



# City of Richmond

## Report to Committee Planning and Development Department

**To:** Planning Committee

**Date:** October 29, 2014

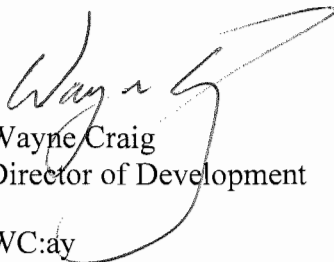
**From:** Wayne Craig  
Director of Development

**File:** RZ 14-660396

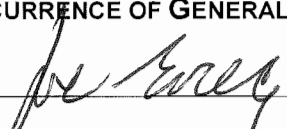
**Re:** Application by Raman Kooner and Ajit Thaliwal for Rezoning at 9680 Railway Avenue from Single Detached (RS1/E) to Single Detached (RS2/B)

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9181, for the rezoning of 9680 Railway Avenue from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, be introduced and given first reading.



Wayne Craig  
Director of Development  
WC:ay

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

## Staff Report

### Origin

Raman Kooner and Ajit Thaliwal have applied to the City of Richmond to rezone the property at 9680 Railway Avenue from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/B)” zone to permit subdivision of the property into two (2) lots each approximately 13 m wide and 503 m<sup>2</sup> in area. Existing buildings on the property (a one-storey dwelling and an accessory detached garage) will be demolished in order to accommodate a single detached dwelling on each proposed lot with vehicle access from Mytko Crescent (**Attachment 1**). A preliminary subdivision plan of the property is provided in **Attachment 2**.

### Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (see **Attachment 3**).

### Surrounding Development

To the North are two (2) single-family dwellings zoned “Single Detached (RS1/B)” with vehicle access from Mytko Crescent.

To the East, directly across Mytko Crescent, are single-family dwellings zoned “Single Detached (RS1/B)”.

To the South are single-family dwellings zoned “Single Detached (RS1/E)” with vehicle access from Mytko Crescent.

To the West, across Railway Avenue and the Railway Greenway, are single-family dwellings under Land Use Contract No.117.

### Related Policies & Studies

#### 2041 Richmond Official Community Plan (OCP)

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

#### 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 applicants propose to provide a legal secondary suite in the dwelling on one (1) of the two (2) lots proposed 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. Registration of the legal agreement is required prior to final adoption of the rezoning bylaw. 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.

**Note:** Should the applicants change their minds 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/ft<sup>2</sup> of total building area of the single detached dwellings to be constructed (i.e., \$5,748.00).

### **Public Input**

City staff has not been notified of any concerns from the public regarding the redevelopment proposal in response to the installation of the rezoning information sign on the subject site.

### **Staff Comments**

#### Background

The subject site is located on the east side of Railway Avenue and is double-fronting, with a property line on Mytko Crescent as well as Railway Avenue. The site is located in a well-established residential area in the Blundell neighbourhood. The area consists of a diverse mix of single detached homes, duplexes, low to medium-density townhouses, and Jessie Wowk School. Several surrounding sites along Williams Road, No. 2 Road and Woodward Road have undergone redevelopment in the recent past through subdivision and rezoning.

#### Trees and Landscaping

A Tree Survey and Certified Arborist's Report have been submitted by the applicant. The report and survey identify two (2) existing bylaw-sized trees on-site (marked Tag#'s 131 and 132) to be removed. One (1) bylaw-sized tree located on City property (marked Tag# 130) to be retained and three (3) bylaw-sized trees located on the neighbouring west property (marked Tag A, B and C) to be retained. The proposed Tree Retention Plan is shown 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 to remove both trees on-site and retain the tree on City property and three (3) trees on the adjacent property, as follows:

- Two (2) trees located on site (Tag# 131 and 132) 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 removed and replaced.

- Three (3) trees located on neighbouring property (Tag A, B and C) to be protected as per the Arborist Report recommendations.
- One (1) tree located on City property (Tag# 130) to be protected as per the Arborist Report recommendations.
- One (1) tree identified in the Arborist report as Tag# 133 is actually a hedging cedar and should not have been included in the report.

Tree protection fencing is to be installed on-site to City standard around the drip line of Tree Tag A, which encroaches onto the subject site, and around the drip line of Tree Tag# 130 located on City property. Tree fencing is to be installed to the satisfaction of City standards and in accordance with the City's Bulletin TREE-03 prior to demolition of existing buildings and structures and must remain in place until all construction and landscaping works are completed on-site. The Arborist's Report indicates that two (2) trees on neighbouring property (Tag B and C) do not require protection within the subject site as they are located at a higher elevation with a retaining wall above the property line.

Consistent with the 2:1 tree replacement ratio specified in the OCP, the applicant is required to plant four (4) new trees on the subdivided properties (two (2) per future lot). To ensure that the replacement trees are planted and maintained, and that the yards of the two (2) future lots facing Railway Avenue will be enhanced, the applicants must submit a landscape plan (prepared by a registered Landscape Architect) to the satisfaction of the Director of Development prior to final adoption of the rezoning bylaw. The landscape plan must be submitted along with a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect (including the four [4] replacement trees, fencing, paving and installation costs). City staff have reviewed the proposed redevelopment and recommends that the two (2) rows of hedges located on City property adjacent to the subject site along Railway Avenue be retained.

A contract must be entered into between the applicants and a Certified Arborist for the supervision of any works conducted within close proximity to the protection zone of Trees Tag A and Tag# 130. The contract must include the scope of work to be undertaken and a provision for the Arborist to submit a post-construction impact assessment to the City for review.

To ensure the protection of the tree located on City property (Tag# 130), the applicant is required to submit:

- A security in the amount of \$1,000. Following completion of construction and landscaping activities on-site, the security will not be released until the applicants submit the post-construction impact assessment report.

### Flood Management

Prior to final adoption of the rezoning bylaw, the applicants are required to register a Flood Indemnity Covenant on Title. The flood construction level is a minimum of 0.3 m above the highest elevation of the crown of Mytko Crescent.

### Site Servicing and Vehicle Access

There are no servicing concerns with the proposed rezoning.

Vehicle access to both proposed lots will be from Mytko Crescent in order to match the frontage works on the properties immediately north and south of the subject site and to comply with Residential Lot (Vehicular) Access Regulation Bylaw No. 7222. Prior to final adoption of the rezoning bylaw, road dedication to the City of approximately 6 m on Mytko Crescent will be required. A sidewalk is to be reinstated to City standard along the existing driveway located along the property line facing Railway Avenue.

### Subdivision

At subdivision stage, the applicant will be required to pay servicing costs and enter into a standard Servicing Agreement for the design and construction of engineering infrastructure upgrades along Railway Avenue and Mytko Crescent described in **Attachment 5**, including the following:

#### *Water Works:*

- Using the OCP Model, there is 218 L/s of water available at a 20 psi residual at the Railway Avenue frontage, and 74 L/s of water available at 20 psi residual at the Mytko Crescent frontage before the recommended upgrades as prescribed below. After the recommended upgrade there will be 119 L/s of water available at 20 psi residual at the Mytko Crescent frontage. Based on the proposed development, the site requires a minimum fire flow of 95 L/s. Once the applicants have confirmed building design at the Building Permit stage, the applicants must submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) to confirm that there is adequate available flow.
- Install approx. 25 m of 150 mm diameter water main along the Mytko Crescent frontage and join up with the existing 150 mm diameter water main at the north and south property line following the same alignment. Details to be finalized in the Servicing Agreement designs.
- Disconnect the existing 20 mm diameter water connection from Railway Avenue and at the main. Install two (2) new 25 mm diameter connections from Mytko Crescent complete with meter boxes at the new property line to service the two (2) new lots. Meter boxes must be placed on the grass boulevard outside of private fence at minimum 1 m away from paved driveways and walkways.

#### *Storm Sewer Works:*

- Cut and cap the existing storm connection at the IC on Railway Avenue at the NW corner of the property. Install a new Type II IC at the common property line on Railway Avenue complete with two 100 mm diameter connections at the common property line for servicing the two (2) new lots. Details to be finalized in the Servicing Agreement designs.

- Boulevard must be graded towards the ICs to prevent storm water from ponding on the boulevard, road, driveways and walkways.

*Sanitary Sewer Works:*

- In addition to the road dedication requirements by Transportation, provide a 3 m wide sanitary rights-of-way along the full frontage of the northern lot, and extend 1.5m into the frontage of the southern lot (at the NE corner).
- Upgrade the existing IC at the SE corner of 5351 Mytko Crescent to a manhole.
- Remove the existing sanitary IC near the NE corner of the property, and extend the existing 150 mm diameter sanitary sewer lateral south to a new IC at the common property line complete with two 100 mm diameter connections for servicing the two (2) new lots. Details to be finalized in the Servicing Agreement designs.

**Analysis**

The proposed rezoning and subdivision would comply with the OCP land use designation. The proposal is also consistent with the pattern of development on the properties immediately north and south of the subject site, as well as the primarily single-family form and character of its surrounding neighbourhood.

**Financial Impact or Economic Impact**

None.

**Conclusion**

This rezoning application to permit subdivision of an existing lot 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 with the Richmond Zoning Bylaw No. 8500.

The applicants have agreed to the list of rezoning considerations (signed concurrence on file) included in **Attachment 5**.

On this basis, City staff recommends support for this rezoning application. It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9181 be introduced and given first reading.



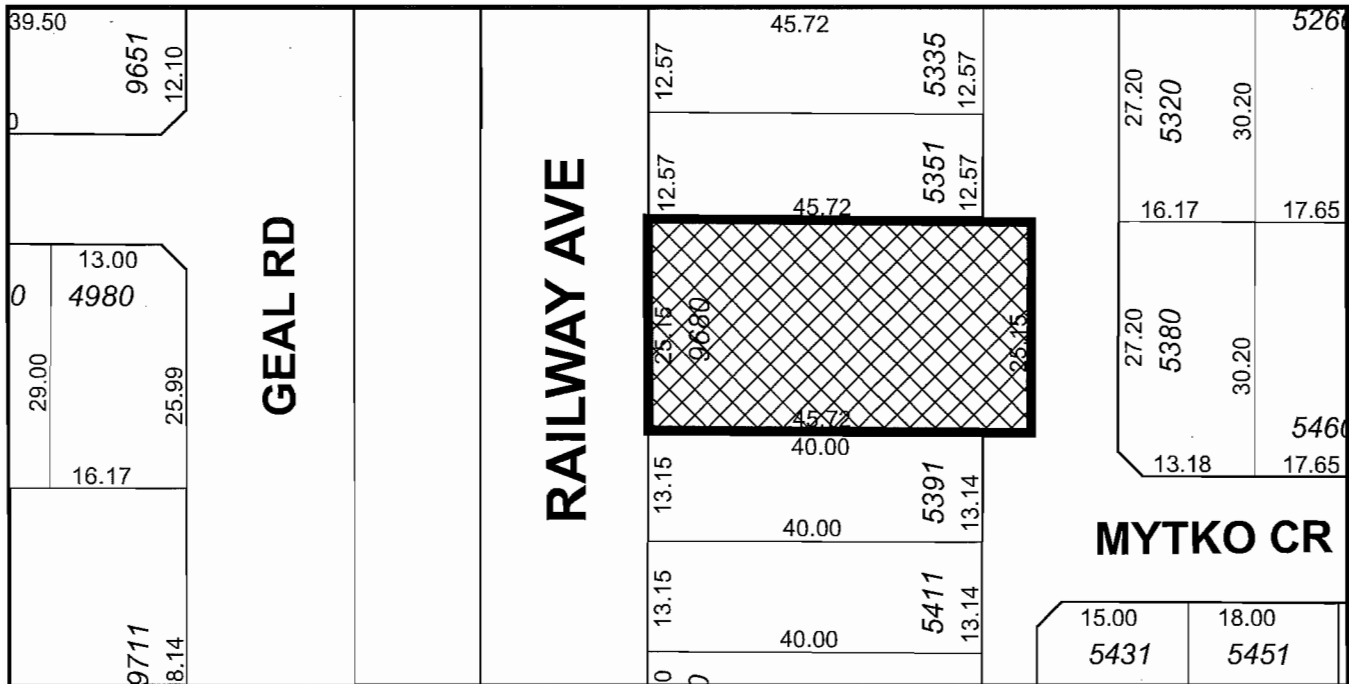
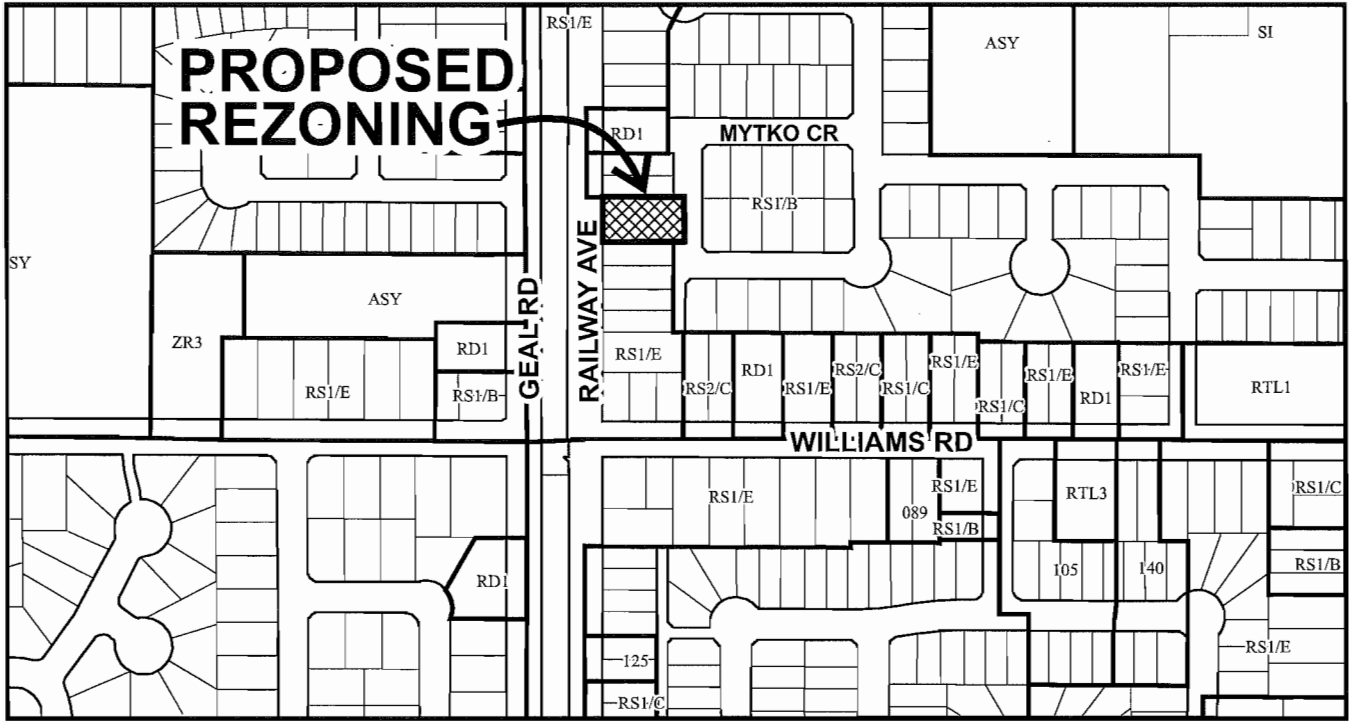
Andrew Yu  
Planning Technician (Temp)

AY:rg

- Attachment 1: Location Map / Aerial Photograph
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Proposed Tree Retention Plan
- Attachment 5: Rezoning Considerations Concurrence



City of  
Richmond



RZ 14-660396

Original Date: 04/14/14

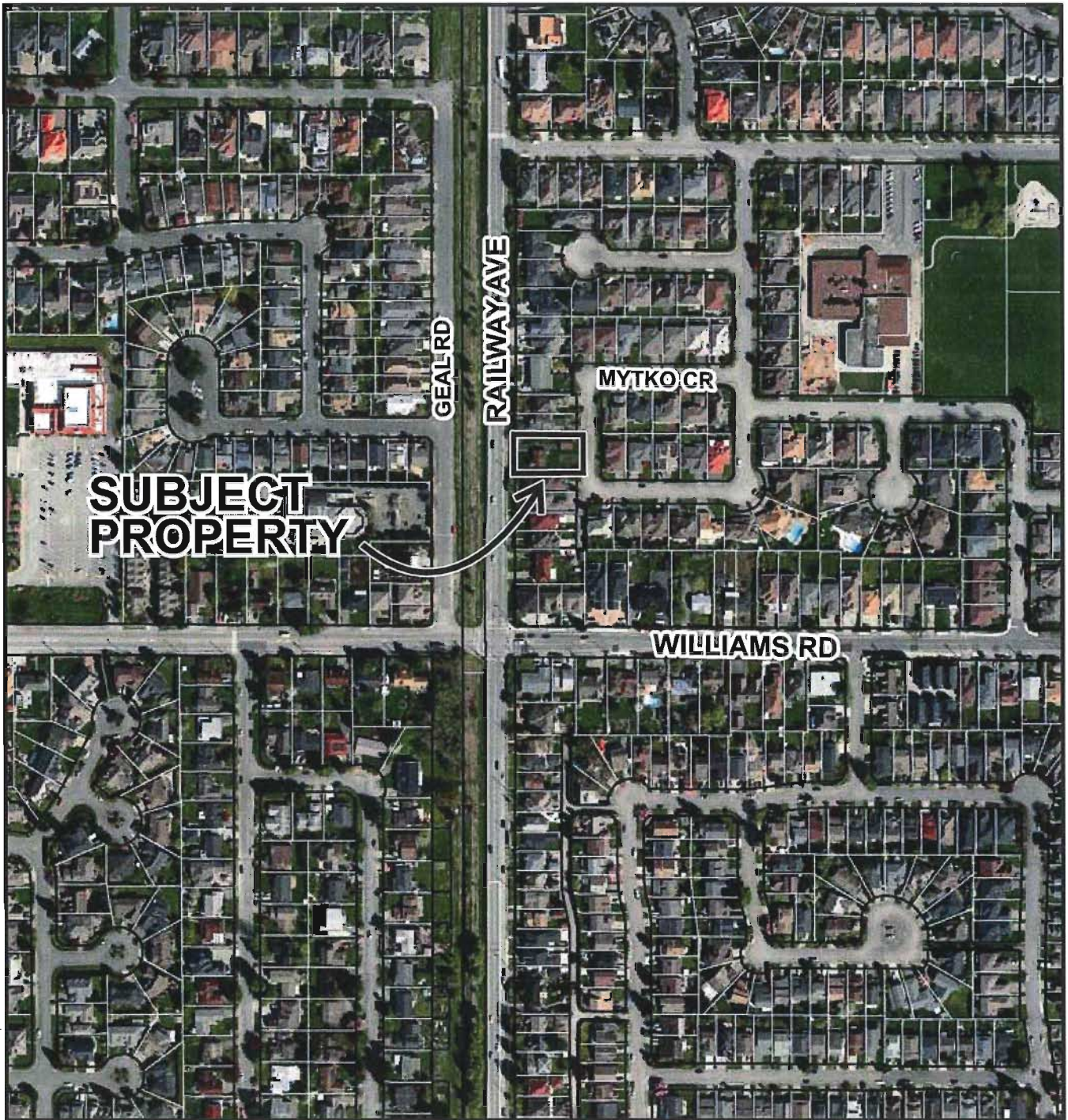
Revision Date:

Note: Dimensions are in METRES





City of  
Richmond



RZ 14-660396

Original Date: 04/15/14

Revision Date:

Note: Dimensions are in METRES

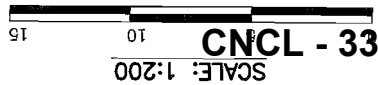
**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF THE SOUTH LOT 4 EXCEPT: PART SUBDIVIDED BY PLAN 64533;  
BLOCK C SECTION 25 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN 1353**

#9680 RAILWAY AVENUE,  
RICHMOND, B.C.  
P.I.D 001-568-868

**LEGEND:**

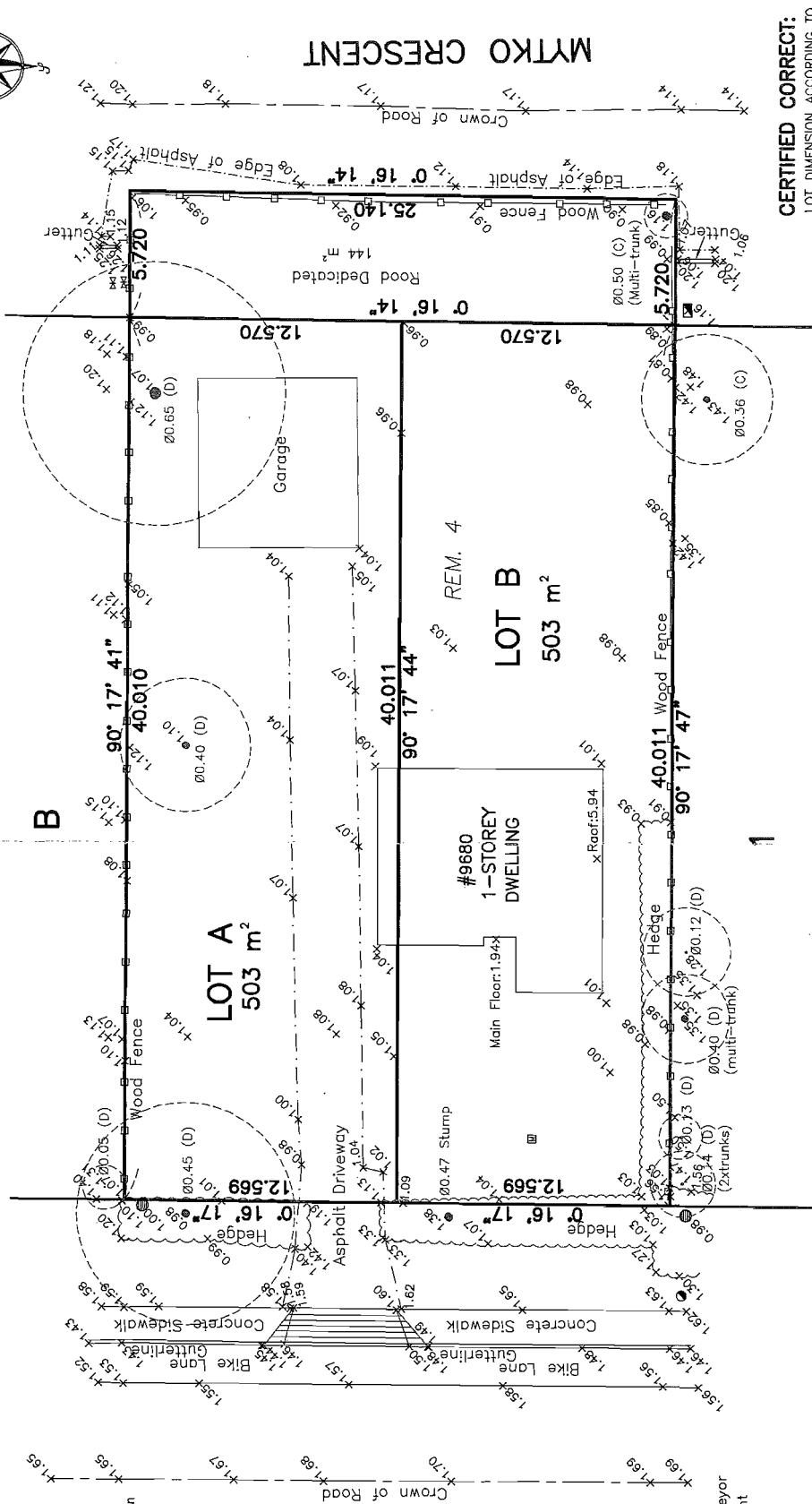
- (C) denotes coniferous
- (D) denotes deciduous
- denotes power pole
- denotes round catch basin
- ▣ denotes catch basin
- ⊕ denotes water meter
- ⊖ denotes water valve

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: 214-6929  
E-mail: office@jctam.com  
Website: www.jctam.com  
Job No. 5426  
FB-240 P147-149  
Drawn By: TH

**DWG No. 5426-TOPO**



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

*[Signature]*  
JOHNSON C. TAM, B.C.L.S.  
**FEBRUARY 11th, 2014**

**NOTE:**  
Elevations shown are based on City of Richmond HPN Benchmark network.  
Benchmark: HPN #234, Control Monument 77H4891  
Located at Cl Gibbons Dr & Garba Dr, E side of grass median  
Elevation = 1.125 metres



**RZ 14-660396**

**Attachment 3**

Address: 9680 Railway Avenue

Applicant: Raman Kooner and Ajit Thaliwal

Planning Area(s): Blundell

	Existing	Proposed
<b>Owner:</b>	Narwal & Narwal Enterprises Ltd. / 0992414 B.C. Ltd.	To be determined
<b>Site Size (m<sup>2</sup>):</b>	1,150 m <sup>2</sup>	503 m <sup>2</sup> (south lot) 503 m <sup>2</sup> (north lot)
<b>Land Uses:</b>	One (1) single detached	Two (2) single detached dwellings
<b>OCP Designation:</b>	Neighbourhood Residential	Neighbourhood Residential
<b>Zoning:</b>	Single Detached (RS1/E)	Single Detached (RS2/B)
<b>Number of Units:</b>	1	2

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Building, Structures & non-porous surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping:	Min. 25%	Min. 25%	none
Setback – Front Yard & Rear Yard (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height:	2½ storeys	2½ storeys	none
Lot Size:	360 m <sup>2</sup>	Proposed North Lot: 503 m <sup>2</sup> Proposed South Lot: 503 m <sup>2</sup>	none
Lot Width:	Min. 12 m	Proposed North Lot: 12.6 m Proposed South Lot: 12.6 m	none
Lot Depth:	Min. 24 m	Proposed North Lot: 40 m Proposed South Lot: 40 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:** 9680 Railway Avenue

**File No.:** RZ 14-660396

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9181, the developer is required to complete the following:**

1. Six (6) metre road dedication along the entire east frontage (facing Mytko Crescent).
2. 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 Arterial Road Policy 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 illustrated on the Tree Retention Plan attached to this report; and
  - include the four (4) required replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
2	8 cm		4 m
2	11 cm		6 m

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.

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 Tree Survival Security to the City in the amount of \$1000 for one (1) tree located on City property to be retained. Following the completion of all construction and landscaping activities on-site, the security will not be released until the applicants submit a post-construction impact assessment report from a Certified Arborist.
5. Registration of a flood indemnity covenant on title.
6. 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-family developments (i.e. \$5,748.00) 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 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\* and Building Permit\* Stage, 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 5736

Initial: \_\_\_\_\_

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.
3. Enter into a Servicing Agreement\* for the design and construction of engineering infrastructure improvements. Works include, but may not be limited to:

*Water Works:*

- Using the OCP Model, there is 218 L/s of water available at a 20 psi residual at the Railway Avenue frontage, and 74 L/s of water available at 20 psi residual at the Mytko Crescent frontage before the recommended upgrades as prescribed below. After the recommended upgrade there will be 119 L/s of water available at 20 psi residual at the Mytko Crescent frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s. Once you have confirmed your building design at the Building Permit stage, you must submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) to confirm that there is adequate available flow.
- Install approx. 25m of 150mm diameter water main along the Mytko Crescent frontage and join up with the existing 150mm diameter water main at the north and south property line following the same alignment. Details to be finalized in the Servicing Agreement designs.
- Disconnect the existing 20mm diameter water connection from Railway Avenue and at the main. Install two new 25mm diameter connections from Mytko Crescent complete with meter boxes at the new property line to service the two new lots. Meter boxes must be placed on grass boulevard outside of private fence at minimum 1m away from paved driveways and walkways.

*Storm Sewer Works:*

- Cut and cap the existing storm connection at the IC on Railway Avenue at the NW corner of the property. Install a new Type II IC at the common property line on Railway Avenue complete with two 100mm diameter connections at the common property line for servicing the two new lots. Details to be finalized in the Servicing Agreement designs.
- Boulevard must be graded towards the ICs to prevent storm water from ponding on the boulevard, road, driveways and walkways.

*Sanitary Sewer Works:*

- In addition to the road dedication requirements by Transportation, provide a 3 m wide sanitary rights-of-way along the full frontage of the northern lot, and extend 1.5m into the frontage of the southern lot (at the NE corner).
- Upgrade the existing IC at the SE corner of 5351 Mytko Crescent to a manhole.
- Remove the existing sanitary IC near the NE corner of the property, and extend the existing 150mm diameter sanitary sewer lateral south to a new IC at the common property line complete with two 100mm diameter connections for servicing the two new lots. Details to be finalized in the Servicing Agreement designs.

**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 9181 (RZ 14-660396)
9680 Railway 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. 001-568-868

The South Half Lot 4 Except: Part Subdivided by Plan 64533; Block C Section 25 Block 4 North Range 7 West New Westminster District Plan 1353

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9181".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Series of horizontal lines for signature or date entry.

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

MAYOR

CORPORATE OFFICER