



City of Richmond
Urban Development Division

Memorandum

To: Richmond City Council
From: Joe Erceg
Manager, Development Applications
Date: February 20, 2002
File: RZ 99-163044
Re: **Application by Tomizo Yamamoto Architect Inc. for Rezoning at
13020 No. 2 Road from Light Industrial District (I2) to Comprehensive
Development District (CD/112)**

In accordance with discussion at the February 19, 2002 Planning Committee meeting, Bylaw No. 7087 has been added to the agenda for the February 25, 2002 Council meeting for consideration of adoption. The staff report and recommendation dated February 6, 2001 from the General Manager, Urban Development that was included in the February 11, 2002 Council agenda is attached to this memorandum.

As requested by the Planning Committee, the original conditions of rezoning are outlined below:

"There are requirements to be dealt with prior to final adoption:

Legal requirement, specifically:

- *Register a right-of-way over the property's driveway along their northern property line to provide the City with access to maintain the buffer strip.*

Development requirements, specifically:

- *Development Permit application should be processed to a satisfactory level;*
- *Enter into a servicing agreement with the City to design and construct a portion of the trail in the adjacent City owned corridor as outlined in the report;*
- *Enter into a servicing agreement with the City to design and construction off site improvements on No. 2 Road."*

It is noted that the applicant has complied with the two conditions related to the processing of the Development Permit and to construction of No. 2 Road. The status of the conditions related to the right-of-way and the trail are outlined in the attached report from the General Manager, Urban Development dated February 6, 2002.

Joe Erceg
Manager, Development Applications

JE:blg
Att.1

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City of Richmond

Report to Council

To: Richmond City Council
From: David McLellan
General Manager, Urban Development
Date: February 6, 2001
File: 4105-20
Re: Application by Tomizo Yamamoto Architect Inc. for Rezoning at 13020 No. 2
Road from Light Industrial District(l2) to Comprehensive Development District
(CD/112)

Staff Recommendation

That Council consider the final adoption of Bylaw No. 7087.

A handwritten signature in cursive script, reading "David McLellan".

David McLellan
General Manager, Urban Development

Staff Report

Origins

Rezoning Bylaw No. 7087 has been given third reading and final adoption is pending; (1) the applicant entering into a servicing agreement to design and construct a portion of the trail adjacent to the site in the former rail right of way, (2) registration of a right of way to provide the City with access to maintain the buffer strip. The applicant has been attempting to resolve with staff the outstanding matters in order that final adoption of the rezoning bylaw can be considered by Council.

Analysis

The City acquired the former rail right of way east of No. 2 Road in the London Princess area a number of years ago. The City has not in any of its Community Plans or Park and Trail Plans designated this land as the location for a public trail. The most recent design concept prepared by staff was reviewed by the Parks, Recreation and Culture Committee of Council in August of this year and was referred back to staff to resolve a number of issues. In the meantime, the applicant for rezoning has been advised that he should provide to the City the sum of \$42,000 which is staff's estimate of the costs for the applicant's portion of the construction of trail, fixtures and landscaping on the City property.

The applicant has offered to pay the amount of \$6,000 to go toward the cost of landscaping some of the City property, since there is a requirement to buffer his development from the Agricultural Land Reserve and by having the City land between his development and the ALR there is a benefit to his site.

The applicant makes the point that it is unfair that he fund the construction of a public trail on a site adjacent to his property especially since the City has never decided to establish a public trail at this location.

The need for the right of way is questionable as well given that the City has direct access to No. 2 Road from the former rail right of way.

Council has three options in responding to this report:

1. Adopt the bylaw, and this would imply that the above noted approach is acceptable
2. Refer the bylaw to staff to advise the applicant of his need to fully address the conditions noted in the original staff report
3. Refer the bylaw to staff to report further on these matters, but this may create the need for a new public hearing on this bylaw.

Financial Impact

The potential loss of a developer contribution to an unapproved City capital project.

February 6, 2001

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Conclusion

The conditions attached to the rezoning of the property in question are not based on current Council and may warrant reconsideration upon final consideration of this rezoning bylaw.

A handwritten signature in black ink, appearing to read "David McLellan". The signature is fluid and cursive, with the first name "David" being more prominent than the last name "McLellan".

David McLellan
General Manager, Urban Development

DJM:djm