



To: Planning Committee **Date:** January 11, 2012
From: Brian J. Jackson **File:** RZ 11-594227
Director of Development
Re: **Application by Jagtar & Shingara Kandola for Rezoning at 10580 River Drive**
from Single Family (RS1/D) to Single Detached (RS2/C)

Staff Recommendation

That Bylaw No. 8849, for the rezoning of 10580 River Drive from “Single Family (RS1/D)” to “Single Detached (RS2/C)”, be introduced and given first reading.

Brian J. Jackson
Director of Development

BJ:es
Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Item	Details
Application	RZ 11-594227
Location	10580 River Drive
Owner	Jagtar & Shingara Kandola
Applicant	Jagtar & Shingara Kandola

Date Received	November 14, 2011
Acknowledgement Letter	November 25, 2011
Fast Track Compliance	January 4, 2012
Staff Report	January 11, 2012
Planning Committee	February 7, 2012

Site Size	1392.13 m ² (14,985.3 ft ²)
Land Uses	Existing – One (1) single detached dwelling
	Proposed – Two (2) single detached lots, each 696.1m ² (7,493 ft ²)
Zoning	Existing – Single Detached (RS1/D)
	Proposed – Single Detached (RS2/C)
Planning Designations	<ul style="list-style-type: none"> • Official Community Plan (OCP) Generalized Land Use Map designation – “Neighbourhood Residential”. • Bridgeport Area Plan Land Use Map – “Residential (Single-Family)”. • Lot Size Policy 5448 (adopted by Council in 1991) – permits rezoning and subdivision of lots fronting River Drive in accordance with the provisions of Single Detached (RS2/C) (Attachment 2). The current proposal would create two (2) lots, each approximately 696.1m² (7,493 ft²). • Aircraft Noise Sensitive Development Policy – The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area within a designation (Area 2) that permits new single-family development that is supported by an existing Lot Size Policy. As a condition of rezoning, the applicant is required to register a restrictive covenant on Title to address aircraft noise mitigation and public awareness. <p><i>This application conforms with applicable land use designations and policies.</i></p>

<p>Surrounding Development</p>	<ul style="list-style-type: none"> • The subject property is located on the south side of River Drive, between McLennan Avenue and Shell Road, in an established residential neighbourhood consisting of predominantly older single detached dwellings on larger lots. • Development immediately surrounding the subject lot is as follows: <ul style="list-style-type: none"> ○ To the north across River Drive is a lot recently rezoned to “Residential Mixed Use Commercial (ZMU17)” and “School and Institutional Use (SI)” to develop a mixed use commercial/residential development consisting of duplexes, townhouses, and condominiums. ○ To the east is a single detached dwelling zoned “Single Detached (RS1/D)”; ○ To the south is a single detached dwelling zoned “Single Detached (RS1/D)” and a single detached dwelling zoned “Single Detached (RS1/B)”; ○ To the west is a single detached dwelling zoned “Single Detached (RS1/D)”.
<p>Staff Comments</p>	<p><u>Background</u> A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).</p> <p><u>Trees & Landscaping</u></p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> - Seven (7) bylaw-sized trees on the subject property; and - Two (2) bylaw-sized trees on neighbouring properties. • The City’s Tree Preservation Coordinator reviewed the Arborist’s Report and conducted a Visual Tree Assessment. The City’s Tree Preservation Coordinator concurs with the Arborist’s recommendation to: <ul style="list-style-type: none"> - Remove and replace Trees #1, #4 & #7 as they are in very poor condition and exhibit significant structural defects.

Staff Comments (Continued)

- Remove and replace Trees #2 and #3 as they are in marginal condition, have grown together as a hedgerow, and are in conflict with the proposed development.

- Retain and protect the two (2) bylaw-sized trees on the neighbouring properties to the southwest (Trees # 8 and #9 located at 10475 and 10491 Gilmore Crescent). Tree protection fencing is required to be installed 1.2 m from the south and west property lines.

- In addition, the City's Tree Preservation Coordinator recommends the following:

- Retain and protect Trees #5 and #6, as they are both significant in size, in excellent condition, and are the tallest in the neighbourhood. The retention of these trees will have no impact on the building configuration of the western lot, however, any proposed building configuration on the eastern lot will require the rear half of the building to be set back a minimum of 5 m from the trees.

- Retain and protect the undersized Monkey Puzzle tree located in the front yard, which is in excellent condition.

Tree protection fencing must 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 4**.

- Based on the 2:1 replacement ratio goal in the OCP, and the size requirements for replacement trees in the City's Tree Protection Bylaw, a total of ten (10) replacement trees are required to be planted and maintained on the future lots.
- Considering the effort to be taken by the applicants to retain Trees #5 & #6 which will affect the design of the dwelling on the proposed eastern lot, as well as the undersized Monkey Puzzle tree, staff recommend only six (6) replacement trees with the following sizes be required:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	9 cm		5 m
2	10 cm		5.5 m
2	11 cm		6 m

<p>Staff Comments (Continued)</p>	<ul style="list-style-type: none"> • A Landscaping Security in the amount of \$3,000 (\$500/tree) is required to ensure that the proposed number of replacement trees are planted and maintained. • To ensure the survival of protected trees, the applicant must submit the following prior to rezoning adoption: <ul style="list-style-type: none"> • A Contract with a Certified Arborist for on-site supervision of all works to be conducted at development stage within close proximity to the tree protection zones of trees to be retained. The Contract must include the proposed number of site monitoring inspections (e.g. demolition, excavation, perimeter drainage etc.), as well as a provision for the Arborist to submit a post-construction impact assessment report for the City to review; and • A Tree Survival Security to the City in the amount of \$4,000 (\$500/tree) to ensure that on-site trees (Trees #5 & #6 and the undersized Monkey Puzzle tree) and off-site trees (Trees# 8 & #9) will be 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. <p><u>Affordable Housing</u></p> <ul style="list-style-type: none"> • 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 cash-in-lieu contribution. 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. \$6,996). • 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 proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This agreement would be discharged from Title (at the initiation of the applicant) on the lot where the secondary
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<p>Staff Comments (Continued)</p>	<p>suite is not required by the Affordable Housing Strategy after the requirements are satisfied.</p> <p><u>Flood Management</u> Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.</p> <p><u>Site Servicing & Vehicle Access</u> There are no servicing concerns with rezoning.</p> <p>A covenant registered on title for the purpose of ensuring that the vehicular access and parking areas on the properties are designed in such a way that a vehicle may exit from the property without the necessity of backing into the street is required. The covenant will require a minimum front setback of 9 m to accommodate the above purpose.</p> <p><u>Subdivision</u> At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.</p>
<p>Analysis</p>	<p>This redevelopment proposal is consistent with Lot Size Policy 5448 as the property is intended to be subdivided into two (2) lots, each approximately 14.28 m wide.</p>
<p>Attachments</p>	<p>Attachment 1 – Location Map/Aerial Photo Attachment 2 – Lot Size Policy 5448 Attachment 3 – Development Application Data Sheet Attachment 4 – Tree Retention Plan</p>
<p>Recommendation</p>	<p>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 and is consistent with the direction of redevelopment currently on-going in the surrounding area. On this basis, staff support the application.</p>

Erika Syvokas
Planning Technician
(604-276-4108)

ES:rg

Prior to final adoption of Zoning Amendment Bylaw 8849, the developer is required to complete the following:

1. Submission of a Landscaping Security to the City in the amount of \$3,000 (\$500/tree), for the planting and maintenance of six (6) replacement trees with the following minimum calliper sizes/heights:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	9 cm		5 m
2	10 cm		5.5 m
2	11 cm		6 m

2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any works to be conducted within the Tree Protection Zone of on-site trees to be retained (Trees #5 & #6 and the undersized Monkey Puzzle tree) and the off-site trees to be protected (Trees #8 & #9) located on the neighbouring properties (10475 & 10491 Gilmore Cr). The Contract must include the scope of work to be undertaken, including: the proposed number of site monitoring inspections (e.g. demolition, excavation, perimeter drainage etc.) and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
3. Submission of a Tree Survival Security to the City in the amount of \$4,000 to ensure that on-site trees (Trees # 5 & #6 and the undersized Monkey Puzzle tree) and off-site trees (Trees #8 & #9) are 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 (1) year later subject to inspection.
4. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments (\$6,996) to the City's Affordable Housing Reserve Fund.

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 proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.

5. Registration of a covenant on title for the purpose of ensuring that the vehicular access and parking areas on the properties are designed in such a way that a vehicle may exit from the property without the necessity of backing into the street. The covenant will require a minimum front setback of 9 m to accommodate the above purpose.
6. Registration of a flood indemnity covenant on Title.
7. Registration of an aircraft noise sensitive covenant on Title.

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

- Install Tree Protection Fencing around trees to be retained on-site (Trees # 5 & #6 at 5 m from the base of the trees, as well as the undersized Monkey Puzzle tree at 1.2 m from the base of the tree) and around off-site trees to be protected (Trees # 8 & #9 at 1.2 m from the south and west property lines).

- Tree protection fencing must 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.

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

- Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and servicing costs.

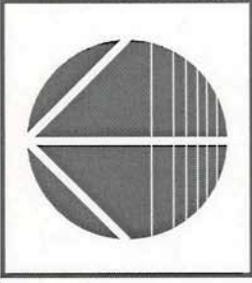
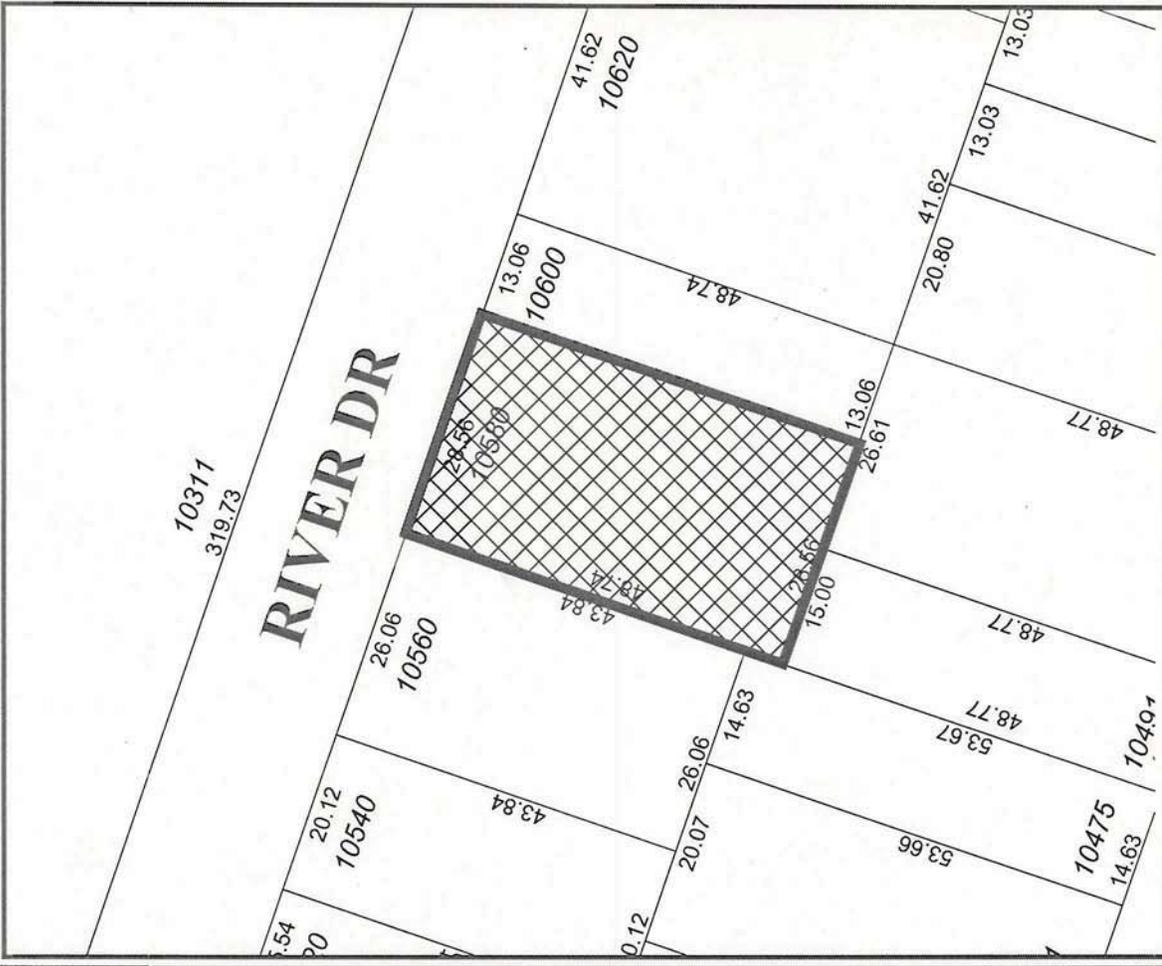
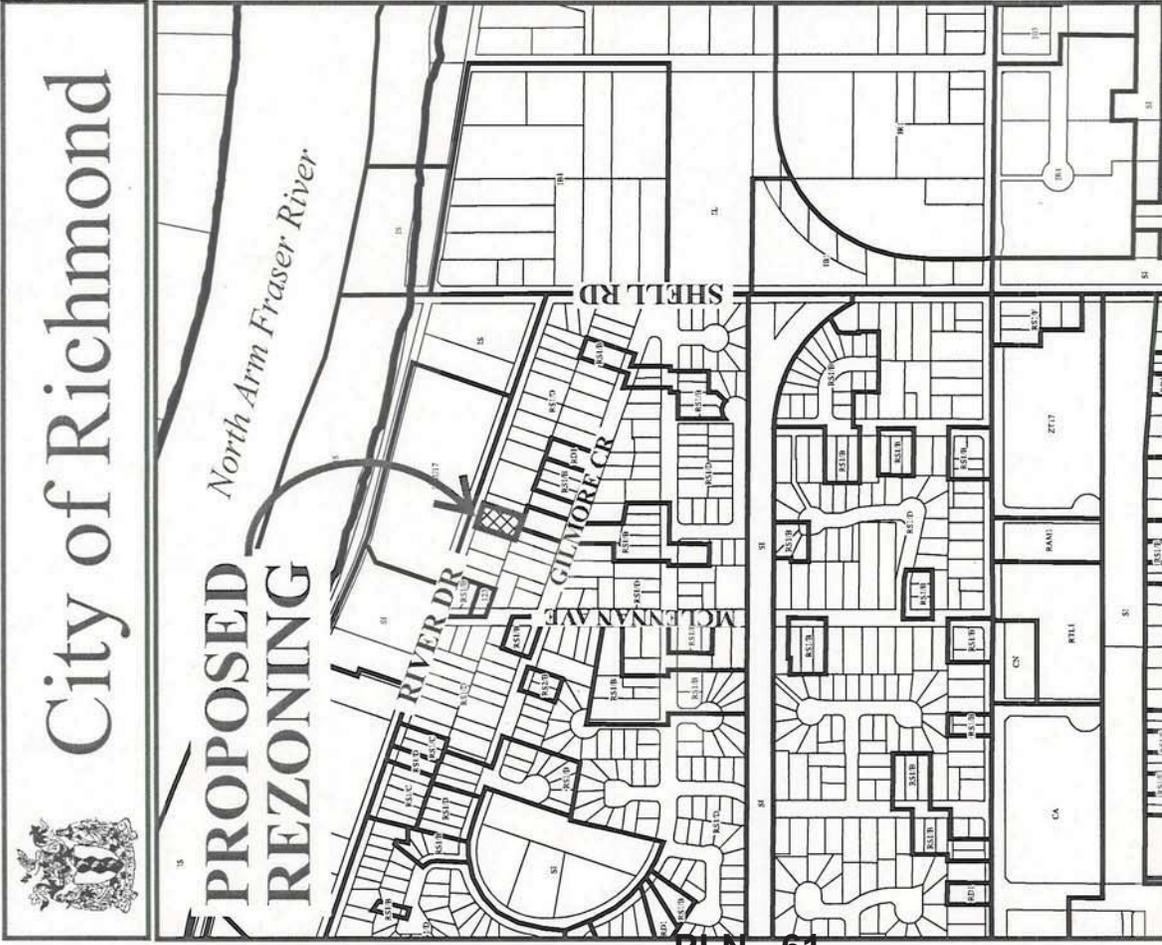
Note:

- * 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

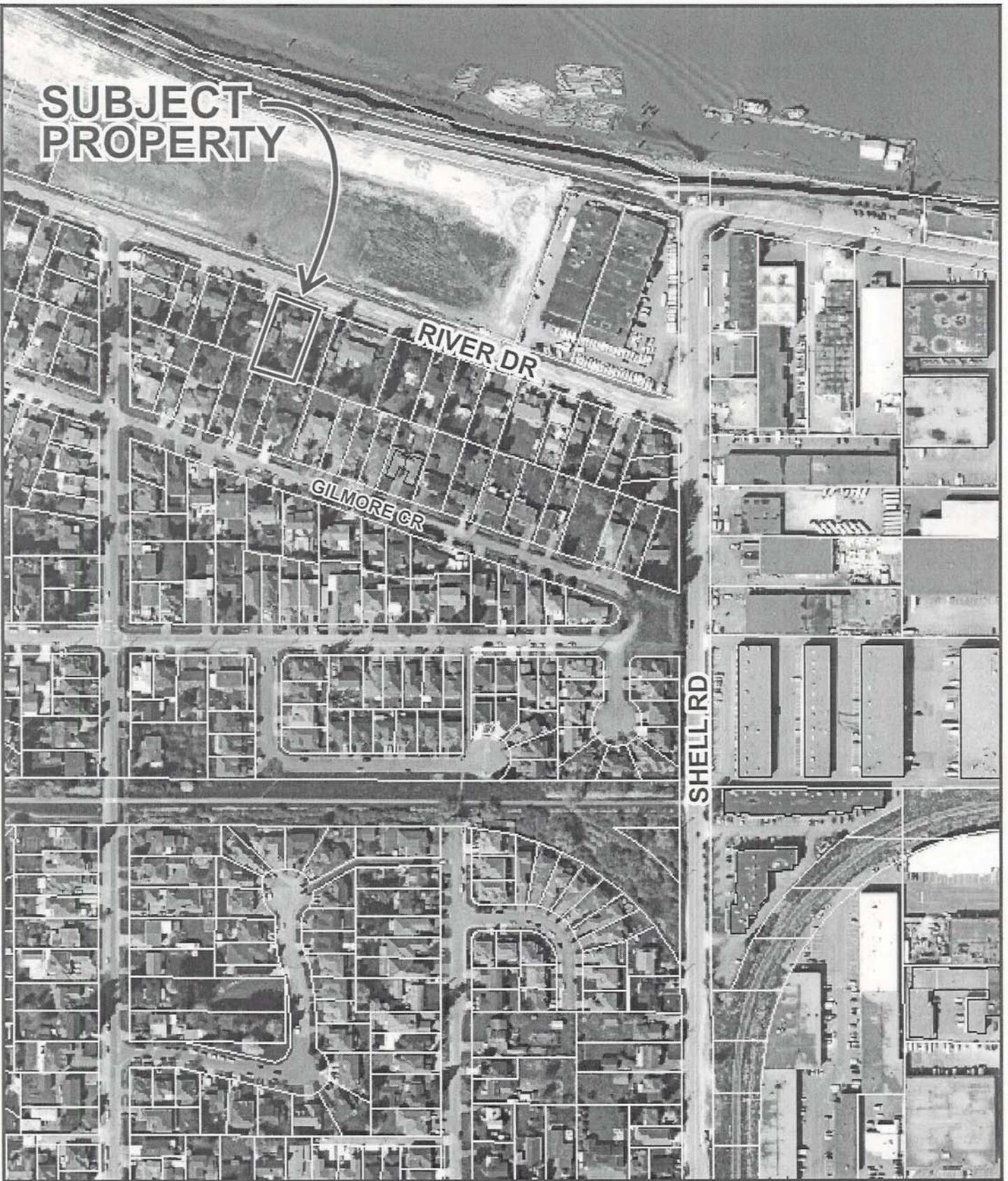
Date



RZ 11-594227

Original Date: 11/16/11
 Revision Date: 11/21/11
 Note: Dimensions are in METRES

**SUBJECT
PROPERTY**



RZ 11-594227

Original Date: 11/17/11

Amended Date:

Note: Dimensions are in METRES



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: September 16, 1991

POLICY 5448

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 23-5-6

POLICY 5448:

The following policy establishes lot sizes in a portion of Section 23-5-6, bounded by the **Bridgeport Road, Shell Road, No. 4 Road and River Drive**:

That properties within the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west, in a portion of Section 23-5-6, 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) Properties along Bridgeport Road and Shell Road will be restricted to Single-Family Housing District (R1/D) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted,
- (b) Properties along No. 4 Road and River Drive will be restricted to Single-Family Housing District (R1/C) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted;

and that this policy, as shown on the accompanying plan, be used to determine the disposition of future single-family 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.



Subdivision permitted as per R1/B except:

1. River Drive: R1/C unless there is a lane or internal road access, then R1/B.
2. Shell Road: R1/D unless there is a lane or internal road access, then R1/B.
3. No. 4 Road: R1/C unless there is a lane or internal road access then R1/B.
4. Bridgeport Road: R1/D unless there is a lane or internal road access then R1/B.



POLICY 5448 SECTION 23, 5-6

Adopted Date: 09/16/91

Amended Date:



City of Richmond

6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

**Development Application
 Data Sheet**

RZ 11-594227

Attachment 3

Address: 10580 River Drive

Applicant: Jagtar & Shingara Kanola

Planning Area(s): Bridgeport

	Existing	Proposed
Owner:	Jagtar & Shingara Kanola	To be determined
Site Size (m²):	1392.13 m ² (14,985.3 ft ²)	Two (2) single detached lots, each 696.1m ² (7,493 ft ²)
Land Uses:	One (1) single detached dwelling	Two (2) single detached dwellings
OCP Designation:	<ul style="list-style-type: none"> Generalized Land Use Map – Neighbourhood Residential 	No change
Area Plan Designation:	Bridgeport Area Plan Land Use Map – “Residential (Single-Family)”	No change
702 Policy Designation:	Lot Size Policy 5448 (adopted by Council in 1991) – permits rezoning and subdivision of properties fronting River Drive in accordance with the provisions of “Single Detached (RS2/C)”.	No change
Zoning:	Single Detached (RS1/D)	Single Detached (RS2/C)

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 permitted
Lot Size (min. dimensions):	360 m ²	Two (2) lots, each approx. 696.1m ² (7,493 ft ²)	none
Setback – Front Yard & Rear Yards (m):	Min. 6.0 m	6.0 m Min.	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

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

not to be used to define boundaries

scale 1/400 METRES

Survey Certificate for

ELEVATIONS AND TREES ON LOT 126

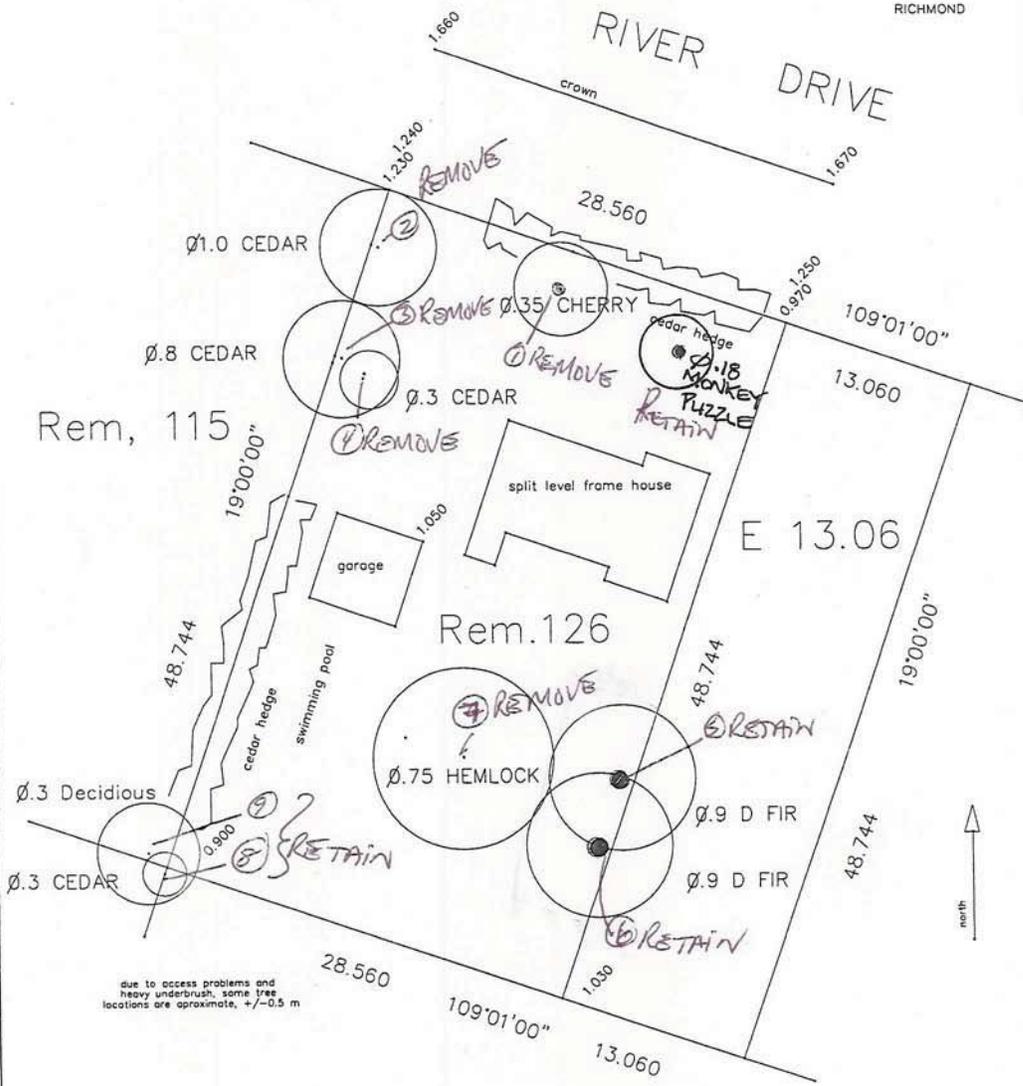
(except East 13.06m) TREE RETENTION PLAN

SECTION 23 Blk.5N Rge.6W

NWD PLAN 27707

civic address
10580 RIVER DRIVE
RICHMOND

© C. James B.C.L.S. 2011



Christopher J. James
British Columbia Land Surveyor
2822 Gordon Avenue
Surrey B.C. V4A 3J4
604-535-3261

certified correct
[Signature] B.C.L.S.
this 26 day of OCTOBER
2011

this document is not valid unless originally signed and sealed

file 8912



Richmond Zoning Bylaw 8500
Amendment Bylaw 8849 (RZ 11-594227)
10580 RIVER DRIVE

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).

P.I.D. 008-924-961

Lot 126 EXCEPT: THE EASTERLY 13.06 METRES Section 23 Block 5 North Range 6 West New Westminster District Plan 27707

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8849".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER DEVELOPMENT REQUIREMENTS SATISFIED

ADOPTED

Five horizontal lines for recording dates and details of readings.

Approval stamp: CITY OF RICHMOND APPROVED by [signature] APPROVED by Director or Solicitor [signature]

MAYOR

CORPORATE OFFICER