



To: Planning Committee

Date: December 15, 2011

From: Brian J. Jackson, MCIP
Director of Development

File: RZ 11-581922

Re: Application by Ranjit Pooni for Rezoning at 9271 Francis Road from Single Detached (RS1/C) to Compact Single Detached (RC2)

Staff Recommendation

1. That Bylaw No.8851, for the rezoning of 9271 Francis Road from "Single Detached (RS1/C)" to "Compact Single Detached (RC2)", be introduced and given first reading.

Brian J. Jackson, MCIP
Director of Development

ES: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"/>	

Staff Report

Origin

Ranjit Pooni has applied to the City of Richmond for permission to rezone 9271 Francis Road from Single Detached (RS1/C) to Compact Single Detached (RC2) in order to permit the property to be subdivided into two (2) single-family lots (**Attachment 1**).

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 north side of Francis Road, between Heather Street and Ash Street.

To the north, is a single detached dwelling zoned “Single Detached (RS1/B)”;

To the east; is a single detached dwelling zoned “Single Detached (RS1/C)”;

To the south; across Francis Road are single detached dwellings zoned “Single Detached (RS1/E)”;

To the west, across Heather Street are two (2) single detached dwellings zoned “Single Detached (RS1/C)”.

Related Policies & Studies

Official Community Plan (OCP) Designation

The subject property is located in the Broadmoor Planning Area. The Official Community Plan’s (OCP) Generalized Land Use Map designation for this property is “Neighbourhood Residential”. The Ash Street Sub-Area Plan Land Use Map designation for this property is “Low Density Residential”. This redevelopment proposal is consistent with these designations.

Lane Establishment and Arterial Road Redevelopment Policies

The rezoning application complies with the City’s Lane Establishment and Arterial Road Redevelopment Policies, as it is a single-family residential development proposal with access to an existing side street via a new rear lane.

Lot Size Policy

The subject property does not fall within a Lot Size Policy area.

Staff CommentsLand Use

In October of 2009, a land use inquiry was made regarding the development potential of the subject property. At the time, staff indicated that the preferred option would be a land assembly to allow a townhouse development similar to the existing development to the east. However, taking into consideration that the applicant of the subject property could subdivide the subject property into two (2) lots fronting Heather Street with no rezoning required, staff also indicated support for compact lots fronting Francis Road with vehicle access via a new lane off Heather Street in order to not leave the adjacent single-family lot to the east with no development potential.

Trees & Landscaping

A Certified Arborist's Report 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 on the subject property; and
- Three (3) bylaw-sized trees on the neighbouring property to the east (9291 Francis Road) and one (1) bylaw-sized tree on the neighbouring property to the north (8960 Heather Street).

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and conducted a Visual Tree Assessment (VTA). The City's Tree Preservation Coordinator concurs with the Arborist's recommendation to:

- Relocate Tree #1 on site which is in good condition and small enough that transplanting it to another location on site is feasible;
- Retain and protect two (2) trees located on the subject property (Trees #5 and 6). Tree protection for Tree #5 should be installed adjacent to the City sidewalk on the south side, and 1.6 m from the base of the stem on the north, east and west sides. Tree protection fencing for Tree #6 should be installed adjacent to the City sidewalk on the south side, and 1.2 m from the base of the stem on the north, east and west sides.
- Remove and replace 11 trees located on the subject property (Trees #2, 3, 4, 7, 8, 9, 10, 11, 12, 13 and 14), which are all in poor condition due to previous topping and as a result, exhibit structural defects that significantly limit the life expectancy of these trees. In addition, the existing grade is located approximately 24 in. below the crown of the road and as a result, required grade changes to meet the Flood Plain Bylaw requirements would further limit the viability of existing trees. Trees #10, 11, 12, 13 & 14 also fall within the new lane dedication.

- Retain and protect Tree #15 located on the property to the north (8960 Heather Street) and the three (3) trees (Trees # 16, 17 and 18) located on the neighbouring property to the east (9291 Francis Road). Tree protection fencing for Tree #15 should be installed a minimum of 3 m from the base of the stem on the south, east and west sides. Tree protection fencing for Trees #16, 17 and 18 should be installed as one large enclosure on the subject site only, 4.4 m from the base of the stem on the south and west sides of Tree #17. The laneway will need to end outside of this zone. No grade changes are to occur within this zone.

Tree protection fencing is required 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 final Tree Retention Plan is included in **Attachment 3**.

Prior to final adoption of the rezoning bylaw, the applicant is required to submit:

- A Contract with a Certified Arborist for supervision of the relocation of Tree #1 and any works to be conducted within the Tree Protection Zone of trees to be retained (Trees # 5, 6, 15, 16, 17 and 18). The Contract must include 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; and
- A Survival Security to the City in the amount of \$7,000 (to reflect the 2:1 replacement ratio at \$500/tree) to ensure that Trees # 1, 5, 6, 15, 16, 17 and 18 will be retained and protected. The City will release 90% 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 10% of the security would be released one year later subject to inspection.

Based on the 2:1 tree replacement ratio goal in the Official Community Plan (OCP), and the size requirements for replacement trees in the City's Tree Protection Bylaw, a total of 22 replacement trees are required to be planted and maintained on the future lots. Considering the limited space in the yards of the future lots, and the effort to retain and relocate Tree #1, staff recommend that only 20 replacement trees be required with the following minimum sizes:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
6	8 cm		4 m
6	9 cm		5 m
4	10 cm		5.5 m
4	11 cm		6 m

The applicant proposes to plant and maintain a portion of the required replacement trees and provide a voluntary contribution to the City's Tree Compensation Fund in the amount of \$500/tree in-lieu of planting the balance of required replacement trees on-site.

As a condition of rezoning, the applicant must submit a Landscape Plan, prepared by a Registered Landscape Architect, along with a Landscaping Security (100% of the cost estimate provided by the Landscape Architect, including installation costs) to illustrate the number of replacement trees that can suitably be planted and maintained on-site and to ensure that the front yards of the future lots will be enhanced.

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

Affordable Housing

Richmond's Affordable Housing Strategy requires a suite on 50% of new lots, 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 applicant proposes to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is 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 applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicant change their mind 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 suite 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. \$4,863).

Floodplain Management Implementation Strategy

In accordance with the City's Flood Management Strategy, the minimum allowable elevation for habitable space is 2.9 m GSC or 0.3 m above the highest crown of the adjacent road. A Flood Indemnity Covenant is required to be registered on Title.

Site Servicing & Vehicle Access

Prior to Final Adoption of rezoning, the developer is required to do the following:

1. Dedicate a 4 m x 4 m corner cut and dedicate 6 m of property along the entire north property line of the site for proposed lane.

2. Enter into a Servicing Agreement for the design and construction of a lane, and frontage improvements along the entire frontage on Heather Street, to current City standards. Lane works to include, but are not limited to: storm sewer, sand/gravel base, roll curb and gutter (both sides), asphalt pavement, and lane lighting. Works on Heather Street to include, but are not limited to: storm sewer, curb and gutter, pavement widening, minimum 1.5 m grass and treed boulevard, 1.5 m concrete sidewalk, and street lighting. Note: Design to include water, storm, and sanitary connections for both lots.

Vehicular access to Francis Road is not permitted in accordance with Bylaw No. 7222. Access to the site at future development stage is to be from the new rear lane only.

Subdivision

At future subdivision stage, the applicant will be required to:

1. Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fee.
2. Sign a Restrictive Access Covenant to ensure no vehicular access from Heather Street for the corner lot. Access to be from lane only.

Analysis

This rezoning application complies with the City's Lane Establishment and Arterial Road Redevelopment Policies since it is an infill development proposal on an arterial road with vehicle access to and from the proposed rear lane. The potential exists for other lots on this side of Francis Road to redevelop consistent with these policies.

Financial Impact

None.

Conclusion

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with all applicable land use designations and policies contained within the OCP, and is consistent with the established pattern of redevelopment in the neighbourhood.

The list of rezoning conditions is included as **Attachment 4**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommend support for the application.

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

Erika Syvokas
Planning Technician
(604-276-4108)

ES:blg

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



City of Richmond



PLN - 70

FRANCIS RD

HEATHER ST

PROPOSED REZONING

RZ 11-581922

Original Date: 06/15/11

Revision Date:

Note: Dimensions are in METRES

0968

18.29

45.26

25.17

20.12

37.33

9291

20.12

~~36.68~~

9271

25.47

18.29

240

18.29

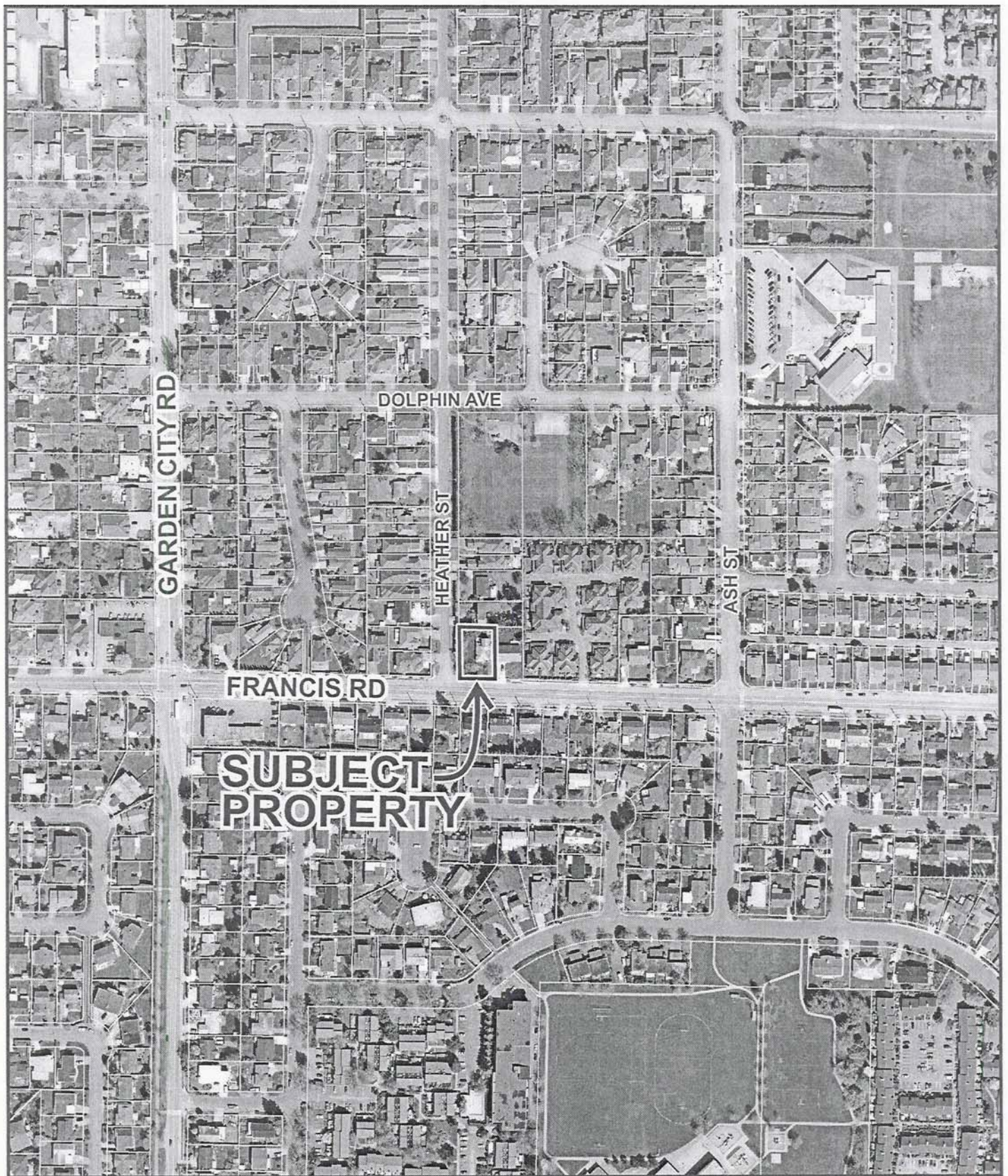
9260

19.51

9280

19.51

9300



RZ 11-581922

Original Date: 06/15/11

Amended Date:

Note: Dimensions are in METRES

PLN - 71



RZ 11-581922

Attachment 2

Address: 9271 Francis Road

Applicant: Ranjit Pooni

Planning Area(s): Broadmoor Area - Ash Street Sub-Area (2.6 A)

	Existing	Proposed
Owner:	Kulwinder Kaur Pooni	To be determined
Site Size (m²):	753 m ² (8,105.5 ft ²)	Two (2) lots, 423 m ² (4,553.3 ft ²) and 330 m ² (3,552.2 ft ²)
Land Uses:	One (1) single detached dwelling	Two (2) compact residential lots
OCP Designation:	Generalized Land Use Map Designation – "Neighbourhood Residential"	No change
Area Plan Designation:	Broadmoor Area Ash Street Sub-Area (2.6 A) Land Use Map designation – "Low Density Residential"	No change
702 Policy Designation:	N/A	N/A
Zoning:	Single Detached (RS1/C)	Compact Single Detached (RC2)
Other Designations:	The OCP Lane Establishment and Arterial Road Redevelopment Policies permit rezoning and subdivision to compact lots along this section of Francis Road	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.6	Max. 0.6	none permitted
Lot Coverage – Building:	Max. 50%	Max. 50%	none
Lot Size (min. dimensions):	270 m ²	Lot A- 423 m ² Lot B- 330 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):	Max. 2.5 storeys	Max. 2.5 storeys m	none

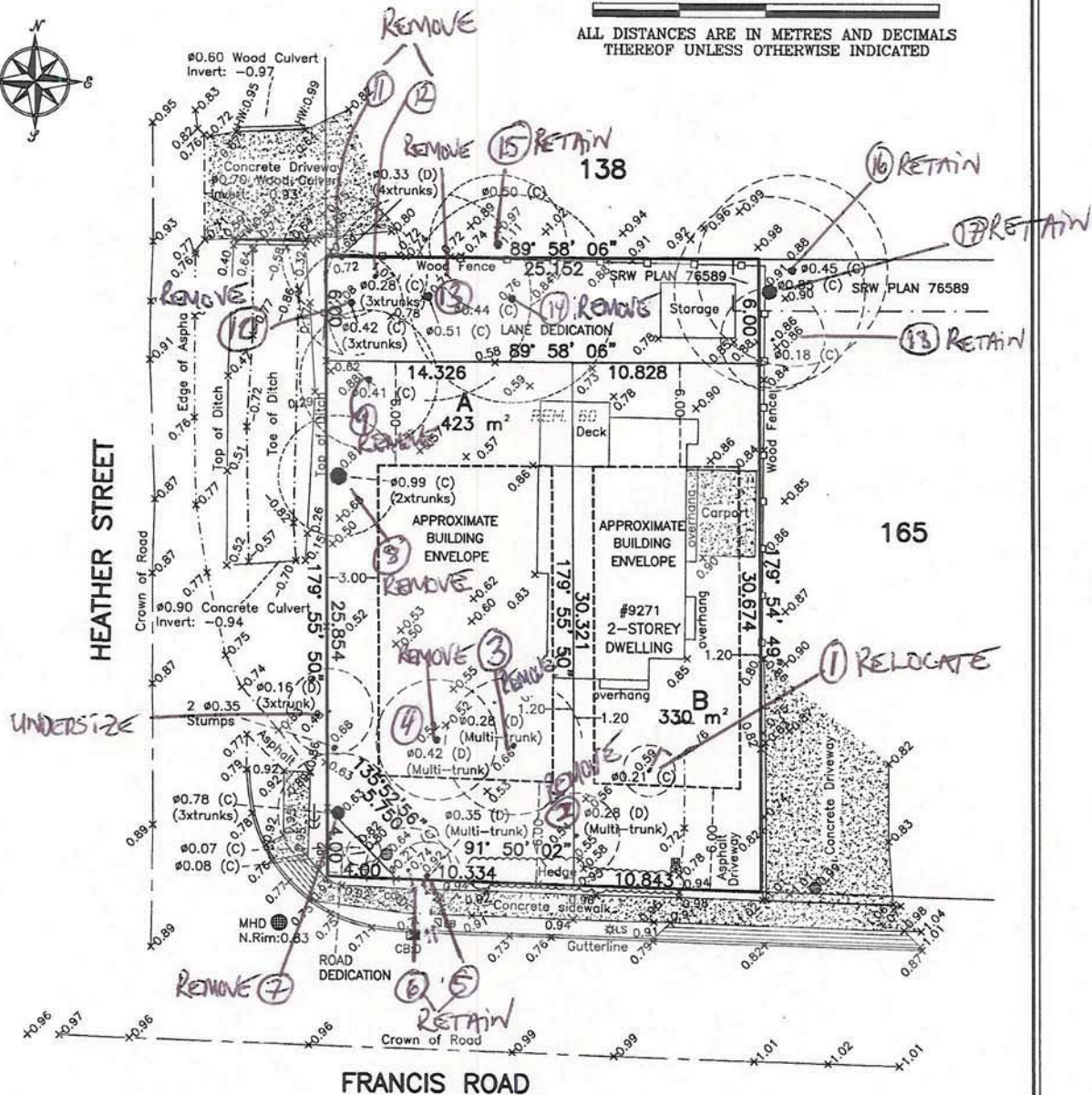
Other: Tree replacement compensation required for loss of significant trees.

**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF
LOT 60 EXCEPT: FIRSTLY: PART SUBDIVIDED BY
PLAN 22593 SECONDLY: PART SUBDIVIDED BY PLAN 37935 THIRDLY: PART
SUBDIVIDED BY PLAN 425111 SECTION 22 BLOCK 4 NORTH
RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 8142**

#9271 FRANCIS ROAD,
RICHMOND, B.C.
P.I.D 004-156-609

SCALE: 1:250

0 5 10 20
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. 4443
FB-183 P19-22
Drawn By: TH/MY

LEGEND:
(C) denotes coniferous
(D) denotes deciduous
● denotes power pole
↓ denotes guy-wire anchor
⊙ denotes round catch basin
MHD denotes storm manhole
■ denotes catch basin
EB denotes electrical box
■ denotes water meter
= denotes water valve
CO denotes cleanout
LS denotes lamp standard
HW denotes concrete headwall

NOTE:
Elevations shown are based on City of
Richmond HPN Benchmark network.
Benchmark: HPN TAG#32,
Located at E Heather street @ S/E of
#8811 Heather.
Elevation = 1.293 metres

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

Johnson C. Tam
JOHNSON C. TAM, B.C.L.S.

MAY 7th, 2011

DWG No. 4443-TOPO-2

PLN - 73



City of Richmond

Rezoning Considerations

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

Address: 9271 Francis Road

File No.: RZ 11-581922

Prior to final adoption of Zoning Amendment Bylaw 8851, the developer is required to complete the following:

1. Dedicate a 4m x 4m corner cut and dedicate 6m of property along the entire north property line of the site for the proposed lane.
2. Enter into a Servicing Agreement* for the design and construction of a lane, and frontage improvements along the entire frontage on Heather Street, to current City standards. Lane works to include, but are not limited to: storm sewer, sand/gravel base, roll curb & gutter(both sides), asphalt pavement, and lane lighting. Works on Heather Street to include, but are not limited to: storm sewer, curb & gutter, pavement widening, min. 1.5 m grass & treed boulevard, 1.5 m concrete sidewalk, and street lighting. Note: Design to include water, storm, & sanitary connections for both lots.
3. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of 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 guidelines of the OCP's Lane Establishment and Arterial Road Redevelopment Policies and should not include hedges along the front property line;
 - include a mix of coniferous and deciduous trees;
 - include the dimensions of tree protection fencing as specified in the Arborist Report dated October 16, 2011; and
 - include the proposed number of replacement trees that can suitably be planted and maintained on-site, with the following minimum sizes:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
6	8 cm		4 m
6	9 cm		5 m
4	10 cm		5.5 m
4	11 cm		6 m

4. The City's acceptance of the applicant's voluntary contribution in the amount of \$500/ tree to the City's Tree Compensation Fund for the planting of replacement trees within the City, in-lieu of planting the balance of required replacement trees on-site.
5. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of the relocation of Tree #1 and any works to be conducted within the Tree Protection Zone of trees to be retained (Trees # 5, 6, 15, 16, 17 & 18). 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.
6. Submission of a Tree Survival Security to the City in the amount of \$7,000 for trees to be retained (Trees # 1, 5, 6, 15, 16, 17 & 18). The City will release 90% 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 10% of the security would be released one (1) year later subject to inspection.
7. Registration of a flood indemnity covenant on title.
8. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) 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-

single-family developments (i.e. \$4,863) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

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

- Install appropriate tree protection fencing to City standard around Trees # 5, 6, 16, 17 & 18 to be retained as specified in the Arborist Report dated October 16, 2011 by Kerin Matthews of Mountain Maple Garden & Tree Service Ltd. and a minimum of 3 m from the base of the stem on the south, east and west sides of Tree #15 as part of the development prior to any construction activities, including building demolition, occurring on-site.

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

1. Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fee.
2. Registration of a legal agreement on Title ensuring that the only means of vehicle access for the corner lot will be from the lane.

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.

[Signed original on file]

Signed _____

Date _____



**Richmond Zoning Bylaw 8500
Amendment Bylaw 8851 (RZ 11-581922)
9271 FRANCIS 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 **COMPACT SINGLE DETACHED (RC2)**.

P.I.D. 004-156-609

Lot 60 EXCEPT: FIRSTLY: PART SUBDIVIDED BY PLAN 22593 SECONDLY:
PART SUBDIVIDED BY PLAN 37935 THIRDLY: PART SUBDIVIDED BY PLAN
42511 SECTION 22 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER
DISTRICT PLAN 8142

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 8851"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER DEVELOPMENT REQUIREMENTS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 