



# City of Richmond

## Report to Committee Planning and Development Department

**To:** Planning Committee

*To: Planning Comm. May 23, 2012*  
**Date:** April 27, 2012

**From:** Brian J. Jackson, MCIP  
Director of Development

**File:** RZ 09-496145

**Re:** Application by Timothy Tse for Rezoning at 7840 Bennett Road from Single Detached (RS1/E) to Infill Residential (RI2)

### Staff Recommendation

That Bylaw No. 8902, for the rezoning of 7840 Bennett Road from "Single Detached (RS1/E)" to "Infill Residential (RI2)", be introduced and given first reading.

Brian J. Jackson, MCIP  
Director of Development

EL:rg  
Att.

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

## Staff Report

### Origin

Timothy Tse has applied to the City of Richmond for permission to rezone 7840 Bennett Road (**Attachment 1**) from "Single Detached (RS1/E)" to "Infill Residential (RI2)" in order to create two (2) new lots and develop two (2) front-to-back duplexes with vehicular access from the rear lane (**Attachment 2**). A Development Permit application is required and has been received to address the form and character of the proposed duplexes.

### Findings of Fact

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

### Surrounding Development

To the North: Across Bennett Road, single-family dwellings on lots zoned Single Detached (RS1/E);

To the East/West: Front-to-back duplexes with vehicle access from the rear lane on lots zoned Infill Residential (RI1); and

To the South: A mix of compact single-family dwellings and front-to-back duplexes on lots zoned Single Detached (RS1/A) and Infill Residential (RI1), fronting Acheson Road with vehicle access from the rear laneway.

### Related Policies & Studies

#### Official Community Plan - Acheson Bennett Sub-Area Plan

The subject site is in the Acheson Bennett Sub-Area Plan (Schedule 2.10B) of the Official Community Plan (OCP). This area is designated as "Residential (Mixed Single-Family and Small Scale Multi-Family)" (**Attachment 4**). The proposal for two (2) front-to-back duplexes fits well within the established development pattern within the Sub-Area.

#### Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). The site is located within an area where the minimum habitable elevation is 2.9 m geodetic; however, there are provisions to permit habitable space, provided it is located a minimum of 0.3 m above the highest level of the crown of any road that is adjacent to the parcel.

#### Affordable Housing Strategy

The applicant proposes to make a cash contribution to the affordable housing reserve fund in accordance to the City's Affordable Housing Strategy. For Infill Residential (RI2) townhouse developments, the Richmond Zoning Bylaw (Section 5.15) specifies a voluntary cash contribution of \$2.00 per buildable square foot directed to the Affordable Housing Reserve Fund to achieve an increase in density from 0.4 to 0.55 FAR. A cash contribution of \$8,504 towards the City's Affordable Housing Reserve will be made.

**Public Input**

The applicant has forwarded confirmation that a development sign has been posted on the site. Staff received an enquiry from the property owner of 7800 Bennett Road, Mr. Bodnar, regarding frontage and lane improvements. Staff have provided the relevant information by email.

Mr. Bodnar has also expressed his concerns related to parking on the block. Based on comments from Engineering Works and Transportation, vehicle access is to be from the back lane only. The existing driveway on Bennett Road will be removed as part of the proposed development, providing additional street parking on Bennett Road. Three (3) parking stalls will be provided on each lot, which complies with the zoning requirement.

Staff have not received any telephone calls or written correspondence in opposition to the subject application.

**Staff Comments**Tree Retention and Replacement

A Tree Survey and a Certified Arborist's report were submitted by the applicant in support of the application. Four (4) bylaw-sized trees are located on site and all of them are identified as "moderate" to "good" condition. However, they are all located well within the allowable building envelope such that successful retention cannot be achieved.

Four (4) bylaw-sized trees are located within the lane dedication area. The Scotch Pine has been previously topped and exhibits an asymmetrical crown due to excessive pruning. Two (2) Norway Maple are in very poor condition due to excessive branch die-back and branch removal. One (1) Norway Maple tree is in good condition but would not survive the required lane extension and service upgrades through the lane dedication area. All of these four (4) trees are proposed for removal.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) and the size requirements for replacement trees in the Tree Protection Bylaw No. 8057, 16 replacement trees are required. The developer is proposing to plant eight (8) new trees on-site (**Attachment 2**) and to provide a voluntary contribution of \$4,000 to the City's Tree Compensation Fund in-lieu of planting the remaining eight (8) replacement trees.

The applicant has also agreed to protect a 15 cm caliper Honey Locust tree located on the adjacent property to the west at 7800/7808 Bennett Road. A Tree Retention Plan is attached (**Attachment 5**). Tree protection fencing must be installed to City standards prior to demolition of the existing dwelling on the subject site, and must remain in place until construction and landscaping on the future lots is completed. As a condition to rezoning, the applicant is required to submit a proof of contract with a Certified Arborist to monitor all works to be done near or within the tree protection zone.

### Site Servicing

An independent review of servicing requirements (sanitary and storm) has been conducted by the applicant's engineering consultant and reviewed by the City's Engineering Department. The Capacity Analysis concludes that storm upgrades to the existing system are required to support the proposed development. Prior to approval of Subdivision, the developer is required to enter into a standard Servicing Agreement for the design and construction of the storm upgrades as identified in the capacity analysis (see **Attachment 6** for details).

### Frontage and Lane Improvements

Prior to final adoption, the developer is required to dedicate a strip of property along the entire south property line for proposed lane extension (6.0 m wide at the west property line, tapering to 4.5 m wide at the east property line of the site).

As part of the Servicing Agreement for the servicing upgrades, the design and construction of frontage and lane improvements are also required (see **Attachment 6** for details).

### Vehicle Access

No direct access is permitted to Bennett Street. As a condition to rezoning, a restrictive covenant is required to ensure that vehicular access to the future lots will be from the proposed lane extension only.

### Subdivision

At future Subdivision stage, the developer will be required to pay DCC's (City & GVS&DD), School Site Acquisition Charge, and Address Assignment Fee. Servicing connections are to be determined at Servicing Agreement stage.

### Indoor/Outdoor Amenity

No common shared Indoor/Outdoor Amenity Space is required for this development, but each unit will have access to private outdoor space.

### **Analysis**

The proposal to develop two (2) front-to-back duplexes (4 units total) is consistent with the objectives of the OCP-City Centre Acheson Bennett Sub-Area Plan in terms of land use, character, and density. The form of development is similar to other duplexes previously approved on the south side of Bennett Road and north side of Acheson Road. The proposed site layout provides for an attractive pedestrian-oriented streetscape along Bennett Road, which is consistent with the guidelines for the Acheson Bennett Sub-Area.



Accessibility/Aging In Place

The applicant has proposed units that include substantial living areas at the ground floor. Accessible features will be provided to all units (e.g., inclusion of blocking to bathrooms for installation of grab-bars, and provision of lever door handles.) In addition, the rear units of each duplex will be convertible and have the base level of accessible features described above, and also, widened doors, stairs and corridors throughout, and blocking/ electrical installed for a future stair lift. Accessible features will be fully detailed on Development Permit and Building Permit Drawings.

The Development Permit application will provide more information and detail regarding the form and character of the proposal in addition to the landscaping and design of the private outdoor amenity area of each unit.

Requested Variances

The proposed development is generally in compliance with the Infill Residential (RI2) Zone except for a small projection beyond the vertical lot depth envelope. A variance will be required at the Development Permit stage to accommodate a gable ridge projection to maintain the desired form and character encouraged by the Sub-Area Plan.

Design Review and Future Development Permit Considerations

The rezoning conditions will not be considered satisfied until a Development Permit application is processed to a satisfactory level. In association with the Development Permit, the following issues are to be further examined:

- Building form and architectural character;
- Unit entry design with respect to CPTED principles;
- Location and design of the convertible unit and other accessibility features;
- Landscaping design and enhancement of the private outdoor area to maximize use; and
- Opportunities to maximize permeable surface areas and articulate hard surface treatment.

**Financial Impact or Economic Impact**

None.

**Conclusion**

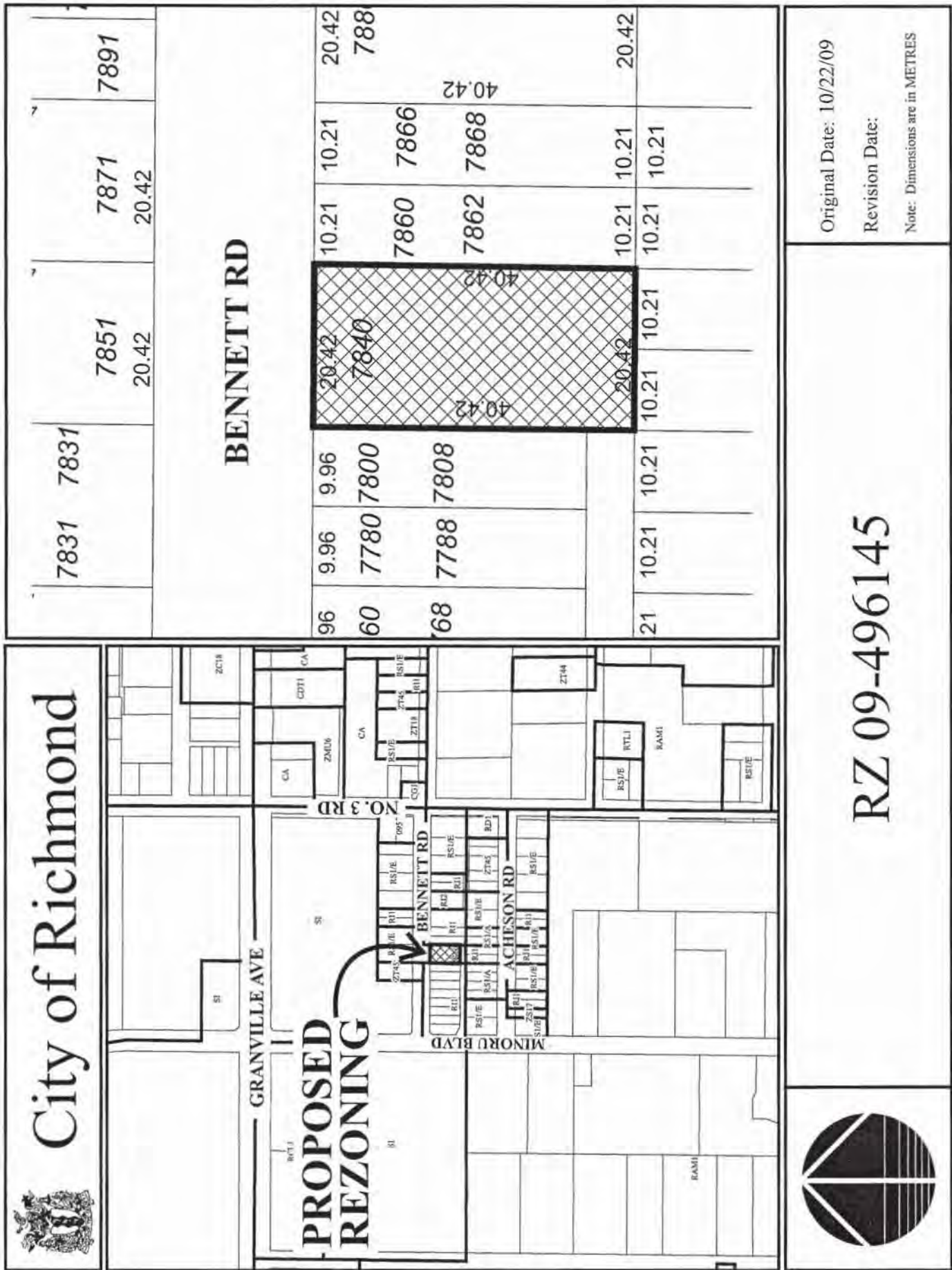
The proposal to develop two (2) front-to-back duplexes (4 units total) is consistent with the objectives of the City Centre Acheson Bennett Sub-Area Plan in terms of land use, character, and density. Overall, the project is attractive and a good fit with the neighbourhood. Further review of the project design will be required to ensure a high quality project, and will be completed as part of the future Development Permit process. On this basis, staff recommend that the proposed rezoning be approved.



Edwin Lee  
Planner I  
(604-276-4121)

EL:rg

- Attachment 1: Location Map
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Acheson Bennett Sub-Area Plan
- Attachment 5: Tree Retention Plan
- Attachment 6: Rezoning Considerations Concurrence







RZ 09-496145

Original Date: 10/22/09

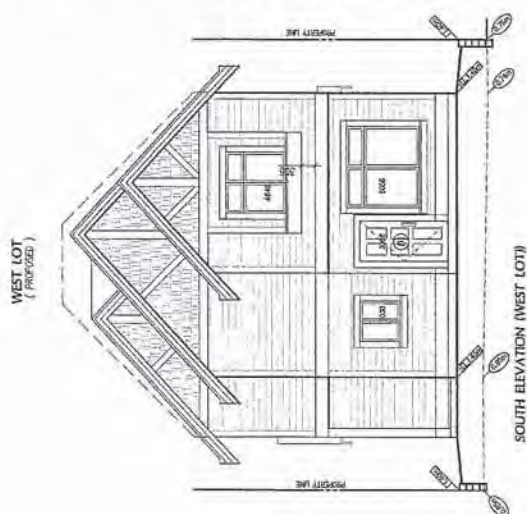
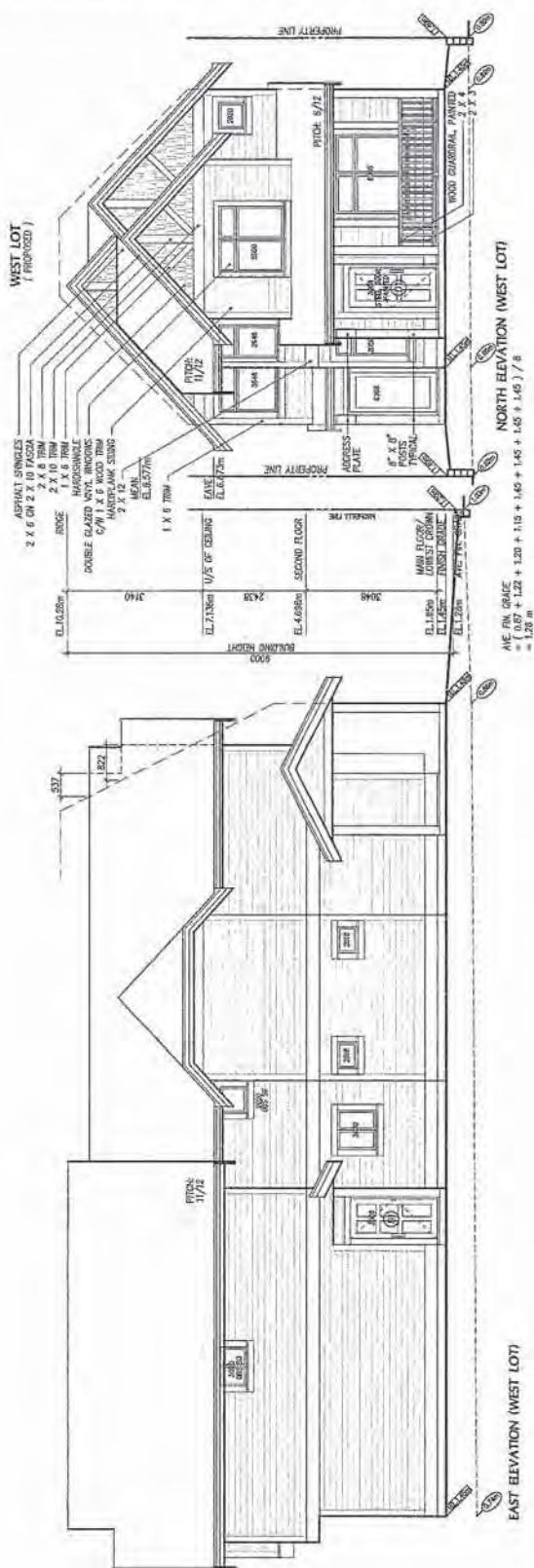
Amended Date: 04/30/12

Note: Dimensions are in METRES



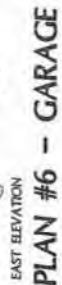




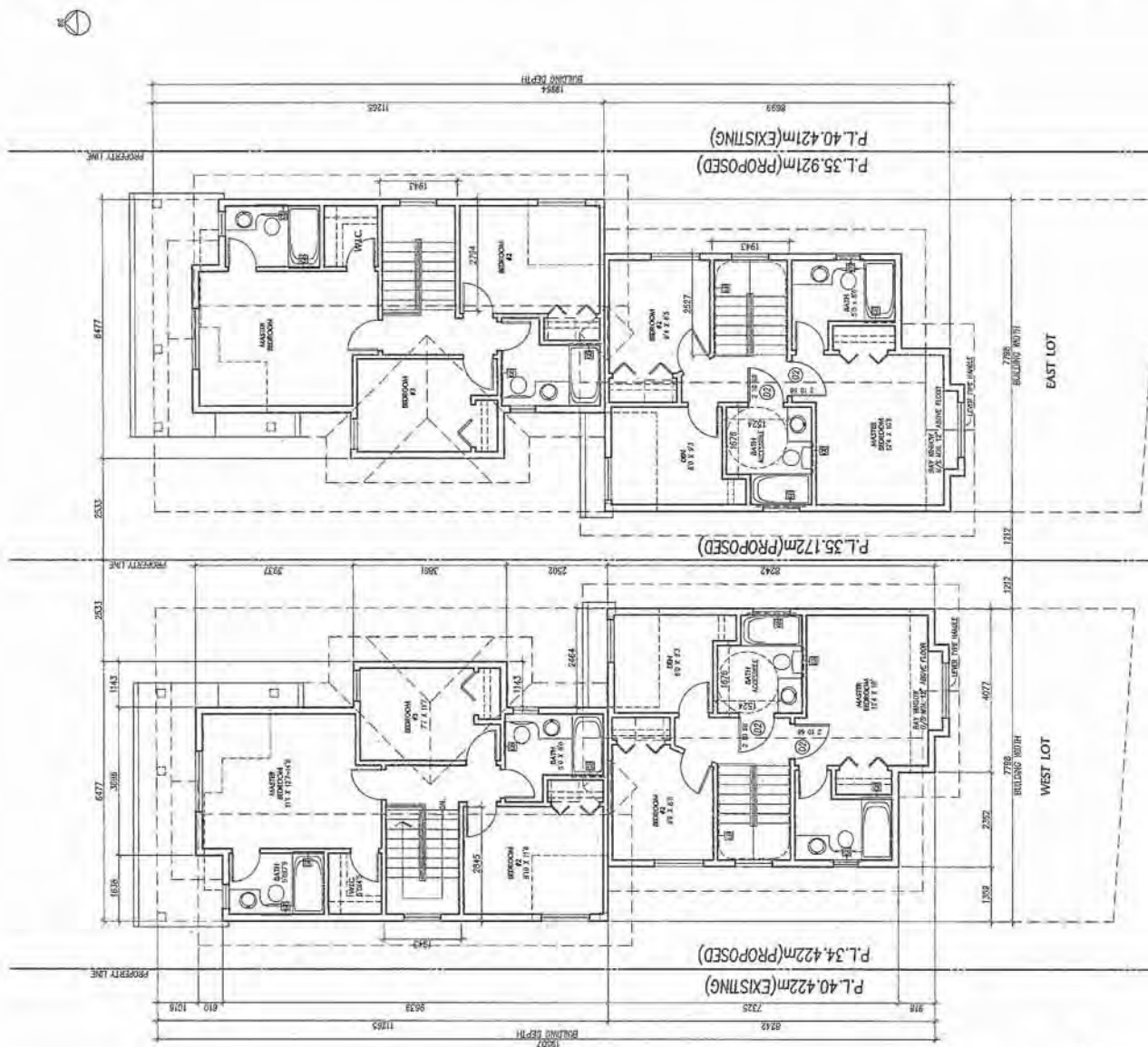


PLAN #5 - ELEVATIONS (WEST LOT)









PROVIDE LEVER TYPE HANDLES FOR  
 DOORS & PLUMBING FIXTURES

PLAN #8 - SECOND FLOOR PLAN







**RZ 09-496145**

**Attachment 3**

Address: 7840 Bennett Road

Applicant: Timothy Tse

Planning Area(s): City Centre - Acheson Bennett (Schedule 2.10B)

	Existing	Proposed
Owner:	0866631 BC Ltd.	To be determined
Site Size (m <sup>2</sup> ):	824 m <sup>2</sup>	355 m <sup>2</sup> to 363 m <sup>2</sup>
Land Uses:	One (1) single-family residential dwelling	Two (2) duplexes
OCP Designation:	Generalized Land Use Map – Neighbourhood Residential	No change
Area Plan Designation:	Residential (Mixed Single-Family and Small Scale Multi-Family)	No change
702 Policy Designation:	N/A	No change
Zoning:	Single Detached (RS1/E)	Infill Residential (RI2)
Number of Units:	One (1)	Four (4)
Other Designations:	N/A	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	0.55 Max.	none permitted
Lot Coverage – Building:	Max. 45%	45% Max.	none
Lot Coverage – Buildings, structures, and non-porous	Max. 70%	70% Max.	none
Lot Coverage – Landscaping	Min. 30%	30% Min.	none
Setback – Front Yards (m):	Min. 4.5 m	4.5 m Min.	none
Setback – Side Yards (m):	Min. 1.2 m	1.2 m Min.	none
Setback – Rear Yards (m):	Min. 1.2 m	1.2 m Min.	none
Height (m):	Max. 9.0 m, but not exceed the residential vertical lot width and the residential vertical lot depth envelope	9.0 m Max.	Variance Requested – projection beyond residential vertical lot depth envelope
Lot Size (min./max.):	312 m <sup>2</sup> /1,560 m <sup>2</sup>	355 m <sup>2</sup> to 363 m <sup>2</sup>	none

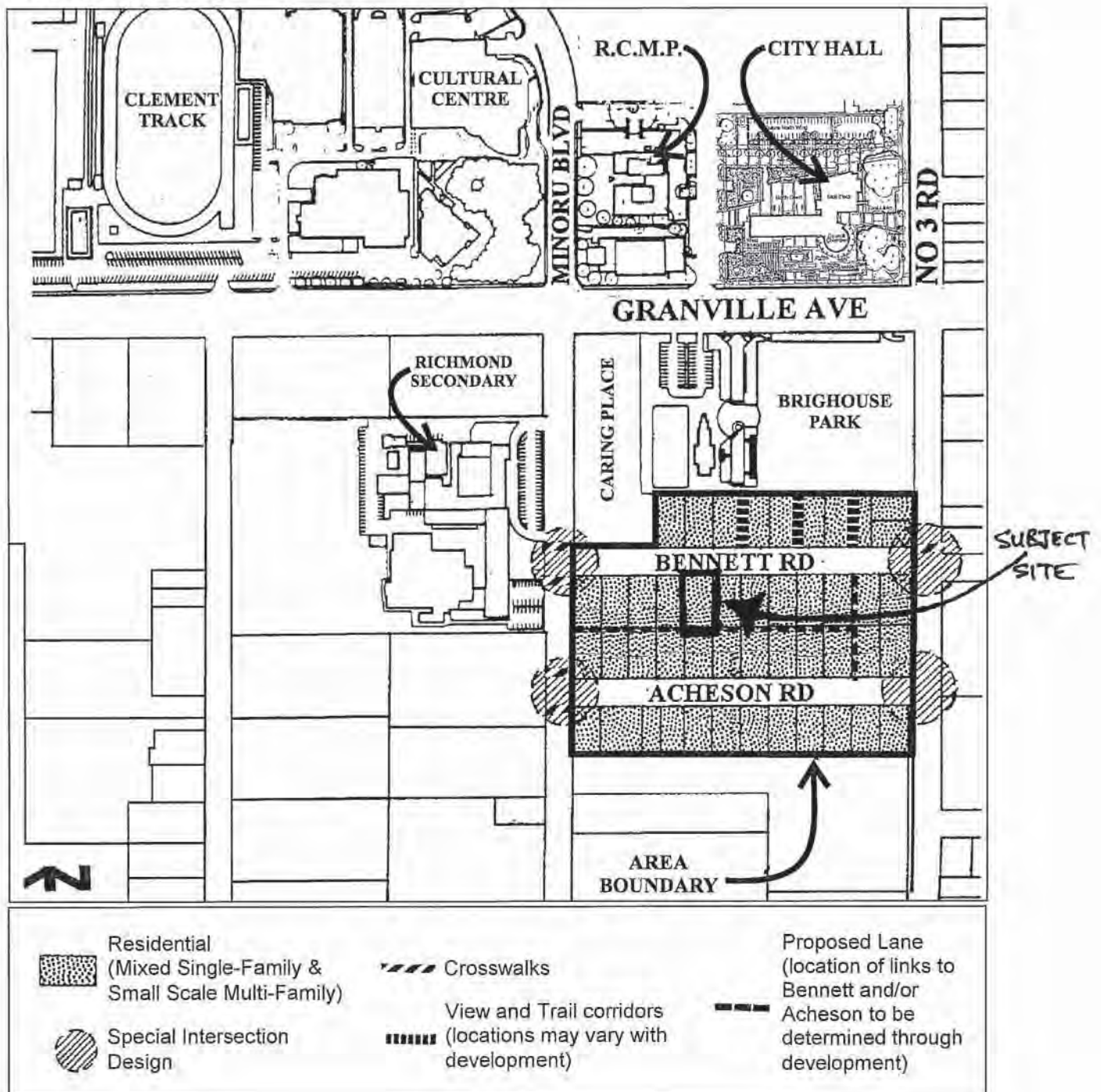
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
On-Site Parking (Residential):	1 stall per unit or 0.5 stalls per bedroom, whichever is greater	(0.5 stall per bedroom x 3 bedrooms) x 2 units = 3 stalls per lot	none
On-Site Parking (Visitor):	0.2 stalls per unit on lots containing 4 or more units	0	none

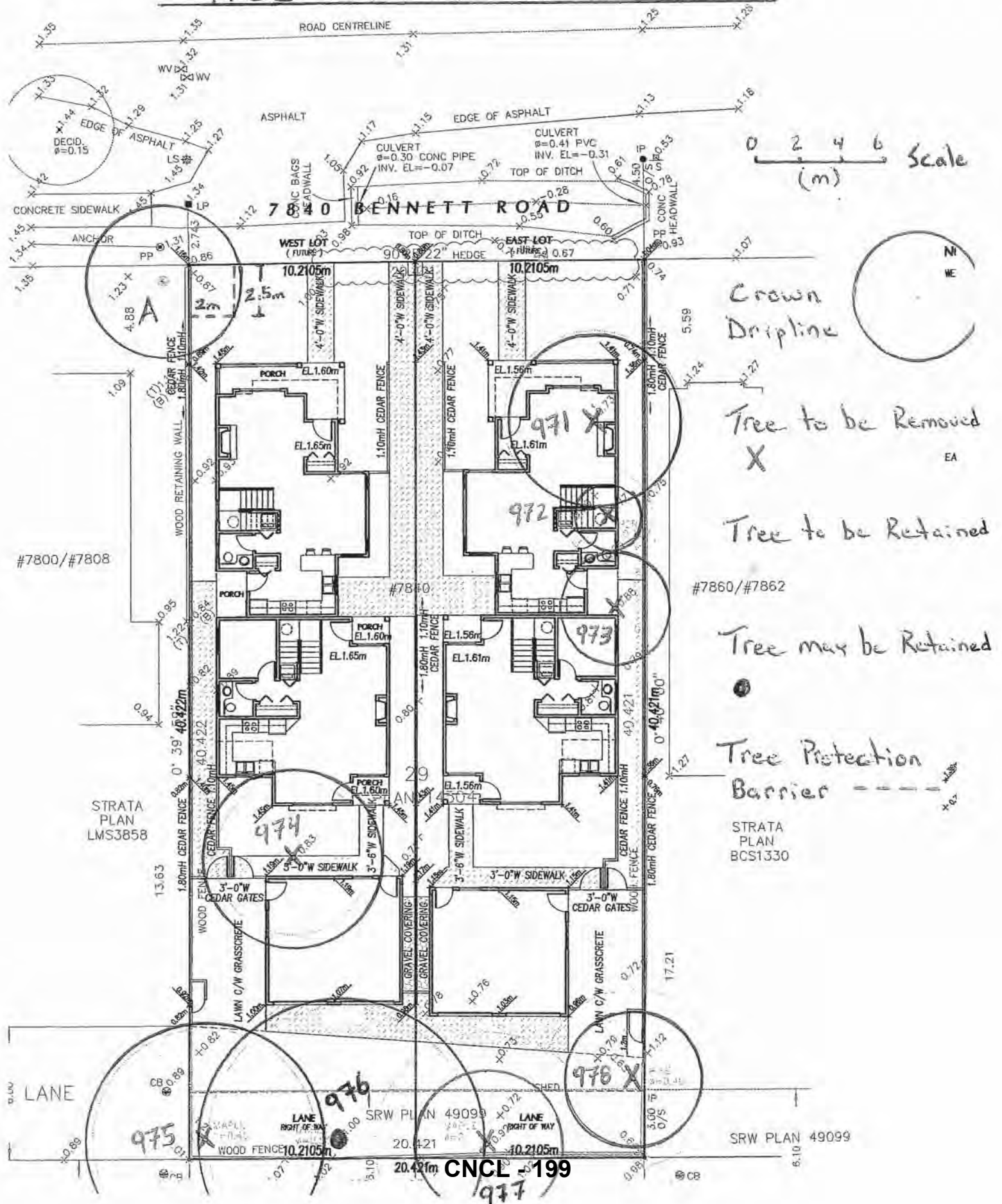
Other: Tree replacement compensation required for loss of significant trees.



City of Richmond

## Land Use Map







**City of  
Richmond**

## **Rezoning Considerations**

Development Applications Division  
6911 No. 3 Road, Richmond, BC V6Y 2C1

**Address:** 7840 Bennett Road

**File No.:** RZ 09-496145

**Prior to final adoption of Zoning Amendment Bylaw 8902, the developer is required to complete the following:**

1. A lane dedication along the entire south property line (6.0 m wide at the west property line, tapering to 4.5 m wide at the east property line of the site).
2. City acceptance of the developer's offer to voluntarily contribute \$4,000.00 to the City's Tree Compensation Fund for the planting of eight (8) replacement trees within the City.
3. 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 neighbouring property to the west (at 7800/7808 Bennett Road). 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.
4. Registration of a flood indemnity covenant on title.
5. Registration of a legal agreement on title ensuring that the only means of vehicle access is to the proposed back lane and that there be no access to Bennett Road.
6. City acceptance of the developer's offer to voluntarily contribute \$2.00 per buildable square foot (e.g. \$8,504.00) to the City's affordable housing fund.
7. The submission and processing of a Development Permit\* completed to a level deemed acceptable by the Director of Development.

**Prior to a Subdivision Approval, the developer must complete the following requirements:**

1. Enter into a Servicing Agreement\* for the design and construction of Frontage Improvements and Lane Extension. Works include, but may not be limited to:
  - a) Frontage improvements - Storm Sewer, curb & gutter, pavement widening, 1.5m concrete sidewalk, grass & treed boulevard (to match existing to the west). Note: Design to include Water, Storm & Sanitary service connections for both lots; and
  - b) Lane Extension - Lane drainage, roll over curb and gutter, asphalt paving complete with sand/gravel base, and lane lighting.
2. Pay Development Cost Charges (City & GVS&DD), School site acquisition charge, and Address assignment fee.
3. Provide underground Hydro, Tel. & Cable to both lots. (Note: Existing underground Hydro, Tel. & Cable are capped off at the west property line of the site).

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

1. 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.
2. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
3. 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 Division 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.

[Signed original on file]

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 8902 (RZ 09-496145)  
7840 BENNETT ROAD**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **INFILL RESIDENTIAL (RI2)**.

P.I.D. 003-666-590

Lot 29 Section 17 Block 4 North Range 6 West New Westminster District Plan 14504

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 8902”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

_____
_____
_____
_____
_____
_____

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

\_\_\_\_\_  
MAYOR

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