



**City of Richmond**  
Planning and Development Department

**Report to Committee**  
**Fast Track Application**

---

**To:** Planning Committee  
**From:** Brian J. Jackson, MCIP  
Director of Development  
**Date:** November 30, 2011  
**File:** RZ 11-591646  
**Re:** Application by Rumi Mistry for Rezoning at 10380 Williams Road from Single Detached (RS1/E) to Compact Single Detached (RC2)

---

**Staff Recommendation**

That Bylaw No.8850, for the rezoning of 10380 Williams Road from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.

Brian J. Jackson, MCIP  
Director of Development

ES:blg  
Att.

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

Item	Details
Application	RZ 11-591646
Location	10380 Williams Road
Owners	Kaiwan Rummy Mistry, Sheroy Rummy Mistry & Rumi Eruchshaw Mistry
Applicant	Rumi Eruchshaw Mistry

Date Received	October 6, 2011
Acknowledgement Letter	October 27, 2011
Fast Track Compliance	November 21, 2011
Staff Report	November 28, 2011
Planning Committee	January 17, 2012

Site Size	722 m <sup>2</sup> (7,771.8 ft <sup>2</sup> )
Land Uses	Existing – One (1) single detached dwelling
	Proposed – Two (2) single detached lots, each approximately 361 m <sup>2</sup> (3,885.9 ft <sup>2</sup> )
Zoning	Existing – Single Detached (RS1/E)
	Proposed – Compact Single Detached (RC2)
Planning Designations	<ul style="list-style-type: none"> <li>• Official Community Plan (OCP) Generalized Land Use Map designation – “Neighbourhood Residential”.</li> <li>• OCP Specific Land Use Map designation - “Low-Density Residential”.</li> <li>• Lot Size Policy 5443 (adopted by Council 1990/amended 2006) - permits rezoning and subdivision of lots fronting Williams Road to “Single Detached (RC2)” or “Coach Houses (RCH)” providing no direct accesses are created to the arterial roads (<b>Attachment 2</b>). The current proposal would create two (2) lots, each approximately 10.97 m wide, with vehicle access from an existing operational rear lane off Aragon Road.</li> <li>• Lane Establishment and Arterial Road Redevelopment Policies - The rezoning application complies with the City's Lane Establishment and Arterial Road Redevelopment Policies, as it is a single-family residential development proposal with access to an operational lane.</li> </ul> <p><i>This application conforms with applicable land use designations and policies</i></p>

Surrounding Development	<ul style="list-style-type: none"> <li>• The subject property is located on the south side of Williams Road between Aquila Road and Aragon Road. In recent years, both the north and south sides of this block of Williams Road have undergone considerable redevelopment to smaller lots through rezoning and subdivision. Other lots within close proximity have redevelopment potential due to the existing rear lane system.</li> <li>• Development immediately surrounding the subject lot is as follows: <ul style="list-style-type: none"> <li>○ To the north across Williams Road are new single detached dwellings zoned "Compact Single Detached (RC1)";</li> <li>○ To the east are two lots recently rezoned "Coach Houses (RCH)";</li> <li>○ To the south are single detached dwellings zoned "Single Detached (RS1/E)"; and</li> <li>○ To the west is a single detached dwelling zoned "Single Detached (RS1/E)" which is currently the subject of a rezoning application for "Coach Houses (RCH)" (RZ 11-585027).</li> </ul> </li> </ul>
Staff Comments	<p><u>Background</u></p> <p>A Development Application Data Sheet providing details about the development proposal is attached (<b>Attachment 3</b>).</p> <p><u>Trees &amp; Landscaping</u></p> <ul style="list-style-type: none"> <li>• The site survey (<b>Attachment 4</b>) submitted by the applicant shows the presence of: <ul style="list-style-type: none"> <li>○ six (6) bylaw-sized trees on the subject property; and</li> <li>○ three (3) bylaw-sized trees on City-owned property along the Williams Road frontage.</li> </ul> </li> <li>• 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"> <li>○ Remove and replace the six (6) bylaw-sized trees on site (Trees #501, 502, 503, 504, 505, &amp; 506) which are not viable for retention as: <ul style="list-style-type: none"> <li>○ They exhibit structural defects (due to previous topping at 2 m heights) that significantly limit the their life expectancy.</li> </ul> </li> </ul> </li> </ul>

## Staff Comments (Cont'd)

- The existing grade is located 1 m below the crown of the road and as a result, required grade changes to meet the Flood Plain Bylaw requirements would further limit the viability of these trees.
- They are in conflict with the allowable building envelope.
- Retain and protect the three (3) bylaw-sized trees on City owned property (Trees A, B & C). As all three trees are located in concrete sidewalks, tree protection barriers are not required.

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 twelve (12) replacement trees are required to be planted and maintained on the future lots with the following sizes:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
4	6 cm		3.5 m
2	8 cm		4 m
6	9 cm		5 m

- Considering the limited space in the yards of the future lots, the applicant proposes to plant and maintain a portion of the required replacement trees and provide a voluntary contribution to the City's Tree Compensation Fund in the amount of \$500/tree in-lieu of planting the balance of required replacement trees on-site.
- As a condition of rezoning, the applicant must submit a Landscape Plan, prepared by a Registered Landscape Architect, along with a Landscaping Security (100% of the cost estimate provided by the Landscape Architect, including installation costs) to illustrate the number of replacement trees that can suitably be planted and maintained on-site and that the front yards of the future lots will be enhanced.

Staff Comments (Cont'd)	<p><u>Affordable Housing</u></p> <ul style="list-style-type: none"> <li>• Richmond's Affordable Housing Strategy requires a suite on 50% of new lots, or a cash-in-lieu contribution of 1.00/ft<sup>2</sup> of total building area towards the City's Affordable Housing Reserve Fund for single-family rezoning applications.</li> <li>• The applicant proposes to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is required prior to rezoning adoption. This agreement will be discharged from Title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing after the requirements are satisfied.</li> <li>• Should the applicant change their mind prior to rezoning adoption about the affordable housing option selected, a voluntary contribution to the City's Affordable Housing Reserve Fund in-lieu of providing the secondary suite will be accepted. In this case, the voluntary contribution would be required to be submitted prior to final adoption of the rezoning bylaw, and would be based on \$1.00/ft<sup>2</sup> of total building area of the single detached dwellings (i.e. \$4,664).</li> </ul> <p><u>Site Servicing</u></p> <p>Prior to Final Adoption of the Rezoning the following requirements must be complete:</p> <ol style="list-style-type: none"> <li>1. Enter into a standard Servicing Agreement for the design and construction of lane upgrading from the western property line of the site to the western property line of 10382 Williams Road. Improvements to include, but not limited to: storm sewer, sand/gravel base, rollover curb &amp; gutter, asphalt pavement, and lane lighting. Connect to existing improvements at western property line of 10382 Williams Road. Note: Design to include: water, storm and sanitary connections.</li> <li>2. Registration of a Flood Covenant (Area A- 2.9 m).</li> </ol> <p>There are no servicing requirements for the undeveloped lane that runs north-south immediately to the east of the subject property as this section of lane is for sanitary purposes only, with no future plans to permit vehicular access.</p>
-------------------------	--

Staff Comments (Cont'd)	<p><u>Vehicular Access</u> Vehicular access to the site at future development stage is not permitted to or from Williams Road as per Bylaw 7222. Access is to be from the rear lane only.</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>Subdivision</u> At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS &amp; DD), School Site Acquisition Charge and Address Assignment Fee. Note: Servicing costs to be determined via the Servicing Agreement.</p>
Analysis	<p>This is a relatively straightforward redevelopment proposal. This redevelopment proposal is consistent with Lot Size Policy 5443 as the property is into two (2) lots, each approximately 10.973 m wide. The rezoning application also complies with the Lane Establishment and Arterial Road Redevelopment Policies, as it is a residential development on an arterial road where there is an existing municipal lane. The future lots will have vehicle access to the laneway with no access being permitted onto Williams Road.</p>
Attachments	<p>Attachment 1: Location Map/Aerial Photo Attachment 2: Lot Size Policy 5443 Attachment 3: Development Application Data Sheet Attachment 4: Tree Survey and Proposed Subdivision Plan</p>
Recommendation	<p>Staff have reviewed the technical merits of the application for rezoning of 10380 Williams Road. The rezoning application complies with all policies and land use designations contained within the Official Community Plan (OCP) and is consistent with the direction of redevelopment currently ongoing in the surrounding area. On this basis, staff support the application.</p>



Erika Syvokas  
Planning Technician  
(604-276-4108)

ES:blg

Prior to final adoption of Zoning Amendment Bylaw 8850, the developer is required to complete the following:

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the landscape architect (including installation costs). The landscape plan should:
  - Include the proposed number of replacement trees that can suitably be planted and maintained on-site, with the following minimum sizes:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
4	6 cm		3.5 m
2	8 cm		4 m
6	9 cm		5 m

- Comply with the guidelines of the OCP's Lane Establishment and Arterial Road Redevelopment Policies and should not include hedges along the front property line; and
  - Include a mix of coniferous and deciduous trees.
2. The City's acceptance of the applicant's voluntary contribution in the amount of \$500/ tree to the City's Tree Compensation Fund for the planting of replacement trees within the City, in-lieu of planting the balance of required replacement trees on-site.
  3. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
 

**Note:** Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$4,664) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.
  4. Registration of a flood indemnity covenant on Title.
  5. Enter into a standard Servicing Agreement for the design & construction of lane upgrading from the western property line of the site to the western property line of 10382 Williams Road. Improvements to include, but not limited to: Storm sewer, sand/gravel base, rollover curb & gutter, asphalt pavement, and lane lighting. Connect to existing improvements at western property line of 10382 Williams Road. Note: Design to include: water, storm and sanitary connections.

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

1. Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge and Address Assignment Fee. Note: Servicing costs to be determined via the Servicing Agreement.

**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

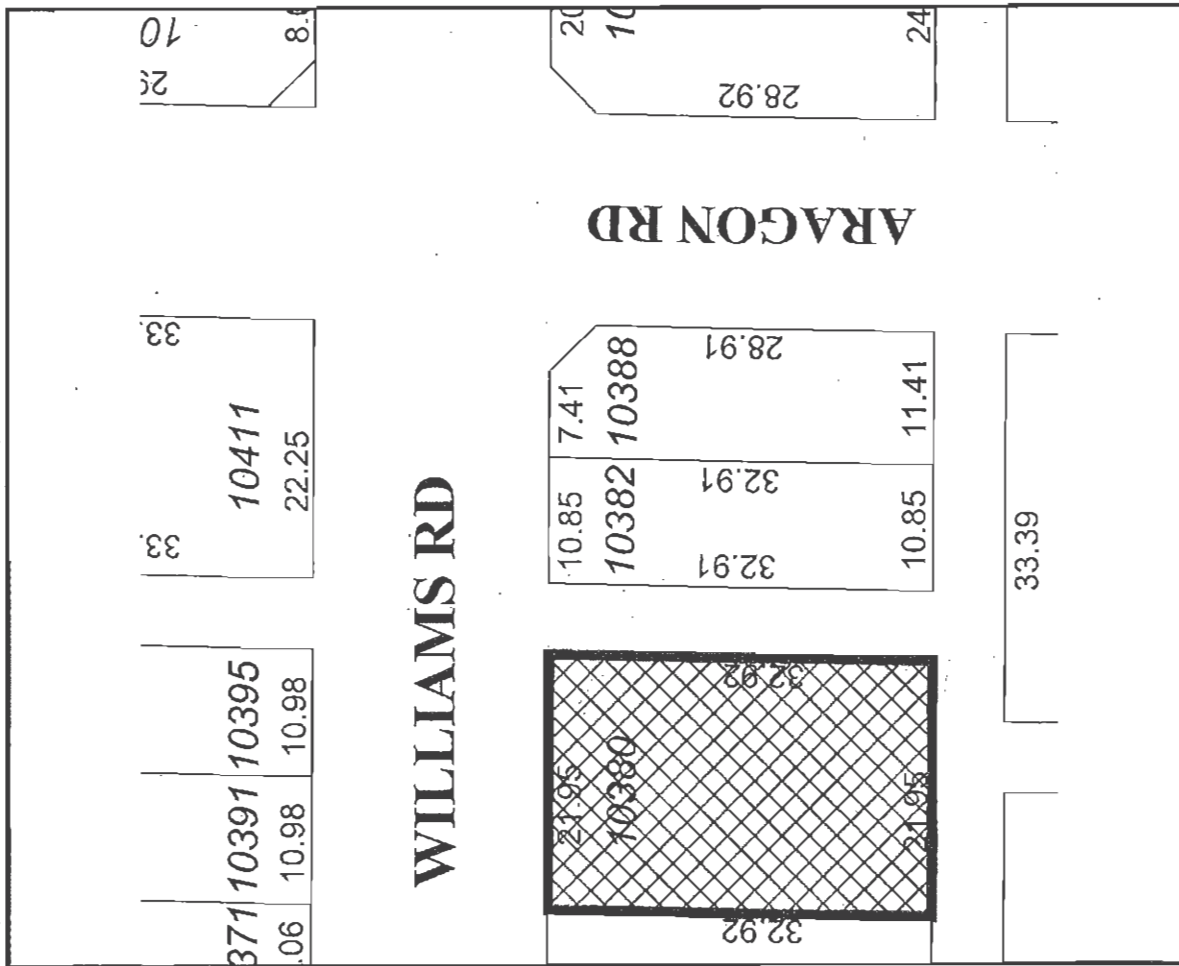
# City of Richmond



RZ 11-591646

Note: Dimensions are in METRES

**PH-277**





RZ 11-591646

Original Date: 11/01/11

Amended Date:

