



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee
From: Wayne Craig
Director of Development


Date: December 16, 2014
File: RZ 13-647380

Re: Application by Murad Baluch for Rezoning at 9329 Kingsley Crescent from Land Use Contract 048 to Single Detached (RS2/B)

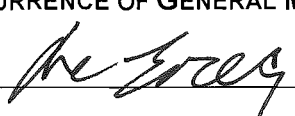
Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment and Termination of Land Use Contract Bylaw 9195:
 - a) For the rezoning of 9329 Kingsley Crescent from “Land Use Contract 048” to “Single Detached (RS2/B)”; and
 - b) To authorize the termination, release and discharge of “Land Use Contract 048” entered into pursuant to "Dawson Lands Ltd. Land Use Contract By-law No. 3281", as it affects 9329 Kingsley Crescent;

be introduced and given first reading.


Wayne Craig
Director of Development

AY:blg
Att.

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

Staff Report

Origin

Murad Baluch has applied to the City of Richmond for permission to rezone the property at 9329 Kingsley Crescent to the “Single Detached (RS2/B)” zone, and to discharge “Land Use Contract 048” from title of the property, in order to legalize an existing secondary suite within the existing dwelling. A map and aerial photograph showing the location of the subject site is included in Attachment 1. A surveyor’s certificate indicating the siting of the existing house on the property is provided in Attachment 2.

Discharging Land Use Contract 048

Staff recommend that Council approve the discharge of “Land Use Contract 048” registered on title of the property at 9329 Kingsley Crescent to allow the property to be rezoned to the “Single Detached (RS2/B)” zone.

Findings of Fact

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

Surrounding Development

The subject property is surrounded by other single-family dwellings to the north, east, and south on lots under “Land Use Contract 048”, and the Shell Road Trail and ditch to the west.

Related Policies & Studies

2041 Official Community Plan (OCP)

The Official Community Plan (OCP) designation of the subject site is “Neighbourhood Residential (NRES)”. The proposed rezoning is consistent with the OCP land use designation.

Affordable Housing Strategy

The City’s Affordable Housing Strategy does not apply to the proposed rezoning, as it will not result in a net increase in density or the number of dwelling units on the subject site.

Prior to obtaining a valid Building Permit from the City to legalize the existing secondary suite within the existing dwelling, the applicant is required to rezone the subject site to “Single Detached (RS2/B)” and discharge “Land Use Contract 048” from title of the property. The proposed secondary suite will contribute to the City’s goals of increasing the affordable housing stock in Richmond.

Public Input

The rezoning information sign has been installed on the subject site. City staff have not been notified of any concerns expressed by the public regarding the proposed rezoning.

Staff Comments

Analysis

The area surrounding the subject site is primarily residential; consisting of a mix of single-family dwellings and townhouses. The existing dwelling, trees and landscaping on the subject site are well-maintained and fit within the single-family form and character of the surrounding neighbourhood. The proposed rezoning will not require any exterior renovations or alterations to the existing dwelling. If adopted, it will also limit any future additions to the existing dwelling based on the provisions of the "Single Detached (RS2/B)" zone.

Trees and Landscaping

The surveyor's certificate submitted by the applicant shows two (2) existing bylaw-sized trees located on-site at the rear of the property, and one (1) bylaw-sized tree on neighbouring property near the northwest corner of the subject site (see Attachment 2). The proposed rezoning is not expected to impact any bylaw-sized trees on-site or on neighbouring property.

Riparian Management Area (RMA)

A 5 m Riparian Management Area (RMA) buffer runs north-south along the west property line of the subject site. As the proposed rezoning will not result in any disturbances on the site, there are no expected impacts on the RMA buffer zone.

Flood Management

Prior to final adoption of the rezoning bylaw, the applicant is required to register a Flood Indemnity Covenant on Title.

Site Servicing and Vehicle Access

There are no site servicing concerns with this rezoning application.

Existing vehicle access to the lot from Kingsley Crescent will remain unchanged.

Building Permit Stage

Upon approval, the applicant will be required to apply for a Building Permit to legalize the existing secondary suite within the existing dwelling on the subject property.

The applicant has agreed to the list of rezoning considerations (signed concurrence on file) included in Attachment 4.

Financial Impact or Economic Impact

None.

Conclusion

This application to rezone the subject property to the “Single Detached (RS2/B)” zone and to discharge “Land Use Contract 048” from title of the property to accommodate a legal secondary suite within the existing dwelling is consistent with applicable policies and land use designations outlined within the Official Community Plan (OCP).

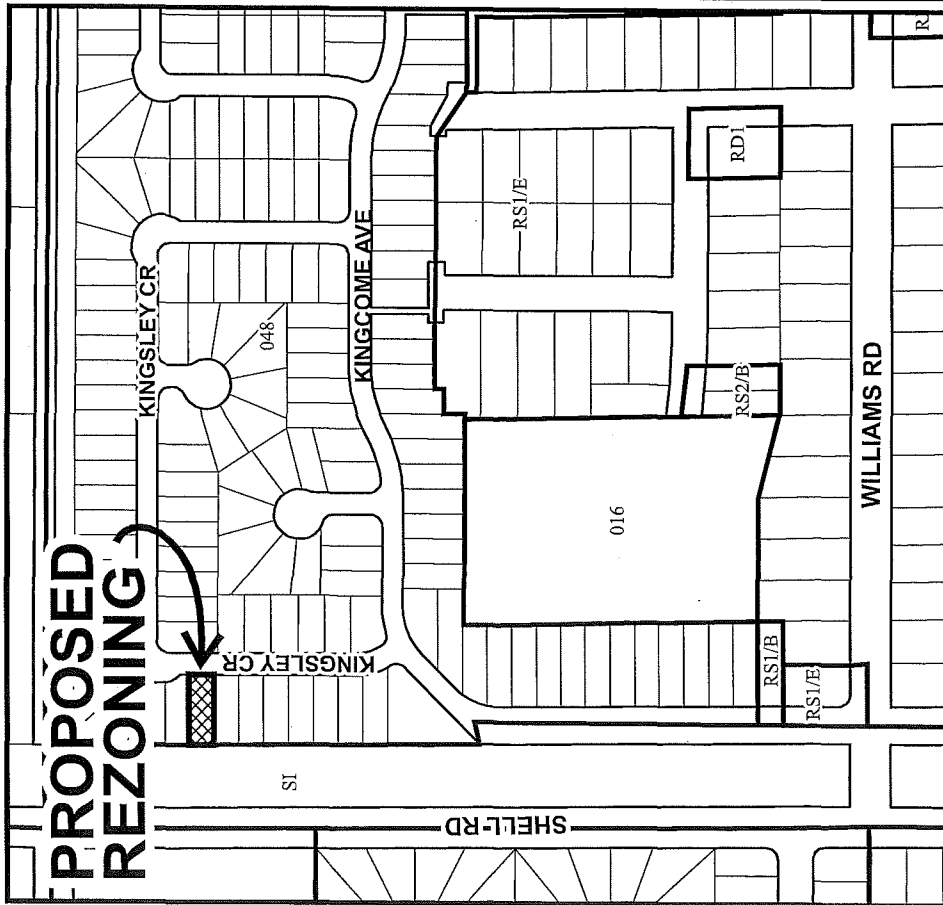
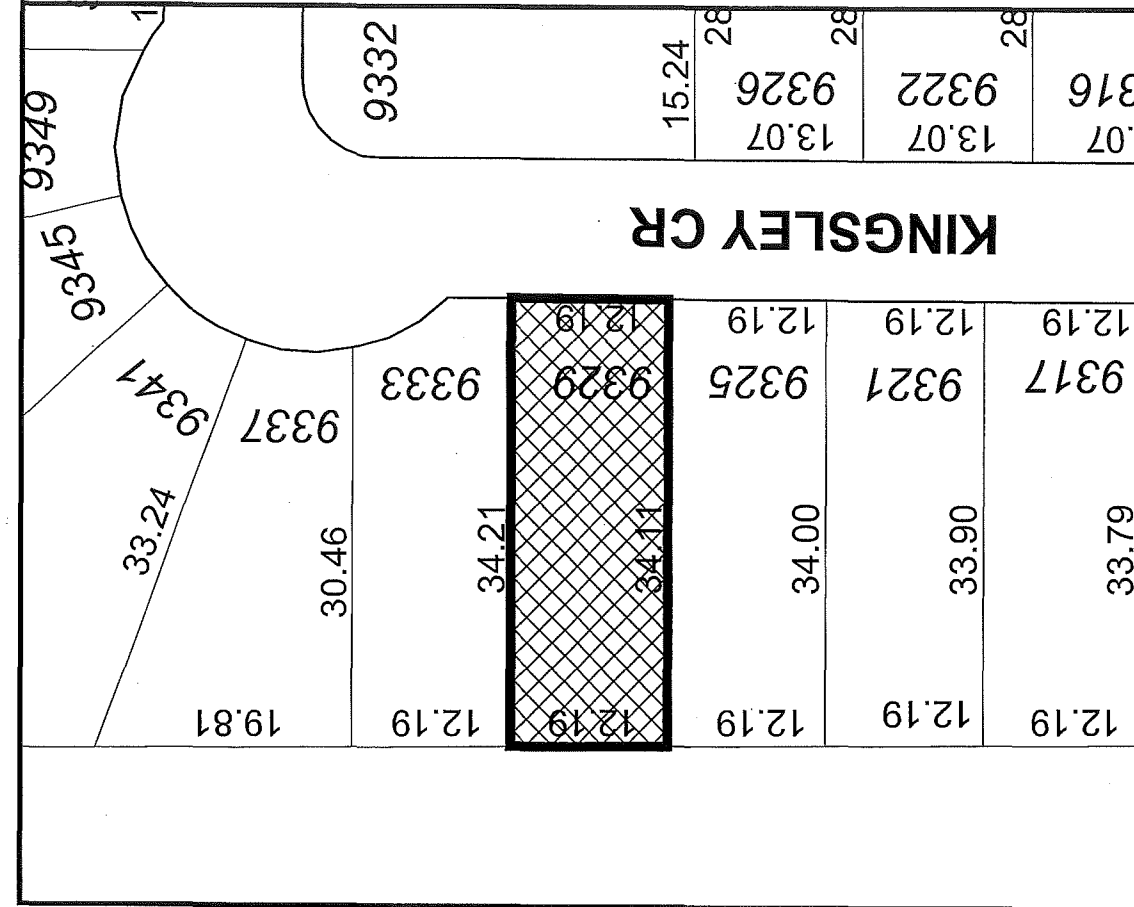
On this basis, it is recommended that Zoning Bylaw 8500, Amendment and Termination of Land Use Contract Bylaw 9195 be introduced and given first reading.



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

AY:blg

- Attachment 1: Location Map & Aerial Photograph
- Attachment 2: Surveyor’s Certificate
- Attachment 3: Development Application Data Sheet
- Attachment 4: Rezoning Considerations



PROPOSED REZONING

CNCL - 82

Original Date: 10/16/13

Revision Date:

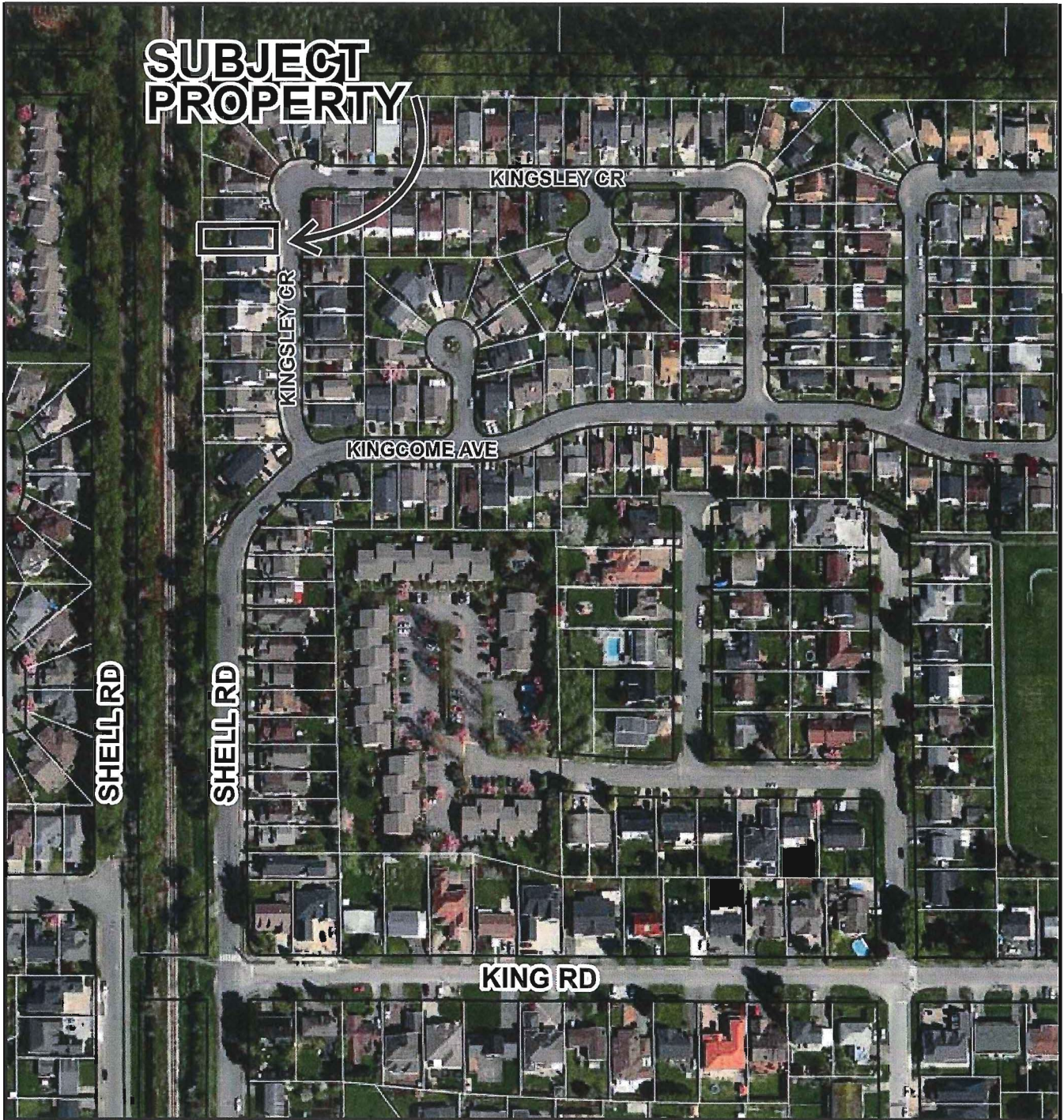
Note: Dimensions are in METRES

RZ 13-647380





City of
Richmond



RZ 13-647380

Original Date: 10/16/13

Revision Date:

Note: Dimensions are in METRES

CNCL - 83

**BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION
OF BUILDING ON LOT 608 SECTION 25 B4N R6W
NEW WESTMINSTER DISTRICT PLAN 55101**

Current Civic Address:
9329 Kingsley Crescent
Richmond, B.C.

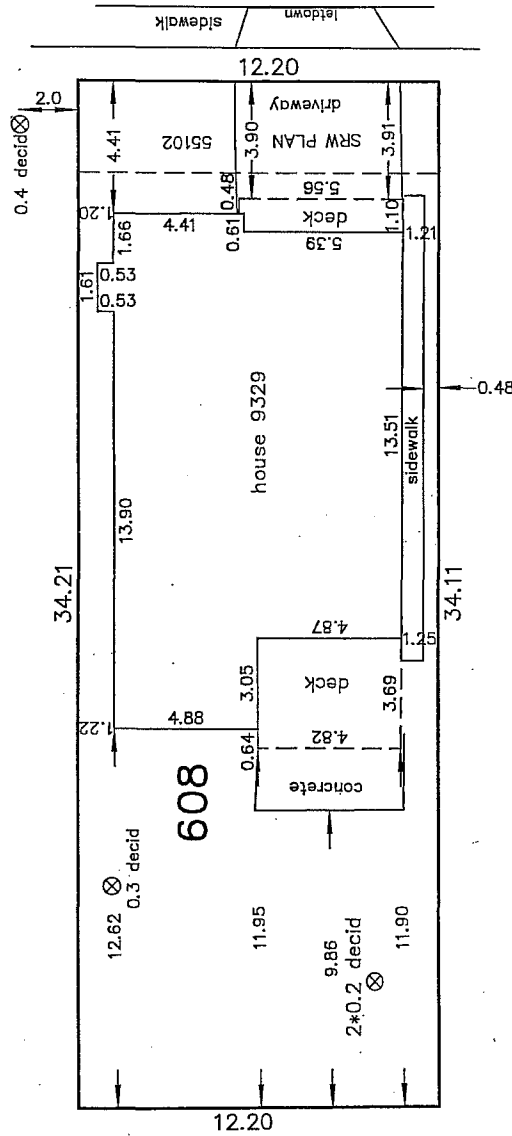
SCALE 1:250

CON 0.0 ⊗ ...denotes tree

Notes:

- All dimensions are in metres.
- All building dimensions are measured to the above ground outside face of exterior walls.
- This plan is NOT to be used for location of property lines.
- This plan does not show non-plan charges, liens or interests.
- *property dimensions are derived from Land Title Office records*

KINGSLEY CRESCENT



This certificate of location has been prepared in accordance with the Manual of Standards Practices and is certified correct as of 11 November 2014. This 12th day of November 2014.

© COPYRIGHT

**DHALIWAL & ASSOCIATES
LAND SURVEYING INC.**

121-13140 80th Avenue

Surrey, B.C.
V3W 3B2

(ph) 501-6188

(fx) 501-6189

FILE: 1309132-M03

**THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED**





RZ 13-647380

Attachment 3

Address: 9329 Kingsley Crescent

Applicant: Murad Baluch

Planning Area(s): Shellmont

| | Existing | Proposed |
|-----------------------------------|---------------------------|---------------------------|
| Owner: | Murad Baluch/Khair Baluch | Murad Baluch/Khair Baluch |
| Site Size (m²): | 416 m ² | 416 m ² |
| Land Uses: | Single family residential | No change |
| OCP Designation: | Neighbourhood Residential | No change |
| Zoning: | Land Use Contract 048 | Single Detached (RS2/B) |
| Number of Lots: | 1 | 1 |

| 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 |
| Setbacks – Front & rear yards (m): | Min. 6 m | Min. 6 m | none |
| Setbacks – Interior side yards (m): | Min. 1.2 m | Min. 1.2 m | none |
| Height (m): | 2½ storeys | 2½ storeys | none |
| Lot size (m ²): | Min. 360 m ² | 416 m ² | none |
| Lot width (m): | Min. 12 m | 12.2 m | none |
| Lot depth (m): | Min. 24 m | 34.2 m | none |
| Lot frontage (m): | Min. 6 m | 12.2 m | none |

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



Rezoning Considerations

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

Address: 9329 Kingsley Crescent

File No.: RZ 13-647380

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9195, the developer is required to complete the following:

- 1. Registration of a flood indemnity covenant on title.

Prior to Building Permit* Issuance, the developer must complete the following requirements:

- 1. 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]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9195 (RZ 13-647380)
9329 Kingsley Crescent

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 land use contract designation of the following area and by designating it "SINGLE DETACHED (RS2/B)".

P.I.D. 003-868-915

Lot 608 Section 25 Block 4 North Range 6 West New Westminster District Plan 55101

- 2. That:

- a) "Land Use Contract 048", entered into pursuant to "Dawson Lands Ltd. Land Use Contract By-law No. 3281", be terminated, released and discharged in relation to the following area:

P.I.D. 003-868-915

Lot 608 Section 25 Block 4 North Range 6 West New Westminster District Plan 55101

- b) The Mayor and Clerk are hereby authorized to execute any documents necessary to terminate, release and discharge "Land Use Contract 048" from the above area.

- 3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9195".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

ADOPTED

Four horizontal lines for signature or date entry.

CITY OF RICHMOND APPROVED by BK APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER