



To: Planning Committee **Date:** July 2, 2009

From: Brian J. Jackson, MCIP **File:** RZ 08-442356
Director of Development

Re: **Application by Jude and Lillian Remedios for Rezoning at 4440 No. 4 Road from Single-Family Housing District, Subdivision Area F (R1/F) and 4433 Fisher Drive from Single-Family Housing District, Subdivision Area B (R1/B) to Single-Family Housing District, Subdivision Area C (R1/C)**

Staff Recommendation

That Bylaw No. 8448, for the rezoning of 4440 No. 4 Road from “Single-Family Housing District, Subdivision Area F (R1/F)” and 4433 Fisher Drive from “Single-Family Housing District, Subdivision Area B (R1/B)” to “Single-Family Housing District, Subdivision Area C (R1/C)”, 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
Real Estate Services.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Jude and Lillian Remedios have applied to the City of Richmond for permission to rezone 4440 No. 4 Road from Single-Family Housing District, Subdivision Area F (R1/F) and 4433 Fisher Drive from Single-Family Housing District, Subdivision Area B (R1/B) to Single-Family Housing District, Subdivision Area C (R1/C) to permit these lots to be consolidated and subdivided into two (2) Single-Family Housing District, Subdivision Area C (R1/C) lots (**Attachment 1**).

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Background

This rezoning application was the subject of a previous staff report to Planning Committee (**Attachment 3**). At the March 3, 2009 Planning Committee meeting, Peter Gee, a representative of the owners of the subject properties, expressed concern regarding vehicle access requirements to the proposed new lots and the implications this would have on the development potential of the subject properties, specifically the lot facing Fisher Drive.

In response, Committee passed a referral requesting that staff discuss the Right-of-Way issue further with the applicant. This report addresses the referral.

Surrounding Development

The subject properties are located on the east side of No. 4 Road between Alderbridge Way and Cambie Road, in the West Cambie neighbourhood of Odlinwood. This established residential neighbourhood consists predominantly of single-family dwellings on lots zoned Single-Family Housing District, Subdivision Area B (R1/B).

The developments immediately surrounding the site are as follows:

- To the north, are two newer single-family homes zoned Single-Family Housing District, Subdivision Area D (R1/D) and Single-Family Housing District, Subdivision Area B (R1/B);
- To the east, are newer homes zoned Single-Family Housing District, Subdivision Area B (R1/B) and Odlin Park;
- To the south, is an older single-family home zoned Single-Family Housing District, Subdivision Area C (R1/C) and a newer home zoned Single-Family Housing District, Subdivision Area B (R1/B); and
- To the west, is a lot recently zoned Comprehensive Development District (CD/185) to allow for the development of 92 townhouse units.

Related Policies & Studies

OCP Designation

The Official Community Plan's (OCP) Generalized Land Use Map designation for this property is *Neighbourhood Residential*, and the West Cambie Area Plan Map designation is Residential (Single-Family only). This redevelopment proposal is consistent with these designations.

Lot Size Policy

There is no Lot Size Policy for this area.

Lane Establishment and Arterial Road Redevelopment Policies

This rezoning application is consistent with the City's Lane Establishment and Arterial Road Redevelopment Policies, as it is a Single-Family residential proposal on No. 4 Road, which is a major arterial road, with provisions for alternate vehicle access.

OCP Aircraft Noise Sensitive Development Policy

The subject property is located within *Area 2 – High Aircraft Noise Area (Attachment 4)* in which rezoning from one Single-Family Housing District (R1) Subdivision Area to another Subdivision Area (A to K) may be considered, subject to all applicable policies. This development proposal is consistent with this designation. As a condition of rezoning, an aircraft noise covenant is required to be registered on Title.

Staff Comments

Trees & Landscaping

There are no trees on the subject properties, however the survey provided indicates that there are eight (8) bylaw-size trees within 2 m of the property line on the neighbouring property to the south (4460 No. 4 Road) and one (1) bylaw-size tree on the neighbouring property to the northeast (4411 Fisher Drive) whose drip line encroaches onto the subject site (**Attachment 5**).

Tree protection barriers around the eight (8) coniferous trees on the property to the south (4460 No. 4 Road) must be installed prior to demolition of the existing dwelling, and must remain on the site until the construction of future dwellings is complete. A tree protection barrier is not required around the tree on the neighbouring property to the northeast (4411 Fisher Drive) as the tree trunk is located further away from the property line than the minimum requirement for a tree protection barrier.

The landscape guidelines in the Official Community Plan's (OCP) Arterial Road Redevelopment Policy suggest that two (2) trees (deciduous or coniferous) be planted in the front yard of each future lot which fronts an arterial road, and that various landscape features be addressed. 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 ensure that the front yard of the future lot fronting No. 4 Road will be enhanced. In addition, ensure that replacement trees are planted and maintained on the lot fronting Fisher Drive, the applicant is required to submit a landscaping security to the City in the amount of \$1,000 (\$500/tree).

Site Servicing & Vehicle Access

There are no servicing concerns.

As the subject property is located within 800 m of an intersection of a Provincial Limited Access Highway, a City road a referral was sent to the Ministry of Transportation. The Ministry has granted Preliminary Approval for one year.

The developer is required to grant a 4 m Public Right-of-Passage (PROP) Right-of-Way (ROW) along the south property line from Fisher Drive to the proposed west lot facing No. 4 Road (**Attachment 6**). The south edge of this driveway is to extend at least 8 m west of the east property line of the 4460 No. 4 Road lot and the north edge should be extended at least 4 m west of the east property line of the 4460 No. 4 Road. A wide corner must be provided to allow adequate turning manoeuvrability to/from the 4460 No. 4 Rd lot. The purpose of the driveway is to provide access for both subdivided lots and 4460 No. 4 Road so that no access would be from No. 4 Road as per the Residential Lot (Vehicular) Access Regulation Bylaw No. 7222.

Affordable Housing

Council adopted an Interim Affordable Housing Strategy for Single-Family Developments on April 28, 2008. This Interim Strategy applies to in-stream single-family rezoning applications received after July 1, 2007, until a revised Richmond Affordable Housing Strategy related to single-family rezoning applications is approved. The Interim Strategy requires a suite on 50% of new lots or a cash-in-lieu contribution of \$1.00/ft² of total building area toward the Affordable Housing Reserve.

In order to help meet the City's targets for rental housing, the applicant has agreed to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Interim Affordable Housing Strategy, the developer is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection would be granted until a 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 a condition of rezoning adoption. This agreement will be discharged from Title on the lot without the secondary suite, at the initiation of the applicant.

Flood Management

In accordance with the Interim Flood Protection Management Strategy, the applicant is required to register a flood indemnity covenant on title prior to final adoption of the rezoning bylaw.

Airport Noise Sensitive Development Policy

The Aircraft Noise Sensitive Development Policy applies to the subject site and requires a noise abatement covenant for sites being rezoned or subdivided for new residential development. The applicant would be required to sign this covenant if the application was supported.

Subdivision

Covenant AD250057 is registered on title of the property located at 4433 Fisher Drive to ensure that "the lands will remain vacant and that Building Permits will not be issued". This covenant was placed on the property by the City of Richmond, as the property does not currently meet the minimum lot size required for use as a site for a dwelling. However, the proposal to consolidate 4433 Fisher Drive and 4440 No.4 Road and subdivide into two (2) lots will create two buildable lots that meet the minimum lot size requirements of a Single-Family Housing District, Subdivision Area C (R1/C) lot.

Prior to approval of subdivision, the developer will be required to:

- 1) Discharge covenant AD250057;
- 2) Demolish or move the existing house to comply with the Zoning Bylaw; and
- 3) Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and servicing costs.

Analysis

At the March 3rd, 2009 Planning Committee, Peter Gee, a representative of the owners of the subject properties, expressed concern regarding vehicle access requirements to the proposed new lots and the implications this would have on the development potential of the subject properties, specifically the lot facing Fisher Drive.

In response, Committee passed a referral requesting that staff discuss the Right-of-Way issue further with the applicant. Further discussions between staff, the applicant and the Transportation Department resulted in a reduction in the driveway width requirement from 5 m to 4 m, which the applicant is satisfied will be able to accommodate a good site plan for both proposed lots.

Staff support the proposed rezoning, as it is consistent with the City's Lane Establishment and Arterial Road Redevelopment Policies since it is a Single-Family residential proposal with provisions for alternate vehicle access. This application is also consistent with applicable land use designations guiding development in this area.

Financial Impact or Economic Impact

None.

Conclusion

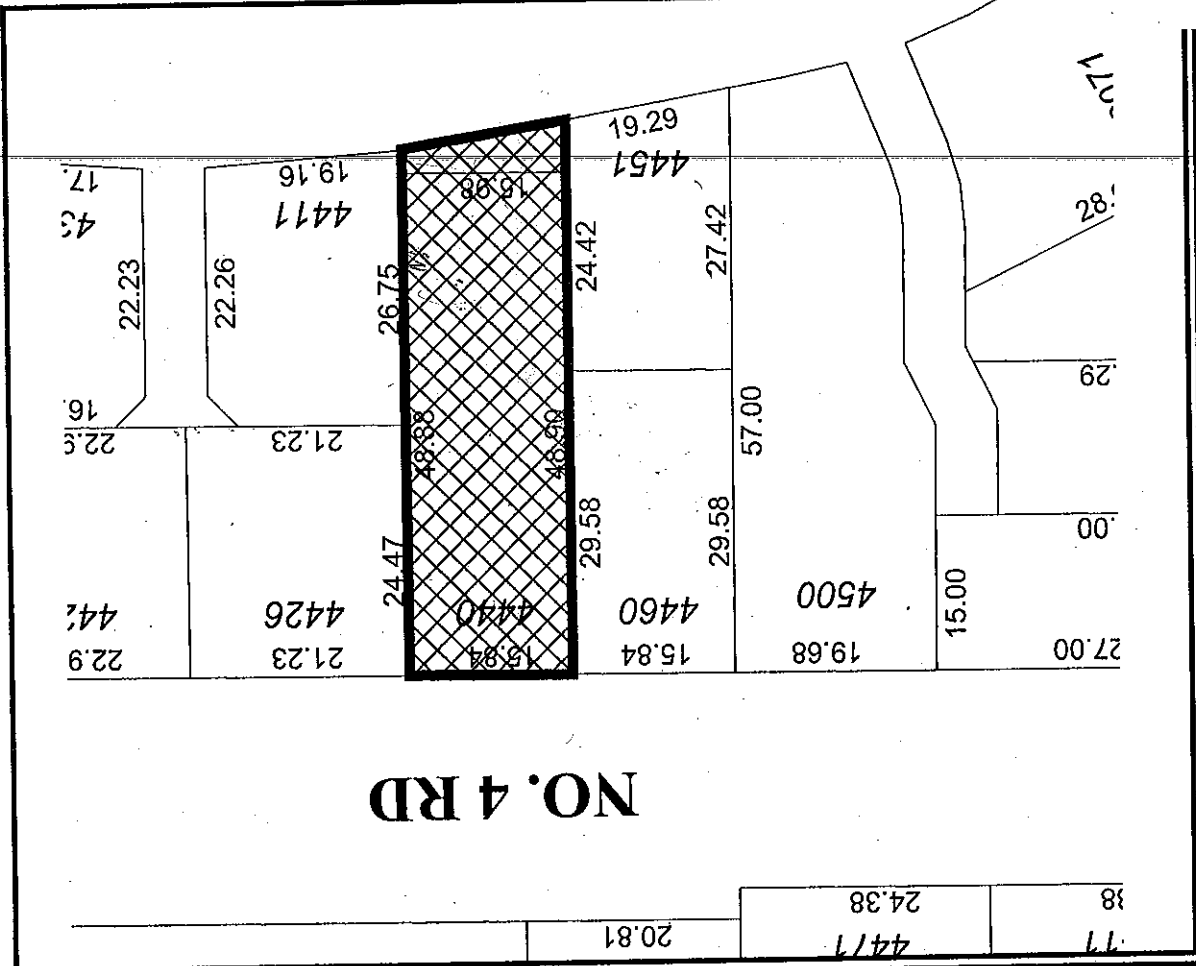
This rezoning application to permit consolidation of two (2) lots and subdivision into (2) smaller lots complies with the West Cambie Area Plan, as well as with all applicable policies and land use designations contained within the Official Community Plan (OCP). On this basis, staff support the application.



Erika Syvokas
Planning Assistant
(604.247.4674)

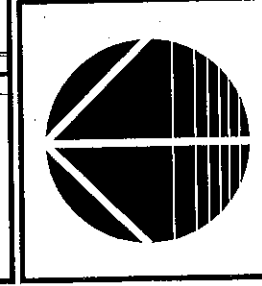
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- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Report to March 3rd, 2009 Planning Committee dated February 12, 2009
- Attachment 4: Aircraft Noise Sensitive Development Location Map
- Attachment 5: Tree Survey & Conceptual Subdivision Plan
- Attachment 6: Sketch of Proposed 4 m Driveway Requirement
- Attachment 7: Rezoning Considerations Concurrence



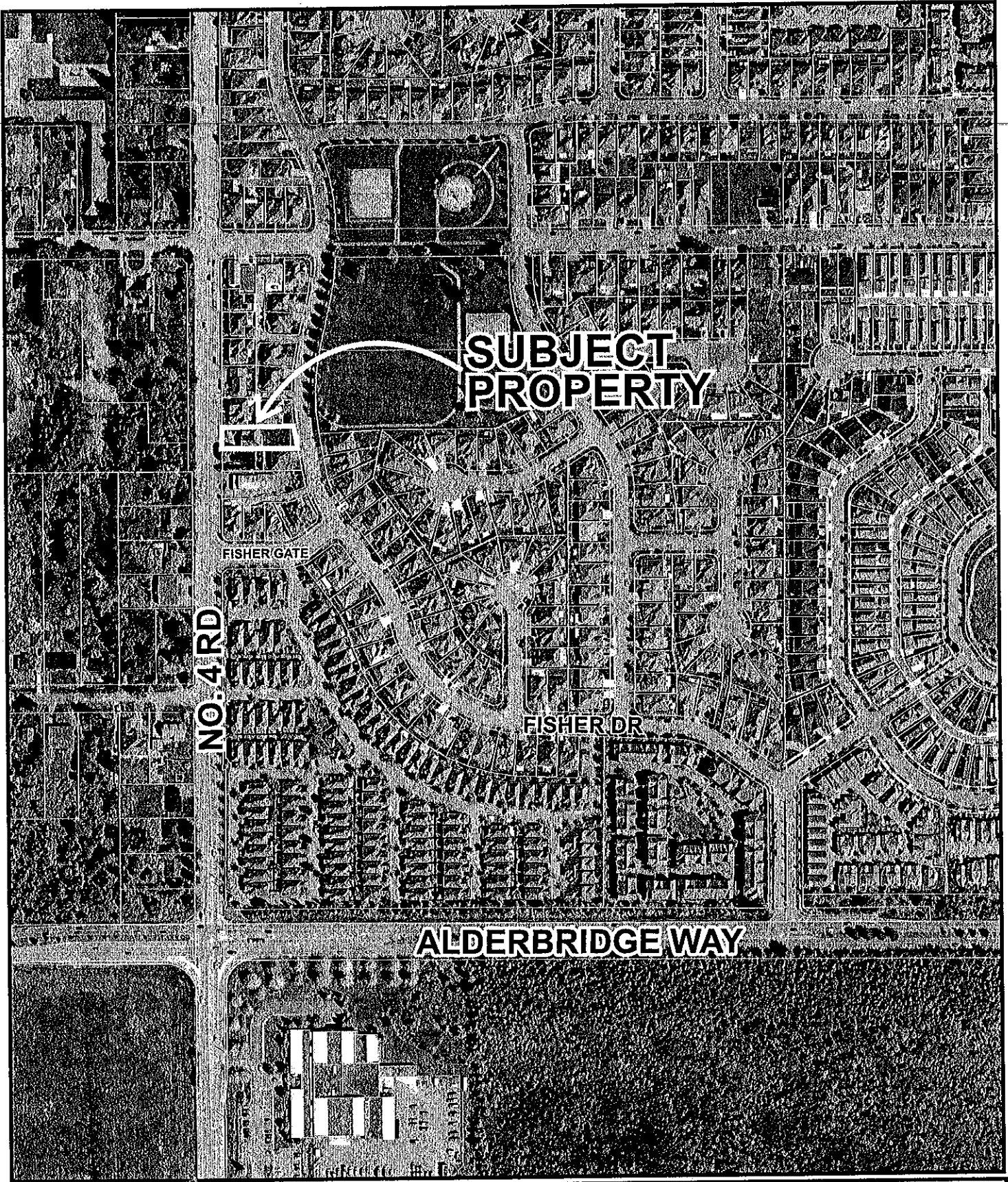
Original Date: 10/09/08
 Revision Date: 10/15/08
 Note: Dimensions are in METRES

RZ 08-442356



City of Richmond





**SUBJECT
PROPERTY**

NO. 4 RD

FISHER GATE

FISHER DR

ALDERBRIDGE WAY



RZ 08-442356

Original Date: 10/09/08

Amended Date: 10/15/08

Note: Dimensions are in METRES



City of Richmond

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

Development Application Data Sheet

RZ 08-442356
Attachment 2

 Address: 4440 No. 4 Road and 4433 Fisher Drive

 Applicant: Jude and Lillian Remedios

 Planning Area(s): Cambie West

	Existing	Proposed
Owner:	Jude & Lillian Remedios	To be determined
Site Size (m²):	4440 No. 4 Road – 777.5 m ² 4433 Fisher Drive – 58.4 m ²	4440 No. 4 Road approx. 418 m ² 4433 Fisher Drive approx. 418 m ²
Land Uses:	One (1) Single-Family Residential dwelling	Two (2) Single-Family Residential dwellings
OCP Designation:	Generalized Land Use Map – <i>Neighbourhood Residential</i>	No change
Area Plan Designation:	Cambie West Area Plan – <i>Residential (Single-Family only)</i>	No change
702 Policy Designation:	None	No change
Zoning:	Single-Family Housing District, Subdivision Area F (R1/F) and Single-Family Housing District, Subdivision Area B (R1/B)	Single-Family Housing District, Subdivision Area C (R1/C)

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. 418 m ²	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.



City of Richmond
 Planning and Development Department

Report to Committee

To: Planning Committee **Date:** February 12, 2009
From: Brian J. Jackson, MCIP **File:** ~~RZ 08 442356~~
 Director of Development
Re: **Application by Jude and Lillian Remedios for Rezoning at 4440 No. 4 Road from Single-Family Housing District, Subdivision Area F (R1/F) and 4433 Fisher Drive from Single-Family Housing District, Subdivision Area B (R1/B) to Single-Family Housing District, Subdivision Area C (R1/C)**

Staff Recommendation

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The developments immediately surrounding the site are as follows:

- To the north, are two newer single-family homes zoned Single-Family Housing District, Subdivision Area D (R1/D) and Single-Family Housing District, Subdivision Area B (R1/B);
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Related Policies & Studies

OCP Designation

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Lot Size Policy

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Staff Comments

Trees & Landscaping

There are no trees on the subject properties, however the survey provided indicates that there are eight (8) bylaw-size trees within 2 m of the property line on the neighbouring property to the south (4460 No. 4 Road) and one (1) bylaw-size tree on the neighbouring property to the northeast (4411 Fisher Drive) whose drip line encroaches onto the subject site (**Attachment 4**).

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The landscape guidelines in the Official Community Plan's (OCP) Arterial Road Redevelopment Policy suggest that two (2) trees (deciduous or coniferous) be planted in the front yard of each future lot which fronts an arterial road, and that various landscape features be addressed. 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 ensure that the front yard of the future lot fronting No. 4 Road will be enhanced.

Site Servicing & Vehicle Access

There are no servicing concerns.

As the subject property is located within 800 m of an intersection of a Provincial Limited Access Highway, a City road a referral was sent to the Ministry of Transportation. The Ministry has granted Preliminary Approval for one year.

The developer is required to grant a 5 m Public Right-of-Passage (PROP) Right-of-Way (ROW) along the south property line from Fisher Drive to the proposed west lot facing No. 4 Road. This driveway is to extend far enough to the west to provide access to the neighbouring property to the south, 4460 No. 4 Road. The purpose of the driveway is to provide access for both

subdivided lots and 4460 No. 4 Road so that no access would be from No. 4 Road as per the Residential Lot (Vehicular) Access Regulation Bylaw No. 7222.

Affordable Housing

Council adopted an Interim Affordable Housing Strategy for Single-Family Developments on April 28, 2008. This Interim Strategy applies to in-stream single-family rezoning applications received after July 1, 2007, until a revised Richmond Affordable Housing Strategy related to single-family rezoning applications is approved. The Interim Strategy requires a suite on 50% of new lots or a cash-in-lieu contribution of \$1.00/ft² of total building area toward the Affordable Housing Reserve.

In order to help meet the City's targets for rental housing, the applicant has agreed to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Interim Affordable Housing Strategy, the developer is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection would be granted until a 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 a condition of rezoning adoption. This agreement will be discharged from Title on the lot without the secondary suite, at the initiation of the applicant.

Flood Management

In accordance with the Interim Flood Protection Management Strategy, the applicant is required to register a flood indemnity covenant on title prior to final adoption of the rezoning bylaw.

Airport Noise Sensitive Development Policy

The Aircraft Noise Sensitive Development Policy applies to the subject site and requires a noise abatement covenant for sites being rezoned or subdivided for new residential development. The applicant would be required to sign this covenant if the application was supported.

Subdivision

Covenant AD250057 is registered on title of the property located at 4433 Fisher Drive to ensure that "the lands will remain vacant and that Building Permits will not be issued". This covenant was placed on the property by the City of Richmond, as the property does not currently meet the minimum lot size required for use as a site for a dwelling. However, the proposal to consolidate 4433 Fisher Drive and 4440 No.4 Road and subdivide into two (2) lots will create two buildable lots that meet the minimum lot size requirements of a Single-Family Housing District, Subdivision Area C (R1/C) lot.

Prior to approval of subdivision, the developer will be required to:

- 1) Discharge covenant AD250057; and
- 2) Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and servicing costs.

Analysis

The purpose of this rezoning application is to facilitate a two-lot subdivision. The future lots will have vehicle access from a private driveway off of Fisher Drive, with no access being permitted to or from No.4 Road. Staff support the proposed rezoning, as it is consistent with the applicable land use designations guiding development in this area.

Financial Impact or Economic Impact

None.

Conclusion

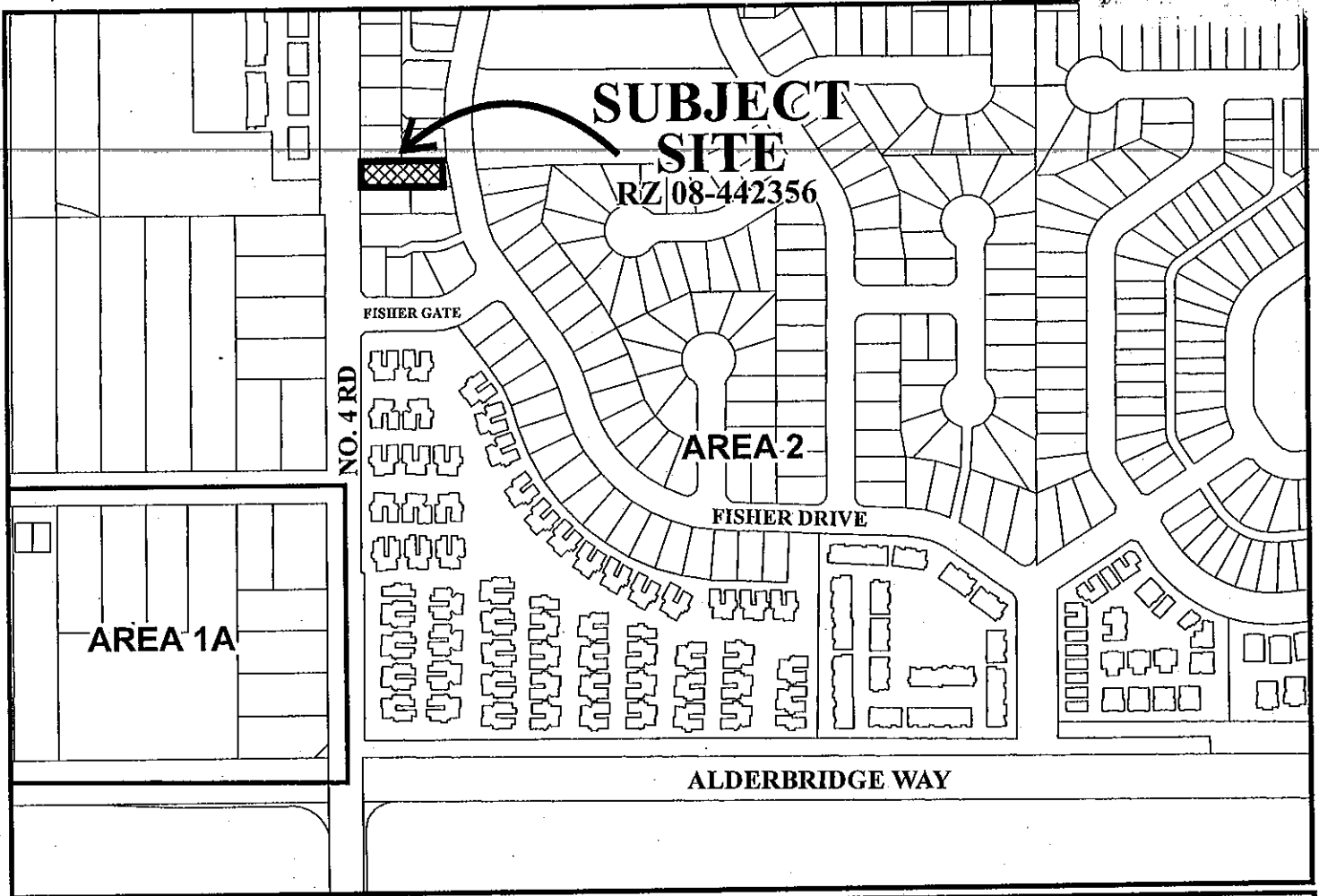
This rezoning application to permit consolidation of two (2) lots and subdivision into (2) smaller lots complies with the West Cambie Area Plan, as well as with all applicable policies and land use designations contained within the Official Community Plan (OCP). On this basis, staff support the application.



Erika Syvokas
Planning Assistant
(604.247.4674)

ES:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Aircraft Noise Sensitive Development Location Map
- Attachment 4: Tree Survey & Conceptual Subdivision Plan
- Attachment 5: Rezoning Considerations Concurrence



LEGEND

**Aircraft Noise Sensitive Development Policy (ANSND) Areas
(see Aircraft Noise Sensitive Development Policy Table)**

No New Aircraft Noise Sensitive Land Uses:

AREA 1A - New Aircraft Noise Sensitive Land Use Prohibited.

AREA 1B - New Residential Land Uses Prohibited.

Areas Where Aircraft Noise Sensitive Land Uses May be Considered:
Subject to Aircraft Noise Mitigation Requirements:

AREA 2 - All Aircraft Noise Sensitive Land Uses (Except New Single Family) May be Considered (see Table for exceptions).

AREA 3 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

AREA 4 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

No Aircraft Noise Mitigation Requirements:

AREA 5 - All Aircraft Noise Sensitive Land Use Types May Be Considered.



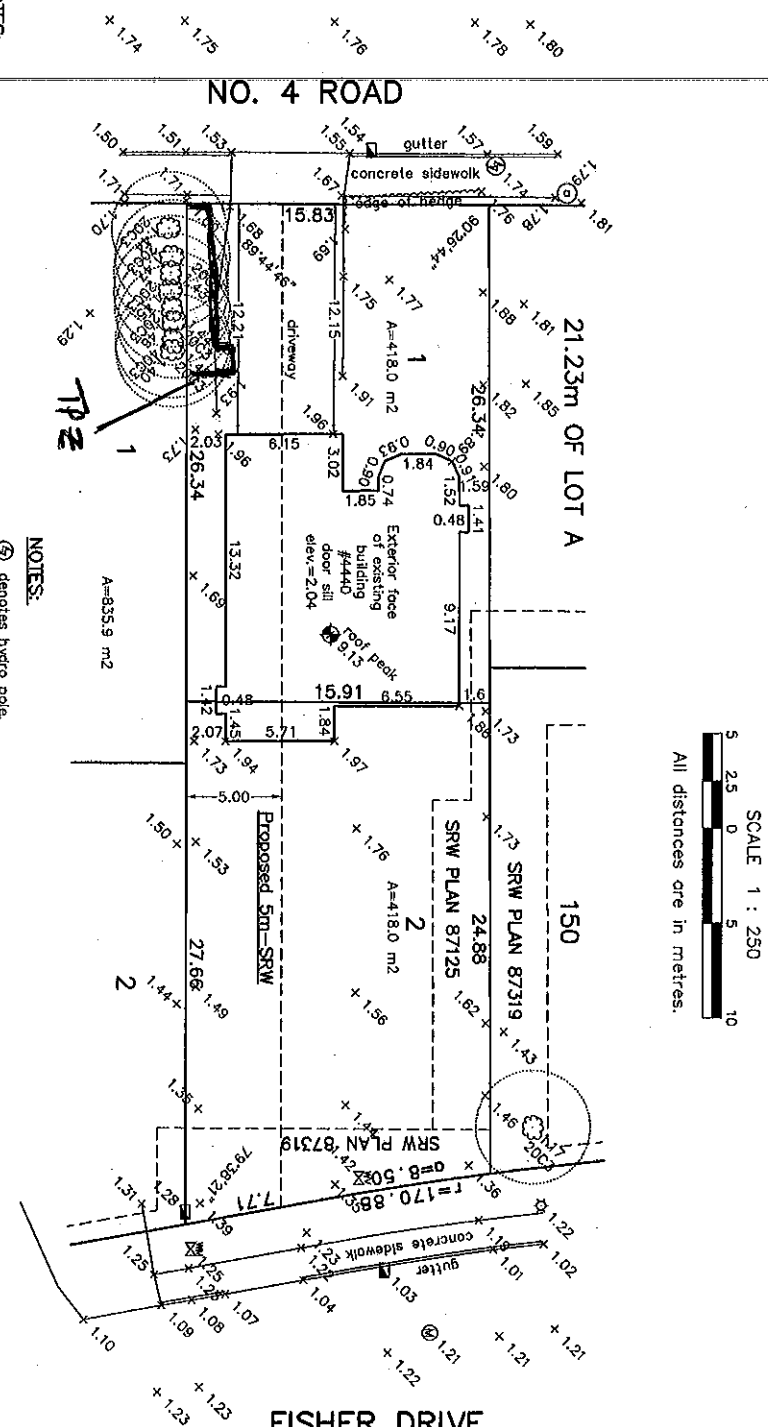
Aircraft Noise Sensitive Development Location Map

Original Date: 10/09/08

Amended Date:

Note: Dimensions are in METRES

SURVEY PLAN OF LOTS 1 AND 2, FORMERLY LOT 33, PLAN 57889 AND LOT 155, PLAN 87318
SECTION 35, BLOCK 5 NORTH, RANGE 6 WEST
NEW WESTMINSTER DISTRICT



NOTES:

- Lot dimensions are derived from field survey.
- Elevations are based on the Geodetic Datum of Richmond and are derived from HPN#196 (77H4970) situated at the intersection of Brown Road and Brown Gate. Elevation = 1.793 metres.
- All elevations along curb lines are gutter levels.
- All dimensions are to exterior faces unless otherwise noted.

NOTES:

- ⊕ denotes hydrate pole.
- ☆ denotes lamp standard.
- ⊞ denotes catch basin.
- ⊙ denotes manhole.
- ⊞ denotes water meter.
- ⊙ denotes hydrant.
- ⊙ denotes tree.
- 8C10 - drip line radius (metre)
- C - coniferous
- D - deciduous
- ⊘ diameter (centimetres)

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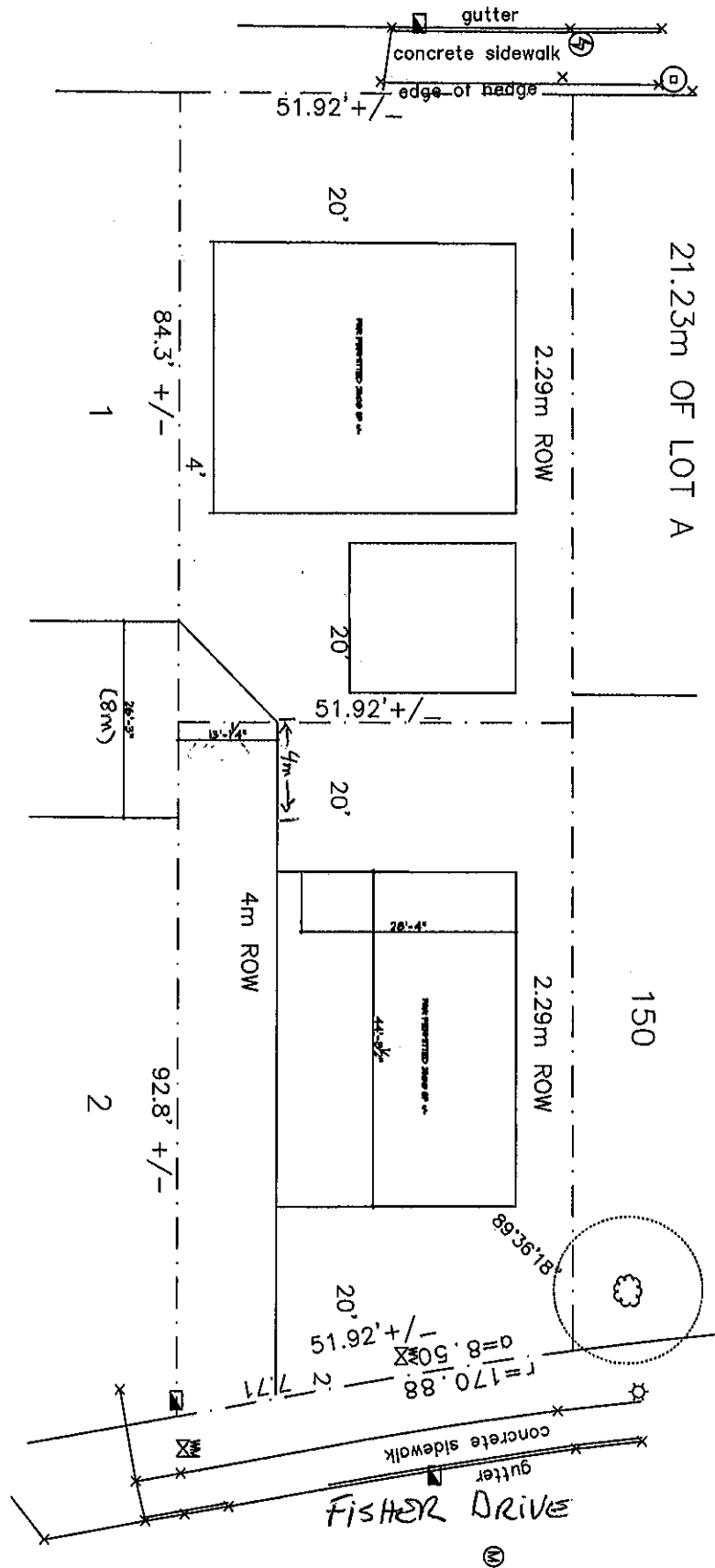
PID:
004-025-296(Lot 33)
016-795-431(Lot 155)
FILE: R4-44407P

LOUIS NGAN LAND SURVEYING
4938 VICTORIA DRIVE
VANCOUVER, B.C., V5P 3T6
(604) 327-1535

LOUIS NGAN B.C.L.S.

CIMC ADDRESS
4440 NO. 4 ROAD, and
4433 FISHER DRIVE
RICHMOND, B.C.
CERTIFIED CORRECT,
DATED THIS 11TH DAY OF FEB, 2009

SKETCH OF PROPOSED 4m DRIVEWAY REQUIREMENT NO. 4 ROAD



July 2, 2009

RZ 08-442356

Rezoning Considerations

4440 No. 4 Road and 4433 Fisher Drive RZ 08-442356

Prior to final adoption of Zoning Amendment Bylaw 8448, the developer is required to complete the following:

1. Registration of an aircraft noise sensitive use covenant on title.
2. Submission of a Landscape Plan for the property fronting No. 4 Road, 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. The Landscape Plan should comply with the guidelines of the Official Community Plan's Arterial Road Redevelopment Policy, and should include a minimum of two (2) trees in the front yard of the lot fronting No. 4 Road.
3. Submission of a Landscaping Security to the City of Richmond in the amount of \$1,000 (\$500/tree) for the planting and maintenance of two (2) replacement trees on the lot fronting Fisher Drive with a minimum calliper/height of 6 cm if deciduous or 3.5 m if coniferous.
4. Grant a 4 m Public Right-of-Passage (PROP) Right-of-Way (ROW) along the south property line from Fisher Drive to proposed west lot facing No. 4 Road (**Attachment 6**). The south edge of this driveway is to extend at least 8 m west of the east property line of the 4460 No. 4 Road lot and the north edge should be extended at least 4 m west of the east property line of the 4460 No. 4 Road. A wide corner must be provided to allow adequate turning manoeuvrability to/from the 4460 No. 4 Rd lot. The purpose of the driveway is to provide access for both subdivided lots and 4460 No. 4 Road so that no access would be from No. 4 Road as per Bylaw No. 7222.
5. Registration of a restrictive covenant on title to ensure that no final Building Permit inspection would be granted until a secondary suite is constructed on one (1) of the two (2) lots to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.
6. Registration of a flood indemnity covenant on title.

Prior to demolition stage, the following must be addressed:

1. Installation of tree protection fencing around the eight (8) coniferous trees along the property line on 4460 No. 4 Road, at a minimum distance of 1.2 m from the base of the trunk for the first seven (7) trees and 2.4 m from the base of the trunk for the last tree in the row.

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

1. Discharge covenant AD250057;
2. Demolish or move the existing house to comply with the Zoning Bylaw; and
3. Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and servicing costs.

[Signed original on file]

Signed _____



Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8448 (RZ 08-442356)
4440 NO. 4 ROAD & 4433 FISHER 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 and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA C (R1/C).

P.I.D. 004-025-296

Lot 33 Section 35 Block 5 North Range 6 West New Westminster District Plan 57889

and

P.I.D. 016-795-431

Lot 155 Except: Part Subdivided by Plan LMP17334, Section 35 Block 5 North Range 6 West New Westminster District Plan 87318

- 2. This Bylaw may be cited as "Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8448".

FIRST READING

JUL 27 2009

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER