



To: Planning Committee **Date:** October 31, 2011
From: Brian J. Jackson, MCIP **File:** RZ 11-583027
Director of Development
Re: **Application by KNS Enterprises Ltd. for Rezoning at 9040 Railway Avenue
from Single Detached (RS1/E) to Single Detached (RS2/B)**

Staff Recommendation

1. That Bylaw No. 8835, for the rezoning of 9040 Railway Avenue from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given First Reading.

Brian J. Jackson, MCIP
Director of Development

EL:blg
Att.

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

Staff Report

Origin

KNS Enterprises Ltd. has applied to the City of Richmond for permission to rezone 9040 Railway Avenue (**Attachment 1**) from Single Detached (RS1/E) to Single Detached (RS2/B) in order to permit the property to be subdivided into two (2) single family lots with vehicle access from a rear lane extension (**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: Existing single-family lots zoned Single Detached (RS1/E);
- To the east: Single-family dwellings on large lots zoned Single Detached (RS1/E);
- To the south: Newer single-family dwellings on lots zoned Single Detached (RS1/B); and
- To the west: Across Railway Avenue, a linear railway right-of-way, an unopened road, with a low-density townhouse complex beyond that on a lot under Land Use Contract 009 at 4900 Francis Road.

Related Policies & Studies

Lane Establishment and Arterial Road Redevelopment Policy

The subject application is consistent with the City's Lane Establishment and Arterial Road Redevelopment Policy, which encourage single-family development with lane access along arterial roads. The proposed development would extend an existing municipal lane off Maple Road.

Affordable Housing

The Richmond Affordable Housing Strategy requires a suite on at least 50% of new lots, or a cash-in-lieu contribution of \$1.00 per square foot of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant is proposing to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suites are built to the satisfaction of the City in accordance with the Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection is to be granted until the secondary suites are constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning. This agreement will be discharged from Title on the one (1) lot where the secondary suites are not required by the Affordable Housing Strategy after the requirements are satisfied, at the initiation of the applicant.

Should the applicants change their mind 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 per square foot of total building area of the single detached developments (i.e. \$4,736).

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.

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

Tree Preservation

A Tree Survey and a Certified Arborist's report were submitted in support of the application; nine (9) trees were identified and assessed:

- one (1) bylaw-sized tree on the subject property;
- one (1) tree on the adjacent property to the east (5060 Francis Road); AND
- seven (7) bylaw-sized trees on the City boulevard in front of the site.

On Site Tree:

The City's Tree Preservation Coordinator reviewed the Arborist's Report and concurs with the Arborist's recommendations to remove the 59 cm Norway spruce located on site. A significant portion of the top of the tree had died back and has been removed due to inevitable failure. Site observation revealed the tree continues to die back (dead branches below the old topping point) and the remainder of the tree is showing symptoms of stress and/or decline - chlorotic patches with canopy.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) and the size requirements for replacement tree in the Tree Protection Bylaw No. 8057, two (2) replacement trees at 9 cm calliper or 5.0 m in height are required.

Neighbouring Tree:

The applicant has agreed to protect a Cherry tree located on the adjacent property to the east at 5060 Francis Road. The City's Tree Preservation Coordinator concurs with the Arborist's recommendation that the existing fence along the east property is sufficient to protect the root zone and the canopy could be cut back to the fence line without a negative impact (see Tree Retention Plan in **Attachment 4**).

City Trees:

Parks Operations staff have determined that the seven (7) bylaw-sized trees on the City boulevard in front of the subject site be protected and the grade on the boulevard be maintained as it is right now. In order to ensure that the street trees will not be damaged during construction, tree protection fencing must be installed to City standards 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 must be submitted prior to final adoption of the rezoning bylaw. Furthermore, as a condition of rezoning, the applicant is required to submit a \$9,100 Tree Survival Security. The City will retain 50% of the security until Final Inspection of the Building Permits of the affected future lots are issued. The City will retain the remaining 50% of the security for an additional two (2) years after the Final Inspection of the Building Permits to ensure that the protected tree has survived.

Landscaping

Council Policy 5032 encourages property owners to plant a minimum of two (2) trees per lot in recognition of the benefits of urban trees (minimum 6 cm calliper deciduous or 3 m high conifer). The applicant has agreed to plant and maintain an additional two (2) trees (a total of four (4) trees including the required replacement trees) on the future lots (2 trees per future lot).

In order to ensure that the proposed replacement trees will be planted and that the front yards of the future lots will be enhanced, a Landscape Plan, prepared by a registered landscape architect, and a landscaping security, based on 100% of the cost estimates provided by the landscape architect, must be submitted prior to final adoption of the rezoning bylaw. The landscape plan should comply with the guidelines of the Official Community Plan's Arterial Road Redevelopment Policy and include four (4) new trees (in a mix of coniferous and deciduous). If replacement trees cannot be accommodated on-site, cash-in-lieu (\$500/tree) for off-site planting would be required.

Site Servicing

No servicing concerns. As a condition of rezoning, the developer is required to dedicate a 6 m lane along the entire east property line of the site for proposed lane extension.

At future subdivision stage, the developer is required to enter into a standard Servicing Agreement for the design & construction of a lane extension along the entire east property line of the site. The proposed lane is to include (but not limited to) storm sewer, sand/gravel base, roll over concrete curb and gutter (both sides), asphalt pavement, and lane lighting. Design should also include water, storm and sanitary service connections for each proposed lot and the removal of the existing driveway crossing on Railway Avenue.

Vehicle Access

Direct vehicular access from the subject site to Railway Avenue will not be permitted in accordance with Residential Lot (Vehicular) Access Regulation (Bylaw No. 7222). Vehicle access is to be from the proposed rear lane only. Removal of the existing driveway letdowns to the site along Railway Avenue and reinstatement of the sidewalk will be addressed as part of the Servicing Agreement application. Transportation staff recommends that the driveway for the future northern lot be situated along its new south property line to provide a hammerhead for vehicle turnaround (see Proposed Subdivision Plan in **Attachment 2**). As a condition to rezoning, a 2.5 m wide by 5.5 m deep Public Rights-of-Passage Right-of-Way on the driveway to allow for this hammerhead is required.

Subdivision

At future subdivision stage, the developer will be required to pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing costs. Servicing costs will be determined via the Servicing Agreement.

Analysis

This is a relatively straightforward redevelopment proposal. It is noted that an existing municipal laneway exists to the south, and from this perspective, the proposed development would result in a consistent layout. The future lots will have vehicle access to the laneway with no access being permitted onto Railway Avenue. All the relevant technical issues have been addressed and it is noted that the application conforms to the Lane Establishment and Arterial Road Redevelopment Policies.

Financial Impact or Economic Impact

None.

Conclusion

This rezoning application is to permit subdivision of an existing large lot into two (2) smaller lots (approximately 12.59 m wide) with vehicle access to a lane extension. This rezoning application complies with all applicable land use designations and policies contained within the Official Community Plan (OCP). The list of rezoning conditions is included as **Attachment 5**, which has been agreed to by the applicant (signed acceptance on file). On this basis, staff recommends support of the application.



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

EL:blg

Attachments:

