



# City of Richmond

## Report to Committee Planning and Development Division

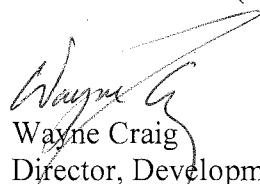
**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** October 7, 2016  
**File:** RZ 16-726011

**Re:** Application by Sandra Lopez and Andre Savard for Rezoning at  
4280 Tyson Place from Land Use Contract 042 and Single Family Zero Lot Line  
(ZS24) to Single Detached (ZS27) – Tyson Place

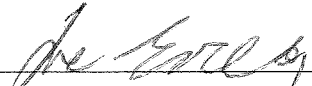
### Staff Recommendation

1. That "Land Use Contract 042" entered into pursuant to "Lulu Island Holdings Ltd. Land Use Contract Bylaw No. 3234, 1976", be discharged from 4280 Tyson Place; and
2. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9601, to create the "Single Detached (ZS27) – Tyson Place" zone and for the rezoning of 4280 Tyson Place from "Land Use Contract 042" and "Single Family Zero Lot Line (ZS24)" to the "Single Detached (ZS27) – Tyson Place" zone, be introduced and given first reading.



Wayne Craig  
Director, Development

CL:blg  
Att. 6

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

## Staff Report

### Origin

Sandra Lopez and Andre Savard have applied to the City of Richmond for permission to rezone the property at 4280 Tyson Place from “Land Use Contract 042” and “Single Family Zero Lot Line (ZS24)” to a site-specific zone, to permit construction of a new two-storey detached dwelling with a secondary suite on the subject property (Attachment 1). The property currently contains a semi-detached dwelling and carport; which will be demolished at future development stage. This redevelopment proposal does not involve subdivision of the property. A survey plan of the subject site is included in Attachment 2.

On November 24, 2015, City Council adopted “Richmond Zoning Bylaw 8500, Amendment Bylaw 9343” to establish the underlying zoning for the subject property, and adopted “Richmond Land Use Contract 042, Early Termination Bylaw No. 9343” to terminate the Land Use Contract (LUC). Although these bylaws were adopted on November 24, 2015, the LUC remains on the land title record until November 24, 2016. For the one-year period while both the underlying zoning and the LUC are operative, the provisions of the LUC prevail. The provisions of the LUC would allow for a three-storey semi-detached dwelling at the subject site, with 33% lot coverage.

At the November 24, 2015 Public Hearing, at which the LUC early termination bylaw was adopted, the applicants delegated to City Council about their desire to redevelop the subject site to construct a new two-storey detached dwelling that would be in keeping with the size of detached dwellings elsewhere in the city. At the Public Hearing, it was identified that the applicants could submit a rezoning application for Council to consider.

Since the applicants wish to construct a new two-storey detached dwelling with a secondary suite on the subject property, which is inconsistent with both the LUC and the underlying zoning, a rezoning of the property is required.

### Findings of Fact

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

### Surrounding Development

Existing development immediately surrounding the subject site is as follows:

- To the North, are semi-detached dwellings on lots under LUC 042 around the cul-de-sac of Tyson Place.
- To the South, fronting Baffin Drive, are dwellings on lots zoned “Single Detached (RS1/B)”.
- To the East, fronting the cul-de-sac of Cabot Drive, are semi-detached dwellings on lots under LUC 042.
- To the West, is a detached dwelling on a lot under LUC 042 (4260 Tyson Place), and semi-detached dwellings further to the west.

## **Related Policies & Studies**

### **Official Community Plan**

The Official Community Plan (OCP) land use designation for the subject site is “Neighbourhood Residential”. This redevelopment proposal is consistent with this designation.

### **Floodplain Management Implementation Strategy**

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

### **Public Consultation**

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the Local Government Act.

## **Analysis**

### **Conceptual Development Plans and the Proposed “Single Detached (ZS27) – Tyson Place” Zone**

The applicants propose to construct a detached dwelling with a secondary suite on the subject site, as shown in the attached preliminary concept plans (Attachment 4).

As both the existing LUC 042 and the underlying ZS24 zone require a single-family dwelling built on the subject site to have a zero side yard setback on one side (and since the subject site has a lot frontage of only 5.0 m wide), an amendment to Richmond Zoning Bylaw 8500 is proposed to create a site-specific zone entitled “Single Detached (ZS27) – Tyson Place” to accommodate this redevelopment proposal.

The ZS27 zone has been prepared to reflect many of the same provisions as the underlying ZS24 zone, as well those of the standard “Single Detached (RS1)” zone used for detached dwellings in other neighbourhoods city-wide. The proposed ZS27 zone would allow for a minimum lot frontage of 4.5 m due to the irregular shape of the subject property, and would not allow any additional floor area beyond what would be allowed in the underlying ZS24 zone or the standard RS1 zone.

The proposed ZS27 zone also allows for a site-specific reduction of the minimum rear yard setback in the southeast corner of the property from the standard 6.0 m down to 4.0 m to enable a portion of the building envelope to be shifted south to allow for vehicle manoeuvring around Tree # 1, which is to be retained on-site in the front yard. This is illustrated in the applicant's preliminary concept plans in Attachment 4.

Staff are supportive of the creation of this zone for the rezoning of the subject property as it:

- provides for a detached dwelling that is smaller in size and height than what could be constructed under LUC 042, and would be consistent with the size of detached dwellings on RS1-zoned lots city-wide; and,
- is consistent with the City's approach on the rezoning and subdivision of lots containing a duplex.

Prior to final adoption of the rezoning bylaw, the applicant must register a legal agreement on title to ensure that the Building Permit application and ensuing development at the site is generally consistent with the preliminary concept plans included in Attachment 4. The Building Permit application process includes coordination between Building Approvals and Planning Department staff to ensure that the covenant is adhered to. The final plans submitted at Building Permit stage must comply with all City regulations, including Zoning.

### **Vehicle Access**

Vehicle access to the subject site is from Tyson Place in the same location as the existing driveway crossing, which is shared with the property to the west at 4260 Tyson Place. The applicants are required to register a cross-access easement for the shared driveway on Title prior to rezoning adoption, to formalize the existing shared access condition.

### **Implications for 4300 Tyson Place**

In order to construct a new detached dwelling at the subject site, the applicants will be required to demolish the existing dwelling; which is currently attached to the neighbouring dwelling at 4300 Tyson Place. This will result in the existing west façade of the dwelling at 4300 Tyson Place being exposed. The appearance of the exposed façade, as well as any Building Code and City requirements, will need to be addressed as part of the Building Permit application at 4280 Tyson Place (including but not limited to fire resistance ratings and the prevention of water intrusion).

The applicants have indicated that they have verbal authorization for their proposal from the neighbouring property owners at 4300 Tyson Place. Prior to rezoning adoption, the applicants are required to submit signed written confirmation from the neighbouring property owners that they have no objections to the proposed rezoning, and that they understand that it will result in an exposed façade to their dwelling, which the applicants have agreed to repair/finish in accordance with the Building Code and all City regulations.

The applicants have provided a signed written statement indicating that they will, at their sole cost, undertake the necessary repair/finishing of the exposed façade of the neighbouring dwelling

at 4300 Tyson Place resulting from this redevelopment proposal (including but not limited to its appearance, and addressing any Building Code and City requirements).

To ensure that the applicants undertake all of the work resulting from demolition of the dwelling at the subject site, the following items must be completed prior to final adoption of the rezoning bylaw:

- Submission of a restoration plan indicating how the applicants intend to address the exposed façade at 4300 Tyson Place; and
- A Letter of Credit in the amount of a contractor's cost estimate for the complete scope of the works.

### **Tree Retention and Replacement**

The applicants have submitted a Certified Arborist's Report, which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses 10 bylaw-sized trees and one (1) undersized tree on the subject property, and a total of eight (8) trees on the neighbourhood properties at 4300 Tyson Place (5 trees), 4340 Cabot Drive (1 tree), 4211 Baffin Drive (1 tree), and 4231 Baffin Drive (1 tree).

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and has the following comments:

- One (1) Japanese Maple (Tree # 1; 21 cm dbh) located in the front yards is in good condition and should be retained and protected a minimum 1.5 m out from the base of the tree. Design development of the driveway in order to retain this tree.
- One (1) Western Red Cedar (Tree # 11, 50 cm dbh) located in the rear yard is in good condition and is identified to be retained and protected. Tree protection should be located a minimum 4.0 m out from the base of the tree.
- One (1) London Plane (Tree # 15; 1.05 m dbh) located in the back yard is a significant tree in excellent condition. This tree should be retained and protected a minimum 5.0 m out from the base of the tree. Design development to the rear of the proposed house to demonstrate a 5.0 m tree protection zone.
- Eight (8) trees (Trees # 7, 8, 10, 12, 16, 17, 18, 19) located on the subject site are in poor condition; either dying, historically topped (and as a result exhibit significant structural defects), exhibit sparse foliage or are infected with bacterial blight and canker. These trees are not good candidates for retention and should be removed and replaced at a ratio of 2:1 as per the Official Community Plan (OCP).
- Two (2) trees located on the neighbouring property at 4300 Tyson Place (Trees # 3 and 4) are proposed to be removed due their close proximity to the proposed new dwelling, which will result in significant root loss. Prior to removal, the applicants must obtain written permission from the adjacent property owner(s) and obtain a valid tree removal permit.

- Six (6) trees located in the rear yards of the neighbouring properties at 4340 Cabot Drive to the east, and to the south at 4211 and 4231 Baffin Drive (Trees # 2, 5, 6, 9, 13, 14) are to be retained and protected as per the Arborist Report recommendation.

### *Tree Protection*

The applicants have submitted a Tree Retention Plan showing the three (3) on-site trees and the six (6) off-site trees that are to be retained and protected, and the measures that are to be taken to protect them at development stage (Attachment 5). To ensure that the trees identified for retention are protected at development stage, the applicants are required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of:
  - A contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones of Trees # 1, 2, 5, 6, 9, 11, 13, 14, 15. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
  - A survival security for Trees # 1, 11, and 15 on-site. The City will accept either: a security in the amount of \$20,000 as determined by the City's Tree Preservation Coordinator; or a security based on the International Society of Arboriculture's appraisal technique of the true value of the trees, to be provided by a Certified Arborist prior to final adoption of the rezoning bylaw. The security will be held until construction and landscaping on-site is completed, the post-construction impact assessment report is received, and a site inspection is conducted to ensure that the trees have not been negatively impacted by the development. The City may retain a portion of the security for a one-year maintenance period to ensure the trees have survived.
- Prior to demolition of the existing dwelling on the subject site:
  - Installation of tree protection fencing around all trees to be retained, as shown on the proposed Tree Retention Plan. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

### *Tree Replacement*

The applicants wish to remove seven (7) bylaw-sized trees on-site (Trees # 8, 10, 12, 16, 17, 18, 19); and one (1) undersized tree on-site (Tree # 7). The 2:1 replacement ratio would require a total of 14 replacement trees. Due to the compact size of the lot and the effort required by the applicants to retain three (3) trees on-site, staff recommend that only eight (8) replacement trees be required. The applicants have agreed to plant and maintain two (2) trees on the subject property and to provide a contribution in the amount of \$3,000 to the City's Tree Compensation Fund in-lieu of planting the remaining six (6) required replacement trees on-site. The required two (2) replacement trees are to be of the following minimum sizes (based on the size of the trees being removed as per Tree Protection Bylaw No. 8057):

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	10 cm	5.5 m

To ensure that the replacement trees are planted, the applicants are required to submit a Landscaping Security in the amount of \$1,000 prior to final adoption of the rezoning bylaw. The security will be held until construction and landscaping on-site is completed and a site inspection is conducted to ensure that the replacement trees have been planted. The City may retain a portion of the security for a one-year maintenance period to ensure that the replacement trees have survived.

### **Affordable Housing Strategy**

The City's Affordable Housing Strategy for single-family rezoning applications requires a secondary suite on all lots being rezoned but not subdivided. Consistent with the Affordable Housing Strategy, the applicants propose a secondary suite within the new detached dwelling on the subject property.

Prior to rezoning adoption, the applicants are required to register a legal agreement 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 Richmond Zoning Bylaw 8500.

### **Site Servicing and Frontage Improvements**

There are no servicing concerns with rezoning.

At future Building Permit stage, the applicants are required to pay servicing costs and to complete the scope of servicing works described in Attachment 6 (e.g. water, storm, sanitary connections, and any necessary upgrades to the existing sidewalk/driveway crossing).

### **Existing Legal Encumbrances**

There is an existing easement (RD42635) registered on Title of the subject property to grant the right to 4300 Tyson Place (i.e., the dominant tenement) to maintain a dwelling over the easement area (1.2 m from the shared property line) and the right to enter the easement area for the purpose of repairing, maintaining, keeping up and replacing the dwelling and waterdrains to the dwelling. The easement should remain registered on Title of the subject site, as the rights granted to 4300 Tyson Place (at zero lot line) will still be necessary once a new detached dwelling is constructed on the subject site.

**Financial Impact**

This rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

**Conclusion**

The subject proposal is to rezone the property at 4280 Tyson Place from “LUC 042” and “Single Family Zero Lot Line (ZS24)” to a new zone entitled “Single Detached (ZS27) – Tyson Place, to permit the construction of a detached single-family dwelling including a secondary suite on-site.

Staff are supportive of the proposed rezoning application as it: a) provides for a detached dwelling that is similar in character to detached dwellings on RS1-zoned lots city-wide; b) is consistent with the City’s approach on the rezoning and subdivision of lots containing a duplex; and c) provides for a secondary suite within the proposed new dwelling on the subject site.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9601 be introduced and given first reading.



Cynthia Lussier  
Planner 1  
(604-276-4108)

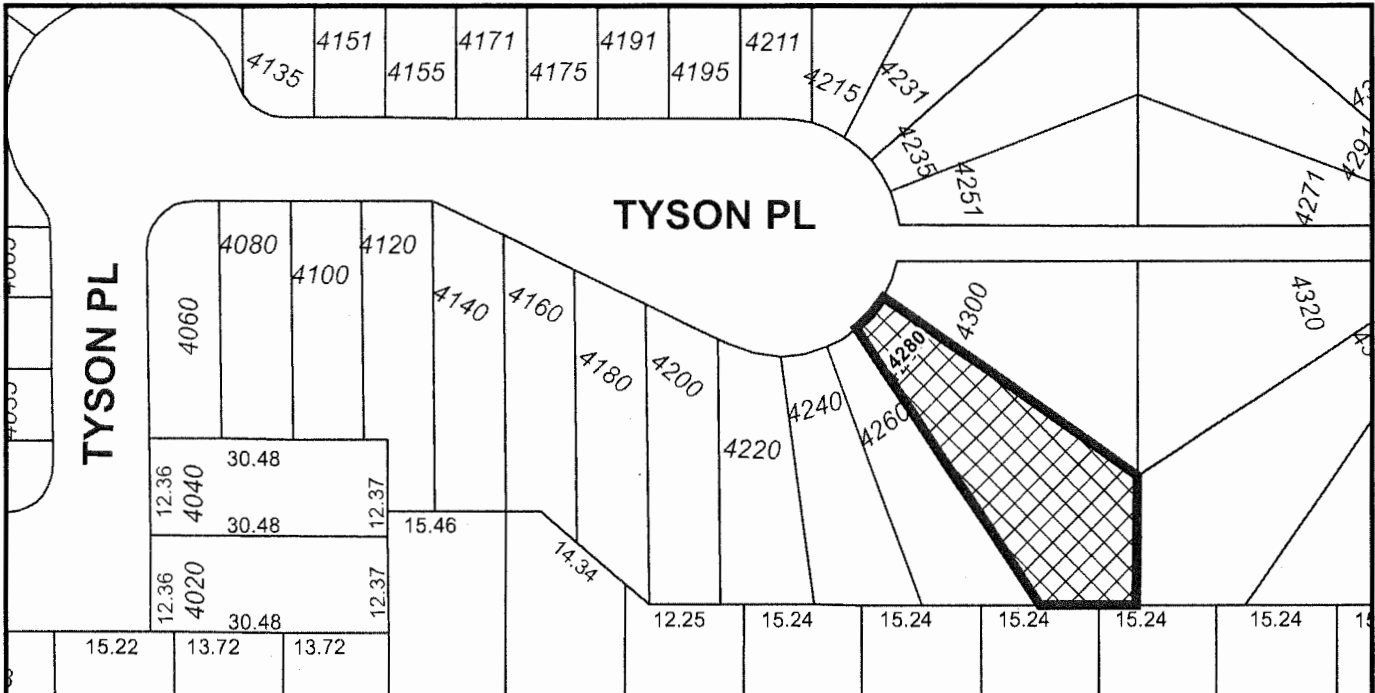
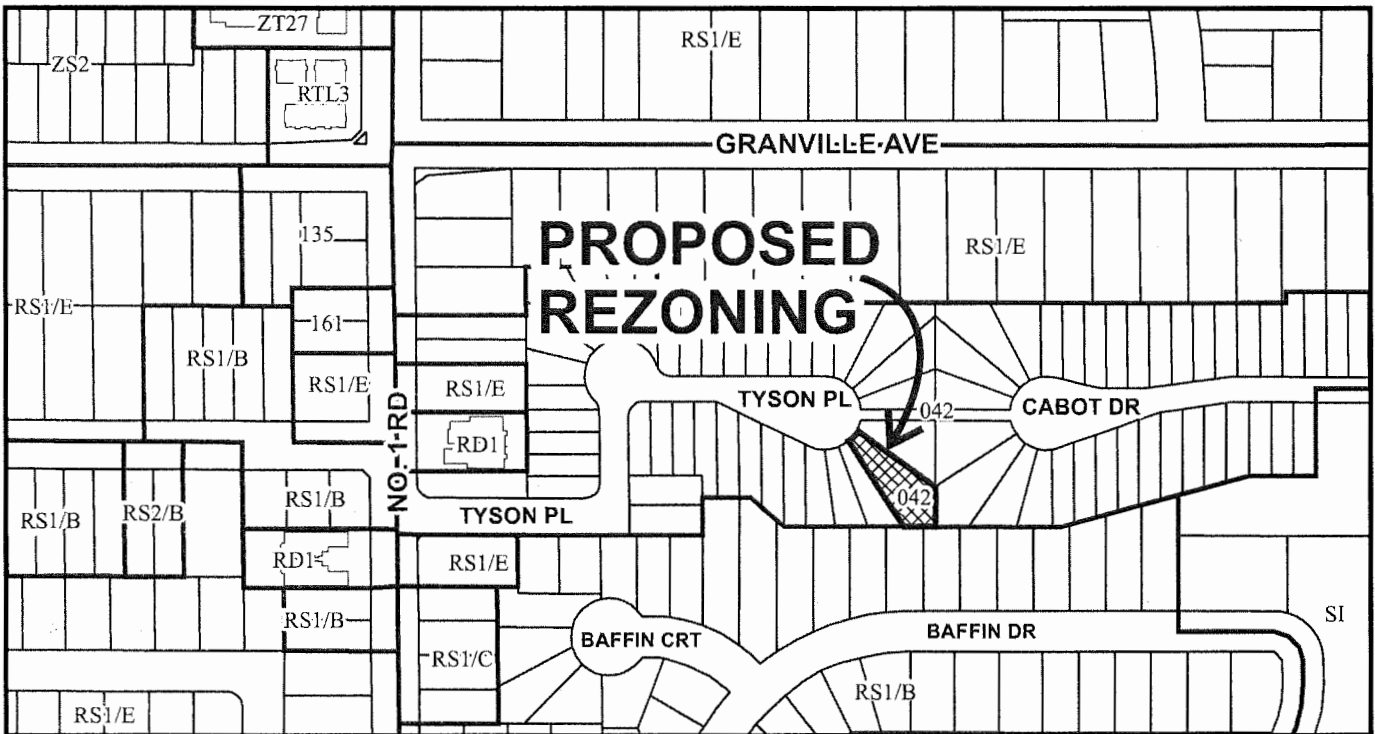
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- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Site Survey
- Attachment 3: Development Application Data Sheet
- Attachment 4: Preliminary Conceptual Development Plans
- Attachment 5: Proposed Tree Retention Plan
- Attachment 6: Rezoning Considerations





City of  
Richmond



	<h1>RZ 16-726011</h1>	<p>Original Date: 03/29/16</p>
		<p>Revision Date:</p>
		<p>Note: Dimensions are in METRES</p>



City of  
Richmond



RZ 16-726011

Original Date: 03/29/16

Revision Date:

Note: Dimensions are in METRES



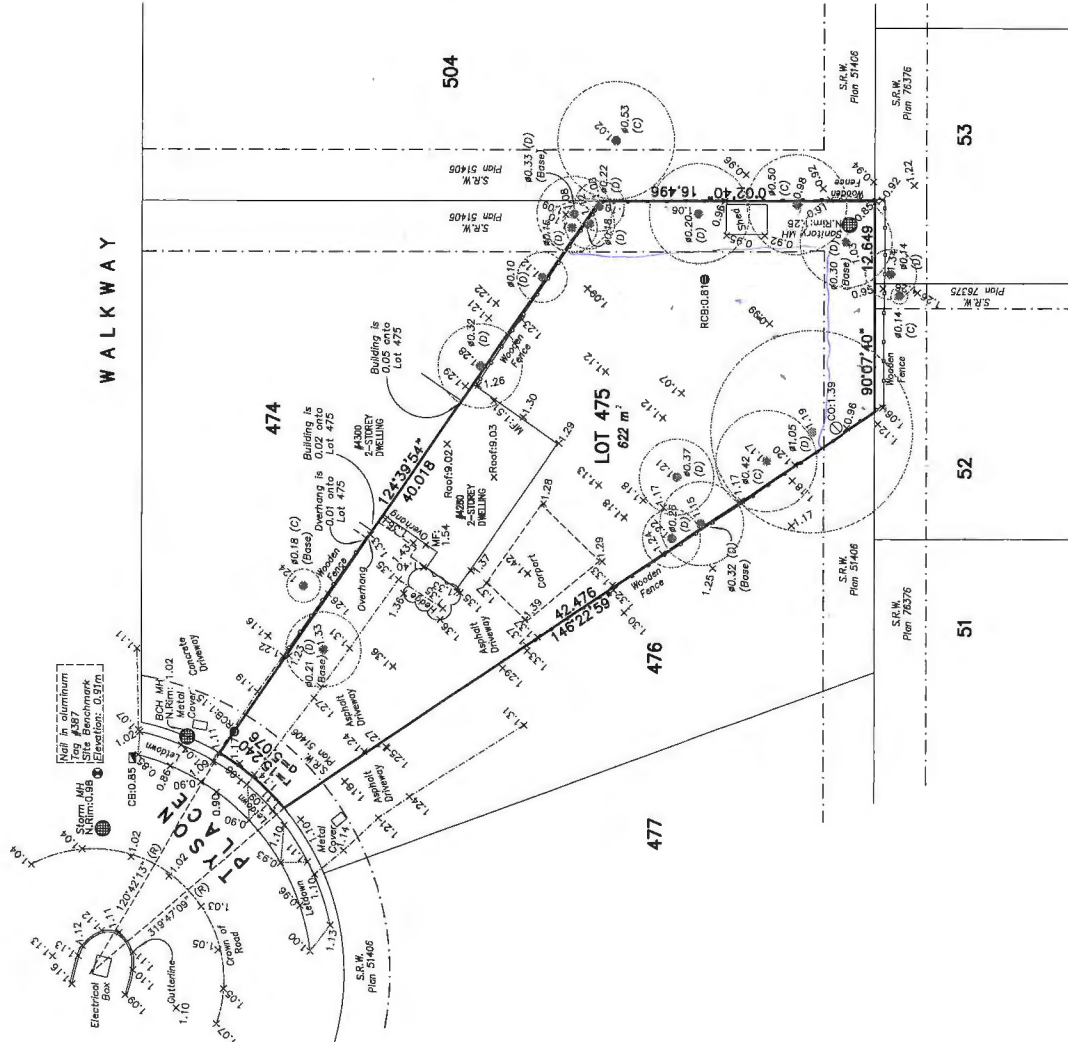
**TOPOGRAPHIC SURVEY OF LOT 475  
SECTION 14 BLOCK 4 NORTH RANGE 7 WEST  
NEW WESTMINSTER DISTRICT PLAN 51405**

#4280 TISON PLACE,  
RICHMOND, B.C.  
P.L.D. 003-718-239



SCALE: 1:200

0 5 10 15  
ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED



**NOTE:**  
Parcel is encumbered by  
Registration Number: R051377  
Easement (Appurtenant to Lot 474)

- LEGEND:**
- (C) denotes center
  - denotes catch basin
  - denotes catch basin
  - denotes round catch basin
  - denotes manhole
  - denotes manhole
  - MF denotes manhole floor
  - (R) denotes radial bearing

**NOTE:**  
Elevations shown are based on  
City of Richmond HPN  
Benchmark network.  
Benchmark: HPN #235  
Control Monument 7714685  
Elevation: 1.103m  
Benchmark: HPN #234  
Control Monument 7714691  
Elevation: 1.125m  
**NOTE:**  
Use site Benchmark Tag #387 for  
construction elevation control.

**DWG No. 6113-Topo**

JOHNSON C. TAM, B.C.L.S.  
AUGUST 12th, 2015.

CERTIFIED CORRECT:  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.



**RZ 16-726011**

**Attachment 3**

Address: 4280 Tyson Place

Applicants: Sandra Lopez and Andre Savard

Planning Area(s): Seafair

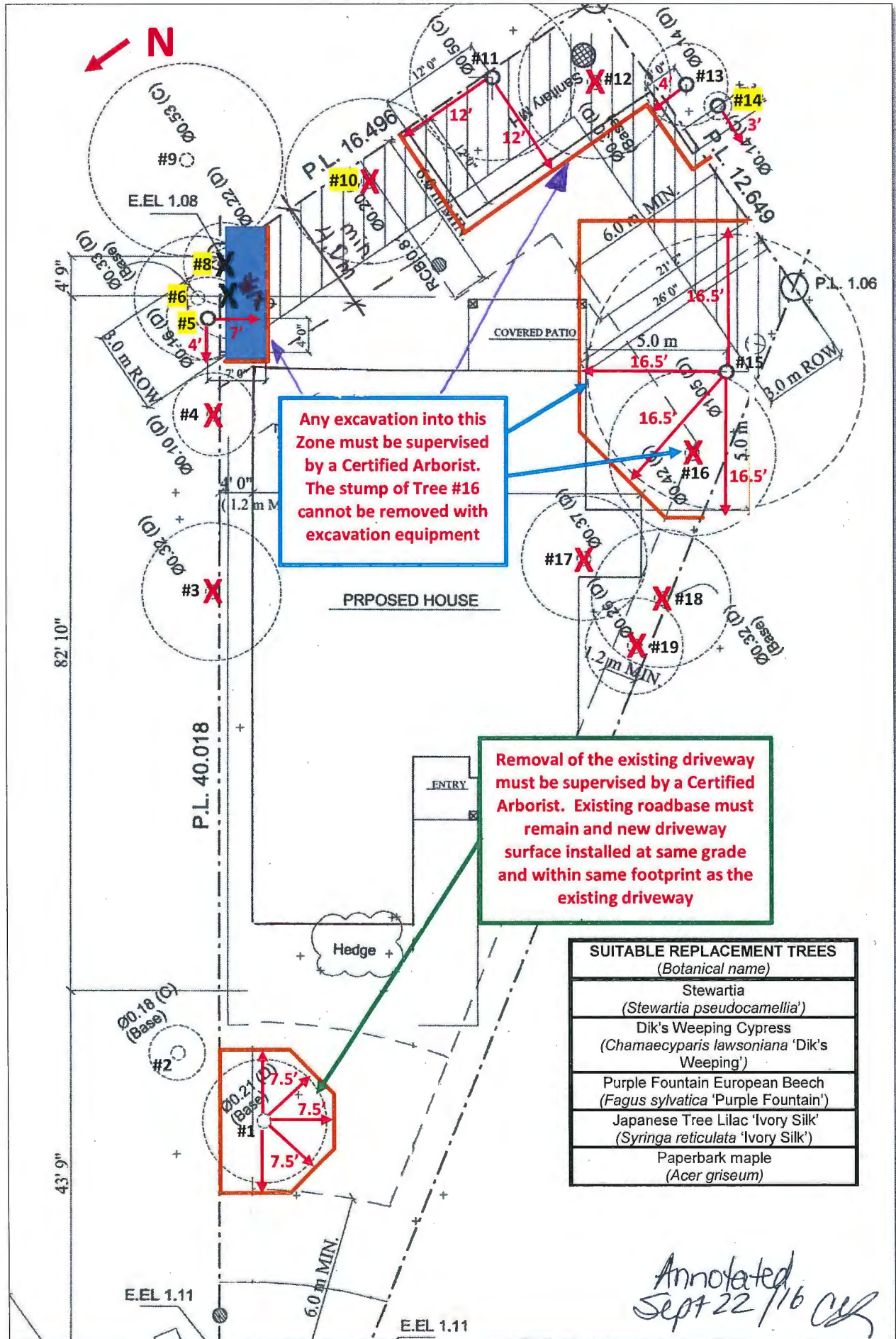
	Existing	Proposed
<b>Owner:</b>	Sandra Mary Lopez Andre Savard	No change
<b>Site Size (m<sup>2</sup>):</b>	622 m <sup>2</sup> (6,695 ft <sup>2</sup> )	No change
<b>Land Uses:</b>	Semi-detached dwelling	Single-detached dwelling
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Zoning:</b>	LUC 042 and Single Family Zero Lot Line (ZS24)	Single Detached (ZS27) – Tyson Place

	LUC 042	Proposed Single Detached (ZS27) – Tyson Place zoning	Proposed	Variance
Floor Area Ratio:	N/A	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup> ; plus max. 50 m <sup>2</sup> for a garage	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup> ; plus max. 50 m <sup>2</sup> for a garage	none permitted
Buildable Floor Area (m <sup>2</sup> ):*	Max. 615.78 m <sup>2</sup> (6,628 ft <sup>2</sup> ) incl. garage	Max. 352.66 m <sup>2</sup> (3,796 ft <sup>2</sup> ) incl. garage	352.66 m <sup>2</sup> (3,796 ft <sup>2</sup> ) incl. garage	none permitted
Lot Coverage (% of lot area):	As per drawings, (approximately 33%)	Buildings, Structures & Non-porous surfaces: Max. 70% Live plant material: Min. 30%	Buildings, Structures & Non-porous surfaces: 60% Live plant material: 40%	none
Min. Lot Size (m <sup>2</sup> ):	As per subdivision plan	270 m <sup>2</sup>	622 m <sup>2</sup>	none
Lot Dimensions (m):	As per subdivision plan	Frontage: Min. 4.5 m Width: Min. 9.0 m Depth: 24.0 m	Frontage: 5.076 m Average Width: Approx. 12.0 m Depth: Approx. 41.0 m	none

	<b>LUC 042</b>	<b>Proposed Single Detached (ZS27) – Tyson Place zoning</b>	<b>Proposed</b>	<b>Variance</b>
Setbacks (m):	Front: As per drawings (6.0 m) Rear: As per drawings (6.0 m) Side: 1.83 m on one side only (no minimum on other side)	Front: Min. 6.0 m Rear: Min. 4.0 m and 6.0 m as per diagram Side: Min. 1.2 m	Front: 15 m Rear: 4.0 m and 6.0 m as per diagram Side: 1.2 m	none
Height (m):	3 storeys	Max. 2 ½ storeys (9.0 m; peaked roof) Max. 2 storeys (7.5 m; flat roof)	2 storeys (Max. 9.0 m, peaked roof)	none

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

\* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.



Any excavation into this Zone must be supervised by a Certified Arborist. The stump of Tree #16 cannot be removed with excavation equipment

Removal of the existing driveway must be supervised by a Certified Arborist. Existing roadbase must remain and new driveway surface installed at same grade and within same footprint as the existing driveway

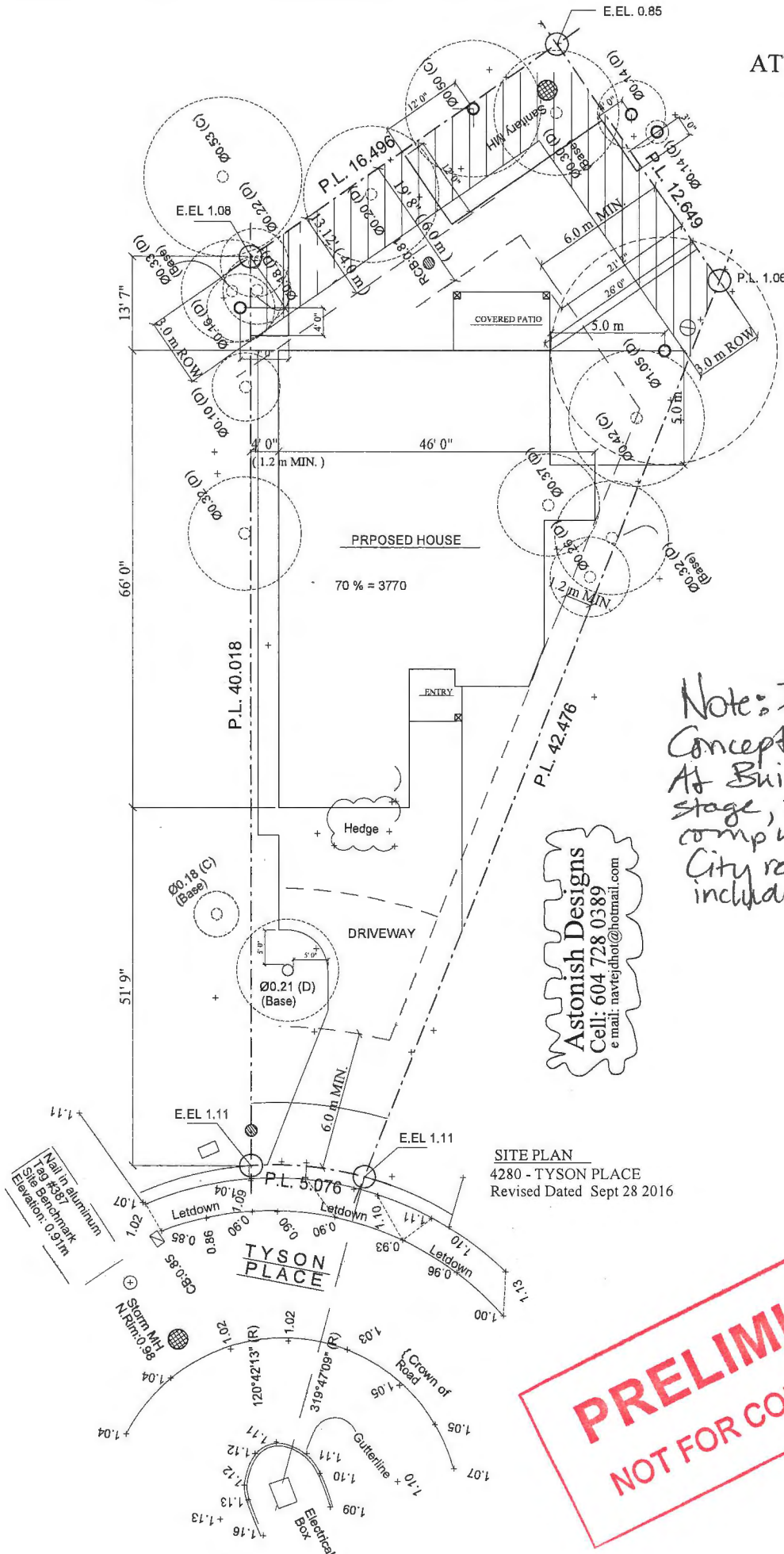
SUITABLE REPLACEMENT TREES (Botanical name)
Stewartia ( <i>Stewartia pseudocamellia</i> )
Dik's Weeping Cypress ( <i>Chamaecyparis lawsoniana</i> 'Dik's Weeping')
Purple Fountain European Beech ( <i>Fagus sylvatica</i> 'Purple Fountain')
Japanese Tree Lilac 'Ivory Silk' ( <i>Syringa reticulata</i> 'Ivory Silk')
Paperbark maple ( <i>Acer griseum</i> )

Annotated  
Sept 22 / 16  
CER

Tree Retention & Removal Plan, Scale 1/16" = 1'

<u>TREE</u> #	<u>SPECIES</u>	<u>DBH</u> (cm)	<u>SPREAD</u> Radius (m) est.
1	Japanese maple <i>(Acer palmatum)</i>	45 combined (13+12+10+10)	2
2	Cedar <i>(Thuja sp.)</i>	18 per survey	0.8
3	Birch <i>(Betula sp.)</i>	35	1.2
4	Cherry <i>(Prunus sp.)</i>	10 per survey	1.2
5	Cherry <i>(Prunus sp.)</i>	16 per survey	2
6	Cherry <i>(Prunus sp.)</i>	33 per survey	2
7	Cherry <i>(Prunus sp.)</i>	17	1.2
8	Cherry <i>(Prunus sp.)</i>	21	1.2
9	Cedar <i>(Thuja plicata)</i>	53 per survey	3.2
10	Plum <i>(Prunus sp.)</i>	31 combined (17+14)	2.6
11	Cedar <i>(Thuja plicata)</i>	57	2.8
12	Plum <i>(Prunus sp.)</i>	52 combined (19+17+16)	2.6
13	Japanese maple <i>(Acer palmatum)</i>	14 per survey	1.2
14	Pine <i>(Pinus sp.)</i>	11 per survey	0.2
15	London Plane <i>(Platanus acerifolia)</i>	111	5.2
16	Cedar <i>(Thuja plicata)</i>	49	2.6
17	Cherry <i>(Prunus sp.)</i>	42	2
18	Cherry <i>(Prunus sp.)</i>	49 combined (25+15+9)	2.1
19	Cherry <i>(Prunus sp.)</i>	33	1.4





*Note: Preliminary Concept Plan. At Building Permit stage, plans must comply with all City regulations, including zoning.*

**Astonish Designs**  
 Cell: 604.728.0389  
 e mail: navejdh@hotmail.com

**SITE PLAN**  
 4280 - TYSON PLACE  
 Revised Dated Sept 28 2016

**PRELIMINARY**  
**NOT FOR CONSTRUCTION**



Note: Preliminary Concept Plan.  
At Building Permit stage, Plans must comply with all City regulations, including Zoning.



FRONT ELEVATION  
4280 - TYSON PLACE

STONE PER  
OWNER'S SPEC

**PRELIMINARY**  
NOT FOR CONSTRUCTION



**Address:** 4280 Tyson Place

**File No.:** RZ 16-726011

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9601, the developer is required to complete the following:**

1. Submission of a Landscape Security in the amount of \$1,000 (\$500/tree) to ensure that a total of two (2) replacement trees are planted and maintained (with the following minimum sizes as per **Tree Protection Bylaw No. 8057 Schedule A – 3.0 Replacement Trees**):

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	10 cm	5.5 m

2. City acceptance of the developer's offer to voluntarily contribute \$3,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. Submission of a Contract entered into between the applicants and a Certified Arborist for supervision of any on-site works conducted within or in close proximity to the tree protection zone of Trees # 1, 2, 5, 6, 9, 11, 13, 14, 15 on-site and off-site. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections (at specified stages of construction), the special measures required to ensure tree protection, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
4. Submission of a Tree Survival Security to the City for the three (3) on-site trees to be retained (Trees # 1, 11, and 15). The City will accept either: a security in the amount of \$20,000, as determined by the City's Tree Preservation Coordinator; or a security based on the International Society of Arboriculture's appraisal technique of the true value of the trees, to be provided by a Certified Arborist prior to final adoption of the rezoning bylaw. The security will be held until construction and landscaping on-site is completed, the post-construction impact assessment report is received, and a site inspection is conducted to ensure that the trees have not been negatively impacted by the development. The City may retain a portion of the security for a one-year maintenance period to ensure the trees have survived.
5. Submission of signed written authorization from all registered property owners on title of the neighbouring lot at 4300 Tyson Place, that they have no objections to the proposed rezoning, and that they understand that it will result in an exposed façade to their dwelling, which must be repaired/finished at the sole cost of the rezoning applicants.
6. Submission of a restoration plan indicating how the applicants intend to address the exposed façade at 4300 Tyson Place resulting from demolition of the dwelling at 4280 Tyson Place (including its' appearance as well as any Building Code and City requirements, including but not limited to fire resistance ratings and the prevention of water intrusion).
7. Submission of a Letter of Credit in the amount of a contractor's cost estimate for the complete scope of the works associated with repairing/finishing the exposed façade at 4300 Tyson Place resulting from demolition of the dwelling at 4280 Tyson Place (including its' appearance, as well as any Building Code and City requirements, including but not limited to fire resistance ratings and the prevention of water intrusion).
8. Registration of a flood indemnity covenant on Title.
9. Registration of a cross-access easement over the proposed driveway, which is currently shared with the neighbouring property to the west at 4260 Tyson Place. Note: the exact dimensions of the easement are to be determined prior to final adoption of the rezoning bylaw.

10. Registration of a legal agreement on title to ensure that the Building Permit application and ensuing development at the subject site is generally consistent with the preliminary conceptual plans included in Attachment 4 to this staff report.
11. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on the subject property, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
12. Discharge from title of "Land Use Contract 042" (having Charge Number RD34261) entered into pursuant to "Lulu Island Holdings Ltd. Land Use Contract Bylaw No. 3234, 1976", as it affects 4280 Tyson Place.

**Prior to Demolition Permit\* issuance, the developer must complete the following requirements:**

- Installation of tree protection fencing around 1, 2, 5, 6, 9, 11, 13, 14, 15 on-site and off-site, which are to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and must remain in place until construction and landscaping on-site is completed. Tree protection fencing must be installed at a minimum of:
  - 1.5 m out from the base of Tree # 1; Design development of the driveway in order to retain this tree.
  - 4.0 m out from the base of Tree # 11.
  - 5.0 m out from the base of Tree # 15; Design development to the rear of the proposed house to demonstrate a 5.0 m tree protection zone.
  - as shown on the proposed Tree Retention Plan for Trees # 2, 5, 6, 9, 13, 14, as per the Arborist Report recommendation.

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

- Submit Building Permit plans that are generally consistent with the preliminary conceptual plans included in Attachment 4 to this staff report.
- Incorporate the scope of works to repair/finish the exposed façade at 4300 Tyson Place into the Building Permit application for the subject site at 4280 Tyson Place (including addressing any Building Code and City requirements, as well as the appearance of the exposed façade).
- Pay Servicing Costs for the following works (including but not limited to):

*Water Works*

- a) Using the OCP Model, there is 117.0 L/s of water available at a 20 psi residual at the lot frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s. At Building Permit stage, the developer is required to submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs.
- b) At the developer's cost, the City is to:
  - Cut and cap at the main, the existing 20 mm water service connection at the lot frontage.
  - Install a new 25 mm water service connection complete with meter and meter box off of the existing 150 mm AC watermain on Tyson Place.

*Storm Sewer Works*

- a) The developer is required to retain the existing storm service connection at the lot frontage.

### *Sanitary Sewer Works*

- a) At the developer's cost, the City is to:
  - Plug the existing sanitary service connection at the southwest corner of the subject lot (note: A tree will be impacted if the existing sanitary connection is re-used).
  - Install a new service connection and tie-in to the northwest face of existing manhole SMH4799 located at the southeast corner of the subject lot.
- b) All sanitary works to be completed prior to any on-site building foundation construction.

### *Frontage Improvements*

- a) At the developer's cost, the City is to upgrade or replace any sidewalk/driveway crossing (max. 4.0 m wide), as required.
- b) The developer is required to coordinate with BC Hydro, Telus and other private communication service providers:
  - To underground Hydro service lines.
  - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
  - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.).

### *General Items*

- a) The Developer is required to enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, 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.
- Submission of a Construction Parking and Traffic Management Plan to the Transportation Department (if applicable). The 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.
  - 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 Department at 604-276-4285.

#### **Note:**

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner, but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

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

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

(signed original on file)

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date



Richmond Zoning Bylaw 8500  
Amendment Bylaw 9601 (RZ 16-726011)  
4280 Tyson Place

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

- 1. Richmond Zoning Bylaw 8500, as amended, is further amended by:
  - a. Inserting the following into the end of the table contained in Section 5.15.1 regarding affordable housing density bonusing provisions:

Zone	Sum Per Buildable Square Foot of Permitted Principal Building
"ZS27	\$2.00"

- b. Inserting as Section 15.27 thereof the following:

**15.27 Single Detached (ZS27) – Tyson Place**

**15.27.1 Purpose**

The zone provides for **single detached housing** with a range of compatible **secondary uses**.

**15.27.2 Permitted Uses**

- **housing, single detached**

**15.27.3 Secondary Uses**

- **boarding and lodging**
- **community care facility, minor**
- **home business**
- **secondary suite**

**15.27.4 Permitted Density**

1. The maximum **density** is one **principal dwelling unit** per lot.
2. The maximum **floor area ratio (FAR)** is 0.40 applied to a maximum of 464.5 m<sup>2</sup> of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m<sup>2</sup>.
3. Notwithstanding Section 15.27.4.2, the reference to "0.4" is increased to a higher **density** of "0.55" if:

- a) the building contains a secondary suite; or
- b) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the **ZS27 zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw.

#### 15.27.5 Permitted Lot Coverage

1. The maximum **lot coverage** is 45% for **buildings**.
2. No more than 70% of a **lot** may be occupied by **buildings, structures and non-porous surface**.
3. 30% of the **lot area** is restricted to **landscaping** with live plant material.

#### 15.27.6 Yards & Setbacks

1. The minimum **front yard** is 6.0 m.
2. The minimum **interior side yard** is 1.2 m
3. The minimum **exterior side yard** is 3.0 m.
4. The minimum **rear yard** is 6.0 m

#### 15.27.7 Permitted Heights

1. The maximum **height** for **principal buildings** is 2 ½ **storeys**, but it shall not exceed the **residential vertical lot width envelope** and the **residential vertical lot depth envelope**. For a **principal building** with a flat roof, the maximum **height** is 7.5 m.
2. The maximum **height** for **accessory buildings** is 5.0 m.
3. The maximum **height** for **accessory structures** is 9.0 m.

#### 15.27.8 Subdivision Provisions/Minimum Lot Size

1. The minimum **lot** dimensions and areas are as follows:

Minimum frontage	Minimum lot width	Minimum lot depth	Minimum lot area
4.5 m	9.0 m	24.0 m	270.0 m <sup>2</sup>

#### 15.27.9 Landscaping & Screening

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

**15.27.10 On-Site Parking and Loading**

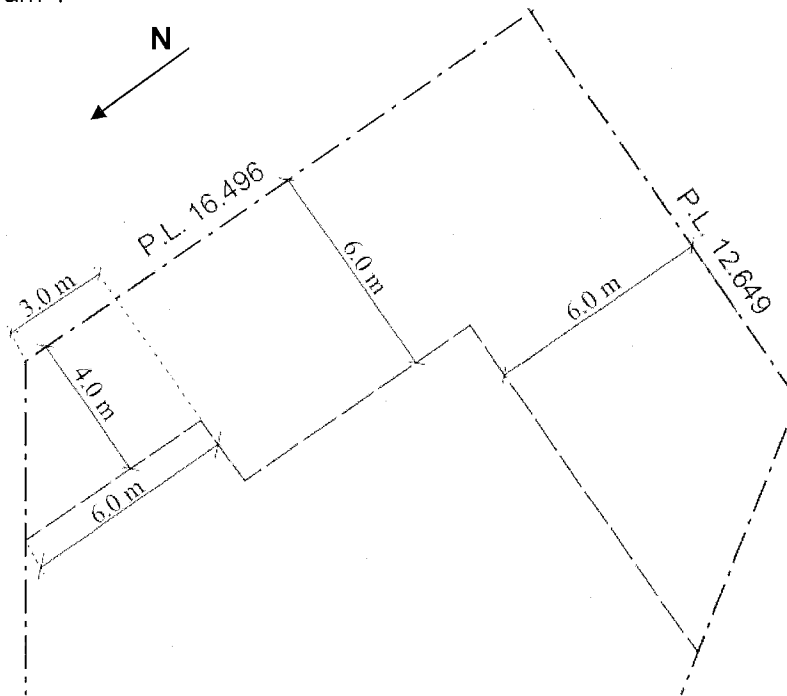
1. On-site **vehicle** parking shall be provided according to the standards set out in Section 7.0.

**15.27.11 Other Regulations**

1. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and Specific Use Regulations in Section 5.0 apply.
2. Section 15.27.6.4 shall not apply to the lot identified in Section 15.27.11.2.a), which shall have a minimum rear yard setback as shown in Diagram 1 in Section 15.27.11.2.b):

- a) 4280 Tyson Place  
P.I.D. 003-718-239  
Lot 475 Section 14 Block 4 North Range 7 West New Westminster District Plan 51405

- b) Diagram 1





- 2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **“SINGLE DETACHED (ZS27) – TYSON PLACE”**.

P.I.D. 003-718-239

Lot 475 Section 14 Block 4 North Range 7 West New Westminster District Plan 51405

- 3. That the Mayor and Clerk are hereby authorized to execute any documents necessary to discharge “Land Use Contract 061” (having Charge Number RD34261) from the following area:

P.I.D. 003-718-239

Lot 475 Section 14 Block 4 North Range 7 West New Westminster District Plan 51405

- 4. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9601”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

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MAYOR

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