City of Richmond

# Report to Committee

Planning and Development Department

| | | | |
|---|---|---|---|
| **To:** | Planning Committee | **Date:** | July 8, 2013 |
| **From:** | Wayne Craig<br>Director of Development | **File:** | RZ 12-619503 |
| **Re:** | **Application by Sandhill Homes Ltd. for Rezoning at 9080 No. 3 Road from Assembly (ASY) to Medium Density Townhouses (RTM2)** | | |

## Staff Recommendation

1. That Official Community Plan Bylaw 9000, Amendment Bylaw 9030, to redesignate 9080 No. 3 Road from "Community Institutional" to "Neighbourhood Residential" in Attachment 1 to Schedule 1, be introduced and given first reading.

2. That Official Community Plan Bylaw 9000, Amendment Bylaw 9030, having been considered in conjunction with:

   - The City's Financial Plan and Capital Program; and
   - The Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;

   is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.

3. That Official Community Plan Bylaw 9000, Amendment Bylaw 9030, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby deemed not to require further consultation.

4. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9043, for the rezoning of 9080 No. 3 Road from "Assembly (ASY)" to "Medium Density Townhouses (RTM2)", be introduced and given first reading.

Wayne Craig
Director of Development

EL:blg
Att.

| REPORT CONCURRENCE | | |
|---|---|---|
| ROUTED TO: | CONCURRENCE | CONCURRENCE OF GENERAL MANAGER |
| Affordable Housing | ☑ | |
| Law | ☑ | |
| Policy Planning | ☑ | |

## Staff Report

### Origin

Sandhill Homes Ltd. has applied to the City of Richmond for permission to rezone 9080 No. 3 Road (**Attachment A**) in order to permit the development of 12 townhouse units with vehicle access from 9100 No. 3 Road. The original proposal was to rezone the subject site from Assembly (ASY) to Low Density Townhouses (RTL4). A Report to Committee (**Attachment B**) was taken to Planning Committee on May 22, 2013. In response to the referral motion carried at the Planning Committee meeting, the applicant has revised the proposal to rezone the subject site from Assembly (ASY) to Medium Density Townhouses (RTM2). A revised preliminary site plan is contained in **Attachment C.**

### Background

The following referral motion was carried at the May 22, 2013 Planning Committee meeting:

> *" (1) That the Application by Sandhill Homes Ltd. for rezoning at 9080 No. 3 Road from Assembly (ASY) to Low Density Townhouses (RTL4) be referred back to staff to examine the issue of green space; and*
>
> *(2) That staff examine in general:*
>
> *(a) the question of repayment of taxes to the City if a permissive tax exemption was granted; and*
>
> *(b) any other principles that may be applied to such applications."*

This supplemental report is being brought forward now to provide a summary of revisions made to the site plan, history of permissive tax exemption on the subject site, and a discussion on amenity contributions.

### Findings of Fact

Please refer to the attached updated Development Application Data Sheet (**Attachment D**) for a comparison of the proposed development data with the relevant bylaw requirements. Please refer to the original Staff Report dated May 10, 2013 (**Attachment B**) for information pertaining to related City's policies and studies, pre-Planning Committee public input and responses, as well as staff comments on tree retention and replacement, site servicing and frontage improvements, vehicle access, and covenants and easements currently registered on Title.

### Changes Proposed on Site Planning Relating to Green Space

As requested by the adjacent residents of the single-family homes on Rideau Drive, the proposed outdoor amenity area has been relocated to the south-east corner of the site. The setback from the proposed two-storey townhouse units to the east property line has been increased from 4.5 m to 6.36 m.

Other changes to the site plan include the relocation of a visitor parking stall and a slight shift of the internal drive aisle. These changes will be reviewed in the context of the overall detailed design of the project, including site design and landscaping at the Development Permit stage.

**History of Permissive Tax Exemption on the Subject Site**

The consolidated Eitz Chaim Synagogue site at 8080 Francis Road was granted a tax exemption until 2004, as the Eitz Chaim Synagogue was demolished in January, 2005. After the Eitz Chaim Synagogue site was subdivided into two (2) lots in 2005 to facilitate the townhouse development at 8080 Francis Road, the remnant parcel (i.e., the subject site at 9080 No. 3 Road) has become taxable and has been taxed at a "Seasonal/Recreational" (Class 08) rate. This class includes all churches, recreational use land, and non-profile organization's land, etc.

The total payable property tax is based on assessed value of the property and the assessment classification. The property taxes paid per square foot of land are comparable between the Assembly land and the Single-Family Residential land, due to the fact that, while the assessed value of an Assembly site is less than the value of the residential property, the tax rate for Assembly properties (i.e. Class 08) is higher than the rate for Residential properties (i.e. Class 01). Upon submission of the rezoning application, BC Assessment was advised that the subject site at 9080 No. 3 Road is a potential redevelopment site and should be taxed at a "Residential" (Class 01) rate.

Since no permissive tax exemption has been granted to the subject site since it was created in 2005, no repayment of taxes is warranted.

**Amenity Contributions – Conversion of Community Institutional Land**

Based on Council's May 24, 2011 revised "Community Institutional" Assemble Use Policy and the 2041 Official Community Plan (OCP), no community benefits were sought as part of the proposed conversion of Assembly lands. Without clear policy direction on other principles that may be applied to such applications, staff worked with the applicant to respond to Planning Committee's concern regarding the lack of additional amenity contributions when redesignating Assembly lands for the purpose of redevelopment. The developer advised that the purchase agreement for the subject site was negotiated and agreed to based on the above Policy and OCP, and that there is no room in their pro forma to provide additional contributions based on the density at 0.6 Floor Area Ratio (FAR). However, the developer has agreed to provide an additional voluntarily contribution in the amount of $35,000 to the City's Affordable Housing Fund Reserve in exchange for a modest density increase of 0.05 FAR.

Options

Two (2) options are appropriate to proceed with this application:

*Option 1: Approve the proposed rezoning to Low Density Townhouses (RTL4) with no additional amenity contribution.*

This option complies with the Council's May 24, 2011 Revised "Community Institutional" Assemble Use Policy and the 2041 Official Community Plan (OCP), but does not address Planning Committee's concerns discussed at the May 22, 2013 Planning Committee meeting.

*Option 2: Approve the proposed rezoning to Medium Density Townhouses (RTM2) with an additional amenity contribution in the amount of $35,000.* ***(Recommended)***

This option addresses Planning Committee's concerns regarding the lack of amenity contributions when redesignating lands from Assembly use to other OCP designations for the purpose of redevelopment. By allowing a higher density at 0.65 FAR (instead of 0.6 FAR), the developer agrees to provide an additional voluntary amenity contribution, in the amount of $35,000, to the City's Affordable Housing Fund Reserve.

The proposed zoning will be revised from "Low Density Townhouses (RTL4)" (at 0.60 FAR) to "Medium Density Townhouses (RTM2)" (at 0.65 FAR). Staff support the proposed amendment to the proposal based on the following:

- 0.65 FAR is still within the normal density range outside the City Centre.
- According to the Arterial Road Policy, additional density may be considered where additional community benefits are provided; in this case, additional Affordable Housing Contribution over and beyond the amount required in accordance to the City's Affordable Housing Strategy.
- The number of units proposed will remains at 12 units.
- The proposed height, siting, and orientation of the buildings generally remains the same as the previous plan, except that additional floor areas are to be added to the 2-storey duplex units at the southeast corner of the site, with a larger setback to the east property line.
- The subject site is located on a transit route and in proximity to local commercial.

## Conclusion

The site plan is revised to address the neighbouring residents' request to have a larger green/buffer area on-site between the proposed townhouse units and the existing adjacent single-family homes.

No repayment of taxes is warranted because no permissive tax exemption has been granted to the site since it was created.

An additional voluntary amenity contribution to the City's Affordable Housing Fund Reserve, in the amount of $35,000, is to be provided by the developer for redesignating lands from Assembly use to other OCP designations for the purpose of redevelopment. The revised list of rezoning considerations is included as **Attachment E** (signed concurrence on file).

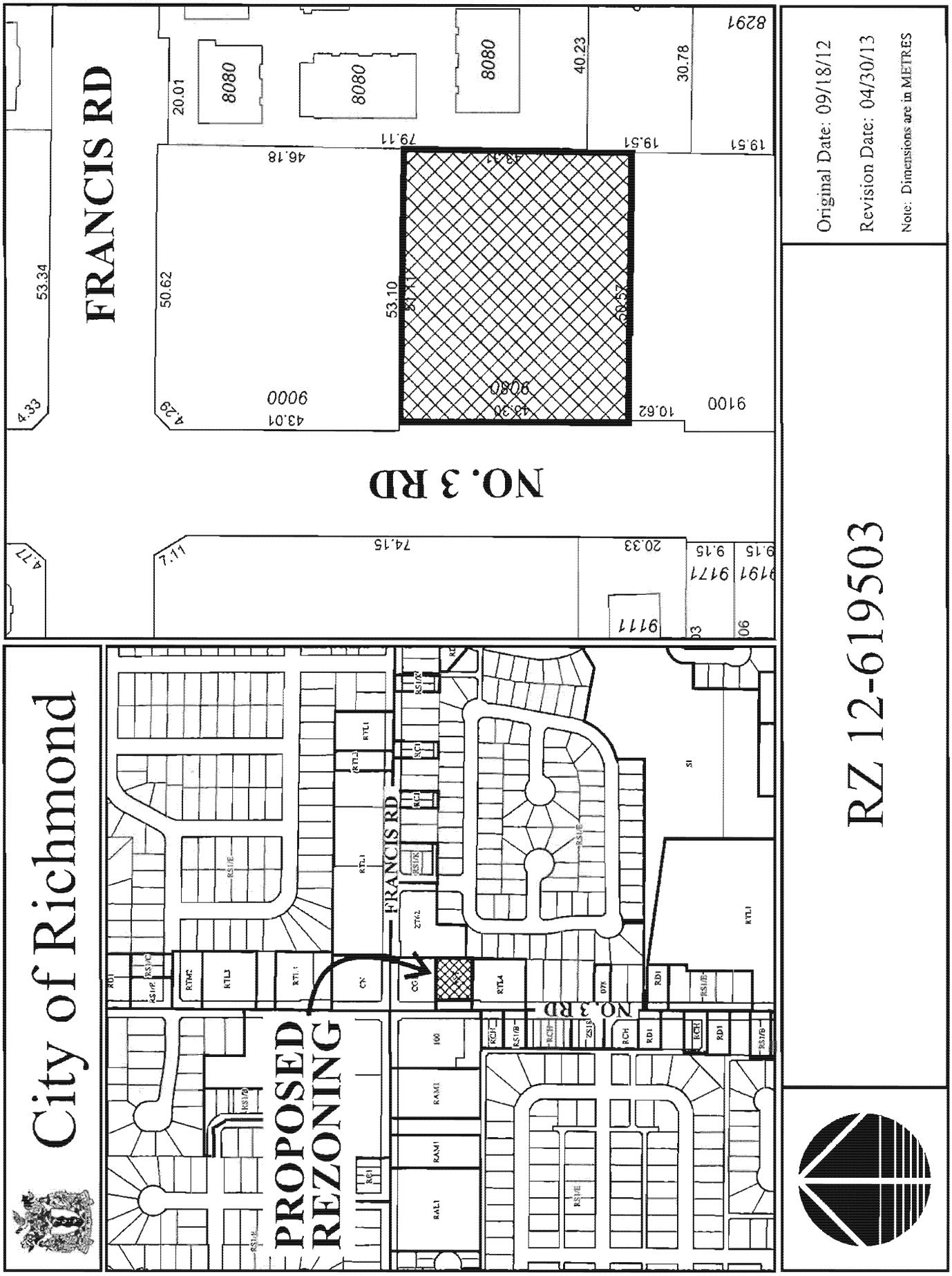
The proposed 12-unit townhouse development is consistent with the 2041 Official Community Plan (OCP) regarding the conversion of Assembly sites along major arterial roads. Overall, the proposed land use, site plan, and building massing complement the surrounding neighbourhood.

Based on the above, staff recommend that the proposed Official Community Plan Amendment and rezoning of 9080 No. 3 Road to Medium Density Townhouses (RTM2) be approved.

Edwin Lee
Planning Technician – Design
(604-276-4121)

EL:blg

Attachment A: Location Map
Attachment B: Report to Committee dated May 10, 2013
Attachment C: Revised Site Plan
Attachment D: Updated Development Application Data Sheet
Attachment E: Updated Rezoning Considerations Concurrence


City of Richmond
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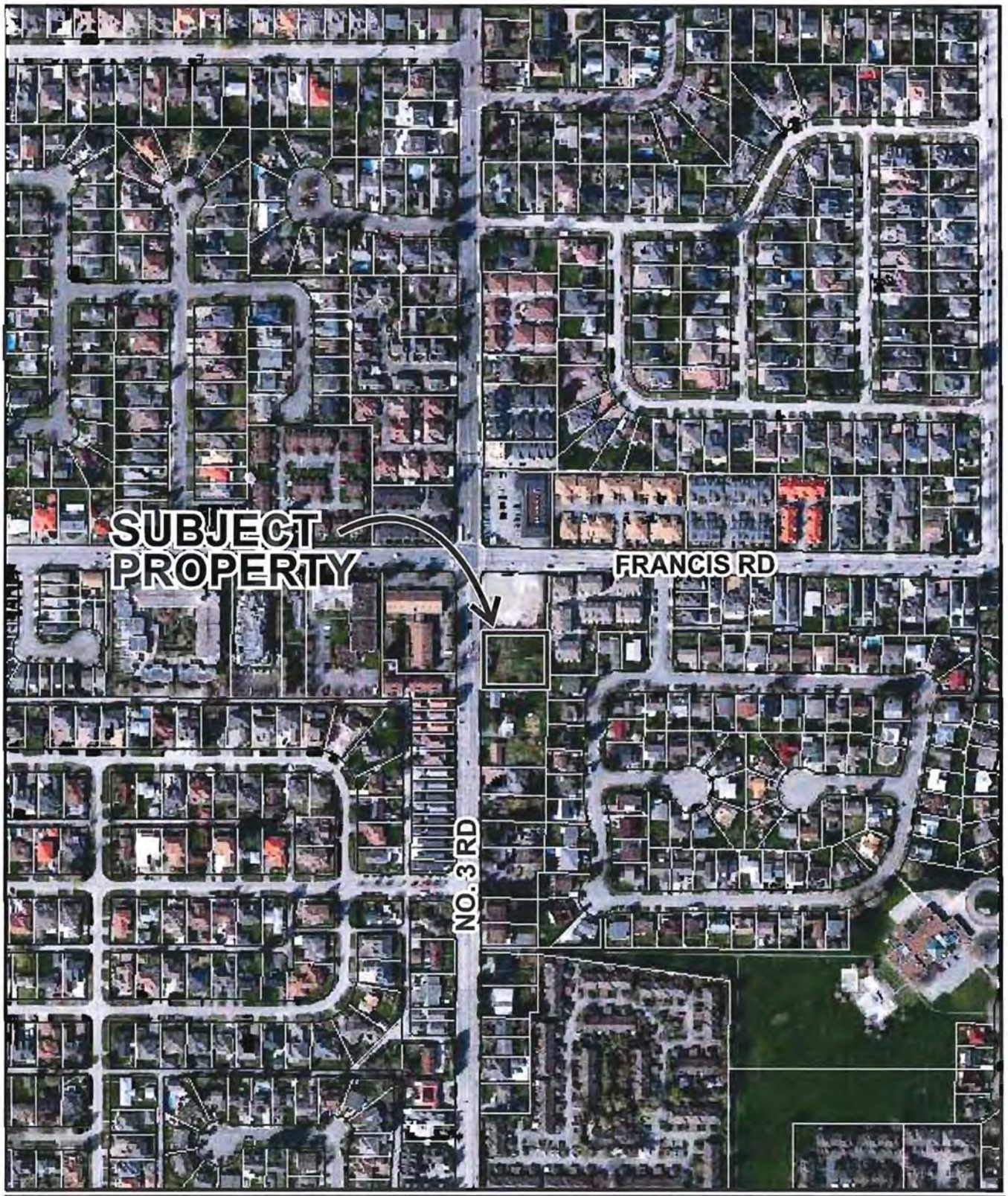
Original Date: 09/18/12
Revision Date: 04/30/13
Note: Dimensions are in METRES
RZ 12-619503




RZ 12-619503

Original Date: 09/18/12

Amended Date: 04/25/13

Note: Dimensions are in METRES

City of Richmond

# Report to Committee

Planning and Development Department

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| To: | Planning Committee | Date: | May 10, 2013 |
| From: | Wayne Craig<br>Director of Development | File: | RZ 12-619503 |
| Re: | **Application by Sandhill Homes Ltd. for Rezoning at 9080 No. 3 Road from Assembly (ASY) to Low Density Townhouses (RTL4)** | | |

## Staff Recommendation

1. That Official Community Plan Amendment Bylaw 9030, to redesignate 9080 No. 3 Road from "Community Institutional" to "Neighbourhood Residential" in Attachment 1 to Schedule 1 of Official Community Plan Bylaw 9000, be introduced and given first reading.

2. That Bylaw 9030, having been considered in conjunction with:

   - the City's Financial Plan and Capital Program;
   - the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;

   is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.

3. That Bylaw 9030, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby deemed not to require further consultation.

4. That Bylaw 9031, for the rezoning of 9080 No. 3 Road from "Assembly (ASY)" to "Low Density Townhouses (RTL4)", be introduced and given first reading.

Wayne Craig
Director of Development

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Att.

| REPORT CONCURRENCE | | |
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| Affordable Housing | ☑ | |
| Law | ☑ | |
| Policy Planning | ☑ | |

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## Staff Report

### Origin

Sandhill Homes Ltd. has applied to the City of Richmond for permission to rezone 9080 No. 3 Road (**Attachment 1**) from Assembly (ASY) to Low Density Townhouses (RTL4) in order to permit the development of 12 townhouse units with vehicle access from 9100 No. 3 Road. A preliminary site plan, building elevations, and landscape plan are contained in **Attachment 2.**

### Findings of Fact

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

### Surrounding Development

To the North: A vacant site zoned Gas and Service Stations (CG1) at the corner of Francis Road and No. 3 Road.

To the East: Existing 28 unit three-storey townhouse development to the northeast at 8080 Francis Road and single-family dwellings on lots zoned Single Detached (RS1/E) to the southeast, fronting Rideau Drive.

To the South: Recently approved 18 unit two- to three-storey townhouse development at 9100 No. 3 Road.

To the West: Across No. 3 Road, existing two-storey apartment buildings on lots in Land Use Contract (LUC100).

### Background

The subject site formerly contained two (2) single-family homes (9060 and 9080 No. 3 Road) in the 1980's.

On August 26, 1991, Council adopted Official Community Plan Amendment Bylaw 5683 and Zoning Amendment Bylaw 5684 to designate 9080 No. 3 Road (the original single-family parcel) and 8100 & 8120 Francis Road (presently 8080 Francis Road) "Public, Institutional and Open Space" (presently "Community Institutional"); and to rezone the site to "Assembly District (ASY)" (presently "Assembly (ASY)") to allow the Etiz Chaim Synagogue to construct and expand a modernized Synagogue at the site (REZ 90-147).

On February 17, 1992, Council adopted Official Community Plan Amendment Bylaw 5827 and Zoning Amendment Bylaw 5828 to designate 9060 No. 3 Road "Public, Institutional and Open Space" (presently "Community Institutional"); and to rezone the site to "Assembly District (ASY)" (presently "Assembly (ASY)") to allow this lot be included in the Etiz Chaim Synagogue expansion proposal (REZ 91-283).

Subsequently, 9060 & 9080 No. 3 Road and 8100 & 8120 Francis Road were consolidated into one site for Assembly purposes – 8080 Francis Road (the consolidated Synagogue site); however, the new Synagogue was never built on this Assembly site.

On January 24, 2006, Council adopted Zoning Amendment Bylaw 7860 to rezone the north-eastern portion of the consolidated Synagogue site to "Comprehensive Development District (CD/159)" (presently "Town Housing (ZT62) – Francis Road") to permit the development of 28 three-storey townhouses (RZ 03-243383). The Development Permit for the 28 unit townhouse development was issued on February 27, 2006 (DP 03-247945).

To facilitate the proposed townhouse development fronting Francis Road, the consolidated Synagogue site was subdivided into two (2) lots (SD 03-254712) in May 24, 2005:

- 8080 Francis Road - zoned "Town Housing (ZT62) – Francis Road" with a 28 unit townhouse development; and
- 9080 No. 3 Road (subject site of this report) - zoned "Assembly (ASY)", and is currently vacant.

**Related Policies & Studies**

Council's May 24, 2011 Revised "Community Institutional" Assembly Use Policy

On May 24, 2011, Council approved the following policy to manage the conversion of assembly sites:

- *"Whereas applications to redesignate from "Community Institutional" to other OCP designations for the purpose of redevelopment will be entertained and brought forward via the Planning Committee for consideration, without the need to retain assembly uses. This represents a change in approach as historically redesignation of "Community Institutional" sites has been discouraged; and*
- *Whereas staff will ensure that typical development elements (e.g. access, parking, layout, tree protection, etc.) are reviewed and evaluated; and*
- *Whereas staff will negotiate typical development requirements (e.g. child care, public art, Affordable Housing Strategy requirements, servicing upgrades, etc.) but will not specifically require a "community benefit" provision; and*
- *Whereas each application will be brought forward to Planning Committee for consideration on a case by case basis as quickly as possible;*
- *THEREFORE be it resolved, that when proposals to rezone Assembly zoned land or to change the OCP designation of such land come forward, Staff and Council will each review and address such applications on a case by case basis."*

2041 Official Community Plan (OCP)

The above policy has been incorporated into the 2041 OCP as follows:

Chapter 3, Section 3.2 Neighbourhood Character and Sense of Place, Objective 2: Enhance neighbourhood character and sense of place by considering community values, Policy c states:

*"applications to re-designate from "Community Institutional" to other OCP designations and to rezone Assembly zoned land for the purpose of redevelopment will be considered on a case by case basis:*

- *without the need to retain assembly uses;*

- *subject to typical development requirements (e.g., access; parking; layout; tree preservation; child care; public art; Affordable Housing Strategy requirements; servicing upgrades; etc.).*"

It is on the basis of the May 24, 2011 Council Resolution and the 2041 OCP policy that this application has been reviewed. Should Council wish to revisit the need for community benefit as part of the conversion of Institution lands, this application should be referred back to staff for further analysis.

Arterial Road Policy

The 2041 OCP Bylaw 9000 Arterial Road Redevelopment Policy is supportive of multiple-family residential developments along certain arterial roads with these sites being identified on the Arterial Road Development Map. Although the subject site is not specifically identified on the Arterial Road Development Map for townhouse development, it meets the location criteria set out in the OCP for additional new townhouse areas; e.g., within walking distance (800 m) of a Neighbourhood Centre (Broadmoor Shopping Centre) and within 400 m of a Commercial Service use (neighbourhood commercial establishments at the northeast corner of Francis Road and No. 3 Road). The subject site is also located adjacent to other existing and approved townhouse developments fronting Francis Road and No. 3 Road.

Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required prior to rezoning bylaw adoption.

Affordable Housing Strategy

The applicant proposes to make a cash contribution to the affordable housing reserve fund in accordance to the City's Affordable Housing Strategy. As the proposal is for townhouses, the applicant is making a cash contribution of $2.00 per buildable square foot as per the Strategy; making the payable contribution amount of $28,440.00.

Public Art

The applicant has agreed to provide a voluntary contribution in the amount of $0.77 per square foot of developable area for the development to the City's Public Art fund. The amount of the contribution would be $10,949.40.

**Public Input**

The applicant has forwarded confirmation that a development sign has been posted on the site. Adjacent property owners on Rideau Drive expressed opposition to the proposed residential development (**Attachment 4**). A list of public concerns is provided below, along with staff responses in *italics*:

1. Twelve (12) townhouses on the subject site would be much more invasive to the quality of life of the adjacent property owners than the construction of an institutional facility under Assembly zoning. The site is ideal for health care service uses.

   *Since a Development Permit is not required for institutional uses at the subject site, the City would have more control over the form and character of a multiple-family development than an institutional development at the subject site.*

   *While the maximum building height in both the Assembly (ASY) and Low Density Townhouses (RTL4) zones are at 12 m (approximately three-storeys), no three-storey interface with existing single-family development is allowed under the Arterial Road Policy for townhouse development. In comparison, three-storey buildings may be built 7.5 m away from the side and rear property lines under Assembly (ASY) zoning. The developer is proposing to build a two-storey duplex with a 4.5 m setback to the east property line and an approximately 5.75 m setback to the south property line. The closest three-storey building proposed onsite will be approximately 18.5 m away from the northwest corner of the adjacent single-family lot (8311 Rideau Drive). These kinds of building height and building setbacks will be controlled through the Development Permit process.*

   *Parking requirements for Assembly uses would be much higher than for residential use (10 spaces per 100 $m^2$ of gross leasable floor area of building vs. 2.2 spaces per unit). In addition, parking stalls provided on properties zoned Assembly (ASY) may be located 1.5 m to the rear and interior side lot line. While there is no provision related to parking stall setbacks in multiple-family residential developments, parking stalls located within the required yard areas are discouraged. Based on the proposed site layout, no outdoor parking stall is being proposed adjacent to the neighbouring single-family lot; and this arrangement will be controlled through the Development Permit process, as necessary.*

   *While the Low Density Townhouses (RTL4) zone permits Town Housing and secondary uses that are typically allowed in Single Detached zones (e.g. Boarding and Lodging, Minor Community Care Facility, and Home Business), Assembly zone permits higher intensity uses such as Education, Private Club, and Religious Assembly as principal uses and Interment Facility and Dormitory as secondary uses.*

   *Health Services is not a permitted use in the Assembly (ASY) zone.*

2. Allowing 9080 No. 3 Road to be removed from the Assembly land use designation would contravene Bylaw 7860 and Bylaw 8533.

   <u>*Bylaw 8533*</u>

   *Bylaw 8533 was a proposed Official Community Plan Amendment bylaw that has never been adopted by Council. The purpose of Bylaw 8533 was to add a new OCP policy and definition of "Community Institutional" lands, to clarify under what conditions existing religious assembly sites can be converted to other uses outside the City Centre and not in the Agricultural Land Reserve (i.e., that at least 50% of the site must be retained for religious assembly use and its onsite parking and the remainder can only be converted to built affordable subsidized rental housing, affordable low end market rental housing, residential community care facilities, and affordable congregate housing, with its own*

*parking). This bylaw was never adopted because, instead, Council approved the Revised "Community Institutional" Assembly Use Policy on May 24, 2011 as discussed in the Related Policies & Studies section above. The subject proposal complies with the 2041 OCP Community Institution Policy (3.2 Objective 2c).*

*Bylaw 7860*

*The purposes of Zoning Amendment Bylaw 7860 were:*

a. *to introduce a new multi-family residential zone entitled Comprehensive Development Zone (CD/159) (presently "Town Housing (ZT62) – Francis Road") having a maximum floor area ratio of 0.70, a maximum building height of 11 m (36 ft.) and a maximum lot coverage of 40%; and*
b. *to rezone a portion of 8080 Francis Road from Assembly District (ASY) to Comprehensive Development District (CD/159), to permit development of a 28-unit three-storey multi-family complex.*

*It is noted that a community benefit provision was in place in the early 2000's when the consolidated Synagogue site was rezoned to permit a multiple-family development (RZ 03-243383). The community benefit provision was intended to discourage land speculation on sites that have a public benefit, like Assembly sites. As part of the rezoning application RZ 03-243383, a volunteer contribution in the amount of $325,000 to the City Statutory Affordable Housing Fund was provided in lieu of on-site community benefits. Bylaw 7860 does not restrict future redevelopment of the remnant parcel (i.e. 9080 No. 3 Road).*

3. Richmond City Councillors (2004) were quite adamant that the remainder of the Eitz Chaim property at 9080 No. 3 Road remain as Assembly. Residents concern that the needed assembly land will be lost as a result of this application.

   *Staff reviewed the Planning Committee Meeting Minutes and the Public Hearing Minutes related to the Eitz Chaim Rezoning Application RZ 03-243383 (Bylaw 7860) but could not find any related reference that Council requested the remnant parcel of the consolidated Synagogue site be retained for Assembly use perpetually. No related covenant is registered on title.*

4. What Community benefit is derived by losing scarce Assembly land by allowing 12 town homes to be built?

   *As per City policies, the proposal will provide the following community benefits:*

   - *$28,440.00 to the Affordable Housing Reserve Fund in accordance to the City's Affordable Housing Strategy;*
   - *$10,949.40 to the City's Public Art fund in accordance to the City's Public Art Program;*
   - *$5,000 towards the proposed Audible Pedestrian Sign (APS) system upgrade at the No.3 Road/Francis Road intersection;*
   - *A total of $49,000.00 in-lieu of on-site indoor amenity space; and*
   - *Servicing Agreement for frontage improvements.*

5. There is no guarantee that vehicle access to this site through the adjacent townhouse development would be permitted by the future strata council at 9100 No. 3 Road.

   *A Public Rights-of-Passage (PROP) statutory rights-of-way (ROW) over the internal drive aisle of the proposed townhouse development at 9100 No. 3 Road, allowing access to/from the future townhouse development sites at 9080 No. 3 Road, has been secured as part of the Rezoning application of 9100 No. 3 Road.*

**Staff Comments**

Trees Retention and Replacement

*Tree Removal*

A Tree Survey and a Certified Arborist's report were submitted in support of the application; 14 on-site trees and one (1) off-site tree were identified and assessed (see Tree Preservation Plan in **Attachment 5**).

The City's Tree Preservation Coordinator has reviewed the Arborist Report and concurs with the arborist's recommendation to remove 11 onsite trees as they all have either existing structural defects (previously topped, upper canopy cavities, co-dominant branches with inclusions), exhibit visible stem decay, or are in decline.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP), 22 replacement trees are required. According to the Preliminary Landscape Plan (**Attachment 2**), the developer is proposing to plant 16 new trees on-site; size of replacement trees and landscape design will be reviewed in detail at the Development Permit stage. Staff will also work with the landscape architect to explore additional tree planting opportunities at the Development Permit stage. The applicant has agreed to provide a voluntary contribution of $3,000 to the City's Tree Compensation Fund in lieu of planting the remaining six (6) replacement trees should they not be accommodated on the site.

*Tree Protection*

The developer is proposing to retain and protect three (3) onsite trees located along the east property line and one (1) offsite tree along the north property line. Tree protection fencing is required to be installed as per the arborist's recommendations prior to any construction activities occurring on-site. In addition, a contract with a Certified Arborist to monitor all works to be done near or within the tree protection zone will be required prior to Development Permit issuance.

In order to ensure that the three (3) protected onsite trees will not be damaged during construction, a Tree Survival Security will be required as part of the Landscape Letter of Credit at Development Permit stage to ensure that these trees will be protected. No Landscape Letter of Credit will be returned until the post-construction assessment report confirming the protected trees survived the construction, prepared by the arborist, is reviewed by staff.

Should the applicant wish to begin site preparation work after third reading of the rezoning bylaw, but prior to final adoption of the rezoning bylaw and issuance of the Development Permit, the applicant will be required to obtain a Tree Permit, install tree protection around trees to be

retained, and submit the tree survival security and tree compensation cash-in-lieu (i.e. $14,000 in total) to ensure the replacement planting will be provided.

Site Servicing and Frontage Improvements

No capacity analysis and service upgrades are required but site analysis will be required on the Servicing Agreement drawings (see notes under Servicing Agreement Requirements in **Attachment 6**).

Prior to final adoption, the developer is required to provide a $5,000 contribution to the Accessible Pedestrian Signals (APS) upgrade at the No. 3 Road/Francis Road intersection and to enter into a standard Servicing Agreement for the design and construction of frontage improvements and service connections. Works to include, but not limited to: removing the existing sidewalk behind the existing curb and gutter (which remains), construction of a new 1.5 m concrete sidewalk along the front property line, installation of a grass and treed boulevard between the sidewalk and the curb, and extension of existing Street Lighting from the south property line to the north property line of the site along No. 3 Road.

Vehicle Access

Sole vehicular access to this new townhouse project is to be from No. 3 Road through the existing Public Right of Passage Statutory Right of Way (CA 2872307 and EPP22896) on the adjacent property (9100 No. 3 Road) only. No direct vehicular access is permitted to No. 3 Road. This access arrangement was envisioned when the original Rezoning and Development Permit applications for the adjacent townhouse development at 9100 No. 3 Road (RZ 11-577561) were approved by Council. Registration of a legal agreement on title ensuring vehicle access is from this Statutory Right of Way on 9100 No. 3 Road will be required prior to final adoption of the rezoning bylaw.

Indoor Amenity Space

The applicant is proposing a contribution in-lieu of on-site indoor amenity space in the amount of $12,000 as per the Official Community Plan (OCP) and Council Policy.

Outdoor Amenity Space

Outdoor amenity space will be provided on-site. Staff will work with the applicant at the Development Permit stage to ensure the size, configuration, and design of the outdoor amenity space meets the Development Permit Guidelines in the Official Community Plan (OCP).

Discharge of Covenants

Two (2) covenants (Covenant BE214259 and Covenant BE214260) were registered on title of the subject property concurrently on August 30, 1991 as a result of the Rezoning application (RZ 90-147) to rezone 8100/8120 Francis Road and 9080 No. 3 Road to Assembly (ASY) zone. The property at that time consisted of a single lot with access on both No. 3 Road and Francis Road. This parcel was subdivided in 2005 into two (2) lots: 8080 Francis Road (Lot 1) and 9080 No. 3 Road (Lot 2).

- Covenant BE214259 requiring access from Francis Road only makes sense when considered in the context of a single parcel of land. Following the subdivision in 2005, there was no longer any access for 9080 No. 3 Road onto Francis Road.

- Covenant BE214260 requiring a child care facility be provided on site if the lands are to be used as a site of a synagogue, social hall and school. This requirement for a child care facility would apply only if a synagogue was constructed on the site. The covenant does not indicate that the property is reserved for institutional use.

Since these two (2) covenants are no longer appropriate and needed for the proposed development, the applicant may request to discharge the covenants and dispense with the restrictions/requirements at the applicant's sole cost.

Release of Easement

An Easement with Section 219 Covenant (BX297160 and BX297161) were registered on title of the subject property concurrently on December 12, 2005 as a result of the Development Applications (RZ 03-243383 & DP 03-247945) to permit the construction of 28 three-storey townhouses at 8080 Francis Road. To address the indoor amenity requirement, the developer of 8080 Francis Road secured permission to use the meeting space (a minimum of 70 $m^2$) within the future congregation building on 9080 No. 3 Road by the townhouse residents.

Based on this legal obligation, an indoor amenity space is required to be provided on site for the benefit of the townhouse owners of 8080 Francis Road. However, the developers of the subject Rezoning application advised that they have reached an agreement with the Strata Council of 8080 Francis Road to release this easement and that no indoor amenity space will be provided on site. The developers of the subject site and the Strata Council of 8080 Francis Road have been advised that all 28 owners of the strata at 8080 Francis Road are required to sign off the release of easement and discharge of covenant; these documents cannot be released or discharged by majority vote.

The release of easement with Section 219 Covenant (BX297160 and BX297161) must be completed prior to the future Development Permit application for the subject proposal being forwarded to Development Permit Panel for review; otherwise, an indoor amenity space (minimum 70 $m^2$) for the benefit of the townhouse owners of 8080 Francis Road must be included in the proposal.

Since no indoor amenity space or cash-in-lieu were provided as part of the townhouse development at 8080 Francis Road, as a condition to City's agreement to discharge the related Section 219 Covenant, a contribution in-lieu of on-site indoor amenity space at 8080 Francis Road in the amount of $37,000 is required to be provided prior to final adoption of this rezoning application. This contribution amount is calculated based on Council Policy 5041 *Cash In Lieu of Indoor Amenity Space*, which was adopted on December 15, 2003.

## Analysis

Official Community Plan (OCP) Compliance

The proposed development is consistent with the 2041 OCP Community Institution Policy (Section 3.2 Objective 2c) and the Development Permit Guidelines for arterial road townhouse developments. The proposed height, siting and orientation of the buildings respect the massing of the existing and recently approved townhouse developments to the east and south respectively, as well as to the existing single-family homes to the southeast. The three-storey building proposed at the northeast corner of the site (adjacent to the vacant gas/service station site to the north) complement the existing three-storey townhouse development to the east. The end units of the street fronting buildings are stepped down to two-storeys at the side yard to provide a better side yard interface with the adjacent developments. The southeast building located adjacent to the neighbouring single-family home has been limited to two-storeys to minimize overlooking opportunity. The building height and massing will be controlled through the Development Permit process.

Development Potential of 9000 No. 3 Road

Located to the north of the subject site at 9000 No. 3 Road is a vacant, former gas/service station site. The site is designated "Commercial" in the Official Community Plan (Attachment 1 to Schedule 1 of Bylaw 9000), which is intended for principal uses such as retail, restaurant, office, business, personal service, art, culture, recreational, entertainment, institutional, hospitality and hotel accommodation. The site is zoned "Gas & Service Station (CG1)"; a Rezoning application will be required for any proposed uses other than gas/service station.

As part of the 2041 OCP Update, the City undertook an Employment Lands Strategy. This Strategy concluded that Central Richmond would need all of its Commercial lands to serve the area's population growth and employment needs. Therefore, City staff have taken the position on a number of land use enquiries regarding 9000 No. 3 Road and similar vacant gas/service station sites that they should not be redeveloped for purely residential purposes. In other words, the current Commercial designation would either be retained or perhaps be replaced with a Mixed Use designation (e.g., commercial on the ground floor and residential or office space above).

Requested Variances

The proposed development is generally in compliance with the Low Density Townhouses (RTL4) zone. Based on the review of the current site plan for the project, the following variances are being requested:

1. Reduce the minimum lot width on major arterial road from 50.0 m to 43.3 m.

   *Staff supports the proposed variances since the subject site is an orphan lot located between a vacant gas/service station site and a recently approved multiple-family development. This development could be considered as an extension of the adjacent townhouse development to the south as sole vehicle access is to be through this adjacent site.*

2. Reduce the front yard setback from 6.0 m to 5.15 m on the ground floor and to 4.85 m on the second floor of the southernmost unit in Building No. 4.

   *These variances will be reviewed in the context of the overall detailed design of the project, including architectural form, site design and landscaping at the Development Permit stage.*

3. Increase the rate of tandem parking spaces from 50% to 67% to allow a total of sixteen (16) tandem parking spaces in eight (8) three-storey townhouse units; and to allow a total of four (4) small car parking spaces in four (4) two-storey townhouse units.

   *Staff supports the proposed variances since the proposal was submitted prior to the new direction on tandem parking arrangements was given and the related bylaw amendment was approved by Council in March 2013.*

   *Prior to March 2013, staff typically supports variances related to tandem parking arrangements on the basis that tandem parking reduces pavement area on site and facilitate a more flexible site layout. In order to address recent concerns related to the potential impact on street parking, the developer is proposing to provide an additional visitor parking stalls on site.*

   *At present, no stopping is permitted on both sides of No. 3 Road and no parking is permitted on Francis Road in front of the adjacent vacant gas/service station site. An additional visitor parking stalls on site should alleviate the demand of street parking from the visitors of the proposed development and minimize impact to the neighbouring single-family neighbourhood. Transportation Division staff have reviewed the proposal and have no concerns. A restrictive covenant to prohibit the conversion of the garage area into habitable space is required prior to final adoption.*

Design Review and Future Development Permit Considerations

A Development Permit will be required to ensure that the development at 9080 No. 3 Road is sensitively integrated with adjacent developments. The rezoning conditions will not be considered satisfied until a Development Permit application is processed to a satisfactory level. In association with the Development Permit, the following issues are to be further examined:

- Guidelines for the issuance of Development Permits for multiple-family projects contained in Section 14 of the 2041 OCP Bylaw 9000.
- Location, size and manoeuvring capacity of visitor parking stalls.
- Building form and architectural character.
- Provision of a convertible unit and design of other accessibility/aging-in-place features.
- Site grade to ensure the survival of protected trees and to enhance the relationship between the first habitable level and the private outdoor space.
- Adequate size and access to private outdoor space for each unit.
- Design development of the outdoor amenity space to comply with the Development Permit Guidelines in terms of size and configuration, as well as provision of children's play equipments.

- Provision of a buffer area between the proposed townhouse buildings and the adjacent single-family homes.

Additional issues may be identified as part of the Development Permit application review process.

**Financial Impact or Economic Impact**

None.

**Conclusion**

The proposed 12-unit townhouse development is consistent with the 2041 Official Community Plan (OCP) regarding the conversion of Assembly sites along major arterial roads. Overall, the proposed land use, site plan, and building massing complement the surrounding neighbourhood. Further review of the project design is required to ensure a high quality project and design consistency with the existing neighbourhood context, and this will be completed as part of the Development Permit application review process. The list of rezoning considerations is included as **Attachment 6**, which has been agreed to by the applicants (signed concurrence on file). On this basis, staff recommend that the proposed Official Community Plan Amendment and Rezoning be approved.

Edwin Lee
Planning Technician - Design

EL:kt

Attachment 1: Location Map
Attachment 2: Conceptual Development Plans
Attachment 3: Development Application Data Sheet
Attachment 4: Letters Received
Attachment 5: Tree Preservation Plan
Attachment 6: Rezoning Considerations Concurrence

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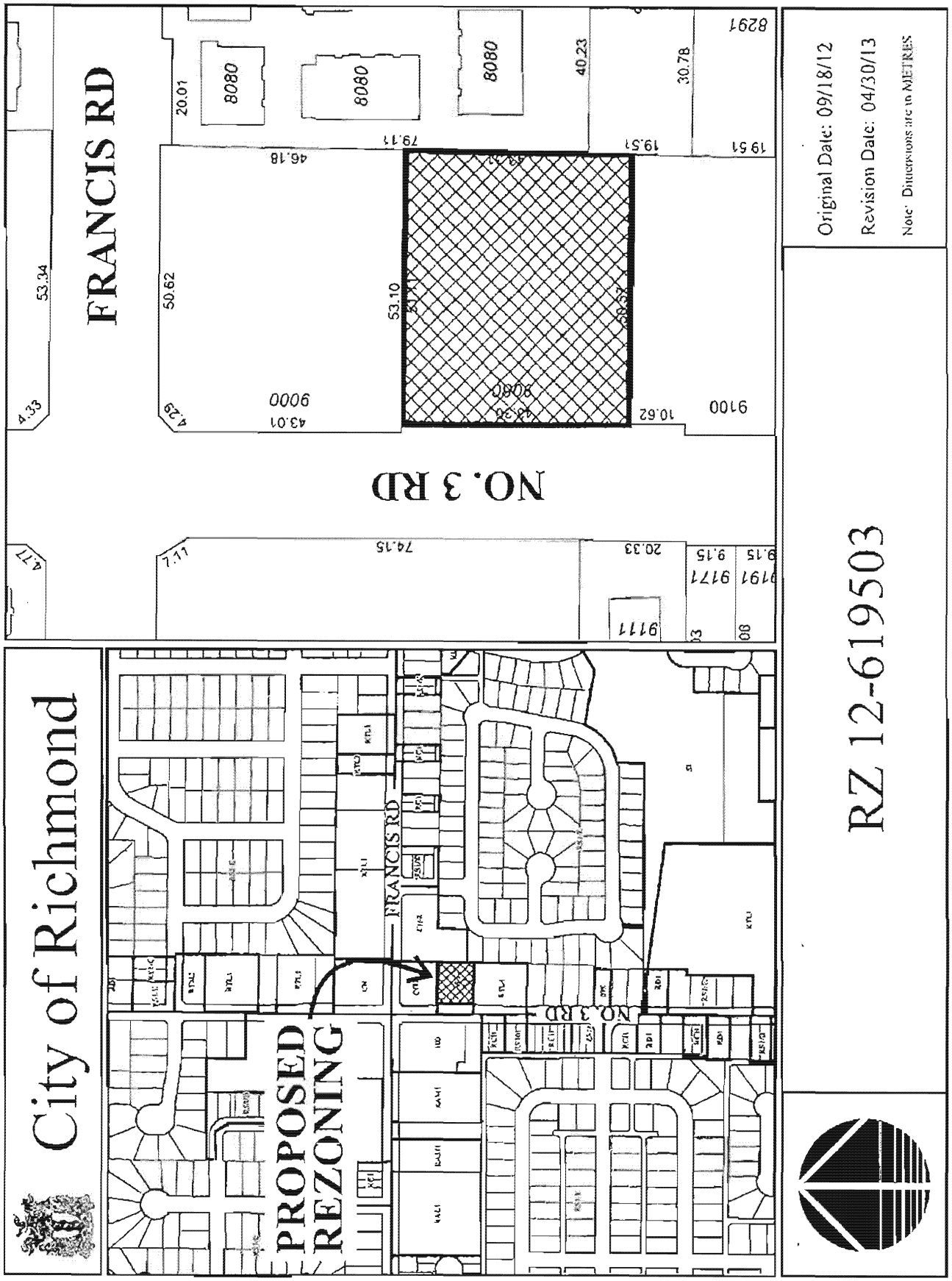
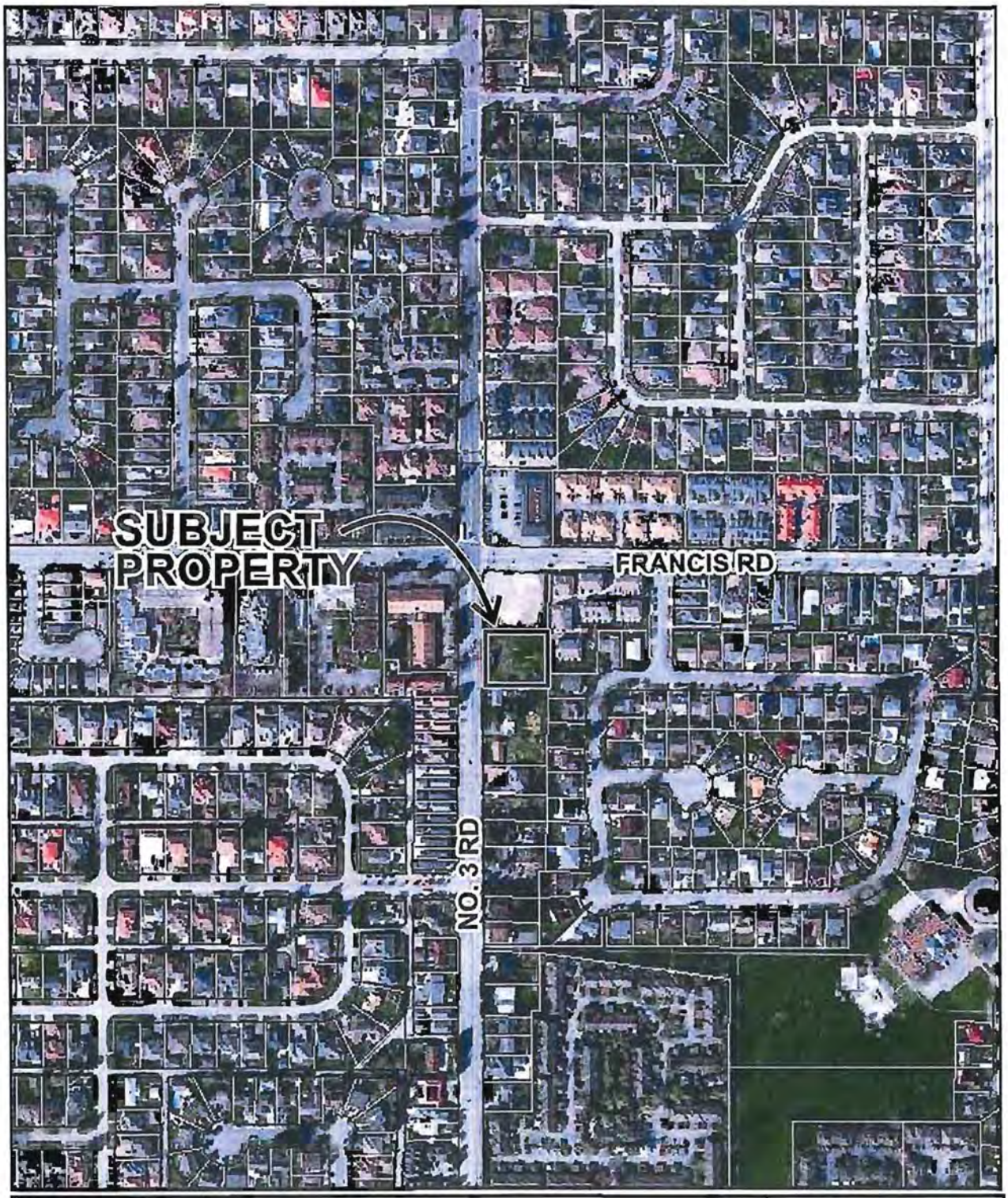

City of Richmond
PROPOSED REZONING
FRANCIS RD
NO. 3 RD
FRANCIS RD
NO. 3 RD
8080
8080
8080
8080
9000
9100
9111
9171
9191
8291
53.34
4.33
4.29
50.62
43.01
46.18
20.01
79.11
19.51
19.51
30.78
40.23
53.10
10.62
74.15
20.33
9.15
9.15
4.11
7.11
Original Date: 09/18/12
Revision Date: 04/30/13
Note: Dimensions are in METRES
RZ 12-619503

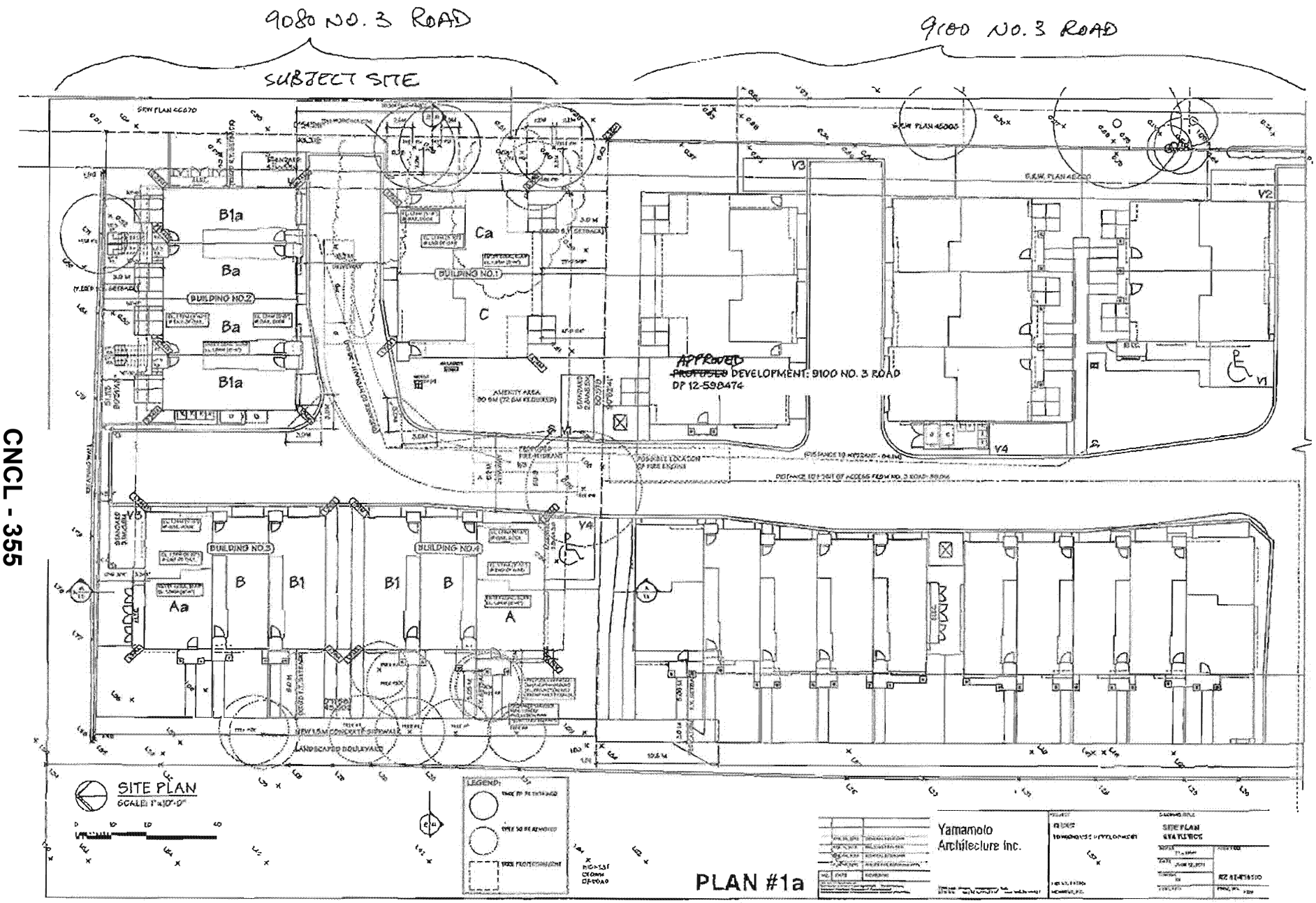



RZ 12-619503

Original Date: 09/18/12

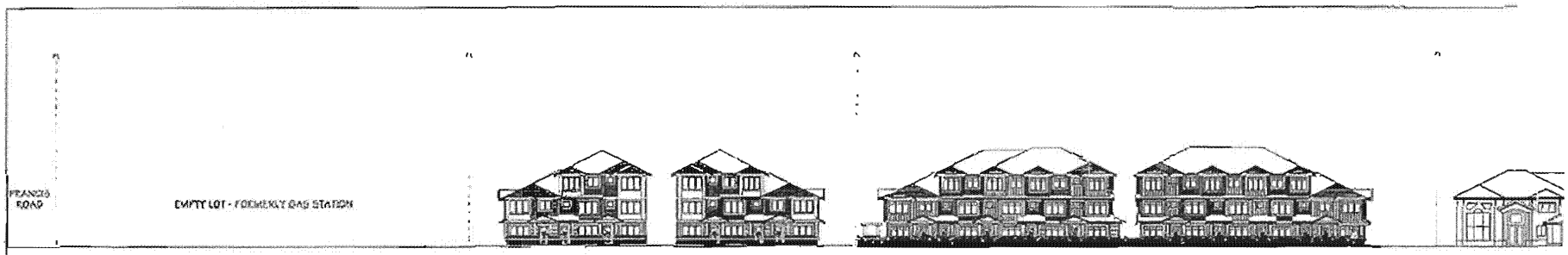
Amended Date: 04/25/13

Note: Dimensions are in METRES

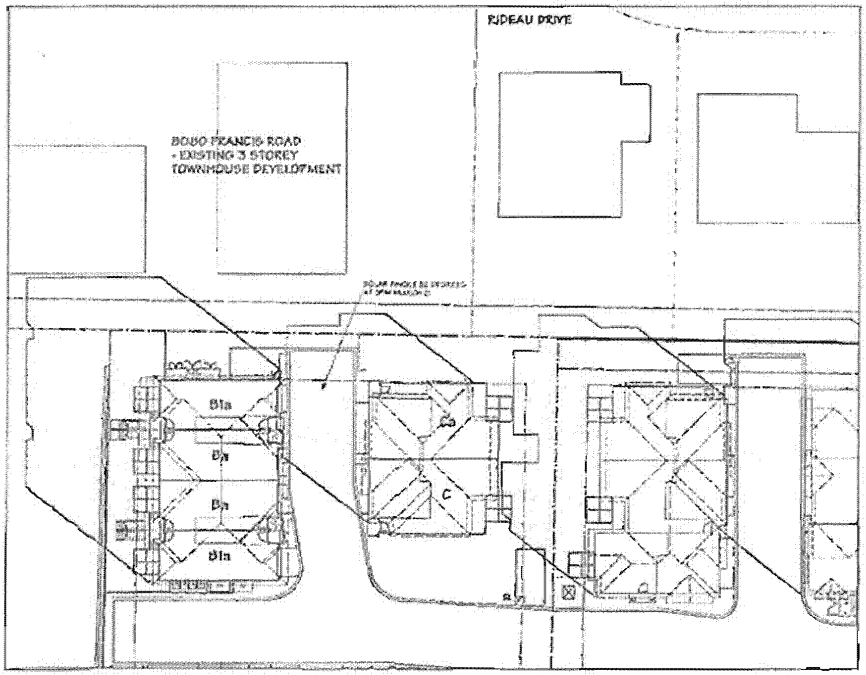



CNCL - 355

ATTACHMENT 2




STREETSCAPE

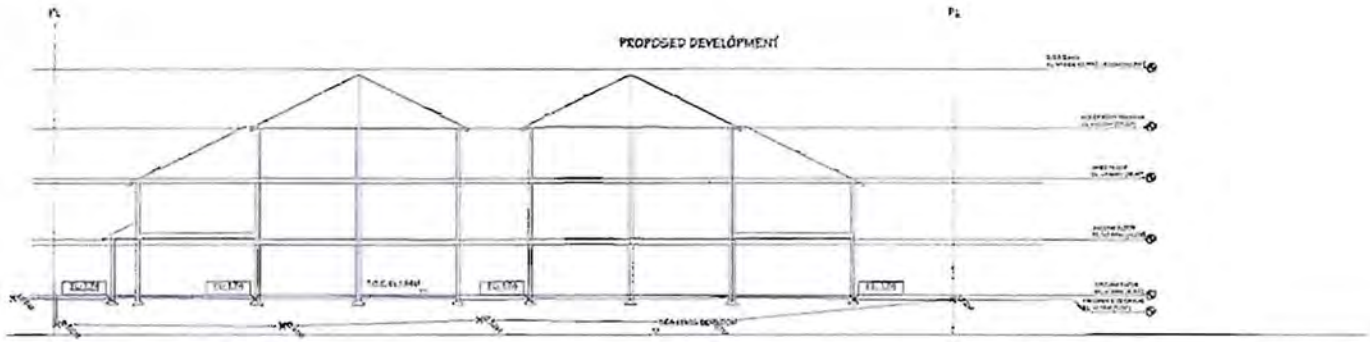



SHADOW ANALYSIS

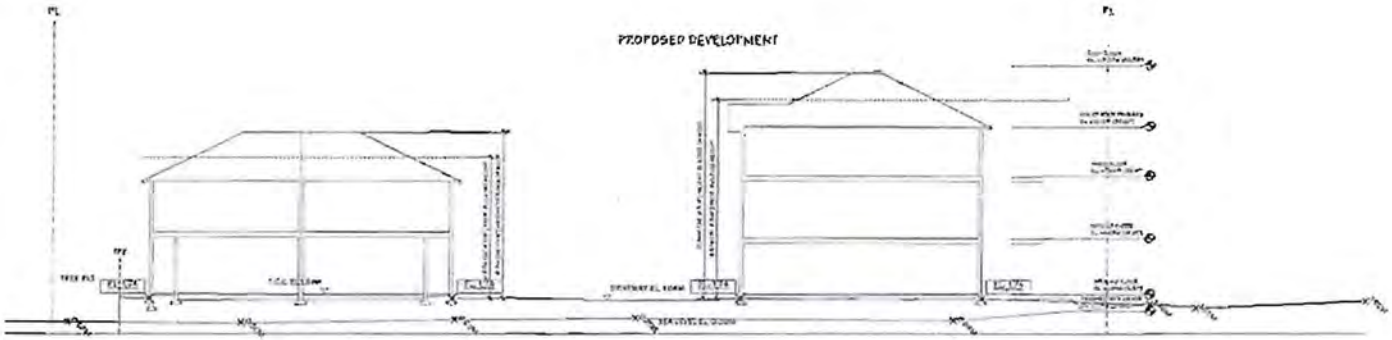
PLAN #1b

Yamamoto Architecture Inc.

CONTEXT PLAN




SITE SECTION - A
SCALE: 1/8"=1'-0"




SITE SECTION - B
SCALE: 1/8"=1'-0"

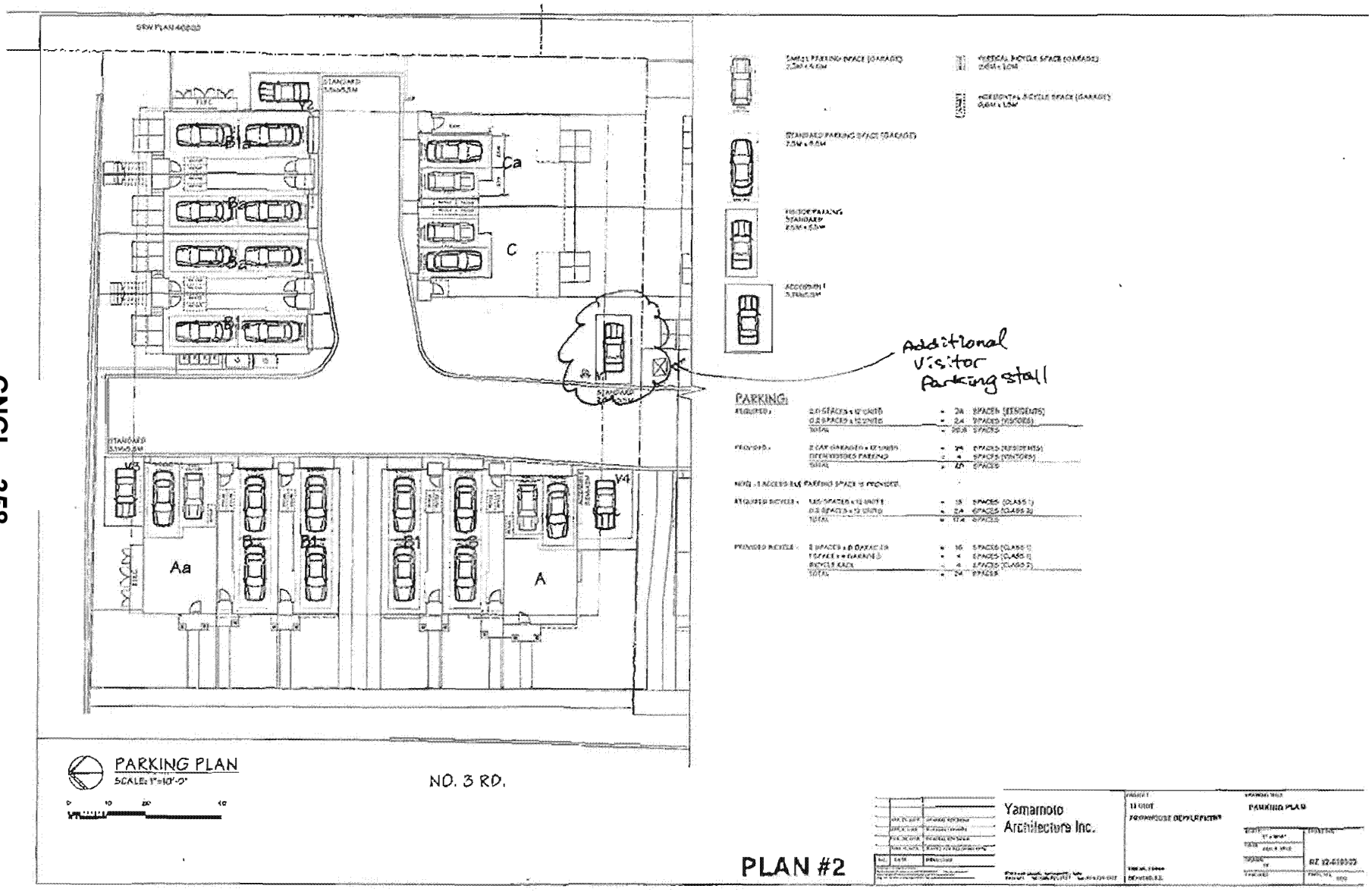
Yamamoto Architecture Inc.

12 UNIT
TOWNHOUSE DEVELOPMENT

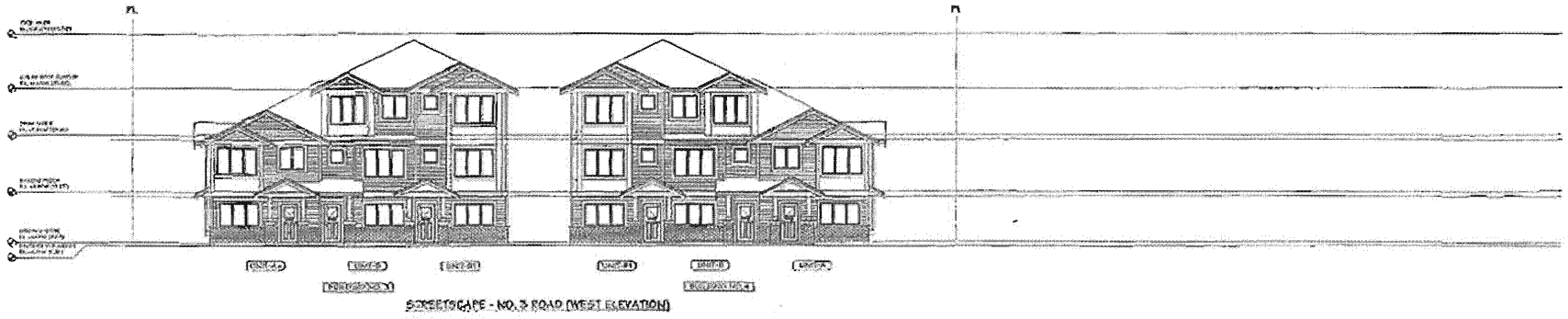
SITE SECTION

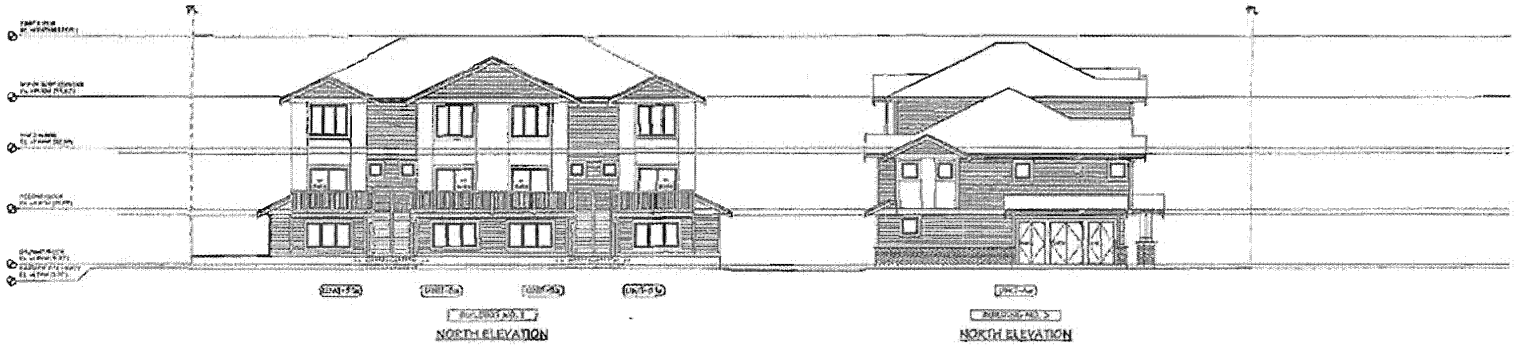
RZ 13-646559

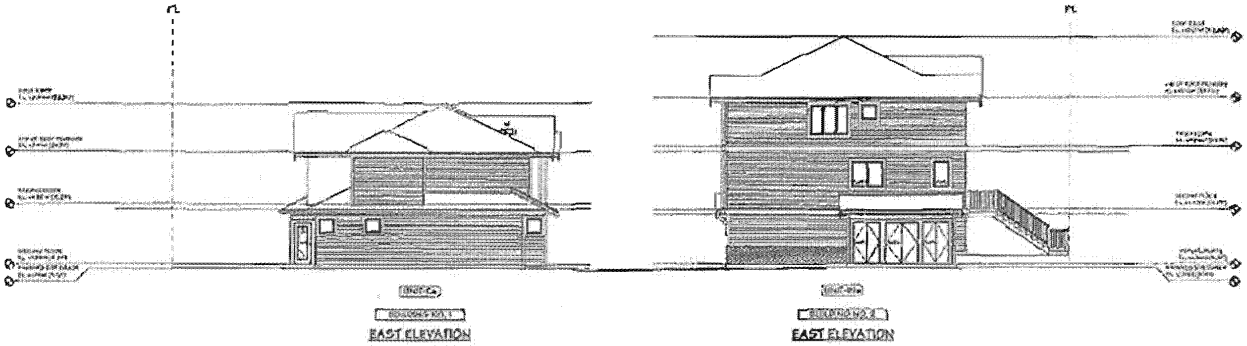
PLAN #1c


Additional Visitor Parking stall
PARKING
Aa
A
C
Ca
NO. 3 RD.
PARKING PLAN
SCALE: 1"=10'-0"
Yamamoto Architecture Inc.
PARKING PLAN

PLAN #2



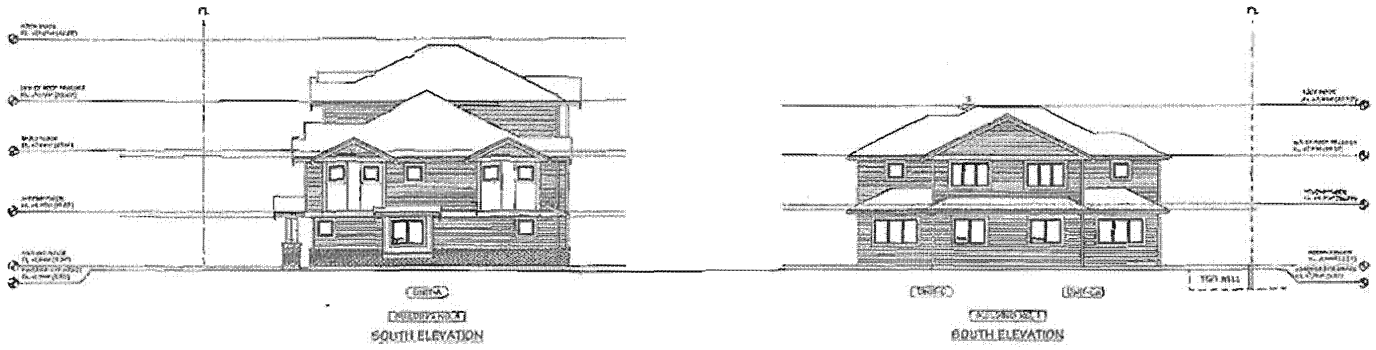




Yamamoto Architecture Inc.

ELEVATIONS

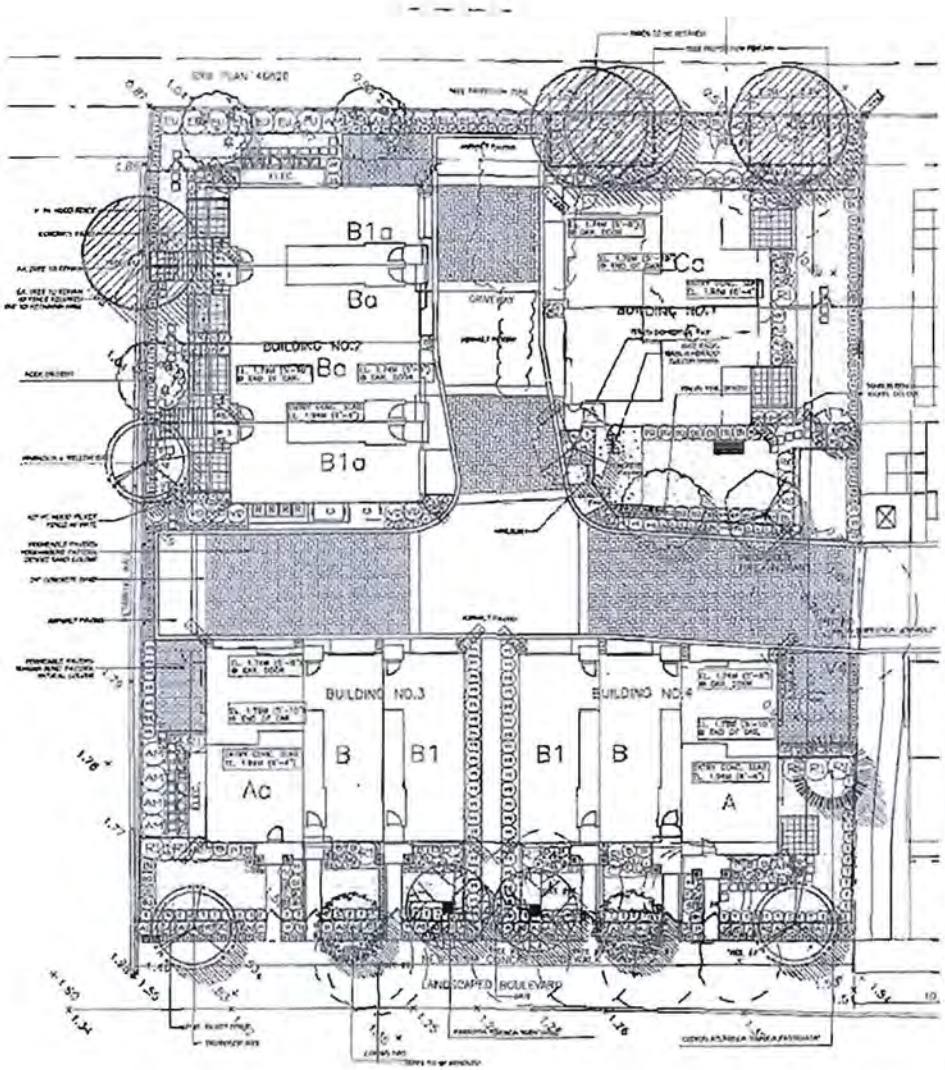
PLAN #4




Yamamoto
Architecture Inc.

ELEVATIONS

PLAN #5



PLANT SCHEDULE

ALL PLANT MATERIAL MUST BE PROVIDED FROM CERTIFIED DISEASE FREE NURSERY. PROVIDE CERTIFICATION UPON REQUEST.

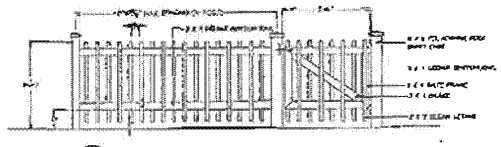
pmg LANDSCAPE ARCHITECTS

PROJECT
13 UNIT
TOWNHOUSE DEV.

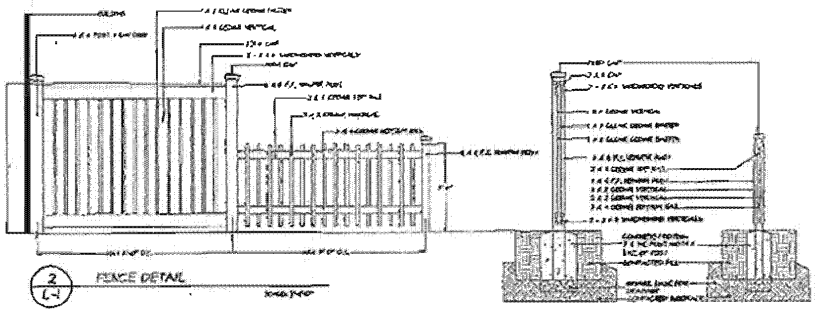
LANDSCAPE PLAN

L1

CNCL - 361



1 / L4 STREET FRONT 42" HT. FENCE DETAIL



2 / L4 FENCE DETAIL

pmg LANDSCAPE ARCHITECTS

PROJECT
23 UNIT TOWNHOUSE DEV.

RICHMOND, B.C.

LANDSCAPE DETAILS

L2

City of Richmond

# Development Application Data Sheet

Development Applications Division

**RZ 12-619503** **Attachment 3**

Address: 9080 No. 3 Road

Applicant: Sandhill Homes Ltd.

Planning Area(s): Broadmoor

| | Existing | Proposed |
|---|---|---|
| **Owner:** | Congregation Bayit | To be determined. |
| **Site Size ($m^2$):** | 2,202 $m^2$ | No Change |
| **Land Uses:** | Vacant | Multiple-Family Residential |
| **OCP Designation:** | Community Institutional | Neighbourhood Residential |
| **Area Plan Designation:** | N/A | N/A |
| **702 Policy Designation:** | N/A | N/A |
| **Zoning:** | Assembly (ASY) | Low Density Townhouses (RTL4) |
| **Number of Units:** | 0 | 12 |
| **Other Designations:** | N/A | No Change |

| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|---|---|---|---|
| Floor Area Ratio: | Max. 0.60 | 0.60 Max. | none permitted |
| Lot Coverage – Building: | Max. 40% | 40% Max. | none |
| Lot Coverage – Non-porous Surfaces: | Max. 65% | 65% Max. | none |
| Lot Coverage – Landscaping: | Min. 25% | 25% Min. | none |
| Setback – Front Yard (m): | Min. 6.0 m | 6.0 m Min. | none |
| Setback – North Side Yard (m): | Min. 3.0 m | 3.0 m Min. | none |
| Setback – South Side Yard (m): | Min. 3.0 m | 3.0 m Min. | none |
| Setback – Rear Yard (m): | Min. 3.0 m | 4.5 Min. | none |
| Height (m): | Max. 12.0 m (3 storeys) | 12.0 m (3 storeys) Max. | none |
| Lot Width: | Min. 50.0 m | 43.3 m | Variance Requested |
| Off-street Parking Spaces – Regular (R) / Visitor (V): | 2 (R) and 0.2 (V) per unit | 2 (R) and 0.33 (V) per unit | none |
| Off-street Parking Spaces – Total: | 27 | 28 | none |

3839351

| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|---|---|---|---|
| Tandem Parking Spaces: | Max. 50% | 16 spaces (67%) | Variance Requested |
| Small Car Parking Spaces | Not permitted | 4 | Variance Requested |
| Handicap Parking Spaces: | 1 | 1 | none |
| Amenity Space – Indoor: | Min. 70 m² or Cash-in-lieu | Cash-in-lieu | none |
| Amenity Space – Outdoor: | Min. 6 m² x 12 units = 72 m² | 90 m² | none |

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

MARCH 8/2013

ATTACHMENT 4

FOR EDWIN LEE (RE: RZ 12-619050)

FIND ENCLOSED AN ADDENDUM TO OUR ORIGINAL SUBMISSION REGARDING OUR OPPOSITION TO THE REZONING AT 9080 #3RD. IT APPEARS TO US THAT THE STAFF CONCERNS AND RECOMMENDATIONS AS WELL AS RICHMOND COUNCIL'S INTENT ARE BEING IGNORED IN ALLOWING MARKET VALUE HOUSING TO BE BUILT ON ASSEMBLY LAND. WE WOULD LIKE OUR CONCERNS APPRAISED AT OR BEFORE THE SCHEDULED PLANNING COMMITTEE MEETING BY "COUNCIL"

RESPECTIVELY SUBMITTED BY,

4 CONCERNED RIDEAU PROPERTY OWNERS.

P.S. A COUPLE OF THOSE PROPERTY OWNERS MAY NOT BE AVAILABLE UNTIL AFTER APRIL 15/2013

ATTACHMENT 4

February 28,2013,

To Richmond City Council.

The staff reports in support of Bylaws #7860 (Oct. 28th, 2004 ) and # 8533 (Nov.4, 2009) appear to be very clear and consistent on what is meant by the terms " community institutional " and "community benefit " as well as establishing the parameters of use for those organizations owning lands designated " ASSEMBLY ". It is our understanding that staff reports are a matter of public record. The following are excerpts taken from these 2 reports with the intent of asking the question " Why is the Assembly land located at 9080 # 3Rd being allowed to rezoned to allow for 12 town homes which are to be sold at market value without any defined community benefit ? " In the staff report to Bylaw #7860 , the staff specifically state that " Development of market housing on a assembly zoned site ( ASY ) is strongly discouraged, unless the proposal incorporates a community benefit." As well, this staff report spells out quite emphatically that" The community benefit provision is intended to discourage land speculation on sites that have a public benefit, like assembly sites. " In the staff report to Bylaw # 8533, the staff state that " Religious assembly uses are an important part of component of community life in Richmond. " and that Richmond's " growing population will need more such lands, the current supply is limited, developers are speculating if they can be redeveloped for market purposes (e.g., multi family ) and such sites will be difficult to replace if they are converted to higher value land uses ( e.g. residential ). "

As concerned citizens and adjacent neighbours, we are asking why this application for rezoning of this property at 9080 # 3Rd. has been allowed to proceed this far ?

The rezoning application at this site is also making the assumption that the entrance and exit to the 12 town-homes will be through another development at 9100 # 3 RD. It is our understanding that for this to occur the strata council at 9100 # 3RD.will have to give their permission . There is no guarantee that this will happen.

Respectively submitted,

The 4 adjacent Rideau Drive Home-Owners

ATTACHMENT 4

November 19/2012

To The City of Richmond ( C/O Edwin Lee ) re- RZ 12-619503

We the residents on Rideau Drive were somewhat shocked to see a rezoning application sign posted on the property located at 9080 # 3 Road. Since 2004, we have been waiting for and looking forward to the building of a Jewish synagogue on said property by the EITZ CHAM faith community. Architectual drawings of the building were circulated to the immediate neighbours after the synagogue's property at 8080 Francis Rd. was allowed to be rezoned from ASSEMBLY ( ASY) to COMPREHENSIVE DEVELOPMENT DISTRICT (CD/159 ) in order to construct 28 town-homes. The plans for this new synagogue on # 3 Rd. were innovative and quite acceptable to the owners of the adjacent properties.

We the residents on Rideau Drive cannot support the application by Sandhill Construction to change the rezoning from Assembly to RTZ ( 4 ) which would allow for the construction of 12 more town homes. Having endured the construction of 28 townhomes to the south of us in the recent past on the former Assembly property at 8080 Francis Rd. as well as the present construction of 18 town homes to the west and south of us at 9100 # 3$^{Rd}$., the thought of another 12 town homes draped in a solid column within 5 meters of our property line leaves us dumbfounded. Twelve town homes on this property will be much more invasive to the quality of life of the adjacent property owners than the construction of an institutional facility under Assembly zoning.

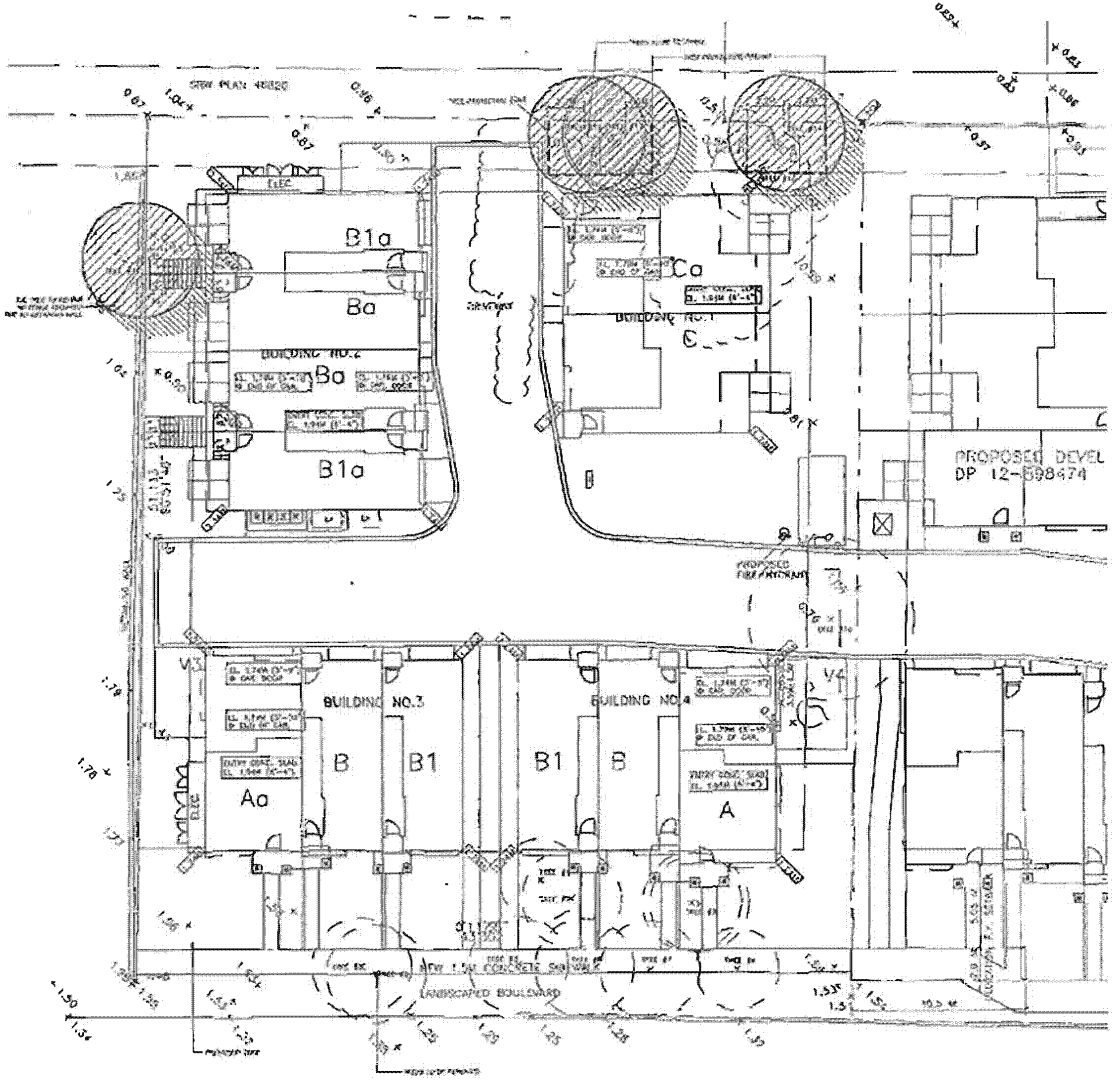
When the owner of the Assembly land at 8080 Francis Rd. was given the green light to rezone to a multi-family designation in 2004 ,the faith community( owner ) as well as GBL Architects stood to gain a more significant return on their investment. The extra income from this rezoning and subsequent townhouse sales was to assist the Jewish community in the erection of a synagogue on their assembly zoned land at 9080 # 3$^{Rd}$. As well, because of the loss of Assembly land on Francis road, Richmond City Councillors (2004) were quite adamant that the remainder of the Eitz Chaim property at 9080 # 3 Rd. remain as ( ASY). Their rationalle was based on the fact that the city had been losing tracts of Assembly land and they wanted to retain what they had left.

We understand that circumstances regarding the construction of the synagogue may have changed and that the anticipated synagogue will not become a reality; however, it appears the option of selling this Assembly zoned property as an Assembly package has not been explored. When Our Saviour Lutheran Church decided to sell their property at 8080 Francis Rd. in the late 1980's, they , in good faith , advertised and sold said property as an Assembly package. There were several institutional parties including the Eitz Chaim faith community, who expressed an interest in purchasing this Assembly package with all the amenities that this zoning included. Today, Richmond has become a vibrant multi-cultural community composed of immigrants from around the world who have brought with them elements of their previous culture including new faith communities. Some of these faith groups are presently renting temporary premises in churches and schools and may soon be looking for more permanent facilities.As well, Richmond has an aging population and the demand for more health care services ,both public and private,are on the increase and the location of this property is ideally suited for such institutional use. We, as was the Richmond City Council of 2004, are concerned that needed Assembly land will be lost as a result of this application.

We would like to ask today's CITY COUNCIL what COMMUNITY BENEFIT is derived by losing scarce Assembly Land and allowing 12 town homes to be built on said property ? Bylaw No.7860 appears to have been abandoned if this faith's community land at 9080 # 3$^{Rd}$ is allowed to be removed from the ASSEMBLY classification. The residents of the Rideau subdivision had been looking forward to the addition of a faith facility as laid out in Bylaw 7860, not another 12 townhouses which would be much more intrusive in nature.

RESPECTIVELY SUBMITTED BY,

| | | | |
|---|---|---|---|
| 8311 Rideau Drive | GERALD TANG | 8331 Rideau Drive | Joseph Ho |
| 8291 Rideau Drive | CHANG CHIN-SHENG | 8271 Rideau Drive | Jon Henderson |




LEGEND:

TREE TO BE RETAINED

TREE TO BE REMOVED

TREE PROTECTION ZONE

pmg LANDSCAPE ARCHITECTS

PROJECT
13 UNIT
TOWNHOUSE DEV.

TREE MANAGEMENT PLAN

L3

ATTACHMENT 5

City of Richmond

# Rezoning Considerations

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

**Address:** 9080 No. 3 Road **File No.:** RZ 12-619503

**Prior to final adoption of Zoning Amendment Bylaw 9031 , the developer is required to complete the following:**

1. Final Adoption of OCP Amendment Bylaw 9030.
2. Registration of a flood indemnity covenant on title.
3. Registration of a legal agreement on title ensuring that the only means of vehicle access is from the existing Cross-Access Statutory Right of Way (SRW CA2872307 and Plan EPP22896) on 9100 No. 3 Road (property to the south) and that there be no direct vehicular access to No. 3 Road.
4. Registration of a legal agreement on title prohibiting the conversion of the tandem parking area into habitable space.
5. Discharge of Covenants BE214259 and BE214260.
6. City acceptance of the developer's offer to voluntarily contribute $2.00 per buildable square foot (e.g. $28,440.00) to the City's affordable housing fund.
7. City acceptance of the developer's offer to voluntarily contribute $0.77 per buildable square foot (e.g. $10,949.40) to the City's public art fund.
8. City acceptance of the developer's offer to voluntarily contribute $3,000.00 to the City's Tree Compensation Fund for the planting of replacement trees within the City. If additional replacement trees (over and beyond the 16 replacement trees as proposed at the Rezoning stage) could be accommodated on-site (as determined at Development Permit stage), the above cash-in-lieu contribution would be reduced in the rate of $500 per additional replacement trees to be planted on site.
9. City acceptance of the developer's offer to voluntarily contribute $5,000 towards the proposed Audible Pedestrian Sign (APS) system upgrade at the No.3 Road/Francis Road intersection.
10. Contribution of $1000.00 per dwelling unit (e.g. $12,000.00) in-lieu of on-site indoor amenity space.
11. City acceptance of the developer's offer to voluntarily contribute $37,000.00 in-lieu of on-site indoor amenity space for the benefit of 8080 Francis Road.
12. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
13. Enter into a Servicing Agreement* for the design and construction of frontage improvements and service connections. Works include, but may not be limited to, removing the existing sidewalk behind the existing curb & gutter (which remains), construct a new 1.5 m concrete sidewalk along the front property line, install a grass and treed boulevard between the sidewalk and the curb, and extend existing Street Lighting from the south property line to the north property line of the site on No 3 Road. Design to include Water, Storm and Sanitary Service Connections.

    Note:

    i. Water:

    a. Using the OCP Model, there is 1020 L/s available at 20 psi residual. Based on the proposed rezoning, the site requires a minimum fire flow of 220 L/s. Water analysis is not required. However, once the building design have been confirmed at the Building Permit stage, fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey to confirm that there is adequate available flow must be submitted.

    ii. Sanitary:

    a. Sanitary analysis and upgrades are not required. A site analysis will be required on the servicing agreement drawings (for site connection only).

b. The site is to connect to existing manhole SMH2136, located in the rear yard of 8311 Rideau Dr, approximately 1.5 m north of the south property line of the development site.

iii. Storm

a. Storm analysis and upgrades are not required. A site analysis will be required on the servicing agreement drawings for the site connection only.

b. If the site connection is placed beneath the existing AC water main on No 3 Rd, then that section of water main shall be renewed by the City at the developer's cost.

**Prior to a Development Permit* being forwarded to the Development Permit Panel for consideration, the developer is required to:**

1. Discharge of Easement with Section 219 Covenant (BX297160 and BX297161); otherwise, an indoor amenity space (minimum 70 $m^2$) for the benefit of the townhouse owners of 8080 Francis Road must be included in the proposal.

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

1. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted near or 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.
2. Submission of a Tree Survival Security to the City as part of the Landscape Letter of Credit to ensure that the trees identified for retention will be protected. No Landscape Letter of Credit will be returned until the post-construction assessment report confirming the protected trees survived the construction, prepared by the Arborist, is reviewed by staff.

**Prior to Building Permit Issuance, 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.

   Should the applicant wish to begin site preparation work after third reading of the rezoning bylaw, but prior to final adoption of the rezoning bylaw and issuance of the Development Permit, the applicant will be required to obtain a Tree Permit, install tree protection around trees to be retained, and submit the tree survival security and tree compensation cash-in-lieu (i.e. $14,000 in total) to ensure the replacement planting will be provided.
2. 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.
3. Incorporation of accessibility measures and sustainability features in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
4. 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.

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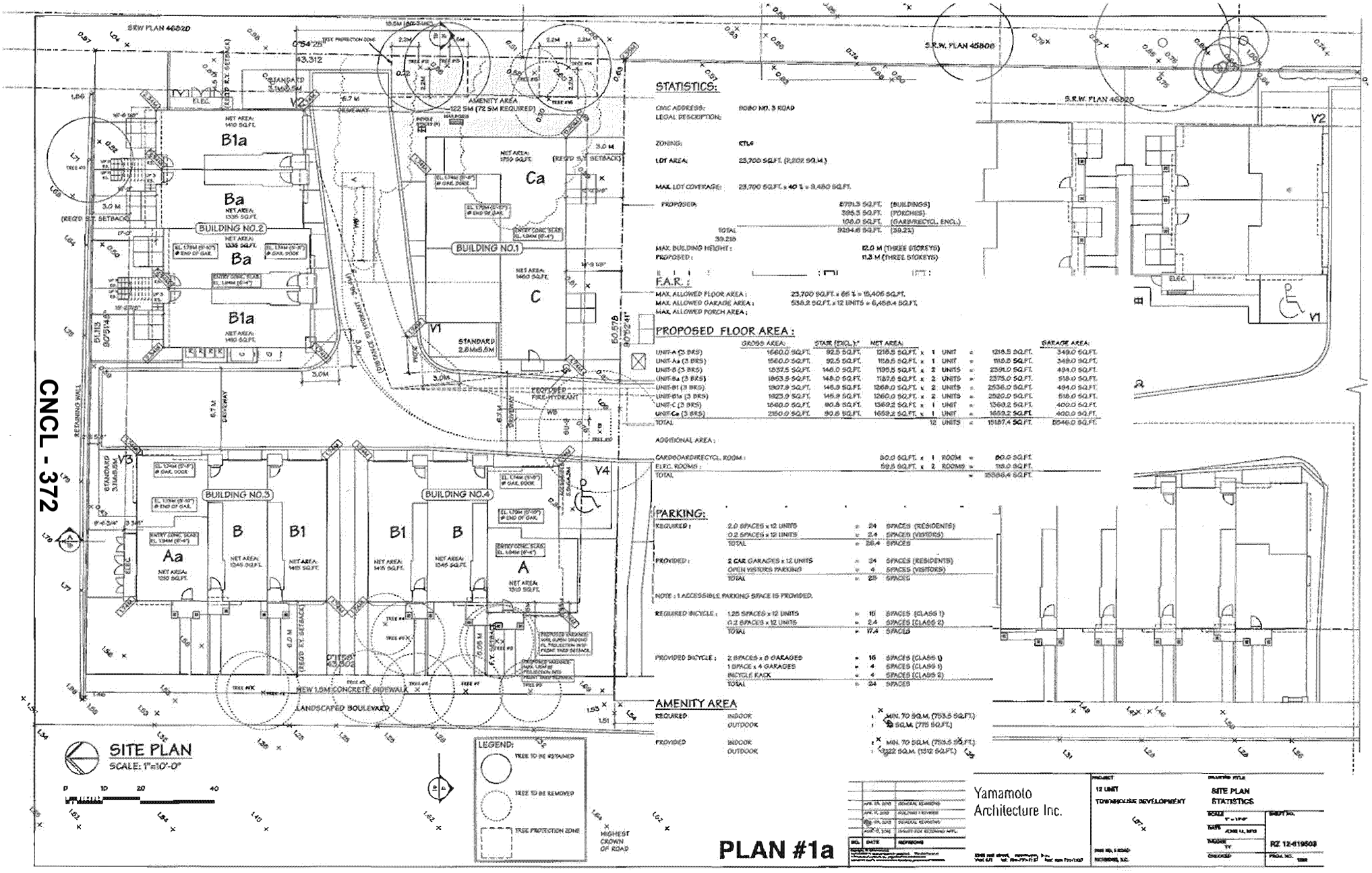
The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director 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.

Signed _____ Date _____




CNCL - 372

ATTACHMENT C

City of Richmond

# Development Application Data Sheet

Development Applications Division

**RZ 12-619503** **Attachment D**

Address: 9080 No. 3 Road

Applicant: Sandhill Homes Ltd.

Planning Area(s): Broadmoor

| | Existing | Proposed |
|---|---|---|
| **Owner:** | Congregation Bayit | To be determined. |
| **Site Size ($m^2$):** | 2,202 $m^2$ | No Change |
| **Land Uses:** | Vacant | Multiple-Family Residential |
| **OCP Designation:** | Community Institutional | Neighbourhood Residential |
| **Area Plan Designation:** | N/A | N/A |
| **702 Policy Designation:** | N/A | N/A |
| **Zoning:** | Assembly (ASY) | Medium Density Townhouses (RTM2) |
| **Number of Units:** | 0 | 12 |
| **Other Designations:** | N/A | No Change |

| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|---|---|---|---|
| Floor Area Ratio: | Max. 0.65 | 0.65 Max. | none permitted |
| Lot Coverage – Building: | Max. 40% | 40% Max. | none |
| Lot Coverage – Non-porous Surfaces: | Max. 65% | 65% Max. | none |
| Lot Coverage – Landscaping: | Min. 25% | 25% Min. | none |
| Setback – Front Yard (m): | Min. 6.0 m | 6.0 m Min. | none |
| Setback – North Side Yard (m): | Min. 3.0 m | 3.0 m Min. | none |
| Setback – South Side Yard (m): | Min. 3.0 m | 3.0 m Min. | none |
| Setback – Rear Yard (m): | Min. 3.0 m | 4.5 Min. | none |
| Height (m): | Max. 12.0 m (3 storeys) | 12.0 m (3 storeys) Max. | none |
| Lot Width: | Min. 50.0 m | 43.3 m | **Variance Requested** |
| Off-street Parking Spaces – Regular (R) / Visitor (V): | 2 (R) and 0.2 (V) per unit | 2 (R) and 0.33 (V) per unit | none |
| Off-street Parking Spaces – Total: | 27 | 28 | none |

| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|---|---|---|---|
| Tandem Parking Spaces: | Max. 50% | 16 spaces (67%) | **Variance Requested** |
| Small Car Parking Spaces | Not permitted | 2 | **Variance Requested** |
| Handicap Parking Spaces: | 1 | 1 | none |
| Amenity Space – Indoor: | Min. 70 m² or Cash-in-lieu | Cash-in-lieu | none |
| Amenity Space – Outdoor: | Min. 6 m² x 12 units = 72 m² | 122 m² | none |

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

ATTACHMENT E

City of Richmond

# Rezoning Considerations

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

**Address:** 9080 No. 3 Road **File No.:** RZ 12-619503

**Prior to final adoption of Zoning Amendment Bylaw 9043 , the developer is required to complete the following:**

1. Final Adoption of OCP Amendment Bylaw 9030.
2. Registration of a flood indemnity covenant on title.
3. Registration of a legal agreement on title ensuring that the only means of vehicle access is from the existing Cross-Access Statutory Right of Way (SRW CA2872307 and Plan EPP22896) on 9100 No. 3 Road (property to the south) and that there be no direct vehicular access to No. 3 Road.
4. Registration of a legal agreement on title prohibiting the conversion of the tandem parking area into habitable space.
5. Discharge of Covenants BE214259 and BE214260.
6. City acceptance of the developer's offer to voluntarily contribute $2.00 per buildable square foot (e.g. $28,440.00) to the City's affordable housing fund.
7. City acceptance of the developer's offer to voluntarily contribute $35,000 towards the City's affordable housing fund for the re-designation of Assembly lands to other OCP designations for the purpose of redevelopment.
8. City acceptance of the developer's offer to voluntarily contribute $0.77 per buildable square foot (e.g. $10,949.40) to the City's public art fund.
9. City acceptance of the developer's offer to voluntarily contribute $3,000.00 to the City's Tree Compensation Fund for the planting of replacement trees within the City. If additional replacement trees (over and beyond the 16 replacement trees as proposed at the Rezoning stage) could be accommodated on-site (as determined at Development Permit stage), the above cash-in-lieu contribution would be reduced in the rate of $500 per additional replacement trees to be planted on site.
10. City acceptance of the developer's offer to voluntarily contribute $5,000 towards the proposed Audible Pedestrian Sign (APS) system upgrade at the No.3 Road/Francis Road intersection.
11. Contribution of $1000.00 per dwelling unit (e.g. $12,000.00) in-lieu of on-site indoor amenity space.
12. City acceptance of the developer's offer to voluntarily contribute $37,000.00 in-lieu of on-site indoor amenity space for the benefit of 8080 Francis Road.
13. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
14. Enter into a Servicing Agreement* for the design and construction of frontage improvements and service connections. Works include, but may not be limited to, removing the existing sidewalk behind the existing curb & gutter (which remains), construct a new 1.5 m concrete sidewalk along the front property line, install a grass and treed boulevard between the sidewalk and the curb, and extend existing Street Lighting from the south property line to the north property line of the site on No 3 Road. Design to include Water, Storm and Sanitary Service Connections.

    Note:

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    a. Using the OCP Model, there is 1020 L/s available at 20 psi residual. Based on the proposed rezoning, the site requires a minimum fire flow of 220 L/s. Water analysis is not required. However, once the building design have been confirmed at the Building Permit stage, fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey to confirm that there is adequate available flow must be submitted.

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3899821

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[signed copy on file]

Signed

Date

City of Richmond

**Bylaw 9030**

## Richmond Official Community Plan Bylaw 9000 Amendment Bylaw 9030 (RZ 12-619503) 9080 No. 3 Road

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Official Community Plan Bylaw 9000 is amended by repealing the existing land use designation in Attachment 1 to Schedule 1 thereof of the following area and by designating it Neighbourhood Residential.

   P.I.D. 026-301-130
   Lot 2 Section 28 Block 4 North Range 6 West New Westminster District Plan BCP17848

2. This Bylaw may be cited as **"Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9030".**

| | |
|---|---|
| FIRST READING | _____ |
| PUBLIC HEARING | _____ |
| SECOND READING | _____ |
| THIRD READING | _____ |
| OTHER REQUIREMENTS SATISFIED | _____ |
| ADOPTED | _____ |

CITY OF RICHMOND
APPROVED by

APPROVED by Manager or Solicitor

_____ MAYOR

_____ CORPORATE OFFICER

City of Richmond

**Bylaw 9043**

# Richmond Zoning Bylaw 8500
# Amendment Bylaw 9043 (RZ 12-619503)
# 9080 No. 3 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 **MEDIUM DENSITY TOWNHOUSES (RTM2)**.

   P.I.D. 026-301-130
   Lot 2 Section 28 Block 4 North Range 6 West New Westminster District Plan BCP17848

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9043"**.

FIRST READING _____

A PUBLIC HEARING WAS HELD ON _____

SECOND READING _____

THIRD READING _____

OTHER REQUIREMENTS SATISFIED _____

ADOPTED _____

CITY OF RICHMOND
APPROVED by
E.C.
APPROVED by Director or Solicitor

_____ MAYOR

_____ CORPORATE OFFICER