Note: Dimensions are in METRES

**PH - 278**



# City of Richmond

# Policy Manual

Page 1 of 2

Adopted by Council: December 17, 1990

**POLICY 5443**

Amended by Council: December 18, 2006

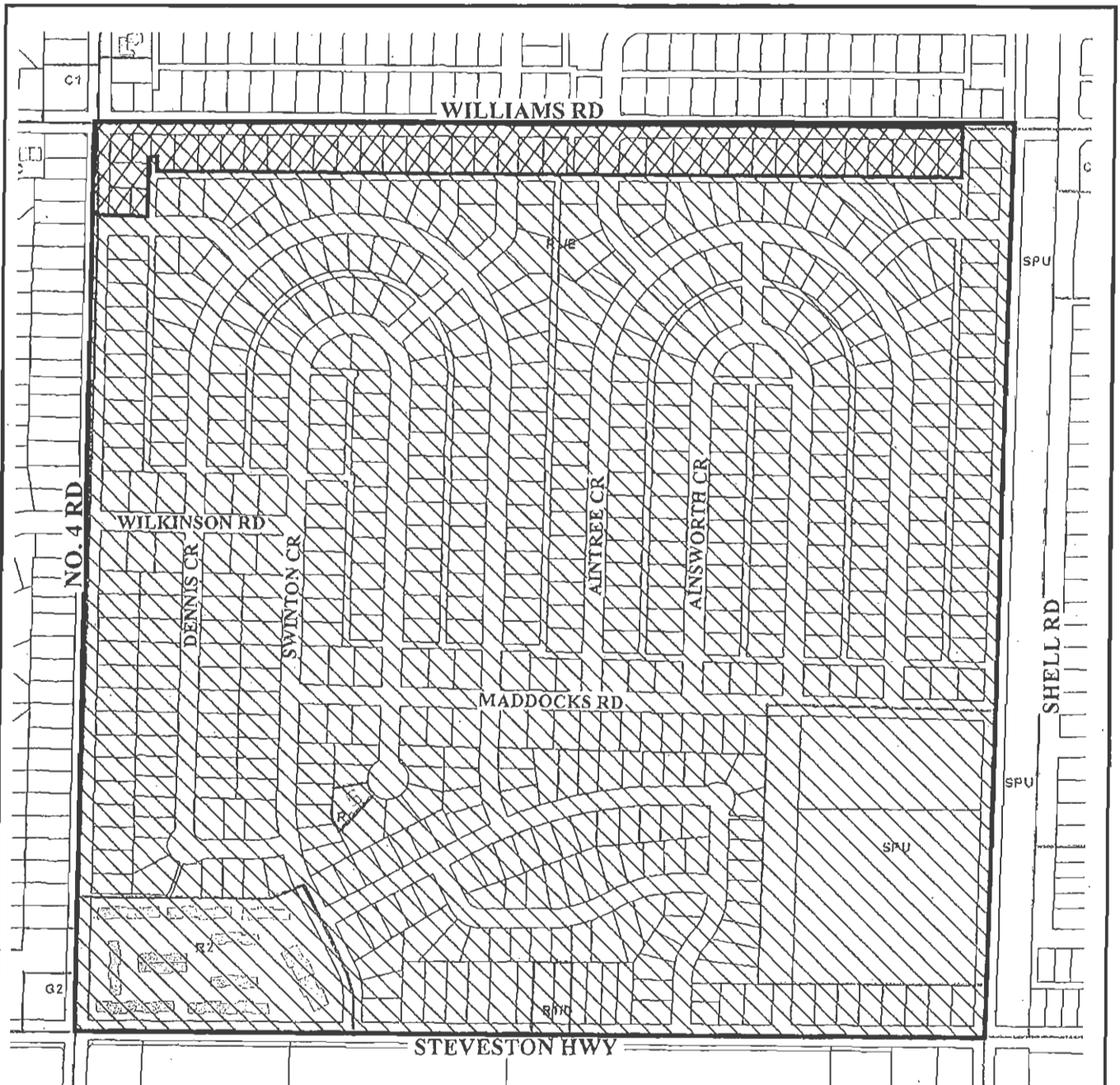
File Ref: 4045-00

**SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 35-4-6**

## **POLICY 5443:**

The following policy establishes lot sizes in Section 35-4-6 located in the area bounded by **Steveston Highway, Shell Road, No. 4 Road and Williams Road**:

1. That properties within the area bounded by Steveston Highway, Shell Road, No. 4 Road and Williams Road, in Section 36-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area E (R1/E) as per Zoning and Development Bylaw 5300, with the exception that:
  - a) Properties fronting on Williams Road from No. 4 Road to Shell Road and properties fronting on No. 4 Road from Williams Road to Dennis Place, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1-0.6) or Coach House District (R9) provided that vehicle accesses are to the existing rear laneway only.
2. This policy, as shown on the accompanying plan, is to be used to determine the disposition of future rezoning applications in this area, for a period of not less than five years, except as per the amending procedures contained in the Zoning and Development Bylaw 5300.



Subdivision permitted as per **R1/E**.



Subdivision permitted as per R1-0.6 or R9 provided that access is to a constructed lane and not to the arterial road.



Policy 5443  
Section 35, 4-6

Adopted Date: 12/17/90

Amended Date: 12/18/06



## City of Richmond

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

## Development Application Data Sheet

**RZ 11-591646**

**Attachment 3**

Address: 10380 Williams Road

Applicant: Rumi Mistry

Planning Area(s): Shellmont

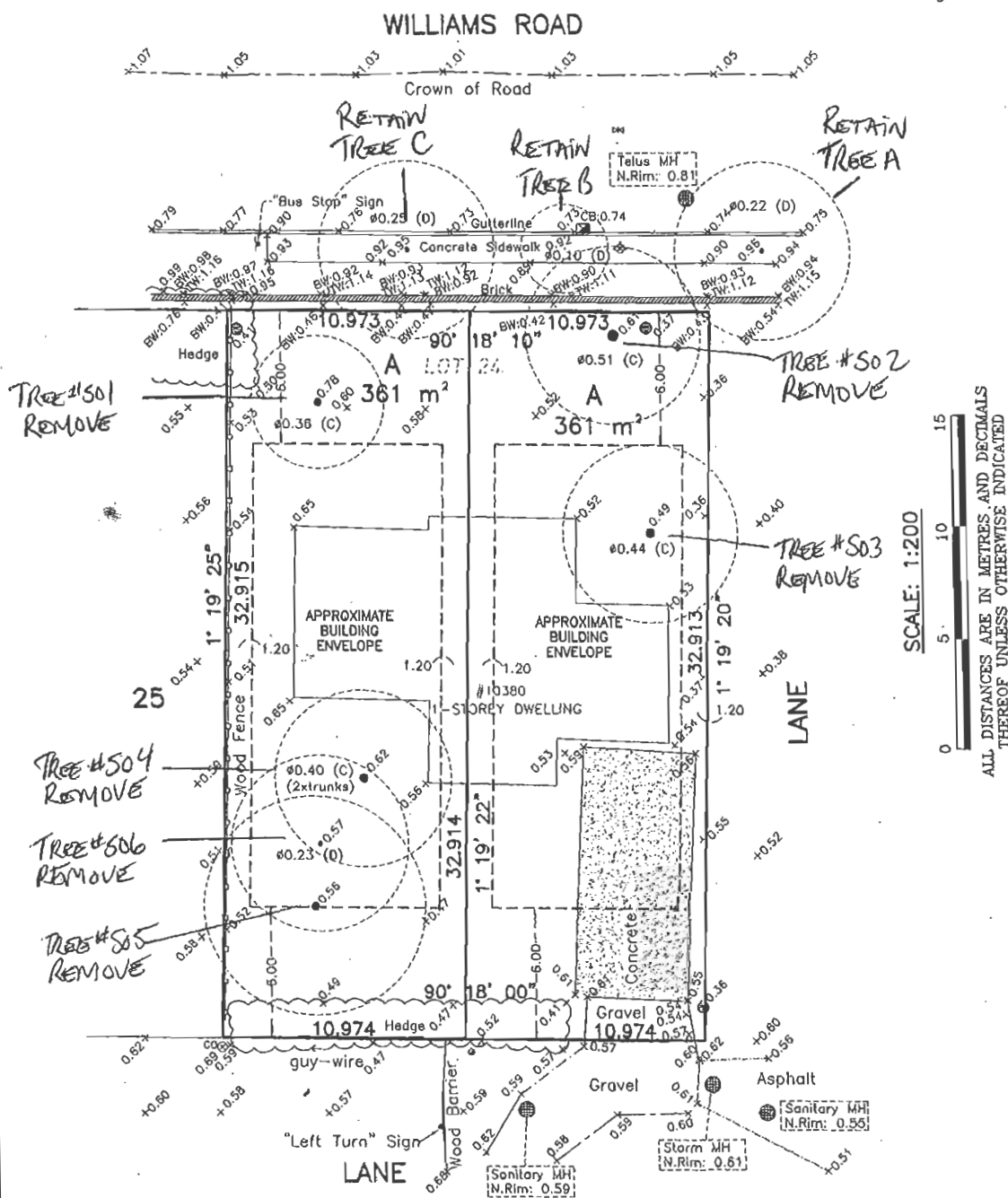
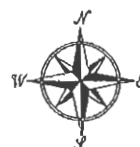
	Existing	Proposed
Owner:	Kaiwan Rummy Mistry Sheroy Rummy Mistry Rumi Eruchshaw Mistry	To be determined
Site Size (m <sup>2</sup> ):	722 m <sup>2</sup> (7,771.8 ft <sup>2</sup> )	Two (2) lots each approx. 361 m <sup>2</sup> (3,885.9 ft <sup>2</sup> )
Land Uses:	One (1) single detached dwelling	Two (2) single detached dwellings
OCP Designation:	Generalized Land Use Map – Neighbourhood Residential	No change
702 Policy Designation:	Compact Single Detached (RC2) or Coach Houses (RCH)	No change
Zoning:	Single Detached (RS1/E)	Compact Single Detached (RC2)
Other Designations:	Lane Establishment and Arterial Road Redevelopment Policies permit residential redevelopment along this arterial road.	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60	Max. 0.60	none permitted
Lot Coverage – Building:	Max. 50%	Max. 50%	none
Lot Size (min. dimensions):	270 m <sup>2</sup> (2,906.35 ft <sup>2</sup> )	Each approx. 361 m <sup>2</sup> (3,885.9 ft <sup>2</sup> )	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

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

**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 24 BLOCK 11  
SECTION 35 BLOCK 4 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN 18549**

#10380 WILLIAMS ROAD,  
RICHMOND, B.C.  
P.I.D 004-297-725



SCALE: 1:200  
ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED

© copyright  
J. C. Tam and Associates  
Canada and B.C. Land Surveyor  
115 - 8833 Odlin Crescent  
Richmond, B.C. V6X 3Z7  
Telephone: 214-8928  
Fax: 214-8929  
E-mail: office@jctam.com  
Website: www.jctam.com  
Job No. 4516  
FB-185 P25-27  
Drawn By: TH

**LEGEND:**

- (D) denotes deciduous
- (C) denotes coniferous
- denotes power pole
- ⊙ denotes round catch basin
- ⊕ denotes manhole
- ⊞ denotes catch basin
- ⊞ denotes water valve
- ⊞ denotes fire hydrant
- CO denotes cleanout
- TW denotes top of retaining wall
- BW denotes bottom of retaining wall

**NOTE:**

Elevations shown are based on City of  
Richmond HPN Benchmark network.  
Benchmark: HPN #191,  
Control Monument D2H2453 Located at  
S edge traffic island  
© Riverside Dr & Featherstone Way  
Elevation = 1.664 metres

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

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

**PH - 282**



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 8850 (RZ 11-591646)  
10380 WILLIAMS ROAD**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **COMPACT SINGLE DETACHED (RC2)**.

P.I.D. 004-297-725

Lot 24 Block 11 Section 35 Block 4 North Range 6 West New Westminster District Plan 18549

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 8850"**.

FIRST READING

**JAN 23 2012**

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER DEVELOPMENT REQUIREMENTS SATISFIED

ADOPTED



\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER