



City of Richmond

Report to Committee Planning and Development Division


To: Planning Committee
From: Wayne Craig
Director, Development

Date: September 6, 2016
File: RZ 16-738201


Re: Application by Gurpreet Bains for Rezoning at 9660 Seameadow Court from
Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9618, for the rezoning of 9660 Seameadow Court from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.


Wayne Craig
Director, Development

WC:acr
Att. 6

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

Staff Report

Origin

Gurpreet Bains has submitted a rezoning application to the City of Richmond for permission to rezone the property at 9660 Seameadow Court from Single Detached (RS1/E) zone to Single Detached (RS2/B) zone, to permit the property to be subdivided to create two (2) lots, with vehicle access from Seameadow Court (Attachment 1). The site is currently occupied by a single family dwelling, which will be demolished. A site survey showing the proposed subdivision plan is included in Attachment 2.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is shown in Attachment 3.

Surrounding Development

The subject property is located in a cul-de-sac south of Seaport Avenue and is surrounded by single detached housing, on lots zoned “Single Detached (RS1/E)” to the north, south, east and west.

Related Policies & Studies

Official Community Plan/Shellmont Area Plan

The OCP designation of the property is Neighbourhood Residential, where principal uses are single family, two-family and multiple family housing (specifically townhouses). The subject property is consistent with Richmond’s *2041 Official Community Plan Bylaw 9000* (OCP) by protecting single family neighbourhoods outside the City Centre.

The subject property is designated for Neighbourhood Residential within the Shellmont Area Plan and the proposed development is consistent with the Area Plan.

Single Family Lot Size Policy 5409/Zoning Bylaw 8500

The subject property is located within the area governed by Single-Family Lot Size Policy 5409 (adopted by Council on April 10, 1989 and last amended in 2013) (Attachment 4). The Lot Size Policy permits the property to be rezoned and subdivided in accordance with the provisions of the “Single Detached (RS1/B)” zone. The proposed rezoning and subdivision would comply with the requirements of the “Single Detached (RS2/B)” zone and the Lot Size Policy 5409.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Public Consultation

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant 1st reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the Local Government Act.

Analysis**Existing Legal Encumbrances**

A Statutory Right of Way (#H29742) for utilities exists along the southern portion of the subject property. The 4.6 m wide strip as shown on Attachment 2 allows for the sanitary service line to connect to properties to the west. No structures are permitted to encroach into the right of way.

A second Statutory Right-of Way registered on Title of the subject property (#G44845) was registered for a location north of the site, which was once part of plan that included the subject property. It is no longer required for the subject property and must be discharged by the owner prior to rezoning approval.

Transportation and Site Access

The two (2) proposed lots would be accessed from Seameadow Court. There are no other transportation requirements for this proposed rezoning and subdivision.

Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses seven bylaw-sized trees on the subject property, one tree on the neighbouring property to the north, and one street tree on City property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and has the following comments:

- Retain and protect two trees (Trees #3 and 4) as per Arborist report recommendations
- Remove and replace four trees (Trees # 2, 5, 6, and 8) that are either dead, dying (sparse canopy foliage), are infected with Fungal Blight or exhibit structural defects such as cavities at the main branch union and co-dominate stems with inclusions or are dying as a result of Bronze Birch Borer. These trees are not good candidates for retention.

- Remove and replace one tree (#9) that is within the Statutory Right of Way. The City requires the developer to install approximately 5 m of sanitary sewer along the south property line and trees are not permitted in the required Statutory Right of Way area.
- Replacement trees must be specified at 2:1 ratio as per the OCP.

Tree Replacement

The applicant wishes to remove five (5) on-site trees. The 2:1 replacement ratio would require a total of 10 replacement trees. The applicant has agreed to plant five (5) trees on each lot proposed; for a total of 10 trees. Replacement trees shall not be planted within the proposed Statutory Right of Way. The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

| No. of Replacement Trees | Minimum Caliper of Deciduous Replacement Tree | Minimum Height of Coniferous Replacement Tree |
|--------------------------|---|---|
| 2 | 11 cm | 6 m |
| 6 | 10 cm | 5.5 m |
| 2 | 8 cm | 4 m |

Parks Staff has authorized the removal of one (1) Mountain Ash tree in the center of the City frontage because the tree is in poor condition and in conflict with the new driveway and utilities required of the subdivision. The applicant is required to contribute \$1,300 as compensation for the removal of the tree.

Tree Protection

The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 5).

The arborist report recommends that one large zone protect Trees #3 and #4 both located on the westerly portion of proposed Lot A. Tree Protection Zone fencing spanning 3.2 m from the base of the stem on the northwest side of Tree #3 and 2.5 m from the base of the stem on the northeast side of tree #4 is recommended. No grade changes are to occur within this Zone; retaining walls and perimeter drainage must be installed outside of this Zone. An existing shed is within this Zone; its removal must be supervised by a Certified Arborist. A Tree Survival Security of \$20,000 in the form of a Letter-of-Credit (LoC) to ensure the survival of the two (2) trees to be retained is required.

To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to

tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.

- Provide a Letter-of-Credit in the amount of \$5,000 for the replacement of 10 trees.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

Affordable Housing Strategy

The Affordable Housing Strategy for single-family rezoning applications requires a secondary suite on 100% of new lots, or a secondary suite on 50% of the new lots created and a cash-in-lieu contribution of \$2.00/ft² on the remaining lots, or 100% cash-in-lieu contribution of \$2.00/ft² of total buildable area towards the City's Affordable Housing Reserve Fund if the lots are too small to accommodate a secondary suite.

The applicant proposes to provide a secondary suite in the house on each of the new lots. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will 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. Registration of this legal agreement is required prior to final adoption of the rezoning bylaw.

Site Servicing and Frontage Improvements

At future subdivision and building permit stage, the applicant is required to complete the payment of the current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with completion of the required servicing works described in Attachment 6.

Financial Impact or Economic Impact

The rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

Conclusion

The proposed rezoning would enable the subdivision of the subject property into two lots zoned Single Detached (RS2/B). This rezoning application complies with the land use designations and applicable policies contained in the OCP and the requirements of Single Family Lot Size Policy 5409.

As such, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9618 be introduced and given first reading.

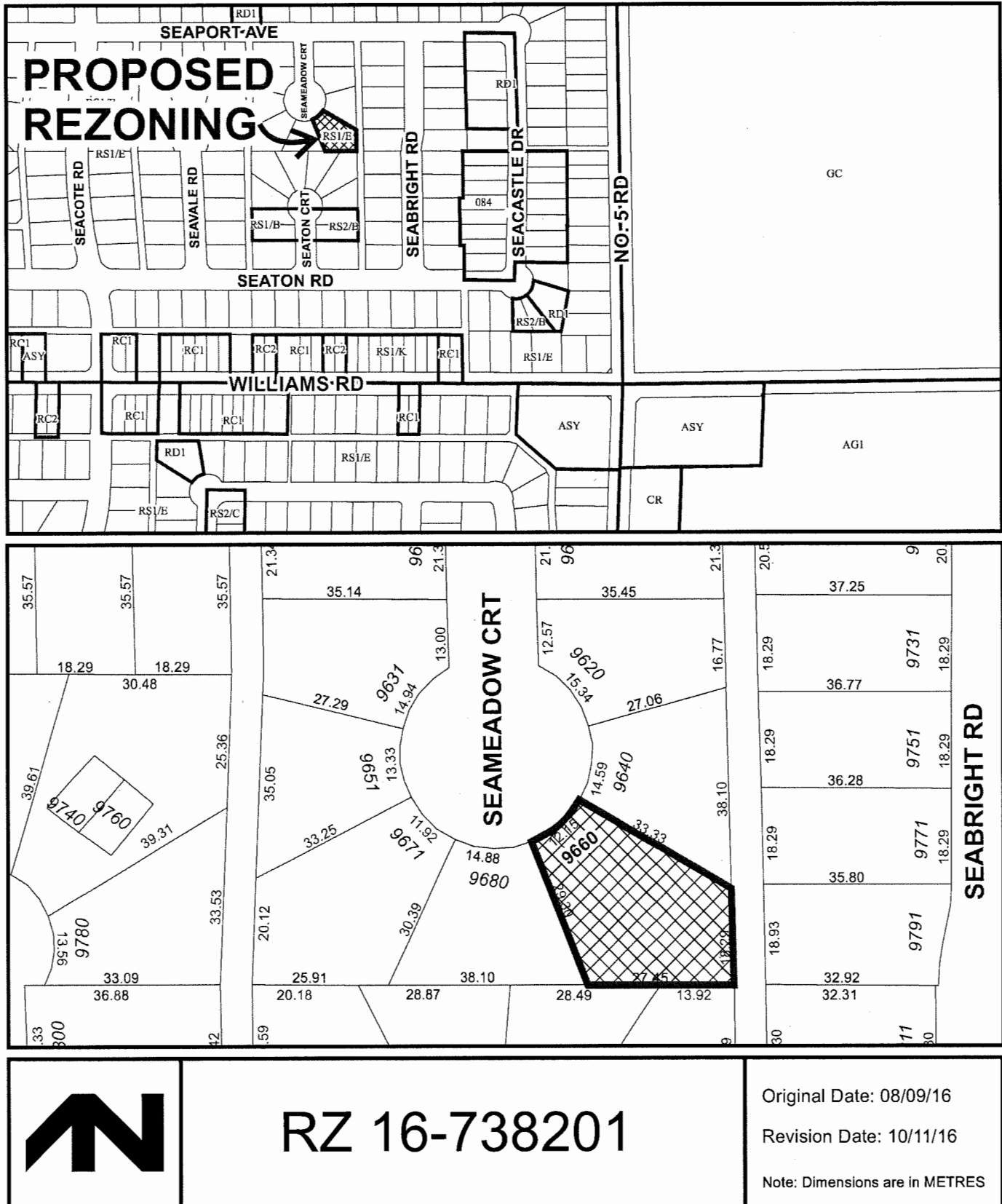


Ada Chan Russell
Planner 1

ACR:cas

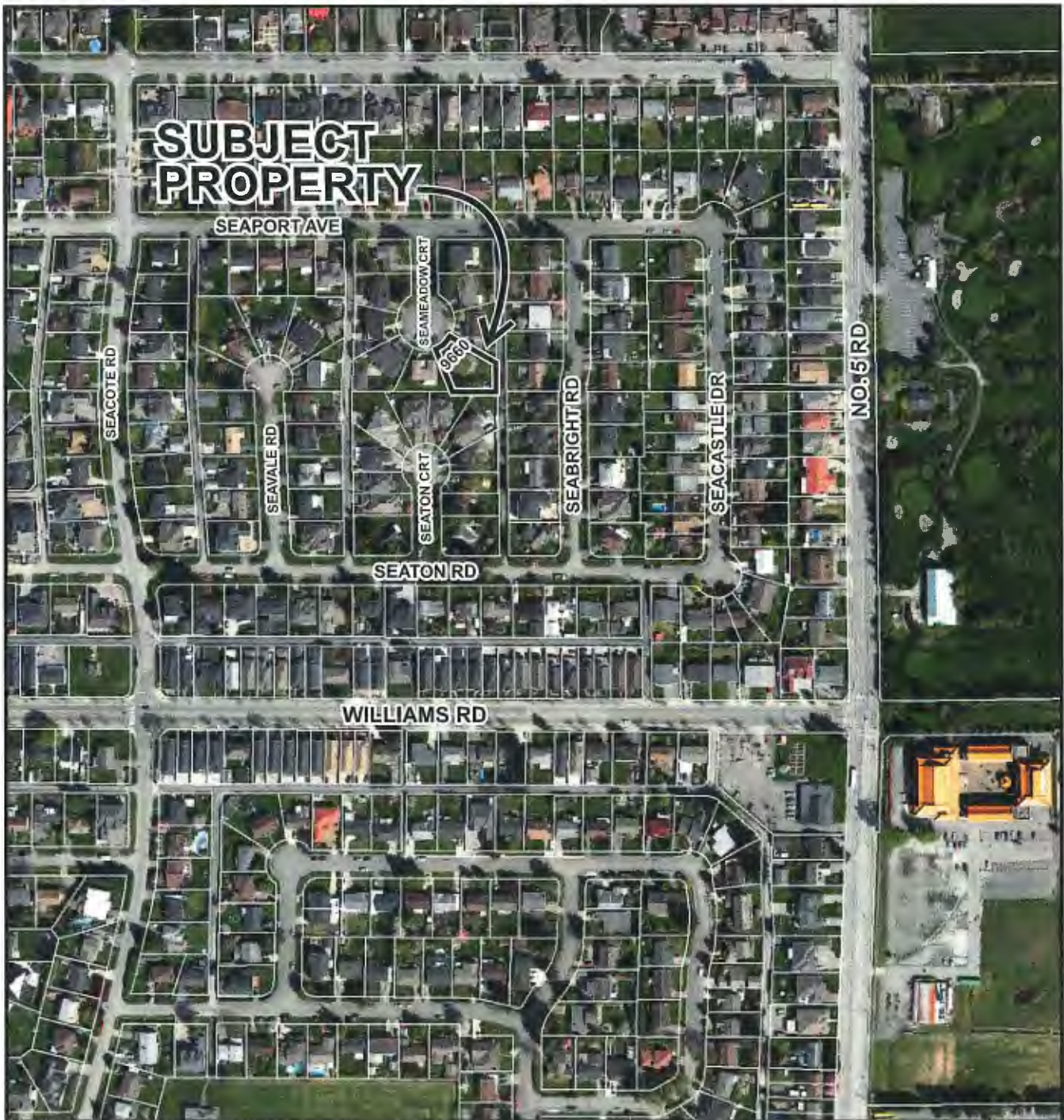
- Attachment 1: Location Map
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Single Family Lot Size Policy 5409
- Attachment 5: Tree Protection Plan
- Attachment 6: Rezoning Considerations

City of
Richmond





City of
Richmond



RZ 16-738201

Original Date: 08/09/16

Revision Date: 10/11/16

Note: Dimensions are in METRES

**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 264 SECTION 25
BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 41169**

#9660 SEAMEADOW COURT,
RICHMOND, B.C.
P.L.D. 003-533-280

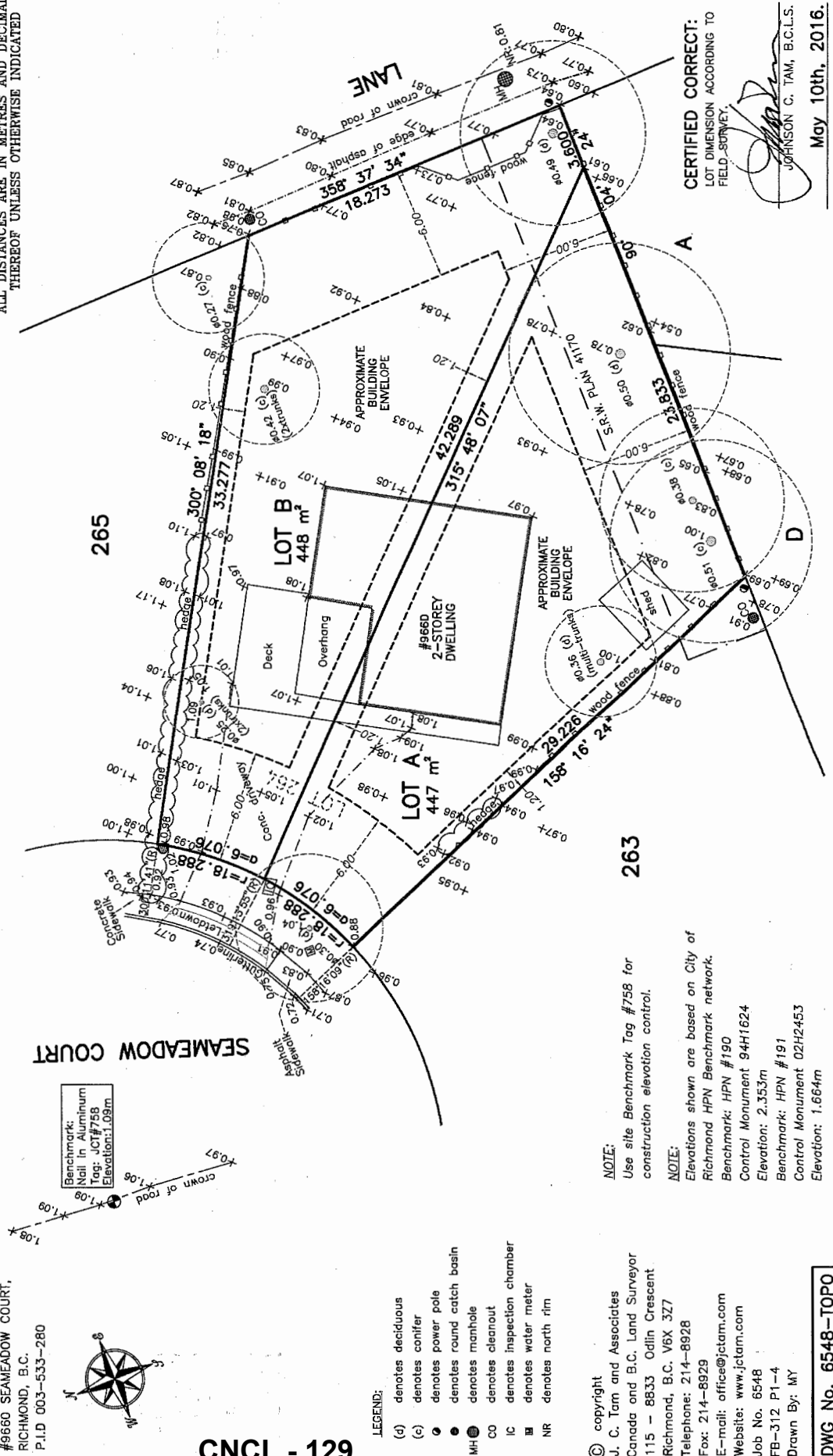


Benchmark:
Nail in Aluminum
Tag: JCT#758
Elevation: 1.09m

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



CNCL - 129

DWG No. 6548-TOPO



RZ 16-738201

Attachment 3

Address: 9660 Seameadow Court

Applicant: Gurpreet Bains

Planning Area(s): Shellmont

| | Existing | Proposed |
|-----------------------------------|---|--|
| Owner: | Paramvir and Gurpreet Bains Avtar Hamjole-Deol, Saran Hamjole, Gurkirpal Deol | No Change |
| Site Size (m²): | 895 m ² (9,633.7 ft ²) | Lot A = 447 m ² (4,811.47 ft ²) Lot B = 448 m ² (4,822.23 ft ²) |
| Land Uses: | One (1) single-family dwelling | Two (2) single-family dwellings |
| OCP Designation: | Neighbourhood Residential | Neighbourhood Residential |
| Area Plan Designation: | Shellmont | Shellmont |
| 702 Policy Designation: | Policy 5409 permits subdivision to Single Detached (RS2/B) | No Change |
| Zoning: | Single Detached (RS2/E) | Single Detached (RS2/B) |
| Number of Units: | 1 | 2 |

| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|---|---|---|----------------|
| Floor Area Ratio: | Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ² | Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ² | none permitted |
| Buildable Floor Area (m²):* | Lot A: Max. 245.85 m ² (2,646.3 ft ²) Lot B: Max. 246.4 m ² (2,652.2 ft ²) | Lot A: Max. 245.85 m ² (2,646.3 ft ²) Lot B: Max. 246.4 m ² (2,652.2 ft ²) | none permitted |
| Lot Coverage (% of lot area): | Building: Max. 45% Non-porous Surfaces: Max. 25% Total: Max. 70% | Building: Max. 45% Non-porous Surfaces: Max. 25% Total: Max. 70% | none |
| Lot Size: | Min. 360 m ² | Lot A: 447 m ² Lot B: 448 m ² | none |
| Lot Dimensions: | Width: Min. 12 m Depth: Min. 24 m | Lot A W: 14.95 m D: 35.76 m Lot B W: 18.62 m D: 37.78 m | none |

| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|---------------------------|--|--|----------|
| Setbacks: | Front: Min. 6 m Rear: Min 6 m Side: Min. 1.2 m | Front: Min. 6 m Rear: Min 6 m Side: Min. 1.2 m | none |
| Height: | Max. 2.5 storeys and within Residential Vertical Lot Envelopes | Max. 2.5 storeys and within Residential Vertical Lot Envelopes | none |

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

* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: April 10, 1989
 Amended by Council: October 16, 1995
 Amended by Council: July 16, 2001*
 Amended by Council: October 21, 2013

POLICY 5409

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 25-4-6

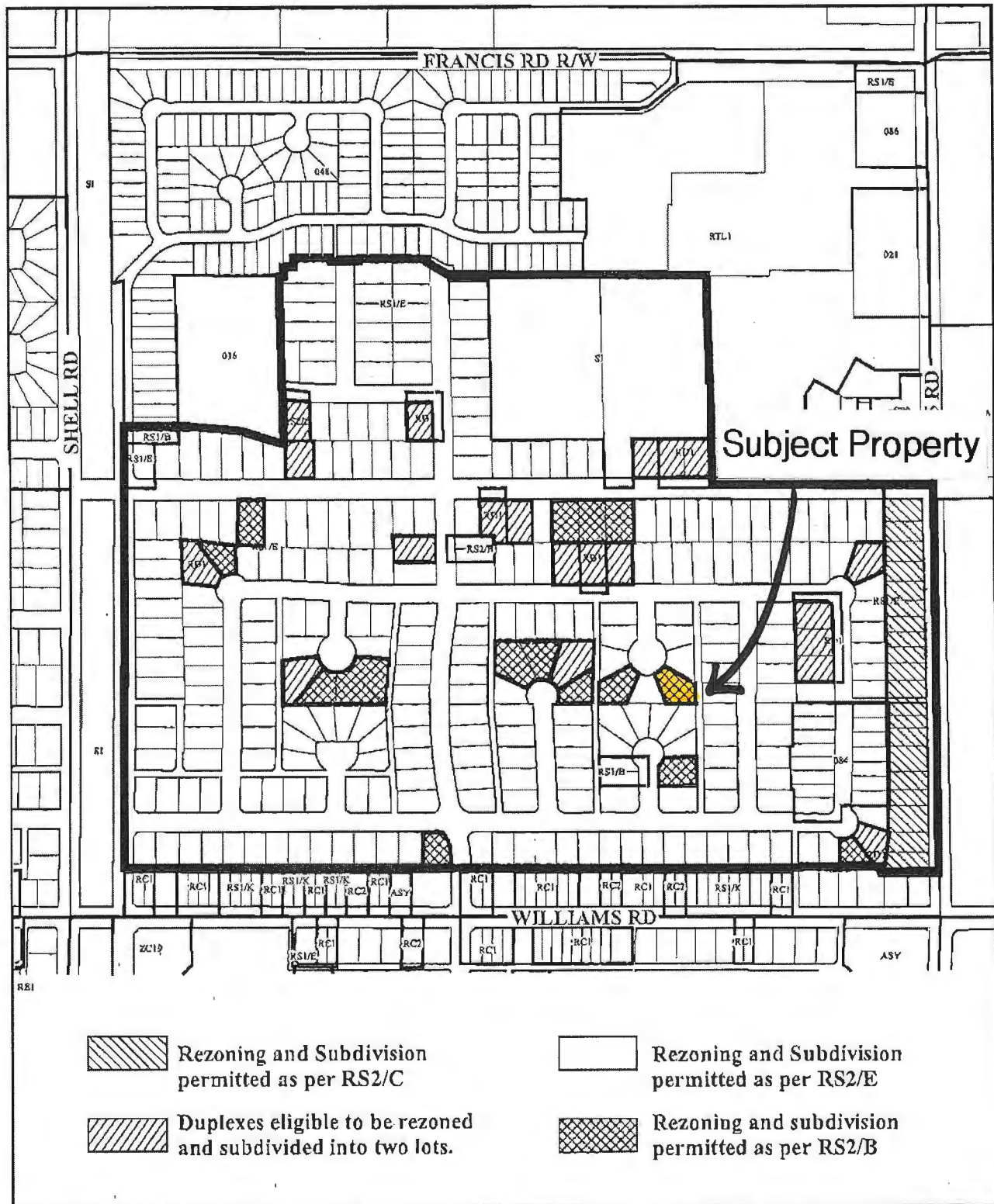
POLICY 5409:

The following policy establishes lot sizes for the area generally bounded by **Shell Road, King Road, No. 5 Road** and **properties fronting onto Seaton Road**, in a portion of Section 25-4-6:

1. That properties within the area be permitted to rezone and subdivide in accordance with the provisions of Single Detached (RS2/E) in Richmond Zoning Bylaw 8500, with the following exceptions:
 - (a) properties with existing duplexes identified on the accompanying plan may be rezoned and subdivided into a maximum of two lots;
 - (b) properties with frontage on No. 5 Road may be rezoned and subdivided as per Single Detached (RS2/C); and
 - (c) properties shown as "cross-hatched" on the accompanying plan may be rezoned and subdivided as per Single Detached (RS2/B).

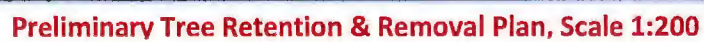
This policy, as shown on the accompanying plan, is to be used to determine the disposition of future single-family rezoning applications in this area for a period of not less than five years, unless changed by the amending procedures contained in Richmond Zoning Bylaw 8500.

* Original Adoption Date in Effect

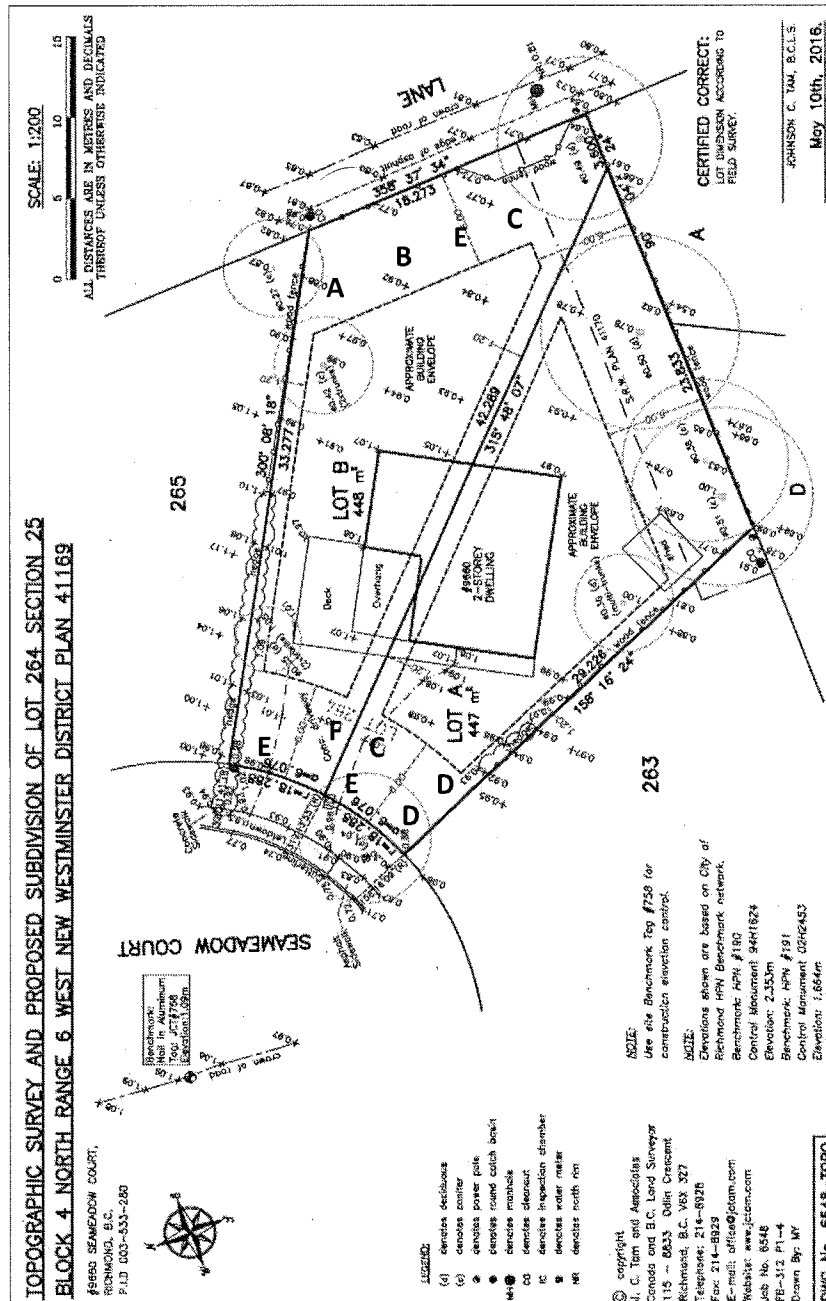


Policy 5409 Section 25,4-6

Adopted Date: 04/10/89
Amended Date: 07/16/01
Amended Date: 10/21/13



Preliminary Tree Replacment Plan



Site Survey – Not to Scale

- A = 1, 8cm caliper Purple Fountain European Beech (*Fagus sylvatica* 'Purple Fountain')
- B = 1, 10cm caliper Stewartia (*Stewartia pseudocamellia*)
- C = 2, 10cm Paperbark Maple (*Acer griseum*)
- D = 2, 6m Nootka Cypress (*Chamaecyparis nootkatensis*)
- E = 3, 10cm Kousa Dogwood (*Cornus kousa*)
- F = 1, 8cm caliper Stewartia (*Stewartia pseudocamellia*)

TOTAL PROPOSED REPLACEMENTS = 10 (5 removals = 10 required replacement trees)

Note: Replacement trees should not interfere with driveways, visibility, buildings, services, sidewalks and the view corridors of adjacent properties. All plant material, topsoil depth, and quality and installation to be to the BC Landscape Standard, recent edition. They should be watered deeply twice per week (depending on natural levels of precipitation) for the first year or until established.



City of Richmond

Rezoning Considerations

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

Address: 9660 Seameadow Court

File No.: RZ 16-738201

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9618, the developer is required to complete the following:

1. Submission of a Landscape Security in the amount of \$5,000 (\$500/tree) to ensure that a total of five (5) replacement trees are planted and maintained on each lot proposed (for a total of 10 trees) outside of the proposed Statutory Right of Way with the following minimum sizes:

| No. of Replacement Trees | Minimum Caliper of Deciduous Replacement Tree | Minimum Height of Coniferous Replacement Tree |
|--------------------------|---|---|
| 2 | 11 cm | 6 m |
| 6 | 10 cm | 5.5 m |
| 2 | 8 cm | 4 m |

The security will not be released until an acceptable impact assessment report by the Certified Arborist is submitted and a landscaping inspection has been passed by City Staff. The City may retain a portion of the security for a one-year maintenance period.

2. City acceptance of the developer's offer to voluntarily contribute \$1,300 to the City's Tree Compensation Fund for the planting of replacement trees within the City. (\$1,300/tree for one (1) city tree)
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. 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. Submission of a Tree Survival Security to the City in the amount of \$20,000 for the two (2) on-site trees to be retained. The security will not be released until an acceptable impact assessment report by the Certified Arborist is submitted and a landscaping inspection has been passed by City Staff. The City may retain a portion of the security of a one-year maintenance period.
5. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
6. Registration of a flood indemnity covenant on title.
7. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on both of the proposed future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
8. Discharge of existing Statutory Right-of Way registered on Title of the subject property (#G44845).

At Demolition Permit* stage, the developer is required to complete the following:

1. Installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and must remain in place until construction and landscaping on-site 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 Department. 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 **ENCL 157136**

Initial: _____

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 Department at 604-276-4285.

At Subdivision* stage, the developer must complete the following requirements:

1. Payment of City of Richmond Development Cost Charges (\$24,859.53) and GVRD Development Cost Charges (\$1,077.00).
2. The following servicing works and off-site improvements may be completed through either a) a Servicing Agreement* entered into by the applicant to design and construct the works to the satisfaction of the Director of Engineering; or b) a cash contribution (based on the City's cost estimate for the works) for the City to undertake the works at development stage:

Water Works:

- a) Using the OCP Model, 111 L/s of water is available at a 20 psi residual at the hydrant on Seaport Ave. Based on the proposed development, the subject site requires a minimum fire flow of 95 L/s.
- b) The Developer is required to:
 - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
- c) At Developer's cost, the City is to:
 - Install 2 new water service connections complete with meter and meter box off of the existing 150mm AC watermain on Seameadow Crt.
 - Cut and cap at main, the existing water service connection.

Storm Sewer Works:

At Developer's cost, the City is to:

- Install a new storm service connection complete with inspection chamber and dual service leads at the adjoining property line of the two newly subdivided lots, off of the existing manhole STMH7562.
- Cut and cap the existing storm service lead at the north corner of the subject site.

Sanitary Sewer Works:

At Developer's cost, the City is to:

- Install approximately 5m of sanitary sewer along the south property line of the subject site complete with a new manhole and dual service leads off of the manhole to service the newly subdivided lots. Tie-in to the existing manhole SMH609, and reconnect the existing lateral servicing 9680 Seameadow Crt and 9780 Seaton Crt.
- Cut, cap and remove the existing sanitary service lead at the northeast corner of the subject site.

Frontage Improvements:

The Developer is required to:

- a) Coordinate with BC Hydro, Telus and other private communication service providers
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.). These should be located onsite.
- b) At Developer's cost, complete other frontage improvements as per Transportation's requirements including concrete works for curb and gutter and new driveway letdown.

General Items:

The Developer is required to:

- Enter into, if required, 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, 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.

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.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

(Signed concurrence on file) _____

Signed

_____ Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9618 (RZ 16-738201)
9660 Seameadow Court**

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. 003-533-280

Lot 264 Section 25 Block 4 North Range 6 West New Westminster District Plan 41169

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9618"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

| |
|-------|
| _____ |
| _____ |
| _____ |
| _____ |
| _____ |
| _____ |

| |
|--|
| CITY OF RICHMOND |
| APPROVED by BK |
| APPROVED by Director or Solicitor  |

MAYOR

CORPORATE OFFICER