



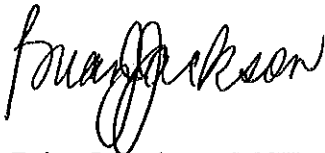
City of Richmond
 Planning and Development Department

Report to Committee

To: Planning Committee **Date:** March 15, 2010
From: Brian J. Jackson, MCIP **File:** RZ 09-499265
 Director of Development
Re: Application by Peter Walia for Rezoning at 10140 Ruskin Road from Single Detached (RS1/B) and Single Detached (RS1/E) to Single Detached (RS2/B)

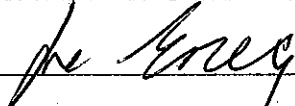
Staff Recommendation

That Bylaw No. 8594, for the rezoning of 10140 Ruskin Road from "Single Detached (RS1/B)" and "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.



Brian J. Jackson, MCIP
 Director of Development

CL:blg
 Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	 <hr style="width: 100%;"/>

Staff Report

Origin

Peter Walia has applied to the City of Richmond for permission to rezone 10140 Ruskin Road from “Single Detached (RS1/B)” and “Single Detached (RS1/E)” to “Single Detached (RS2/B)” to permit the property to be subdivided into two (2) single-family residential lots (**Attachment 1**).

The subject property is split-zoned “Single Detached (RS1/B)” and “Single Detached (RS1/E)” due to an earlier rezoning application on the adjacent property to the north at 8360 Ruskin Rd, which preceded a subdivision application to adjust the shared lot line between the two sites.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

The surrounding area is an established residential neighbourhood consisting predominantly of older character dwellings on larger lots zoned “Single Detached (RS1/E)”, with a few newer character dwellings on smaller lots zoned “Single Detached (RS1/B)”.

- To the North, are two (2) lots recently zoned “Single Detached (RS1/B)” on which construction of new dwellings is occurring;
- To the East, are the rear yards of lots fronting Ruskin Road to the northeast and Ruskin Place to the southeast. The lot to the northeast contains an older character dwelling on a lot zoned “Single Detached (RS1/E)”, while the lot to the southeast contains a newer character dwelling on a lot zoned “Single Detached (RS1/B)”;
- To the South, is an older character dwelling fronting Ruskin Road on a lot zoned “Single Detached (RS1/E)”, as well as a newer character dwelling fronting Ruskin Place on a lot zoned “Single Detached (RS1/B)”;
- To the West, immediately across Ruskin Road is an older character dwelling on a lot zoned “Single Detached (RS1/E)”.

Related Policies & Studies

OCP Designation

There is no Area Plan for this area. The Official Community Plan’s (OCP) Generalized Land Use Map designation for this property is “Neighbourhood Residential”, and the Specific Land Use Map designation is “Low-Density Residential”. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5469

The subject property is located within the area covered by Lot Size Policy 5469, adopted by Council in 2001 (**Attachment 3**). This Policy permits rezoning and subdivision of the subject property to "Single Detached (RS2/B)". This redevelopment proposal would allow for the creation of two (2) lots, each approximately 12 m wide and 384 m² in area, consistent with the Lot Size Policy.

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

Background

Since 2001, this area has begun to see some redevelopment through rezoning and subdivision to smaller lot sizes in accordance with the Lot Size Policy. Currently, there is one (1) other active application for redevelopment in the immediate neighbourhood at 10240, 10260 Ruskin Road and 8371 Ryan Road (RZ 08-403161).

Trees & Landscaping

A Certified Arborist's Report has been 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. Although there are no bylaw-sized trees on the subject property, the Report assesses five (5) bylaw-sized trees on the adjacent property to the south at 10160 Ruskin Road, within 2 m of the shared property line. The Report recommends retention of all assessed trees on the adjacent property to the south, as well as the installation of tree protection fencing around tree driplines encroaching onto the subject site, as specified in the Arborist's Report. Tree protection fencing is to be installed to City standard prior to demolition of the existing dwelling on-site and must remain in place until construction and landscaping on the future lots is completed. The Tree Retention Plan is included in **Attachment 4**.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and concurs with these recommendations.

The proposed tree protection zone is also located within a 3 m wide utility right-of-way that runs along the south side yard of the subject site. The applicant has been informed that the existing site grade must be maintained within the tree protection zone and right-of-way on the future south lot, and that the future building must not encroach into the right-of-way at development stage. This may require a modified building design for the future south lot to meet the required flood construction level .

As a condition of rezoning, the applicant is required to submit a contract with a Certified Arborist to ensure protection of retained trees on the adjacent property to the south at 10160 Ruskin Road. The contract must include provisions to supervise any work to be conducted within the tree protection zone and to ensure that the existing lot grade is maintained within the tree protection zone. The contract must also include the proposed number and stages of site monitoring inspections (e.g. demolition, excavation, installation of perimeter drainage

etc), as well as a provision for a post-construction impact assessment report to be submitted to the City for review.

Council Policy 5032, adopted in 1995, encourages property owners to plant and maintain at least two (2) trees on every lot in recognition of the many benefits derived from urban trees. Consistent with this Policy, the applicant has agreed to plant and maintain two (2) trees on each new future lot (minimum 6 cm deciduous calliper/2.5 m coniferous height). To ensure the new trees are planted and maintained, the applicant is required to submit a landscaping security in the amount of \$2,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

Affordable Housing

The Richmond Affordable Housing Strategy requires a legal suite on 50% of new lots, or a cash-in-lieu contribution of \$1.00/ft² of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant is proposing to provide a cash-in-lieu contribution towards the Affordable Housing Reserve Fund based on \$1.00/ft² of total building area of the single-family developments (i.e. \$4,547).

Should the applicant change their mind prior to rezoning adoption about the Affordable Housing option selected, the City will accept a proposal to build a secondary suite on one (1) of the two (2) 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.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

At development stage, vehicular access to the future lots will be from Ruskin Road.

Subdivision

At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charges (for future road improvements), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Flood Management

A flood indemnity covenant is already registered on Title.

Analysis

This development proposal is consistent with Lot Size Policy 5469 and is located within an established residential neighbourhood that has seen some recent redevelopment to smaller lot sizes in accordance with the Lot Size Policy.

Financial Impact

None

Conclusion

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with Lot Size Policy 5469 and applicable policies and land use designations contained within the Official Community Plan (OCP), and is consistent with the pattern of redevelopment started in the neighbourhood.

The list of rezoning conditions is included as **Attachment 5**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommend support for the application.



Cynthia Lussier
Planning Technician
(604-276-4108)

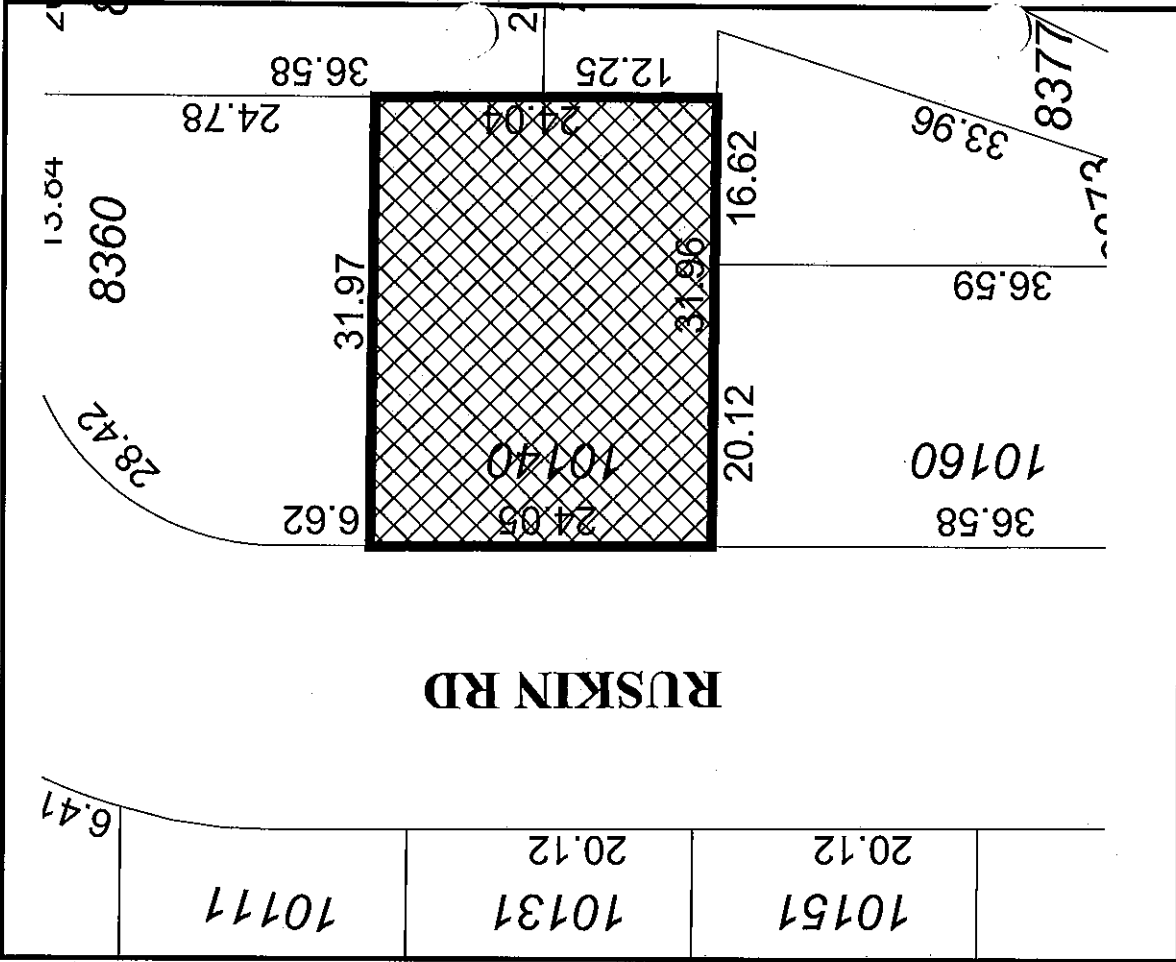
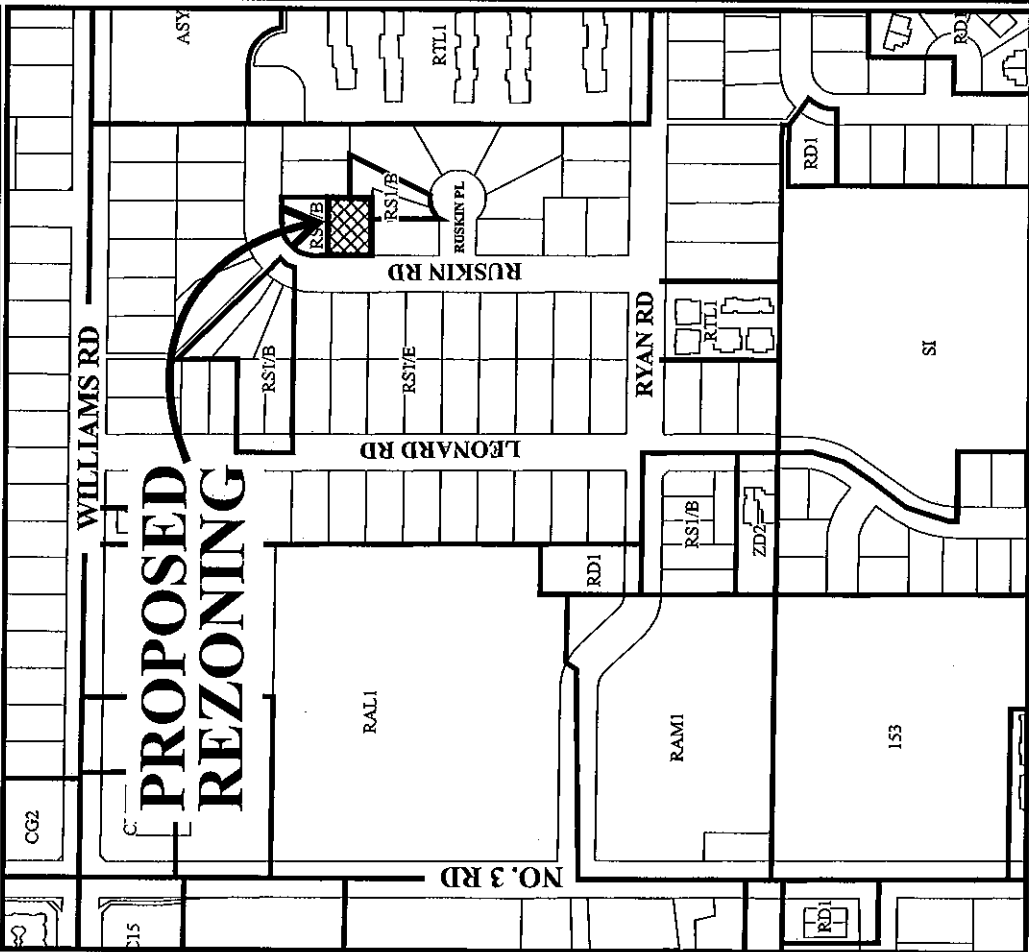
CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5469
- Attachment 4: Tree Retention Plan
- Attachment 5: Rezoning Considerations Concurrence

City of Richmond

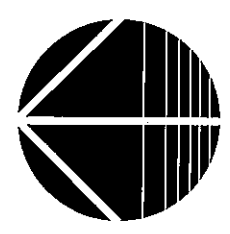


PROPOSED REZONING



Original Date: 12/01/09
 Revision Date:
 Note: Dimensions are in METRES

RZ 09-499265





**SUBJECT
PROPERTY**



RZ 09-499265

Original Date: 12/01/09

Amended Date:

Note: Dimensions are in METRES



City of Richmond

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

**Development Application
 Data Sheet**

RZ 09-499265 **Attachment 2**

Address: 10140 Ruskin Road

Applicant: Peter Walia

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Kuang-Kai Chao & Li-Ying Huang	To be determined
Site Size (m²):	768 m ² (8,267 ft ²)	Two (2) lots each approximately 384 m ² (4,134m ²)
Land Uses:	One (1) single detached dwelling	Two (2) single-family residential lots
OCP Designation:	<ul style="list-style-type: none"> Generalized Land Use Map Designation – <i>Neighbourhood Residential</i> Specific Land Use Map Designation – <i>Low-Density Residential</i> 	No change
Area Plan Designation:	None	No change
702 Policy Designation:	Policy 5469 permits rezoning and subdivision to "Single Detached (RS2/B)"	No change
Zoning:	Single Detached (RS1/B) and Single Detached (RS1/E)	Single Detached (RS2/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	Each lot - 384 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard (m):	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.



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: February 19, 2001

POLICY 5469

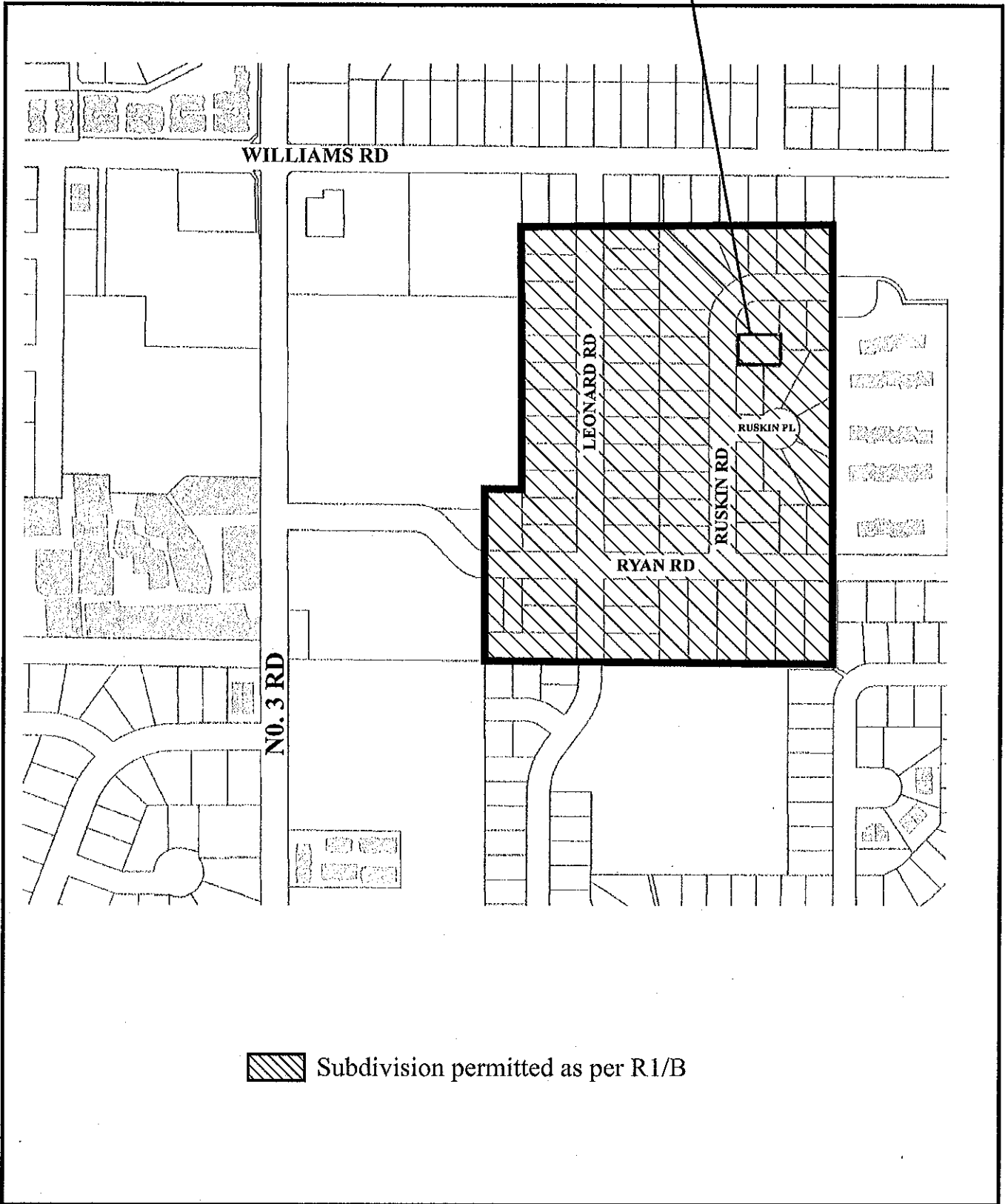
File Ref: 4045-00

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.

SUBJECT PROPERTY



POLICY 5469
SECTION 33,4-6

Adopted Date: 02/19/01

Amended Date:

Rezoning Considerations

10140 Ruskin Road

RZ 09-499265

Prior to final adoption of Zoning Amendment Bylaw 8594, the applicant is required to complete the following:

1. Submission of a Contract entered into between the applicant and a Certified Arborist to ensure protection of the five (5) bylaw-sized trees located on the adjacent property to the south at 10160 Ruskin Road (identified as Trees # 2 to # 6 on the Tree Retention Plan dated January 20, 2010 by DMG Landscape Architects). The Contract must include provisions to supervise any work conducted within the tree protection zone and to ensure that the existing lot grade is maintained within the tree protection zone. The Contract must also include the proposed number and stages of site monitoring inspections (e.g. demolition, excavation, installation of perimeter drainage etc), as well as a provision for a post-construction impact assessment report to be submitted to the City for review.
2. Submission of a landscaping security in the amount of \$2,000 (\$500/tree) for the planting and maintenance of a total of four (4) new trees on the future lots [two (2) per future lot, minimum 6 cm deciduous calliper/2.5 m coniferous height].
3. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments to the City's Affordable Housing Reserve Fund (i.e. \$4,547).

Note: Should the applicant change their mind prior to rezoning adoption about the Affordable Housing option selected, the City will accept a proposal to build a secondary suite on one (1) of the two (2) 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.

At future Subdivision stage, the applicant will be required to;

- pay Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charges (for future road improvements), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

[Signed original on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 8594 (RZ 09-499265)
10140 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 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. 027-728-200

Lot A Section 33 Block 4 North Range 6 West New Westminster District Plan BCP38152

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8594".

FIRST READING

APR 12 2010

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Approval stamp: CITY OF RICHMOND, APPROVED by [signature], APPROVED by Director or Solicitor [signature]

MAYOR

CORPORATE OFFICER