



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: October 5, 2011
File: RZ 11-588990
Re: Application by Ajit Thaliwal for Rezoning at 10391 Finlayson Drive from Single Detached (RS1/D) to Single Detached (RS1/B)

Staff Recommendation

That Bylaw No. 8822, for the rezoning of 10391 Finlayson Drive from "Single Detached (RS1/D)" to "Single Detached (RS1/B)", be introduced and given first reading.

Brian J. Jackson, MCIP
Director of Development

ES: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"/>	

Item	Details
Application	RZ 11-588990
Location	10391 Finlayson Drive (Attachment 1)
Owner	Kam and Connie Ho
Applicant	Ajit Thaliwal

Date Received	August 30, 2011
Acknowledgement Letter	September 14, 2011
Fast Track Compliance	September 22, 2011
Staff Report	October 5, 2011
Planning Committee	November 8, 2011

Site Size	1,118 m ² (12,034.4 ft ²)
Land Uses	Existing – One (1) single detached dwelling
	Proposed – Two (2) single detached lots, each 559 m ² (6,017.2 ft ²)
Zoning	Existing – Single Detached (RS1/D)
	Proposed – Single Detached (RS1/B)
Planning Designations	<ul style="list-style-type: none"> • Official Community Plan (OCP) Generalized Land Use Map designation – “Neighbourhood Residential”. • Bridgeport Area Plan Land Use Map – “Residential (Single-Family)”. • Lot Size Policy 5448 (adopted by Council in 1991) – permits subdivision of properties in accordance with the provisions of “Single Detached (RS1/B)”(Attachment 2). • Aircraft Noise Sensitive Development Policy – The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area within a designation (Area 2) that permits new single-family development that is supported by an existing Lot Size Policy. As a condition of rezoning, the applicant is required to register a restrictive covenant on Title to address aircraft noise mitigation and public awareness. <p><i>This application conforms with applicable land use designations and policies.</i></p>

<p>Surrounding Development</p>	<ul style="list-style-type: none"> • The subject property is located on the north side of Finlayson Drive, between McLennan Avenue and Shell Road, in an established residential neighbourhood consisting of a mix of older single detached dwellings on larger lots and newer single detached dwellings on smaller lots. • Development immediately surrounding the subject lot is as follows: <ul style="list-style-type: none"> ○ To the north is a single detached dwelling zoned "Single Detached (RS1/D)"; ○ To the east is a single detached dwelling zoned "Single Detached (RS1/D)"; ○ To the south across Finlayson Drive is a single detached dwellings zoned "Single Detached (RS1/D)"; ○ To the west is a single detached dwelling zoned "Single Detached (RS1/B)".
<p>Staff Comments</p>	<p><u>Background</u></p> <p>A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).</p> <p><u>Trees & Landscaping</u></p> <ul style="list-style-type: none"> • A Certified Arborist's Report was submitted by the applicant, which identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The Report identifies and assesses: <ul style="list-style-type: none"> ○ One (1) bylaw-sized tree, one (1) undersized tree and a Cedar hedge on the subject property; ○ One (1) bylaw-sized tree on City owned property; and ○ Two (2) bylaw-sized trees on neighbouring properties. • The City's Tree Preservation Coordinator reviewed the Arborist's Report and conducted a Visual Tree Assessment. The City's Tree Preservation Coordinator concurs with the Arborist's recommendation to remove and replace the bylaw-sized tree on site (Tree #586) due to its poor condition and conflict with the future building envelope. • The Parks Department concurs with the Arborist's recommendation to remove and replace the bylaw-sized tree on City property (Tree # 585) due to damage from inappropriate pruning and grass cutting machinery. Compensation of \$650 is required. • The two (2) bylaw-sized trees on neighbouring properties are located greater than 2 m from the property line and therefore require no additional protection measures during construction.

	<p>The final Tree Retention Plan is included in Attachment 4.</p> <ul style="list-style-type: none">• 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 two (2) replacement trees (minimum 9 cm deciduous calliper/5 m coniferous height) are required to be planted and maintained on the future lots.• In addition, Council Policy adopted in 1995, encourages property owners to plant and maintain at least two (2) trees on every lot in recognition of the many benefits derived from urban trees. Consistent with this Policy, the applicant has agreed to plant and maintain two (2) additional trees (minimum 6 cm deciduous calliper/2.5 m coniferous height).• To ensure the new trees are planted and maintained, the applicant is required to submit a landscaping security in the amount of \$2,000 (\$500/tree) prior to final adoption of the rezoning bylaw. <p><u>Affordable Housing</u></p> <ul style="list-style-type: none">• Richmond's Affordable Housing Strategy requires a suite on 50% of new lots, or a cash-in-lieu contribution of 1.00/ft² of total building area towards the City's Affordable Housing Reserve Fund for single-family rezoning applications.• The applicant proposes to provide a 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 Strategy after the requirements are satisfied.• 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/ft² of total building area of the single detached dwellings (i.e. \$6,110.4).
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	<p><u>Flood Management</u> Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.</p> <p><u>Site Servicing & Vehicle Access</u> There are no servicing concerns with rezoning.</p> <p><u>Subdivision</u> At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charges (for future road improvements), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.</p>
Analysis	This redevelopment proposal is consistent with Lot Size Policy 5448 as the property is intended to be subdivided into two (2) lots, each approximately 13.7 m wide. Other properties within this neighbourhood have the potential to rezone and subdivide in accordance with the Lot Size Policy.
Attachments	Attachment 1 – Location Map/Aerial Photo Attachment 2 – Lot Size Policy 5448 Attachment 3 – Development Application Data Sheet Attachment 4 – Tree Retention Plan
Recommendation	This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with all applicable land use designations and policies and is consistent with the direction of redevelopment currently on-going in the surrounding area. On this basis, staff support the application.



Erika Syvokas
Planning Technician
(604-276-4108)

Prior to final adoption of Zoning Amendment Bylaw 8822, the developer is required to complete the following:

1. Submission of a Landscaping Security in the amount of \$2,000 (\$500/tree) for the planting and maintenance of four (4) replacement trees with the following minimum calliper sizes/heights:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	6 cm		2.5 m
2	9 cm		5 m

- 2. 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. \$6,110.4) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

- 3. Registration of a flood indemnity covenant on Title.
- 4. Registration of an aircraft noise sensitive covenant on Title.

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

- Obtain formal tree removal authorization from the Parks Department and pay compensation of \$650 to remove Tree # 585 located on City owned property.

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

- Pay Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charge (NIC) fees for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and servicing costs.

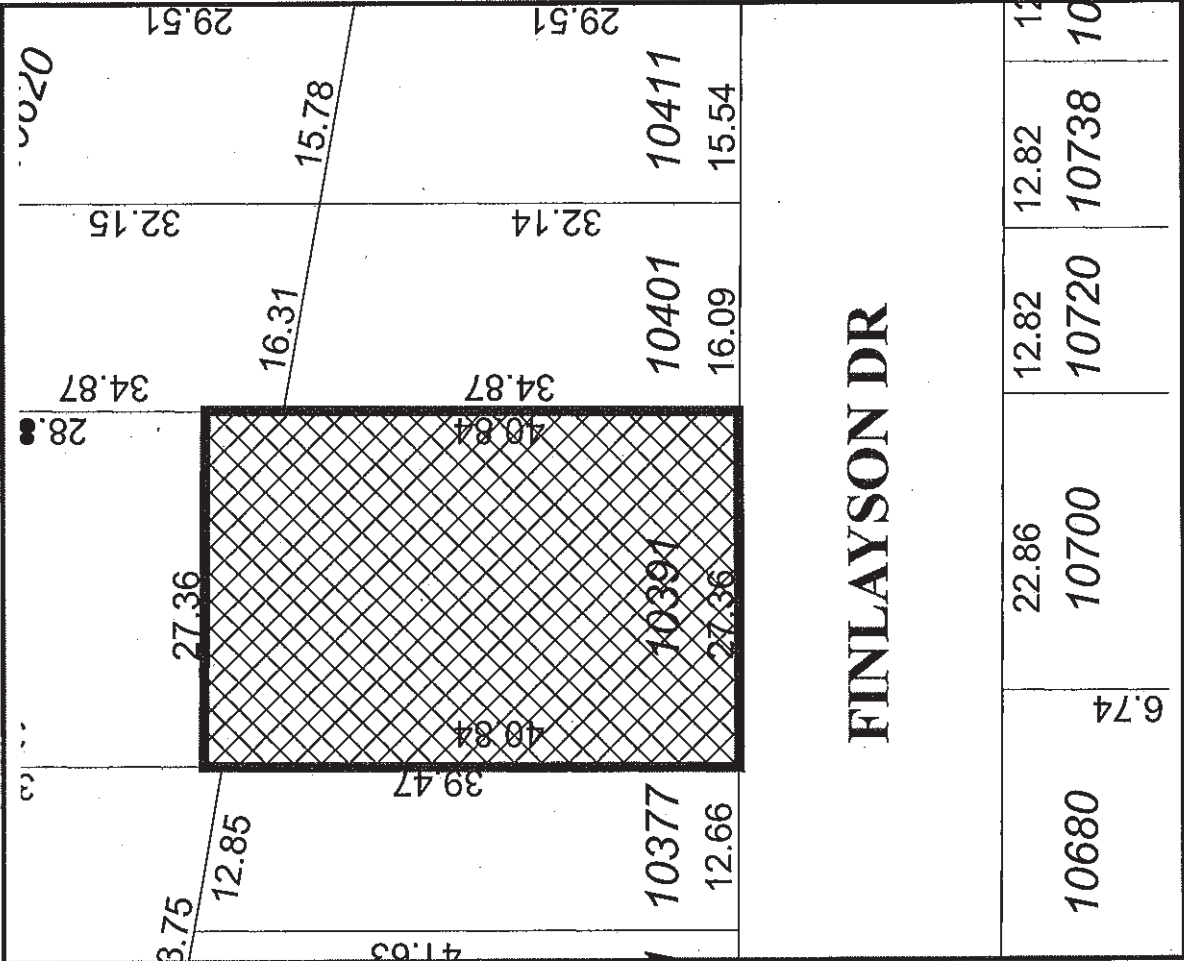
Note:

- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act. All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.
The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

[Signed original on file]

Signed

Date



FINLAYSON DR

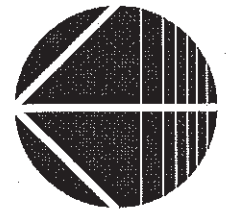


PROPOSED REZONING

City of Richmond



RZ 11-588990



Original Date: 09/13/11
 Revision Date:
 Note: Dimensions are in METRES



North Arm Fraser River

RIVER RD

GILMORE CR

FINLAYSON DR

SHELLERD

**SUBJECT
PROPERTY**



RZ 11-588990

Original Date: 09/12/11

Amended Date:

Note: Dimensions are in METRES

PH - 74



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: September 16, 1991

POLICY 5448

File Ref: 4045-00

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

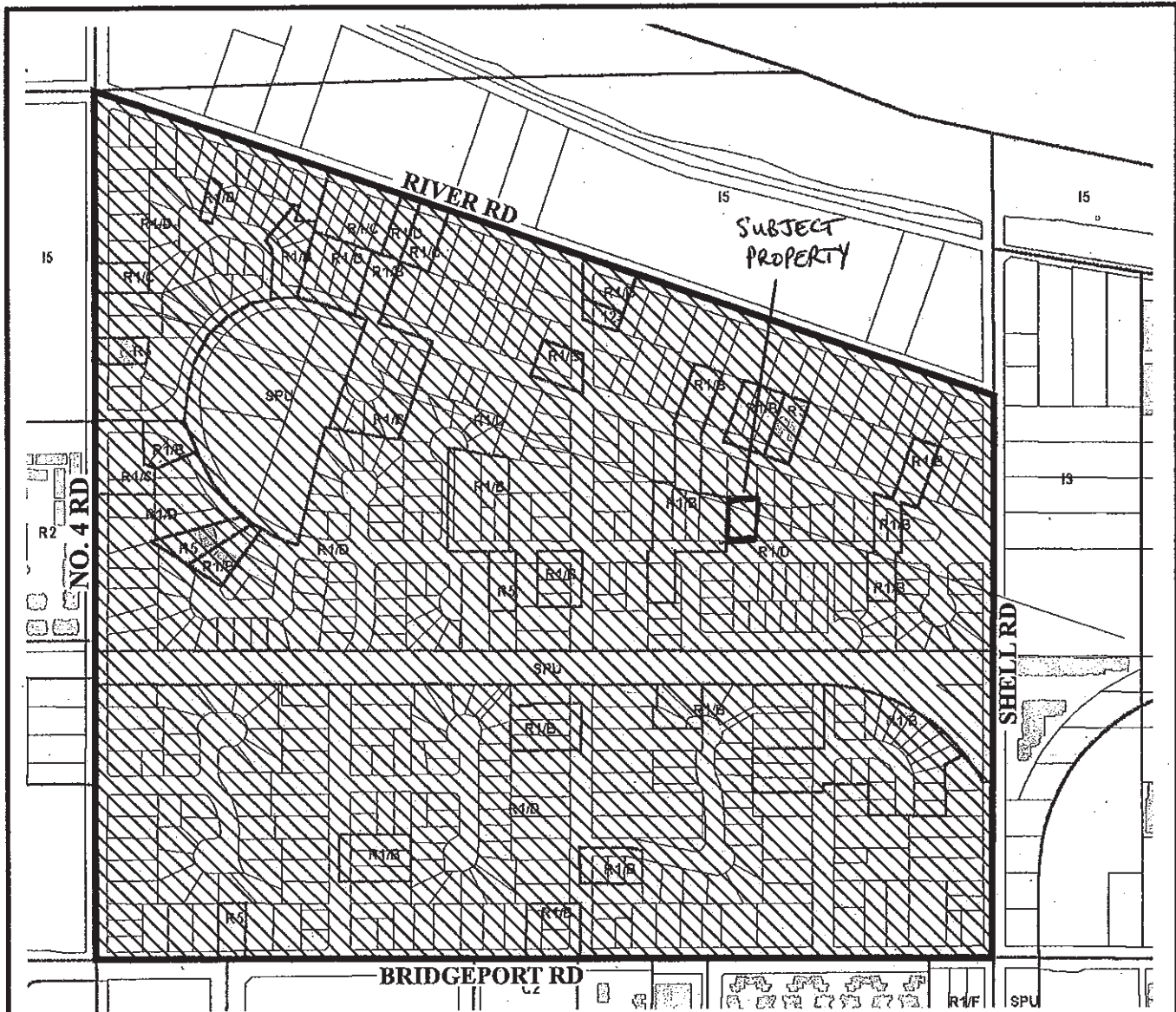
POLICY 5448:

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

That properties within the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west, in a portion of Section 23-5-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300, with the following provisions:

- (a) Properties along Bridgeport Road and Shell Road will be restricted to Single-Family Housing District (R1/D) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted;
- (b) Properties along No. 4 Road and River Drive will be restricted to Single-Family Housing District (R1/C) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted;

and that this policy, as shown on the accompanying plan, be used to determine the disposition of future single-family rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.



Subdivision permitted as per **R1/B** except:

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



POLICY 5448 SECTION 23, 5-6

Adopted Date: 09/16/91

Amended Date:



City of Richmond

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

**Development Application
 Data Sheet**

RZ 11-588990

Attachment 3

Address: 10391 Finlayson Drive

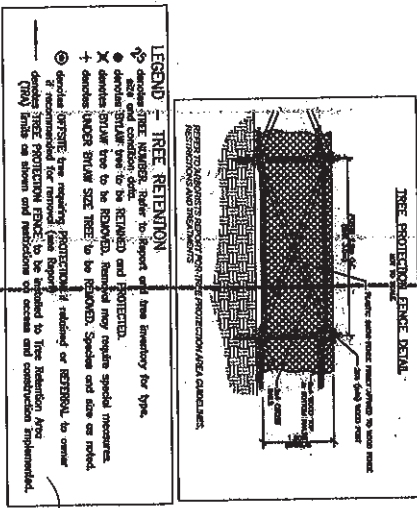
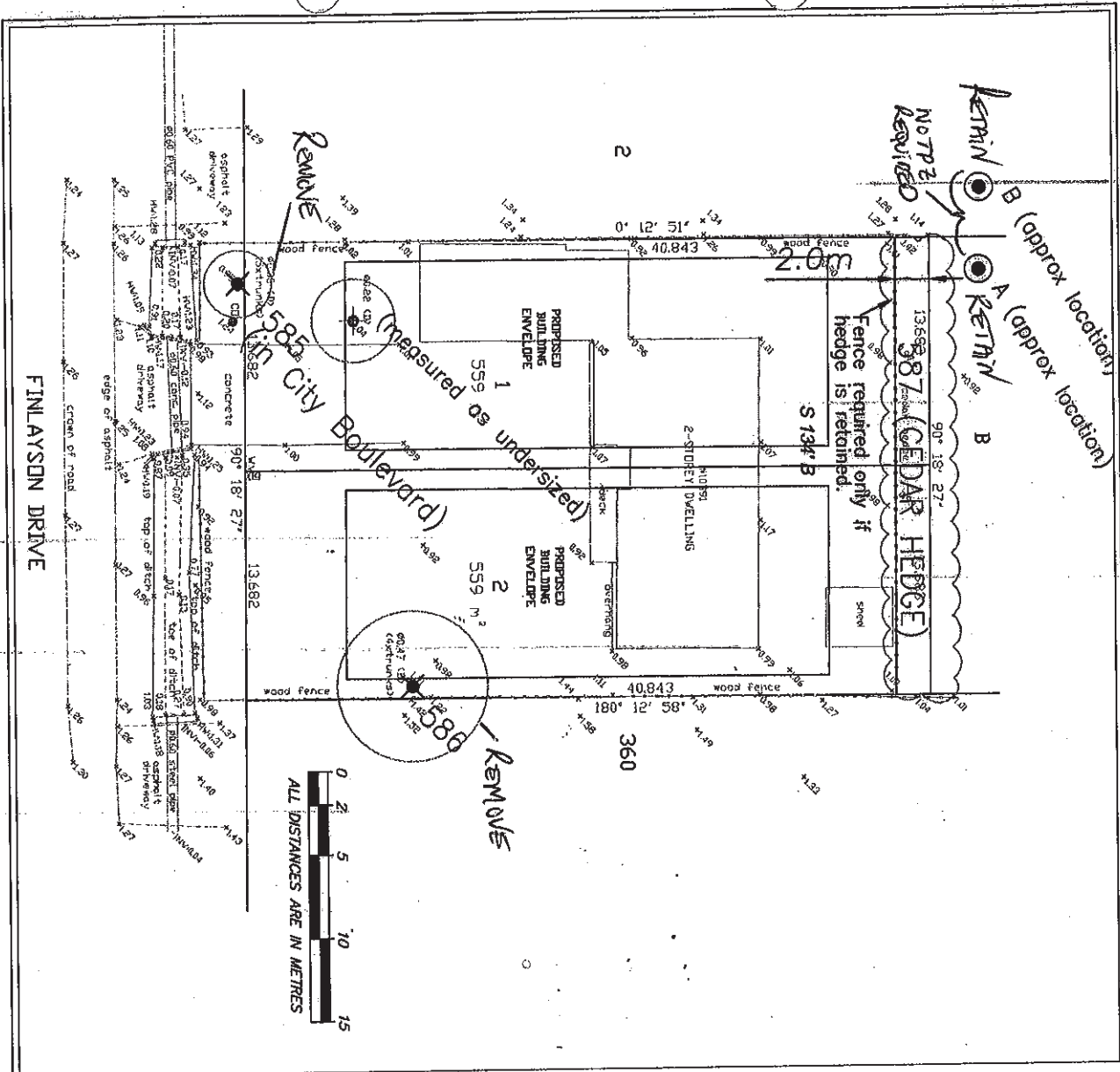
Applicant: Ajit Thaliwal

Planning Area(s): Bridgeport

	Existing	Proposed
Owner:	Kam and Connie Ho	To be determined
Site Size (m²):	1,118 m ² (12,034.4 ft ²)	Two (2) lots each approx. 559 m ² (6,017.2 ft ²)
Land Uses:	One (1) single detached dwelling	Two (2) single detached dwellings
OCP Designation:	<ul style="list-style-type: none"> Generalized Land Use Map – Neighbourhood Residential 	No change
Area Plan Designation:	Bridgeport Area Plan Land Use Map – “Residential (Single-Family)”	No change
702 Policy Designation:	Lot Size Policy 5448 (adopted by Council in 1991) – permits subdivision of properties in accordance with the provisions of “Single Detached (RS1/B)”.	No change
Zoning:	Single Detached (RS1/D)	Single Detached (RS1/B)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	360 m ²	Two (2) lots, each approx. 559 m ² (6,017.2 ft ²)	none
Setback – Front & Rear Yards (m):	Min. 6.0 m	6.0 m Min.	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

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



LEGEND - TREE RETENTION

- ⊕ indicate TREE NUMBER, Refer to location and tree inventory for type, size and condition data.
- indicate STRIKE tree to be RETAINED and PROTECTED.
- ✕ indicate STRIKE tree to be REMOVED. Removal may require special measures.
- ⊕ indicate UNDER STRIKE TREE to be REMOVED. Species and size on model.
- ⊕ indicate INTEREST: tree requiring PROTECTION. Retained or RETAINED, to ensure desirable TREE PROTECTION FENCE. To be included to Tree Retention Area (TRA) limits as shown and restrictions of access and construction implemented.

The information contained in this drawing is the property of the author and is intended for use only by the client. It is not to be used for any other purpose without the written consent of the author. The author accepts no liability for any errors or omissions in this drawing.

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 arbortech consulting ltd
 Suite 200 - 3740 Chatham Street
 Richmond, BC Canada V7E 2Z3
 F 604 275 3484 F 604 275 9554
 email: info@arbortech.bc.ca

TREE RETENTION DRAWING

Client:	AJIT THALIWAL - GURJ JOHAL
Project:	PROPOSED TWO LOT SUBDIVISION
Address:	10391 FINLAYSON DRIVE RICHMOND
Date:	AUGUST 17 2011
Our File:	11213

Muni File: **PH 78**
Scale 1:250



**Richmond Zoning Bylaw 8500
Amendment Bylaw 8822 (RZ 11-588990)
10391 FINLAYSON DRIVE**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **SINGLE DETACHED (RS1/B)**.

P.I.D. 009-275-321

The South 134 Feet of Lot "B" Section 23 Block 5 North Range 6 West New Westminster District Plan 22503

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 8822**".

FIRST READING

NOV 14 2011

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER DEVELOPMENT REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

MAYOR

CORPORATE OFFICER