



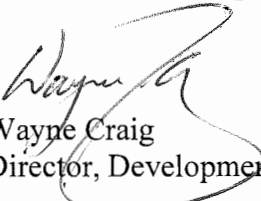
To: Planning Committee
From: Wayne Craig
Director, Development

Date: July 8, 2016
File: RZ 14-665028

Re: Application by 8572534 Canada Ltd. for Rezoning at 5960 No. 6 Road to Allow a Licensed Health Canada Medical Marihuana Production Facility

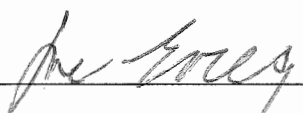
Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9109, to create the "Licensed Health Canada Pharmaceutical Production (ZI11)" zoning district and rezone 11320 Horseshoe Way (RZ 13-639815) to "Licensed Health Canada Pharmaceutical Production (ZI11)", be abandoned; and
2. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9592, for the rezoning of 5960 No. 6 Road to allow a licensed Health Canada medical marihuana production facility and supporting uses on a site-specific basis in the "Light Industrial (IL)" zoning district, be introduced and given first reading.



Wayne Craig
Director, Development

WC:ke
Att. 5

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

Staff Report

Origin

8572534 Canada Ltd. has applied to the City of Richmond for permission to rezone 5960 No. 6 Road to allow a licensed Health Canada medical marihuana production facility and supporting uses on a site-specific basis in the "Light Industrial (IL)" zoning district. The subject site is a building contained in a larger stratified industrial business park with other industrial buildings. This rezoning application applies to only 2 strata lots (strata lot 9 and 10) in the building at the south east corner of the site addressed as 5960 No. 6 Road (Attachment 1).

Background Information

In response to new Federal Health Canada Marihuana for Medical Purposes Regulations introduced in 2013, Council adopted zoning bylaw provisions in December 2013, requiring a rezoning application to allow a licensed Health Canada medical marihuana production facility in the City. Subsequent Official Community Plan Amendments were approved by Council in March 2014 to implement policies to manage proposed medical marihuana production facility's through the required rezoning process.

Closure of Application – 11320 Horseshoe Way (RZ 13-639815)

Richmond Zoning Bylaw 8500, Amendment Bylaw 9109 is recommended to be abandoned in this report for the rezoning application at 11320 Horseshoe Way for a proposed licensed Health Canada medical marihuana production and research and development facility. Third reading was granted on March 17, 2014. The applicant has not completed the rezoning considerations for this application, with staff inquiring multiple times with the applicant about fulfilling the rezoning considerations after the March 2014 Public Hearing. Staff have formally notified the applicant of the City's intent to close the rezoning application as there has been no activity or updates on this file since the Public Hearing on March 17, 2014. Staff have not heard back from the applicant as a result of this notification and have not been contacted by the applicant regarding the application. There have also been recent media reports indicating that the company is no longer in operation.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is contained in Attachment 2.

Surrounding Development

5960 No. 6 Road is a light industrial building located at the south east corner of a larger 9.3 acre stratified industrial complex at the north east corner of No. 6 Road and Westminster Highway. The industrial complex is zoned "Light Industrial (IL)" and contains 7 buildings with vehicle access to the property from No. 6 Road. The building proposed to accommodate the medical marihuana production facility is currently occupied by a vehicle auto body shop, construction storage/office and a bakery.

To the North: Industrial buildings on a property zoned "Light Industrial (IL)".

To the South: Across Westminster Highway, property zoned “Agriculture (AG1)” contained in the Agricultural Land Reserve (ALR).

To the East: A property zoned “Agriculture (AG1)” contained in the ALR.

To the West: Two vacant properties zoned “Light Industrial (IL)” with a rezoning application being processed by staff proposing a drive-through restaurant development (RZ 14-678861). Across No. 6 Road, a fire hall zoned “School & Institutional (SI)” and business parks zoned “Industrial Business Park (IB1)” and “Industrial Business Park (ZI3)”.

Related Policies & Studies

Official Community Plan

The Official Community Plan (OCP) contains policies and requirements applicable to proposed licensed Health Canada medical marihuana production facilities (established under the Marihuana for Medical Purposes Regulations – MMPR) to manage and consider such proposals through the rezoning process (Attachment 3). The proposed rezoning application is consistent with the OCP policies as the proposal:

- Is located in an OCP designated “Mixed Employment” area.
- Does not result in the proliferation of such facilities in Richmond.
- Is located in an area that minimizes impacts to surrounding areas and does not negatively affect any potential sensitive land uses (e.g., residential, school, park, or community institutional).

The facility is proposed to be located in one unit (containing two strata lots) of a multi-tenanted industrial building. To address potential adjacency issues, the proponent has:

- Consulted with all existing tenants in the building who have confirmed in writing they have no concerns or objections to the proposed use.
- Developed a facility design to ensure that any potential noise and odours related to the facility operations are properly mitigated and contained.

Agricultural Land Reserve Adjacency

The subject site abuts land in the ALR to the immediate west. No new building or significant exterior modifications are required to accommodate the proposed facility. Generally, all modifications will be limited to the interior of the building. The current north-south orientation of the subject building at 5960 No. 6 Road provides an existing buffer edge to the ALR. Furthermore, building modifications that involve minimum exterior renovations are exempted from Development Permit requirements. As a result, neighbouring agricultural land will not be impacted and on this basis the rezoning application was not referred to the Agricultural Advisory Committee.

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

Due to the site's proximity to a Ministry of Transportation and Infrastructure (MOTI) Highway and interchange (Highway 91), staff have forwarded this proposal to MOTI staff and received preliminary approval. Formal approval of the rezoning amendment bylaw is required by MOTI as a rezoning consideration for this project.

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

Proposed Amendment to the Light Industrial (IL) Zone – Licensed Health Canada Medical Marihuana Production Facility

This rezoning application proposes to allow a medical marihuana production facility on a site specific basis in the "Light Industrial (IL)" zoning district. The existing zoning for the subject site is "Light Industrial (IL)". The following is a summary of zoning provisions:

- Limits the medical marihuana production facility to the two strata lot(s) proposed to be used at 5960 No. 6 Road.
- Limits a medical marihuana production facility use to a maximum of 520 sq. m (5,600 sq. ft.).

Proposed Facility and Operations

The proposed facility will occupy approximately 500 sq. m (5,382 sq. ft.) of floor area in the light industrial building. All facility operations are proposed to be located on the ground floor of the building and will consist of cultivation/growing areas for the plants, storage, vault and drying rooms and supporting areas for employees and office functions (Attachment 4). No storefront/retail activities are proposed in accordance with Health Canada MMPR provisions and City regulations/bylaws. A building permit application will be required for all proposed works to the building and unit.

All proposed activities related to the medical marihuana production facility are fully contained within the unit in the building as required by Health Canada MMPR. The applicant proposes implementing a number of building measures to mitigate and address any potential negative impacts of the facility to, including:

- Heating, ventilation and air conditioning (HVAC) systems to address moisture and proper ventilation and air scrubbers/pressurized zones to minimize any odour; and
- Building mechanical systems designed to comply with the City's Noise Regulation Bylaw 8856.

A report from a registered professional detailing out HVAC, building and mechanical systems to be implemented in the proposed medical marihuana production facility operations will be required as a rezoning consideration (Attachment 5) to ensure that potential impacts are fully addressed and installed through the building permit process for works to the unit.

Health Canada – Confirmation of Approval

The applicant has submitted an application to become a licensed producer under the MMPR, which is currently being processed by Health Canada. In addition to obtaining the necessary approvals from the City of Richmond for the proposed medical marihuana production facility, license approval from Health Canada is also required. Confirmation of license approval by Health Canada under the MMPR is a rezoning consideration to ensure that the subject rezoning application is coordinated with the submitted licensed producer application to Health Canada under the MMPR for this facility (Attachment 5).

Community Safety

Security Provisions

In accordance with the Health Canada regulations for a medical marihuana production facility, the MMPR prescribes the facility security provisions based on the type of operation and proposed volume of product being produced. The physical security measures in a building must be demonstrated by the applicant as meeting or exceeding Federal regulations. The security plan for this proposed facility has been developed by a professional security consultant and includes multiple layers of physical and electronic surveillance measures in accordance with Health Canada requirements. License approval from Health Canada to become a licensed producer will not occur until Health Canada is satisfied, through on-site inspections, that the facility meets all security requirements.

Through the license producer application process, an RCMP detachment in Ottawa liaises with Health Canada to conduct appropriate research and background checks. Should approval of a license be granted by Health Canada, the local RCMP detachment will be engaged about the operations of a licensed medical marihuana production facility and any enforcement actions or compliance initiatives required, if necessary.

Fire Safety Provisions

To address fire, life and safety issues as required in Fire Protection and Life Safety Bylaw 8306, a fire safety plan is required to be approved by Richmond Fire Rescue staff as a condition of building permit issuance for the proposed facility, including:

- Fire, life safety plan prepared by an appropriate fire safety consultant, with supporting information from a building code consultant where deemed necessary.
- Demonstrate compliance with applicable BC Building Code, BC Fire Code, Building Regulation Bylaw 7230 and other applicable federal, provincial and municipal regulations.
- Emergency Procedures to be used in case of fire.
- Training and appointment of a designated supervisory staff to carry out fire safety duties.
- Documents showing the type, location and operation of fire emergency system(s).
- The scheduling and holding of fire drills, supported with documentation.
- The control of fire hazards.
- Inspection and maintenance of facilities for the safety of the building's occupants.

Change of Use and Future Remediation Requirements

If the rezoning application is approved, the building unit will contain a number of specific building installations and systems to support the operation of a medical marihuana production facility. If at any time in the future, the medical marihuana production facility ceases operation on the subject site, the remediation of the building to ensure health and safety standards remain a priority. Therefore, staff recommend that a legal agreement be registered on the subject site (as a rezoning consideration) that will:

- Place notice on title of the subject strata lot(s) that the unit has been used as a medical marihuana production facility.
- Identify that upon cessation of the use of the facility as a medical marihuana production facility, the owner must engage a registered professional to assess the building/unit and all related mechanical systems and make remediation recommendations to address any environmental, health and safety issues. All works to fulfill the remediation plan must be undertaken, with completion verified by the registered professional.
- Identify that the City will not process any subsequent building permit or business license applications for the subject building unit the requirement remediation works are completed.

Transportation and Site Access

A Traffic Impact Assessment (TIA) has been submitted in support of the proposed medical marihuana production facility. Transportation staff have reviewed the TIA and generally concur with the consultants assessment that traffic impacts to the surrounding area will be minimal and that the available on-site parking and loading to the facility are sufficient (3 parking stalls immediately adjacent to the facility plus an additional 41 spaces around the facility; 2 loading bays).

Vehicle access to the proposed facility will be from the existing driveway locations along No. 6 Road as confirmed by the TIA.

Landscape Enhancements

The applicant has agreed to provide landscape enhancements around the subject site building at 5960 No. 6 Road and surrounding off-street parking area. These planting areas will provide for 14 new trees located on-site. The rezoning considerations include a requirement for the

submission of an acceptable landscape plan and related security to confirm planting of the new trees on-site.

Site Servicing and Frontage Improvements

All existing water, storm and sanitary service connections are sufficient to accommodate the proposed facility. No additional servicing or frontage works are required as part of this rezoning application.

Waste Management

Organic waste generated by facility operations is proposed to be composted on-site and stored in a secured location. A detailed waste management plan for organic product generated from the medical marihuana production facility, prepared by an appropriate environmental consultant is required to be submitted for review and approval from City Environmental Programs staff as a rezoning consideration for this project.

Financial Impact or Economic Impact

The rezoning application results in insignificant operational budget impacts (OBI) for off-site City infrastructure (such as roadworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

Conclusion

The purpose of this application is to rezone 5960 No. 6 Road to allow a licensed Health Canada medical marihuana production facility and supporting uses in 2 strata lots in this building on a limited, site-specific basis in the "Light Industrial (IL)" zoning district.

Staff supports this rezoning application as it is consistent with the OCP and existing zoning bylaw regulations and all community safety and adjacency issues have been addressed by the proposal.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9592 be introduced and given first reading.

Staff also recommend that Richmond Zoning Bylaw 8500, Amendment Bylaw 9109 (11320 Horseshoe Way; RZ 13-639815) be abandoned.



Kevin Eng
Planner 2

KE:cas

Attachment 1: Location Map

Attachment 2: Development Application Data Sheet

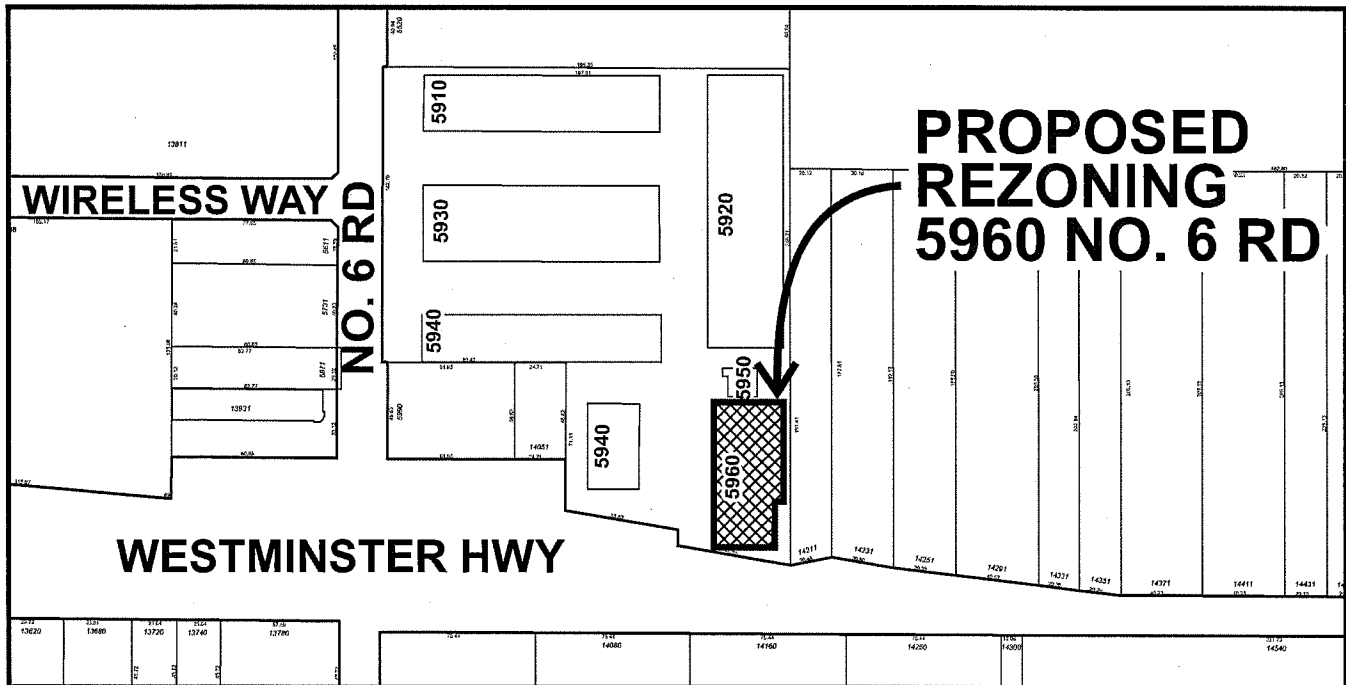
Attachment 3: OCP Policies – Health Canada Licensed Medical Marihuana and Research and
Development Facilities

Attachment 4: Preliminary Building Plans

Attachment 5: Rezoning Considerations



City of
Richmond



RZ 14-665028

Original Date: 06/09/14
 Revision Date: 07/08/16
 Note: Dimensions are in METRES



City of Richmond



RZ 14-665028

Original Date: 06/09/14

Revision Date: 07/08/16

Note: Dimensions are in METRES

CNCL - 320



RZ 14-665028

Attachment 2

Address: 5960 No. 6 Road (Strata Lot 9 & 10 Section 4 Block 4 North Range 5 West New Westminster District Strata Plan NW1098 Together with Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1)

Applicant: 8572534 Canada Ltd.

	Existing	Proposed
Owner:	5908 Holdings Ltd.	No change
Land Uses:	Building containing light industrial businesses	Licensed Health Canada Medical Marihuana Production Facility
OCP Designation:	Mixed Employment	No change - complies
Zoning:	Light Industrial (IL)	Light Industrial (IL) with provisions to allow a medical marihuana production facility in 2 strata lots on the subject site only
Floor Area:	Strata lot units currently vacant	500 m ² total floor area for a licensed medical marihuana production facility and supporting activities



3.6.4 Potential City Centre Building Height Increase

OVERVIEW

The City wishes to explore increasing building height in a portion of the City Centre. Transport Canada regulates building heights around the airport. YVR and the City have identified a possible area to study for increasing building height (around City Hall see OCP ANSD Map).

OBJECTION 1:

Maximize City Centre viability safely by exploring with YVR possible increases in building height around City Hall to improve sustainability, social, economic and environmental benefit.

POLICIES:

- a) continue to explore with YVR the possibility of increasing building height around City Hall;
- b) if such building height increases are allowed by the Federal Government, study the implications and benefits (e.g., how high to build, what uses would occur, what the community benefits may be).

Bylaw 9110
2014/03/24

3.6.5 Health Canada Licensed Medical Marihuana Production, and Research and Development Facilities

OVERVIEW

In June 2013, Health Canada enacted the *Marihuana for Medical Purposes Regulations (MMPR)* to better manage the research, production and distribution of medical marihuana.

In December 2013, Council amended the Zoning Bylaw to not permit medical marihuana production facilities and medical marihuana research and development facilities in any zoning district City-wide, as they were a new land use, their potential impacts were unknown and it is desirable to prevent the unnecessary proliferation of facilities. Over time, if Council receives requests to approve medical marihuana production facilities and medical marihuana research and development facilities, to protect the City's interests, Council may consider such proposed facilities, on a case-by-case review basis, subject to meeting rigorous social, community safety, land use, transportation, infrastructure, environmental and financial planning, zoning and other City policies and requirements. This section establishes the policies and requirements, by which such proposed facilities may be considered and, if deemed appropriate, approved.

TERMS

In this section, the following terms apply:

- "Medical Marihuana Production Facility"—means a facility for the growing and production of medical marihuana in a fully enclosed building as licensed and lawfully sanctioned under Health Canada's Marihuana for Medical Purposes Regulations (as amended from time to time), including the necessary supporting accessory uses related to processing, testing, research and development, packaging, storage, distribution and office functions that are directly related to and in support of growing and cultivation activities;



Bylaw 9110
2014/03/24

- “Medical Marihuana Research and Development Facility”—means a facility for the research and development of medical marihuana only in a fully enclosed building as lawfully sanctioned by Health Canada under the Controlled Drugs and Substances Act (as amended from time to time).

OBJECTION 1:

Protect the City’s social, economic, land use and environmental interests when considering proposed medical marihuana production facilities and medical marihuana research and development facilities by preventing their unnecessary proliferation, avoiding long-term negative effects, and ensuring minimal City costs.

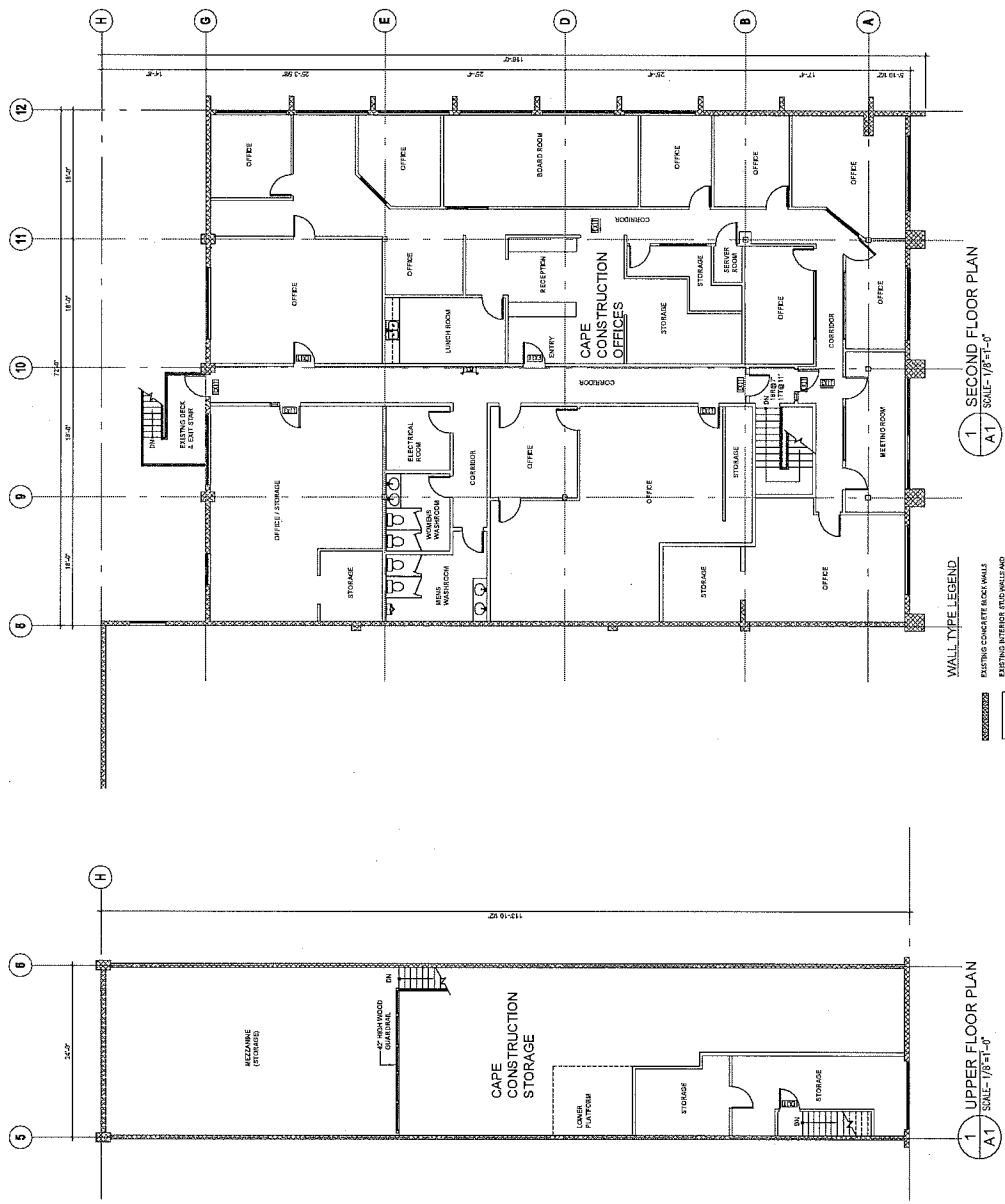
POLICIES:

- a) limit medical marihuana production facilities and medical marihuana research and development facilities, through the rezoning process, to one facility in an OCP designated Mixed Employment or Industrial area. Any future proposals for a medical marihuana production facility or a medical marihuana research and development facility may be considered on a case-by-case basis and may require additional OCP amendments;
- b) a medical marihuana production facility must:
 - i) be located in a stand-alone building, which does not contain any other businesses;
 - ii) have frontage on an existing, opened and constructed City road, to address infrastructure servicing and emergency response requirements;
 - iii) avoid negatively affecting sensitive land uses (e.g., residential, school, park, community institutional);
 - iv) not emit any offensive odors, emissions and lighting to minimize negative health and nuisance impacts on surrounding areas;
- c) medical marihuana production facility applicants shall engage qualified professional consultants to prepare required studies and plans through the City’s regulatory processes (e.g., rezoning, development permit, building permit, other);
- d) medical marihuana production facility applicants shall ensure that proposals address the following matters, through the City’s regulatory processes (e.g., rezoning, development permit, building permit, other):
 - i) compliance with City social, community safety, land use, building, security (e.g., police, fire, emergency response), transportation, infrastructure (e.g., water, sanitary, drainage), solid waste management, environmental (e.g., Environmentally Sensitive Areas, Riparian Management Areas, Ecological Network), nuisance (e.g., noise, odour and emissions) financial and other policies and requirements;
 - ii) compliance with all federal, provincial and regional (e.g., Metro Vancouver) policies and requirements;



Bylaw 9110
2014/03/24

- iii) compliance with the City Building Regulation Bylaw, Fire Protection and Life Safety Bylaw, Noise Regulation Bylaw, Business License Bylaw, Business Regulation Bylaw and other related, applicable City Bylaws;
- iv) compliance with the current BC Building Code, BC Fire Code, BC Fire Services Act, BC Electrical Code, and other related codes and standards;
- e) the applicant/owner of a Health Canada licensed and City approved medical marihuana production facility shall be responsible for full remediation of the facility should it cease operations or upon closure of the facility;
- f) consultation with stakeholders on a proposed medical marihuana production facility shall be undertaken as deemed necessary based on the context specific to each proposal.



1 SECOND FLOOR PLAN
A1 SCALE: 1/8"=1'-0"

1 UPPER FLOOR PLAN
A1 SCALE: 1/8"=1'-0"

WALL TYPE LEGEND
 EXISTING CONCRETE BLOCK WALLS
 EXISTING INTERIOR BRICK PARTITIONS
 PARTITION WALLS

CNCL - 327

REVISIONS NO. DATE BY DESCRIPTION				
PROJECT NO. 218-214 DRAWN BY: OCT/2015 CHECKED BY:	SCALE: 1/8"=1'-0" PROJECT NO. 218-214	DATE: OCT/2015 CHECKED BY:	DRAWN BY: OCT/2015 CHECKED BY:	PROJECT NO. 218-214 DRAWN BY: OCT/2015 CHECKED BY:
TITLE: EXISTING SECOND FLOOR PLAN PROJECT: TENANT IMPROVEMENTS 5980 NO 6 ROAD, RICHMOND, BC	SCALE: 1/8"=1'-0" PROJECT NO. 218-214	DATE: OCT/2015 CHECKED BY:	DRAWN BY: OCT/2015 CHECKED BY:	PROJECT NO. 218-214 DRAWN BY: OCT/2015 CHECKED BY:
ARCHITECT: CHERCOVER MASSIE & ASSOCIATES LTD. ARCHITECTURE & ENGINEERING #122-1100 West 27th Ave., Vancouver, B.C. Canada V6P 6G5 Ph: 604-264-1460 Fax: 604-264-1462 Email: cm@chmva.com		DATE:	DATE:	DATE:

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Address: 5960 No. 6 Road (Strata Lot 9 & 10 Section 4 Block 4 North Range 5 West New Westminster District Strata Plan NW1098 Together with Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1)

File No.: RZ 14-665028

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9592, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Submission of documentation, to the satisfaction of the Director of Development, confirming approval/issuance of the appropriate license from Health Canada through the Marihuana for Medical Purposes Regulations (MMPR) to undertake medical marihuana production by the proponent on the subject site. The proponent/applicant will provide any necessary authorizations/consent for the City to contact Health Canada to obtain information on the status of the license.
3. Registration of a flood indemnity covenant on title.
4. Registration of a legal agreement on title that will:
 - a) Place notice on title of the subject strata lots that the building unit has been used as a medical marihuana production facility.
 - b) Upon cessation of the use of the facility as a medical marihuana production facility, require the business operator of the medical marihuana production facility and/or owner of the subject strata lots to:
 - Engage a registered professional to assess the building and all supporting mechanical, electrical, plumbing and heating ventilation & air conditioning (HVAC) systems and make recommendations to remediate the building to address any environmental health, building safety and other issues as determined by the registered professional;
 - Undertake all necessary works to fully remediate the building; and
 - Submit verification from the professional consultant that the building and site has been remediated to the satisfaction of the registered professional to inform any potential purchasers of the subject strata lots.
 - Identify that the City will not process any subsequent building permit of business license applications on the subject site until the City received confirmation that the required assessment of the building has been completed by a registered professional and that all recommended remediation works have been completed to the registered professional's satisfaction.
5. Complete a report from a registered professional detailing out specific building measures and mechanical systems to be implemented in the proposed medical marihuana production facility to ensure all noise, odour and other potential negative operational aspects generated from the facility will be fully contained in the facility.
6. Complete a report from an environmental consultant detailing out a waste management plan for all organic waste generated by facility operations for review and approval by City Environmental Programs staff.
7. Submission of a landscape plan to the satisfaction of the Director of Development and related landscape security to confirm landscaping to be implemented on-site in the surrounding area of the building located at 5960 No. 6 Road. The landscape plan is to include 14 new trees (6 cm minimum calliper each).

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

1. Submission of a fire safety plan to the satisfaction of Richmond Fire Rescue staff in accordance with Fire Protection and Life Safety Bylaw 8306 of which the following requirements will apply:

- a) Fire safety plan prepared by an appropriate fire safety consultant, with supporting information from a building code consultant where deemed necessary.
 - b) Demonstrate compliance with applicable BC Building Code, BC Fire Code, Building Regulation Bylaw 7230 and other applicable federal, provincial and municipal regulations.
 - c) Emergency Procedures to be used in case of fire.
 - d) Training and appointment of a designated supervisory staff to carry out fire safety duties.
 - e) Documents showing the type, location and operation of fire emergency system(s).
 - f) The scheduling and holding of fire drills, supported with documentation.
 - g) The control of fire hazards.
 - h) Inspection and maintenance of facilities for the safety of the building's occupants.
 - i) Richmond Fire Rescue must approve the fire safety plan prior to final inspection occurring for the Building Permit on the subject site.
2. Submission of a letter of assurance from the professional building consultant confirming implementation of the building measures and mechanical systems detailed in the report (required in rezoning considerations item #5).
 3. Obtain any necessary approvals from Metro Vancouver (Waste Discharge Permit Application).
 4. 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.
 5. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

Note:

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

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

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

SIGNED COPY ON FILE.

Signed

Date

CNCL - 331



Richmond Zoning Bylaw 8500
Amendment Bylaw 9592 (RZ 14-665028)
5960 No. 6 Road

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

- 1. Richmond Zoning Bylaw 8500 is amended by:
i. Inserting the following text into Section 12.2.3.B – Additional Uses
“medical marihuana production facility in accordance with provisions contained in Section 12.2.11.6 and 12.2.11.7”
ii. Inserting the following text into Section 12.2.11 – Other Regulations
“6. A medical marihuana production facility shall only be permitted at the following sites and subject to the restrictions in Section 12.2.11.7
5960 No. 6 Road
P.I.D. 001-651-412
P.I.D. 001-651-421
Strata Lot 9 & 10 Section 4 Block 4 North Range 5 West New Westminster District Strata Plan NW1098 Together with Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1
7. A maximum of 520 m2 floor area is permitted for a medical marihuana production facility.”
2. This Bylaw may be cited as “Richmond Zoning Bylaw 8500, Amendment Bylaw 9592”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Four horizontal lines for signature or stamp.

CITY OF RICHMOND APPROVED by RK APPROVED by Director or Solicitor ml

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER