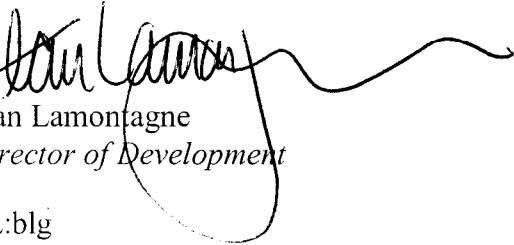




To: Planning Committee **Date:** June 19, 2007
From: Jean Lamontagne **File:** RZ 07-372806
 Director of Development
Re: **Application by Kulwinder Heer for Rezoning at 8360 Ruskin Road from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B)**

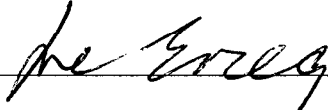
Staff Recommendation

That Bylaw No. 8273, for the rezoning of 8360 Ruskin Road from “Single-Family Housing District, Subdivision Area E (R1/E)” to “Single-Family Housing District, Subdivision Area B (R1/B)”, be introduced and given first reading.



Jean Lamontagne
Director of Development

EL:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY
CONCURRENCE OF GENERAL MANAGER


The following are to be dealt with prior to final adoption:

1. Provide a Landscape Security to the City of Richmond in the amount of \$3,000 for the planting of six (6) replacement trees on site (2 trees at 10 cm calliper and 4 trees at 9 cm calliper). If replacement trees can not be accommodated on-site, the applicable portion of the Landscaping Security will be converted to a contribution in-lieu of planting to the City's Tree Compensation Fund (\$500/tree);
2. Registration of a flood indemnity covenant on title.
3. Registration of a Restrictive Covenant to preserve a 0.57 m wide strip of land along the entire south property line until the adjacent lot to the south (10140 Ruskin Road) pursues redevelopment. The Restrictive Covenant will include language to ensure this 0.57 m wide strip of land is transferred at fair market value upon redevelopment of 10140 Ruskin Road, is not used for density calculations, and all side yard and rear yard setback requirements are measured from the northern edge of this strip of land.

[signed original on file]

Agreement by Applicant
Kulwinder Heer

Item	Details
Application	RZ 07-372806
Location	8360 Ruskin Road (Attachment 1)
Owner	Audrey Charlotte Lenore Emery
Applicant	Kulwinder Heer

Date Received	May 15, 2007
Acknowledgement Letter	June 12, 2007
Fast Track Compliance	June 19, 2007
Staff Report	June 19, 2007
Planning Committee	July 17, 2007

Site Size	741 m ² (7,976 ft ²)
Land Uses	Existing – One (1) single-family residential dwelling
	Proposed – Two (2) single-family residential lots, each approximately 370.5 m ² (3,988 ft ²).
Zoning	Existing – Single-Family Housing District, Subdivision Area E (R1/E) – minimum width 18 m or 59 ft.
	Proposed – Single-Family Housing District, Subdivision Area B (R1/B) – minimum width 12 m or 39 ft. (additional 2 m for corner lot width)
Planning Designations	<ul style="list-style-type: none"> • Official Community Plan (OCP) General Land Use Map – Neighbourhood Residential • OCP Specific Land Use Map – Low-Density Residential • Lot Size Policy 5469 (adopted by Council in 2001) – Permits subdivision to Single-Family Housing District, Subdivision Area B (R1/B) (Attachment 2). <p><i>This application conforms with applicable designations and policies.</i></p>
Surrounding Development	<ul style="list-style-type: none"> • The subject property is located in an established residential neighbourhood containing a mix of older and newer single-family dwellings. • Across Ruskin Road are five (5) newer single-family homes on irregular Single-Family Housing District, Subdivision Area B (R1/B) zoned lots (minimum frontage 7.5 m or 24.606 ft.)

Staff Comments	<p><u>Background</u></p> <ul style="list-style-type: none"> • A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3). <p><u>Trees & Landscaping</u></p> <ul style="list-style-type: none"> • A tree survey is submitted (Attachment 4) and four (4) bylaw-sized trees are noted – two (2) trees are located on-site, one (1) tree is located on the west property line, and one (1) tree is located on the City boulevard to the north. • An Arborist Report (Attachment 5) is submitted in support of the application. The Report recommends removal of all of the bylaw-sized trees noted. • Tree Preservation Group staff have reviewed the Arborist Report and concurred with the recommendations for tree removal on the basis of tree condition and conflict with proposed development plans. • Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) and the size requirements for replacement tree in the Tree Protection Bylaw #8057, six (6) replacement trees with the following minimum calliper sizes are required for the removal of three (3) bylaw-sized trees on site: <ul style="list-style-type: none"> • two (2) trees of 10 cm; and • four (4) trees of 9 cm. • If all replacement trees cannot be accommodated on-site, a voluntary contribution to the City's Tree Compensation Fund will be provided in-lieu of planting the remaining replacement trees (\$500/tree). The applicant understands that a proposal to plant only the smaller replacement trees and provide contribution in-lieu of planting the larger replacement trees will not be accepted. • To ensure that the replacement trees are planted and maintained, the applicant is required to submit a Landscaping Security to the City in the amount of \$3,000 prior to final adoption of the rezoning bylaw. • The applicant is also proposing to remove a City's tree along Rustin Road. Parks Operations Section staff have reviewed the Arborist Report and has no concerns on the proposed removal. • Before removal of any City's trees, the applicant will need to seek formal permission from Parks, Recreation & Cultural Services Department and may need to plant replacement trees or make a contribution to the Tree Planting Fund. Removal and replanting of boulevard trees will be at the owner's cost.
----------------	--

<p>Staff Comments (cont'd)</p>	<p><u>Site Servicing</u></p> <ul style="list-style-type: none"> • There are no servicing concerns or requirements with rezoning. • At future subdivision stage, the developer will be required to pay Neighbourhood Improvement Charges (NICs) for the future road improvements, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs. <p><u>Flood Protection</u></p> <ul style="list-style-type: none"> • In accordance with the Interim Flood Protection Management Strategy, the applicant is required to register a flood indemnity covenant on title prior to final adoption of the rezoning bylaw.
<p>Analysis</p>	<ul style="list-style-type: none"> • The adjacent large lot to the south (10140 Ruskin Road) has an existing lot width of 23.47 m which is only marginally short of the lot width required (24 m) for two (2) future Single-Family Housing District, Subdivision Area B (R1/B) lots. • The subject site has the lot width, depth, and area to subdivide into two (2) Single-Family Housing District, Subdivision Area B (R1/B) lots and provide a 0.57 m wide strip of property to the neighbouring lot to the south thus preserving the future ability of 10140 Ruskin Road to subdivide and create two (2) Single-Family Housing District, Subdivision Area B (R1/B) lots. • Staff requested the applicant contact the owners of 10140 Ruskin Road regarding this situation and report back on the possibility of 10140 Ruskin Road purchasing a 0.57 m wide strip of land to facilitate a future two (2) lot subdivision. • The applicant has approached the property owners of 10140 Ruskin Road and sent them a letter regarding the development potentials of the two (2) properties (Attachment 6) but no reply has been received at the time of writing this report. • The applicant wishes to proceed with a rezoning and subdivision that does not include the sale of a 0.57 m wide strip of land to the neighbouring lot at 10140 Ruskin Road. • Staff recommend the proposed subdivision be revised to preserve a 0.57 m wide strip of land along the southern property line in order to preserve the full subdivision potential of 10140 Ruskin Road (Attachment 7).

<p>Analysis (cont'd)</p>	<ul style="list-style-type: none"> • This strip of land would be protected by a Restrictive Covenant until the adjacent lot to the south (10140 Ruskin Road) pursues redevelopment. The Restrictive Covenant will include language to ensure this area is transferred at fair market value upon redevelopment of 10140 Ruskin Road. • The Restrictive Covenant will also include language to ensure all side yard setback requirements are measured from the northern edge of the 0.57 m wide strip instead of the south property line and that the "no-build" area is not used for density calculations. • Staff recommend this Restrictive Covenant be required as a condition of final adoption of the rezoning bylaw.
<p>Attachments</p>	<p>Attachment 1 – Location Map/Aerial Photo; Attachment 2 – Lot Size Policy 5469; Attachment 3 – Development Application Data Sheet; Attachment 4 – Tree Survey; Attachment 5 – Certified Arborist's Report; Attachment 6 – Applicant's Letter to Owners of 10140 Ruskin Road; Attachment 7 – Proposed Subdivision Layout</p>
<p>Recommendation</p>	<p>The proposal to rezone and subdivide the subject property into two (2) single-family residential lots is consistent with all applicable land use designation and policies guiding development in this block. On this basis, staff support the application.</p>

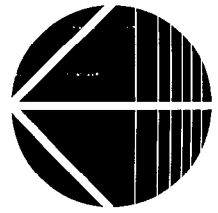
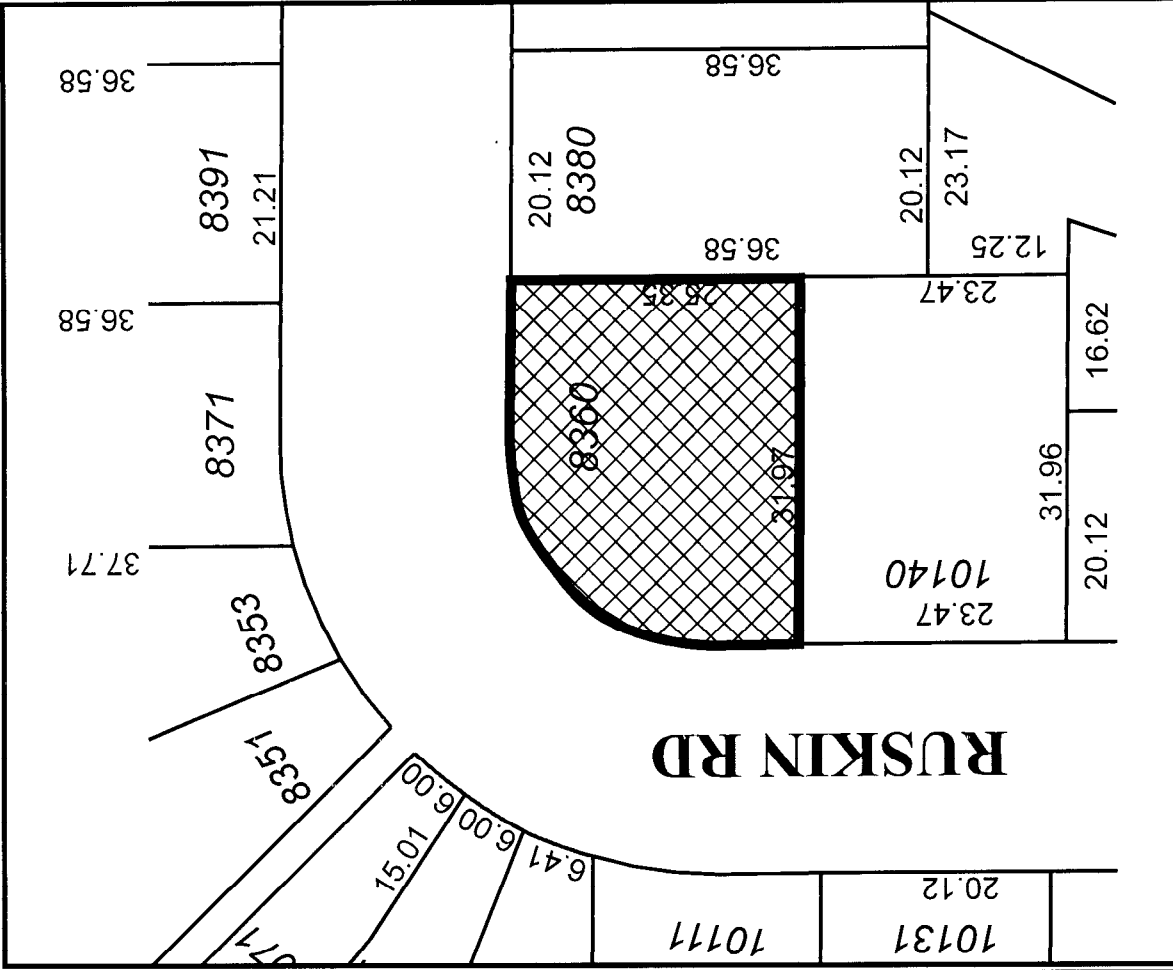
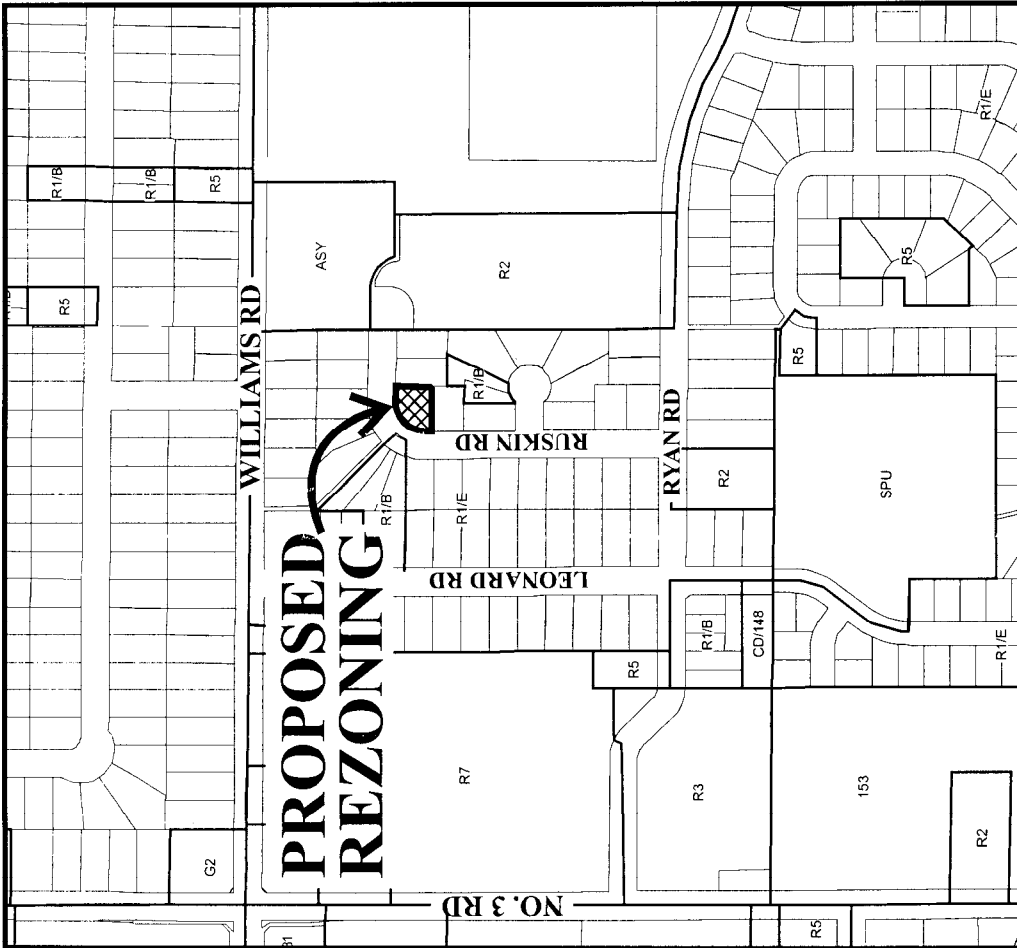


Edwin Lee
Planning Technician
 (Local 4121)

EL:blg



City of Richmond

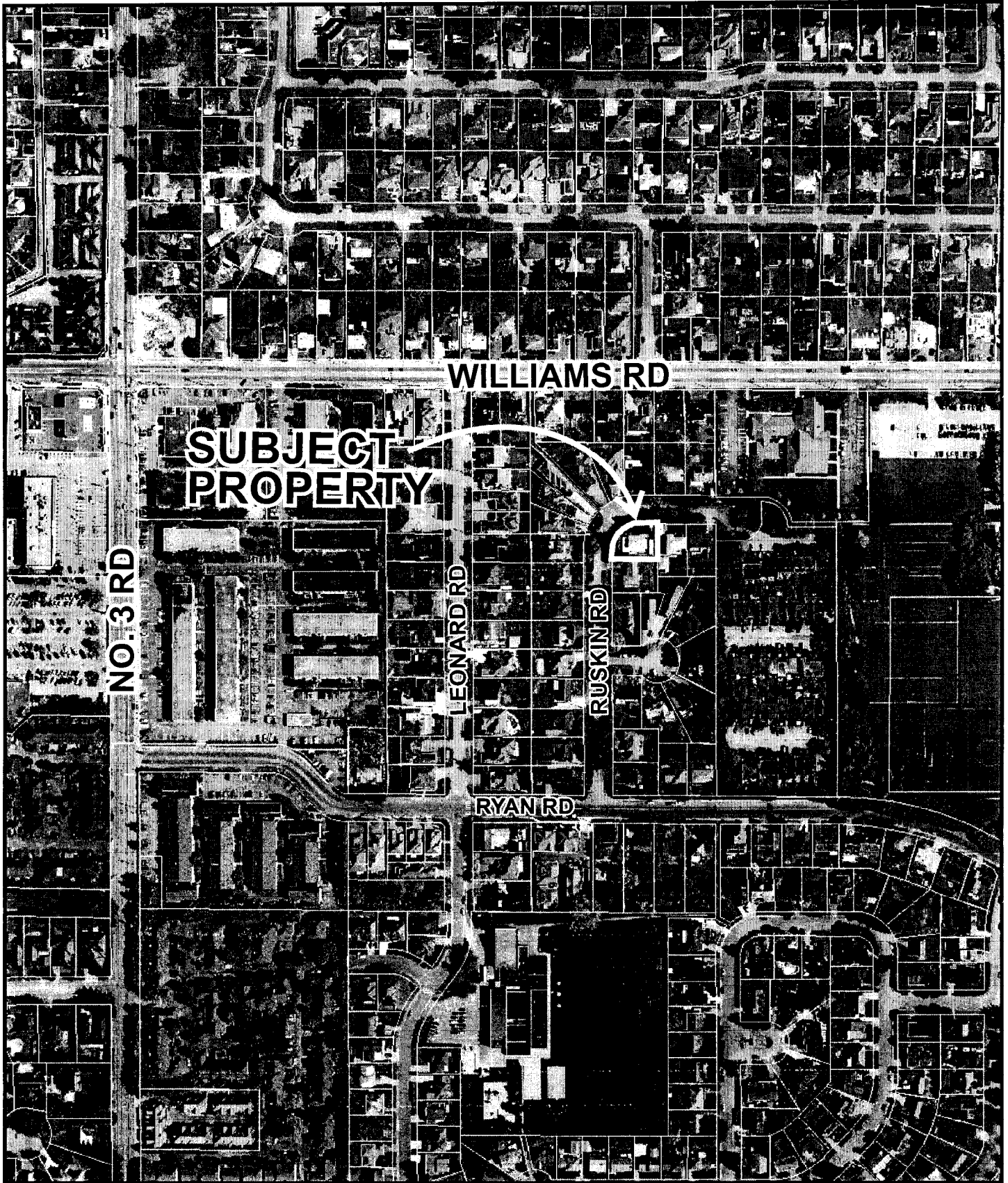


RZ 07-372806

Original Date: 06/08/07

Revision Date:

Note: Dimensions are in METRES



RZ 07-372806

Original Date: 06/08/07

Amended Date:

Note: Dimensions are in METRES



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: February 19, 2001

POLICY 5469

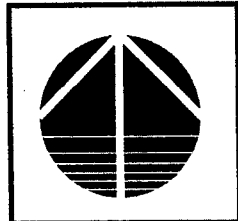
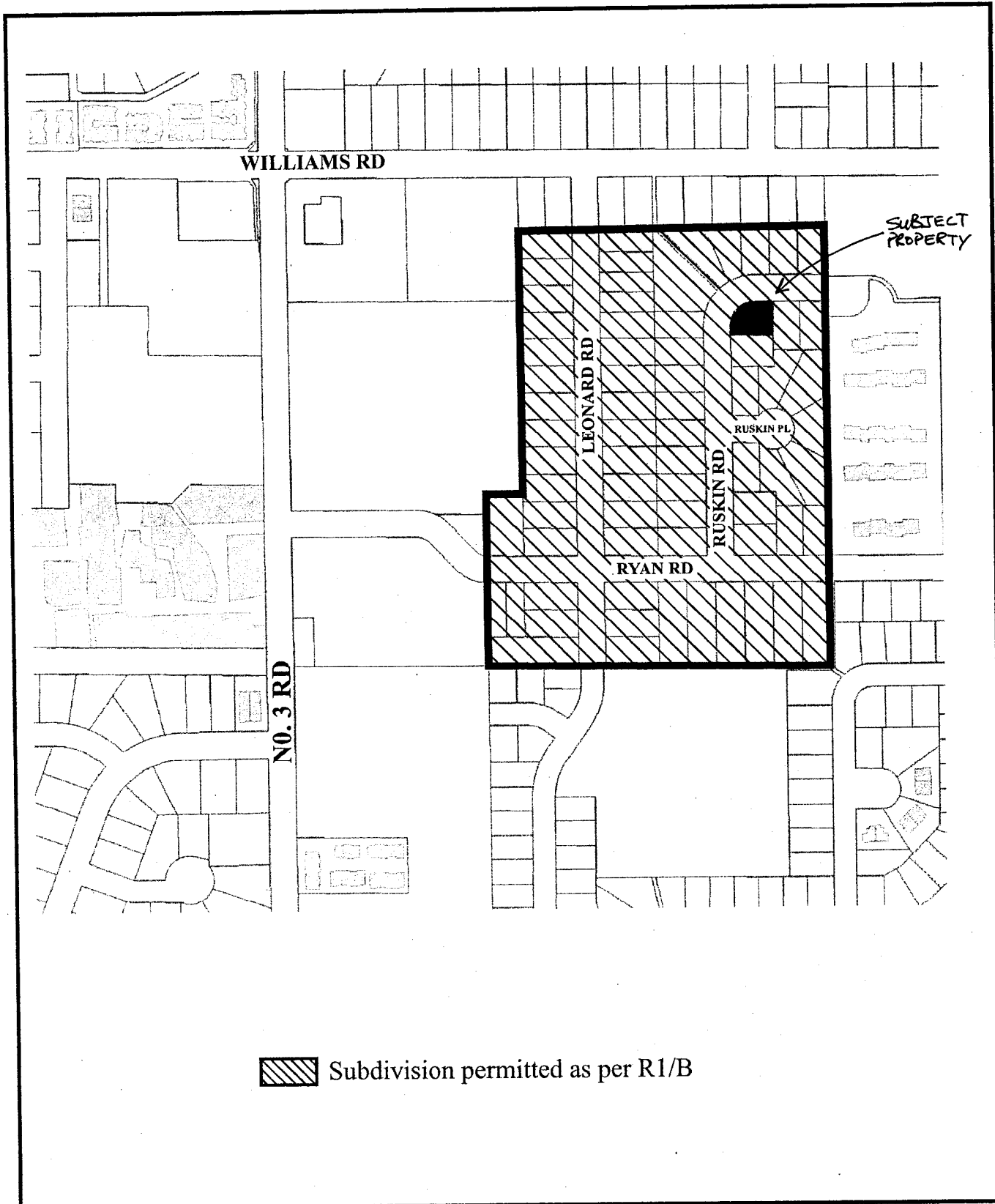
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SINGLE-FAMILY LOT SIZE POLICY IN QUARTER SECTION 33-4-6

POLICY 5469:

The following policy establishes lot sizes in a portion of Section 33-4-6, for the properties generally located along **Ryan Road, Leonard Road, Ruskin Road and Ruskin Place**, as shown on the attached map:

That properties along Ryan Road, Leonard Road, Ruskin Road and Ruskin Place (in a portion of section 33-4-6) as shown on the attached map, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) as per the Zoning and Development Bylaw 5300 and that this policy be used to determine the disposition of future rezoning applications in this area for a period of not less than five years, except as per the amending procedures in the Zoning and Development Bylaw 5300.



POLICY 5469
SECTION 33,4-6

Adopted Date: 02/19/01
 Amended Date:



City of Richmond

6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

Development Application Data Sheet

RZ 07-372806

Attachment 3

Address: 8360 Ruskin Road

Applicant: Kulwinder Heer

	Existing	Proposed
Owner:	Audrey Charlotte Lenore Emery	To be determined
Site Size (m²):	741 m ² (7,976 ft ²)	Two lots – approx 370.5 m ² (3,988 ft ²) each
Land Uses:	One (1) single-family residential dwelling	Two (2) single-family residential dwellings
OCP Designation:	<ul style="list-style-type: none"> Generalized Land Use Map – Neighbourhood Residential Specific Land Use Map – Low-Density Residential 	No change
Area Plan Designation:	None	No change
702 Policy Designation:	Policy 5469 – permits subdivision to Single-Family Housing District, Subdivision Area B (R1/B)	No change
Zoning:	Single-Family Housing District, Subdivision Area E (R1/E)	Single-Family Housing District, Subdivision Area B (R1/B)
Number of Units:	1	2

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	360 m ²	Approx. 370.5 m ² each	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard:	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

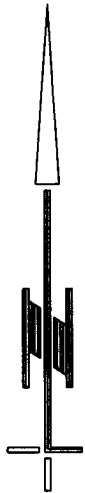
Other: Tree replacement compensation required for loss of bylaw-sized trees.

TOPOGRAPHIC PLAN SHOWING TREES ON LOT 39
SECTION 33, BLOCK 4 NORTH, RANGE 6 WEST
NEW WESTMINSTER DISTRICT, PLAN 18353

SCALE 1 : 250



All distances are in metres.




RUSKIN ROAD

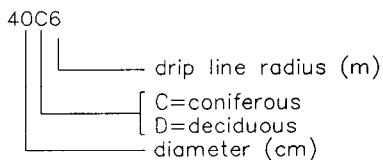
CIVIC ADDRESS

8360 RUSKIN ROAD
RICHMOND, B.C.

NOTES:

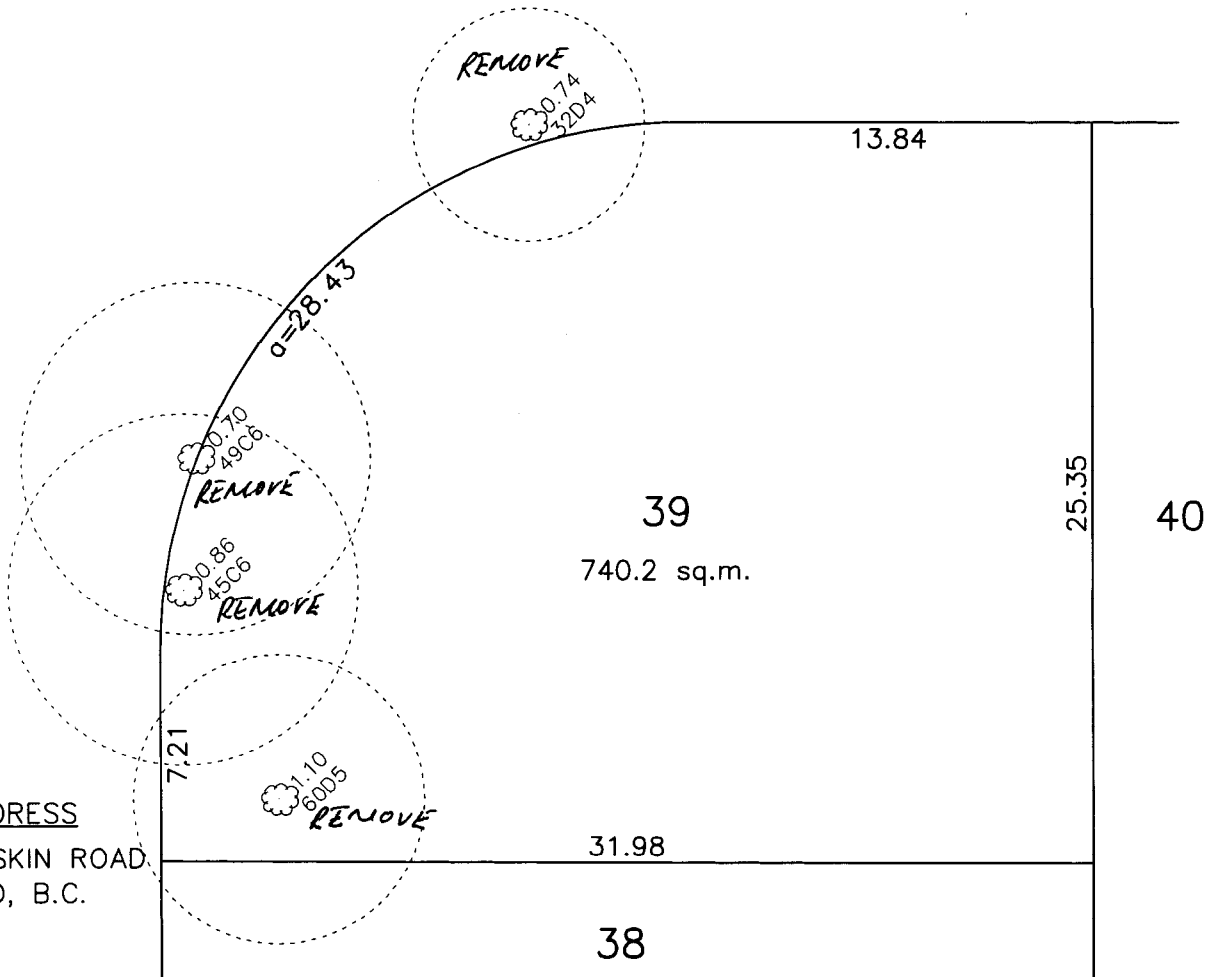
- Lot dimensions are derived from Plan BCP456.
- All trees have been plotted as required by Richmond Tree Protection Bylaw.
- Elevations are based on Geodetic Datum of Richmond and are derived from benchmark Y742 situated at the NE corner of Williams Road and Pigot Drive.
Elevation = 1.99 m.

 denotes tree.



© LOUIS NGAN LAND SURVEYING INC., 2007

FILE: RRU-8360TREE



CERTIFIED CORRECT.
DATED THIS 3RD DAY OF MAY, 2007

LOUIS NGAN

B.C.L.S.

LOUIS NGAN LAND SURVEYING

#270-11180 VOYAGEUR WAY
RICHMOND, B.C. V6X 3N8
(604) 273-2938





Catherine MacDonald Inc.

648 East 5th Street North Vancouver BC V7L 1M7
phone 604.904.0787 cell 604.904.0302 fax 604.904.0706
email catherinemacdonald@shaw.ca

15 May 2007

Bal Dhanoya
8360 Ruskin Road
Richmond, BC

Emailed as PDF to dhanoya@telus.net

Dear Bal:

**Re: 8360 Ruskin Road, Richmond
ARBORIST'S REPORT**

You contacted me last week regarding the above site as you are going to re-develop the property and require an Arborist's Report as part of permit application process. A site assessment of four trees was conducted Friday 11 May 2007, using a Survey provided by Louis Ngan Land Surveying, BCLS (dated May 2007). This Report documents the condition of the trees in detail as below. I do not have project information, Site Plans or servicing information for any upcoming development project(s).

This Report may require updating following Site Plan development, or following City comment regarding the proposed development. The City of Richmond may request further information or recommendations for removals, retention & protection or relocations for the possible development. That work is not part of the scope of work expressed in this Report. This Report is valid for the day of inspection; tree health, weather, human activities may change the condition ratings and risk factors of these trees. This Report is based on a visual inspection made from the ground. No climbing, excavations, coring or tissue samples were a part of this reporting process.

Note that two of the trees in this Report are owned or co-owned with the City of Richmond. (Please refer to attached amended survey Plan for locations)

TREE TAG #42 – 32cm Diameter Pine Tree owned by the City of Richmond – RATED IN FAIR CONDITION - located in the lawn area next to the existing driveway beside an

open ditch in the road allowance. This tree is in decline (deadwood in crown, low vigour, brown needles and deadwood in crown). It has been pruned by Hydro to clear overhead lines. It has piece of rope imbedded in one branch, and has irregular bark at the same elevation. I believe that the tree has likely been girdled with ropes. The City of Richmond Arborist will need to determine if they wish to retain this tree. My recommendation is that it be removed; because of the girdling and decline of the tree, it is not a suitable candidate for retention in upcoming development.



TREE TAG #43 – 49cm Diameter Hemlock Tree co-owned by the City of Richmond – RATED IN POOR CONDITION - located in the lawn area on the west side of the lot beside an open ditch in the road allowance. This tree is in decline and has serious structural defects. It has a large (8' or so up from the ground) inclusion between two main stems, and has multiple tops growing from where it was previously topped. This tree should be removed without delay.



TREE TAG #44 – 45cm Diameter Douglas-fir Tree – RATED IN POOR CONDITION - located in the lawn area on the west side of the lot beside an open ditch in the road allowance. This tree is in good health, but has structural defects. It has been previously topped and has multiple (several at approx. 12" diameter) leaders growing from the original topping point. I recommend that this tree be removed.



TREE TAG #45 – 60cm Diameter Birch Tree – RATED IN POOR CONDITION - located in the lawn area on the west side of the lot. This tree is in very poor health and has serious structural defects. In severe decline, one of the two main stems has pruned off at about 8' above the ground and is soft with decay below that point. The other main stem has been topped at 12' from the base. Multiple tops have sprouted from both topping points from decaying wood, with weak connections and poor branching angles. I recommend that this tree be removed without delay.



If there are any questions regarding these trees or any other arboriculture issues for this project, kindly contact me at the above.

I certify that all the statements of fact in this Report are true, complete, and correct to the best of my knowledge and belief, and that they are made in good faith.

Sincerely,

**Catherine
MacDonald**

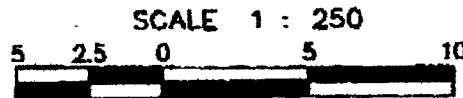
Catherine MacDonald Inc.
Catherine MacDonald
ISA Certified Arborist PN-0716A

Digitally signed by Catherine MacDonald
DN: cn=Catherine MacDonald, c=CA, o=Catherine
MacDonald Inc.,
email=catherinemacdonald@shaw.ca
Date: 2007.05.15 09:11:24 -07'00'

City of Richmond Business License # 07-364343

Amended Survey Plan as page 5. of this Report.

TOPOGRAPHIC PLAN SHOWING TREES ON LOT 39
SECTION 33, BLOCK 4 NORTH, RANGE 6 WEST
NEW WESTMINSTER DISTRICT, PLAN 18353



All distances are in metres.

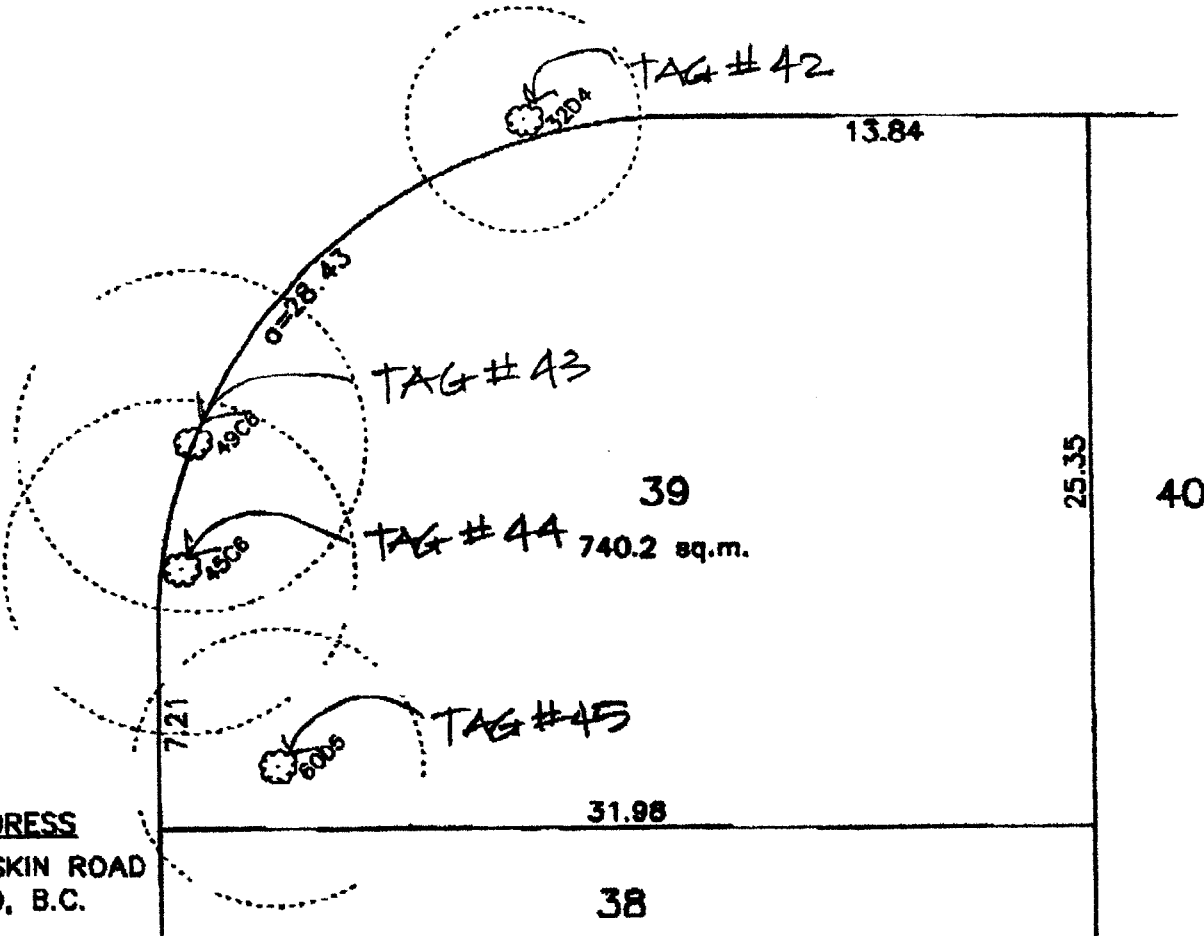
ARBOLIST REPORT
15 MAY 2007



RUSKIN OAD

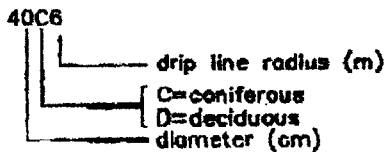
CIVIC ADDRESS

8360 RUSKIN ROAD
RICHMOND, B.C.



NOTES:

- Lot dimensions are derived from Plan BCP456.
 - All trees have been plotted as required by Richmond Tree Protection Bylaw.
- denotes tree.



CERTIFIED CORRECT.
DATED THIS 3RD DAY OF MAY, 2007

LOUIS NGAN

B.C.L.S.

LOUIS NGAN LAND SURVEYING

#270-11180 VOYAGEUR WAY
RICHMOND, B.C. V6X 3N8
(604) 273-2938



© LOUIS NGAN LAND SURVEYING INC., 2007

PID: 010-379-908

FILE: RRU-8360TREE

RE : 10140 RUSKIN ROAD, RICHMOND

DEAR HOMEOWNER,

AS THE DEVELOPER OF 8360 RUSKIN ROAD, WE HAVE BEEN ASKED BY THE CITY OF RICHMOND TO APPROACH YOU TO ASK IF YOU WISH TO PURCHASE .57 METER STRIP FROM OUR PROPERTY, CONSOLIDATE THIS STRIP WITH 10140 RUSKIN ROAD IN ORDER TO FACILITATE A FUTURE (2) LOT SUBDIVISION. SHOULD YOU NOT WISH TO PURCHASE THE .57 METER STRIP AT THIS TIME, THIS STRIP OF LAND WILL BE PROTECTED BY A RESTRICTIVE COVENANT UNTIL THE 10140 RUSKIN ROAD WISHES TO PURSUE DEVELOPMENT. THE RESTRICTIVE COVENANT WILL INCLUDE LANGUAGE TO ENSURE THIS AREA IS TRANSFERRED AT FAIR MARKET VALUE UPON REDEVELOPMENT OF 10140 RUSKIN ROAD. THE RESTRICTIVE COVENANT WILL ALSO INCLUDE LANGUAGE TO ENSURE ALL SIDE YARD SETBACK REQUIREMENTS BE MEASURED FROM THE NORTHERN EDGE OF THE .57 METER STRIP INSTEAD OF THE SOUTH PROPERTY LINE AND THAT THE AREA OF THIS STRIP COULD NOT BE USED FOR DENSITY CALCULATIONS. SHOULD YOU HAVE ANY QUESTIONS PLEASE CONTACT EDWIN LEE FROM THE CITY OF RICHMOND AT 604-276-4121.

YOURS TRULY, BAL DHANOYA

DEVELOPER OF 8360 RUSKIN ROAD, RICHMOND

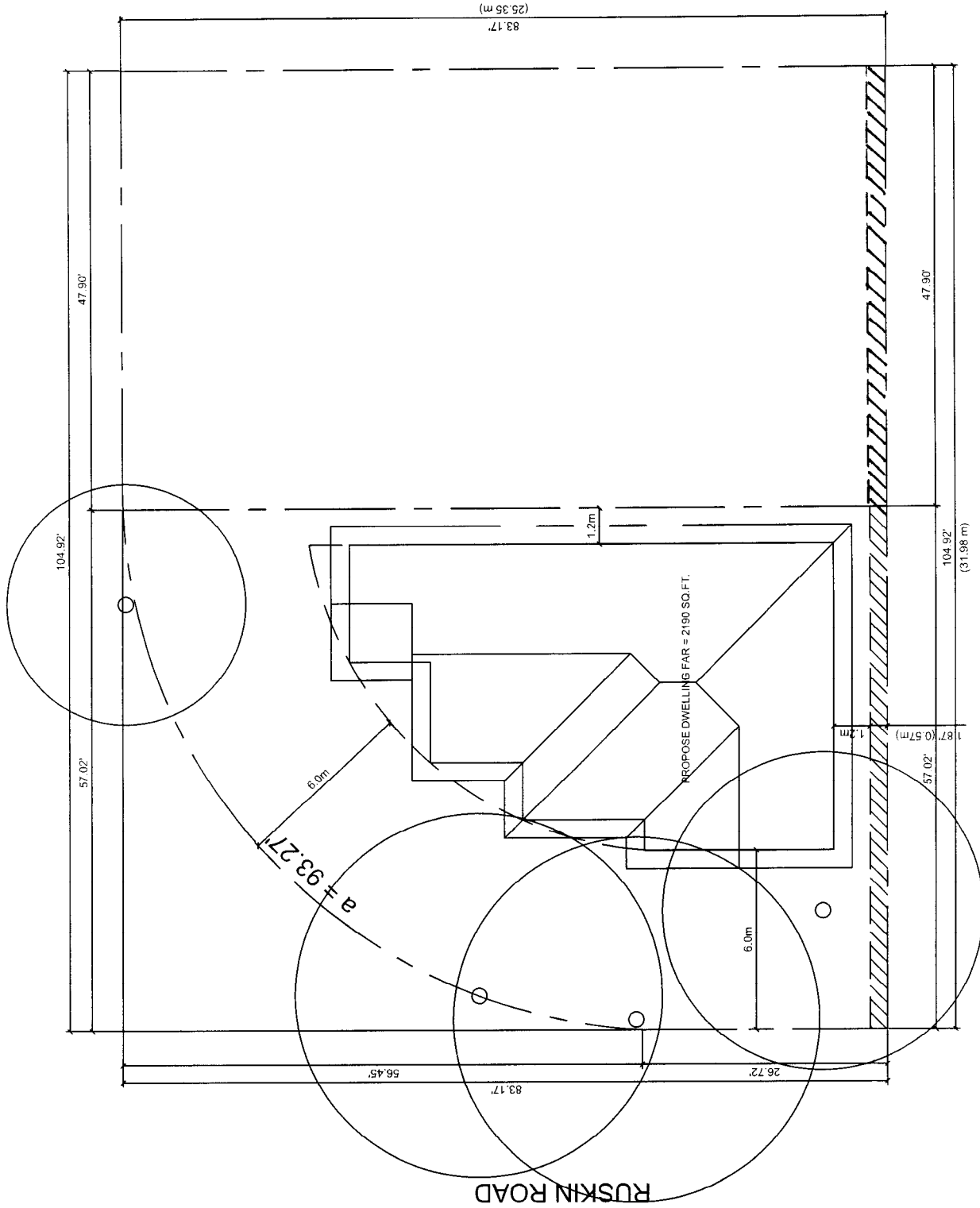
I, THE HOMEOWNER OF 10140 RUSKIN ROAD, RICHMOND

1)WOULD LIKE (CIRCLE)

2) WOULD NOT LIKE (CIRCLE)

TO PURCHASE THE .57 METER STRIP AT THIS TIME.

OWNER _____ 10140 RUSKIN ROAD, RICHMOND
PRINT NAME _____
OWNER _____ 10140 RUSKIN ROAD, RICHMOND
PRINT NAME _____



SITE PLAN
SCALE: 1/16" = 1'-0"



CORNER LOT AREA = 3984 SQ.FT.
PROPOSE DWELLING FAR = 2190 SQ.FT.
SITE COVERAGE = 1600 SQ.FT.



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8273 (RZ 07-372806)
8360 RUSKIN 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 and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**.

P.I.D. 010-379-908

Lot 39 Section 33 Block 4 North Range 6 West New Westminster District Plan 18353

2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8273”**.

FIRST READING


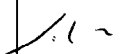
A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by

APPROVED by Director or Solicitor


MAYOR

CORPORATE OFFICER