



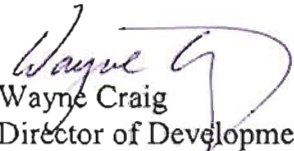
To: Planning Committee
From: Wayne Craig
Director of Development

Date: April 26, 2013
File: RZ 12-598660

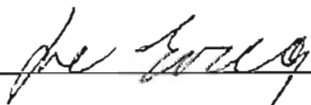
Re: Application by Harvinder Mattu and Ganda Singh for Rezoning at 10291 Bird Road from Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Bylaw 9026, for the rezoning of 10291 Bird 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

Harvinder Mattu and Ganda Singh have applied to the City of Richmond for permission to rezone 10291 Bird 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: An east-west hydro line corridor and trail on a provincially-owned parcel zoned School & Institutional Use (SI).
- To the east: A series of non-conforming duplexes on lots zoned Single Detached (RS1/E).
- To the south: Across Bird Road, a series of newer single-family dwellings on lots rezoned and subdivided to "Single Detached (RS1/B)" in the early 2000's.
- To the west: Two (2) newer single-family dwellings on lots zoned "Single Detached (RS1/B)" (RZ 06-330144, SD 06-330146).

Related Policies & Studies

Lot Size Policy 5424

The subject site is located within the area covered by Lot Size Policy 5424 (adopted by City Council in 1989) (**Attachment 3**). This Policy permits rezoning and subdivision of lots on the Bird 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; each approximately 12.2 m wide and approximately 688 m² in area, which is consistent with the Lot Size Policy.

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.

The applicant is proposing to provide a legal secondary suite on at least 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 Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection is to be granted until the secondary suites are 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. This agreement will be discharged from Title on the one (1) lot where a secondary

suite is not required by the Affordable Housing Strategy after the requirements are satisfied, at the initiation of the applicant.

Should the developers' 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. \$6,976).

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 Preservation and Replacement

A Tree Survey (**Attachment 4**) and a Certified Arborist's Report were submitted in support of the application. The City's Tree Preservation staff have reviewed the Arborist Report and concurred with the recommendations made by the Arborist.

There are three (3) trees located on site but all of them are not good candidates for retention as they have all been previously topped and as a result all have visible decay at the old pruning wounds and stem failure. Based on the 2:1 tree replacement ratio goal stated in the OCP, six (6) replacement trees are required. 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 to be removed	dbh	# of replacement trees required	Min. calliper of deciduous tree	or	Min. height of coniferous tree
1	20-30 cm	2	6 cm		3.5 m
2	60 cm +	4	11 cm		6.0 m

To ensure that the replacement trees are planted and maintained, the applicant is required to submit a Landscaping Security to the City in the amount of \$3,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

There are two (2) trees located on the city's boulevard in front of the site. Parks Operations staff have assessed the tree condition and recommend that the tree protection fencing be installed no less than 2.0 m from the tree. This should allow for a driveway width of approximately 5.5 m between the two (2) city trees. Any excavation within the critical root zone (drip line) of the tree should be done by hand; proper root pruning should be carried out if necessary. A contract with a Certified Arborist to monitor all works to be done near or within the tree protection zone must be submitted prior to final adoption of the rezoning bylaw.

Ministry of Transportation & Infrastructure (MOTI) Approval

MOTI approval is a condition of final approval for this site. Preliminary Approval has been granted by MOTI for one (1) year.

Existing Utility Right-of-Way

There is an existing 6.0 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, placement of fill and non-cast-in-place retaining walls above 0.9 m (3 ft) in height.

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 5424 and is located within an established residential neighbourhood that has a strong presence of Single Detached (RS1/B) lots. 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 the north side of this block have redevelopment potential in accordance with the existing Lot Size Policy.

All the relevant technical issues have been addressed. The list of rezoning considerations is included as **Attachment 5**, 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 5424 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.



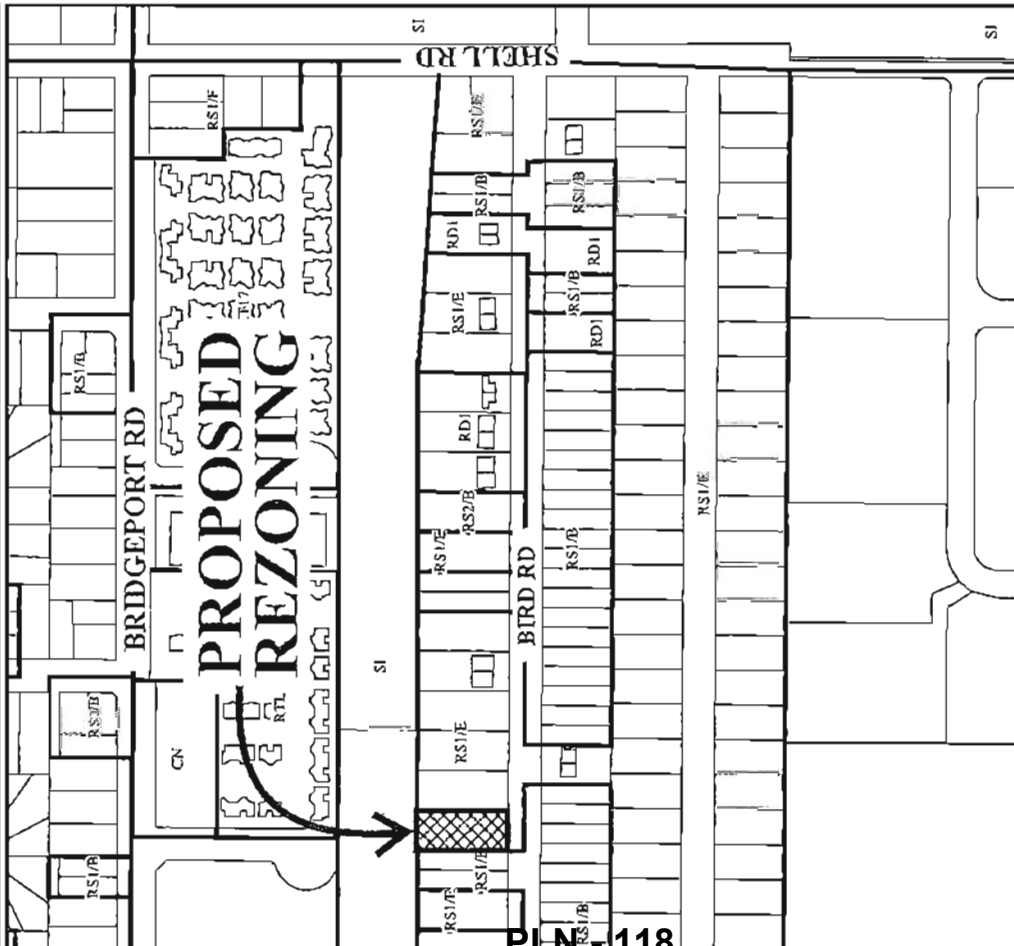
Edwin Lee
Planning Technician - Design

EL:kt

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



City of Richmond

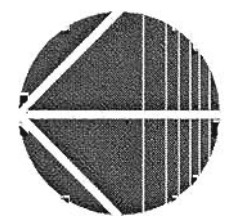


PLAN 118

12.19	12.19	24.38	24.38	56.71	56.71
12.19	12.19	24.38	24.38	56.91	56.91
10271	10273	10311	10331	10331	10331
12.19	12.19	24.38	24.38	24.38	24.38
56.34	56.39	56.39	56.39	56.39	56.39

BIRD RD

4	12.04	12.05	12.05	12.03	12.03	24.08	12.04
58	10280	10288	10300	10320	10326	10366	10366

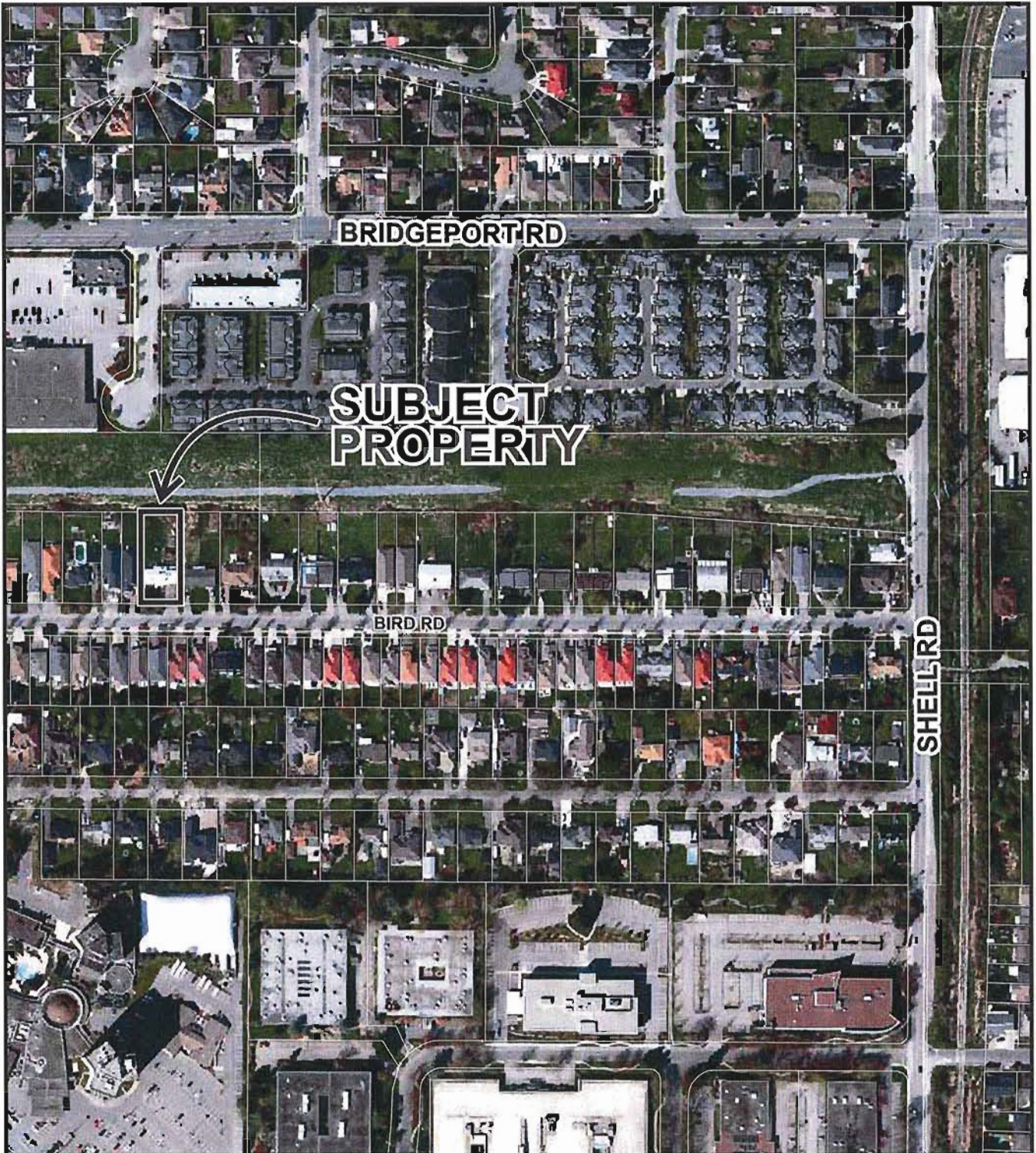


RZ 12-598660

Original Date: 01/26/12

Revision Date:

Note: Dimensions are in METRES



RZ 12-598660

Original Date: 01/26/12

Amended Date:

Note: Dimensions are in METRES



RZ 12-598660

Attachment 2

Address: 10291 Bird Road

Applicant: Harvinder Mattu and Ganda Singh

Planning Area(s): East Cambie

	Existing	Proposed
Owner:	Harvinder Mattu and Ganda Singh	No Change
Site Size (m ²):	1,375 m ² (14,800 ft ²)	Approx. 688 m ² (7,400 ft ²) each
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:	East Cambie Area Plan – Residential (Single Family only)	No change
702 Policy Designation:	Policy 5424 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	688 m ²	none

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



Page 1 of 1

Adopted by Council: November 20, 1989

Policy 5424

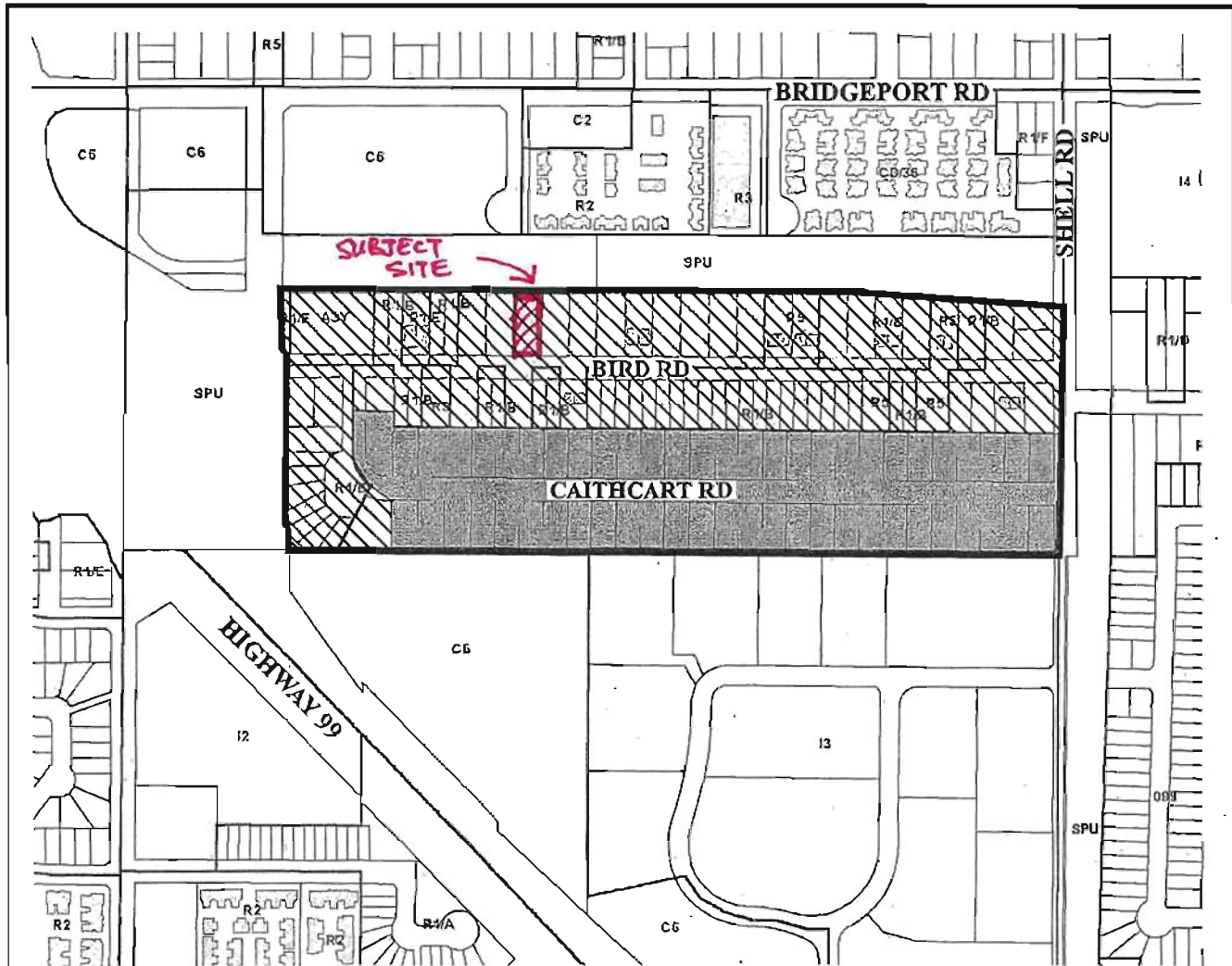
File Ref: 4045-00

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

Adopted Date: 11/20/89

Amended Date:



Address: 10291 Bird Road

File No.: RZ 12-598660

Prior to final adoption of Zoning Amendment Bylaw 9026 , 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 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. \$6,976) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

5. Submission of a Landscaping Security to the City of Richmond in the amount of \$3,000 (\$500/tree) for the planting and maintenance of six (6) replacement trees (in a mix of coniferous and deciduous trees) with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	Or	Minimum Height of Coniferous Trees
2	6 cm		3.5 m
4	11 cm		6.0 m

Note: If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

Should the applicant wish to begin site preparation work after Third Reading of the rezoning bylaw, but prior to Final Adoption of the rezoning bylaw, the applicant will be required to obtain a Tree Permit, install tree protection around trees to be retained, and submit a landscape security (i.e. \$3,000) to ensure the replacement planting will be provided.

6. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted near or within the tree protection zone on site and on city boulevard for protected street trees located on the city boulevard. 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.

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

1. Installation of appropriate tree protection fencing around all city trees in front of the site prior to any demolition and/or construction activities occurring on-site. Tree protection fencing must be installed no less than 2.0 m from the tree and must remain in place until construction and landscaping on the future lots is completed.

Prior to Building Permit Issuance, the applicant 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.

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

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9026 (RZ 12-598660)
10291 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. 007-294-603

Lot 38 Block "B" Section 26 Block 5 North Range 6 West New Westminster District Plan 14105

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9026".

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 dates corresponding to the reading stages.

CITY OF RICHMOND APPROVED by MB APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER