



**To:** Planning Committee

**Date:** April 12, 2015

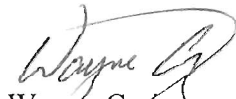
**From:** Wayne Craig  
Director of Development


**File:** RZ 14-677417

**Re:** Application by 1015553 B.C. Ltd. for Rezoning at 4760/4780 Fortune Avenue from Single Detached (RS1/E) to Single Detached (RS2/B)

**Staff Recommendation**

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9201, for the rezoning of 4760/4780 Fortune Avenue from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, be introduced and given first reading.

  
Wayne Craig  
Director of Development  
AY:blg  
Att.

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

## Staff Report

### Origin

1015553 B.C. Ltd. has applied to the City of Richmond to rezone the property at 4760/4780 Fortune Avenue from “Single Detached (RS1/E)” zone to “Single Detached (RS2/B)” zone to permit subdivision into two (2) lots. An existing duplex situated on the lot will be demolished. A map and aerial photograph showing the location of the subject site is provided in Attachment 1. A preliminary subdivision plan is included in Attachment 2.

### Findings of Fact

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

### Surrounding Development

The subject site is located in the Steveston Planning Area. Existing development immediately surrounding the property is as follows:

- To the north, directly across Fortune Avenue, is a duplex zoned “Two-Unit Dwellings (RD1)”.
- To the south and east, are single-family residential lots zoned “Single Detached (RS1/E)”.
- To the west, are single-family residential lots under Land Use Contract 113.

### Related Policies & Studies

#### 2041 Official Community Plan (OCP) & Steveston Area Plan

The Official Community Plan (OCP) designation of the subject site is “Neighbourhood Residential (NRES)”. The Steveston Area Plan designation of the subject site is “Single-Family”. The proposed single-family development complies with the OCP and Steveston Area Plan land use designations. The proposed rezoning and subdivision is also consistent with Section 2.3 of the Richmond Zoning Bylaw, regarding the subdivision of a lot occupied by a legal duplex into no more than two single detached housing lots.

#### Flood Management

The proposed redevelopment must meet the requirements of Richmond Flood Plain Designation and Protection Bylaw No. 8204. A flood indemnity covenant must be registered on Title of the subject property prior to final adoption of the rezoning bylaw.

## **Public Consultation**

The rezoning information sign has been installed on the subject site. In response, one (1) neighbourhood resident of the property immediately west of the existing walkway expressed concerns to Staff regarding on-site tree preservation, notification process, potential issues with rodents and vermin from the demolition of the existing dwelling, and the design of the proposed new dwellings.

Staff met with the resident to discuss these matters and advised the resident that his property falls within the statutory notification area required for the Public Hearing and will be notified by mail of the Public Hearing date. Building Approvals Division does not have any specific requirements for pest control associated with the demolition of the existing structure. The developer has agreed to undertake a period of rodent control prior to the demolition of the structure.

The resident was concerned with two trees along the east edge of the walkway that are identified for removal (one multi-stemmed holly and one locust tree), based on the conflict with the proposed building envelope. The developer's arborist has assessed these two trees and while relatively healthy, the trees are identified for removal based on the building envelope. The developer will provide on-site planting and cash-in-lieu as compensation for their removal. The City's tree bylaw staff have reviewed and agree with the findings of the arborist's report.

The design of the houses and finish materials have not been determined at this time. Any structures built must conform to the siting, setbacks, height, and other regulations of the Richmond Zoning Bylaw No. 8500, which will be confirmed and secured through the Building Permit process.

## **Analysis**

### Public Pedestrian Walkway

A north-south public pedestrian walkway linking Fortune Avenue and Hermitage Drive is located adjacent to the subject site along the west property line. The chain link fencing and gate to the walkway must remain intact and unobstructed throughout all future demolition and construction activities associated with the proposed redevelopment, so as not to interfere with public access. The walkway surface and landscaping are currently serviceable, but the developer has agreed to contribute \$5,000 towards upgrades to north and south entrances to the walkway.

### Site Servicing and Vehicle Access

There are no site servicing concerns with the proposed rezoning.

Vehicle driveway access to both proposed lots is to be from Fortune Avenue. At Subdivision stage, the developer will be required to pay servicing costs to reinstate the curb and gutter, sidewalk and boulevard along the property frontages.

### Trees and Landscaping

A Certified Arborist's Report and Tree Retention Plan have been submitted by the applicant. The Report identifies the following:

- 14 bylaw-sized trees located on-site proposed for removal.
- Four (4) bylaw-sized trees located on-site proposed for retention.
- Four (4) bylaw-sized trees located on neighbouring property proposed for retention.
- Three (3) trees located on City property proposed for removal.
- Two (2) trees located on City property proposed for retention.

A copy of the proposed Tree Retention Plan is provided in Attachment 4.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted an on-site Visual Tree Assessment, and concurs with the Arborist's recommendations as follows:

- 14 trees located on-site (Tag#'s 4-9, 14, 18-19, 21-23 and 25-26) are in conflict with the proposed building envelope, 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.
- Four (4) Birch trees located on-site (Tag#'s 10-13) are to be retained and protected.
- Four (4) trees located on neighbouring property (Tag#'s 15-17 and 20) are to be retained and protected.

Parks Department Staff have reviewed the Arborist's Report and concurs with the Arborist's recommendations as follows:

- Three (3) trees on City property - two (2) Cedar trees (Tag#'s 3 and 27) and one (1) Cypress tree (Tag# 2) near the frontage of the subject site should be removed, as they will be in direct conflict with proposed driveway construction to serve the subdivided lots.
- Two (2) trees (Tag#'s 1 and 24) located on City property are to be retained and protected.

Tree protection fencing is to be installed to City standard and in accordance with the City's Bulletin Tree-03 around the drip-lines of all trees to be retained (Tag#'s 1, 10-13, 15-17, 20 and 24). All tree protection fencing must be installed prior to demolition of existing buildings, and must remain in place until all construction and landscaping activities are completed on-site. To ensure the protection of the trees to be retained, the applicant must complete the following prior to final adoption of the rezoning bylaw:

- Submit a Tree Survival Security in the amount of \$6,000 for the four (4) trees located on-site and the two (2) trees located on City property to be retained. After construction and landscaping works on-site are completed, a landscaping inspection will be conducted to verify tree survival and 50% of the security will be released. The remaining 50% of the security will be released one (1) year after the initial landscaping inspection if the trees have survived.

- Enter into a Contract between the applicant and a Certified Arborist for the supervision of works conducted in close proximity to the Tree Protection Zones of all trees to be retained.

Prior to final adoption of the rezoning bylaw, the applicant will be required to provide compensation in the amount of \$1,950 (\$650/tree) to the City Tree Compensation Fund for the three (3) trees located on City property to be removed.

Under the 2:1 tree replacement guideline ratio in the OCP, the applicant is required to provide 28 replacement trees. In recognition of the efforts to be taken by the applicant to retain the six (6) trees located on-site and on City property, as well as the space limitations for re-planting after the subdivision, Staff recommends that the applicant be required to plant a total of eight (8) replacement trees on-site (four [4] on each subdivided lot). To ensure that the eight (8) replacement trees are planted and maintained on-site, the applicant is required to submit a Landscaping Security in the amount of \$4,000 (\$500/tree). Suitable tree replacement species include the Stewartia (*Stewartia Pseudocamellia*), Dik's Weeping Cypress (*Chamaecyparis Lawsoniana 'Dik's Weeping'*) and the Serbian Spruce (*Picea Omorika*), at a minimum size of 3.5 m tall conifer or 6 cm deciduous caliper.

In recognition of the tree preservation efforts made by the applicant to retain a total 7 trees both on-site and on City property, proposed replacement trees (4 per lot) and the voluntary contribution of \$5,000 towards upgrades to the adjacent public walkway, staff recommends that the applicant be required to provide a cash-in-lieu payment of \$6,500 for trees not replaced on site.

#### 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 \$1.00/ft<sup>2</sup> of total building area towards the City's Affordable Housing Reserve Fund.

The applicant proposes to provide a contribution of \$1.00 per buildable square foot of the single-detached dwellings (i.e., \$5,480) to the City's Affordable Housing Reserve Fund in-lieu of providing a legal secondary suite in a dwelling on one (1) of the two (2) lots proposed at the subject site. The cash-in-lieu contribution must be submitted prior to final adoption of the rezoning bylaw.

#### Subdivision Stage

At Subdivision stage, the applicant is required to pay servicing costs for the completion of engineering servicing and frontage upgrades outlined in Attachment 5 via Work Order.

#### **Financial Impact or Economic Impact**

None.

**Conclusion**

This rezoning application to permit the subdivision of an existing property into two (2) smaller lots zoned “Single Detached (RS2/B)” is consistent with the applicable policies and land use designations outlined within the Official Community Plan (OCP) and the Steveston Area Plan.

The applicant has agreed to the list of rezoning considerations (signed concurrence on file) included in Attachment 5.

On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9201 be introduced and given first reading.



Dr. Andrew Yu  
Planning Technician (Temp)  
(604-204-8518)

AY:blg

- Attachment 1: Location Map and Aerial Photograph
- Attachment 2: Preliminary Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Proposed Tree Retention Plan
- Attachment 5: Rezoning Considerations

- 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]

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Signed

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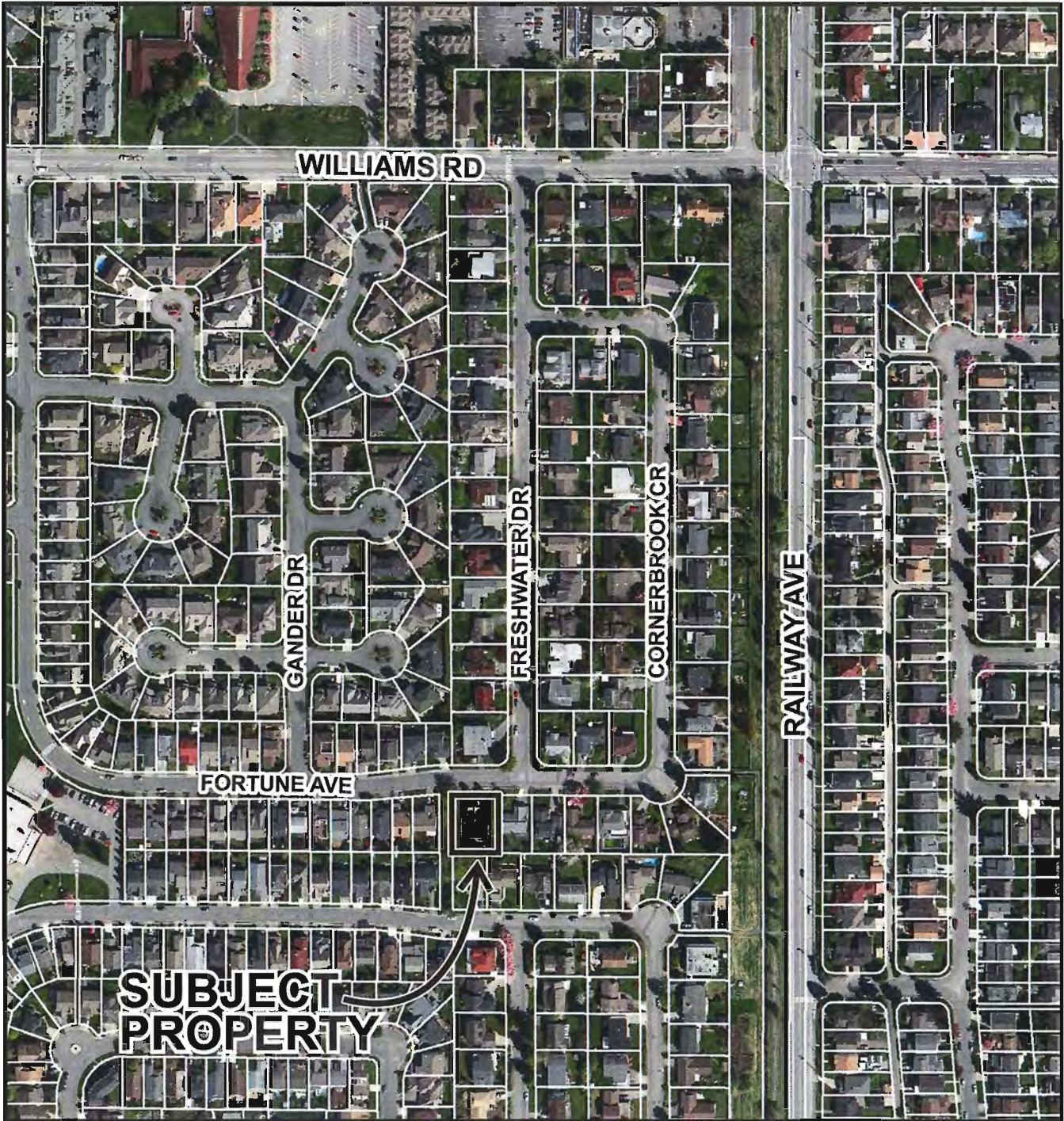
Date







City of  
Richmond



RZ 14-677417

Original Date: 11/28/14

Revision Date

Note: Dimensions are in METRES



**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 192 SECTION 35  
BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN 43194**

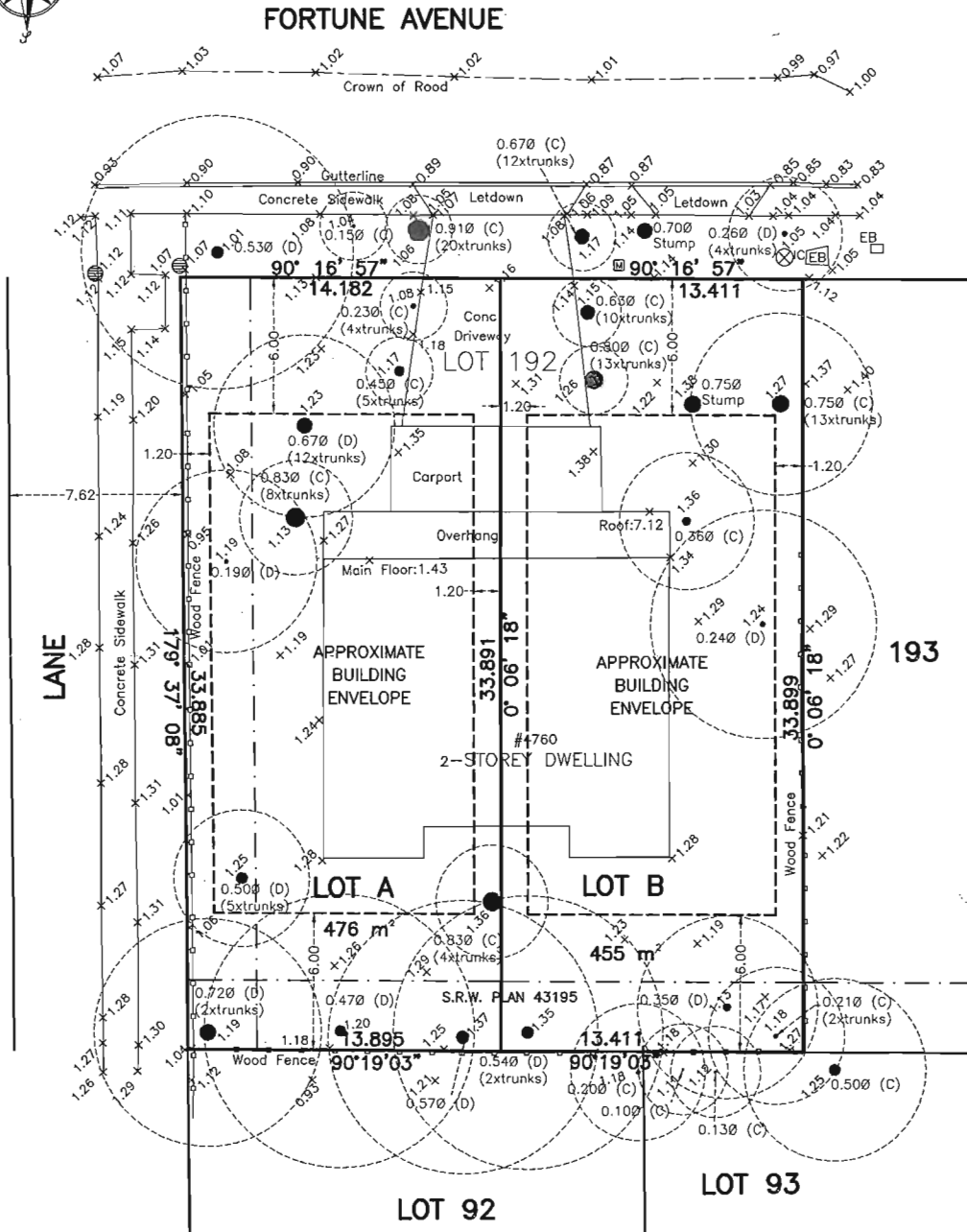
#4760 FORTUNE AVENUE,  
RICHMOND, B.C.  
P.I.D 004-212-606

*NOTE:  
PRELIMINARY*

SCALE: 1:200



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. 5751  
FB-263 P45-52  
Drawn By: TH

**LEGEND:**  
 EB denotes electrical box  
 denotes round catch basin  
 denotes inspection chamber  
 denotes water meter  
 (C) denotes coniferous  
 (D) denotes deciduous

**NOTE:**  
 Elevations shown are based on City of  
 Richmond HPN Benchmark network.  
 Benchmark: HPN #205,  
 Control Monument 77H4827  
 Located at CL Railway Ave & Gorry St  
 Elevation = 1.044 metres

**CERTIFIED CORRECT:**  
 LOT DIMENSION ACCORDING TO  
 FIELD SURVEY

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



**RZ 14-677417**

**Attachment 3**

Address: 4760/4780 Fortune Avenue

Applicant: 1015553 B.C. Ltd.

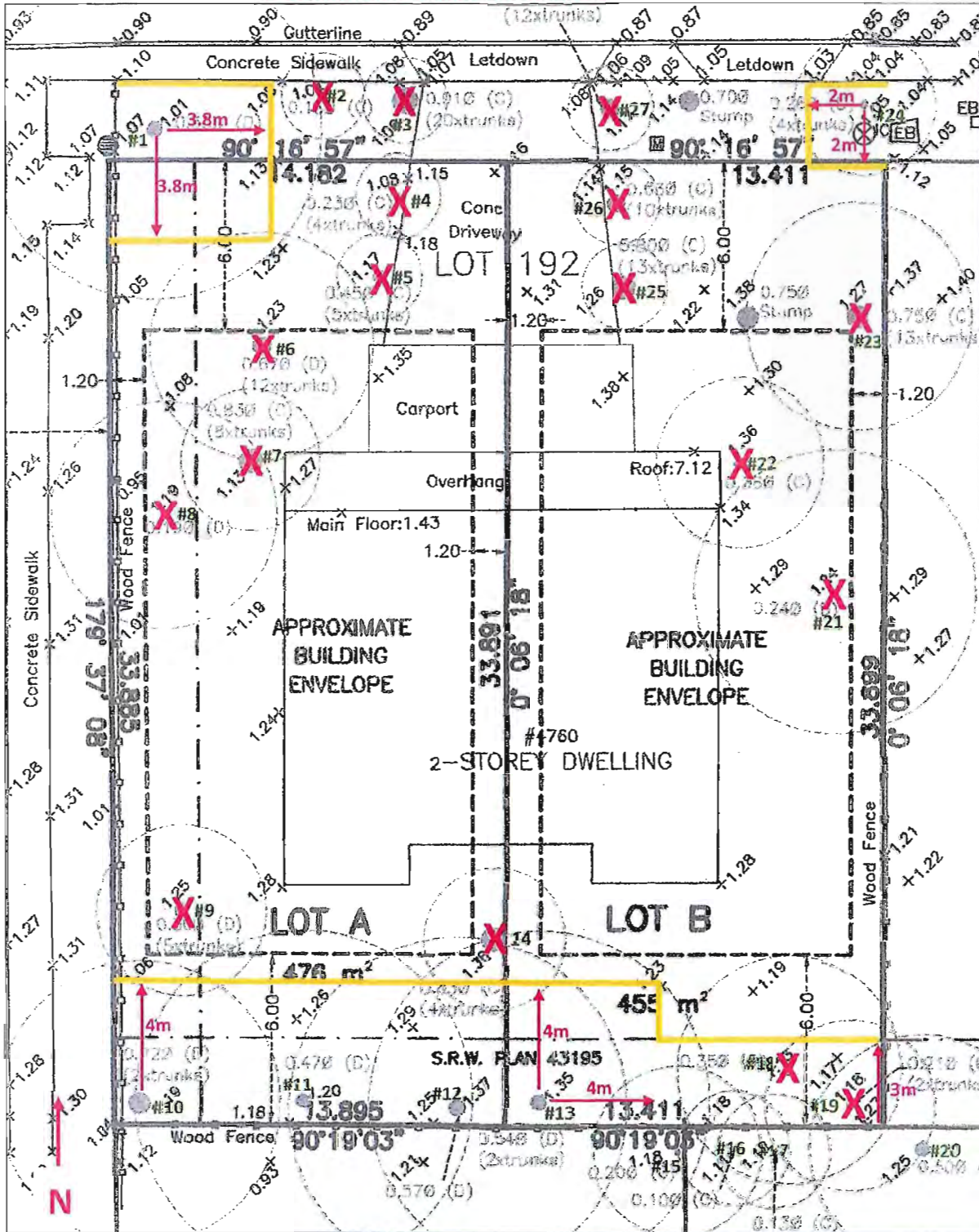
Planning Area(s): Steveston

	Existing	Proposed
<b>Owner:</b>	Natalia Bendo	TBD
<b>Site Size (m<sup>2</sup>):</b>	931 m <sup>2</sup>	Proposed west lot: 476 m <sup>2</sup> Proposed east lot: 455 m <sup>2</sup>
<b>Land Uses:</b>	Legal non-conforming duplex	Single-family residential
<b>OCP Designation:</b>	Neighbourhood Residential	Complies
<b>Area Plan Designation:</b>	Single-Family	Complies
<b>Zoning:</b>	Single Detached (RS1/E)	Single Detached (RS2/B)
<b>Number of Lots:</b>	One (1)	Two (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 Coverage – Building, structures, non-porous surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping with live plant material:	Min. 25%	Min. 25%	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height:	Max. 2½ storeys	Max. 2½ storeys	none
Lot Size (m <sup>2</sup> ):	Min. 360 m <sup>2</sup>	Proposed west lot: 476 m <sup>2</sup> Proposed east lot: 455 m <sup>2</sup>	none
Lot Width (m):	Min. 12 m	Proposed west lot: 14.0 m Proposed east lot: 13.4 m	none
Lot Depth (m):	Min. 24 m	Proposed west lot: 33.9 m Proposed east lot: 33.9 m	none
Lot Frontage (m):	Min. 6 m	Proposed west lot: 14.2 m Proposed east lot: 13.4 m	none

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

Tree Retention & Removal Plan, Scale 1:200



NOTE: PROPOSED

TREE #	TREE SPECIES (Botanical name)	DBH (cm)	SPREAD radius (m) est.
1	Birch ( <i>Betula sp.</i> )	61cm	5.6m
2	Cypress ( <i>Chamaecyparis sp.</i> )	15cm	1.6m
3	Cedar ( <i>Thuja occidentalis sp.</i> )	34cm combined	1.4m
4	Cedar ( <i>Thuja occidentalis sp.</i> )	29cm combined	1.2m
5	Cedar ( <i>Thuja occidentalis sp.</i> )	30 combined	1.2m
6	Mountain ash ( <i>Sorbus sp.</i> )	44cm combined	3.8m
7	Cedar ( <i>Thuja occidentalis sp.</i> )	68cm combined	2.2m
8	Locust ( <i>Robinia pseudoacacia</i> )	21cm	3.8m
9	Holly ( <i>Ilex sp.</i> )	52cm Combined	2.8m
10	Birch ( <i>Betula sp.</i> )	99cm Combined	4.8m
11	Birch ( <i>Betula sp.</i> )	45cm	5.6m
12	Birch ( <i>Birch sp.</i> )	70cm	6m
13	Birch ( <i>Birch sp.</i> )	63 cm combined	5.8m
14	Western red Cedar ( <i>Thuja plicata</i> )	79cm combined	2.2m
15	Yew ( <i>Taxus sp.</i> )	20cm	3m
16	Western red Cedar ( <i>Thuja plicata</i> )	10cm	2.2m
17	Western red Cedar ( <i>Thuja plicata</i> )	13cm	2.2m
18	Mulberry ( <i>Morus sp.</i> )	26cm	4m
19	Cedar ( <i>Thuja occidentalis sp.</i> )	26cm combined	2.8m
20	Western red Cedar ( <i>Thuja plicata</i> )	50cm	5.6m
21	Mulberry ( <i>Morus sp.</i> )	31cm	4.8m
22	Cedar ( <i>Thuja plicata</i> )	41cm	3m
23	Cedar ( <i>Thuja sp.</i> )	75cm	3.8m
24	Japanese maple ( <i>Acer palmatum sp.</i> )	32cm combined	2.8m
25	Cedar ( <i>Thuja occidentalis sp.</i> )	32cm combined	1.2m
26	Cedar ( <i>Thuja occidentalis sp.</i> )	41cm combined	1.2m
27	Cedar ( <i>Thuja occidentalis sp.</i> )	31 cm combined	1.6m



**Address:** 4760/4780 Fortune Avenue

**File No.:** RZ 14-677417

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9201, the developer is required to complete the following:**

1. City acceptance of the developer's offer to voluntarily contribute \$1,950 to the City's Tree Compensation Fund for the planting of replacement trees within the City, for the three (3) trees located on City property (Tag#'s 2, 3 and 27) to be removed.
2. City acceptance of the developer's offer to voluntarily contribute \$6,500 to the City's Tree Compensation Fund for the planting of replacement trees within the City, for the required replacement trees that cannot be accommodated on-site.
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 Landscaping Security in the amount of \$4,000 (\$500/tree) to ensure that eight (8) replacement trees (four [4] on each subdivided lot) are planted and maintained on-site. The trees must be a minimum size of 3.5 m tall conifer or 6 cm deciduous caliper.
5. Submission of a Tree Survival Security to the City in the amount of \$6,000 for the six (6) trees located on-site and on City property (Tag#'s 1, 10-13 and 24) to be retained. After construction and landscaping works on-site are completed, a landscaping inspection will be conducted to verify tree survival and 50% of the security will be released. The remaining 50% of the security will be released one (1) year after the initial landscaping inspection if the trees have survived.
6. Registration of a flood indemnity covenant on title.
7. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$5,480) to the City's Affordable Housing Reserve Fund.
8. The City's acceptance of the applicant's voluntary contribution of \$5,000 towards upgrades to the walkway adjacent to the west property line of the site.

**At Demolition Permit\* Stage, the developer must complete the following requirements:**

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, occurring on-site.

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

1. Pay Servicing Costs for the design and construction of engineering infrastructure and frontage improvements via Work Order. Works include, but may not be limited to the following:

*Water Works:*

- Using the OCP Model, there is 195.7 L/s of water available at a 20 psi residual at the Intersection of Freshwater Drive and Fortune Avenue. Based on the proposed development, the 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 on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.

- At the Developer's cost, the City is to cut and cap the existing water service connection at the watermain along the Fortune Avenue frontage and install two (2) new water service connections complete with meters and meter boxes along the Fortune Avenue frontage.

*Storm Sewer Works:*

- At the Developer's cost, the City is to cut and cap the existing service connection at the northwest corner of the development site and install a new storm service complete with IC and dual service connections at the adjoining property line of the newly subdivided lots along the Fortune Avenue frontage.

*Sanitary Sewer Works:*

- At the Developer's cost, the City is to cut and cap the existing sanitary service to 4760 Fortune Avenue located at the southeast corner of the development site and install a new sanitary service complete with IC and dual service connections at the adjoining property line of the newly subdivided lots along the existing service Right-of-Way (south).

*Frontage Improvements:*

- Vehicle access for the proposed dwellings will be required. The Developer is required to restore the curb and gutter, sidewalk and boulevard along the property frontages.
- The Developer is required to:
  - Coordinate with BC Hydro, Telus and other private communication service providers.
  - To underground proposed Hydro service lines when relocating/modifying any 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).

**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 Division. 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. 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 Division 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]

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Signed

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Date





**Richmond Zoning Bylaw 8500  
Amendment Bylaw 9201 (RZ 14-677417)  
4760/4780 Fortune Avenue**

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. 004-212-606

Lot 192 Section 35 Block 4 North Range 7 West New Westminster District Plan 43194

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9201”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CITY OF RICHMOND
APPROVED by <i>BLK</i>
APPROVED by Director or Solicitor <i>ul</i>

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER