Bylaw		With amendment	No
Vancouver	Zoning Bylaw 3575	<p>Defined as a Service Use</p> <p>"Bed and Breakfast Accommodation" means the use of a dwelling unit as temporary accommodation for tourists or transients where the room rate includes breakfast provided on the premises.</p> <p>11.4 Bed and Breakfast Accommodation -- subject to the following:</p> <p>11.4.1 A maximum of two bedrooms accommodating a maximum of four bed and breakfast guests may be permitted in a dwelling unit.</p> <p>11.4.2 The provision of bed and breakfast accommodation shall not be permitted coincidentally with the keeping of boarders and lodgers.</p> <p>11.4.3 The operator of the bed and breakfast accommodation shall reside in the dwelling unit</p>	Yes	No
	License Bylaw 4450	"Bed and Breakfast Accommodation" means the use of a dwelling unit as temporary accommodation for tourists or transients where the room rate includes breakfast provided on the premises.	No	No
	Guidelines (1989)	Nothing related to ownership or operators. Safety related.	No	No
Vancouver (con't)	Website http://vancouver.ca/doing-business/bed-and-breakfast-business.aspx	<p>A Bed and Breakfast is temporary accommodation that is provided by a homeowner from within a residence. Under the Bed and Breakfast regulations, the homeowner must live in the residence.</p> <p>A Bed and Breakfast is limited to a maximum of Two bedrooms and Four guests</p> <p>Requirements: One additional parking space; Payment of a one-time Development and Building permit fee; An approved safety inspection from a City Inspector; City of Vancouver Business Licence</p>	Yes	Maybe, but non-binding

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
Surrey	Zoning Bylaw No. 12000	<p>“Bed and Breakfast” means a business operation carried on by the members of a family as a home occupation to provide temporary sleeping accommodations, with or without meals being provided, all provided for a prescribed charge on a daily basis, where the maximum length of occupancy by any patron is not more than 30 days in a 12-month period.</p> <p>“Family” means 1 or more persons occupying a dwelling unit and living as a single non-profit housekeeping unit.</p> <p>“Home Occupation” means an occupation or profession carried on as a business by a person residing in the same dwelling unit as the business, but shall exclude social escort services, automotive service uses and tow truck operations.</p> <p>Uses Permitted in Specific Zones</p> <p>(a) Bed and Breakfast: Where the bed and breakfast use is permitted, the following conditions shall apply:</p> <ul style="list-style-type: none"> i. Not more than 6 patrons shall be accommodated within 1 dwelling unit; ii. Not more than 3 bedrooms shall be used for the bed and breakfast operation; iii. No cooking facilities or other facilities for the keeping of food shall be provided for within the bedrooms intended for the said operation; iv. Parking of cars, trucks, house trailers, campers or boats operated by the patrons shall be provided for within the lot; v. No patron shall stay within the same dwelling for more than 30 days in a 12-month period; and vi. A valid business license has been issued for the use. <p>(c) Where the bed and breakfast use and boarders or lodgers are permitted the maximum number of patrons accommodated for both uses shall not exceed 6.</p> <p>(d) The bed and breakfast use and boarders or lodgers are not permitted in a building containing a secondary suite.</p>	Yes	No

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
Surrey (con't)	Business License Bylaw 13680	<p>"Bed and Breakfast" means a business operation carried on by the members of a family as a home occupation to provide temporary sleeping accommodations, with or without meals being provided, all provided for a prescribed charge on a daily basis, where the maximum length of occupancy by a patron is not more than 30 days in a 12-month period.</p> <p>Bed and Breakfast 43. (1)Every proprietor of a bed and breakfast must: (a)supply the Inspector with the number of bedrooms intended for the operation, the daily rate of charge, and whether meals are to be provided; (b)keep the records of all patrons, including dates of arrival and departure; (c)post the daily rate of charge at an easily visible location in the premises; and (d)request inspection of the premises at the time the business license application is made. (2)No proprietor of a bed and breakfast will accommodate more than six people at the premises</p>	Yes	No
Burnaby	Zoning Bylaw	<p>"BOARDING, LODGING OR ROOMING HOUSE" means a dwelling in which more than 2 sleeping units are rented, with or without meals being provided, to more than 2 and not exceeding 15 persons, other than members of the family of the lessee, tenant or owner, and excludes the preparation of meals within the rented units. "FAMILY" means (a) persons related by blood, marriage, adoption or foster care, or (b) a group of not more than three unrelated non-transient persons living together as a single non-profit group in a dwelling unit and using common cooking facilities and excludes boarders, lodgers and servants but includes a person living alone.</p>	Yes	No
Delta	Zoning Bylaw 2750	Bed and Breakfast Unit: A room, which may also include a bathroom, occupied or intended to be occupied by persons requiring temporary lodging while absent from their normal or permanent place of residence.	No	No

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
City of Langley	Zoning Bylaw 2100	<p>Home Occupation means an occupation or profession carried on for profit within a dwelling unit by a person residing in the same dwelling unit in a manner ancillary to the residential use of the building and includes a bed and breakfast (limited to two (2) sleeping rooms) and a Child Care Centre (limited to eight (8) children), but excludes retail sales.</p> <p>Home occupations shall be permitted in all Residential Zones provided that such occupations:</p> <ul style="list-style-type: none"> i) Must be conducted by a resident of the residential building in which they are permitted and shall not employ more than one person not resident therein; ii) Shall meet all Provincial and Federal health and safety requirements and produce no public offence or nuisance, by noise, vibration, smoke, odour, dust, heat, glare, electrical interference or by any other means; and iii) Shall not give any external indication of the existence of the occupation, other than a name plate not exceeding 0.2 m² [2.15 ft²] by displays, floodlighting, storage of materials, alteration of the appearance of buildings or by any other means. 	Yes	No
	Business Licence Bylaw 2916	<p>36. Home Occupations</p> <p>(2). Home occupation businesses must be in compliance with all home occupation regulations enacted in the City's zoning bylaw.</p>	Yes	No
Township of Langley		<p>"AGRICULTURE USE" means a building or use for</p> <ul style="list-style-type: none"> h) bed and breakfast facilities, allowing a maximum of three sleeping units in either a principal or accessory building, subject to: i) being specifically permitted by the Agricultural Land Commission; ii) being an accessory use on the property; iii) being limited to one establishment per legal parcel; iv) being located on a lot having a minimum lot size of 1.7 ha (4.2 acres); v) the bed and breakfast lot being owner occupied; vi) complying with health, fire and building codes; and vii) obtaining a valid business licence. 	Yes	Yes

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
New Westminster	Zoning Bylaw 6680	<p>BED AND BREAKFAST means a home based business to provide temporary sleeping accommodations on not less than a daily basis, including the provision of a daily breakfast.</p> <p>HOME BASED BUSINESS means an accessory use to an authorised residential use in which one or more residents carry on a business, and for greater certainty, includes a bed and breakfast, but does not include child care.</p> <p>190.28</p> <p>j) every operator of a home based business must first receive permission from the landlord or strata corporation in order to operate a home based business;</p> <p>(p) a bed and breakfast</p> <p>i) may not accommodate no more than four guests except that one additional guest for every 500 square feet (46.45 square metres) of floor space in the dwelling unit over 2,000 square feet (185.80 square metres) is permitted, to a maximum of 10 guests;</p> <p>ii) may occupy one Off-Street parking or one on-street parking per bed and breakfast bedroom, provided that not more than two spaces per every three bed and breakfast bedrooms are occupied; and</p> <p>iii) in the case where a house contains a secondary suite, may be operated in either the principal residence or the secondary suite, but not both.</p>	Yes	No

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
Ferne	Zoning Bylaw 1750	<p><i>BED AND BREAKFAST USE - RESIDENTIAL</i> means: an owner occupied dwelling unit located in a residential zone in which not more than three (3) bedrooms are rented to paying customers on an overnight basis. One on site parking stall is required per room.</p> <p><i>BED AND BREAKFAST USE - COMMERCIAL</i> means: an owner occupied dwelling unit located in a commercial zone in which up to four (4) bedrooms are rented to paying customers on an overnight basis.</p> <p>3.6 BED AND BREAKFAST A bed and breakfast operation is an establishment where overnight accommodation is provided in fixed roof structures, where washroom facilities may or may not be shared and meals may or may not be provided. They shall take place within an inhabited residence or commercial area and are divided into two categories: residential and commercial, and are guided by the following general provisions.</p> <p>.1 Bed and Breakfast - Residential:</p> <ul style="list-style-type: none"> a) shall be owner occupied in a residential zone; b) shall not provide more than three (3) rooms for the purpose of paying guests within the home; c) one parking space must be provided on site for each room to be rented; d) the employment of one additional staff, who does not live in the primary residence, is allowed to assist with the operation of the bed and breakfast facility. <p>.2 Bed and Breakfast - Commercial:</p> <ul style="list-style-type: none"> a) shall be owner occupied in a commercial zone; b) a bed and breakfast commercial shall not provide more than four (4) rooms for the purpose of paying guests within the home; c) one parking space must be provided on site for each room to be rented; d) built form and signing shall conform to the City of Fernie Building Facade Design Guidelines, if located in a commercial Development Permit Area. e) the employment of two additional staff, who do not live in the primary residence, are allowed to assist with the operation of the bed and breakfast facility; f) a bed and breakfast commercial operation may allow limited retail sales to occur, for the sales of crafts, baking or convenience goods, providing the space used for display and sales of the goods does not exceed 120 sq. m. 	Yes	Yes

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
Coquitlam	Zoning Bylaw 3000	<p>BOARDING means the rental and occupation of a sleeping unit which is attached to or part of a dwelling unit, either with common cooking facilities, or where regular meals are provided; includes bed and breakfast accommodation.</p> <p>508 Accessory Uses (1) Boarding Use A boarding use: (a) must not accommodate more than two boarders per dwelling unit; (b) in the form of bed and breakfast accommodation, may provide accommodation for one family or two boarders; and (c) must be completely enclosed within a building.</p>	No	No
Victoria	Zoning Bylaw	<p>"Transient Accommodation" means: a) the use of land or a building for the temporary accommodation of visitors, and without limitation includes hotels, motels, vacation rentals and bed and breakfast accommodation; but b) does not include the accommodation of visitors without receipt of payment or other consideration, where that accommodation is incidental to and normally associated with the permitted residential use of a dwelling unit.</p> <p>"Home Occupation" means making, servicing, or repairing goods, or providing services for hire or gain by any person, wholly within a dwelling unit occupied by that person, but does not include the following except as provided in Schedule D: a) the sale of goods on or from the dwelling unit or its premises; b) the provision of escort services within a multiple dwelling; c) small-scale commercial urban food production.</p> <p>Schedule D. 11. Subject to the following requirements, where any building is used as a single family dwelling, up to two bedrooms may be used for transient accommodation as a home occupation. (1) Notwithstanding Section 4, meals or food services may be provided to any customers but not after 12:00 noon. (2) No liquor shall be provided to any customers. (3) One parking space for each room available for transient accommodation shall be provided on the lot and a parking space may be located behind another parking space. (4) No sign may be erected, used, or maintained for the purpose of advertising transient accommodation use within a single family dwelling.</p>	<p>Yes, if B&B up to two bedrooms</p> <p>Yes, in particular zones</p>	No

Municipality	Bylaw		Req. Operator to reside in B&B	Req. B&B Operator to be Owner
Victoria (con't)	Licence Bylaw 89-071	<p>18. Subject to Clause 19, a person letting individual rooms, suites of rooms, or lodgings for hire, either in a hotel, rooming house, apartment house, lodging house or elsewhere, and whether or not board or meals are supplied to the occupants thereof \$100.00, plus \$5.00 for each room let or available for letting</p> <p>19. Any persons who</p> <p>(a) have 2 or fewer rooms or suites for rent in a dwelling unit where the dwelling unit is occupied by its owner, the dwelling unit remains as a single legal title, and the interval at which rent is payable on the suite or rooms is <u>one month or longer</u>, or</p> <p>(b) let a room or suite of rooms under a registered lease with an initial or renewal term of 99 years or more are not required to take out or hold a license under Clause 18.</p>	No	No

Proposed Communication Plan: Short-term Rentals

Purpose:

Disseminate the proposed changes using a wide range of communication tools to increase understand of and compliance with the regulations:

Highlight of Proposed Communication Plan:

Communication Tool	Timing
Question and answer guide for frontline staff	<ul style="list-style-type: none"> Immediately following Council granting first reading Immediately following adoption of new bylaws
News release to be issued immediately following Council's decision	<ul style="list-style-type: none"> Immediately following Council granting first reading Immediately following adoption of new bylaws
Print advertisements in the local community paper and ethnic newspapers	<ul style="list-style-type: none"> Standard advertisement for Public Hearing After adoption of new bylaws
Prepared letter/email for distribution to residents operating legal B&Bs	<ul style="list-style-type: none"> Acknowledge legal operations and provide them with additional regulations for annual renewal
First and second notices to residents hosting unlicensed short-term rentals	<ul style="list-style-type: none"> In co-ordination with Bylaw Enforcement to notify illegal short-term rental operators on bylaw changes and invitation to submit for approval for those who fit the criteria
Updated brochure to explain the changes to the bylaw and related requirements	<ul style="list-style-type: none"> Immediately following adoption of new bylaws
Web page and social media content	<ul style="list-style-type: none"> Immediately following Council granting first reading Immediately following adoption of new bylaws
Prepared letter/email to send to stakeholders such as AirBnB and Expedia	<ul style="list-style-type: none"> After adoption of bylaws to invite cooperation from these companies to only host legally approved short-term rentals on their websites



**Richmond Official Community Plan Bylaw 9000
Amendment Bylaw 9691
(B&B Buffer)**

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

1. Richmond Official Community Plan Bylaw 9000 is amended at Section 3.2 (Neighbourhood Character and Sense of Place), Objective 1 , by adding the following to the policies listed below “Single Family Land Uses”:
 - “• to limit the commercialization of single family neighbourhoods, and to mitigate potential impacts on traffic, parking congestions, and noise in single family neighbourhoods, bed and breakfast operations shall be located no less than 500 metres apart;”
2. This Bylaw may be cited as **“Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9691”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

MAR 27 2017

CITY OF RICHMOND
APPROVED by 
APPROVED by Manager or Solicitor 

MAYOR

CORPORATE OFFICER



**Richmond Zoning Bylaw No. 8500
Amendment Bylaw No. 9647**

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

1. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 3.4:
 - a. by deleting and replacing the definition of **Agri-tourist accommodation** with the following:

"Agri-tourist accommodation	means accommodation for an agri-tourist operation on a farm, limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or the short-term use of bedrooms ."
------------------------------------	--
 - b. by adding the following definition after the definition of "**exhibition & convention facilities**":

"Family member	means, with respect to a person: <ol style="list-style-type: none">a) the person's spouse;b) the person's child;c) the person's spouse's child;"
-----------------------	--
 - c. by adding the following definition after the definition of "**hutch**":

"Individual registered owner	means with respect to land, any individual person who is: <ol style="list-style-type: none">a) the registered owner of an estate in fee simple; orb) the tenant for life under a registered life estate."
-------------------------------------	--
 - d. by adding the following definition after the definition of "**open space**":

"Operator	means the person who operates the bed and breakfast ."; and
------------------	--
 - e. by adding the following definition after the definition of "**premises**":

"Principal residence	means a dwelling in which an operator ordinarily resides. A person can only have one principal residence ."
-----------------------------	--

2. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 5.5:
 - a. by deleting subsection 5.5.2 and replacing it with the following:

“5.5.2. A **bed and breakfast use** is not permitted in a **single detached housing dwelling unit** or on a lot that contains a **secondary suite**, a **granny flat**, or a **coach house**, or a **boarding and lodging**, **minor community care facility**, **agri-tourist accommodation**, or **child care home business use**.”;
 - b. by deleting subsection 5.5.3 and replacing it with the following:

“5.5.3. A **bed and breakfast use** is permitted only in a **single detached housing dwelling unit** that is the **principal residence** of the **operator**, where the **operator** is an individual and not a corporation.

5.5.3A. A **bed and breakfast use** is permitted only in a **single detached housing dwelling unit** where the **operator** is the **individual registered owner** of the **dwelling** or the **individual registered owner’s family member**.”; and
 - c. by inserting the following as a new subsection 5.5.5A. following 5.5.5.:

“5.5.5A. **Bed and breakfast use** of a **single detached housing dwelling unit** is limited to accommodation of a maximum of 6 **guests** at one time.”.
3. Richmond Zoning Bylaw No. 8500, as amended, is further amended by adding the following after Section 5.19 as new Section 5.20:

“**5.20 Short Term Rental of Dwelling Units**

5.20.1 No person shall use or permit to be used any **dwelling unit**, or portion thereof, for accommodation for a period of less than thirty (30) days unless such **dwelling unit** forms part of a **hotel** or a **motel**, or is used for **boarding and lodging**, **agri-tourist accommodation**, **community care facility**, **dormitory**, or **bed and breakfast use** in compliance with all applicable bylaws.”
4. Richmond Zoning Bylaw No. 8500, as amended, is further amended:
 - a. at section 14.1.3 by deleting “**agri-tourist accommodation**”;
 - b. at section 14.1.11.4 by deleting section 14.1.11.4 and replacing it with the following:

“4. *Intentionally deleted.*”; and
 - c. at section 15.11.11.1 by deleting section 15.11.11.1 and replacing it with the following:

“1. *Intentionally deleted.*”.

5. This Bylaw is cited as **“Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9647”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 27 2017

CITY OF RICHMOND
APPROVED by <i>CE</i>
APPROVED by Director or Solicitor <i>JA</i>

MAYOR

CORPORATE OFFICER



**Richmond Zoning Bylaw No. 8500
Amendment Bylaw No. 9692
(B&B Buffer)**

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

1. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 5.5 by inserting the following as a new subsection 5.5.10. following 5.5.9.:

“5.5.10. Each **bed and breakfast use** must be no less than 500 m apart, measured from the centre point of each **lot**.”
2. This Bylaw is cited as “**Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9692**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAR 27 2017



MAYOR

CORPORATE OFFICER



**Business Regulation Bylaw No. 7538,
Amendment Bylaw No. 9649**

The Council of the City of Richmond enacts as follows:

1. **Business Regulation Bylaw No. 7538**, as amended, is further amended by deleting Part 22 and replacing it with the following:

**“PART TWENTY-TWO: BED & BREAKFAST ESTABLISHMENT
REGULATIONS**

- 22.1. Without first obtaining a **licence** for a **bed and breakfast establishment**, persons must not provide guests with **residential rental accommodation** for rental periods of less than 30 days.
- 22.2 **Bed and Breakfast Establishments** shall be subject to the following regulations:
 - 22.2.1. the premises must be the **operator’s principal residence**;
 - 22.2.2. the **operator** must be an **individual registered owner** of the premises or a **family member** of the **individual registered owner** of the premises;
 - 22.2.3. the **operator** must permit the **City’s Licence Inspector** to inspect the operator’s guest register maintained pursuant to the *Hotel Guest Registration Act* to determine whether the applicable zoning bylaw restrictions on the number of guests permitted in the premises are being complied with;
 - 22.2.4. the **operator** must prepare a fire evacuation plan showing the location of exits, fire extinguishers and smoke detectors, install and maintain the fire safety equipment, and post a copy of the fire evacuation plan in each bedroom used for guest accommodation; and
 - 22.2.5. the **operator** must not provide or install any equipment or facilities used for the preparation of food in any bedroom or sleeping unit used for guest accommodation.”

2. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Part 23 by deleting Section 23.1 and replacing it with the following:

“23.1 Any **licencee, operator**, or any other person who:

- (a) violates or contravenes any provision of this bylaw, or who causes or allows any provision of this bylaw to be violated or contravened; or
- (b) fails to comply with any of the provisions of this bylaw; or
- (c) neglects or refrains from doing anything required under the provisions of this bylaw or the **Business Licence Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a **licence**; or
- (e) makes any false or misleading statement,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.”.

3. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Section 26.1 by:

- (a) adding the following as the definition of “**boarding and lodging**” in alphabetical order:

“**boarding and lodging** means **boarding and lodging** as defined in the City’s zoning bylaw.”;

- (b) adding the following as the definition of “**community care facility**” in alphabetical order:

“**community care facility** means a **community care facility** as defined in the City’s zoning bylaw.”;

- (c) adding the following as the definition of “**dormitory**” in alphabetical order:

“**dormitory** means a **dormitory** as defined in the City’s zoning bylaw.”;

- (d) adding the following as the definition of “**dwelling**” in alphabetical order:

“**dwelling** means a dwelling as defined in the City’s zoning bylaw.”;

- (e) adding the following as the definition of “**family member**” in alphabetical order:

“**family member** means a family member as defined in the City’s zoning

bylaw.”;

- (f) adding the following as the definition of “**individual registered owner**” in alphabetical order:

“**individual registered owner** means an individual registered owner as defined in the City’s zoning bylaw.”;

- (g) adding the following as the definition of “**principal residence**” in alphabetical order:

“**principal residence** means a principal residence as defined in the City’s zoning bylaw.”; and

- (h) adding the following as the definition of “**residential rental accommodation**” in alphabetical order:

“**residential rental accommodation** means the accommodation of guests in all or a portion of a **dwelling**, with or without food service, but excludes accommodation that is a **boarding and lodging, community care facility, or dormitory.**”;

4. This Bylaw is cited as “**Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649**”.

FIRST READING

SECOND READING



THIRD READING

ADOPTED

MAR 27 2017

MAR 27 2017

MAR 27 2017

CITY OF RICHMOND
APPROVED for content by originating Division 
APPROVED for legality by Solicitor 

MAYOR

CORPORATE OFFICER



**Business Licence Bylaw No. 7360,
Amendment Bylaw No. 9650**

The Council of the City of Richmond enacts as follows:

1. **Business Licence Bylaw No. 7360**, as amended, is further amended by deleting Section 2.4.1 and replacing it with the following:

“2.4.1 Every **Bed & Breakfast Establishment applicant** must at the time of application:

- (a) certify that they reside in the premises as their **principal residence** and provide proof that the premises are the **applicant's principal residence**. To demonstrate that the premises is their **principal residence**, an **applicant** must be able to produce copies of the **applicant's** government issued picture identification showing the **applicant's** address as the premises, and copies of either one or both of the following:
 - (i) a tax assessment for the current year for the lot upon which the premises are constructed showing the **applicant** as payor, or
 - (ii) a utility bill (electricity, district energy, gas, or telephone) issued within the previous 3 months for the premises showing the **applicant** as payor, or
 - (iii) such other evidence as required by the **City** from time to time;
- (b) provide proof that the **individual registered owner(s)** of the premises has consented to the use of the premises as a **bed & breakfast establishment** by providing one of the following, as applicable:
 - (i) if the **applicant** is an **individual registered owner** of the premises, a copy of legal title to the premises showing the **applicant** as an **individual registered owner**, or
 - (ii) if the **applicant** is a **family member** of an **individual registered owner** of the premises, a copy of legal title to the premises identifying the **individual registered owner(s)** and a declaration from an **individual registered owner** of the premises certifying that the **applicant** is the **individual registered owner's family member** and that use of the premises as a **short-term rental** is permitted; and
- (c) provide a copy of the guest register format to be used in the recording of guests stays under the *Hotel Guest Registration Act* (British Columbia).

- (d) prepare a notification letter that:
 - (i) describes the operation and the number of bedrooms that will be rented to overnight guests; and
 - (ii) includes information on how to contact the operator by phone;
- (e) mail or deliver the notification letter to all residents and owners of residential dwellings (i) abutting or across the street from the premises, or (ii) within a 50 metre radius of the premises, whichever is greater;
- (f) provide a copy of the notification letter and a list with the addresses of all persons that received the notification letter;
- (g) provide a copy of the fire evacuation plan required by the **Business Regulation Bylaw**;
- (h) provide floor plans, drawn to scale, of the entire floor area of each level of the residence, indicating the use of each room of the residence and clearly identifying the guest rooms to be used in the **bed & breakfast establishment**; and
- (i) provide a property site plan showing:
 - (i) the location and dimension of the driveway identifying vehicle parking spaces for residences and guests for each guest room;
 - (ii) the location of the residence on the property with setbacks indicated from all property lines;
 - (iii) landscaping and open areas as required by the **Zoning Bylaw**;
 - (iv) signage size and placement as permitted by the **Zoning Bylaw**; and
- (j) pay the required annual bed & breakfast business licence fee specified in the Consolidated Fee Bylaw No. 8636 for the Bed & Breakfast Use category of this bylaw.”.

2. **Business Licence Bylaw No. 7360**, as amended, is further amended at Part 3 by adding the following as a new Section 3.7A following the Section 3.7:

“3.7A BED & BREAKFAST USE CATEGORY means the use of premises or facilities as **Bed & Breakfast Establishments**, as permitted by this bylaw, the **Business Regulation Bylaw**, and the **Zoning Bylaw**.”.

3. **Business Licence Bylaw No. 7360**, as amended, is further amended at Part 5 by deleting Section 5.1 and replacing it with the following:

“5.1 Any **licencee**, operator, or any other **person** who:

- (a) violates or contravenes any provision of this bylaw or a **licence** issued hereunder, or who causes or allows any provision of this bylaw or a **licence** issued hereunder to be violated or contravened; or
- (b) fails to comply with any of the provisions of this bylaw or a **licence** issued hereunder; or
- (c) neglects or refrains from doing anything required under the provisions of this bylaw, or a **licence** issued hereunder, or the **Business Regulation Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a **licence** under this bylaw; or
- (e) makes any false or misleading statement,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence, and may result in the suspension, cancellation or revocation of the **licence** in question.”.

4. **Business Licence Bylaw No. 7360**, as amended, is further amended at Part 5 by deleting Section 5.3 and replacing it with the following:

“5.3 Every **licencee** must comply with the requirements of this, or any other bylaw of the **City**, which governs or regulates the **business** for which such **licence** was granted, must comply with any requirements imposed by the **Medical Health Officer**, and must comply with all applicable statutes, regulations, rules, codes and orders of all federal or provincial authorities having jurisdiction of such **business**, and any **person** failing to comply with the requirements of this Part commits an offence and, upon conviction, is liable for the penalties specified.”.

5. **Business Licence Bylaw No. 7360**, as amended, is further amended at Section 7.1 by adding the following as the definition of “**family member**” in alphabetical order:

“**Family Member** means a family member as defined in the **City’s zoning bylaw**.”.

6. **Business Licence Bylaw No. 7360**, as amended, is further amended at Section 7.1 by adding the following as the definition of “**individual registered owner**” in alphabetical order:

“**Individual Registered Owner** means a registered owner as defined in the **City’s zoning bylaw.**”.

7. **Business Licence Bylaw No. 7360**, as amended, is further amended at Section 7.1 by adding the following as the definition of “**principal residence**” in alphabetical order:

“**Principal Residence** means a principal residence as defined in the **City’s zoning bylaw.**”.

8. This Bylaw is cited as “**Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650.**”.

FIRST READING

MAR 27 2017

SECOND READING

MAR 27 2017

THIRD READING

MAR 27 2017

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating Division 
APPROVED for legality by Solicitor 

MAYOR

CORPORATE OFFICER



**Municipal Ticket Information Authorization Bylaw No. 7321,
Amendment Bylaw No. 9651**

The Council of the City of Richmond enacts as follows:

1. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended at Section 2.1 by deleting the definition of Bylaw Enforcement Officer and replacing it with the following:

**“BYLAW
ENFORCEMENT
OFFICER** means an employee of the **City**, appointed to the job position or title of bylaw enforcement officer, or acting in another capacity, on behalf of the **City** for the purpose of the enforcement of one or more of the **City** bylaws.”.

2. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended at Section 2.1 by deleting the definition of Licence Inspector and replacing it with the following:

**“LICENCE
INSPECTOR** means an employee of the **City**, appointed to the job position or title of licence inspector, and includes **Bylaw Enforcement Officers** and the Chief Licence Inspector.”.

3. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended at Schedule B 3 by deleting the following portion of Schedule B 3:

SCHEDULE B 3

BUSINESS REGULATION BYLAW NO. 7538

Column 1 Offence	Column 2 Section	Column 3 Fine
Failure to maintain Fire Evacuation Plan	22.1.1	\$250
No access to Guest Register	22.1.2	\$250
Food preparation in room used for guest accommodation	22.1.3	\$250
Failure to maintain Approved Accommodation Status	22.1.4	\$250

4. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended at Schedule B 3 by adding the following to the end of Schedule B 3:

SCHEDULE B 3

BUSINESS REGULATION BYLAW NO. 7538

Column 1 Offence	Column 2 Section	Column 3 Fine
Rentals for less than 30 days without licence	22.1	\$1000
Premises not operator's principal residence	22.2.1	\$1000
Operator not registered owner of premises or family member	22.2.2	\$1000
No access to Guest Register	22.2.3	\$1000
Failure to maintain Fire Evacuation Plan	22.2.4	\$1000
Food preparation in room used for guest accommodation	22.2.5	\$250

5. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended at Schedule B 17 by deleting Schedule B 17 and replacing it with the following:

SCHEDULE B 17

ZONING BYLAW NO. 8500

Column 1 Offence	Column 2 Section	Column 3 Fine
Bed and Breakfast – stay exceeding 30 days	1.4.2	\$250
Parking or storing large commercial vehicle shipping container	3.5.3	\$100
Parking or storing large commercial vehicle	3.5.4	\$100
Bed and Breakfast - not operator's principal residence	5.5.3	\$1000
Bed and Breakfast - operator not owner or family member	5.5.3A	\$1000
Bed and Breakfast - excess guest rooms	5.5.5	\$1000
Bed and Breakfast - excess guest capacity	5.5.5A	\$1000
Bed and Breakfast - excess guest room capacity	5.5.6	\$1000
Bed and Breakfast - excess signage	5.5.8	\$250
Dwellings – rentals for less than 30 days	5.20.1	\$1000
Failure to maintain required parking spaces	7.7.1	\$250

6. This Bylaw is cited as **“Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651”**.

FIRST READING

MAR 27 2017

SECOND READING

MAR 27 2017

THIRD READING

MAR 27 2017

ADOPTED



MAYOR

CORPORATE OFFICER



**CONSOLIDATED FEES BYLAW NO. 8636,
AMENDMENT BYLAW NO. 9652**

The Council of the City of Richmond enacts as follows:

1. The **Consolidated Fees Bylaw No. 8636**, as amended, is further amended by adding the Business Licence Bylaw No. 7360, Bed & Breakfast Use Table set out in Schedule A to this Bylaw following the Business Licence Bylaw No. 7360, Residential Use Table forming part of SCHEDULE – BUSINESS LICENCE to Consolidated Fees Bylaw No. 8636.
2. This Bylaw is cited as “**Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652**”.

FIRST READING

MAR 27 2017


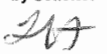
SECOND READING

MAR 27 2017

THIRD READING

MAR 27 2017

ADOPTED

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

MAYOR

CORPORATE OFFICER

**Business Licence Bylaw No. 7360
Bed & Breakfast Use**

Description	Fee
Bed & Breakfast Business Licence	\$162.00



Regular Council
Monday, January 9, 2017

COMMITTEE OF THE WHOLE

- R17/1-2 2. It was moved and seconded
That Council resolve into Committee of the Whole to hear delegations on agenda items (7:01 p.m.).

CARRIED

3. Delegations from the floor on Agenda items.

Item No. 14 – Regulation of Short-Term Rental Units

Kerry Starchuk, 7611 Lancing Place, spoke in opposition to the item and noted that neighbours in her area operate short term rentals. Ms. Starchuk voiced her concerns with real estate signs being used in her area which did not include English, houses in the area being utilized as hotels, and the possibility of homes being used for birth tourism.

Ms. Starchuk questioned whether the City's vision statement and actions aim to please the local residents or tourists and urged City Council to favor the residents. Ms. Starchuk thanked City staff for their assistance with dealing with her complaints and recommended that more staff be hired to combat the complaints made with regards to short-term rental units.

Item No. 14 – Regulation of Short-Term Rental Units

Michelle Bordeaux, a resident of Sheridan Road, spoke to the troubles being faced by the Woodward's area as a result of a short-term rental home being used as a venue for parties. Ms. Bordeaux described the various remnants left behind by the visitors (such as cigarette butts, garbage and beer bottles) and raised concerns regarding safety of neighbours, long term well-being of the area, problems involving parking, and deterioration of the morale of the neighbourhood.

In response to questions, Ms. Bordeaux noted that she has not met the owner of the short term rental property, does not know where the owners are, anticipates that there are many others in her area, and has reported her concerns to the City of Richmond.



**Regular Council
Monday, January 9, 2017**

Item No. 14 – Regulation of Short-Term Rental Units

Michelle Lee, a resident of Hollybank Drive, noted that she was in opposition to a public consultation on short-term rentals as it is a waste of time and taxpayers' money. Ms. Lee explained that she made the decision to move from Vancouver to Richmond because of affordability but it has now become increasingly difficult for her to afford housing here. She also noted that short-term rental housing only increases the rental rates for long-term housing.

Ms. Lee urged City Council to take action immediately on the affordability problems in Richmond and to focus on enforcing the laws, concentrate to respond immediately to complaints, and to make affordable housing a priority.

Item No. 14 – Regulation of Short-Term Rental Units

Kelly Green spoke to the affordability crisis in Richmond which she noted is caused by illegal hotels. Ms. Green stated that the house hotels put pressure on the local community and that the City's low vacancy rate is resulting in higher rental rates and inadequate supply. She further noted that houses and apartments which are operated for short-term rental purpose add to the already low vacancy rate in Richmond.

Ms. Green noted that short-term rentals affect the sense of a community and, without direct supervision by the owner, could also present challenges to the safety of the community. Ms. Green concluded that existing laws for Bed and Breakfasts, if applied to short-term rentals, could protect the community from illegal businesses, add stability to rental and resale values, and safeguard the community from transient visitors.

Item No. 14 – Regulation of Short-Term Rental Units

Keith McDonald, 4300 Coventry Drive, explained the frustrations his neighbourhood faces as a result of being surrounded by neighbours who rent out their homes on a short term basis, specifically in the summer months when the houses are used for parties. Mr. McDonald stated that the use of short-term rental housing should not be for a group of people to gather and party but rather only for rental purposes.



**Regular Council
Monday, January 9, 2017**

In reply to questions, Mr. McDonald noted that: (i) he estimates two to three homes in his vicinity are being used for short term rentals, (ii) even if houses would be regulated by a Bed and Breakfast regulation a party house is still disruptive to the neighbourhood, and (iii) RCMP and Bylaws have been contacted in the past but there appears to be little that can be done.

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day, who had previously declared a conflict of interest as her husband owns a Bed and Breakfast, left the meeting – 7:30 p.m.

Item No. 14 – Regulation of Short-Term Rental Units

Laura Stapleton, 3851 Blundell Road, discussed how Richmond has changed over the years indicating that the focus on community has shifted to a focus on commodity. She noted that Richmond is losing its sense of community because it is becoming unaffordable for residents and businesses. Ms. Stapleton stated that Richmond's multicultural composition and rich landscape would allow for the City to be great, but if housing continues to remain inaccessible, the community will suffer. Ms. Stapleton urged City Council to ban house-hotels and prioritize community over commodity.

In response to queries, Ms. Stapleton explained that although stricter enforcement could be an option, the outright banning of the house hotels would be more effective in solving the current problems.

Item No. 14 – Regulation of Short-Term Rental Units

Stephen Henderson, resident of Richmond in Shellmont area, expressed his thoughts on the item and commented that the situation is far too big to regulate. Mr. Henderson noted that the idea of having a short-term rental operation in a community-oriented area is undesirable to any neighbour and that it is up to Council and everyone in the community to convey the community expectations to newcomers.



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GENERAL PURPOSES COMMITTEE

Mayor Malcolm D. Brodie, Chair

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared to be in a conflict of interest as her husband owns a Bed and Breakfast, and Councillor Day left the meeting – 9:00 p.m.

14. REGULATION OF SHORT-TERM RENTAL UNITS

(File Ref. No. 08-4430-03-12) (REDMS No. 5221655 v. 15)

Cecilia Achiam, Director, Administration and Compliance, and Carli Edwards, Manager, Customer Services and Licencing, presented a summary of the proposed changes in the form of two tables (attached to and forming part of these minutes as Schedule 1) and spoke to the rationale behind the recommendations.

In reply to questions, Ms. Achiam and Ms. Edwards, confirmed that:

- The increase in fines would offset the costs for the recommended changes and the enforcement program.
- Defining a short-term rental operation and other bylaw amendments will help staff to enforce and fine those who are in violation.
- Enforcement through ticketing is ultimately quicker and less costly than enforcement through prosecution.

In reply to questions, Daniel McKenna, Acting Senior Manager, Community Safety, noted that the City of Richmond has followed up with a majority of the complaints made and that there are currently two files in the prosecution stage.

Discussion ensued on the advantages and disadvantages of short term rentals, the likelihood of the proposed changes resulting in improvements in the situation, and the effect of increased short-term rentals on the available affordable rental housing stock in Richmond.

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



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R17/1-7

It was moved and seconded

- (1) *That the matter be referred back to staff for analysis on the implementation of Option 2 (Prohibition of all short-term rentals as defined in the staff report titled "Regulation of Short-Term Rentals" dated November 29, 2016), and that staff report back with all appropriate bylaw amendments and information including a proposed enforcement program;*
- (2) *That staff review the current rules governing Bed and Breakfast operations in Richmond and provide an analysis including the current number of Bed and Breakfast operations in Richmond; and*
- (3) *That staff recommend a process for public consultation for Council's consideration on the proposed program, bylaw amendments, and information in response to the staff referral given in Parts (1) and (2) of this resolution.*

CARRIED

Councillor Carol Day returned to the meeting – 10:10 p.m.

PUBLIC ANNOUNCEMENTS AND EVENTS

R17/1-8

It was moved and seconded

That Renny Nasset, RCMP, be thanked for his service, leadership and contributions to the City of Richmond throughout his 35 year career.

CARRIED

BYLAWS FOR ADOPTION

R17/1-9

It was moved and seconded

That Housing Agreement (YuanHeng Seaside Developments Ltd.) Bylaw No. 9657 be adopted.

CARRIED

Proposed Licence Types

Proposed requirements of all types of Short Term Rental Licences

1. Unit must be the principal residence of the operator and applicant of the business licence.
2. Principal residence must be proven annually in order to renew licence.
3. Licencing requires neighbourhood notification.
4. Owner must give permission, in the event that the operator is not the owner.
5. Unit must comply with Building and Fire Bylaws and regulations.

Type	Example	current status	current penalties	proposed regulations	proposed penalties
A	Nightly or weekly rental of an entire house by one party	no specific municipal regulations tailored to this type of short term rental	\$100 if it can be proven that there is a business	confirmation that house is operator's principal residence and approval from the owner	\$1000 for rentals less than 30 days without licence \$1000 for excess guest capacity
B	Current licenced B&B	requires a B&B Licence	\$250 fines for failure to comply with licencing rules	No change in regulations but increased fines for violations of licencing requirements	\$1000 for excess rooms \$1000 for non-resident operator \$1000 for no access to guest register
C	Nightly or weekly rental of a unit in a condominium	no specific municipal regulations tailored to this type of short term rental	\$100 if it can be proven that there is a business	confirmation that unit is operator's principal residence and approval from strata	\$1000 for rentals less than 30 days without licence \$1000 for excess guest capacity

Examples of Scenarios Not Permitted - Currently or Proposed

Example	current penalties	proposed regulations	proposed penalties
renting up to 3 rooms with no B&B licence	\$100 if it be proven that there is a business	New rules define short term rentals and increase fines for licencing violations	\$1000 for rentals less than 30 days \$1000 for non-resident operator \$1000 for no access to guest register
nightly or weekly rental of a secondary suite	no specific municipal regulations other than \$100 if it can be proven that there is a business	New regulations would not permit a self contained suite to be rented for less than 30 days	\$1000 for rentals less than 30 days \$1000 for non-resident operator
house renting 5 or more rooms	Violation of Zoning bylaw, would require prosecution	Not permitted, increased fines and introduction of penalty for short term rental	\$1000 for rentals less than 30 days \$1000 for excess rooms \$1000 for excess guest capacity

General Purposes Committee
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- (2) *That Sea Island Community Association not be approved for a three-year funding cycle, but be approved for consideration as a minor grant application; and*
- (3) *That Steveston Community Society – Richmond Summer Project be approved for the third year of a three-year funding cycle.*

CARRIED

Councillor Alexa Loo returned to the meeting – 4:12 p.m.

4. **2017 ARTS AND CULTURE GRANT PROGRAM**
(File Ref. No. 11-7000-01) (REDMS No. 5280279)

It was moved and seconded

That the 2017 Arts and Culture Grants be awarded for the recommended amounts and cheques disbursed for a total of \$109,754, as outlined in the report from the Director, Arts, Culture and Heritage Services, dated January 10, 2017.

CARRIED

FINANCE AND CORPORATE SERVICES DIVISION

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared a conflict of interest as her husband owns a Bed and Breakfast, and left the meeting – 4:13 p.m.

5. **SHORT-TERM RENTAL REGULATIONS**
(File Ref. No. 03-0900-01) (REDMS No. 5285428 v. 16)

Cecilia Achiam, Director, Administration and Compliance, and Carli Edwards, Manager, Customer Services and Licencing, provided an overview of the report and explained the changes made to the proposed regulations as a result of Council's instruction to staff.

Ms. Achiam clarified that the proposed regulations, which include restrictions on parking, will assist in limiting the number of Bed and Breakfasts in residential areas. Ms. Edwards confirmed that the recommended fines are the maximum amounts permitted under the *Community Charter*. Daniel McKenna, Acting Senior Manager, Community Safety, provided an overview of the proposed enforcement program and noted that enforcement work will be funded within the existing bylaws budget.

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Brian Cooper, owner, The Stone Hedge Bed and Breakfast, provided a brief history on his interactions with the City of Richmond as a result of his Bed and Breakfast receiving a cease and desist letter. Mr. Cooper explained that after adhering to the guidelines set out by the City, he was able to operate, and continue to operate, without any complaints over a 16 year period. It was noted by Mr. Cooper that the Bed and Breakfast enables him to stay in his community and keep up with rising costs. Mr. Cooper noted that he has noticed many illegal operations in Richmond advertised on websites and has contacted the company and filed various complaints.

Linda Cooper, owner, The Stone Hedge Bed and Breakfast, spoke to a number of advertisements she noticed online for Bed and Breakfasts in Richmond which request "cash only" transactions. Ms. Cooper expressed concern that some Bed and Breakfast operations are not being used by residents as businesses but rather as lucrative investments. Ms. Cooper expressed concern regarding enforcement and urged Council to require that owners reside in homes operated as Bed and Breakfasts.

Kerry Starchuk, 7611 Lancing Place, stated that she has been living beside an illegal hotel for the past eight years. Ms. Starchuk noted that the house next door had 19 guests prior to City Bylaws inspecting the home and pointed out that the high number of rooms in the home allowed for this to occur. It was suggested by Ms. Starchuk that the regulations restrict the number of guests in the home regardless of the amount of rooms.

Lynda ter Borg, 5860 Sandpiper Court, voiced her opposition to the recommendations contained within the report and provided suggestions to strengthen the proposed regulations. Ms. ter Borg also expressed concern regarding the BC Tourism program requiring approval of accommodations no longer being in existence.

Ann Learner, a resident on No. 2 Road, noted her concern for costs of enforcement and timeframes for enforcement of the proposed regulations. Ms. Learner questioned if the requirements for proving owner occupancy were strict enough and urged Committee to require that the regulations focus solely on Bed and Breakfast operations.

Katherine McCreary, 7560 Glacier Crescent, spoke to the zoning of the regulation and expressed concerns that a Bed and Breakfast will be an alternate use for a residential home and will not require a rezoning of the location as previously required. Ms. McCreary also pointed out that the proposed regulations do not require the owner to provide breakfast and is therefore confusing to those seeking a Bed and Breakfast venue.

General Purposes Committee

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Matthew Yeung, a Richmond resident and owner occupier, noted that he has advertised on online platforms for the past two years and hosted many guests during that time. Mr. Yeung stated that it would be unwise for the City to implement stricter regulations on short-term rentals as a result of a few complaints. Mr. Yeung explained that his business allows him to build community ties and meet people from different backgrounds. It was noted by Mr. Yeung that his short-term rental income allows him to provide for his family and stated that reports have indicated no loss in occupancy to local hotels as a result of short term rentals.

Ms. Achiam, Ms. Edwards and Mr. McKenna responded to concerns voiced by delegations by providing the following information:

- An insurance requirement could be implemented as a means of proving owner legitimacy;
- Operators are not required to be the owner of the residence and at this time this requirement has not been changed;
- It is possible to regulate homes with a high number of bedrooms, however, it would require additional resources and effort;
- Some of the requirements which were previously regulated by Tourism BC have been considered and have remained;
- The proposed regulations do not allow for an entire house to be rented;
- Although complaint driven, staff will be proactively investigating short term rentals and those properties that are not in compliance will be targeted first;
- Whistler handles short term rentals differently due to its “destination” nature, and different housing needs;
- The proposed rules and regulations will address problems and illegal short term rentals could be shut down via the court process; and
- Currently, there are no cooking facilities allowed in Bed and Breakfast rooms.

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

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It was moved and seconded

That the staff report titled, Short-Term Rental Regulations be referred back to staff for a detailed analysis of the pros and cons of and options relating to:

- (1) implementing a proof of insurance requirement;*
 - (2) amending definition of operator to also include owner operator; and*
 - (3) establishing a "spot" (site specific) rezoning process;*
- and report back.*

CARRIED

Staff was directed to ensure that the consultation process involves the hotel industry.

Councillor Carol Day returned to the meeting – 5:35 p.m.

6. SNOW CLEARING

(File Ref. No. -) (REDMS No. -)

Robert Gonzalez, Deputy CAO and General Manager, Engineering and Public Works, reported that the City's Works Yard currently has all equipment deployed and that staff are working 24 hours a day, and that priority routes are being focused on.

Communication with the public is being made through social media and via a 24 hour dispatch hotline – all serving as means to assist with the deployment of City staff.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:39 p.m.).

CARRIED

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FINANCE AND CORPORATE SERVICES DIVISION

2. SHORT-TERM RENTALS - PROPOSED BYLAWS AND OPTIONS

(File Ref. No. 03-0900-01) (REDMS No. 5324334 v. 8)

With the aid of a PowerPoint presentation (copy on file, City Clerk's Office), Cecilia Achiam, Director, Administration and Compliance, provided background information and highlighted the following regarding the proposed changes to short-term rental regulations:

- existing regulations will be enhanced and enforcement will be intensified along with increased fines and penalties;
- "short-term rental" will be defined;
- "agri-tourism accommodation" will require rezoning;
- Bed and Breakfast (B&B) operations will not be permitted in homes with secondary suites, granny flats, or coach houses;
- primary residence of B&B operator will be verified annually;
- B&B operations will be limited to maximum of three bedrooms with a maximum of two people per room;
- a 500 metre buffer between all new B&B operations will be implemented;
- B&B operators must notify their neighbours of their business and provide operator contact information; and
- B&B operators will be encouraged to carry adequate liability and property damage insurance.

Discussion took place and concern was expressed regarding how the City would address regulatory and enforcement gaps, particularly how short-term rental operations would be dealt with in multi-family dwellings.

In reply to queries from Committee, Ms. Achiam and Carli Edwards, Manager, Customer Services and Licencing, advised that the proposed regulatory changes address short-term rental operations in single-family dwellings only and a B&B business licence is issued to an applicant not the property.

Discussion further ensued regarding the City's ability to require that a B&B operator be the owner of the property and it was noted that such discussion take place in closed session due to its nature. Also, concern was expressed regarding the safety of dwellings with B&B operations.

General Purposes Committee

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Ms. Edwards spoke of the business licence bylaw, noting that a B&B business licence is not issued unless it complies with building, fire, and health regulations. Also, she remarked that since B&Bs are a residential use, they are not required to have separate water and heating systems.

In reply to further queries from Committee, Ms. Achiam and Ms. Edwards advised that (i) B&B operations will be limited to maximum of three bedrooms with a maximum of two people per room, (ii) site specific zoning remains an option for Council to consider implementing, (iii) a combination of fees and increased fines will support increased enforcement activity of short-term rentals, (iv) staff have engaged with the Richmond Chamber of Commerce for information sharing purposes only, and (v) B&B operations will not be permitted in homes with secondary suites, granny flats, or coach houses, thus those affordable housing options remain on the rental market.

The Chair recessed the meeting at 5:21 p.m. to resolve into closed session to hear legal advice on short-term rentals.

The meeting reconvened at 5:33 p.m. with all members of Council present, except Councillor Day.

It was moved and seconded

In respect to bed and breakfast ("B&B") uses in single-family and agricultural zones, implementing a distance buffer between B&B establishments and to the enhanced enforcement of such short-term rental regulation:

- (1) *That Official Community Plan Bylaw 9000, Amendment Bylaw 9691, which amends Official Community Plan Bylaw 9000 by adding a provision for a 500 meter buffer between B&B establishments be introduced and given first reading;*
- (2) *That Bylaw 9691, 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 said program and plans in accordance with section 477(3)(a) of the Local Government Act;*
- (3) *That Bylaw 9691 be sent to the Agricultural Land Commission for comment;*
- (4) *That Bylaw 9691, 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;*

General Purposes Committee
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- (5) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 to amend definitions, be introduced and given first reading;*
- (6) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9692 to require a distance buffer between B&Bs, be introduced and given first reading;*
- (7) *To incorporate enhanced business licencing requirements and increase fees and penalties, that:*
 - (a) *Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;*
 - (b) *Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;*
 - (c) *Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and*
 - (d) *Consolidation Fees Bylaw No. 8636, Amendment Bylaw No. 9652;**each be introduced and given first, second and third readings;*
- (8) *That the proposed communication plan described in Attachment 12 of this report explaining the proposed changes (identified in the above recommendation) to the short-term rental regulations be endorsed; and*
- (9) *That:*
 - (a) *the information regarding tax requirements including whether a hotel tax should apply to short-term rentals provided in this report be received for information; and*
 - (b) *staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax, including the definition of accommodation providers;*
- (10) *That staff conduct a one-year review of the City's proposed short-term rental regulation, and include issues surrounding a requirement for the operator of the short-term rental to be the owner of the property and report back to Council;*
- (11) *That staff consider options and report back on the issue of short-term rentals for multi-family dwellings; and*
- (12) *That staff formulate a robust public engagement process to address additional options and regulatory and enforcement gaps for future consideration.*

General Purposes Committee

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The question on the motion was not called as discussion ensued and staff was directed to provide periodic updates to Council on short-term rentals.

Also, there was agreement to postpone calling the question on the motion in order to hear delegations from members of the audience.

Lynda ter Borg, Sandpiper Court resident, was of the opinion that the staff report presented to Committee did not address Council's previous direction to staff on short-term rentals. She cited concern regarding not implementing a proof of insurance requirement and the definition of owner/operator, among other concerns.

Katherine McCreary, 7560 Glacier Crescent, expressed concern that the staff report presented to Committee does not indicate concurrence from departments like Fire-Rescue, Affordable Housing, Building Approvals, and Transportation. Also, she queried the proposed regulation amendments in relation to inspections of bed and breakfast operations and the proposed Official Community Plan amendment and its compliance with Metro Vancouver's regional growth strategy.

Anne Lerner, No. 2 Road resident, was of the opinion that Council should implement strict rules with regards to short-term rentals and define in detail the term "owner/operator." Also, she expressed concern regarding the rental of homes for less than 30-days.

In reply to queries from the Chair, Ms. Edwards advised that following receipt of a bed and breakfast business licence application, staff conduct an inspection of the home to verify that the plans submitted match those submitted to the City when the home was originally built. Terry Crowe, Manager, Policy Planning, stated that only major amendments to the Official Community Plan require Metro Vancouver's approval.

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

ADJOURNMENT

It was moved and seconded
That the meeting adjourn (5:57 p.m.).

CARRIED



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COMMITTEE OF THE WHOLE

- R17/5-2 2. It was moved and seconded
That Council resolve into Committee of the Whole to hear delegations on agenda items (7:01 p.m.).

CARRIED

3. Delegations from the floor on Agenda items.

Item No. 8 – Acute Care Tower at Richmond Hospital

Kelly Greene, New Democratic Party Candidate for Richmond-Steveston, stated that the BC NDP support and have committed to the replacement of the acute care tower at Richmond Hospital. Ms. Greene spoke of various deficiencies of the 50 year old tower, and emphasized the need to replace it.

Item No. 8 – Acute Care Tower at Richmond Hospital

Lyren Chiu, New Democratic Party Candidate for Richmond-North Centre, spoke in favour of a new acute care tower at Richmond Hospital, stating that she would like this project to move forward. Ms. Chiu spoke of her background in hospital administration, remarking that the hospital's current tower should be replaced as it is inadequate and does not meet Richmond's needs.

Councillor Loo left the meeting (7:08 p.m.) and returned (7:11 p.m.).

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared herself to be in a conflict of interest with respect to Item No. 14 as her husband owns a bed and breakfast and left the meeting at 7:12 p.m.

Item No. 14 – Short-Term Rentals – Proposed Bylaws and Options

Matthew Yung, Richmond resident, provided statistical information regarding Airbnb operations in Richmond, noting that, based on his calculations, 99% of all Airbnb bookings in Richmond were problem free. Mr. Yung spoke of earnings reported by Airbnb operators, and was of the opinion that \$5,900 is not a significant source of income.



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Item No. 14 – Short-Term Rentals – Proposed Bylaws and Options

Lynda ter Borg, Sandpiper Court resident, spoke of past staff reports regarding short-term rental regulations and was of the opinion that the proposed regulations do not address Council's direction to staff. Ms. ter Borg read from her submission attached to and forming part of these Minutes as Schedule 1.

Item No. 14 – Short-Term Rentals – Proposed Bylaws and Options

Andy Hobbs, Richmond resident, remarked that although he supports short-term rentals in general, he does not believe such operations should be at the detriment of Richmond's residential neighbourhoods. Mr. Hobbs commented on what is currently allowed in other Lower Mainland municipalities with regard to bed and breakfast regulations, citing that the dwelling has to be owner occupied. Also, he queried whether the permitted three rooms with two occupants may be too high for an average Richmond home with a bed and breakfast.

Councillor Day returned to the meeting at 7:40 p.m.

Item No. 14 – Short-Term Rentals – Proposed Bylaws and Options

Michael Wolfe; 9731 Odlin Road; Green Party Candidate – Richmond-Queensborough, requested to speak on Item No. 14.

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared herself to be in a conflict of interest with respect to Item No. 14 as her husband owns a bed and breakfast and left the meeting at 7:42 p.m.

Item No. 14 – Short-Term Rentals – Proposed Bylaws and Options

Mr. Wolfe cited concerns regarding the proposed short-term rental regulations, stating that the regulations do not require that a bed and breakfast operator be the owner of the dwelling. He expressed concern regarding densification, and was of the opinion that rezoning of single-family homes into multi-family homes is contributing to affordable housing issues.

Councillor Day returned to the meeting at 7:44 p.m.



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NON-CONSENT AGENDA ITEMS

GENERAL PURPOSES COMMITTEE

Mayor Malcolm D. Brodie, Chair

14. SHORT-TERM RENTALS – PROPOSED BYLAWS AND OPTIONS

(File Ref. No. 08-4430-03-12, 12-8060-20-009691/9647/9692/9649/9650/9651/9652) (REDMS No. 5324334 v. 8, 5221655, 5285428, 5323398, 5327463, 5330921, 5327641, 5327538, 5327683, 5327968, 5314950, 5329717, 5329719, 5285428, 5324903, 5223335, 5328066, 5223981, 5224058, 5224243, 5224239)

Councillor Steves left the meeting (8:21 p.m.) and returned (8:23 p.m.).

It was moved and seconded

In respect to bed and breakfast ("B&B") uses in single-family and agricultural zones, implementing a distance buffer between B&B establishments and to the enhanced enforcement of such short-term rental regulation:

- (1) That Official Community Plan Bylaw 9000, Amendment Bylaw 9691, which amends Official Community Plan Bylaw 9000 by adding a provision for a 500 meter buffer between B&B establishments be introduced and given first reading;*
- (2) That Bylaw 9691, 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 said program and plans in accordance with section 477(3)(a) of the Local Government Act;*
- (3) That Bylaw 9691 be sent to the Agricultural Land Commission for comment;*



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- (4) *That Bylaw 9691, 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 Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 to amend definitions, be introduced and given first reading;*
- (6) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9692 to require a distance buffer between B&Bs, be introduced and given first reading;*
- (7) *To incorporate enhanced business licencing requirements and increase fees and penalties, that:*
 - (a) *Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;*
 - (b) *Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;*
 - (c) *Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and*
 - (d) *Consolidation Fees Bylaw No. 8636, Amendment Bylaw No. 9652;**each be introduced and given first, second and third readings;*
- (8) *That the proposed communication plan described in Attachment 12 of this report explaining the proposed changes (identified in the above recommendation) to the short-term rental regulations be endorsed; and*
- (9) *That:*
 - (a) *the information regarding tax requirements including whether a hotel tax should apply to short-term rentals provided in this report be received for information; and*
 - (b) *staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax, including the definition of accommodation providers;*



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- (10) That staff conduct a one-year review of the City's proposed short-term rental regulation, and include issues surrounding a requirement for the operator of the short-term rental to be the owner of the property and report back to Council;**
- (11) That staff consider options and report back on the issue of short-term rentals for multi-family dwellings; and**
- (12) That staff formulate a robust public engagement process to address additional options and regulatory and enforcement gaps for future consideration.**

The question on the motion was not called as with the aid of a PowerPoint presentation (copy on file, City Clerk's Office), Cecilia Achiam, Director, Administration and Compliance, accompanied by Carli Edwards, Manager, Customer Services and Licencing, highlighted the following regarding the proposed changes to short-term rental regulations:

- existing regulations will be enhanced and enforcement will be intensified along with increased fines and penalties;
- "short-term rental" will be defined;
- B&B operators must notify their neighbours of their business and provide operator contact information;
- Bed and Breakfast (B&B) operations will not be permitted in homes with secondary suites, granny flats, or coach houses;
- B&B operators will be encouraged to carry adequate liability and property damage insurance;
- B&B operations will be limited to maximum of three bedrooms with a maximum of two people per room;
- a 500 metre buffer between all new B&B operations will be implemented;
- primary residence of B&B operator will be verified annually; and
- "agri-tourism accommodation" on Agricultural Land Reserve land will require rezoning.



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Discussion took place on the potential to revise the proposed bylaws to require that a B&B operator be the owner of the property, and that such definition be extended to the owner's immediate family only.

In reply to a query, Ms. Achiam advised that staff could bring forward revised bylaws in a timely manner in order to comply with the April 2017 Public Hearing deadlines.

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

R17/5-4

It was moved and seconded

That the recommendations and the staff report titled "Short-term Rentals – Proposed Bylaws and Options" dated February 27, 2017 from the Director Administration and Compliance, be referred back to staff to continue with the existing approach subject to:

- (1) *an additional requirement for a short-term rental operator to be the owner of his/her principal residence;*
- (2) *the definition applying to an individual, not a corporate owner; and*
- (3) *the definition applying to an owner's direct family members;*

and report back to the March 27, 2017 Regular (open) Council meeting with the revised Bylaws.

CARRIED

Councillor Day returned to the meeting at 9:02 p.m.

PLANNING COMMITTEE

Councillor Linda McPhail, Chair

15. **APPLICATION BY 1056023 HOLDINGS LIMITED PARTNERSHIP FOR REZONING AT 12320 TRITES ROAD (FORMERLY 12280/12320 TRITES ROAD) FROM "LIGHT INDUSTRIAL (IL)" ZONE TO "SINGLE DETACHED (ZS23) – STEVESTON" ZONE**
(File Ref. No. 12-8060-20-009675; RZ 16-723761) (REDMS No. 5267412 v. 2, 5325193, 5317216)

March 13, 2017

Schedule 1 to the Minutes of the
Regular meeting of Richmond
City Council held on Monday,
March 13, 2017.

Council's Direction to Staff and Public

Jan..... Option 2 BAN SHORT TERM RENTALS (STR)

Feb..... direct staff BAN STRATA Short Term Rentals

B&B's owner operated

B&B Insurance

Spot Zoning

NONE of this happened short term rentals are rolled into B&B's

Richmond Business Regulation Bylaw No 7538 required B&B to have Tourism BC approved accommodation rating. This rating required owner/operator status and B&B insurance. This was not voluntary as the staff report has mislead the legal department but a regulation requirement for licence in Richmond. For over 5 years B&B's were required to be owner operators with B&B insurance.

Proposed B&B regulation is for operator to have a telephone bill for ID and to be available by phone. I sell real estate and believe me some realtors answer their phones in Hawaii and direct me to a lockbox for a key to the premises that allows me entry to home. I have insurance.

These new B&B's have... No onsite.. oversight!

Staff say "encourage" for insurance " " This is ineffectual
as ~~was~~ "persuasion" was a disaster to preventing 3 storey houses in
3 bedroom limits in ALR B&B's in purpose built 10 to 20 bedroom ^{4UC's}
mansions will be next to impossible to enforce. Where is the teeth in
this bylaw.

Party houses, gambling houses, maternity houses, hotels, this B&B bylaw does not help restrict activity in ALR megamansions. Make them owner operator.

City's new definition of "residential rental accommodation" means the accommodation of guests in all or a portion of a dwelling....

* See Bylaw 9649 Part 22 B&B Business Reg Bylaw 7538
added definition (h)

B&B's is considered secondary use and cannot be the primary permitted use of a residential dwelling. This definition is in violation of the Official Community Plan and the Zoning Bylaw as the B&B....the SHORT term RENTAL ...can not be conducted "IN ALL" of the dwelling.

It is not just your election platform but the law...You must protect the quality of our single family neighbourhoods.

You want to review in a year... do it right the first time... we don't need to grandfather bad decisions.

Presented by :
Lyn ter Borg
Sandpiper Act

3 attachments



The Richmond First Council Team is running on an eight point platform:

1. Controlling city spending and respecting taxpayer dollars
2. Working to create road and transit solutions to reduce traffic gridlock
3. Ensuring support for public safety and first responders
4. Calling for increased transparency for your tax dollars at City Hall, the Richmond Oval and other city facilities
5. Balancing growth with the need to preserve the character of single family neighborhoods
6. Ensuring new development pays their fair share towards community infrastructure and amenity improvements
7. Working with Vancouver Coastal Health to encourage expansion of medical services for our growing and aging community
8. Protecting Richmond's farmland and supporting local food production

*platforms
& OCP must
be followed*

8. Residential Zones

8.1 Single Detached (RS1/A-H, J-K; RS2/A-H, J-K) [Bylaw 8672, Jan 24/11]

8.1.1 Purpose

The zone provides for **single detached housing** with a range of compatible **secondary uses**. **Subdivision** standards vary by sub-categories (A-H; J-K). The zone is divided into sub-zones: RS1 for traditional **single detached housing**; RS2 which provides for a **density bonus** that would be used for rezoning applications in order to help achieve the City's affordable housing objectives. [Bylaw 8672, Jan 24/11]

8.1.2 Permitted Uses

- housing, single detached

8.1.3 Secondary Uses

- boarding and lodging
- community care facility, minor
- home business
- secondary suite
- bed and breakfast

8.1.4 Permitted Density

1. The maximum density is one principal dwelling unit per lot.
2. For **single detached housing** zoned RS1/A-H, J-K [Bylaw 8672, Jan 24/11], the maximum **floor area ratio** is 0.55 applied to a maximum of 464.5 m² of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m².
3. For **single detached housing** zoned RS2/A-H, J-K, the maximum **floor area ratio** is 0.40 applied to a maximum of 464.5 m² of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m².
4. Notwithstanding Section 8.1.4.3, the reference to "0.4" is increased to a higher **density** of "0.55" if:
 - a) the building contains a secondary suite; or
 - b) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RS2/A-H, J-K zone, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw.
5. Further to Section 8.1.4.4, the reference to "0.4" in Section 8.1.4.3 is increased to a higher **density** of "0.55" if:
 - a) an **owner** subdivides bare land to create new **lots** for **single detached housing**; and
 - b)
 - i) 100% of the **lots** contain **secondary suites**; or [Bylaw 9641, Jan 16/17]
 - ii) at least 50% of the **lots** contain a **secondary suite** and the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RS2/A-H, J-K zone, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw for the **floor area** permitted on any lot not containing a **secondary suite**; or [Bylaw 9641, Jan 16/17]



**Business Regulation Bylaw No. 7538,
Amendment Bylaw No. 9649**

The Council of the City of Richmond enacts as follows:

1. **Business Regulation Bylaw No. 7538**, as amended, is further amended by deleting Part 22 and replacing it with the following:

**"PART TWENTY-TWO: BED & BREAKFAST ESTABLISHMENT
REGULATIONS**

22.1. Without first obtaining a **licence** to do so, persons must not provide guests with **residential rental accommodation** for rental periods of less than 30 days.

22.2 **Bed and Breakfast Establishments** shall be subject to the following regulations:

22.2.1. the premises must be the **operator's principal residence**;

22.2.2. the **operator** must permit the **City's Licence Inspector** to inspect the operator's guest register maintained pursuant to the *Hotel Guest Registration Act* to determine whether the applicable zoning bylaw restrictions on the number of guests permitted in the premises are being complied with;

22.2.3. the **operator** must prepare a fire evacuation plan showing the location of exits, fire extinguishers and smoke detectors, install and maintain the fire safety equipment, and post a copy of the fire evacuation plan in each bedroom used for guest accommodation; and

22.2.4. the **operator** must not provide or install any equipment or facilities used for the preparation of food in any bedroom or sleeping unit used for guest accommodation."

2. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Part 23 by deleting Section 23.1 and replacing it with the following:

"23.1 Any **licencee, operator**, or any other person who:

- (a) violates or contravenes any provision of this bylaw, or who causes or allows any provision of this bylaw to be violated or contravened; or
- (b) fails to comply with any of the provisions of this bylaw; or

- (c) neglects or refrains from doing anything required under the provisions of this bylaw or the **Business Licence Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a licence; or
- (e) makes any false or misleading statement,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.”.

3. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Section 26.1 by:

- (a) adding the following as the definition of “**boarding and lodging**” in alphabetical order:

“**boarding and lodging** means **boarding and lodging** as defined in the City’s zoning bylaw.”;

- (b) adding the following as the definition of “**community care facility**” in alphabetical order:

“**community care facility** means a **community care facility** as defined in the City’s zoning bylaw.”;

- (c) adding the following as the definition of “**dormitory**” in alphabetical order:

“**dormitory** means a **dormitory** as defined in the City’s zoning bylaw.”;

- (d) adding the following as the definition of “**dwelling**” in alphabetical order:

“**dwelling** means a dwelling as defined in the City’s zoning bylaw.”;

- (e) adding the following as the definition of “**hotel**” in alphabetical order:

“**hotel** means a hotel as defined in the City’s zoning bylaw.”;

- (f) adding the following as the definition of “**motel**” in alphabetical order:

“**motel** means a motel as defined in the City’s zoning bylaw.”;

- (g) adding the following as the definition of “**principal residence**” in alphabetical order:

“**principal residence** means a principal residence as defined in the City’s zoning bylaw.”;

- (h) adding the following as the definition of "residential rental accommodation" in alphabetical order:

"residential rental accommodation" means the accommodation of guests in all or a portion of a dwelling, with or without food service, but excludes accommodation that is a **boarding and lodging, community care facility, or dormitory.**";

4. This Bylaw is cited as "Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating Division <i>CE</i>
APPROVED for legality by Solicitor <i>JA</i>



Regular Council
Monday, March 27, 2017

Item No. 25 – Revised Proposed Bylaws and Options for Short-Term Rentals

Andy Hobbs, Richmond resident, referred to the public package commenting on the good information and regulations for a well-managed, liveable sustainable city including restrictions to business opportunities within residential areas. He recommended limiting the 'owner/occupant' to the actual owner or grandparents; reducing the allowable number of bedrooms and occupants to two and four respectively.

Item No. 22 – Update on Agriculturally Zoned Land Housing Regulations, Consultation and Building Permit Activity

Michael Wolfe, 9731 Odlin Road, BC Green Party Candidate, Richmond-Queensborough, asked that consideration of Item 22 be deferred because the information from a meeting held that afternoon was not available and stated his general opposition to larger footprints for residential buildings on agricultural land.

Item No. 8 – Non-Farm use fill application for the property located at the eastern Terminus of Francis Road (PID:023-860-481) - Cranberry Meadows Farms Ltd.

Mr. Wolfe stated his opposition to sending this recommendation to the Agricultural Land Commission at this time. Mr. Wolfe noted the site was in a Sandhill Crane wet land habitat.

Item No. 9 – George Massey Tunnel Replacement Project – Analysis of Approved Environment Assessment Certificate

Mr. Wolfe stated his opposition to the proposed bridge design imposed on Richmond and discussed imminent shadow analyses.

Item No. 25 – Revised Proposed Bylaws and Options for Short-Term Rentals

Lyn ter Borg, 5860 Sandpiper Court, commented on the lack of follow up on enquiries made in discussions with staff and challenged the interpretation of the proposed bylaw wording related to rental of the entire home. Ms. ter Borg read from her submission (attached to and forming part of these minutes Schedule 1).



Regular Council
Monday, March 27, 2017

Ms. ter Borg referred to a letter from Tourism and Chamber of Commerce requesting a simple, clear and reasonable process for B&B owner/operators and suggested signage be displayed indicating that the residence is an approved B&B operation.

Ms. ter Borg commented on the expanded definition of owner and recommended that it be limited to individual registered ownership.

Item No. 25 – Revised Proposed Bylaws and Options for Short-Term Rentals

Kathryn McCreary, 7560 Glacier Crescent, stated her support for Ms. ter Borg's views in regards to B&B operations and commented on the disruptive changing nature of her residential street with the influx of larger residences and home-based businesses. Ms. McCreary further commented on permanent residency standards and recommended that home-based businesses be run by immediate family and ensures that legal B&B's comply with Canadian tax rules. Ms. McCreary read from her submission (attached to and forming part of these Minutes as Schedule 2).

Councillor Day returned to the meeting (7:49 p.m.)

- R17/6-3 4. It was moved and seconded
That Committee rise and report (7:49 p.m.).

CARRIED

CONSENT AGENDA

- R17/6-4 5. It was moved and seconded
That Items No. 6 through No. 21 be adopted by general consent.

CARRIED

6. COMMITTEE MINUTES

That the minutes of:

- (1) *the Community Safety Committee meeting held on March 14, 2017;*
- (2) *the General Purposes Committee meeting held on March 20, 2017;*

4.



Regular Council
Monday, March 27, 2017

FINANCE AND CORPORATE SERVICES DIVISION

25. **REVISED PROPOSED BYLAWS AND OPTIONS FOR SHORT-TERM RENTALS**

(File Ref. No. 08-4430-03-12; 12-8060-20-9691/9647/9692/9649/9650/9651/9652) (REDMS No. 5340970 v. 5; 5324334; 5221655; 5285428; 5323398; 5327463; 5330921; 5327641; 5327538; 5327683; 5327968; 5314950; 5329717; 5329719; 5285428; 5342861; 5329722; 5341501; 5324903; 5328066; 5339923; 5340131; 5339925; 5339922)

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared herself to be in a conflict of interest with respect to Item No. 25 as her husband owns a bed and breakfast and left the meeting at 9:33 p.m.

R17/6-8

It was moved and seconded

In respect to bed and breakfast ("B&B") uses in single-family and agricultural zones, implementing a distance buffer between B&B establishments, requiring that the B&B is the primary residence of the owner-operator and to the enhanced enforcement of such short-term rental regulation:

- (1) *That Official Community Plan Bylaw 9000, Amendment Bylaw 9691, which amends Official Community Plan Bylaw 9000 by adding a provision for a 500 meter buffer between B&B establishments be introduced and given first reading;*
- (2) *That Bylaw 9691, 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 said program and plans in accordance with section 477(3)(a) of the Local Government Act;*
- (3) *That Bylaw 9691 be sent to the Agricultural Land Commission for comment;*



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Monday, March 27, 2017

- (4) *That Bylaw 9691, 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 Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 to amend definitions, be introduced and given first reading;*
- (6) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9692 to require a distance buffer between B&Bs, be introduced and given first reading;*
- (7) *To incorporate enhanced business licencing requirements and increase fees and penalties, that:*
 - (a) *Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;*
 - (b) *Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;*
 - (c) *Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and*
 - (d) *Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652;**each be introduced and given first, second and third readings;*
- (8) *That the proposed communication plan described in Attachment 3 of this report explaining the proposed changes (identified in the above recommendation) to the short-term rental regulations be endorsed;*
- (9) *That:*
 - (a) *the information regarding tax requirements including whether a hotel tax should apply to short-term rentals provided in this report be received for information; and*
 - (b) *staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax, including the definition of accommodation providers;*



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Monday, March 27, 2017

- (10) *That staff conduct a one-year review of the City's proposed short-term rental regulation, and include issues surrounding a requirement for the operator of the short-term rental to be the owner of the property and report back to Council;*
- (11) *That staff consider options and report back on the issue of short-term rentals for multi-family dwellings; and*
- (12) *That staff formulate a robust public engagement process to address additional options and regulatory and enforcement gaps for future consideration.*

The question on the motion was not called and discussion ensued regarding the requirement that operators be restricted to be owners or an immediate family member.

Staff provided further clarification on questions from Council, including the following:

- Specific requirements for a B&B to be operated by owner or immediate family members;
- The recommendation of limitation to three rooms;
- Expanding restrictions to B&B's with respect to boarders and lodgers, secondary suites, code of conduct and liability insurance;
- Increased ability to ticket for non-compliance (ticket fines from \$250.00 to \$1,000 per day);
- The 500 metre buffer required between new B&B operations;
- Confirmation that a dwelling with a secondary rental suite cannot also be used as a B&B;
- If the owner sells the land, a new application for the operation of a home-based B&B would be required from the new owner; and
- Requirement of proof of ownership.

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



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R17/6-9

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 be amended provided that the definition of family member exclude subsections (d), (e) and (f); and

That Recommendation 13 be included to read:

That staff review and analyze short-term rental premises as fully relate to Agricultural Land Reserve.

CARRIED

Opposed: Cllrs. Johnston
Loo

The question was then called on Resolution R17/6-8, as amended per Resolution R17/6-9, which reads as follows:

In respect to bed and breakfast ("B&B") uses in single-family and agricultural zones, implementing a distance buffer between B&B establishments, requiring that the B&B is the primary residence of the owner-operator and to the enhanced enforcement of such short-term rental regulation:

- (1) *That Official Community Plan Bylaw 9000, Amendment Bylaw 9691, which amends Official Community Plan Bylaw 9000 by adding a provision for a 500 meter buffer between B&B establishments be introduced and given first reading;*
- (2) *That Bylaw 9691, 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 said program and plans in accordance with section 477(3)(a) of the Local Government Act;*
- (3) *That Bylaw 9691 be sent to the Agricultural Land Commission for comment;*



Regular Council
Monday, March 27, 2017

- (4) *That Bylaw 9691, 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 Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 to amend definitions, be introduced and given first reading with the amendment that the definition of family member exclude subsections (d), (e), and (f);*
- (6) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9692 to require a distance buffer between B&Bs, be introduced and given first reading;*
- (7) *To incorporate enhanced business licencing requirements and increase fees and penalties, that:*
 - (a) *Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;*
 - (b) *Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;*
 - (c) *Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and*
 - (d) *Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652;*
each be introduced and given first, second and third readings;
- (8) *That the proposed communication plan described in Attachment 3 of this report explaining the proposed changes (identified in the above recommendation) to the short-term rental regulations be endorsed;*
- (9) *That:*
 - (a) *the information regarding tax requirements including whether a hotel tax should apply to short-term rentals provided in this report be received for information; and*
 - (b) *staff be directed to engage the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax in regards to the Municipal and Regional District Tax, including the definition of accommodation providers;*



**Regular Council
Monday, March 27, 2017**

- (10) *That staff conduct a one-year review of the City's proposed short-term rental regulation, and include issues surrounding a requirement for the operator of the short-term rental to be the owner of the property and report back to Council;*
- (11) *That staff consider options and report back on the issue of short-term rentals for multi-family dwellings;*
- (12) *That staff formulate a robust public engagement process to address additional options and regulatory and enforcement gaps for future consideration; and*
- (13) *That staff review and analyze short-term rental premises as fully relate to Agricultural Land Reserve.*

was **CARRIED**.

Councillor Day returned to the meeting (10:02 p.m.).

PUBLIC ANNOUNCEMENTS

Mayor Brodie announced that William Ng was the newly assigned Superintendent of the RCMP and made note of the following community events:

- Wellness Fair;
- Spirit of Cherry Blossom celebration;
- Gateway Theatre new performance, Watershed;
- Lulu Series Art in the City;
- New Art Gallery Exhibits; and
- The 100th Anniversary of the Battle of Vimy Ridge ceremony on April 9, 2017.

Councillor McNulty announced that Friends of the Richmond Library had raised over \$6,000 for the library and acknowledged their efforts in holding a successful fundraiser.

To: City Council March 27/~~28~~ 2017
Re: Short Term Rentals

Last Council meeting, the Mayor asked Cecilia Achiam, Director, Administration and Compliance if the short term B&B regulations allowed the whole of the house to be rented?

He has asked this question before and I have raised the question at every meeting and opportunity since January.

I reviewed the tapes of the March 13 council meeting at the 1:29 to 1:30 minutes... Ms. Achiam provides a wrong answer to the Mayor, yet again. She said the whole house can not be rented, yet the **residential rental accommodation** definition she has added to this Bylaw says this "means the accommodation of guests in all or a portion of a dwelling..."

This is contrary to the Zoning Bylaw 8500 for Residential Zones. Bed and Breakfasts are Secondary Uses. Allowing ALL of a dwelling for residential rental accommodation is against the Zoning Bylaw, and against the OCP.

submitted by
Lyn Ter Borg

8. Residential Zones

8.1 Single Detached (RS1/A-H, J-K; RS2/A-H, J-K) [Bylaw 8672, Jan 24/11]

8.1.1 Purpose

The zone provides for **single detached housing** with a range of compatible **secondary uses**. **Subdivision** standards vary by sub-categories (A-H; J-K). The zone is divided into sub-zones: RS1 for traditional **single detached housing**; RS2 which provides for a **density bonus** that would be used for rezoning applications in order to help achieve the City's affordable housing objectives. [Bylaw 8672, Jan 24/11]

8.1.2 Permitted Uses

- housing, single detached

8.1.3 Secondary Uses

- boarding and lodging
- community care facility, minor
- home business
- secondary suite
- bed and breakfast

8.1.4 Permitted Density

1. The maximum density is one principal dwelling unit per lot.
2. For **single detached housing** zoned RS1/A-H, J-K [Bylaw 8672, Jan 24/11], the maximum **floor area ratio** is 0.55 applied to a maximum of 464.5 m² of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m².
3. For **single detached housing** zoned RS2/A-H, J-K, the maximum **floor area ratio** is 0.40 applied to a maximum of 464.5 m² of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m².
4. Notwithstanding Section 8.1.4.3, the reference to "0.4" is increased to a higher **density** of "0.55" if:
 - a) the building contains a secondary suite; or
 - b) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RS2/A-H, J-K zone, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw.
5. Further to Section 8.1.4.4, the reference to "0.4" in Section 8.1.4.3 is increased to a higher **density** of "0.55" if:
 - a) an **owner** subdivides bare land to create new **lots** for **single detached housing**; and
 - b)
 - i) 100% of the **lots** contain **secondary suites**; or [Bylaw 9641, Jan 16/17]
 - ii) at least 50% of the **lots** contain a **secondary suite** and the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RS2/A-H, J-K zone, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw for the **floor area** permitted on any lot not containing a **secondary suite**; or [Bylaw 9641, Jan 16/17]



City of
Richmond

NEW

Bylaw 9649

**Business Regulation Bylaw No. 7538,
Amendment Bylaw No. 9649**

The Council of the City of Richmond enacts as follows:

1. **Business Regulation Bylaw No. 7538**, as amended, is further amended by deleting Part 22 and replacing it with the following:

**"PART TWENTY-TWO: BED & BREAKFAST ESTABLISHMENT
REGULATIONS"**

- 22.1. Without first obtaining a **licence for a bed and breakfast establishment**, persons must not provide guests with **residential rental accommodation** for rental periods of less than 30 days.
- 22.2 **Bed and Breakfast Establishments** shall be subject to the following regulations:
 - 22.2.1. the premises must be the **operator's principal residence**;
 - 22.2.2. the **operator** must be an **individual registered owner** of the premises or a **family member** of the **individual registered owner** of the premises;
 - 22.2.3. the **operator** must permit the **City's Licence Inspector** to inspect the operator's guest register maintained pursuant to the *Hotel Guest Registration Act* to determine whether the applicable zoning bylaw restrictions on the number of guests permitted in the premises are being complied with;
 - 22.2.4. the **operator** must prepare a fire evacuation plan showing the location of exits, fire extinguishers and smoke detectors, install and maintain the fire safety equipment, and post a copy of the fire evacuation plan in each bedroom used for guest accommodation; and
 - 22.2.5. the **operator** must not provide or install any equipment or facilities used for the preparation of food in any bedroom or sleeping unit used for guest accommodation."

*
see
NEW
definition
page
CNCL
541

2. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Part 23 by deleting Section 23.1 and replacing it with the following:

"23.1 Any licensee, operator, or any other person who:

- (a) violates or contravenes any provision of this bylaw, or who causes or allows any provision of this bylaw to be violated or contravened; or
- (b) fails to comply with any of the provisions of this bylaw; or
- (c) neglects or refrains from doing anything required under the provisions of this bylaw or the **Business Licence Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a licence; or
- (e) makes any false or misleading statement,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence."

3. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Section 26.1 by:

- (a) adding the following as the definition of "boarding and lodging" in alphabetical order:

"boarding and lodging means boarding and lodging as defined in the City's zoning bylaw.";

- (b) adding the following as the definition of "community care facility" in alphabetical order:

"community care facility means a community care facility as defined in the City's zoning bylaw.";

- (c) adding the following as the definition of "dormitory" in alphabetical order:

"dormitory means a dormitory as defined in the City's zoning bylaw.";

- (d) adding the following as the definition of "dwelling" in alphabetical order:

"dwelling means a dwelling as defined in the City's zoning bylaw.";

- (e) adding the following as the definition of "family member" in alphabetical order:

"family member means a family member as defined in the City's zoning

bylaw.”;

- (f) adding the following as the definition of “**individual registered owner**” in alphabetical order:

“**individual registered owner** means an individual registered owner as defined in the City’s zoning bylaw.”;

- (g) adding the following as the definition of “**principal residence**” in alphabetical order:

“**principal residence** means a principal residence as defined in the City’s zoning bylaw.”; and

- (h) adding the following as the definition of “**residential rental accommodation**” in alphabetical order:

“**residential rental accommodation** means the accommodation of guests in all or a portion of a dwelling, with or without food service but excludes accommodation that is a boarding and lodging, community care facility, or dormitory.”;

“ALL”
==
??

4. This Bylaw is cited as “**Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649**”.



not permitted
by zoning or bcp

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating Division 
APPROVED for legality by Solicitor 

MAYOR

CORPORATE OFFICER

Tourism Richmond & Chamber of Commerce
support regulation of short term rentals by:

Keep it simple, clear, and reasonable for compliance and enforcement.

Would like to see:

Definitions:

"OWNER OPERATOR"

"OWNER OCCUPIED DWELLING UNIT"

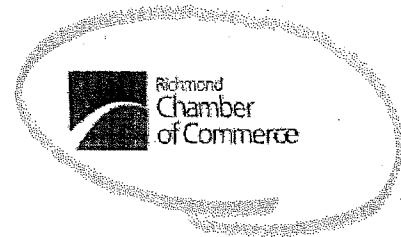
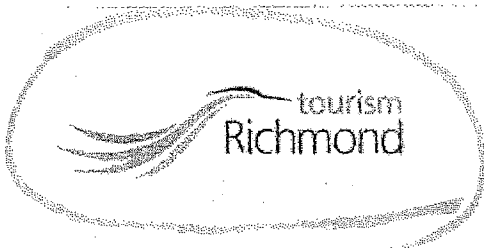
"LICENSED OWNER OPERATORS"

Need to see: requirement for
owner applicant
to be in
residence
during
BB operation

How do you deal with extended absences, for vacation homes for real owners, astronaut breadwinners ... who is really manning the rentals when the enforcement officer knocks on the door.

ADDITIONAL Recommendations:

1. Display signage showing city approved B&B
- 2 Solicitation and Advertising shall include permit #
3. Owner operator available by phone locally when not on site.



March 10, 2017

Mayor and Council
City of Richmond
6911 No. 3 Road
Richmond BC V6Y 2C1
Canada

Dear Mayor and Council,

RE: SHORT TERM ROOM RENTAL POLICY

Thank you for your thoughtful consideration and time spent on the discussions regarding the future of short term room rentals in Richmond. The emergence of the 'sharing economy' has forced policy makers at all levels of government, and organizations like ours, to evolve as the internet continues to transform our modern society. As the leading voices for tourism providers and businesses in Richmond, we have an interest in ensuring that any new policy frameworks for dealing with these new options for personal accommodations is in the best interests of our joint constituents.

In Richmond we are in the unique position of having a thriving accommodations sector that has for the past three years led the country in hotel occupancy rates. The demand for hotel rooms will remain undiminished in our view for the foreseeable future. What we are concerned with is the visitor experience and ensuring a level playing field for traditional operators and new 'sharing economy' providers. With the advent of services like Airbnb, VBRO, HomeAway, and FlipKey, which have become an integral part of global cities during the past decade, we now function in a new reality which seeks forward solutions regarding how we should adjust and co-exist with such services.

The 'sharing economy' is here to stay: *an economic system of decentralized networks and marketplaces that unlocks the value of underused assets by matching needs and haves, in ways that often bypass traditional providers.* We must collectively find policy solutions which are acceptable and fair to all stakeholders, and constituents. Both Tourism Richmond and the Richmond Chamber of Commerce are of the view that:

1. We need simple, streamlined bylaws that will prevent the increase of illegal short term rentals, rather than prohibit them.
2. That there should be a clear policy distinction between the following three issues:
 - a. Short term rentals
 - b. Inadequate rental stock
 - c. Proliferation of 'illegal hotels' in Richmond

1. Short Term Room Rental Policy

We believe that the issue of short term rentals can be managed with simple, balanced public policy directives. We are in favor of a policy framework that addresses the following issues:

- Ensure a level playing field for all accommodation providers, including balanced tax, health and safety standards
- Provide short term rental providers an expeditious and reasonable process for compliance, while maintaining standards for customers

In order to achieve these two objectives, we believe there are a number of existing policy solutions that have been applied in other jurisdictions, which are worthy of examination for Richmond:

- Short term rental exclusions:
 - Excluding designated areas such as ALR land
 - Creating a short term rental free zone around existing hotels
- Imposing a reasonable limit to the number of separate room listings per host, and a reasonable limit to the number of guests allowed to stay per listing
- Creating a new 'Private Rental' permit category which ensures appropriate/transparent taxes are collected to maintain a level playing field for all accommodations stakeholders
- Online licensing application process for short term room rental hosts, potentially streamlined directly with online hosting providers. Licensed operators would be required to display an "Approved" notice on their listing

It must be stated that both Tourism Richmond and the Richmond Chamber of Commerce recognize that the provincial government plays an important role in enacting policies and regulations that govern 'sharing economy' operators. Both our respective organizations look forward to working with city staff to identify policy gaps and to advocate for necessary updates to current provincial legislation.

2. Corresponding Tangential Issues: Rental Stock Shortage and "Illegal Hotels"

We believe that in the formation of short term room rental policy, it is important to make a distinction between this issue and inadequate rental stock, as well as the proliferation of 'illegal hotels' in Richmond:

- The matter of **rental stock** for longer term housing is an issue that is consuming not only Richmond but our region as a whole. This serious problem requires collaboration from all levels of government. Our analysis of Airbnb data from Richmond does not suggest that home sharing is a significant local contributor to this problem. Of the 400 Airbnb listings currently in Richmond, the average stay is 3.6 nights, and the average annual income for Richmond hosts is \$5,900 per year. This suggests that Airbnb hosts are not favoring short



term rentals in lieu of long term arrangements and is not a driving factor in the current lack of rental stock in Richmond.

- In regards to **illegal hotels**, our opinion is that bylaws and steep fines are required to address this issue as these operations present serious health and safety issues and are not acceptable in residential neighborhoods. We believe that a restriction on the number of listings per short term rental provider, as well as restrictions on homes located on ALR land, could be a means of addressing "illegal hotels", accompanied with strict and enforced penalties.

In closing, Tourism Richmond and the Richmond Chamber of Commerce thank you for considering our suggestions and look forward to working with Council and staff to find a workable solution regarding short term rentals for our members and the community at large.

Sincerely,

A handwritten signature in black ink, appearing to read "Eda Koot".

Eda Koot
Chair, Board of Directors
Tourism Richmond



A handwritten signature in black ink, appearing to read "Rob Akimow".

Rob Akimow
Chair, Board of Directors
Richmond Chamber of Commerce



Cc:

George Duncan, Chief Administrative Officer, City of Richmond
Cecilia Achiam, Director, Administration and Compliance, City of Richmond
Neonila Lilova, Economic Development Manager, City of Richmond
Carli Edwards, Chief Licence Inspector, City of Richmond
Linda Reid, MLA for Richmond-East
John Yap, MLA for Richmond-Steveston
Teresa Wat, MLA for Richmond-Centre

The Income Tax Act's definition for family unit and principal residence is for:

the owner, the owner's spouse or common-law partner, and children (under 18 years of age)

... if we are now proposing by this new proposed bylaw to extend the family members to include the owner's parents and possibly now the owner's adult children... Absurdly...WHY is there a need to extend family to include the owners grandparents and or the owners grandchildren?



City of
Richmond

NEW


Bylaw 9647

**Richmond Zoning Bylaw No. 8500
Amendment Bylaw No. 9647**


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

1. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 3.4:
 - a. by deleting and replacing the definition of **Agri-tourist accommodation** with the following:

"Agri-tourist accommodation means accommodation for an **agri-tourist operation** on a farm, limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or the short-term use of **bedrooms**."
 - b. by adding the following definition after the definition of "**exhibition & convention facilities**":

 **"Family member** means, with respect to a person:

 - a) the person's spouse;
 - b) the person's child;
 - c) the person's spouse's child;
 - d) the person's parent, or the person's spouse's parent;
 - e) the person's grandparent, or the person's spouse's grandparent; or
 - f) the person's grandchild, or the person's spouse's grandchild."
 - c. by adding the following definition after the definition of "**hutch**":

 **"Individual registered owner** means with respect to land, any individual person who is:

 - a) the registered owner of an estate in fee simple; or
 - b) the tenant for life under a registered life estate."

- d. by adding the following definition after the definition of "open space":

"Operator means the person who operates the **bed and breakfast.**"; and

- e. by adding the following definition after the definition of "premises":

"Principal residence means a **dwelling** in which an **operator** ordinarily resides. A person can only have one **principal residence.**"

2. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 5.5:

- a. by deleting subsection 5.5.2 and replacing it with the following:

"5.5.2. A bed and breakfast use is not permitted in a single detached housing dwelling unit or on a lot that contains a secondary suite, a granny flat, or a coach house, or a boarding and lodging, minor community care facility, agri-tourist accommodation, or child care home business use."

- b. by deleting subsection 5.5.3 and replacing it with the following:

"5.5.3. A bed and breakfast use is permitted only in a single detached housing dwelling unit that is the principal residence of the operator, where the operator is an individual and not a corporation.

5.5.3A. A bed and breakfast use is permitted only in a single detached housing dwelling unit where the operator is the individual registered owner of the dwelling or the individual registered owner's family member." and

- c. by inserting the following as a new subsection 5.5.5A. following 5.5.5.:

"5.5.5A. Bed and breakfast use of a single detached housing dwelling unit is limited to accommodation of a maximum of 6 guests at one time."

3. Richmond Zoning Bylaw No. 8500, as amended, is further amended by adding the following after Section 5.19 as new Section 5.20:

"5.20 Short Term Rental of Dwelling Units

5.20.1 No person shall use or permit to be used any dwelling unit, or portion thereof, for accommodation for a period of less than thirty (30) days unless such dwelling unit forms part of a hotel or a motel, or is used for boarding and lodging, agri-tourist accommodation, community care facility, dormitory, or bed and breakfast use in compliance with all applicable bylaws."

4. Richmond Zoning Bylaw No. 8500, as amended, is further amended:

- a. at section 14.1.3 by deleting "agri-tourist accommodation";

b. at section 14.1.11.4 by deleting section 14.1.11.4 and replacing it with the following:

"4. *Intentionally deleted.*"; and

c. at section 15.11.11.1 by deleting section 15.11.11.1 and replacing it with the following:

"1. *Intentionally deleted.*"

5. This Bylaw is cited as "Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9647".

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 



** amendment
proposed
Requires
more consultation than
newspaper ads for
a public hearing*



3.2 Neighbourhood Character and Sense of Place

OVERVIEW:

Some say that communities happen on foot, so enhancing the character and accessibility of neighbourhoods is important.

OBJECTIVE 1:

Continue to protect single family neighbourhoods outside the City Centre.

POLICIES:

Single Family Land Uses

- promote single family uses within residential quarter sections;
- explore incentives and other mechanisms to encourage the retention of existing housing stock in established single family neighbourhoods (e.g., secondary suites);

Neighbourliness and Character Retention

- recognize that the physical elements of neighbourhoods such as housing styles, existing building setbacks, exterior finishes, building height and massing, existing trees and landscaping, attractive and appealing streets, street trees are just some of the factors that create the character of established single family neighbourhoods;
- work to ensure that new single family housing complements established single-family neighbourhoods using zoning or other appropriate regulations;
- continue to implement the Single Family Lot Size Policies to ensure that changes to the physical character of single family neighbourhoods occurs in a fair, complementary manner with community consultation;
- actively explore alternatives to Land Use Contracts (LUCs) (e.g., seek Provincial legislative changes, replace LUC with appropriate zones, apply development permit guidelines) to achieve better land use management over time;



- to encourage single family housing compatibility when requested by neighbourhoods, consider amending policies and bylaws (e.g., zoning), for example, to modify yard and building height requirements.

Densification in Residential Areas

- carefully manage coach houses and granny flats in residential areas as approved by Council (e.g., Edgemere; Burkeville; along arterial roads);
- coach houses and granny flats are not anticipated to be allowed in other areas except in Neighbourhood Centres. If such requests are made from owners and other neighbourhoods, they may be considered on a case by case rezoning basis;
- limit arterial road town houses to along certain arterial roads;
- carefully manage the densification of shopping centres outside the City Centre.

OBJECTIVE 2:

Enhance neighbourhood character and sense of place by considering community values.

POLICIES:

- a) when enhancing neighbourhoods, consider the following community values, for example:
 - sustainability objectives;
 - the compatibility of new housing types;
 - local employment opportunities;
 - traffic impacts and improving transit, walking, bicycling and rolling opportunities;
 - existing and future infrastructure;
 - the provision of community amenities;
 - other as necessary;
- b) encourage local commercial uses such as corner grocery stores, and new commercial and mixed uses where appropriate;
- c) applications to re-designate from "Community Institutional" to other OCP designations and to rezone Assembly zoned land for the purpose of redevelopment will be considered on a case by case basis:
 - without the need to retain assembly uses;
 - subject to typical development requirements (e.g., access; parking; layout; tree preservation; child care; public art; Affordable Housing Strategy requirements; servicing upgrades; etc.).



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 Bulletin No.: G.2.1.0

Sunday, March 26, 2017

**Intergovernmental
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**Using the
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Date: October 2000

Bulletin No.: G.2.1.0

OCP Process and Consultation

Rationale:

The new *Local Government Act* provisions regarding the official community plan (OCP) development and adoption process and consultation during the preparation of an OCP reflect the principles established in 1997 to guide the *Municipal Act* Reform process. In particular, these changes provide:

- local government **accountability** for enabling citizen input on issues of concern to them during the development of an OCP or OCP amendment;
- improved **inter-local government relationships** on planning and land use management issues; and,
- **appropriate provincial government involvement** in the development and amendment of OCPs in instances where the provincial government has a clear responsibility or interest.

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These legislative amendments, which will come into force January 1, 2001, establish requirements for consultation with citizens and public authorities during the development of an OCP, streamline the adoption procedures for OCP bylaws and authorize the chair of a public hearing considering an OCP bylaw to establish procedural rules.

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New Provisions:

- **Section 879 requires local governments to provide one or more opportunities for consultation with persons, organizations and authorities it considers will be affected when developing, amending or repealing an OCP.** The local government must determine if this consultation should be early and on-going, and, specifically, if consultation is required with adjacent jurisdictions, First Nations, school districts, improvement districts, greater boards (ie. water districts) and the provincial and federal governments and agencies. This consultation is additional to the legislative requirement for a public hearing.

- Section 882 is amended to set out new, more streamlined, adoption procedures for both municipal and regional district OCP bylaws. The following changes are particularly noteworthy:
 - The required majority for each reading of a regional district OCP has been clarified in subsection (2) -- each reading must receive the affirmative vote of a majority of all directors entitled under section 791 to vote on the bylaw.
 - A number of specific requirements for referrals of a proposed OCP bylaw to other local government jurisdictions have been removed because these are no longer necessary given the new consultation requirement noted above.
 - The requirement that an OCP for an area that includes land in the Agricultural Land Reserve be referred to the Land Reserve Commission is continued. However, the Minister may make regulations defining areas and circumstances in which this referral is not required, and providing terms and conditions for this exception. This is in keeping with the Minister's authority to define areas and circumstances in which approval of a regional district OCP bylaw is not required. For further information on the reduction of provincial approvals in other areas, see Bulletin Number G.1.0.0 (Planning and Land Use Management: New Directions).
 - The requirement to consider an OCP after first reading, in conjunction with its financial plan or capital expenditure plan and any applicable waste management plan, is continued but this is now supplemented by a new provision (sub-section 5) enabling a local government to consider a proposed OCP in conjunction with any other land use planning and any social, economic, environmental or other community planning and policies.

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Related Provisions:

- Sections 875 to 877 describe the purpose of OCP, provide authority to include in an OCP any statements and material considered appropriate and require consideration of applicable provincial policy guidelines (see Bulletin Numbers G.2.0.0 (OCP Purpose and Content) and G.2.2.0 (OCP Provincial Policy Guidelines)).
- Division 4 of Part 24 requires public hearings for some OCPs and sets out the procedural requirements in relation to these (see Bulletin Number G.4.0.0 - Public Hearing Procedures).

Practical considerations:

- The new requirements for consultation with citizens and public authorities suggest a new way of "doing business" for local government when developing or amending an OCP. The new provisions recognize that local governments generally use other mechanisms besides the required public hearing to seek input from the public and other jurisdictions. The new legislation emphasizes the value of a local government seeking input from other authorities at an early stage in the planning process, as opposed to receiving comments in response to a referral after

first reading, when the OCP has already been drafted.

- The intent of the new consultation requirement is that input will be obtained from those that will be affected by an OCP early in its development, in order that any concerns can be more easily addressed. The requirement allows each local government to develop its own approach to consultation. Local governments can vary the type and number of consultations and even decide who should be consulted with, so long as they ensure that consultation opportunities are provided for those they consider will be affected.
- However, it is now mandatory that local governments specifically consider possible pre-public hearing consultation with certain specified parties (eg., First Nations, adjacent local governments) when developing an OCP and that they consider whether consultation should be early and ongoing. When making choices about consultation, councils and boards may wish to take a number of factors into consideration, including:
 - Is the bylaw under development a new OCP, or is making minor or major amendments or repealing an existing OCP? Consideration of the potential impact may well drive out a different consultation need or strategy for actions that affect large numbers of people or diverse interests than for actions that affect only a small segment of the community).
 - What parties can reasonably be considered to be affected by the OCP? Local governments may want to think in terms of the statutory requirement to specifically consider certain organizations as a starting point for decisions about who will be affected rather than an exhaustive listing of who will be affected. For example, "citizens" or "residents" are not listed as a mandatory group to consider, but would be affected by virtually all OCPs, and so consultation opportunities should be developed. Consideration might also be given to establishing protocols with adjacent jurisdictions or other government bodies to help to clarify when those governments are affected by an OCP, and the level of consultation required in different circumstances.
 - How effective will various forms of consultation be? Effective consultation at this stage can not only lead to a smoother public hearing process, but should also result in better OCPs. This will be particularly true if the consultation is early enough in the process that issues raised during the consultation can be adequately reviewed and if the consultations are frequent enough that the results of these reviews can become part of future consultation opportunities.
 - How transparent are the consultation decisions? Since these new consultation provisions impose a number of statutory requirements on councils and boards (eg., must provide consultation opportunities; must consider whether opportunities should be early and on-going; must specifically consider consultations with specified groups) and since the adequate fulfilment of these requirements could become the subject of a court challenge, local governments may want to take particular care to ensure that their decision-making process with respect to this consultation is transparent. So, for example, all staff reports on consultation should be well

documented and the report should advise council or the board of whether to and whom to consult. To ensure that evidence of "consideration" can be shown in court proceedings, the council or board minutes should list the decisions regarding each of the mandatory considerations.

- In developing effective consultation, local governments may want to prepare a comprehensive consultation policy that addresses such things as: fairness and equity, how to define consultation in different circumstances, who must and who should be consulted, how different interests want to be involved, and how the results of consultation will be considered.
- In order to provide further guidance to local governments, the Minister of Municipal Affairs will establish a provincial policy guideline on consultation for consideration of local governments developing an OCP in 2001.
- In order to more successfully integrate various planning initiatives, local governments may want to assess what other planning and policies within their own jurisdiction, or other affected jurisdictions, might usefully be considered during the development or amendment of an OCP.

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Transitional provisions:

- A transitional regulation will clarify that where a local government has held a public hearing for any OCP bylaw amendments, repeals or a new OCP, but not adopted the bylaw prior to January 1, 2001, the additional consultation under section 879 will not be required.

For all other new bylaws and amendments or repeals to existing bylaws, **any new procedural requirements must be followed as soon as the applicable provision is brought into force.** For example, after January 1, 2001, any OCP bylaw amendments or repeals, or development of new OCP bylaws will require local government consultation with persons, organizations and authorities the council or board consider will be affected. Because these requirements place an obligation on councils/boards to undertake consultation in addition to the public hearing, local governments will want to be particularly careful with bylaws in process, to ensure that if the bylaw has not gone to public hearing by January 1, 2001, the local government has complied with the new consultation requirements.

Local Government Act References:

Primary Sections: Section 879, 882

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Income Tax Folio

S5-F1-C1, Determining an Individual's Residence Status

Series 5: International and Residency

Folio 1: Residency

Chapter 1: Determining an Individual's Residence Status

Summary

The purpose of this Chapter is to explain the position of the Canada Revenue Agency (CRA) concerning the determination of an individual's residence status for income tax purposes and the factors to be taken into account in making that determination.

Under the Canadian income tax system, an individual's liability for income tax is based on his or her status as a resident or a **non-resident** of Canada. An individual who is resident in Canada during a tax year is subject to Canadian income tax on his or her worldwide income from all sources. Generally, a **non-resident** individual is only subject to Canadian income tax on income from sources inside Canada.

An individual who is resident in Canada can be characterized as ordinarily resident or deemed resident. An individual who is ordinarily resident in Canada will be subject to Canadian tax on his or her worldwide income during the part of the year in which he or she is resident in Canada; during the other part of the year, the individual will be taxed as a non-resident. An individual who is deemed resident in Canada in a particular year will be subject to Canadian income tax on his or her worldwide income throughout that year. In certain situations, an individual who would otherwise be ordinarily resident or deemed resident in Canada may be deemed not to be resident in Canada pursuant to subsection 250(5) and the tie-breaker rules of an income tax treaty.

my suggestion

① Owner = applicant

② permanent residents only

the CRA will generally accept that an individual is a resident of the other country unless the arrangement is abusive (for example, treaty shopping where the individual is in fact only a **resident of convenience**). Such could be the case, for example, where an individual is placed within the taxing jurisdiction of a particular country in order to gain treaty benefits in a manner that does not create any material economic nexus to that country.

1.43 For purposes of paragraph 1 of the Residence article of a particular tax treaty, the onus rests on an individual to demonstrate that he or she is liable to tax in the other country. The CRA is entitled to rely on the assumption that an individual is not resident in the other country for purposes of the treaty unless the individual can establish otherwise. This position is based on the Supreme Court of Canada's decision in Johnston v MNR, [1948] SCR 486, 3 DTC 1182. It is also supported by McFadyen v The Queen, [2000] TCJ No. 589, 2000 DTC 2473, which was heard at the Tax Court of Canada and later affirmed by the Federal Court of Appeal (2002 FCA 496, 2003 DTC 5015).

1.44 The Courts have stated that holders of a United States Permanent Residence Card (otherwise referred to as a **Green Card**) are considered to be resident in the United States for purposes of paragraph 1 of the Residence article of the Canada-U.S. Tax Convention. For further information, see the Federal Court of Appeal's comments in Allchin v R, 2004 FCA 206, 2004 DTC 6468.

1.45 Where an individual is determined to be a dual resident, the Residence article in the tax treaty will provide **tie-breaker rules** to determine in which country the individual will be resident for purposes of the other provisions of the treaty. If such tie-breaker rules apply and it is determined that an individual is a resident of another country for purposes of a tax treaty between Canada and that country, then subsection 250(5) will deem the individual to be a non-resident of Canada for purposes of the Act (see ¶1.37 – 1.39).

Permanent home test

— for "home based" business

1.46 Tie-breaker rules are found in paragraph 2 of the Residence article of most of Canada's income tax treaties. Usually, these rules rely first on a **permanent home test** to resolve the residence issue. Generally, the **permanent home test** provides that an individual is resident for purposes of the treaty in the country in which the individual has a permanent home available to him or her. A **permanent home** (as that term is used in income tax treaties) may be any kind of dwelling place that the individual retains for his or her permanent (as opposed to occasional) use, whether that dwelling place is rented (including a rented furnished room) or purchased or otherwise occupied on a permanent basis. It is the permanence of the home, rather than its size or the nature of ownership or tenancy, that is of relevance.