Attachment 1: Location Map

Attachment 2: Proposed Subdivision Plan

Attachment 3: Development Application Data Sheet

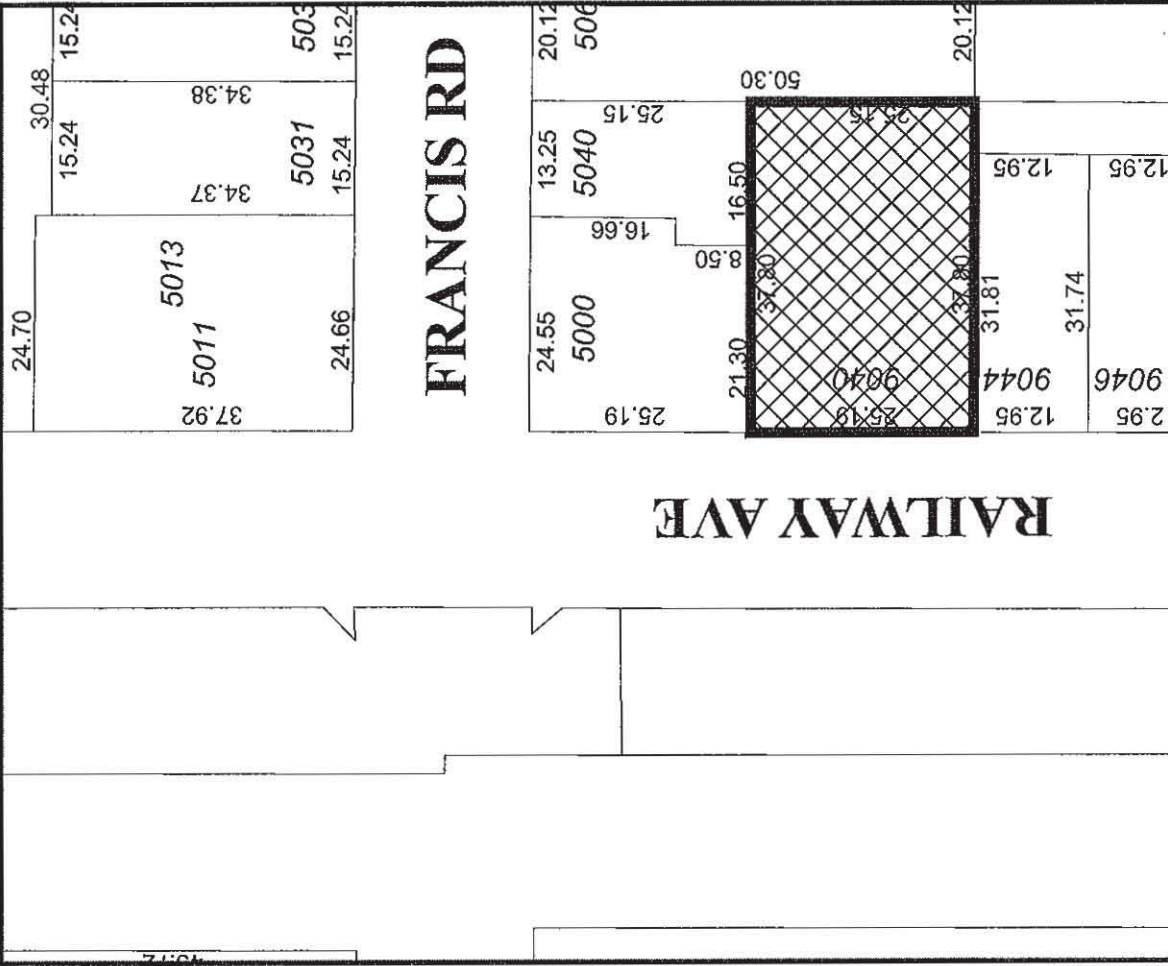
Attachment 4: Tree Retention Plan

Attachment 5: Rezoning Considerations

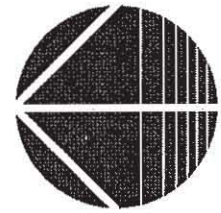
City of Richmond



PROPOSED REZONING

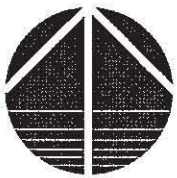


RZ 11-583027



PH - 163

Original Date: 07/20/11
 Revision Date:
 Note: Dimensions are in METRES



RZ 11-583027

Original Date: 07/20/11

Amended Date:

Note: Dimensions are in METRES

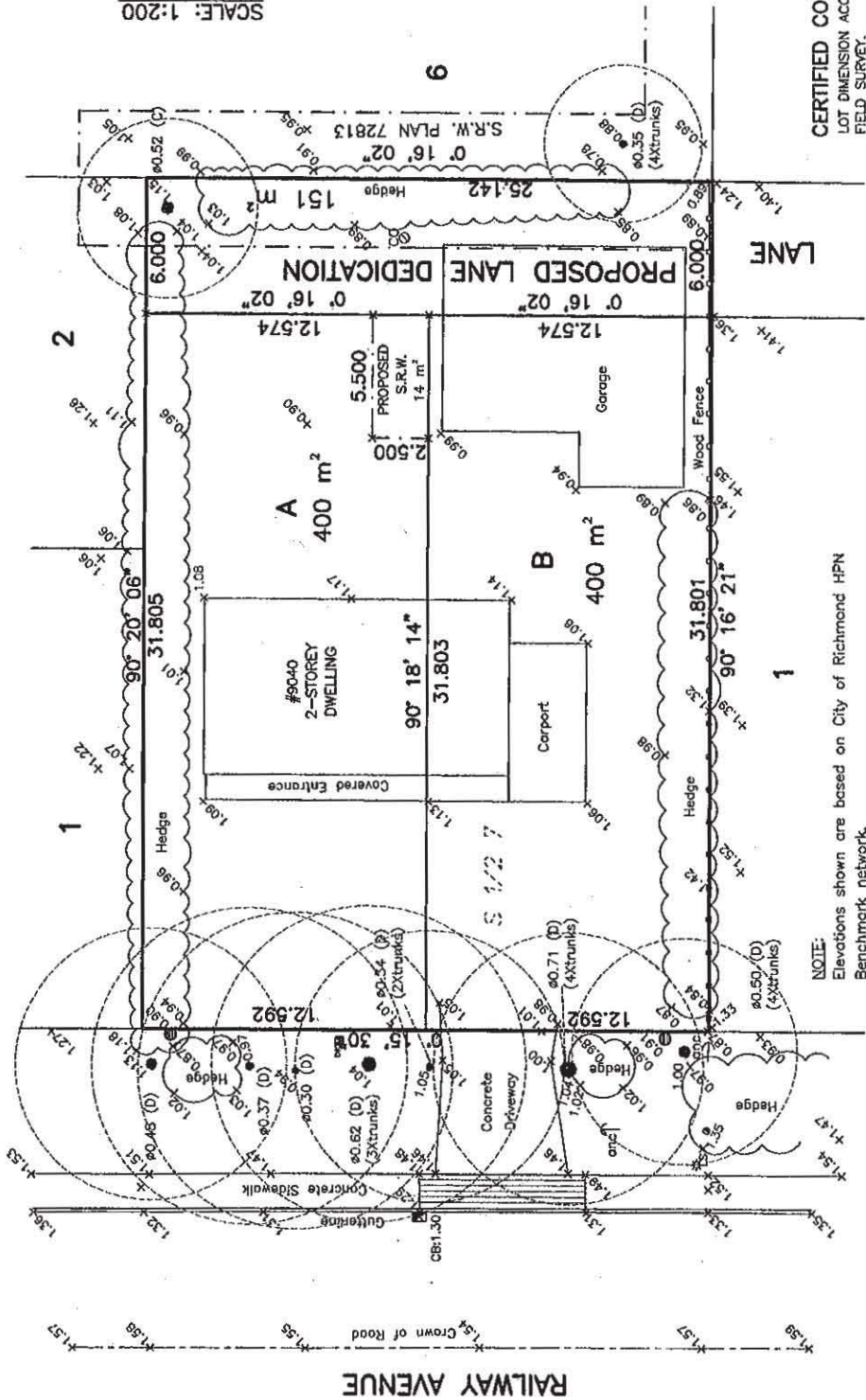
PH - 164

**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION AND PROPOSED STATUTORY RIGHT OF WAY OF SOUTH HALF LOT 7
SECTION 25 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN 16796**

#9040 RAILWAY AVENUE,
RICHMOND, B.C.
P.L.D 010-226-150



SCALE: 1:200
0 5 10 15 16
ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



- LEGEND:**
- (C) denotes coniferous
 - (D) denotes deciduous
 - denotes power pole
 - denotes guy-wire anchor
 - denotes catch basin
 - denotes water meter
 - denotes water valve
 - CO denotes cleanout
 - LS denotes lamp standard

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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
P.L.D. No. 4485
182 P03-96
Drawn By: TH

NOTE:
Elevations shown are based on City of Richmond HPN
Benchmark: HPN #205, Control Monument 774827
Located at CL Railway Ave & Garry St
Elevation = 1.044 metres

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

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

TOPOGRAPHIC INFORMATION SHOWN ON THIS DRAWING WAS SURVEYED ON MAY 26th, 2011.

NOVEMBER 2nd, 2011

P.L.D. No. 4485-TOPO-02



City of Richmond

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

**Development Application
 Data Sheet**

RZ 11-583027 **Attachment 3**

Address: 9040 Railway Avenue

Applicant: KNS Enterprises Ltd.

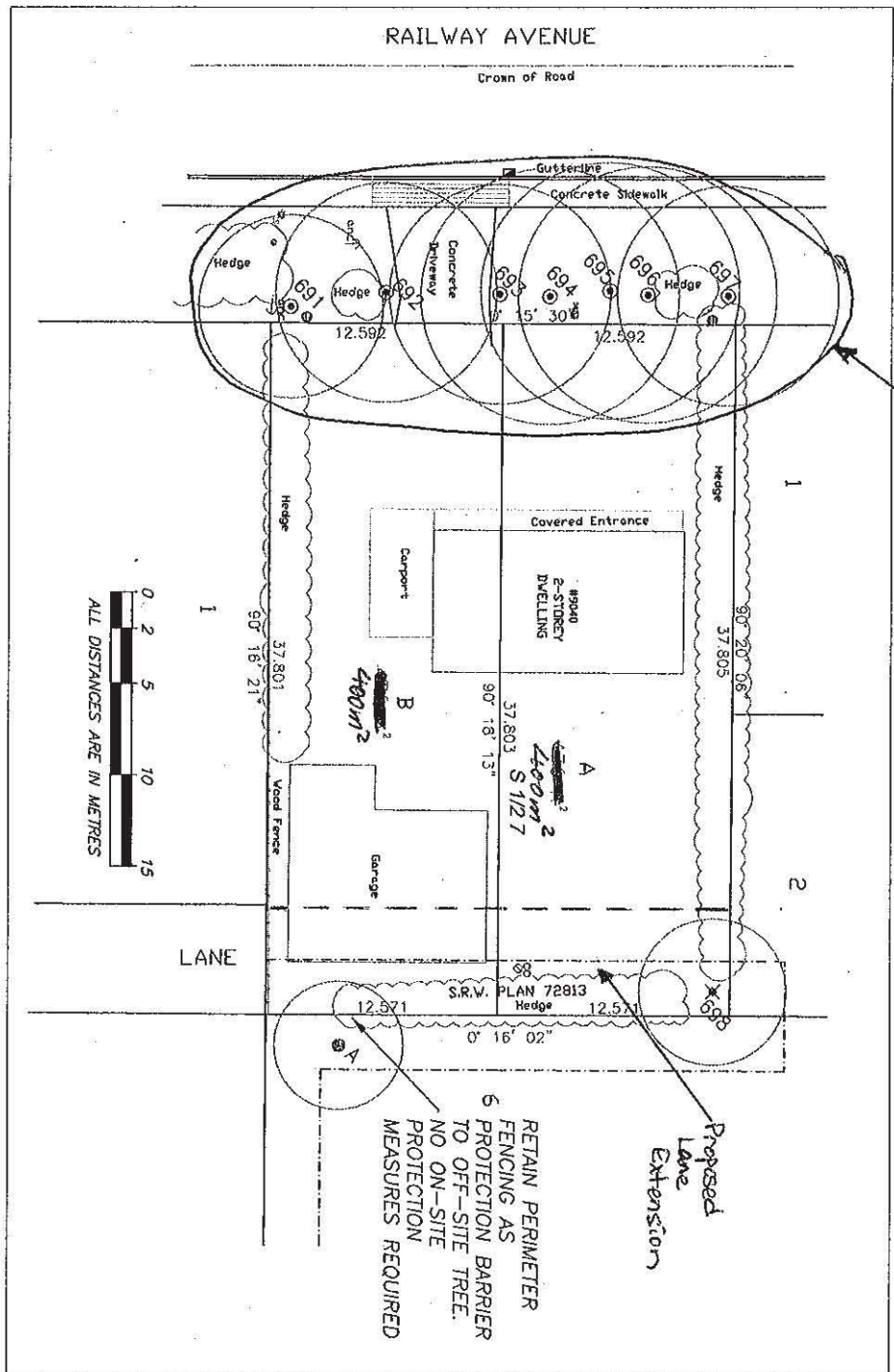
Planning Area(s): Blundell

	Existing	Proposed
Owner:	Thomas & Valinda Wolfram	To be determined
Site Size (m²):	955 m ² (10,280 ft ²)	approximately 400 m ² (4,306 ft ²)
Land Uses:	One (1) single-family residential dwelling	Two (2) single-family residential dwellings
OCP Designation:	Generalized Land Use Map – Neighbourhood Residential	No change
Area Plan Designation:	N/A	No change
702 Policy Designation:	N/A	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)
Number of Units:	One (1)	Two (2)
Other Designations:	Lane Establishment and Arterial Road Redevelopment Policies permit residential redevelopment along this arterial road due to the proposed extension of an existing operational rear lane.	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. 45%	Max. 45%	none
Lot Coverage – Buildings, structures, and non-porous	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping	Min. 25%	Min. 25%	none
Setback – Front & Rear Yards (m):	6 m Min.	6 m Min.	none
Setback – Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Lot Size (min. dimensions):	360 m ²	400 m ²	none

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



City trees to be Retained & Protected.

Proposed Lane Extension

RETAIN PERIMETER FENCING AS PROTECTION BARRIER TO OFF-SITE TREE. NO ON-SITE PROTECTION MEASURES REQUIRED

ALL DISTANCES ARE IN METRES

LEGEND - TREE RETENTION

○ denotes TREE NUMBER. Refer to tree inventory for Vpn.

○ denotes TREE NUMBER. Refer to tree inventory for Vpn.

○ denotes PRUNED tree to be RETAINED.

○ denotes OFF-SITE CITY tree, requiring PERSONAL to Parks Department for consideration of REMOVAL. (See Report)

ACL
arboritech consulting ltd
Suite 200 - 3740 Chatham Street
Richmond, BC Canada V7E 2E3
P 604 275 3484 F 604 275 9554
email: trees@arboritech.bc.ca

TREE RETENTION DRAWING

Client:	AJIT GILL
Project:	PROPOSED DEVELOPMENT
Address:	9040 RAILWAY AVENUE, RICHMOND
Date:	7 SEPTEMBER 2011
Our File:	11262

Muni File:

PH 168
Scale 1:250

Rezoning Considerations

**9040 Railway Avenue
RZ 11-583027**

Prior to final adoption of Zoning Amendment Bylaw 8835, the developer is required to complete the following:

1. Dedication of 6.0 m of property along the entire east property line of 9040 Railway Avenue for proposed lane extension.
2. The granting of a 2.5 m wide by 5.5 m deep Public Rights-of-Passage Right-of-Way to allow for a hammerhead to be located along the south property line of the future northern lot.
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. \$4,736) 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. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - comply with the guidelines of the OCP's Lane Establishment and Arterial Road Redevelopment Policies and should not include hedges along the front property line;
 - include a mix of coniferous and deciduous trees; and
 - include four (4) replacement/new trees with the following minimum sizes:

No. of Replacement/New Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Trees
2	6 cm		3.0 m
2	9 cm		5.0 m

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

6. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained on the adjacent property to the east (5060 Francis Road) and on the City boulevard in front of the site. 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.
7. Submission of a Tree Survival Security to the City in the amount of \$9,100 for the seven (7) City trees on the boulevard along Railway Avenue. 50% of the security will be released at Final Inspection of the Building Permits of the affected future lots and 50% of the security will be release two (2) years after final inspection of the Building Permits in order to ensure that the tree has survived.

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

1. Enter into a standard Servicing Agreement for the design & construction of a lane extension along the entire east property line of the site. The proposed lane is to include (but not limited to) storm sewer, sand/gravel base, roll over concrete curb and gutter (both sides), asphalt pavement, and lane lighting. Design should also include water, storm and sanitary service connections for each proposed lot and the removal of the existing driveway crossing on Railway Avenue.
2. Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

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.
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.

[Signed original on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 8835 (RZ 11-583027)
9040 RAILWAY AVENUE

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

- 1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it SINGLE DETACHED (RS2/B).

P.I.D. 010-226-150

South Half Lot 7 Section 25 Block 4 North Range 7 West New Westminster District Plan 16796

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8835".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

NOV 28 2011



MAYOR

CORPORATE OFFICER