



To: Planning Committee
From: Wayne Craig
Director of Development

Date: April 26, 2013
File: RZ 11-591331

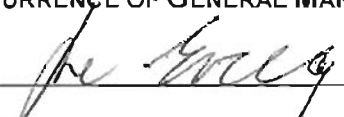
Re: Application by Narinder Patara for Rezoning at 9591 Patterson Road from Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Bylaw 9025, for the rezoning of 9591 Patterson Road from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, be introduced and given first reading.


Wayne Craig
Director of Development

EL:kt
Att.

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

Staff Report

Origin

Narinder Patara has applied to the City of Richmond for permission to rezone 9591 Patterson Road (**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 residential lots.

Findings of Fact

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

Surrounding Development

To the north: On-ramp to Highway 99.

To the east: Existing duplex on a lot zoned Two-Unit Dwellings (RD1) and then a single-family dwelling on a large lot zoned Single Detached (RS1/E).

To the south: Across Patterson Road, existing non-conforming duplex and older single-family dwellings on lots zoned Single Detached (RS1/E).

To the west: Existing single-family dwellings on non-conforming Single Detached (RS1/E) lots (approximately 14 m to 15 m wide instead of the minimum 18 m wide).

Background

A single-family dwelling was recently built on the western half of the subject site (BP 11-581489, issued on August 4, 2011; Final Inspection issued July 24, 2012). A Site Survey and Site Plan for proposed Lot A (western lot) is submitted (**Attachment 3**) in support of the application. The existing house and the proposed subdivision layout conform to all zoning requirements under the RS2/B zone including floor area ratio (F.A.R.), lot coverage and setbacks. The eastern portion of the site is currently vacant.

Six (6) trees were removed prior to Building Permit Issuance via a Tree Permit (T2-2011-581488, issued July 6, 2011).

Related Policies & Studies

Lot Size Policy 5446

The subject site is located within the area covered by Lot Size Policy 5446 (adopted by Council September 16, 1991, amended June 21, 1999) (**Attachment 4**). This Policy permits rezoning and subdivision of lots on the north side of Patterson Road in accordance with "Single Detached (RS2/B)". This redevelopment proposal would enable the property to be subdivided into a maximum of two (2) lots. The applicant is proposing to create one larger lot on the west side with a 17.901 m frontage (766 m² in area) and a smaller lot on the east side with a 14.557 m frontage (605 m² in area).

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.

Since the new house built on the western half of the site has no secondary suite, the applicant is proposing to provide a legal secondary suite on the future eastern lot. To ensure that the secondary suite is 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 on the future eastern lot is to 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.

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. \$6,928).

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.

OCP Aircraft Noise Sensitive Development (ANSD) Policy

The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area within a designation that permits new single-family development that is supported by an existing Lot Size Policy. As the site is affected by Airport Noise Contours, the development is required to register a covenant on title prior to final adoption of the rezoning bylaw.

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 Retention and Replacement

A Tree Survey prepared in March 2011 and a Certified Arborist's Report prepared in May 2011 were submitted in support of the application. Seven (7) bylaw-sized trees on site were identified and assessed. As mentioned above, a Tree Permit was issued in July 2011 and Building Permit was issued in August 2011 to allow the construction of a new single-family dwelling on the west half of the site. A site inspection conducted by the City's Tree Preservation Coordinator in

March 2012 revealed that the 55 cm calliper Western Red Cedar (in good condition) is retained and protected on site. The Tree Preservation Coordinator confirmed that the rest of the bylaw-sized trees (six (6) in total) were removed via Tree Permit (T2-2011-581488). Five (5) of them were either dead, dying, or in very poor condition; one (1) of them was hazardous and needed to be removed immediately.

It is noted that no replacement trees have been installed onsite. Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP), 10 replacement trees are required for the removal of five (5) bylaw-sized trees on site (replacement trees are not required for the removal of hazardous trees). Based on the size requirements for replacement trees in the Tree Protection Bylaw No. 8057, replacement trees with the following minimum calliper sizes are required:

# Trees Removed	dbh	# trees to be replaced	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	20-30 cm	4	6 cm		3.5 m
1	31-40 cm	2	8 cm		4.0 m
2	41-50 cm	4	9 cm		5.0 m

A landscape plan (**Attachment 5**) is submitted in support of the application. The landscape plan shows that a total of 10 trees will be planted on site.

The applicant has agreed to protect one (1) tree and four (4) shrubs located on the adjacent property to the west at 9551 Patterson Road as well as one (1) shrub located on the adjacent property to the east at 9611/13 Patterson Road. A Tree Retention Plan is attached (**Attachment 6**). Tree protection fencing must be installed to City standards prior to any construction activities occurring on-site and must remain in place until construction and landscaping on the future lots is completed.

Landscape Buffer

To provide an aesthetically pleasing edge along the Sea Island Way on-ramp to Highway 99 and noise attenuation, the applicant has agreed to install a landscape buffer along the north property line of the subject site (see Landscape Plan in **Attachment 5**). The buffer is 1.5 m wide and is composed of a 1.8 m high solid cedar fence and a continuous hedge planting of Emerald Arborvitae (a moderately fast growing evergreen hedge with a mature height and spread of 4.5 m x 1.2 m). The combination of the fencing and hedge planting will screen the view of the highway from the proposed lots and partially mitigate noise generated by nearby traffic.

Registration of a restrictive covenant to identify the entire 1.5 m rear yard space as a buffer area is required to prevent the removal of the buffer landscaping. In order to ensure that this landscape buffer work is undertaken and the replacement trees are planted, the applicant has agreed to provide a landscape security in the amount of \$34,628.00 prior to final adoption of the rezoning bylaw.

Ministry of Transportation (MOT) Approval

MOT approval is a condition of final approval for this site. Preliminary Approval has been granted by MOT for one (1) year. No direct access to Highway 99 or the off-ramp is permitted.

Site Servicing and Subdivision

No Servicing concerns.

At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), Engineering Improvement Charges for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Analysis

This is a relatively straightforward redevelopment proposal. This development proposal is consistent with Lot Size Policy 5446 and is located within an established residential neighbourhood that has a strong presence of single-family lots zoned Single Detached (RS1/B). All the relevant technical issues have been addressed. The list of rezoning considerations is included as **Attachment 7**, which has been agreed to by the applicants (signed concurrence on file).

Financial Impact or Economic Impact

None.

Conclusion

This rezoning application to permit subdivision of one (1) existing large lot into two (2) medium sized lots that comply with Lot Size Policy 5446 and all applicable policies and land use designations contained within the Official Community Plan (OCP). The proposal is consistent with the direction of redevelopment in the surrounding area. On this basis, staff recommend support of the application.



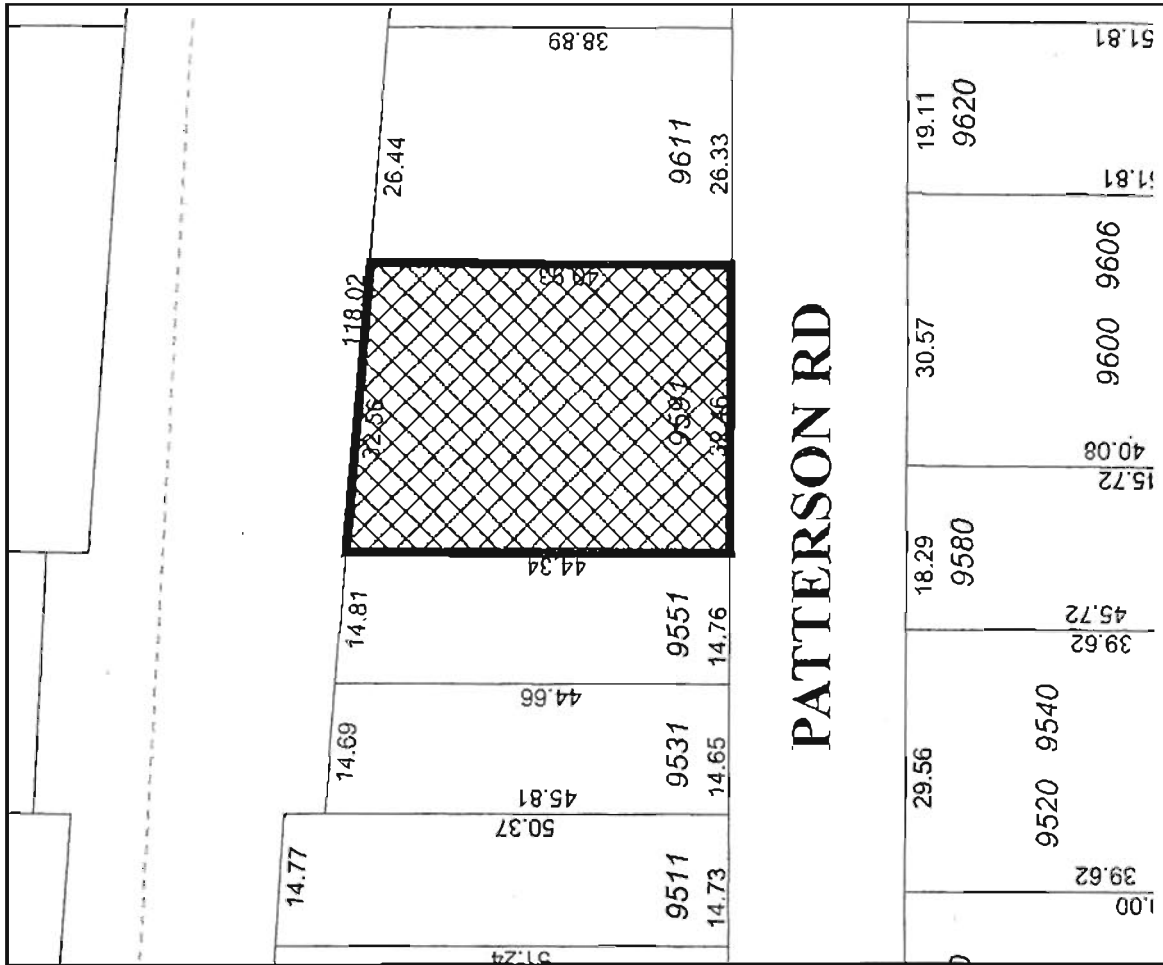
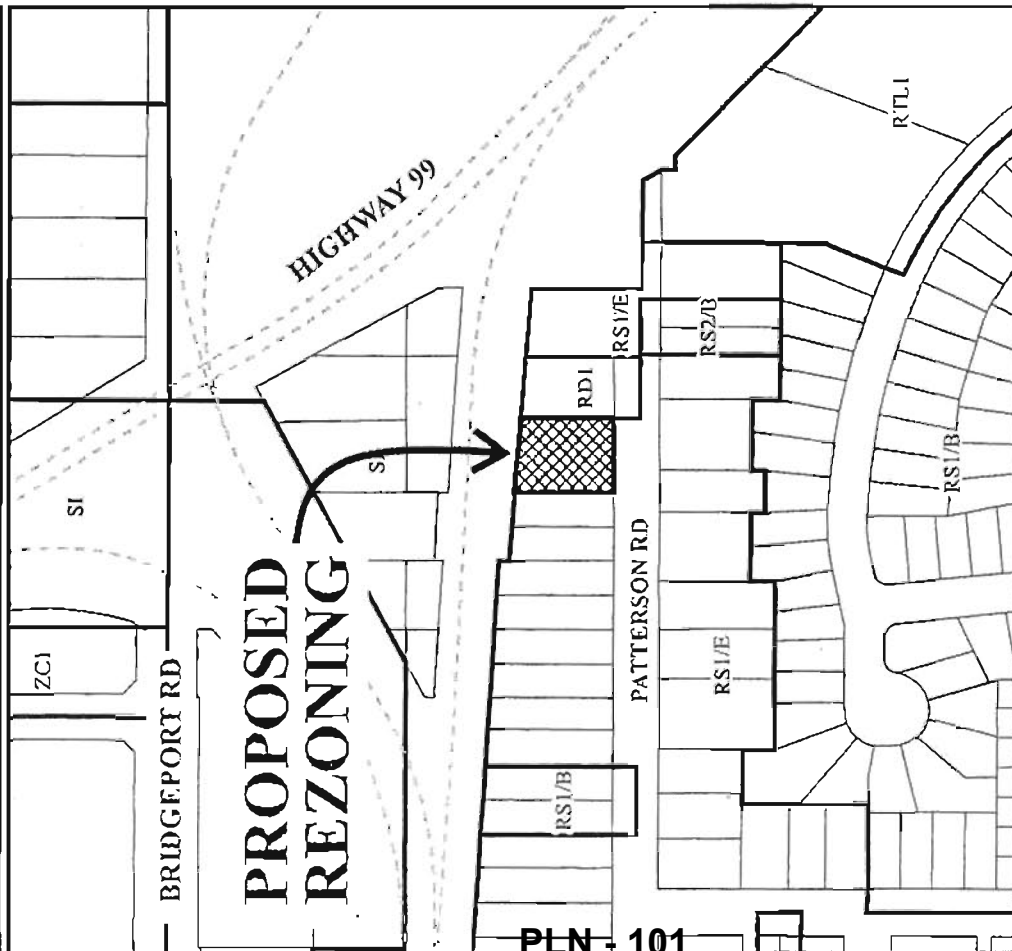
Edwin Lee
Planning Technician - Design

EL:kt

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Site Certificate
- Attachment 4: Lot Size Policy 5446
- Attachment 5: Landscape Plan
- Attachment 6: Tree Preservation Plan
- Attachment 7: Rezoning Considerations Concurrence

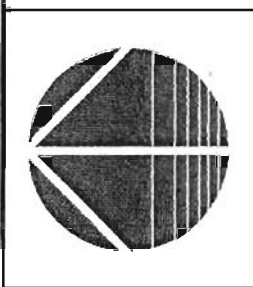


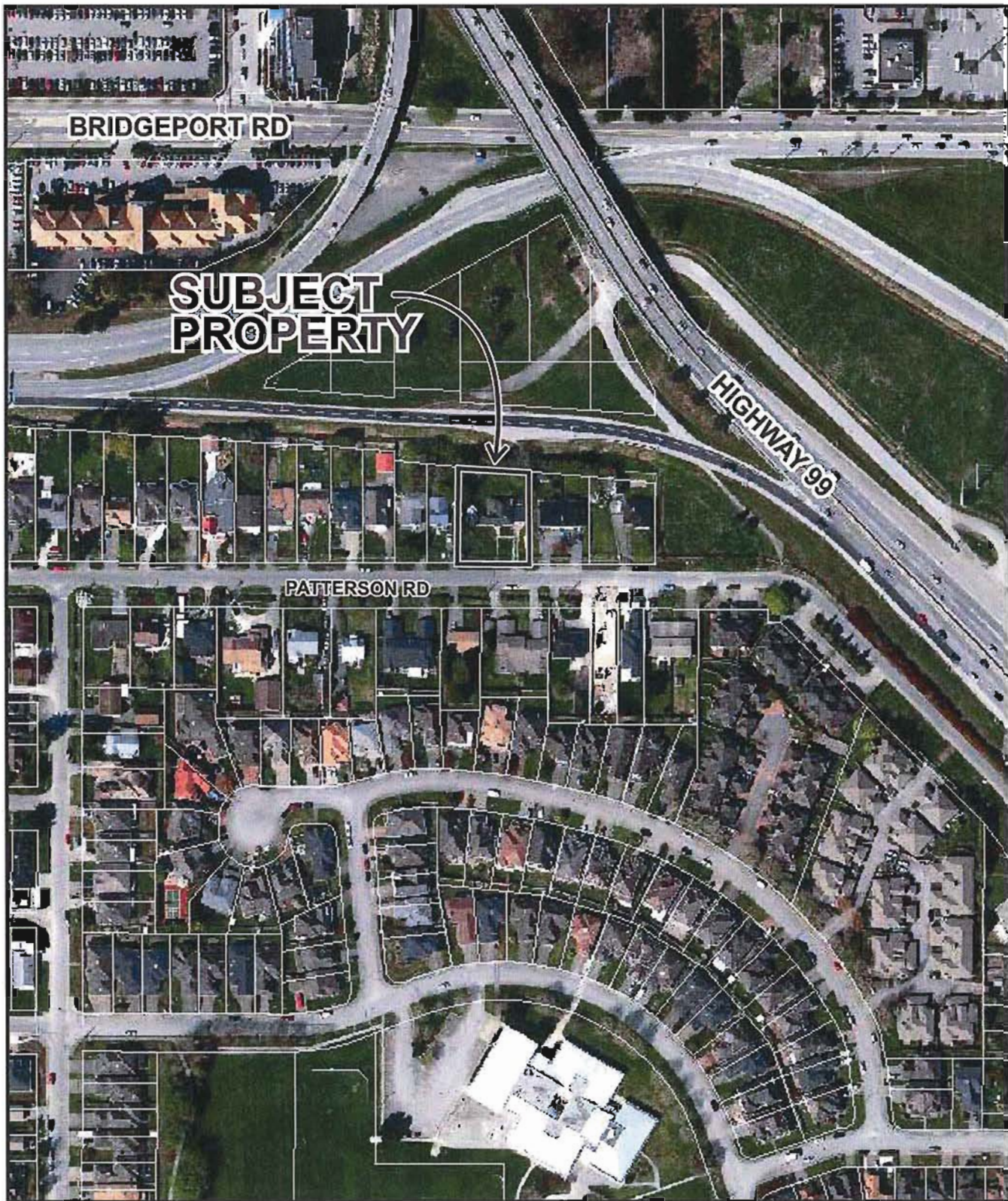
City of Richmond



Original Date: 10/27/11
 Revision Date:
 Note: Dimensions are in METRES

RZ 11-591331





RZ 11-591331

Original Date: 10/27/11

Amended Date:

Note: Dimensions are in METRES



RZ 11-591331

Attachment 2

Address: 9591 Patterson Road

Applicant: Narinder Patara

Planning Area(s): West Cambie

	Existing	Proposed
Owner:	Narinder Patara	No Change
Site Size (m ²):	1,371 m ² (14,758 ft ²)	605 m ² (6,513 ft ²) & 766 m ² (8,245 ft ²)
Land Uses:	One (1) single-family dwelling	Two (2) single-family dwellings
OCP Designation:	2041 OCP Land Use Map designation – "Neighbourhood Residential"	No change
Area Plan Designation:	West Cambie Area Plan – Residential (Single Family only)	No change
702 Policy Designation:	Policy 5446 permits subdivision to "Single Detached (RS2/B)"	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)
Number of Units:	1	2
Other Designations:	N/A	No Change

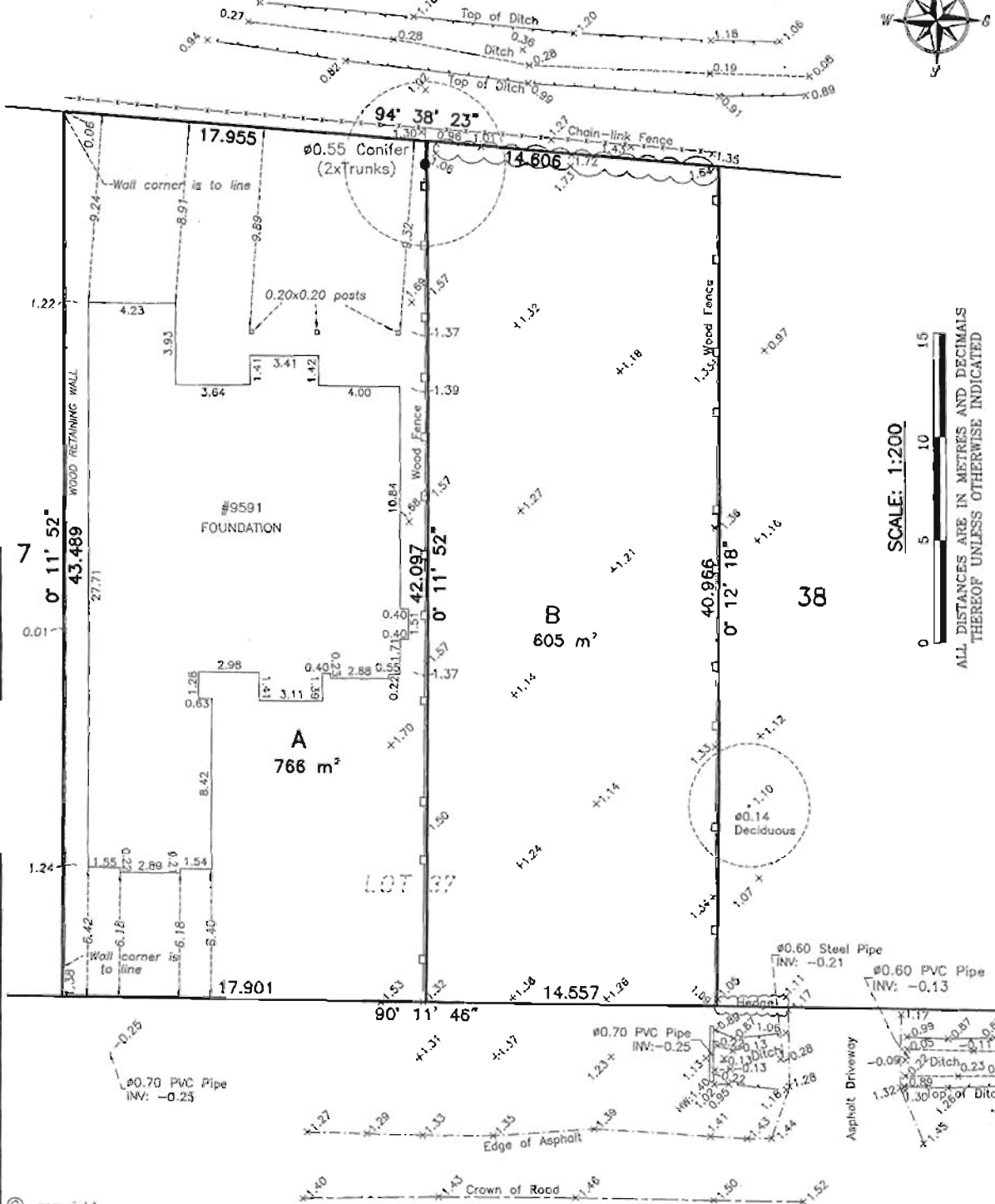
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Non-porous:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping:	Min. 25%	Min. 25%	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Setback – Exterior Side Yard (m):	Min. 3.0 m	Min. 3.0 m	none
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none
Lot Size (min. dimensions):	360 m ²	605 m ² & 766 m ²	none

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

**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 37 SECTION 27
BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 27793**

#9591 PATTERSON ROAD,
RICHMOND, B.C.
P.I.D. 012-747-891

SEA ISLAND WAY



SCALE: 1:200
ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED

© 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. 4371
FB-217 PS2-54
Drawn By: TH

LEGEND:
○ denotes power pole
● denotes manhole
⊠ denotes water meter
⊞ denotes cleanout

NOTE:
Elevations shown are based on City of Richmond HPN Benchmark network.
Benchmark: HPN #196,
Control Monument 77H4970
Located at CL Brown Rd & Brown Gate.
Elevation = 1.119m

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

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

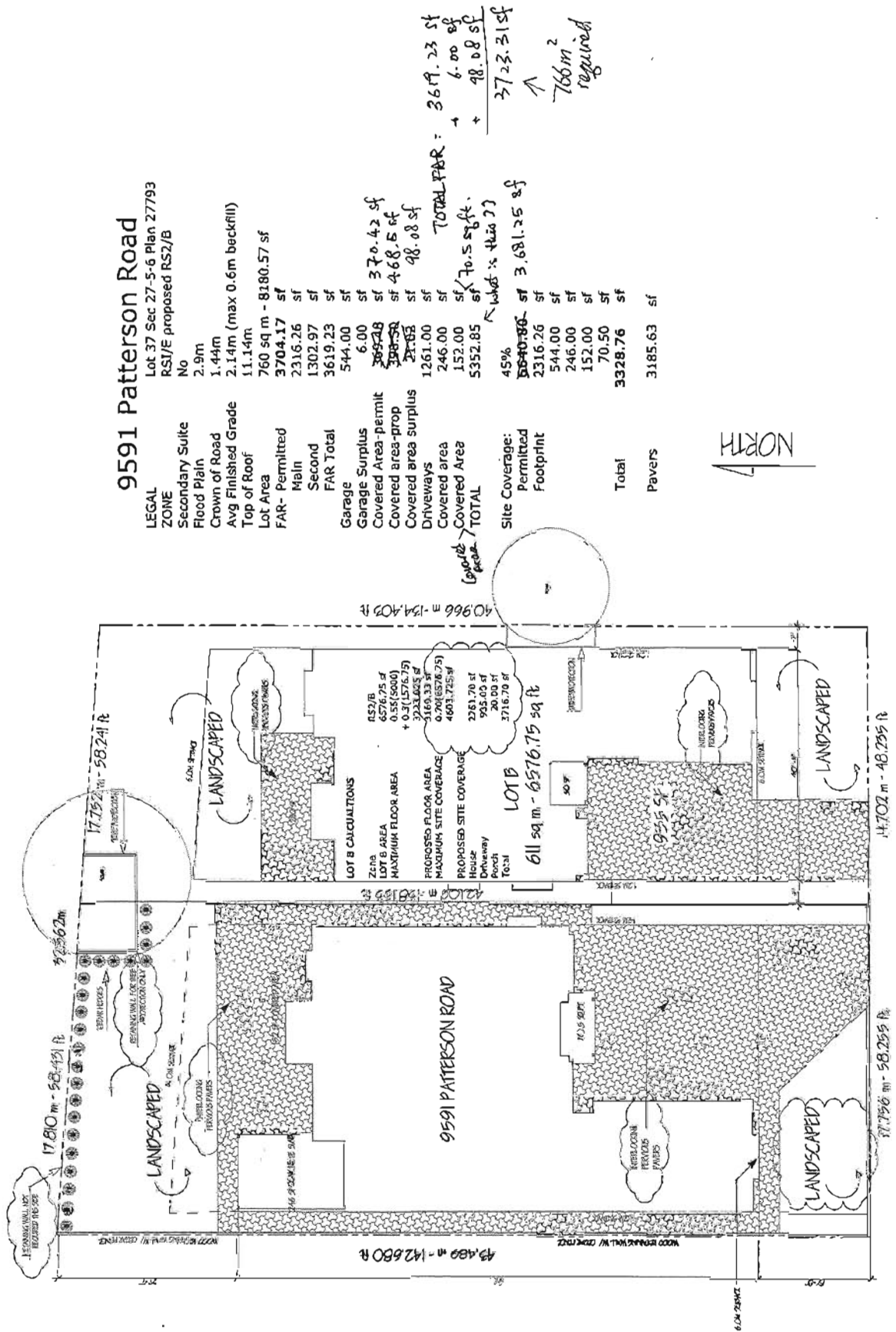
DWG No. 4371-TOPO-03

AUGUST 23rd, 2012

ATTACHMENT 3

PROPOSED SITE PLAN

PLN - 105



9591 Patterson Road

Lot 37 Sec 27-5-6 Plan 27793
RSI/E proposed RS2/B

LEGAL ZONE	No	2.9m
Secondary Suite	1.44m	
Flood Plain	2.14m (max 0.6m backfill)	
Crown of Road	11.14m	
Avg Finished Grade	760 sq m - 8180.57 sf	
Top of Roof	3704.17 sf	
FAR- Permitted	2316.26 sf	
Maln	1302.97 sf	
Second	3619.23 sf	
FAR Total	544.00 sf	
Garage	6.00 sf	
Garage Surplus	3095.48 sf	370.42 sf
Covered Area-permit	3087.58 sf	468.15 sf
Covered area-prop	3168.33 sf	98.08 sf
Covered area surplus	1261.00 sf	
Driveways	246.00 sf	
Covered area	152.00 sf	
Covered Area	5352.85 sf	
TOTAL	45%	
Site Coverage:	3681.25 sf	
Permitted Footprint	2316.26 sf	
	544.00 sf	
	246.00 sf	
	152.00 sf	
	70.50 sf	
Total	3328.76 sf	
Pavers	3185.63 sf	

TOTAL PAR: 3619.23 sf
+ 6.00 sf
+ 98.08 sf
= 3723.31 sf
↑
766 m² required





City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: September 16, 1991

POLICY 5446

Amended by Council: June 21, 1999

File Ref: 4430-00

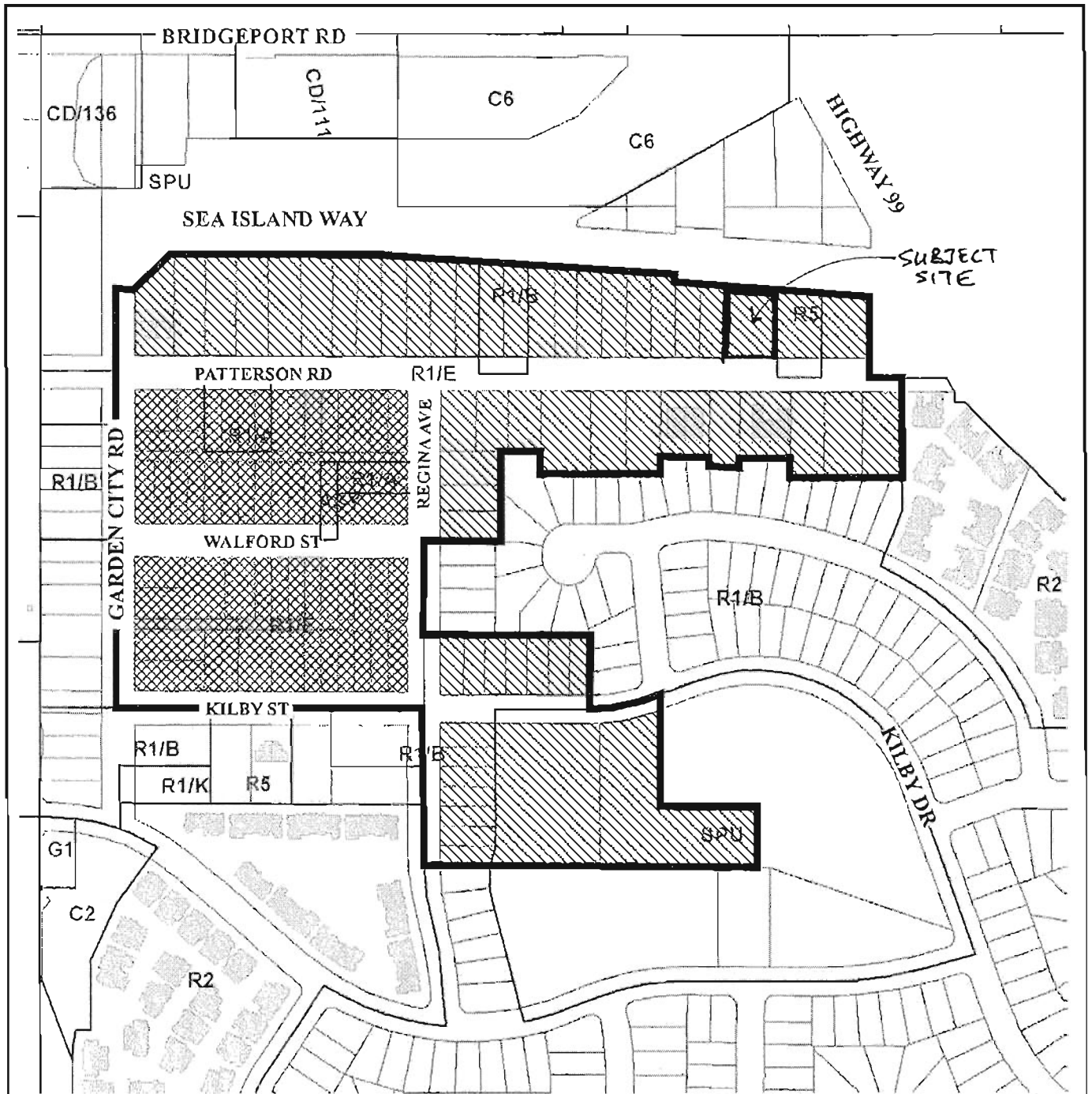
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 27-5-6



POLICY 5446:

The following policy establishes lot sizes in a portion of Section 27-5-6, bounded by **Sea Island Way, Highway 99, east side of Garden City Road, east side of Regina Avenue and north side of Kilby Street:**

That properties within the area bounded by Sea Island Way, Highway 99 and the east side of Regina Avenue, in a portion of Section 27-5-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) and further that properties within the area bounded by the east side of Garden City Road, the south side of Patterson Road, the west side of Regina Avenue and the north side of Kilby Street be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area A (R1/A) in Zoning and Development Bylaw 5300.

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/A
-  Subdivision permitted as per R1/B

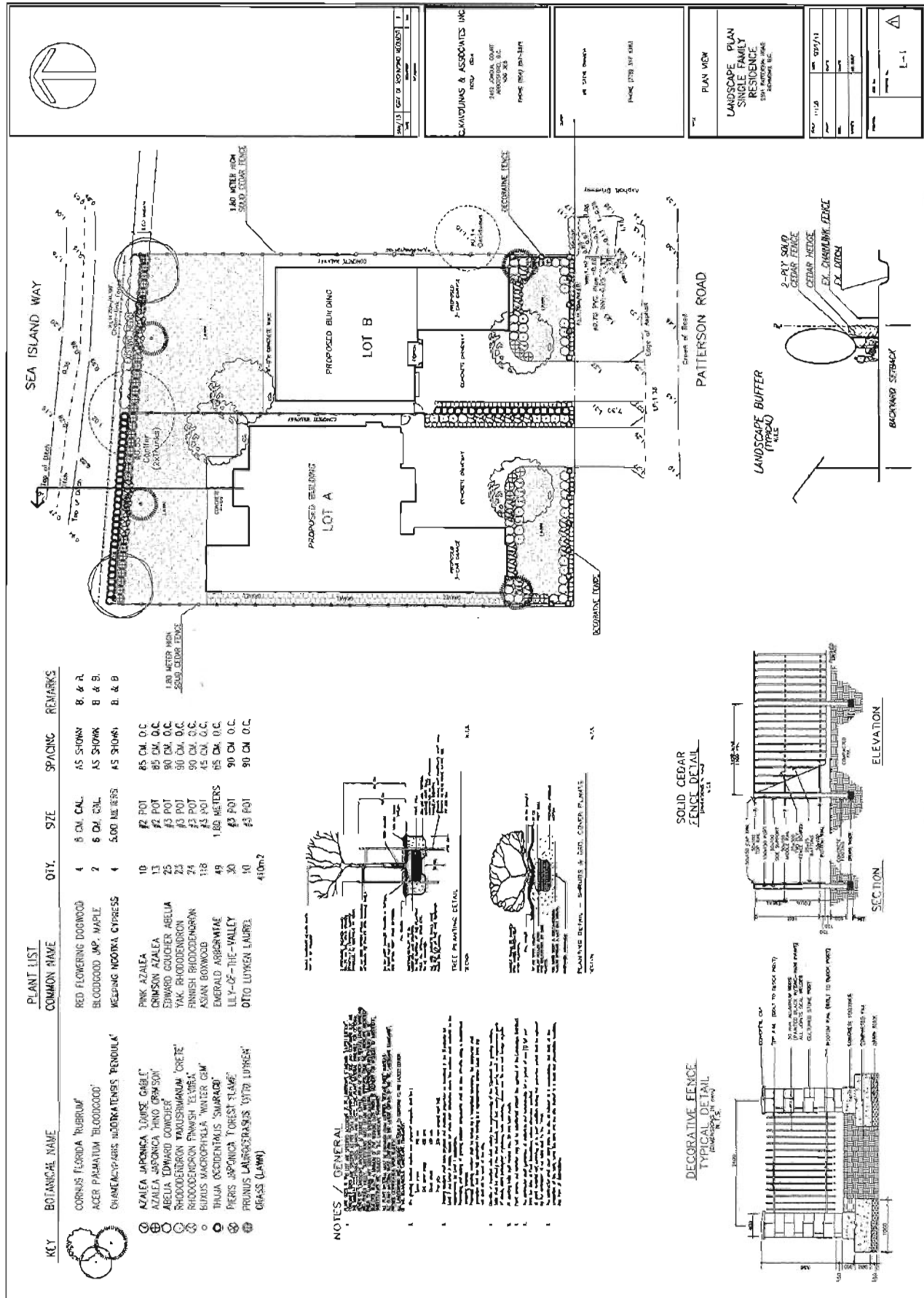


Policy 5446
Section 27-5-6

Adopted Date: 09/16/91

Amended Date: 06/21/99

Note: Dimensions are in METRES





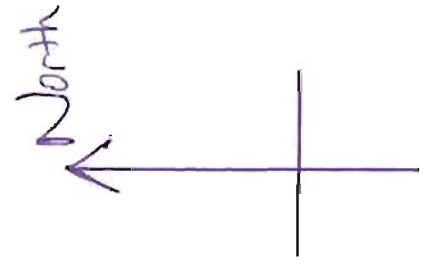
arbores consulting ltd
 Suite 200 - 2740 Chatham Street
 Richmond, BC Canada V7E 2Z3
 P 604 275 3434 F 604 275 9554
 email: trees@arboresbc.com

TREE RETENTION PLAN

Client: STEVE DHANDA
 Project: 2 LOT SUBDIVISION APPLICATION
 Address: 8591 PATTERSON ROAD, RICHMOND
 Date: 5 MAY 2011
 Our File: 11164

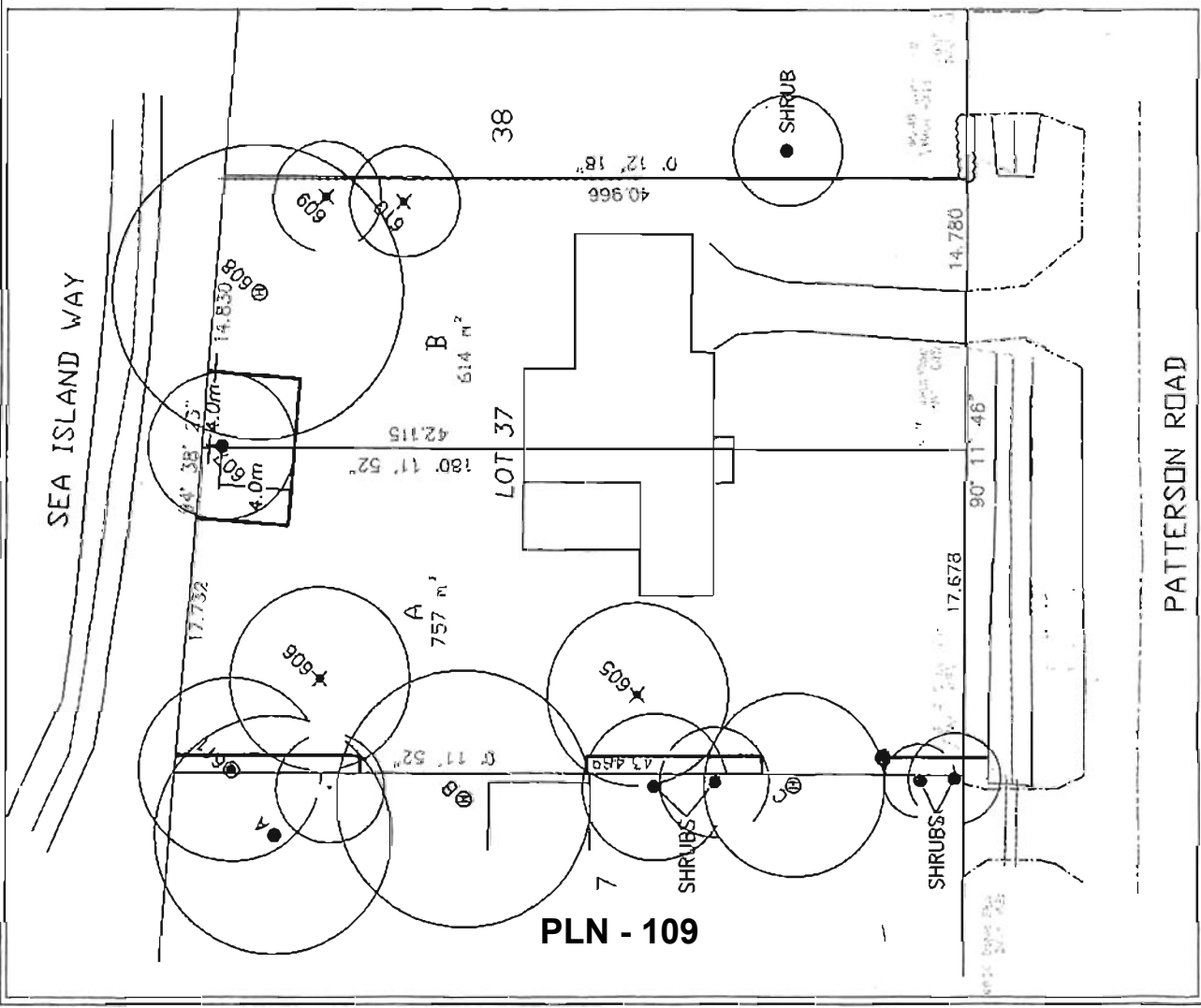
Muni File: _____
 Scale 1:250

RECEIVED
 JUN - 9 2011
 CITY OF RICHMOND



LEGEND - TREE RETENTION
 * denotes TREE NUMBER. Refer to tree inventory for type, size and condition etc.
 X denotes Tree to be REMOVED
 O denotes Tree to be REMOVED for hazard mitigation
 (Tree) denotes TREE PROTECTION FENCE to be installed to Tree Retention Area (TR) limits.

This plan is based on a topographic and tree location survey provided by the owner. Arbores Consulting Ltd. (AC) and Arbores Consulting Ltd. (AC) are not responsible for the accuracy of the information provided. The owner is responsible for the accuracy of the information provided. The owner is responsible for the accuracy of the information provided.



PLN - 109



Rezoning Considerations

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

Address: 9591 Patterson Road

File No.: RZ 11-591331

Prior to final adoption of Zoning Amendment Bylaw 9025 , the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Registration of an aircraft noise sensitive use covenant on title.
3. Registration of a flood indemnity covenant on title.
4. Registration of a legal agreement on title to identify the entire 1.5 m rear yard space as a buffer area and to ensure that landscaping planted within this buffer is maintained and will not be abandoned or removed. Buffer is conceptually shown in the landscape plan prepared by C.Kavolinas & Associates Inc., dated January 2013, and attached to the Report to Committee dated April 12, 2013.
5. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on the future eastern lot of the proposed two-lot subdivision, 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. \$6,928) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

6. Submission of a Landscaping Security to the City of Richmond in the amount of \$34,628 for the landscaping works (including 10 replacement trees) and buffer works as per the landscape plan prepared by C.Kavolinas & Associates Inc., dated January 2013, and attached to the Report to Committee dated April 12, 2013.

Prior to approval of Subdivision, the applicant is required to do the following:

1. Payment of Development Cost Charges (City and GVS & DD), Engineering Improvement Charges for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

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

1. Installation of appropriate tree protection fencing around all trees to be retained on site and/or on adjacent properties prior to any construction activities occurring on-site.

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

PLN - 110

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 copy on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9025 (RZ 11-591331)
9591 Patterson 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. 012-747-891

Lot 37 Section 27 Block 5 North Range 6 West New Westminster District Plan 27793

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9025".

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 signatures and approvals.

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

MAYOR

CORPORATE OFFICER