



City of Richmond

Report to Committee Fast Track Application Planning and Development Division

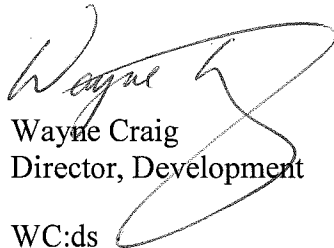
To: Planning Committee
From: Wayne Craig
Director, Development

Date: September 28, 2016
File: RZ 16-735240


Re: Application by Trivia Homes Ltd. for Rezoning at 9771 Sealily Place from Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9621, for the rezoning of 9771 Sealily Place from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.


Wayne Craig
Director, Development

WC:ds
Att. 6

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

Staff Report

Item	Details		
Applicant	Trivia Homes Ltd.		
Location	9771 Seality Place (Attachment 1)		
Zoning	Existing: Single Detached (RS1/E)		
	Proposed: Single Detached (RS2/B) (Attachment 2)		
Development Data Sheet	Attachment 3		
OCP Designation	Neighbourhood Residential	Complies:	Yes
Lot Size Policy	5049 (Attachment 4)	Complies:	Yes
Affordable Housing Strategy Response	Secondary suites on two (2) of the two (2) lots proposed.	Complies:	Yes
Surrounding Development	North, south, east, west: Single-family dwellings on lots zoned "Single Detached (RS1/E)".		
Rezoning Considerations	Attachment 6		

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 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

Trivia Homes Ltd. has applied to the City of Richmond for permission to rezone the property at 9771 Seality Place from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create two (2) lots, with vehicle access from Seality Place (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.

Existing Legal Encumbrances

There is an existing statutory right-of-way (SRW) registered on Title for utilities in the southwest corner of the subject property; which will not be impacted by the proposed development. The applicant is aware that encroachment into the SRW is not permitted.

Site Access

Vehicle access to the proposed lots is to be from Sealily Place via a single shared driveway letdown.

Tree Retention and Replacement

A Certified Arborist's Report was submitted by the applicant, which identifies tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The report assesses eight (8) bylaw-sized trees located on the subject site and three (3) trees located on neighbouring properties.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted on-site visual tree assessment, and concurs with the Arborist's recommendations to:

- Retain and protect two (2) trees (tag# 88 & 92) located on the subject property due to good condition (34, 36 cm dbh).
- Retain and protect three (3) trees (tag# OS1, OS2 & OS3) located on neighbouring properties (54, 21, 100 cm dbh).
- Remove three (3) trees (tag# 89, 90, 91) located in the rear yard and within the future statutory right-of-way (30, 41, 30 cm dbh). The Engineering Department has confirmed the trees will need to be removed due to required sanitary sewer works for the proposed lots.
- Remove three (3) trees (tag# 85, 86 & 87) located on the subject property due to either being dead, dying (sparse canopy foliage), previously topped, or exhibiting structural defects such as cavities and co-dominant stems with inclusions (47, 64, 83 cm dbh).

Tree Protection

The proposed Tree Management Diagram is shown in Attachment 5; which outlines the protection of the two (2) trees onsite and three (3) trees on neighbouring properties.

To ensure the protection of the five (5) trees (tag# 88, 92 OS1, OS2 & OS3), the applicant is required to complete the following:

- Prior to final adoption of the rezoning bylaw, submission of a contract with a Certified Arborist for supervision of all works conducted within 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.

- 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.
- Prior to the demolition of the existing dwelling on the subject site, the applicant is required to install 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 works are completed.

Tree Replacement

For the removal of the six (6) trees on-site, the OCP tree replacement ratio goal of 2:1 requires 12 replacement trees to be planted and maintained on the proposed lots. The applicant has proposed to plant and maintain seven (7) replacement trees onsite, five (5) replacement trees on proposed Lot A, in addition to the one (1) tree to be retained and protected, and two (2) replacement trees on proposed Lot B, in addition to the one (1) tree to be retained and protected.

As per Tree Protection Bylaw No. 8057, based on the sizes of the on-site trees being removed (30-83 cm dbh), replacement trees shall be the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	or	Minimum Height of Coniferous Replacement Tree
3	9 cm		5 m
4	11 cm		6 m

To ensure that seven (7) replacement trees are planted on-site at development stage, the applicant is required to submit a Landscaping Security in the amount of \$3,500 (\$500/tree) prior to final adoption of the rezoning bylaw. Securities will not be released until a landscaping inspection has been passed by City staff after construction and landscaping has been completed. The City may retain a portion of the security for a one (1) year maintenance period from the date of the landscape inspection.

The applicant is also required to submit a cash-in-lieu contribution in the amount of \$2,500 (\$500/tree) to the City’s Tree Compensation Fund for the balance of required replacement trees not planted on the proposed lots (five (5) trees).

Affordable Housing Strategy

The City’s current Affordable Housing Strategy (adopted by Council September 14, 2015) for single-family rezoning applications requires a secondary suite on 100% of new lots, or a secondary suite on 50% of new lots plus a cash-in-lieu contribution of \$2.00/ft² of total buildable area towards the City’s Affordable Housing Reserve Fund for the remaining 50% of new lots, or a 100% cash-in-lieu contribution if no secondary suites are provided.

The applicant proposes to provide a legal secondary suite on both of the two (2) lots proposed at the subject site. To ensure that the secondary suites are 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 suite is constructed to the satisfaction of the City in accordance with the BC Building Code and Richmond Zoning Bylaw 8500. Registration of this legal agreement is required prior to final adoption of the rezoning bylaw.

Site Servicing and Frontage Improvements

Prior to final adoption of the rezoning bylaw, the applicant must provide a new 3.0 m wide utility statutory right-of-way along the south property line of proposed Lot B and a portion of proposed Lot A for sanitary sewer. The applicant is aware that encroachment into the statutory right-of-way is not permitted.

At future subdivision and building permit stage, the applicant is required to complete the following:

- Frontage improvements including, but not limited to, construction of a shared driveway letdown and sidewalk panel replacement at developer's cost.
- Payment of current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with the completion of the required servicing works and frontage improvements as 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 purpose of this rezoning application is to rezone the property at 9771 Sealily Place from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", to permit the property to be subdivided to create two (2) lots.

This rezoning application complies with the land use designations and applicable policies contained within the OCP for the subject site.

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

September 28, 2016

- 6 -

RZ 16-735240
Fast Track Application

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9621 be introduced and given first reading.

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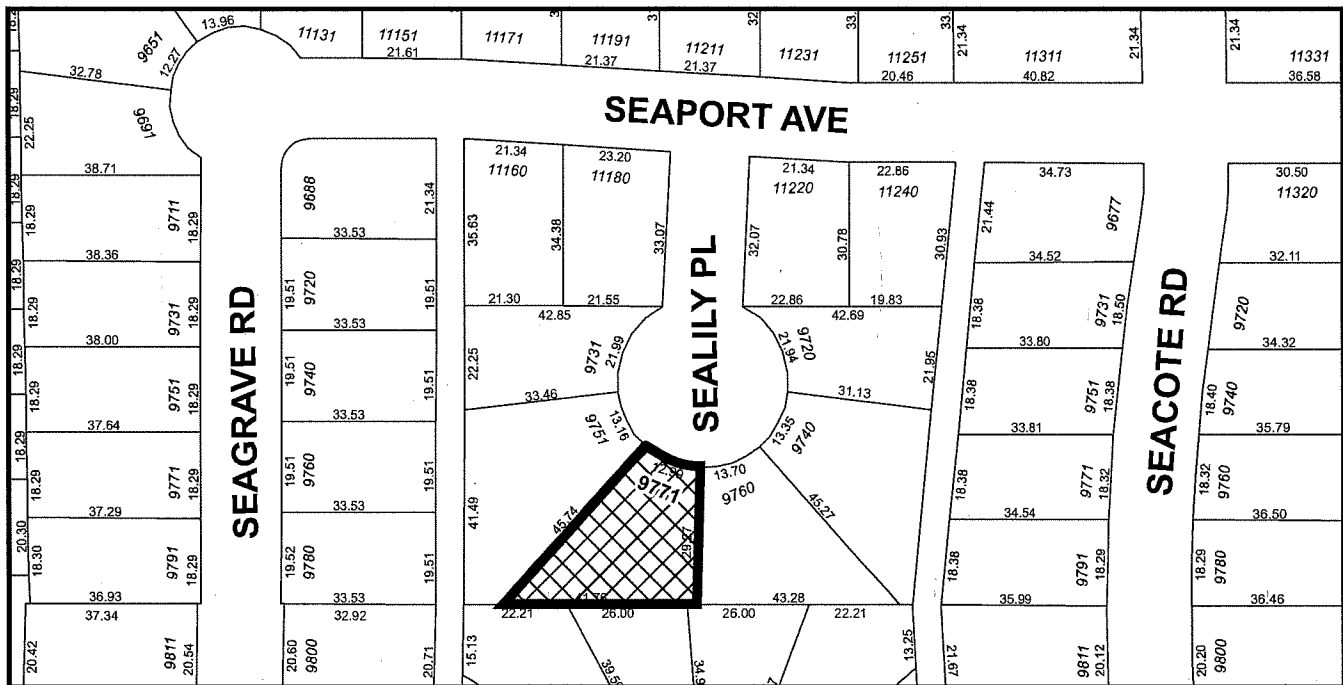
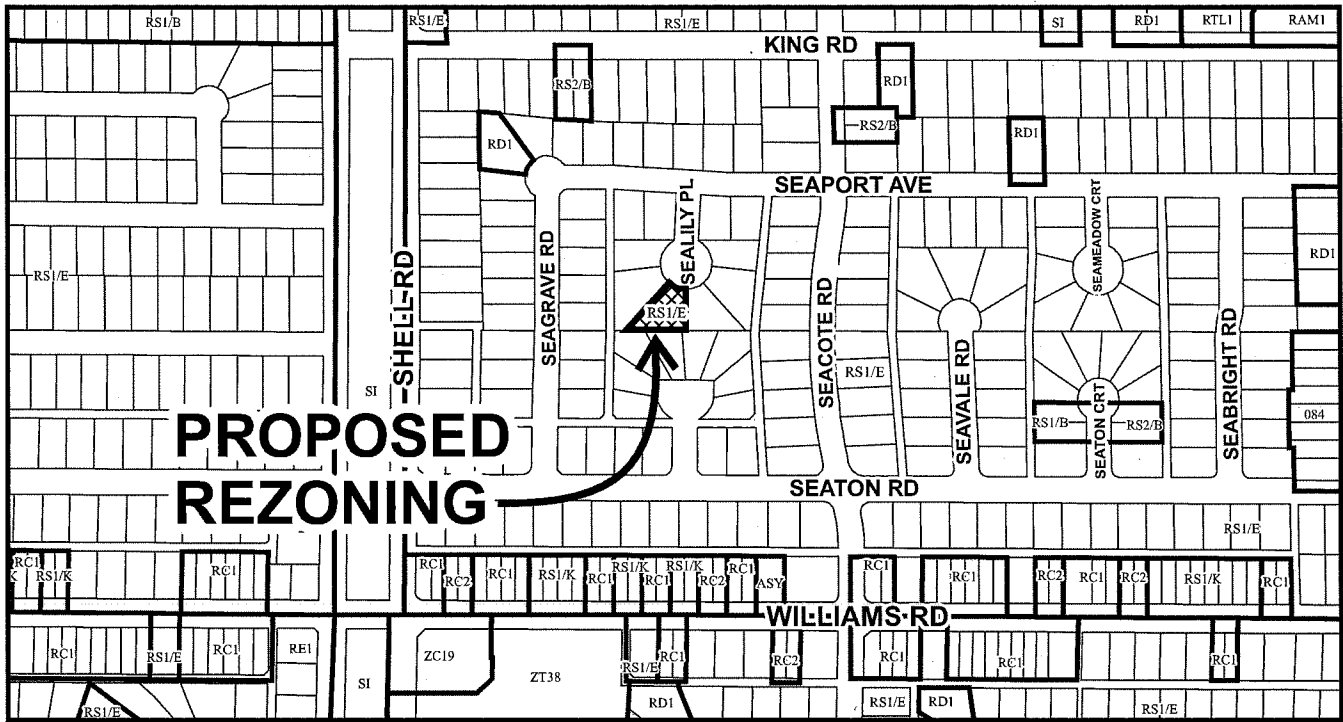
Steven De Sousa
Planning Technician - Design

SDS:rg

- 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 Management Plan
- Attachment 6: Rezoning Considerations



City of Richmond



RZ 16-735240

Original Date: 07/08/16

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 16-735240

Original Date: 07/08/16

Revision Date:

Note: Dimensions are in METRES

CNCL - 326

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 296 SECTION 25 BLK 4 N. RGE 6 W N.W.D. PLAN 42425

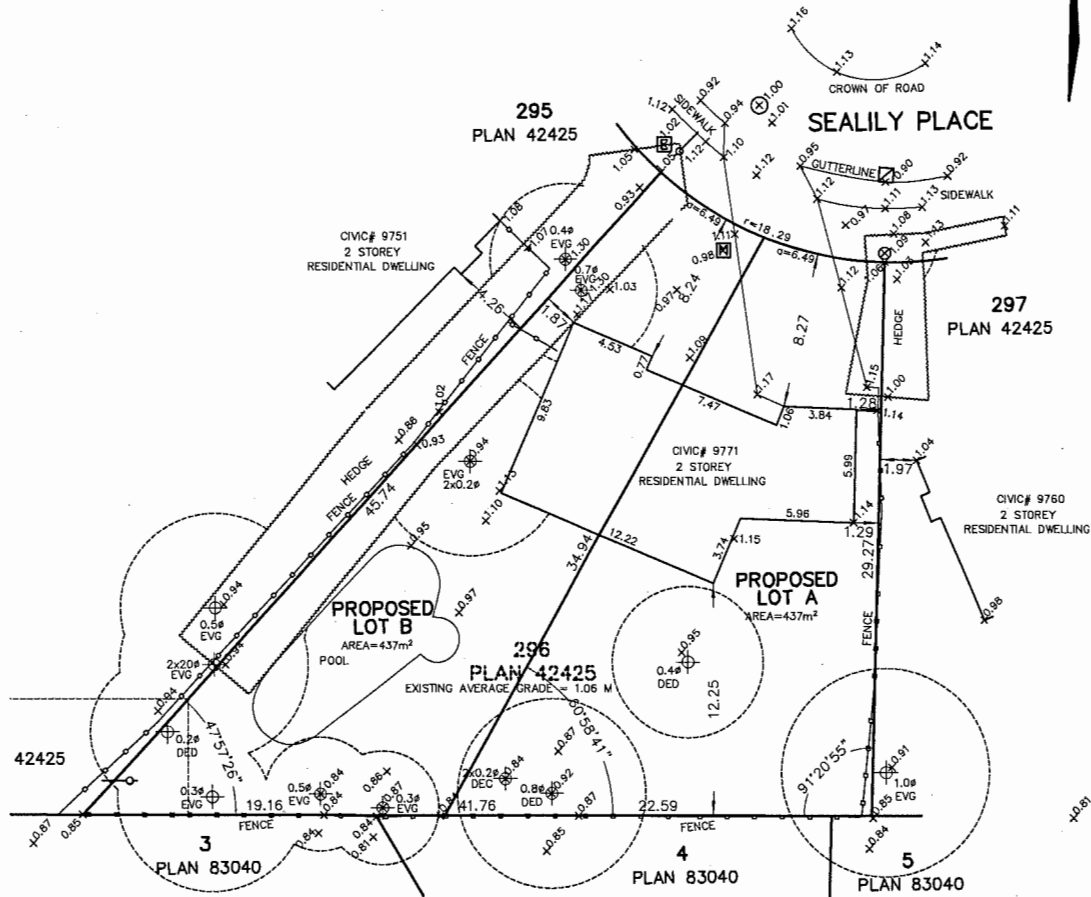
SCALE 1 : 250



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

CIVIC ADDRESS:

9771 SEALILY PLACE., Richmond, B.C.



LEGEND:

- GROUND ELEVATION
- TREE WITH DRIPLINE (TIED AT POINT OF ENTRY INTO THE GROUND)
- LEGAL IRON PIN
- FENCE
- MANHOLE
- EVERGREEN
- DECIDUOUS
- CATCH BASIN
- INSPECTION CHAMBER
- LAWN DRAIN
- UTILITY METER
- ELECTRIC MANHOLE

PID: 004-918-355

Elevations are Geodetic (CVD28 GVRD-2012 - IN METERS)
Derived from HPN#204 Control Monument 02H2452
located in grassy area at southwest corner
of No.3 road and Steveston highway. Elevation = 1.559m.

CERTIFIED CORRECT ACCORDING TO FIELD
SURVEY THIS 16TH DAY OF JUNE, 2016.

RICHARD S FU B.C.L.S.

PROPERTY LINE DIMENSIONS BASED ON
FIELD SURVEY.



3817 McKay PLACE
RICHMOND BC V6X 3R6
TEL: 604-313-2883
FILE: 1606-004

THIS PLAN WAS PREPARED FOR MUNICIPAL PURPOSE AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT. THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED ABOVE. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS. THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY ANY PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

CNCL - 327



RZ 16-735240

Attachment 3

Address: 9771 Sealily Place

Applicant: Trivia Homes Ltd.

Planning Area(s): Shellmont

	Existing	Proposed
Owner:	J. Simmonds & L. Cunningham	To be determined
Site Size:	874 m ² (9,406 ft ²)	Lot A: 437 m ² (4,703 ft ²) Lot B: 437 m ² (4,703 ft ²)
Land Uses:	Single-family residential	No change
OCP Designation:	Neighbourhood Residential	Complies
Lot Size Policy Designation:	Single Detached (RS2/B)	Complies
Zoning:	Single Detached (RS1/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 464.5 m ² of Lot Area + 0.3 for remainder	Max. 0.55 for 464.5 m ² of Lot Area + 0.3 for remainder	None permitted
Buildable Floor Area:*	Lot A: Max. 240 m ² (2,587 ft ²) Lot B: Max. 240 m ² (2,587 ft ²)	Lot A: Max. 240 m ² (2,587 ft ²) Lot B: Max. 240 m ² (2,587 ft ²)	None permitted
Lot Coverage:	Building: Max. 45% Non-porous: Max. 70% Landscaping: Max. 25%	Building: Max. 45% Non-porous: Max. 70% Landscaping: Max. 25%	None
Lot Size:	Min. 360 m ² (3,875 ft ²)	Lot A: 437 m ² (4,703 ft ²) Lot B: 437 m ² (4,703 ft ²)	None
Lot Dimensions:	Width: Min. 12 m Depth: Min. 24 m	Lot A: Width: 14 m Depth: 32 m Lot B: Width: 12 m Depth: 40 m	None
Setbacks:	Front: Min. 6 m Rear: Min. 6 m Interior Side: Min. 1.2 m	Front: Min. 6 m Rear: Min. 6 m Interior Side: Min. 1.2 m	None
Height:	Max. 2 ½ storeys	Max. 2 ½ storeys	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:

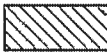



1. That properties within the area be permitted to rezone and subdivide in accordance with the provisions of Single Detached (RS2/E) in Richmond Zoning Bylaw 8500, with the following exceptions:
 - (a) properties with existing duplexes identified on the accompanying plan may be rezoned and subdivided 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



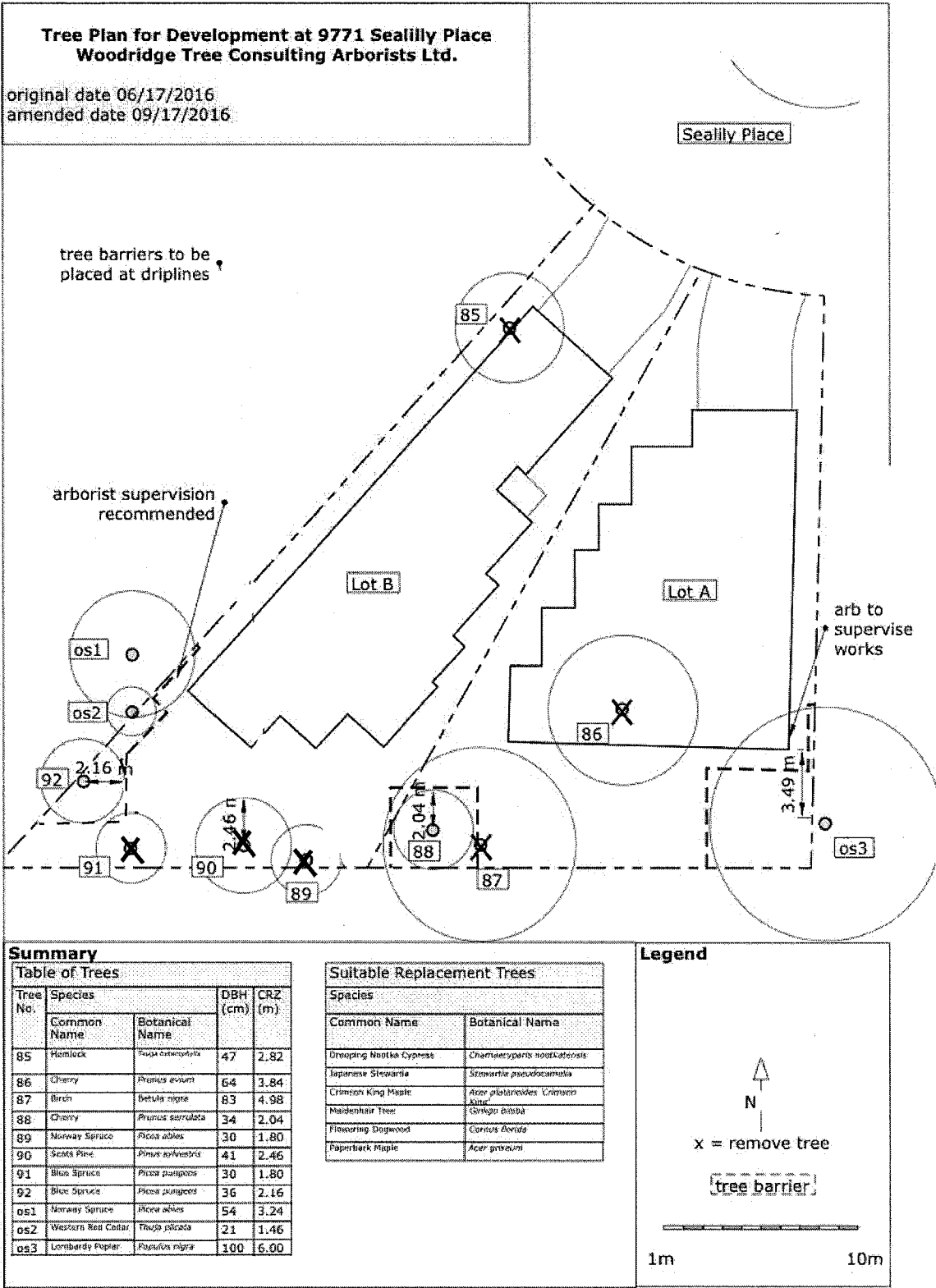
SUBJECT PROPERTY

-  Rezoning and Subdivision permitted as per RS2/C
-  Rezoning and Subdivision permitted as per RS2/E
-  Duplexes eligible to be rezoned and subdivided into two lots.
-  Rezoning and subdivision permitted as per RS2/B



Policy 5409 Section 25,4-6

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



Arborist report for 9771 Seallily Place, September 2016
 Woodridge Tree Consulting Arborists Ltd.

CNCL - 331



Address: 9771 Seality Place

File No.: RZ 16-735240

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9621, the developer is required to complete the following:

- 1. Submission of a Landscaping Security in the amount of \$3,500 (\$500/tree) to ensure that a total of seven (7) replacement trees are planted and maintained on the proposed lots with the following minimum sizes:

Table with 3 columns: No. of Replacement Trees, Minimum Caliper of Deciduous Replacement Tree, or, Minimum Height of Coniferous Replacement Tree. Rows show 3 trees with 9cm caliper or 5m height, and 4 trees with 11cm caliper or 6m height.

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

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.

- 2. City acceptance of the developer's offer to voluntarily contribute \$2,500 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained.
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.
5. The registration of a 6 m wide statutory right-of-way along the south property line of proposed Lot B and a portion of proposed Lot A for sanitary sewer, extending 2.0 m east from the edge of the new manhole (approximately 24 m).
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 two (2) 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.

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.

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

- 1. Payment of current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with the completion of the required servicing works and frontage improvements.
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:

- Using the OCP Model, there is 98 L/s of water available at a 20 psi residual at the Sealily Pl frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- 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.
- 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 Sealily Pl.
 - 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.
 - Cut and cap the existing storm service lead at the northeast corner of the subject site.

Sanitary Sewer Works:

- The Developer is required to:
 - Install approximately 30m of sanitary sewer along the south property line of 9751 & 9771 Sealily Pl complete with tie-in to the existing manhole SMH390. Terminate sewer with a new manhole and dual service leads off of the manhole.
 - Provide additional utility SRW along the south property line for the proposed sanitary sewer.
- At Developer's cost, the City is to:
 - Perform all tie-ins of proposed works to existing City infrastructure.
 - Cut, cap and remove the existing sanitary service connection and inspection chamber at the southwest corner of the subject site.

Frontage Improvements:

- The Developer is required to:
 - 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.
 - Complete other frontage improvements as per Transportation's requirements
- The Developer is required to construct frontage improvements, which include, but are not limited to, the following:
 - Shared driveway letdown and sidewalk panel replacement at developer's cost

General Items:

- a. 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, dewatering, 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.
3. If applicable, submissions of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking 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.
4. 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.

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 original on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9621 (RZ 16-735240)
9771 Sealily Place

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. 004-918-355

Lot 296 Section 25 Block 4 North Range 6 West New Westminster District Plan 42425

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9621".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Series of horizontal lines for recording readings and conditions.

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

MAYOR

CORPORATE OFFICER