



# City of Richmond

## Report to Committee Planning and Development Department

To: Planning Committee

Date: April 26, 2013

From: Wayne Craig  
Director of Development

File: RZ 12-617804

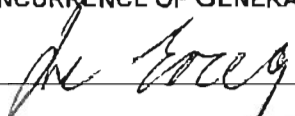
Re: **Application by Ajeet Johl and Parkash K. Johl for Rezoning at 10640/10660 Bird Road from Two-Unit Dwellings (RD1) to Single Detached (RS2/B)**

### Staff Recommendation

That Bylaw 9019, for the rezoning of 10640/10660 Bird Road from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", be introduced and given first reading.

  
Wayne Craig  
Director of Development

ES:blg  
Att.

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

## Staff Report

### Origin

Ajeet and Parkash K. Johl have applied to the City of Richmond for permission to rezone 10640/10660 Bird Road from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)”, to permit the property to be subdivided into two (2) lots (**Attachment 1**).

### Findings of Fact

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

### Surrounding Development

The subject property is a large lot located on the south side of Bird Road, between St. Edwards Drive and Shell Road, in an existing residential neighbourhood that has undergone a redevelopment to smaller lot sizes through rezoning and subdivision in recent years. Existing development immediately surrounding the site is as follows:

- To the north, directly across Bird Road, is a non-conforming older duplex on a lot zoned “Single Detached (RS1/E)” and an older duplex on a lot zoned “Single Detached (RD1)”.
- To the east, is a newer dwelling on a lot zoned “Single Detached (RS1/B)”.
- To the south, facing Caithcart Road, are two (2) older dwellings zoned “Single Detached (RS1/E)”.
- To the west, is a newer dwelling on a lot zoned “Single Detached (RS1/B)”.

### Related Policies & Studies

#### 2041 Official Community Plan (OCP) Designation

The subject property is located in the East Cambie Planning Area. The OCP’s Land Use Map designation for this property is “Neighbourhood Residential”. The East Cambie Area Plan’s Land Use Map designation for this property is “Residential (Single-Family Only)”. This redevelopment proposal is consistent with these designations.

#### Aircraft Noise Sensitive Development (ANSD) Policy

The ANSD Policy applies to the subject site, which is located within the “Aircraft Noise Notification Area (Area 4)”. In accordance with this Policy, all aircraft noise sensitive land uses may be considered. Prior to rezoning adoption, the applicants are required to register an aircraft noise sensitive use covenant on Title.

### Lot Size Policy 5424

The subject property is located within the area covered by Lot Size Policy 5424, adopted by City Council in 1989 (**Attachment 3**). The Lot Size Policy permits properties on Bird Road to rezone and subdivide in accordance with “Single Detached (RS2/B)”. This redevelopment proposal would allow for the creation of two (2) lots, each approximately 14 m wide and 603 m<sup>2</sup> in area, which is consistent with the Lot Size Policy.

### Affordable Housing Strategy

Richmond’s Affordable Housing Strategy requires a secondary suite on 50% of new lots, or a cash-in-lieu contribution of \$1.00/ft<sup>2</sup> of total building area toward the City’s Affordable Housing Reserve Fund for single-family rezoning applications.

The applicants propose 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 applicants are 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 a condition of rezoning adoption. This agreement will be discharged from Title (at the initiation of the applicants) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicants change their minds 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 rezoning adoption, and would be based on \$1.00/ft<sup>2</sup> of total building area of the single detached dwellings (i.e. \$6,394.60).

### Flood Management

Registration of flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

### **Staff Comments**

#### Background

Numerous similar applications to rezone and subdivide properties to the proposed “Single Detached (RS2/B)” zone have been approved within this block of Bird Road since the early 1990’s. Other lots on this block have redevelopment potential in accordance with the existing Lot Size Policy.

### Trees & Landscaping

A tree survey, submitted by the applicant, shows the location of (1) bylaw-sized tree on the subject property, one (1) street tree in the boulevard on City-owned property, and three (3) bylaw-sized trees on the adjacent lot to the south (10671 Caithcart Road).

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 redevelopment proposal.

The City's Tree Preservation Coordinator reviewed the Arborist's Report, conducted a Visual Tree Assessment, and concurs with the recommendations to:

- Retain and protect tree tag #1 on the subject property;
- Retain and protect tree tag #'s 2 & 4 on the adjacent lot to the south; and
- Remove tree tag #3 on the adjacent lot to the south due to its existing poor condition. However, the applicant has decided to retain and protect tree tag #3 as it does not interfere with the proposed development plans. Should the applicant or the owner of the subject tree wish to remove this tree at a later date, a Tree Removal Permit will be required.

The City's Parks Arborist recommends that the one (1) bylaw-sized tree in the boulevard on City-owned property should be retained and protected prior to demolition and construction on the subject site.

The Tree Retention Plan is reflected in **Attachment 4**.

Tree Protection Fencing for the on-site tree (tag #1), the off-site trees (tag #'s 2, 3 & 4) and the tree in the boulevard on City-owned property must be installed to City standards prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the future lots is completed.

To ensure survival of tree tag #'s 1, 2, 3 & 4 and the off-site tree located on City-owned property adjacent to the subject property, the applicants must submit the following items prior to rezoning adoption:

- A Contract with a Certified Arborist to supervise any on-site works within the Tree Protection Zones of retained trees on-site and off-site trees to be protected. The Contract must include the proposed number of monitoring inspections at specified stages of construction (e.g. demolition, excavation, installation of perimeter drainage, etc.), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
- A Tree Survival Security to the City in the amount of \$1,000 (reflects the 2:1 replacement tree ratio at \$500/tree) to ensure tree tag #1 and the off-site tree located on City-owned property will be protected. The City will release 90% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post-construction impact assessment report is received. The remaining 10% of the security would be released one year later, subject to inspection, to ensure the trees have survived.

As there are no trees proposed to be removed on site, no replacement trees are required. However, Council Policy 5032 (**Attachment 5**) 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 three (3) trees (one (1) tree on Lot A and two (2) trees on Lot B) with a size of minimum 6 cm deciduous calliper/2.5 m coniferous height.

To ensure that the three (3) new trees are planted and maintained on the future lots, the applicant is required to submit a landscaping security to the City in the amount of \$1,500 (\$500/tree) prior to final adoption of the rezoning bylaw.

#### Existing Covenant

There is currently a covenant on Title that restricts the use of the property to a duplex (charge #BE160459). This covenant must be discharged by the applicant prior to rezoning adoption.

#### Existing Utility Right-of-Way

There is an existing 3 m wide utility right-of-way (ROW) that runs east-west through the rear portion of the subject site. The applicants have been advised that no encroachment into the ROW is permitted. This includes no building construction, planting of trees, no concrete fence posts, no concrete retaining walls etc.

#### Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicular access to the site at redevelopment stage will be from Bird Road.

As the site is within 800 m of an intersection of a Provincial Limited Access Highway and a City road, Ministry of Transportation and Infrastructure approval is required. Preliminary approval for the rezoning has been granted for one year.

#### Subdivision

At Subdivision stage, the applicants will be required to pay an Engineering Improvement Charge for frontage improvements that were constructed previously using Neighbourhood Improvement Charges. The applicants will also be required to pay for servicing costs.

#### **Analysis**

The subject property is located in an established residential neighbourhood that has seen redevelopment to smaller lot sizes through rezoning and subdivision in recent years, consistent with the Lot Size Policy for this neighbourhood. This redevelopment proposal would allow for the creation of two (2) lots, each approximately 14 m wide and 603 m<sup>2</sup> in area, which is consistent with the Lot Size Policy.

**Financial Impact**


None.

**Conclusion**

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with applicable policies and land use designations contained within the OCP and the Lot Size Policy, and is consistent with the established pattern of redevelopment in the surrounding area.

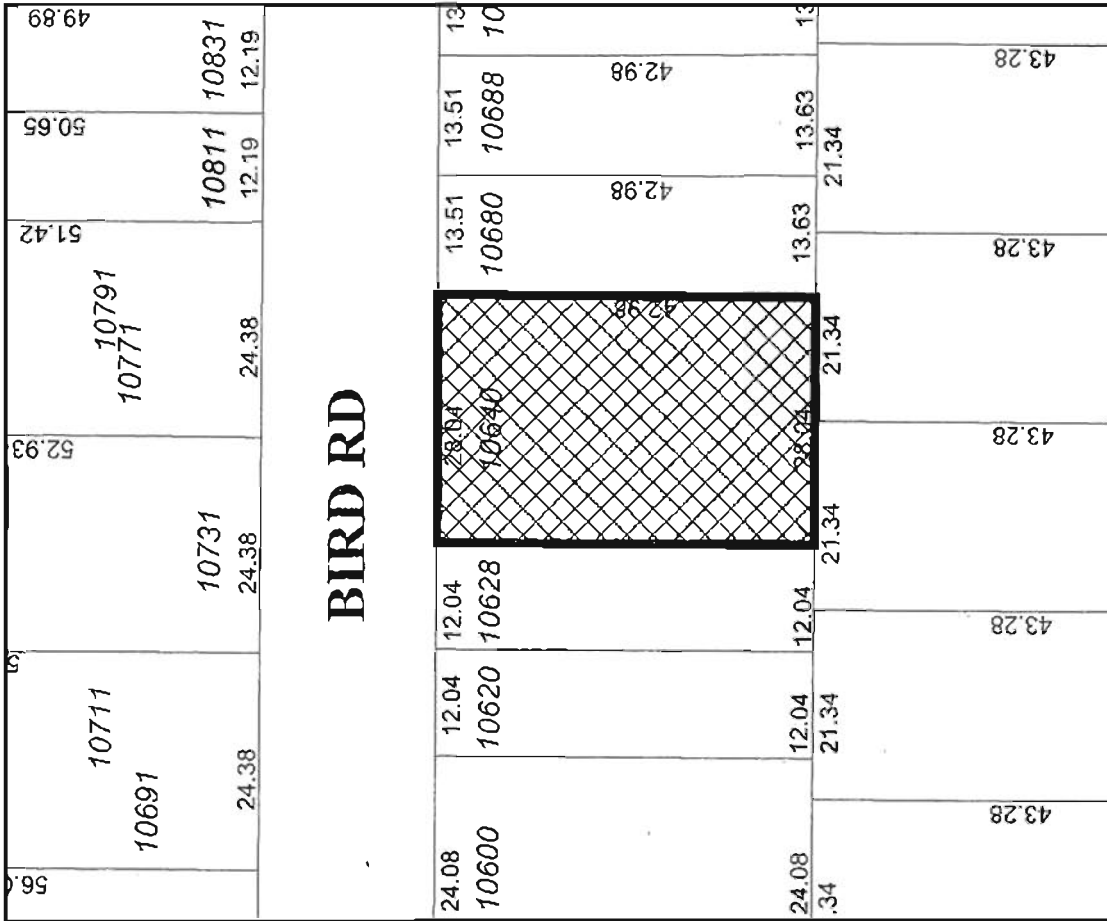
The list of rezoning considerations is included as **Attachment 6**, which has been agreed to by the applicants (signed concurrence is on file).

On this basis, staff recommends support for the application.



Erika Syvokas  
Planning Technician  
(604-276-4108)

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5424
- Attachment 4: Tree Retention Plan
- Attachment 5: Council Policy 5032
- Attachment 6: Rezoning Considerations Concurrence



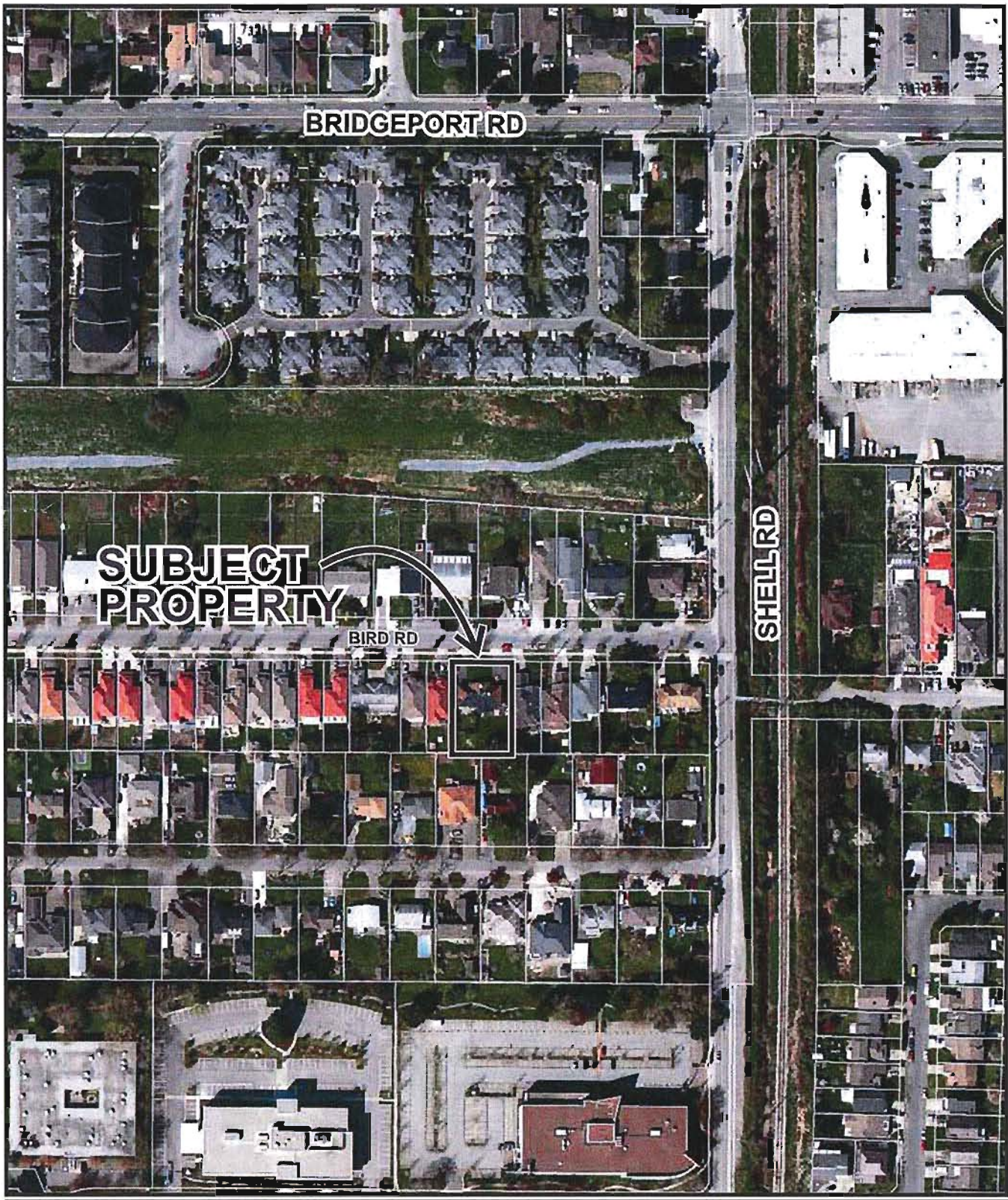
Original Date: 08/23/12  
 Revision Date: 08/28/12  
 Note: Dimensions are in METRES



RZ 12-617804







RZ 12-617804

Original Date: 08/23/12

Ameaded Date:

Note: Dimensions are in METRES





**RZ 12-617804**

**Attachment 2**

Address: 10640/10660 Bird Road

Applicant: Ajeet and Parkash K. Johl

Planning Area(s): East Cambie

|                              | Existing                                        | Proposed                                                                                                       |
|------------------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| Owner:                       | Ajeet and Parkash K. Johl                       | To be determined                                                                                               |
| Site Size (m <sup>2</sup> ): | 1206 m <sup>2</sup> (12,981.7 ft <sup>2</sup> ) | Lot A - 603 m <sup>2</sup> (6,490.8 ft <sup>2</sup> )<br>Lot B - 603 m <sup>2</sup> (6,490.8 ft <sup>2</sup> ) |
| Land Uses:                   | One (1) two-family dwelling                     | Two (2) single-family lots                                                                                     |
| OCP Designation:             | Neighbourhood Residential                       | No change                                                                                                      |
| Area Plan Designation:       | Residential (Single-Family Only)                | No change                                                                                                      |
| 702 Policy Designation:      | Lot Size Policy 5424                            | No change                                                                                                      |
| Zoning:                      | Two-Unit Dwellings (RD1)                        | Single Detached (RS2/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 <sup>2</sup> | Lot A – 603 m <sup>2</sup><br>Lot B – 603 m <sup>2</sup> | none           |
| Lot Width (min. dimensions):     | Min. 12 m          | Lot A – 14.023 m<br>Lot B – 14.023 m                     | none           |
| Setback – Front Yard (m):        | Min. 6 m           | Min. 6 m                                                 | none           |
| Setback – Side & Rear Yards (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.



Page 1 of 1

Adopted by Council: November 20, 1989

Policy 5424

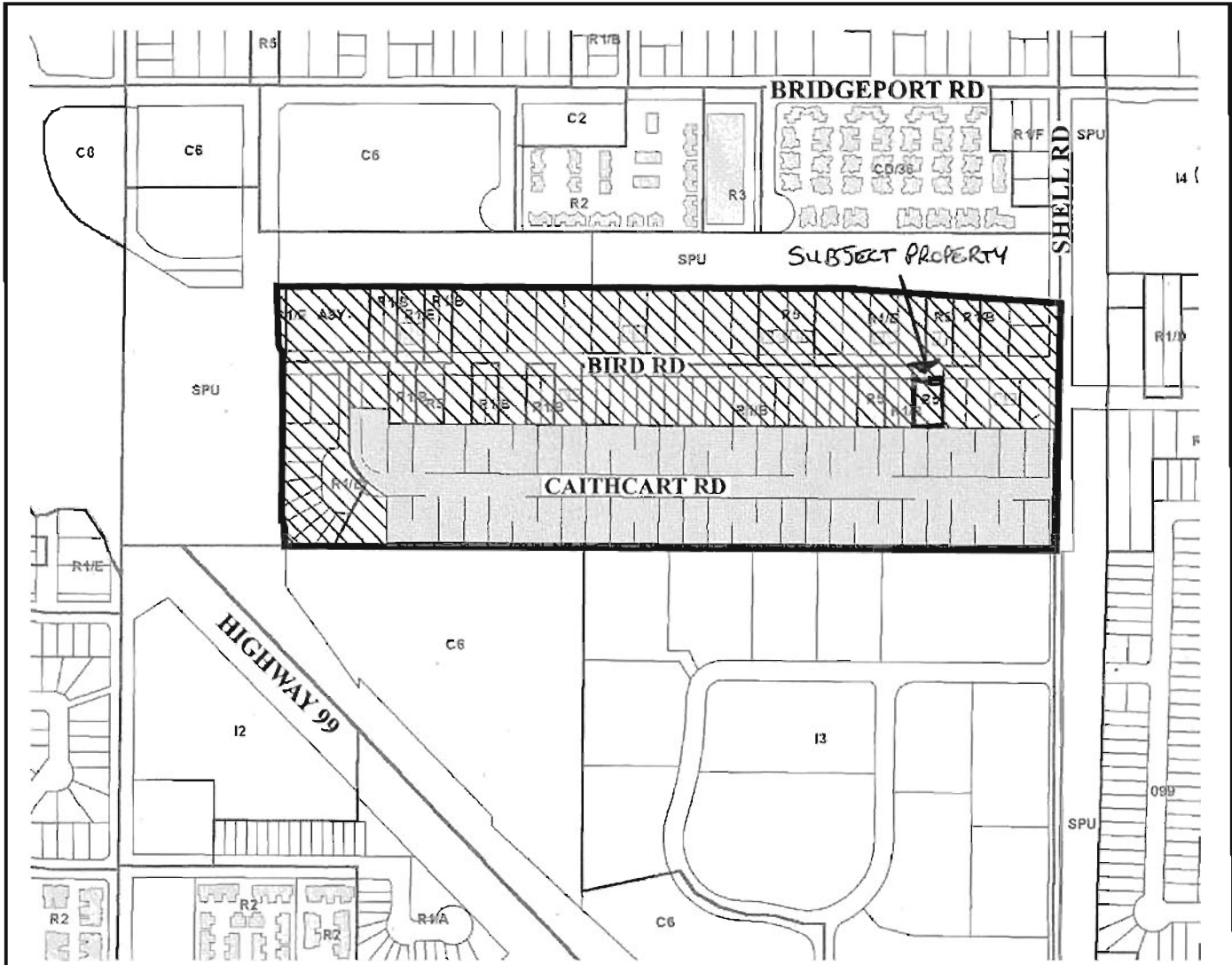
File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 26-5-6

**Policy 5424:**

The following policy establishes lot sizes in Section 26-5-6, located on **Bird Road and Caithcart Avenue:**

That properties located in a portion of Section 26-5-6, be permitted to subdivide on Bird Road and at the westerly end of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/B) and be permitted to subdivide on the remainder of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/E) in Zoning and Development Bylaw 5300, and that this policy, as shown on the accompanying plan, be used to determine the disposition of future 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 Single-Family Housing District (R1/B) on Bird Road and Caithcart Road.



Subdivision permitted as per Single-Family Housing District (R1/E) on Caithcart Road.



**POLICY 5424**  
**SECTION 26, 5-6**

**PLN 90**

Adopted Date: 11/20/89

Amended Date:

**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT "C" SECTION 26  
BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 18071**

#10640 & #10660 BIRD ROAD.  
RICHMOND, B.C.  
P.I.D 010-325-468

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED



BIRD ROAD

**NOTE:**  
Elevations shown are based on City of Richmond HPN Benchmark network.  
Benchmark: HPN #195.  
Control Monument 77H4970 Located at CL Brown Rd & Brown Gate.  
Elevation = 1.793 metres

**LEGEND:**

- (d) denotes deciduous
- (c) denotes conifer
- PP $\odot$  denotes power pole
- RCB $\odot$  denotes round catch basin
- MH $\odot$  denotes manhole
- CB $\square$  denotes catch basin
- CO $\odot$  denotes cleanout
- LS $\star$  denotes lamp standard
- NR denotes north rim

© copyright  
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  
Job No. 4299  
FB-174 P74 & FB-163 P40-42  
Drawn By: MY

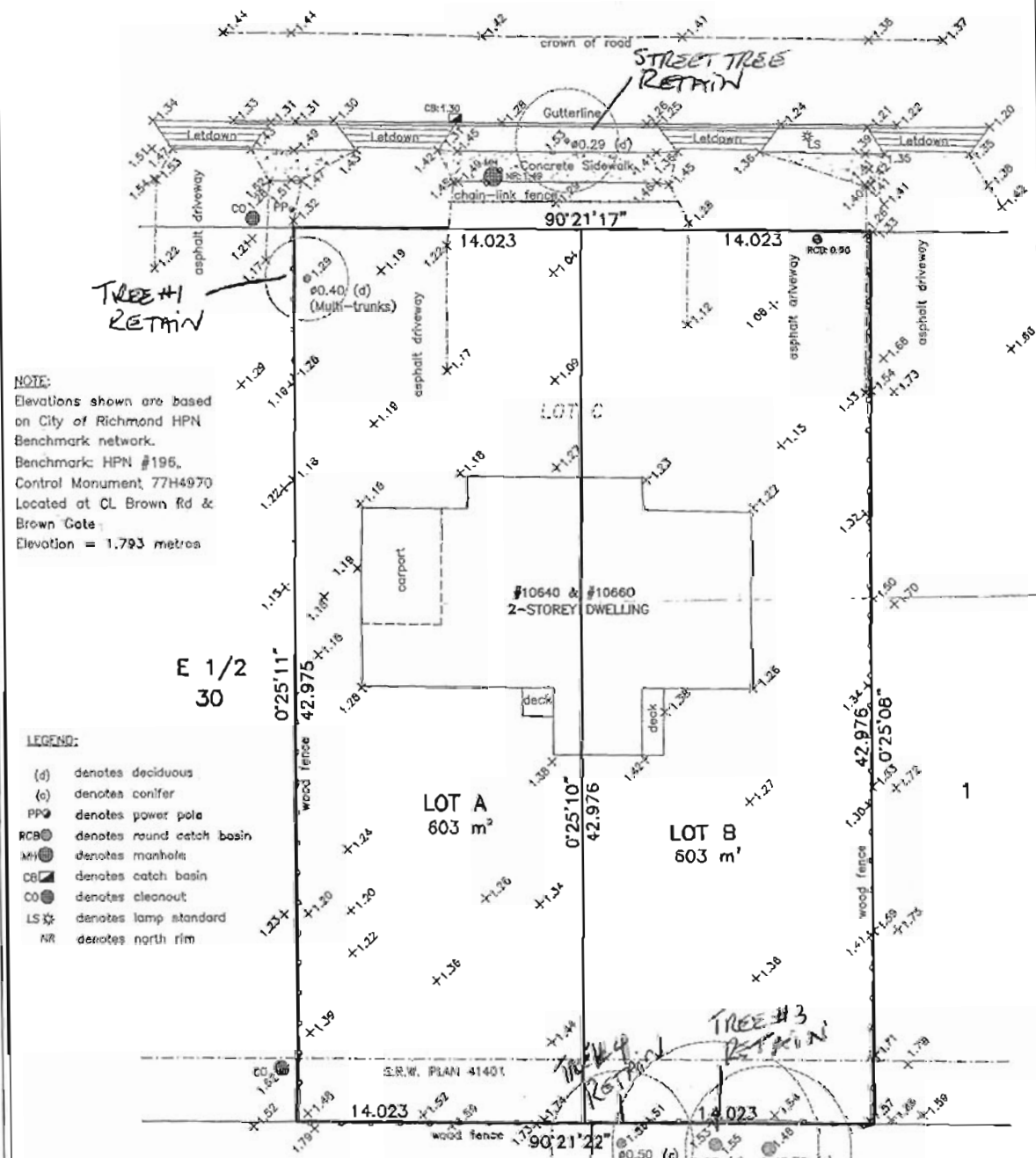
RE-INSPECTED:

CERTIFIED CORRECT:

*[Signature]*  
JOHNSON C. TAM, B.C.L.S.  
PLN-91  
JUNE 29th, 2012.

*[Signature]*  
JOHNSON C. TAM, B.C.L.S.  
FEBRUARY 12th, 2011.

DWG No. 4299-TOPO





# City of Richmond

# Policy Manual

Page 1 of 1

Adopted by Council: July 10/95

**POLICY 5032**

File Ref: 6550-00

**TREE PLANTING (UNIVERSAL)****POLICY 5032:**

It is Council policy that:

In recognition of the many benefits derived from urban trees, including cleaning the air, enhancing our neighbourhoods and beautifying our community, Council encourages all owners of property in Richmond to plant and maintain at least two trees on every lot.

(Urban Development Division)





# City of Richmond

## Rezoning Considerations

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

**Address:** 10640/10660 Bird Road

**File No.:** RZ 12-617804

**Prior to final adoption of Zoning Amendment Bylaw 9019, the developer is required to complete the following:**

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. 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 on-site and off-site trees to be retained (tag #'s 1, 2, 3 & 4). The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections (e.g. demolition, excavation, installation of perimeter drainage etc.), and a provision for the Arborist to submit a post-construction assessment report to the City for review.
3. Submission of a Tree Survival Security to the City in the amount of \$1,000 for the one (1) on-site tree (tag #1) to be retained.
4. Submission of a Landscaping Security in the amount of \$1,500 (\$500/tree) for the planting and maintenance of three (3) trees (one (1) tree on Lot A and two (2) trees on Lot B) with a size of minimum 6 cm deciduous calliper/2.5 m coniferous height.
5. The discharge of the existing covenant on title restricting the use of the property to a duplex (charge #BE160459).
6. Registration of an aircraft noise sensitive use covenant on title.
7. Registration of a flood indemnity covenant on title.
8. 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. \$ 6,394.60) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

**At Subdivision\* stage, the applicants must complete the following:**

- Pay an Engineering Improvement Charge for frontage improvements that were constructed previously using Neighbourhood Improvement Charges. The applicants will also be required to pay for servicing costs.

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

- Tree Protection Fencing for the on-site tree (tag #1), off-site trees (tag #'s 2, 3 & 4) and street tree located on City-owned property must be installed to City standard and must remain in place until construction and landscaping on the future lots is completed.

**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. 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.

**PLN - 93**

**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.

[Signed original on file]

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9019 (RZ 12-617804)
10640/10660 Bird 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 SINGLE DETACHED (RS2/B).

P.I.D. 010-325-468

Lot "C" Section 26 Block 5 North Range 6 West New Westminster District Plan 18071

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9019".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

Series of horizontal lines for recording dates and approvals.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER