



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee

Date: September 3, 2013


From: Wayne Craig
Director of Development

File: RZ 13-629294

Re: Application by Ajit Thaliwal and Aman Dhaliwal for Rezoning of a portion of 5831 Moncton Street from Single Detached (RS1/E) to Single Detached (RS2/C)

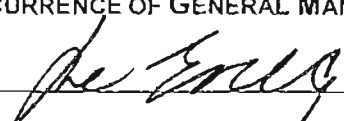
Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9010, for the rezoning of a portion of 5831 Moncton Street from "Single Detached (RS1/E)" to "Single Detached (RS2/C)", be introduced and given first reading.



Wayne Craig
Director of Development

CL:blg
Att.

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

Staff Report

Origin

Ajit Thaliwal and Aman Dhaliwal have applied to the City of Richmond for permission to rezone a portion of 5831 Moncton Street from “Single Detached (RS1/E)” to “Single Detached (RS2/C)”, to permit a subdivision to create three (3) lots fronting Moncton Street and one (1) lot zoned “Single Detached (RS1/E)” fronting No. 2 Road. (see **Attachment 1 and Schedule A to Bylaw 9010**).

Findings of Fact

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

Surrounding Development

The subject property is located on the northwest corner of the intersection of Moncton Street and No. 2 Road on the urban-rural edge of the Steveston Planning Area, with single-family development to the west and the Agricultural Land Reserve (ALR) to the east.

To the north, fronting No. 2 Road, are single-family dwellings on large lots zoned “Single Detached (RS1/E)”.

To the east, across No. 2 Road, are dwellings and accessory buildings on very large lots zoned “Agriculture (AG1)”, all located within the Agricultural Land Reserve.

To the south, across Moncton Street, are single-family dwellings on large lots zoned “Single Detached (RS1/E)”.

To the west, along Moncton Street, is an older character dwelling on a large lot zoned “Single Detached (RS1/E)”, followed by newer homes on medium-sized lots zoned “Single Detached (RS1/C)”.

Related Policies & Studies

2041 Official Community Plan (OCP) Designation

The 2041 Official Community Plan’s (OCP) Land Use Map designation for this property is “Neighbourhood Residential” (NRES). The Steveston Area Plan’s Land Use Map designation for this property is “Single-Family”. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5429

The subject property is located within the area covered by Lot Size Policy 5429 (adopted by Council in 1990), which permits rezoning and subdivision of the subject site in accordance with the “Single Detached (RS2/C)” zone fronting Moncton Street, and the Single Detached (RS2/E)” zone fronting No. 2 Road (**Attachment 3**). The development proposal is for the creation of three

(3) lots to be zoned “Single Detached (RS2/C)” fronting Moncton Street, and for the creation of one (1) lot on the remaining portion of the lot fronting No. 2 Road that would remain zoned “Single Detached (RS1/E)”. The lots to be created would meet the minimum dimensions and area of the “Single Detached (RS2/C)” and “Single Detached (RS1/E)” zones (i.e. minimum 13.5 m wide and 360 m² in area for the three (3) lots proposed to front Moncton Street; and minimum 18 m wide and 550 m² in area for the one (1) lot proposed to front No. 2 Road).

Affordable Housing

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/ft² of total building area towards the City’s Affordable Housing Reserve Fund for single-family rezoning applications.

The applicants propose to provide a legal secondary suite in the dwelling on two (2) of the four (4) future lots at the subject site. To ensure that the secondary suites are built to the satisfaction of the City in accordance with the City’s Affordable Housing Strategy, the applicants are required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suites are constructed to the satisfaction of the City in accordance with the BC Building Code and the City’s Zoning Bylaw. This legal agreement is required prior to rezoning adoption. This agreement will be discharged from Title (at the initiation of the applicants) on the lots where the secondary suites are not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicants change their minds prior to rezoning adoption about the affordable housing option selected, a voluntary contribution to the City’s Affordable Housing Reserve Fund in-lieu of providing the secondary suites will be accepted. In this case, the voluntary contribution would be required to be submitted prior to final adoption of the rezoning bylaw, and would be based on \$1.00/ft² of total building area of the single detached dwellings (i.e., \$11,520).

Flood Management

Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Public Input

In response to the placement of the rezoning sign on the subject site, staff received some feedback from concerned residents.

Two (2) phone calls were received from nearby residents expressing a number of concerns. The nature of concerns included:

- On-site tree retention associated with the development proposal.
- That the existing large treed lot at this corner provides a soft transition between the single-family homes on Moncton Street and the Agricultural Land Reserve east of No. 2 Road.
- That the creation of the four (4) smaller lots and the design of the new dwellings proposed at this corner is out of character with the immediate surrounding area.

- The potential for increased traffic conflicts resulting from the proposed additional lots at this corner, which is controlled by a three-way stop.

One (1) letter was received from a nearby resident who expressed a number of concerns (**Attachment 4**). The nature of concerns included:

- The number of lots to be created with the development proposal.
- On-site tree retention.
- The value of the security associated with ensuring survival of protected trees.

In response to the specific concerns raised, staff have the following comments:

- A detailed discussion of the applicants' proposed tree retention and removal strategy is discussed in the next section of this report. In general, the applicants' response to tree retention at the site is supportable on the basis of the assessments provided by the project Arborist and the City's Tree Preservation Coordinator.
- Preliminary building elevations and a landscape plan has been provided by the applicants to provide an idea of how the corner lot (Lot 3) is proposed be treated. These preliminary plans are discussed further in the next section. In general, the applicants' proposed treatment of the corner lot is supportable based on the attempt made to animate the streetfront elevations through the use of window openings, projections, gables, secondary roof elements, a variety of building materials, and a variety of soft and hard landscape materials.
- Lot Size Policy 5429 (adopted by Council in 1990) provides direction for staff on the creation of new lots in this neighbourhood. The Lot Size Policy permits rezoning and subdivision of the subject site in accordance with the "Single Detached (RS2/C)" zone fronting Moncton Street and the "Single Detached (RS1/E)" zone fronting No. 2 Road, as proposed by the applicants.
- The development proposal has been reviewed by the City's Transportation division, and comments regarding the location of driveway crossings to the proposed new lots have been addressed as follows:
 - The driveway crossing for Lot 1 fronting Moncton Street is proposed to be located on the west side of the lot to enable tree retention.
 - The driveway crossing for Lots 2 and 3 fronting Moncton Street is proposed to be shared and centered on the proposed common property line to enable tree retention and to enable the existing bus stop location to be retained.
 - The driveway crossing for Lot 4 fronting No. 2 Road is proposed to be located as on the north side of the lot, as far north as possible from the Moncton Street intersection.
- Staff provided a written response to the concerns expressed in the letter submitted, clarifying the development proposal, the status of proposed tree retention and removal, and the process involved with the collection and return of a tree survival security (**Attachment 5**).

Staff Comments

Background

The applicants' proposal is to enable the creation of three (3) medium-sized lots and one (1) larger lot from an existing half-acre lot. The proposed four (4) lots range from a minimum of 13.5 m wide and 360 m² in area to a minimum of 18 m wide and 550 m² in area. The applicants' proposal is consistent with Lot Size Policy 5429 and with the established pattern of redevelopment on Moncton Street.

Tree Retention and Removal

A Certified Arborist's Report for the site was submitted by the applicant, which identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The report identifies and assesses:

- 14 bylaw-sized trees located on the subject property.
- Four (4) bylaw-sized trees located on the neighbouring property to the west (5771 Moncton Street).

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and conducted a Visual Tree Assessment (VTA). Special attention has been given to opportunities for tree retention at this site, with the aim to protect trees that can provide the greatest long-term amenity to the neighbourhood.

The City's Tree Preservation Coordinator recommends that:

- The Western Red Cedar (Tree # 809) located in the front yard of proposed Lot 1 should be retained and protected as it is a significant and highly visible tree in good condition. Tree protection barriers must be installed a minimum of 3.9 m out from the base of the tree to the west, 5.2 m to the south, and 5.6 m to the north and east, as specified in the Arborist's Report. The future driveways on proposed Lot 1 and 2 are to be constructed of unit pavers over an aeration layer and under the Project Arborist's supervision, as recommended in the Arborist's Report.
- The Western Hemlock, Cedar, and Maple trees (Trees A, B, C, D) on the neighbouring property to the west at 5771 Moncton Street be retained, as they are all in good condition and provide critical landscape screening between the two (2) properties, as well as the neighbourhood property owner wishes to retain all four (4) trees. Tree protection barriers must be installed a minimum of 2.3 m into the subject site from the west property line, as specified in the Arborist's Report. Special measures along with trench excavation for utilities will be required on-site to protect these off-site trees. Perimeter drainage and fencing on-site to be installed under the Project Arborist's supervision.

Tree protection fencing must be installed to City standard around trees to be retained 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 City's Tree Preservation Coordinator concurs with the Arborist's recommendation to:

- Remove seven (7) bylaw-sized Cypress, Western Red Cedar, and Cherry trees (Trees # 810, 811, 812, 813, 814, 820 and 821) located on the subject property which are either dying (sparse canopy foliage) or are in poor condition due to being previously topped with significant decay at the topping sites or are infected with Fungal Blight.
- Remove one (1) bylaw-sized Western Red Cedar (Tree # 822) which has been previously topped, has large co-dominant leaders, and is in conflict with the proposed building envelope of proposed Lot #1.
- Remove two (2) bylaw-sized Ash and Maple trees (Trees # 815 and 816), which are in good condition, but are located in conflict with the building envelope of proposed Lot # 3 and the proposed shared driveway crossing providing vehicle access to Lots # 2 and 3.
- Remove three (3) bylaw-sized Grand Fir trees located at the corner of Moncton Street and No. 2 Road (Trees # 817, 818, and 819). The Arborist's Report indicates that the trees are in marginal condition due to the following defects:
 - "The trees are growing as a cluster with co-dominant class structure and co-reliance row. There is crown suppression where the trees merge.
 - There are multiple leaders high in the crowns that are likely caused by previous topping, and these stems are weakly formed and prone to failure. Failure risk will increase as the leaders grow larger. While pruning and other treatments could reduce risk of failure, such treatments are not practical. The long-term viability is very poor due to the pre-existing condition of the trees."

The City's Tree Preservation Coordinator and the applicants met on-site to discuss options for retention of the three (3) mature Grand Firs. The project Arborist and the City's Tree Preservation Coordinator also discussed the options. The following options were considered:

- Modification of the building envelope for the new dwelling on the proposed lot (Lot 3) to enable the construction of a tree well and drainage system around the trees to maintain existing grade within a portion of the required tree protection zone. Modification to the City's standard design for frontage improvements along portions of No. 2 Road and Moncton Street would also be required to enable existing grade to be maintained. However, due to the large proportion of the root systems occupying the southeast corner of the site, and the unavoidable disturbance to roots occupying the frontage in the existing and future boulevard, encroachment into the required tree protection zone would still occur with a modified building envelope. In addition to the pre-existing poor condition of the trees, the trees would be further destabilized from the root loss that would result from partial encroachment into the required tree protection zone.
- Revision to the development proposal to reduce the number of lots created to enable a larger tree protection zone at existing grade around the trees. While a larger tree protection zone would increase the short-term viability of the trees, the

long-term viability remains poor due to the pre-existing poor condition of the trees. Also, maintaining the existing grade within a tree well created through a raise in grade on the surrounding lot area with any form of development on this site will cause soil hydrology changes that will likely cause tree health decline.

Despite the options considered and the unresolvable challenges in implementing a suitable tree protection strategy, the pre-existing poor condition of these trees formed the basis for the recommendation to remove the trees. Regardless of the redevelopment proposal on this site, it is likely that these trees would require removal for risk management mitigation within approximately 5 years.

The applicants' proposed Tree Retention Plan, which reflects the final outcome of tree protection and removal, is included as **Attachment 6**.

Prior to final adoption of the rezoning bylaw, the applicants must submit:

- A contract with a Certified Arborist for supervision of any works to be conducted within the Tree Protection Zones of the Western Red Cedar (Tree # 809) and the Western Hemlock, Cedar, and Maple trees (Trees A, B, C, D). The contract must include the scope of supervision required, the proposed number of site monitoring inspections (including stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
- A Tree Survival Security to the City in the amount of \$5,000 to ensure the Western Red Cedar (Tree # 809) will be protected. The City will release 50% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post construction impact assessment report is received. The remaining 50% of the security would be released one year later, subject to inspection confirming that the tree has survived.

Based on the 2:1 replacement ratio established in the 2041 OCP, and the size requirements for replacement trees in the City's Tree Protection Bylaw, a total of 26 replacement trees are required. Considering the effort to be taken by the applicants to retain Tree # 809 and off-site Trees A, B, C, D, as well as the limited space in the future yards due to:

- Tree protection zones,
- The required sanitary sewer extension,
- The required on-site vehicle turnarounds,

staff recommends a reduction of six (6) trees from the total number of replacement trees, bringing the number of required replacement trees to 20, and suggests that:

- 10 large-sized replacement trees be planted and maintained on-site as highlighted in the table below.
- The applicants provide a voluntary contribution to the City's Tree Compensation Fund in the amount of \$5,000 in-lieu of planting the remaining 10 replacement trees on-site (\$500/tree).

Replacement trees must meet the following minimum height/size requirements:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
4	10 cm		5.5 m
6	11 cm		6 m

Preliminary Architectural Elevation Plans & Landscape Plan

To illustrate how the future corner lot interface will be treated; the applicants have submitted preliminary architectural elevation plans (**Attachment 8**). The plans indicate that although the main entrance to the future dwelling on the corner lot is oriented towards Moncton Street, the No. 2 Road facade remains animated through the provision of secondary roof treatments, window openings, and a variety of cladding materials that are consistent with the main facade (e.g. hardi plank siding, cedar shakes, and wood window trims). At future development stage, Building Permit plans must comply with all City regulations, including zoning.

To illustrate how the front yard and flanking side yard of the proposed corner lot will be treated (on the northwest corner of Moncton Street and No. 2 Road), the applicants have submitted a preliminary Landscape Plan prepared by a Registered Landscape Architect (**Attachment 7**). The plan shows that the yards along both frontages will be landscaped with a mixture of coniferous and deciduous replacement trees, shrubs, ground cover, wood fencing, paving stones, and would be generally consistent with the landscaping guidelines in the 2041 OCP.

Prior to rezoning adoption, the applicants must submit a final Landscape Plan, prepared by a Registered Landscape Architect, for the four (4) proposed lots. To ensure that the required replacement trees are planted and the front yards will be enhanced consistent with the Landscape Plan, the applicants must submit a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect (including fencing, paving, and installation costs).

Site Servicing

Prior to final adoption of the rezoning bylaw, the applicants are required to:

- Dedicate property as road in order to achieve a 4 m x 4 m corner cut at the southeast corner of the site, and dedicate 0.5 m of property as road along the entire east property line of the site to enable frontage improvements, as per the Servicing Agreement design.
- Grant a 1.0 m wide utility right-of-way (ROW) along the entire frontage on Moncton Street for water meter boxes and storm sewer inspection chambers, and a 1.5 m Right-Of-Way for Utilities along the entire frontage on No. 2 Road for water meter boxes and storm inspection chambers, as per the Servicing Agreement design.
- Grant a 1.5 m by 9.0 m Right-Of-Way for Public Rights of Passage along a portion of Moncton Street for a concrete bus stop pad and future bus stop shelter location, as per the Servicing Agreement design.

- Enter into a standard Servicing Agreement for the design and construction of frontage improvements along the entire frontages on Moncton Street and No 2 Road.

Improvements along Moncton Street are to include, but are not limited to:

- Upgrading the existing storm sewer to a minimum 600 mm diameter pipe, from the west property line of the site to the existing manhole STMH 3036 (near the south-east corner of the site).
- Upgrading the existing storm sewer from existing STMH 3036 to STMH 1199 (near the north-east corner of 5760 Moncton Street).
- Removing the existing concrete sidewalk and lighting strip, constructing a new 1.5 m wide concrete sidewalk at the south property line of the site, and creating a treed and grass boulevard between the existing curb and new sidewalk.

Improvements along No. 2 Road are to include, but are not limited to:

- Removing the existing concrete sidewalk, constructing a new 1.5 m wide concrete sidewalk at the new east property line of the site, and creating a 1.5 m treed and grass boulevard between the existing curb and new sidewalk. No storm sewer analysis or upgrading is required.

Note: The design is to include water, storm and sanitary connections for all four (4) lots. The applicant will be required to provide underground hydro, telephone and Cable for all four (4) lots. Additional right-of-ways may be required.

Vehicle access

Vehicle access to the four (4) future lots at the site is proposed as follows:

- A sole access at the west end of proposed Lot 1, off Moncton Street.
- A single shared access off Moncton Street for proposed Lots 2 and 3, centered on the proposed shared property line.
- A sole access at the north end of proposed Lot 4, off No. 2 Road.

Prior to final adoption of the rezoning bylaw, the applicants are required to:

- Register a restrictive covenant on Title to ensure that, upon subdivision of the property, vehicular access to proposed Lots 2 and 3 is via a single shared driveway crossing (6 m wide at the back of the sidewalk and 9 m wide at the curb), centered on the proposed shared property line.
- Register a restrictive covenant on Title to ensure that, upon subdivision of the property, the buildings and driveways on proposed Lots 1, 2, and 3 be designed to accommodate on-site vehicle turnaround capability to prevent vehicles from reversing onto Moncton Street.

Subdivision

At subdivision stage, the developer will be required to:

- Pay Development Cost Charges (City and GVS&DD), School Site Acquisition Charges, and Address Assignment Fees. Service connections and costs are to be determined via the Servicing Agreement.
- Register a cross-access easement on Title for the area of the shared driveway on proposed Lots 2 and 3 (6 m wide at the front lot line and 9 m long, centered on the proposed shared property line).

Financial Impact

None.

Analysis

The subject property is located in an established residential neighbourhood that has seen redevelopment to smaller lot sizes through rezoning and subdivision in recent years, consistent with Lot Size Policy 5429. This redevelopment proposal is consistent with the Lot Size Policy and would allow for the creation of:

- Three (3) lots zoned “Single Detached (RS2/C)” fronting Moncton Street, each with a minimum width of 13.5 m and area of 360 m², and
- One (1) lot to remain under the existing “Single Detached (RS1/E)” zone, with a minimum width of 18 m and area of 550 m², fronting No. 2 Road.

Conclusion

This rezoning application to permit subdivision of an existing large lot into four (4) smaller lots complies with applicable policies and land use designations contained within the 2041 OCP, and is consistent with the direction of redevelopment established in the neighbourhood.

The list of rezoning considerations is included in **Attachment 9**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommends support for the application. It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9010 be introduced and given first reading.



Cynthia Lussier
Planning Technician
(604-276-4108)

CL:blg

Attachments:

Attachment 1: Location Map/Aerial Photo

Attachment 2: Development Application Data Sheet

Attachment 3: Lot Size Policy 5429

Attachment 4: Letter from concerned resident

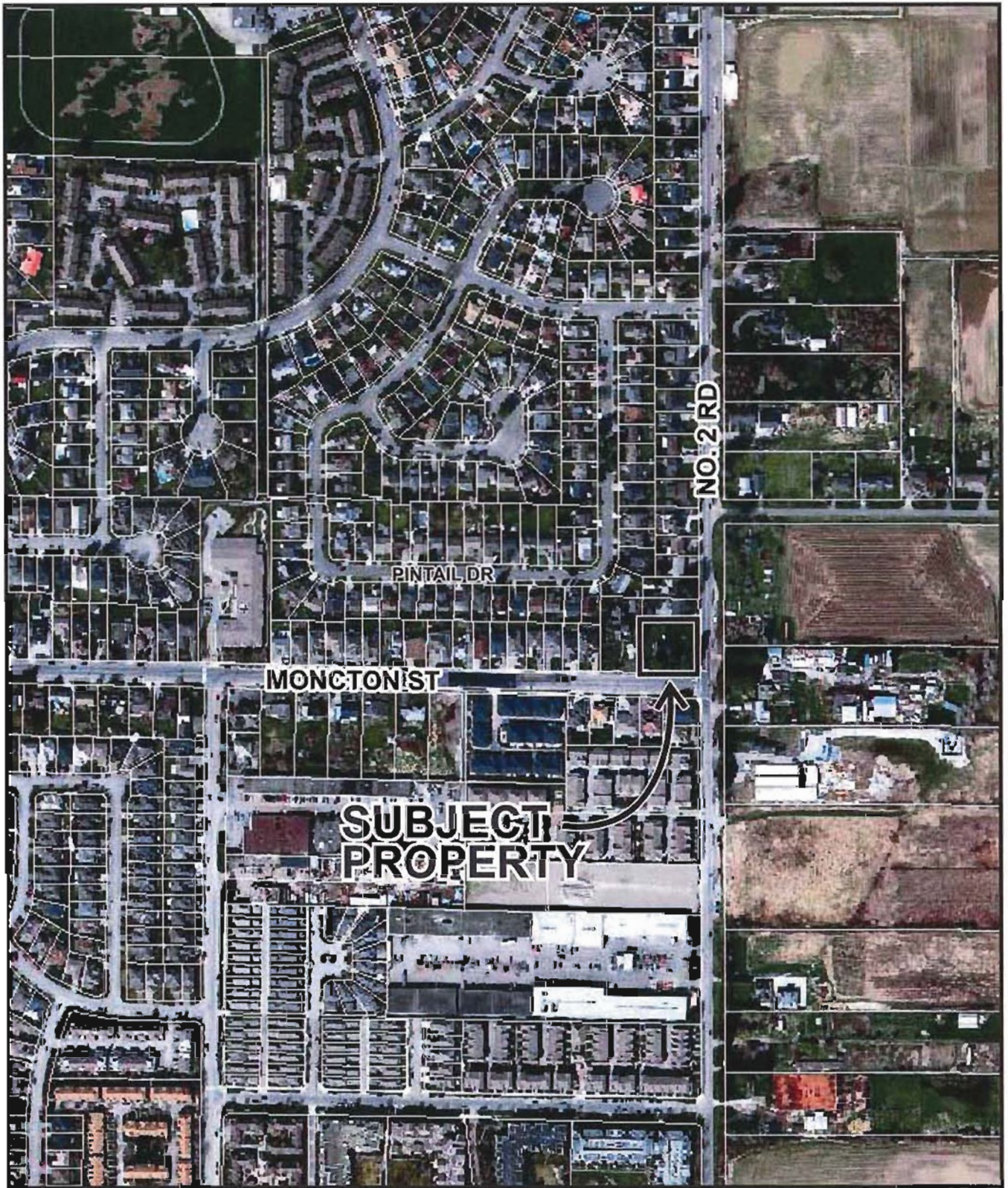
Attachment 5: Response to letter from concerned resident

Attachment 6: Tree Retention Plan

Attachment 7: Preliminary Landscape Plan for Lot 3

Attachment 8: Preliminary Building Elevation Plans for Lot 3

Attachment 9: Rezoning Considerations



RZ 13-629294

Original Date: 02/07/13

Amended Date:

Note: Dimensions are in METRES



RZ 13-629294

Attachment 2

Address: 5831 Moncton Street

Applicant: Ajit Thaliwal and Aman Dhaliwal

Planning Area(s): Steveston

	Existing	Proposed
Owner:	Jhujar Construction Ltd.	To be determined
Site Size (m²):	2,112 m ² (22,734.12 ft ²)	Lot 1 – approx 652 m ² (7,018ft ²) Lot 2 – approx 455 m ² (4,897 ft ²) Lot 3 – approx 395 m ² (4,251 ft ²) Lot 4 – approx 583 m ² (6,275 ft ²) (After required road dedication)
Land Uses:	One (1) single detached dwelling	Four (4) single detached dwellings
OCP Designation:	Neighbourhood Residential	No change
Area Plan Designation:	Single-Family	No change
Lot Size Policy:	Lot Size Policy 5429 permits rezoning of the subject site to create three (3) lots zoned "Single Detached (RS2/C)" fronting Moncton Street and one (1) lot zoned "Single Detached (RS1/E)" fronting No. 2 Road	No change
Zoning:	Single Detached (RS1/E)	<ul style="list-style-type: none"> • Three (3) lots zoned "Single Detached (RS2/C)" fronting Moncton Street • One (1) lot zoned "Single Detached (RS1/E)" fronting No. 2 Road

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, and non-porous surfaces	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping	<ul style="list-style-type: none"> • Min. 25% on lots zoned "Single Detached (RS2/C)" • Min. 30% on the lot zoned "Single Detached (RS2/E)" 	<ul style="list-style-type: none"> • Min. 25% on lots zoned "Single Detached (RS2/C)" • Min. 30% on the lot zoned "Single Detached (RS2/E)" 	none

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Setback – Front Yard (m):	<ul style="list-style-type: none"> • Min. 9 m on lots zoned "Single Detached (RS2/C)" • Min. 6 m on the lot zoned "Single Detached (RS2/E)" 	<ul style="list-style-type: none"> • Min. 9 m on lots zoned "Single Detached (RS2/C)" • Min. 6 m on the lot zoned "Single Detached (RS2/E)" 	none
Setback – Rear Yard (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yard (m):	<ul style="list-style-type: none"> • Min. 1.2. m on lots zoned "Single Detached (RS2/C)" • Min. 1.8 m on the lot zoned "Single Detached (RS2/E)" 	<ul style="list-style-type: none"> • Min. 1.2. m on lots zoned "Single Detached (RS2/C)" • Min. 1.8 m on the lot zoned "Single Detached (RS2/E)" 	none
Setback – Exterior Side Yard (m):	Min. 3 m	Min. 3 m	none
Height (m):	2.5 storeys	2.5 storeys	none
Minimum Lot Size	Min. 360 m ²	Lot 1 – approx 652 m ² Lot 2 – approx 455 m ² Lot 3 – approx 395 m ² Lot 4 – approx 583 m ²	none
Minimum Lot Width	Min. 13.5 m	Lot 1 – 14.65 m Lot 2 – 17.18 m Lot 3 – 15.20 m Lot 4 – 18.00 m	none

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



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: January 15, 1990

POLICY 5429Area Boundary Amended: January 17th, 2005

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 11-3-7/12-3-7

POLICY 5429:

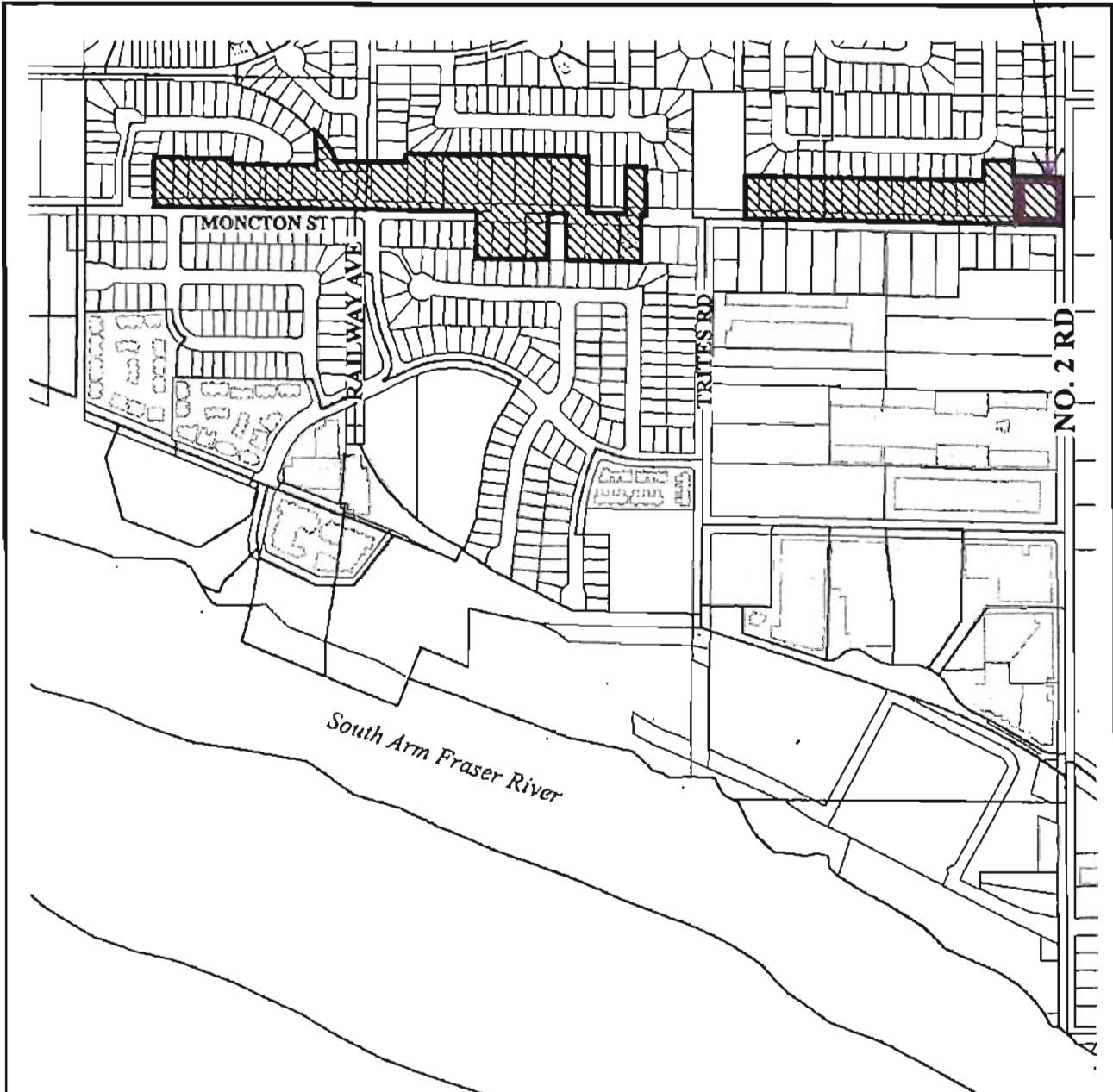
The following policy establishes lot sizes in a portion of Sections 11-3-7/12-3-7 located on **Moncton Street generally bounded by No. 2 Road and Hayashi Court:**

That properties within the area bounded by Moncton Street and Hayashi Court, in a portion of Sections 11-3-7/12-3-7, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300 with the following provisions:

- a) if there is no lane or internal road access then properties along Moncton Street will be restricted to Single-Housing District (R1/C); and
- b) if there is no lane or internal road access then properties along Railway Avenue and No. 2 Road will be restricted to Single-Family Housing District (R1/E); and

that this policy, as shown on the accompanying plan, be used to determine the disposition of future rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.

Subject site



 Subdivision permitted as per **R1/B Except**

1. Moncton St.: **R1/C** unless there is a lane or internal road access, then **R1/B**.
2. Railway Ave. and No. 2 Rd.: **R1/E** unless there is a lane or internal road access, then **R1/B**.



Policy 5429
Section 11 & 12, 3-7

Adopted Date: 01/15/90
 Amended Date: 01/17/05

12/20, 2013

CITY OF RICHMOND

JUN 20 2013

ATTACHMENT 4

RE: RZ 13 - 629294

RECEIVED

* The property was sold indicating the potential for 3 lots.
- what changed that allowed 4 lots?

2. TREES: The communication in the folder shows several instances of misinterpretation & questioning of the arborists (Jaggs, Linden) decision. This appears to give an excuse to the developer to remove extra tree(s) & claim a misunderstanding. (April 22 letter - Jaggs - ~~staples~~ retention of trees 809 & A, B)

- Initial ^(7/2/7) arborists reports directed retention of trees 809, 822, A, B, C, D.

- By April 22, the developer had received approval to remove C, D. & was still planning removal of 809. (an April 29 email from JAGGS to SVUCRAS confirmed again retention of 809.

- Please keep careful oversight to confirm this tree is not 'inadvertently' removed.

3. Tree Survival Security Fees: these appear laughable related to current property/development values. The dollar amount in this instance can just be tagged onto the sales price of each project. It is not a penalty to the developer. These values should be greatly increased to be effective.

PLN - 253

A. Dunes
418-12633 NO. 2 Road 604.448-8705



August 1, 2013
File: RZ 13-629294

Planning and Development Department
Development Applications
Fax: 604-276-4052

A. Lerner
418-12633 No. 2 Road
Richmond BC V7E 6N5

Dear A. Lerner:

Re: Rezoning Application at 5831 Moncton Street (RZ 13-629294)

Thank you for taking the time to express your concerns regarding the rezoning application at 5831 Moncton Street in a letter dated June 20, 2013 (attached). This letter serves to provide answers to the questions posed in your letter.

The development proposal

The application involves rezoning an L-shaped portion of land along the south end of 5831 Moncton Street to "Single Detached (RS2/C)" to enable a subdivision to create 3 new lots fronting Moncton Street. A linear portion of land along the north end of 5831 Moncton Street will remain under the existing zoning of "Single Detached (RS1/E)" to enable construction of a single-family house fronting No. 2 Road. The application has not changed since it was submitted in January 2013. The application is consistent with the Council-adopted Lot Size Policy for the neighbourhood, which allows rezoning and subdivision of this property (attached).

Tree Protection

Recommendations for tree retention on-site have been clarified since your review of the rezoning application folder. The applicant is required to submit a revised report and tree management plan, which includes a modified site plan and outlines tree protection requirements for the following trees:

- A Western Red Cedar tree in the southwestern corner of the subject site along Moncton Street (Tree 809); and,
- One Maple, two Cedar, and one Hemlock tree (Trees A, B, C, D) located on the adjacent property at 5771 Moncton Street.

The revised report and tree management plan are required to be submitted before the rezoning application will be considered by City Council.

The applicant is required to submit a Tree Survival Security for the Western Red Cedar on-site in the amount of \$5,000, and to submit a contract with a Certified Arborist for site monitoring at development stage to ensure protected trees are not impacted by construction. The Arborist must submit a post-construction impact assessment report to the City that confirms no impacts occurred to protected trees prior to the release of the security.

To compensate for trees agreed for removal from the site, the applicant is required to provide either 20 replacement trees on-site or a cash-in-lieu contribution to the City's Tree Compensation Fund, or a combination of both. For this application, staff are recommending that 10 replacement trees be planted and maintained on the future lots and that a contribution of \$5,000 to the City's Tree Compensation Fund is submitted for the balance of replacement trees not planted (\$500 x 10 trees). These funds go towards the planting and maintenance of new trees on public property city-wide (e.g. on boulevards, in parks etc.).

In addition, a Landscaping Security in the amount of \$5,000 (\$500/tree) is required to be submitted by the applicant to ensure the recommended 10 replacement trees are planted on-site. The Security will not be released in-full until City inspections confirm that the replacement trees have been planted and have survived one year.

The applicant is also required to plant additional trees in a new boulevard along the Moncton Street and No. 2 Road frontages, as part of site servicing requirements.

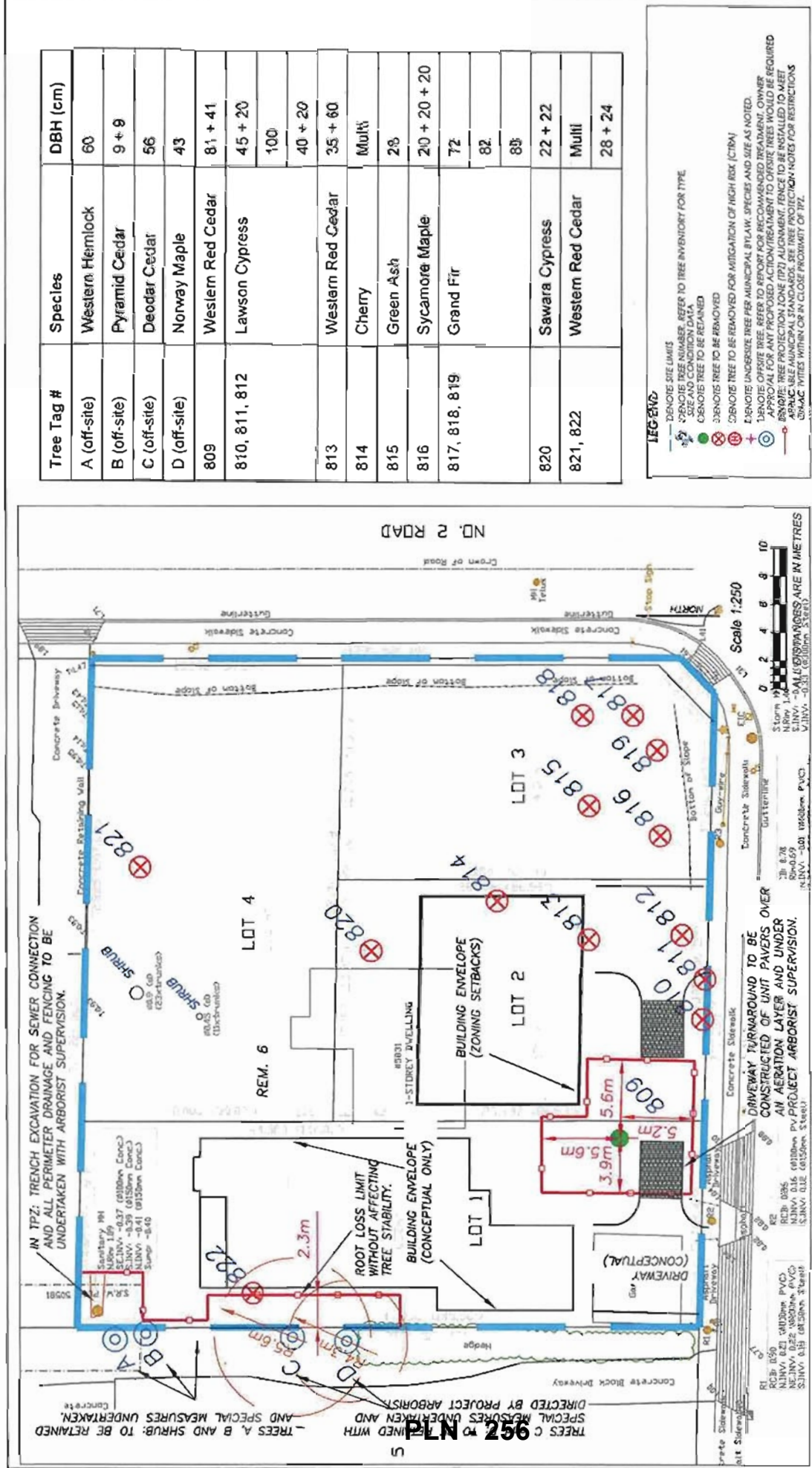
If you have any further questions about this development proposal, please contact me directly at 604-276-4108.

Sincerely,



Cynthia Lussier
Planning Technician

CL:cl



ARBORTECH CONSULTING
 3740 COLUMBIA STREET, BURNABY, BC CANADA V7E 2E1 P. 604.275.3484
 arborgroup.ca

TREE MANAGEMENT DRAWING

5831 MONCTON STREET, RICHMOND

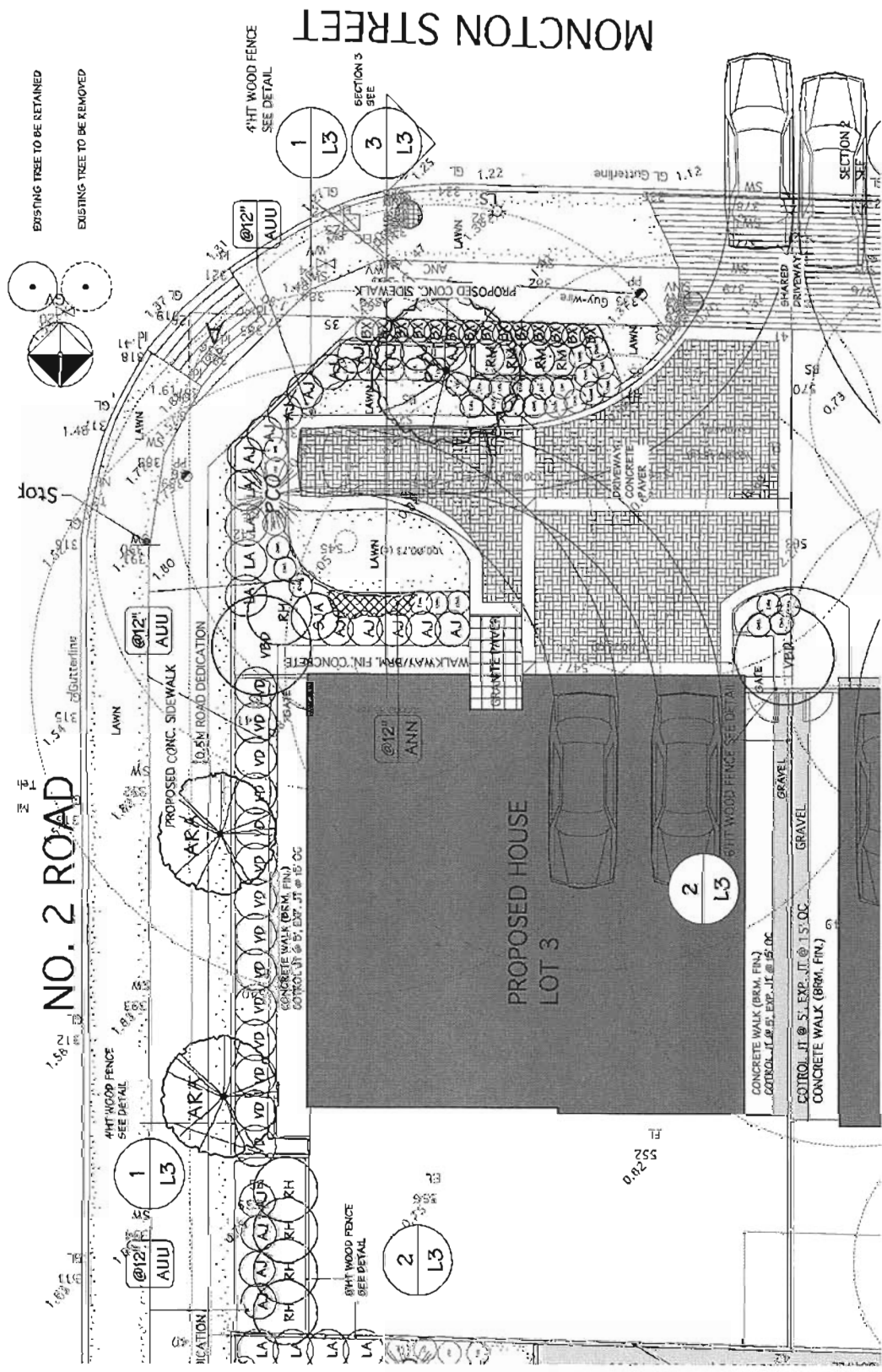
ACL FILE	DATE	REV DATE	REV #	SHEET
13104	15 JAN 2013	13 AUG 2013	5	1 of 1

AJIT THALIWAL

PLN 256

PLAN NOTES:

- THIS PLAN IS BASED ON A TOPOGRAPHIC AND TREE LOCATION SURVEY PROVIDED BY THE OWNERS REGISTERED ARBORIST COLUMBIA LAND SURVEYOR (CLS) AND LAYOUT DRAWINGS PROVIDED BY THE OWNERS ENGINEER (PE).
- AND/OR DESIGN CONSULTANTS. THIS PLAN IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES UNLESS SPECIFICALLY NOTED OTHERWISE. THIS PLAN IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES UNLESS SPECIFICALLY NOTED OTHERWISE.



NOTE:
REFER TO CIVIL ENGINEER'S
DRAWING FOR ALL OFF SITE WORK
INCLUDING SIDEWALK AND GRASS
BLUVEYARD

DESIGNED BY	TI	DATE	MAY 20, 2013	REV	1	DESCRIPTION	ISSUED FOR REVISION	REVISIONS	DESCRIPTION	DATE	REV	DESCRIPTION
DRAWN BY	TI	DATE	MAY 10, 2013	REV	1	DESCRIPTION	ISSUED FOR REVISION	REVISIONS	DESCRIPTION	DATE	REV	DESCRIPTION

SCALE: 1/4" = 1'-0"
JOB NO: 1310Z
SHEET: L1 OF 3

5831 MONCTON ST.
RICHMOND B.C.
RZ13-629294



LANDSCAPE PLAN
LOT 3

PLN - 257

Preliminary
Landscape Plan
- Proposed Corner lot -

PLANT LIST

PROJECT ADDRESS: 5831 Moncton St./No.2 Rd. RICHMOND B.C. (R213-629294) /LOT 3

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
-----	-----	----------------	-------------	------

TREES				
ARA	2	ACER RUBRUM 'ARMSTRONG'	ARMSTRONG MAPLE	1.0cm CAL. B&B 1.8m STD.
PCO	1	PICEA OMORICA	SERBIAN SPRUCE	3.5m HT. B&B
PR	1	PRUNUS YEDDENSIIS 'AKEBONO'	DAYBREAK CHERRY	10.0cm CAL. B&B 1.8m STD.

SHRUBS

AJ	18	AZALEA JAPONICA **	JAPANESE AZALEA	#2 POT
BX	14	EUXILUS SEMPERVIRENS	COMMON BOXWOOD	#2 POT
LA	4	LEUCODENDRON AXILLARIS	COAST LEUCOTHOE	#2 POT
RH	5	RHICODENDRON **	RHODODENDRON	#5 POT
RM	4	ROSA MEIDLAND	MEIDLAND ROSE	#1 POT
SJA	1	SPIRAEA JAPONICA 'ANTHONY WANTHONY WATERER SPH'	ANTHONY WANTHONY WATERER	#2 POT
VD	14	VIBURNUM DAVIDI	DAVID'S VIBURNUM	#2 POT
VBD	2	VIBURNUM X BODNANTENSE 'DA'DAWN'	VIBURNUM	#5 POT

GROUND COVERS

AUU	125	ARCTOSTAPHYLOS UVA URSI	KINKINNICK	#SF3 POT
-----	-----	-------------------------	------------	----------

PERENNIALS/ANNUALS/FERNS/GRASSES/AQUATIC PLANTS

CNA	22	CAREX MORROWII 'AUREO-VARIEGATA'	AUREO-VARIEGATED CAREX	#1 POT
HS	3	HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	#1 POT
LVA	11	LAVANDULA ANGSTROFIIA	ENGLISH LAVENDER	#3 POT
ANN	20	ANNUALS **	ANNUALS	#SF3 POT

NOTES

** DENOTES SPECIES AND VARIETY TO BE APPROVED BY THE LANDSCAPE ARCHITECT.
ALL MATERIALS AND EXECUTION SHALL BE IN ACCORDANCE TO THE MOST RECENT

PLANTS IN THIS PLANT LIST ARE SPECIFIED ACCORDING TO THE CNFA STANDARDS FOR NURSERY STOCK AND THE BCNA STANDARDS FOR CONTAINER GROWN PLANTS.

ALL PLANT QUANTITY DISCREPANCIES BETWEEN PLAN AND PLANT LIST SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT FOR CLARIFICATION PRIOR TO SUBMITTING BIDS.

ALL MATERIALS AND WORKMANSHIP SHALL BE GUARANTEED FOR ONE FULL YEAR AFTER THE DATE OF SUBSTANTIAL PERFORMANCE. SUBSTANTIAL PERFORMANCE SHALL OCCUR WHEN 95% OF THE CONTRACT HAS BEEN COMPLETED TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.

THE CONTRACTOR SHALL MAINTAIN ACCORDANCE TO THE LANDSCAPE STANDARDS UNTIL THE WORK IS TURNED OVER TO THE OWNER.

EXISTING TREE REPLACEMENT RATIONAL

5831 MONCTON ST. NO.2 RD. RICHMOND / R213-629294/LOT 3

EXISTING TREE TO BE REMOVED	QTY	SIZE	REPLACEMENT TREES QTY REQUIRED BY CITY	PROPOSED TREES	BALANCE
Ø20-30CM	1	Ø6CM CAL./3.5M HT.	-	2(C)	-
Ø30-40CM	3	Ø8CM CAL./4.0M HT.	-	-	-
Ø40-50CM	1	Ø9CM CAL./5.0M HT.	-	2(D)	-
Ø50-60CM	2	Ø10CM CAL./5.5M HT.	4	2(D)	-2
Ø60-	5	Ø11CM CAL./6.0M HT.	6	2(D)	-4

D-DECIDUOUS TREE, C-CONIFEROUS TREE
REMAINDER REPLACEMENT TREE WILL BE PLANTED ON LOT 1, 2 AND 4.

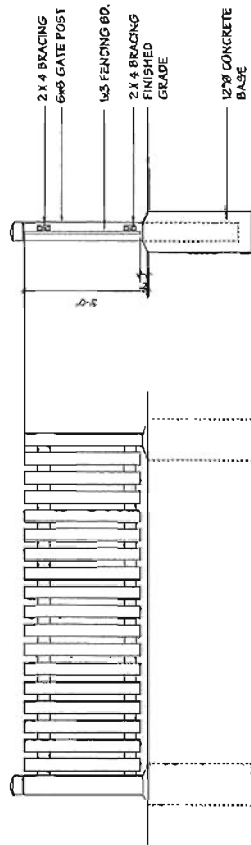
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M	MAY 3, 2013	ISSUED FOR REVISIONS						
T	AUG 10, 2013	ISSUED FOR REVISIONS	ISSUED FOR REVISIONS					
	SEP 13, 2013	ISSUED FOR REVISIONS	ISSUED FOR REVISIONS					

SCALE: NTS
JOB NO.: 13102
SHEET:
L2 OF 3

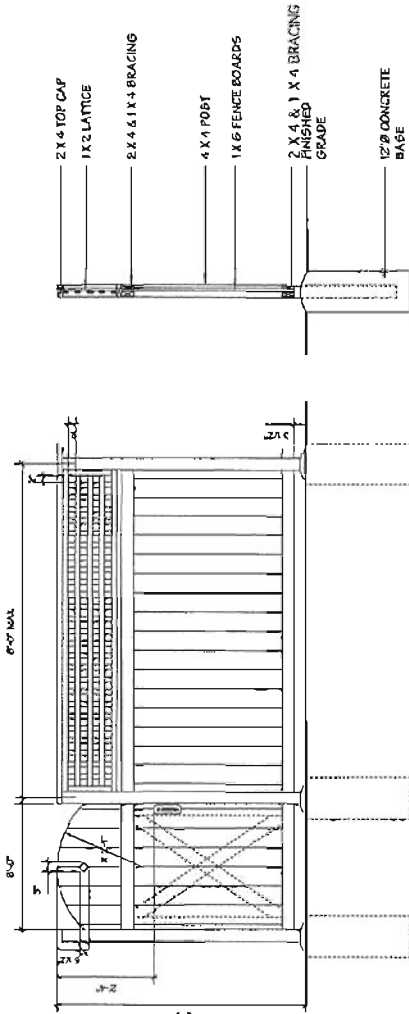
5831 MONCTON ST.
RICHMOND B.C.
R213-629294



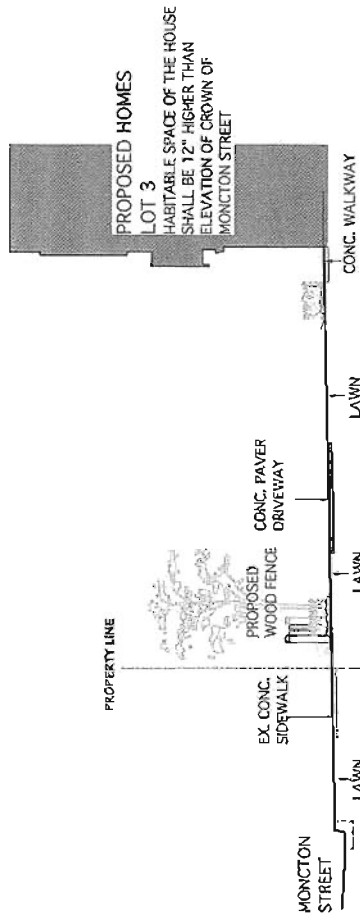
PLANT LIST



1 WOOD FENCE/POST DETAIL
SCALE - 3/4" = 1'-0"



2 4'HT LATTICE/6'HT WOOD FENCE
SCALE - 3/4" = 1'-0"



3 SECTION
SCALE - 1/4" = 1'-0"

NOTE:
ALL WOOD SHALL BE PRESSURE TREATED FIR S.A.S.
ALL WOOD SHALL BE STAINED WITH 2 COATS SOLID STAIN, COLOUR TO BE COORDINATED WITH THE BUILDING AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO APPLICATION.
ALL NAILS AND OTHER METAL COMPONENTS SHALL BE GALVANIZED.
ALL GATES SHALL BE PROVIDED WITH METAL LATCH ASSEMBLIES

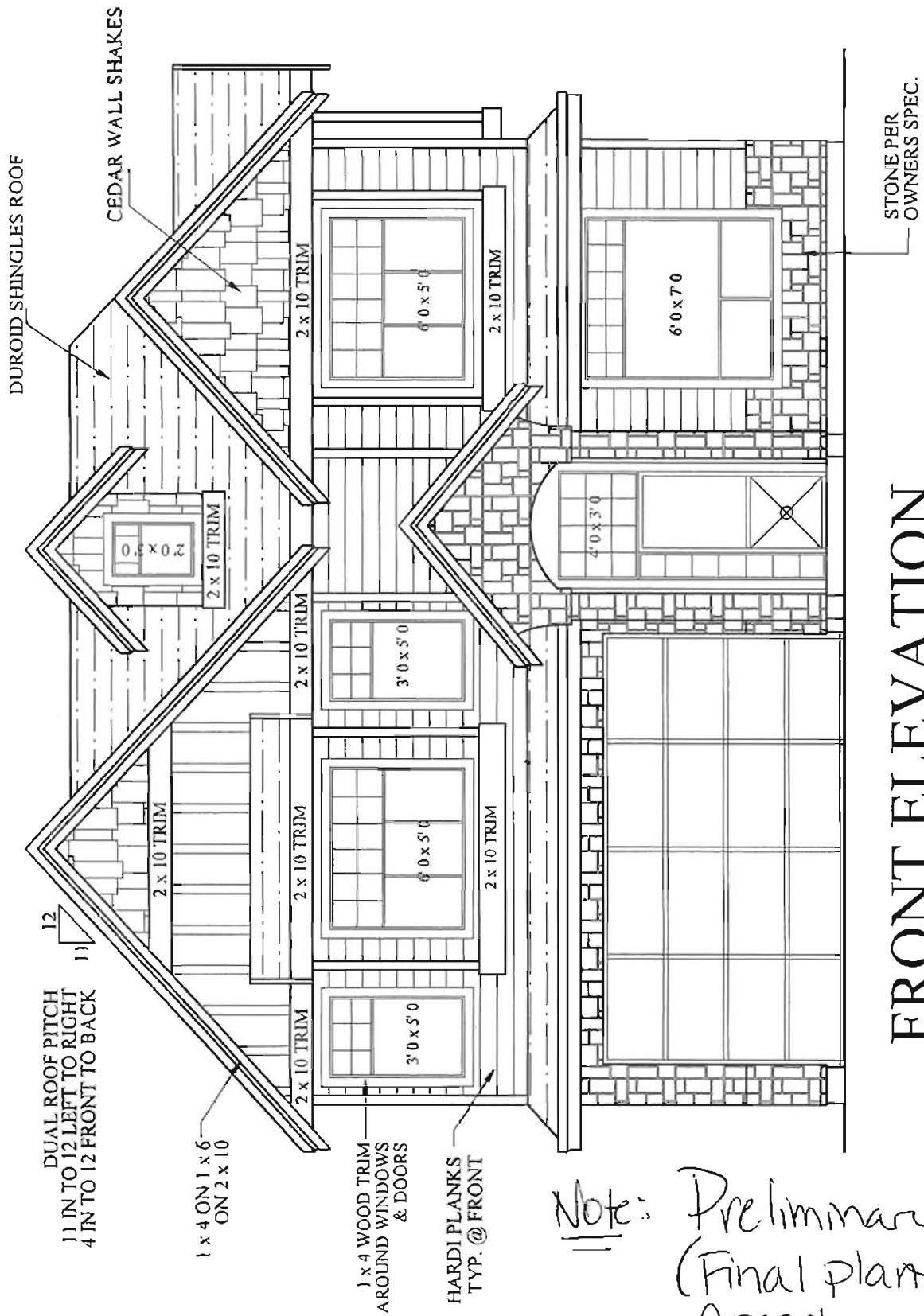
DESIGNED	MI	DATE	REVISIONS	REV	DESCRIPTION	REV
		MAY 5, 2013	ISSUED FOR REZONING			
DRAWN	TI	AUG 10, 2013	City's comments incorporated			
		Sept 9, 2013	Shared driveway indicated			
			Revised for Bracing			

SCALE: 3/4" = 1'-0"
JOB NO.: 13102
SHEET: L3 OF 3

5831 MONCTON ST.
RICHMOND B.C.
R213-629294

ITC
INCORPORATED
1000 WEST 10TH AVENUE
VANCOUVER, BC V6H 3G7
TEL: 604-273-8888

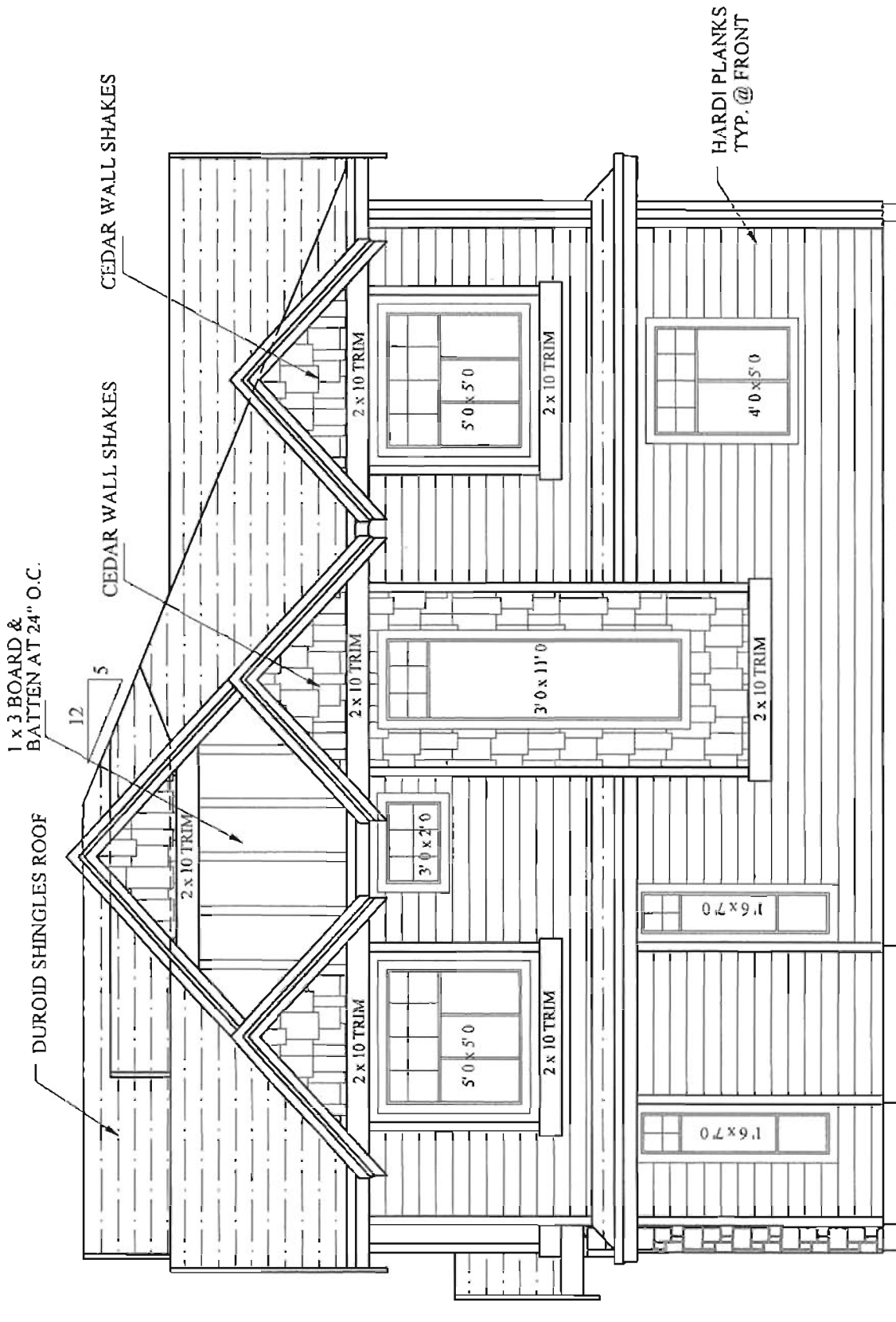
DETAILS



FRONT ELEVATION
MONCTON STREET

REVISED Aug 15

*Note: Preliminary Plans.
 (Final plans to
 Comply with
 all City regulations,
 at Building Permit stage)*



RIGHT SIDE ELEVATION

NO 2 ROAD

REVISED Aug 15



City of
Richmond

Rezoning Considerations

Development Applications Division
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 5831 Moncton Street

File No.: RZ 13-629294

Prior to final adoption of Zoning Amendment Bylaw 9010 , the following items are required to be completed:

1. Submission of a Landscape Plan for the proposed four (4) lots, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - comply with the development requirements of the 2041 OCP's Arterial Road Policy;
 - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
 - include the required ten (10) large-sized replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Calliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
4	10 cm		5.5 m
6	11 cm		6 m

2. The City's acceptance of the applicant's voluntary contribution in the amount of \$5,000 (\$500/tree) to the City's Tree Compensation Fund in-lieu of planting the remaining ten (10) replacement trees on-site.
3. Submission of a Tree Survival Security in the amount of \$5,000 to ensure The Western Red Cedar (Tree # 809) will be protected. The City will release 50% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post-construction impact assessment report is received. The remaining 50% of the security would be released one year later subject to inspection confirming that the tree has survived.
4. Submission of a Contract with a Certified Arborist for supervision of any works to be conducted within the Tree Protection Zones of the Western Red Cedar (Tree # 809) on-site and the Western Hemlock, Cedar, and Maple trees (Trees A, B, C, D) off-site on the neighbouring property to the west (5771 Moncton Street). The Contract must include the scope of work to be undertaken, including the proposed number of site monitoring inspections (including stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review. The Contract must include supervision of the future driveways on proposed Lots 1 and 2, which are to be constructed of unit pavers over an aeration layer, as recommended in the Arborist's Report to mitigate against impacts to the Western Red Cedar (Tree # 809). The Contract must include supervision of special measures to be taken along with trench excavation for utilities which will be required on proposed Lot 1 to protect the Western Hemlock, Cedar, and Maple trees (Trees A, B, C, D) off-site. The Contract must also include supervision of perimeter drainage and fencing within all tree protection zones.

PLN - 262

5. Dedication of property as road in order to achieve a 4 m x 4 m corner cut at the southeast corner of the site, and dedication of 0.5 m of property as road along the entire east property line of the site to enable frontage improvements along No. 2 Road, as per the Servicing Agreement design.
6. Registration of a 1.0 m wide Right-Of-Way for utilities along the entire frontage on Moncton Street for water meter boxes and storm sewer inspection chambers, as per the Servicing Agreement design.
7. Registration of a 1.5 m by 9.0 m Right-Of-Way along a portion of Moncton Street for a concrete bus stop pad and future bus stop shelter location, as per the Servicing Agreement design.
8. Registration of a 1.5 m Right-Of-Way for utilities along the entire frontage on No 2 Road for water meter boxes and storm sewer inspection chambers, as per the Servicing Agreement design.
9. Registration of a flood indemnity covenant on Title.
10. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on two (2) of the four (4) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the rezoning bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e., \$11,520) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

11. Registration of a legal agreement on Title to ensure that, upon subdivision of the property, vehicular access to proposed Lots 2 and 3 is via a single shared driveway crossing (6 m wide at the back of the sidewalk and 9 m wide at the curb), centered on the proposed shared property line;
12. Registration of a legal agreement on title to ensure that, upon subdivision of the property, the buildings and driveways on proposed Lots 1, 2, and 3 be designed to accommodate on-site vehicle turnaround capability to prevent vehicles from reversing onto Moncton Street.
13. Entrance into a standard Servicing Agreement for the design and construction of frontage improvements along the entire frontages on Moncton Street and No. 2 Road.

Improvements along Moncton Street are to include, but are not limited to:

- Upgrading the existing storm sewer to a minimum 600 mm diameter pipe, from the west property line of the site to the existing manhole STMH 3036 (near the southeast corner of the site).
- Upgrading the existing storm sewer from existing STMH 3036 to STMH 1199 (near the northeast corner of 5760 Moncton Street).
- Removing the existing concrete sidewalk and lighting strip, constructing a new 1.5 m wide concrete sidewalk at the south property line of the site, and creating a treed and grass boulevard between the existing curb and new sidewalk.

Improvements along No. 2 Road are to include, but are not limited to:

- Removing the existing concrete sidewalk, constructing a new 1.5 m wide concrete sidewalk at the new east property line of the site, and creating a 1.5 m treed and grass boulevard between the existing curb and new sidewalk. No storm sewer analysis or upgrading is required.

Note: The design is to include water, storm and sanitary connections for all four (4) lots. The applicant will be required to provide underground Hydro, Telus and Cable for all four (4) lots. Additional right-of-ways may be required.

At Demolition* stage, the applicant will be required to:

- Install tree protection fencing to City standard around The Western Red Cedar (Tree # 809) on-site and around the Western Hemlock, Cedar, and Maple trees (Trees A, B, C, D) at 5771 Moncton Street prior to demolition of the existing dwelling on-site. Tree protection fencing must remain in place until construction and landscaping on the future lots is completed. Tree protection fencing must be installed around Tree # 809 at a minimum of 3.9 m out from the base of the tree to the west, 5.2 m to the south, and 5.6 m to the north and east, as specified in the Arborist's Report. Tree protection fencing must be installed around Trees A, B, C, D at a minimum of 2.3 m into the subject site from the west property line, as specified in the Arborist's Report.

At Subdivision* stage, the applicant will be required to:

- Pay Development Cost Charges (City and GVS&DD), School Site Acquisition charges, and Address Assignment Fees. Service connections and costs are to be determined via the Servicing Agreement.
- Register a cross-access easement on Title for the area of the shared driveway on proposed Lots 2 and 3 (6 m wide at the front lot line and 9 m long, centered on the proposed shared property line).

At Building Permit* stage, the developer must complete the following requirements:

- 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.
- 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 concurrence on file)

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9010 (RZ 13-629294)
5831 Moncton Street

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/C)".

That area shown cross-hatched on "Schedule A" attached to and forming part of Bylaw No. 9010.

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9010".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Horizontal lines for signature and date entry.

CITY OF RICHMOND
APPROVED by
APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER