



# City of Richmond

## Report to Committee Planning and Development Division

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** August 22, 2016

**File:** RZ 15-702268

**Re:** Application by Volodymyr Rostotskyy and Maung Hla Win for Rezoning at 8300/8320 St. Albans Road from Single Detached (RS1/E) to Single Detached (RS2/B)

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9566, for the rezoning of 8300/8320 St. Albans Road from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.

Wayne Craig  
Director, Development

WC:jr  
Att. 7

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	<i>T. ROWE for Joe Bracey</i>

## **Staff Report**

### **Origin**

Volodymyr Rostotskyy and Maung Hla Win have applied to the City of Richmond for permission to rezone 8300/8320 St. Albans Road from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/B)” zone to the property to be subdivided to create two (2) lots (Attachment 1). The proposed subdivision plan is shown in Attachment 2. There is an existing duplex on the property, which would be demolished.

### **Findings of Fact**

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

### **Surrounding Development**

Development immediately surrounding the subject site is as follows:

- To the North and South: single-family homes on lots in the “Single Detached (RS1/E)” zone fronting St. Albans Road.
- To the East: the sports fields for Palmer Secondary School; which are in the “School & Institutional Use (SI)” zone.
- To the West, across St. Albans Road: one (1) single-family home fronting Lunen Road and one (1) single-family home fronting St. Albans Road; both in the “Single Detached (RS1/E)” zone.

### **Related Policies & Studies**

#### **Official Community Plan**

The subject property is located in the Garden City neighbourhood of the Broadmoor planning area (Attachment 4). The Official Community Plan (OCP) land use designation for the subject property is “Neighbourhood Residential.” The proposed rezoning and subdivision are compliant with this designation.

#### **Single-Family Lot Size Policy 5423**

The subject property is located within the area governed by Single-Family Lot Size Policy 5423, adopted by Council on November 20, 1989 and subsequently amended in 2003 and 2004 (Attachment 5). This Single-Family Lot Size Policy permits subdivision of properties containing an existing duplex into no more than two (2) equal lots consistent with the “Single Detached (RS2/B)” zoning bylaw. The proposed rezoning and subdivision are compliant with this policy.

#### **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 first 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**

There is an existing covenant registered on title that restricts the property use to a duplex only (registration number RD44048). This covenant must be discharged prior to subdivision approval.

Cancellation of the existing strata plan (NW850) is required prior to subdivision approval.

**Proposed Site Access**

Vehicle access is proposed to be from St. Albans Road via separate driveway crossings to each new lot. The location of the driveway crossings will be established as a part of site servicing.

Richmond School District No. 38 has requested that there be no site access from the rear of the property during demolition or construction stages, and to be notified of work prior to demolition stage. Staff will notify the School District of the rezoning approval, and advise the applicant to contact the School District before demolition begins.

**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 eight (8) bylaw-sized trees on the subject site (Tag # 2-9), one (1) tree on a neighbouring property (Tag # 10), and one (1) City-owned tree (Tag # 1).

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted a visual tree assessment, and provides the following comments:

- Three (3) trees (Tag # 2, 3 and 4) located on the development site along the front property line are in good condition and should be retained and protected. Install tree protection fencing a minimum of 3 m out from the base of the tree.
- Two (2) trees (tag # 7 and 9) located on the development site in the rear yard are in good or moderate condition, and should be retained and protected. Install tree protection fencing as per Arborist's Report recommendations.

- Two (2) Birch trees (Tag # 6 and 8) are not good candidates for retention, and should be removed and replaced.
- One (1) neighbouring tree (Tag # 10) is to be retained and protected.
- One (1) City-owned tree (Tag # 1) is to be retained and protected.

### *Tree Protection*

Five (5) bylaw-sized trees on the subject property, one (1) tree on a neighbouring property, and one (1) City-owned tree are to be retained and protected (Tag # 2, 3, 4, 7, and 9). In order to retain the three (3) trees in the front yard (Tag # 2, 3, and 4), the existing driveway crossings must be used to provide access to the property. Work on the driveway within the tree protection zone requires supervision by a Certified Arborist. A Tree Protection Plan showing the location of the retained trees and the necessary tree protection fencing is contained in Attachment 6. 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, registration of a legal agreement on title specifying that the driveway crossings for each lot must correspond with the existing driveway crossings.
- 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.
- Prior to final adoption of the rezoning bylaw, the City's acceptance of a survival security in the amount of \$10,000, for the five (5) trees to be retained on the subject property and \$1,300 for the one (1) City-owned tree; for a total survival security of \$11,300.
- 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.

### *Tree Replacement*

Three (3) trees are recommended for removal (Tag # 5, 6, and 8). The 2:1 replacement ratio would require a total of six (6) replacement trees. Given that five (5) trees are recommended for retention and the resulting limited available planting area for new trees, staff recommends that only two (2) replacement trees be required on each proposed lot, for a total of four (4) replacement trees. Based on the size of the trees being removed, replacement trees shall be a minimum size of 6 cm deciduous caliper or 3.5 m high conifer, as per Tree Protection Bylaw No. 8057. Prior to rezoning approval, the applicant is required to submit a landscaping security in the amount of \$2,000 (\$500 per tree) to ensure these trees are planted.

**Affordable Housing Strategy**

As per the City's Affordable Housing Strategy, single-family rezoning applications received prior to September 14, 2015 require a secondary suite or coach house on 50% of new lots created, or a cash-in-lieu contribution of \$1.00 per square foot of total buildable area towards the City's Affordable Housing Reserve Fund.

The applicant proposes to make a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$6,355.55) to the City's Affordable Housing Reserve Fund.

**Site Servicing and Frontage Improvements**

At future development stage, the applicant must complete the required servicing works as described in Attachment 7.

**Financial Impact or Economic Impact**

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

**Conclusion**

The purpose of this rezoning application is to rezone 8300/8320 St. Albans Road 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.

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

The list of rezoning considerations is included in Attachment 7; which has been agreed to by the applicants (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9566 be introduced and given first reading.



Jordan Rockerbie  
Planning Technician  
(604-276-4092)

JR:blg

Attachments:

Attachment 1: Location Map and Aerial Photo

Attachment 2: Site Survey showing proposed subdivision plan

Attachment 3: Development Application Data Sheet

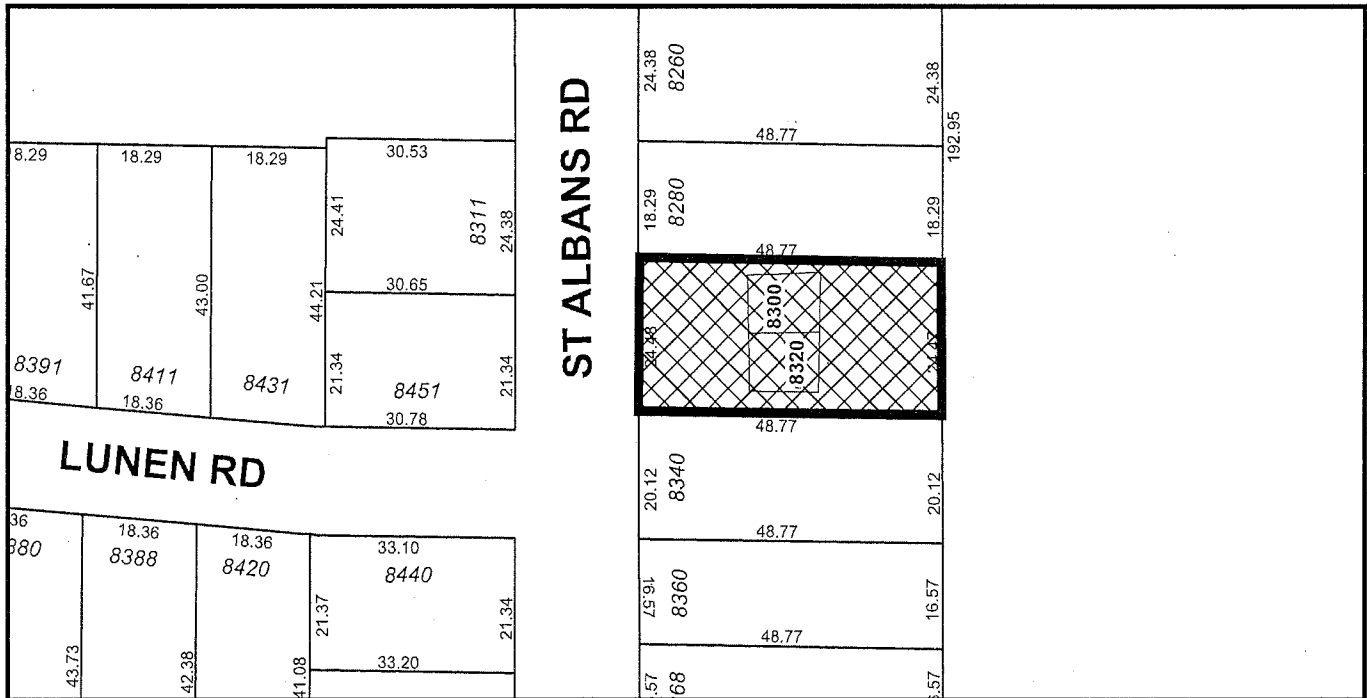
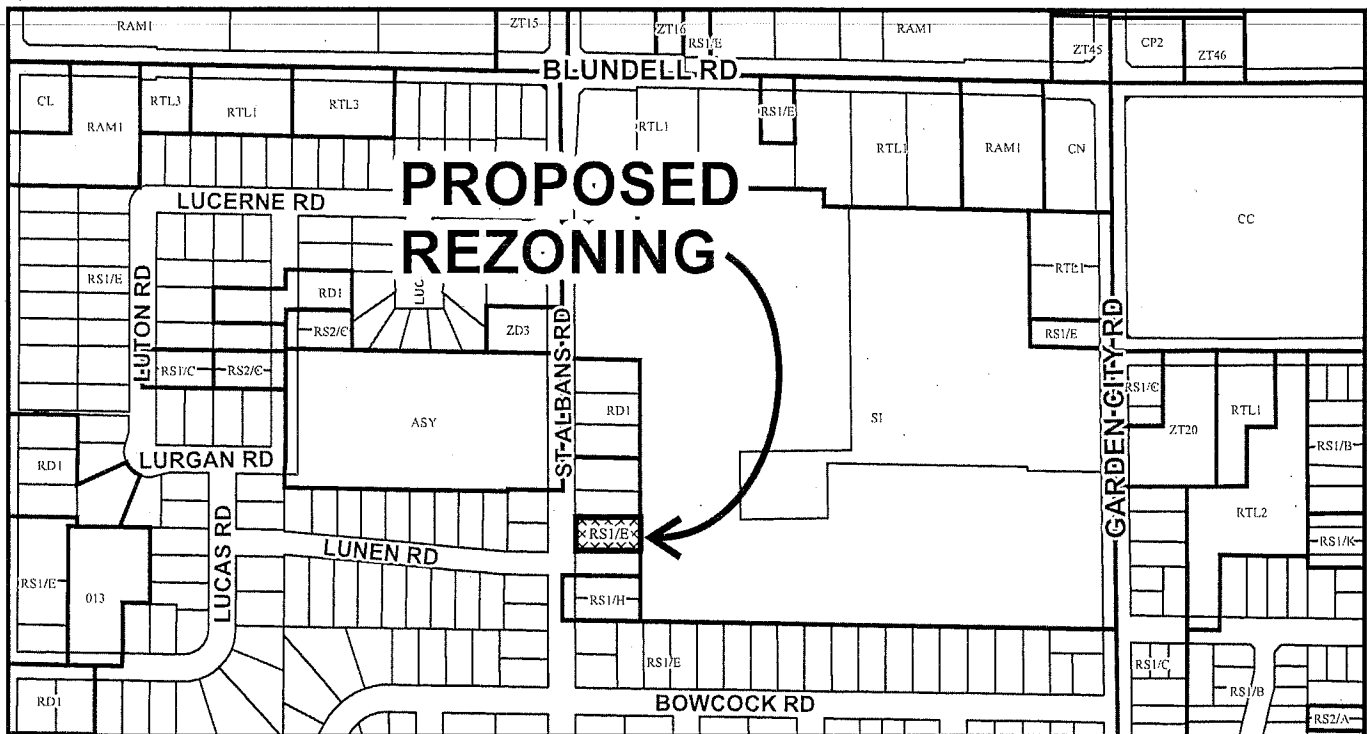
Attachment 4: Broadmoor Planning Area Land Use Map

Attachment 5: Single-Family Lot Size Policy 5423

Attachment 6: Proposed Tree Retention Plan

Attachment 7: Rezoning Considerations

City of  
Richmond



RZ 15-702268

Revision Date:

Note: Dimensions are in METRES





City of  
Richmond



RZ 15-702268

Original Date: 07/16/15

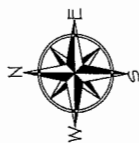
Revision Date:

Note: Dimensions are in METRES



# TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF STRATA PLAN NW850 SECTION 21 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT

#8300 ST. ALBANS ROAD,  
RICHMOND, B.C.  
P.L.D. 001-541-960



## LEGEND:

- denotes tree
- denotes round catch basin
- ⊗ denotes water meter
- ⊕ denotes water valve
- ⊖ denotes cleanout
- ⊙ denotes electrical box
- (d) denotes deciduous
- (c) denotes conifer
- ⊙ denotes lamp standard
- ⊙ denotes power pole
- ⊙ denotes iron post set
- ⊙ denotes lead plug set
- ⊙ denotes LP Witness

PLN - 19

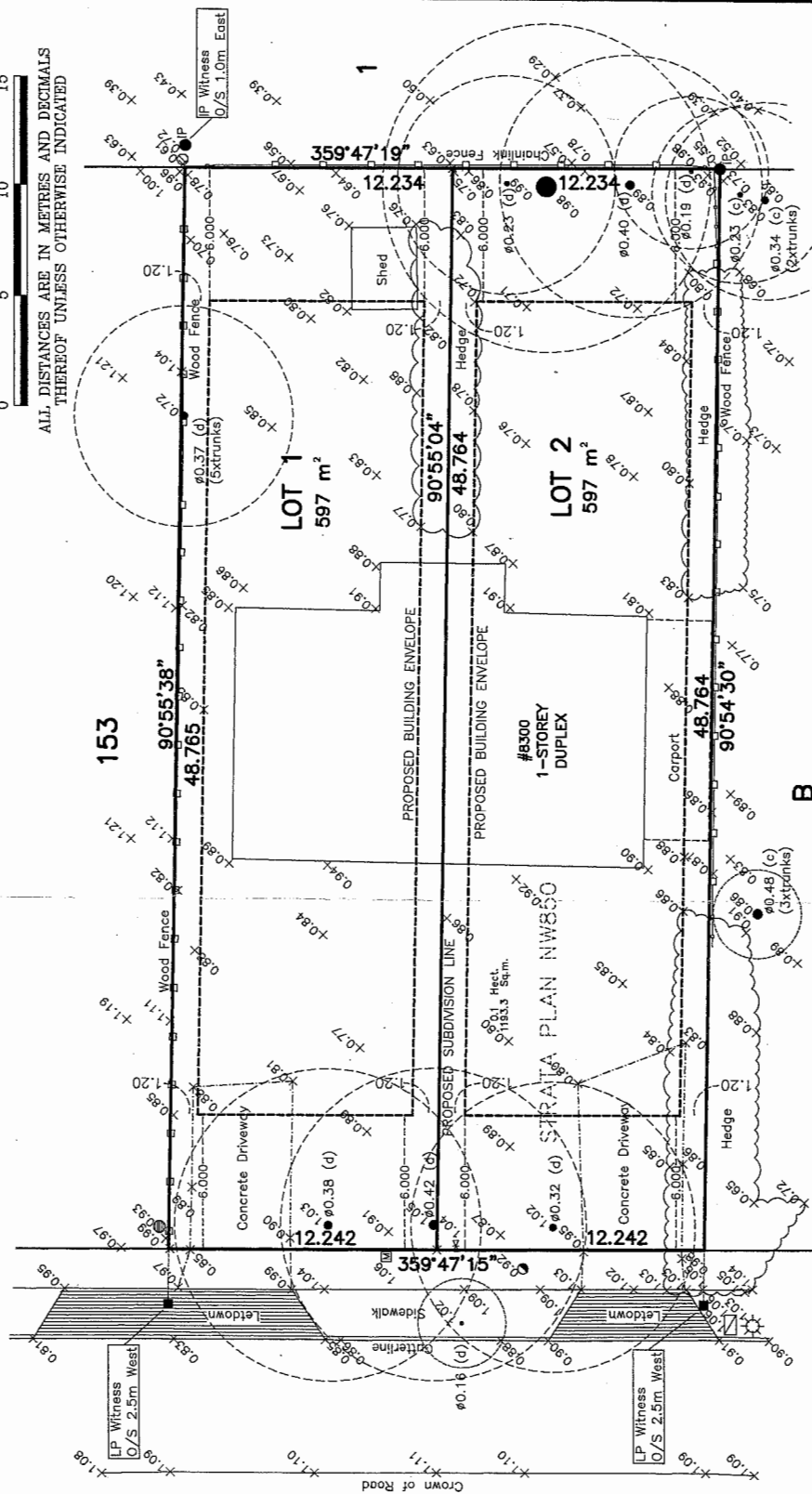
copyright  
J. C. Tam and Associates  
Canada and B.C. Land Surveyor  
115 - 8833 Odlin Crescent  
Richmond, B.C. V6X 3Z7  
Telephone: (604) 214-8928  
Fax: (604) 214-8929  
E-mail: office@jctam.com  
Website: www.jctam.com  
Job No. 5880  
FB-273 P52-56  
Drawn By: WK

DWG No. 5880-TOPO

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED



NOTE:  
Elevations shown are based on City of  
Richmond HPN Benchmark network.  
Benchmark: HPN #202,  
Control Monument 77H4623  
Located at CL South bound left turn  
lane @ No. 3 Road and Bennett Road.  
Elevation = 1.452 metres

CERTIFIED CORRECT:  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.

JOHNSON C. TAM, B.C.L.S.  
FEBRUARY 13th, 2015



**RZ 15-702268**

**Attachment 3**

Address: 8300/8320 St. Albans Road

Applicant: Volodymyr Rostotskyy and Maung Hla Win

Planning Area(s): Broadmoor

	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	Maung Hla Win Volodymyr Rostotskyy	To be determined
<b>Site Size (m<sup>2</sup>):</b>	1,194 m <sup>2</sup>	Two lots, each 597 m <sup>2</sup>
<b>Land Uses:</b>	One (1) duplex	Two (2) single-family homes
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Area Plan Designation:</b>	Neighbourhood Residential	No change
<b>Zoning:</b>	Single Detached (RS1/E)	Single Detached (RS2/B)

<b>On Future Subdivided Lots</b>	<b>Bylaw Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Floor Area Ratio:	Max. 0.55 applied to 464.5 m <sup>2</sup> of the lot area together with 0.30 applied to the balance	Max. 0.55 applied to 464.5 m <sup>2</sup> of the lot area together with 0.30 applied to the balance	none permitted
Buildable Floor Area*:	Max. 295.225 m <sup>2</sup> (3,177.78 ft <sup>2</sup> )	Max. 295.225 m <sup>2</sup> (3,177.78 ft <sup>2</sup> )	none permitted
Lot Coverage – Buildings:	Max. 45%	Max. 45%	none
Lot Coverage – Buildings, Structures, and Non-Porous Surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Live Plant Material:	Min. 25%	Min. 25%	none
Lot Size (min. dimensions):	360.0 m <sup>2</sup>	597 m <sup>2</sup>	none
Setback – Front & Rear Yards (m):	Min. 6.0 m	Min. 6.0 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none

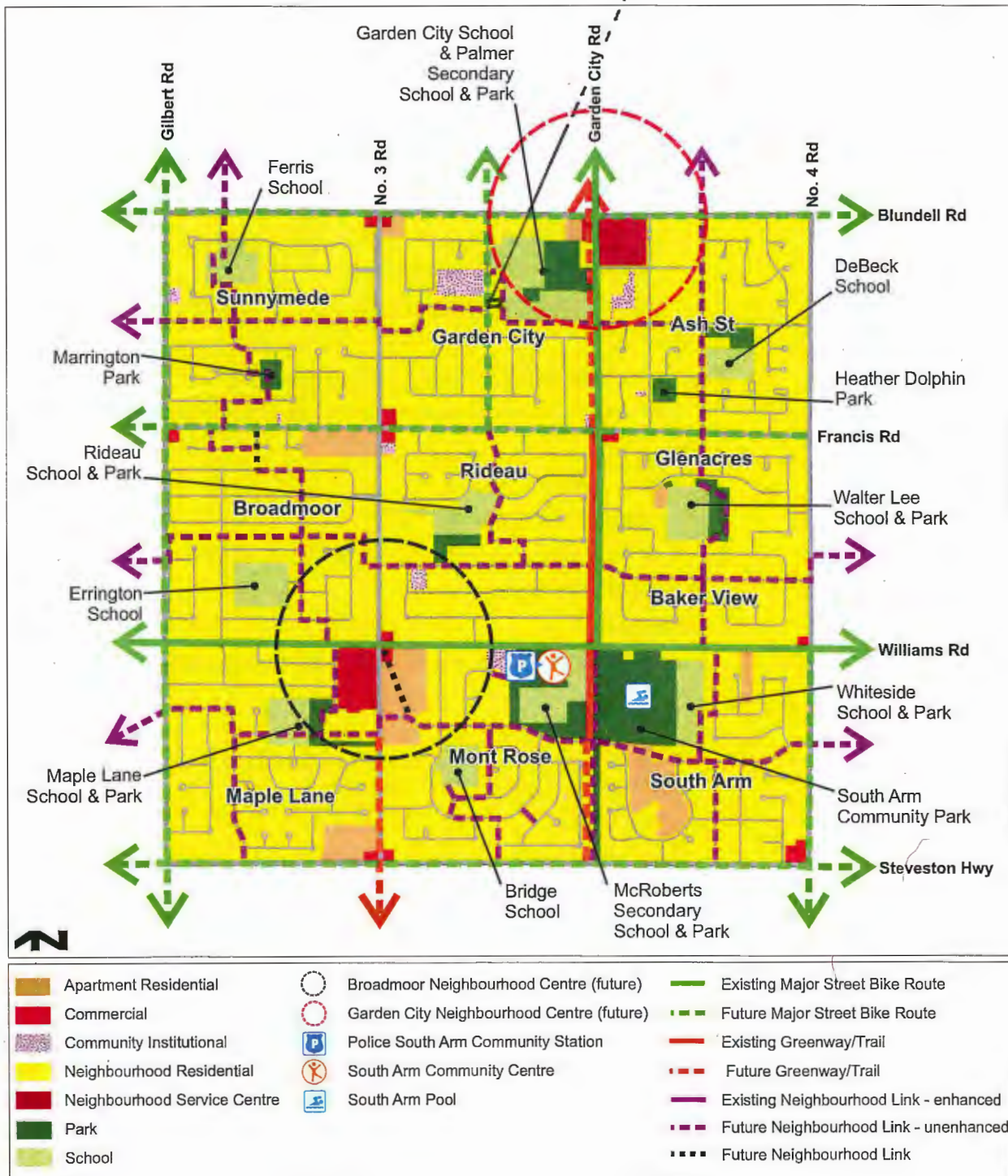
Other: Tree replacement compensation required for loss of bylaw-sized trees.

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



## 6. Broadmoor

SUBJECT PROPERTY





# City of Richmond

# Policy Manual

Page 1 of 2

Adopted by Council: November 20, 1989

Amended by Council: November 17<sup>th</sup>, 2003Amended by Council: March 15<sup>th</sup>, 2004**POLICY 5423**

File Ref: 4045-00

**SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 21-4-6**

## **POLICY 5423:**

The following policy establishes lot sizes within the area generally bounded by **Blundell Road, No. 3 Road, Francis Road and Garden City Road** (in a portion of Section 21-4-6):

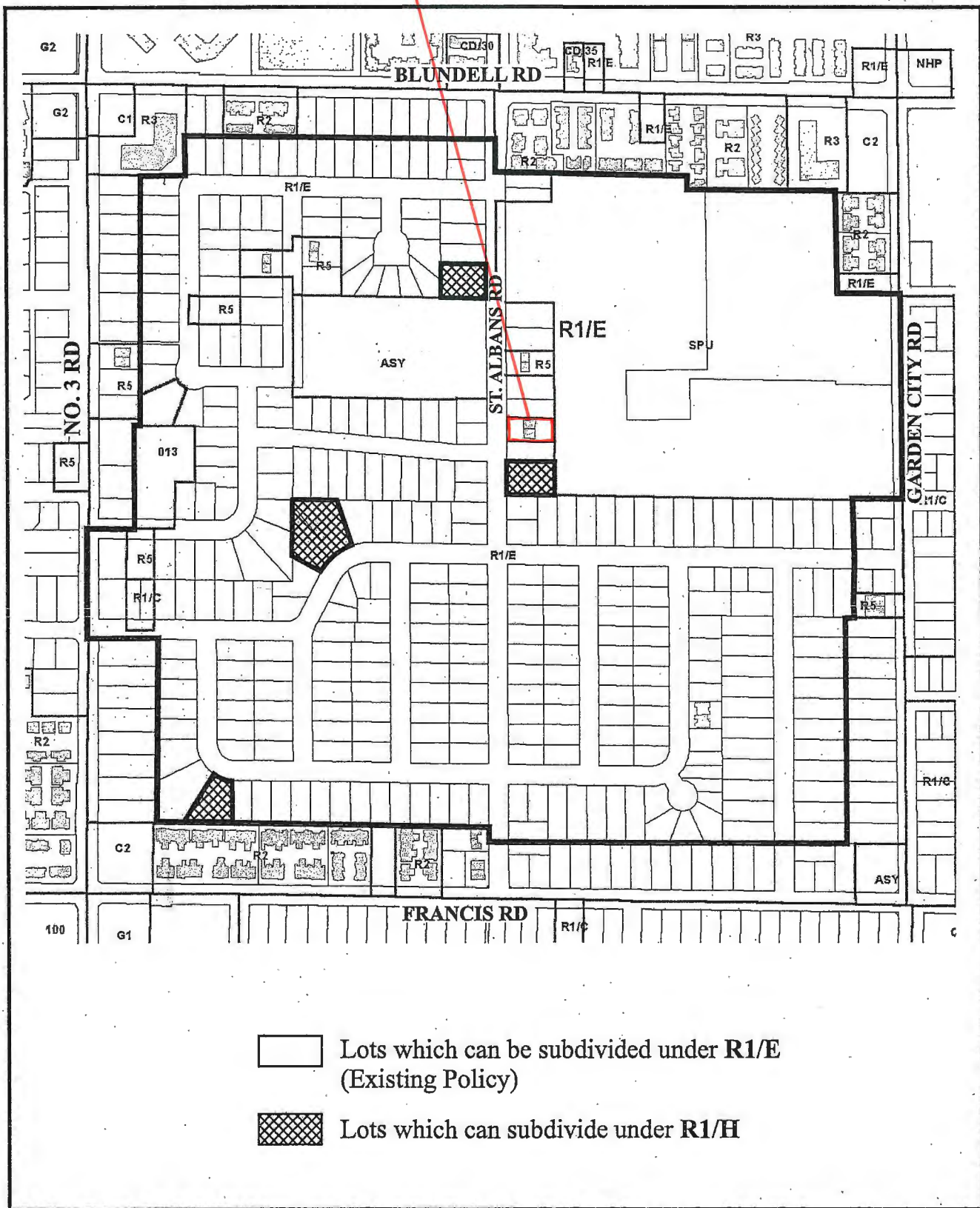
That properties within the area generally bounded by Blundell Road, No. 3 Road, Francis Road and Garden City Road, in a portion of Section 21-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area E (R1/E) in Zoning and Development Bylaw 5300, with the exception that:

- a) properties with duplexes be permitted to subdivide into two equal halves, provided that each lot created meets the requirements of the Single-Family Housing District (R1/B) or (R1/C).
- b) five properties highlighted on the map be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area H (R1/H) in Zoning and Development Bylaw 5300.

This policy, as shown on the accompanying plan, is to 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..



SUBJECT PROPERTY



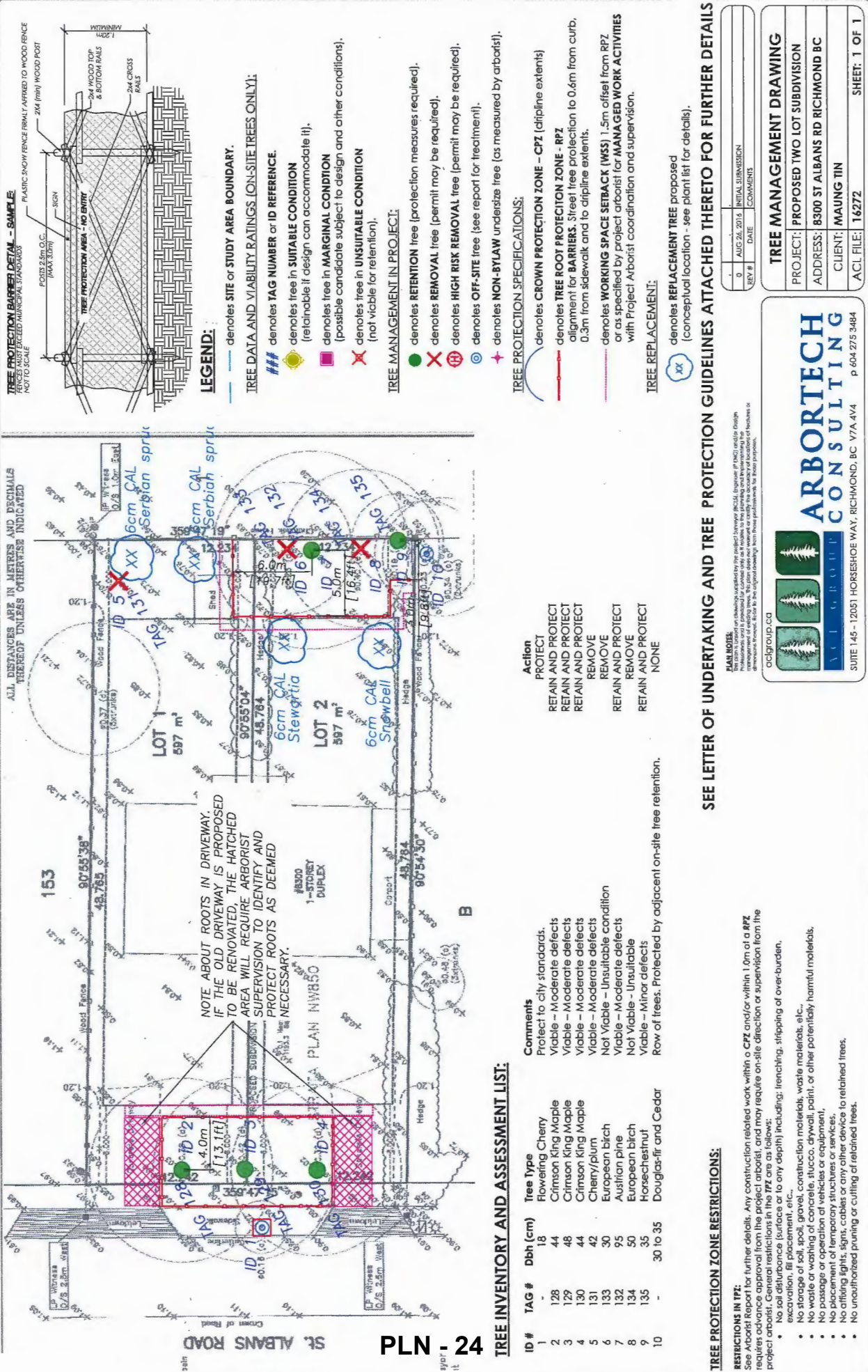
□ Lots which can be subdivided under R1/E  
(Existing Policy)

▨ Lots which can subdivide under R1/H



Policy 5423  
Section 21, 4-6

Adopted Date: 11/20/89  
Amended Date: 03/15/04







**Address:** 8300/8320 St. Albans Road

**File No.:** RZ 15-702268

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9566, the developer is required to complete the following:**

1. 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.
2. Submission of a Tree Survival Security to the City in the amount of \$11,300 for the five (5) on-site trees and one (1) City-owned tree to be retained.
3. Submission of a Landscape Security to the City in the amount of \$2,000 to ensure that a total of four (4) replacement trees are planted on the new lots.
4. Registration of a flood indemnity covenant on Title.
5. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$6,355.55) to the City's Affordable Housing Reserve Fund.

**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 proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.

**At Subdivision\* stage, the applicant must complete the following requirements:**

1. Discharge of covenant RD44048 from the title of the strata lots, which restricts the property to a duplex.
2. Cancellation of the existing strata plan (NW850).

**At Demolition\* stage, the applicant must complete the following requirements:**

1. 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.
2. Send notification to Richmond School District No. 38 of on-site demolition works.

**At Building Permit\* stage, the applicant must complete the following requirements:**

1. Submit 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 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 Department at 604-276-4285.
3. The following servicing works and off-site improvements to be designed by the City at Building Permit stage and constructed by City crews via a work order:

*Water Works:*

- Using the OCP Model, there is 755.0 L/s of water available at a 20 psi residual at the St. Albans Road frontage. Based on your proposed development, your site requires a minimum fire flow of 95.0 L/s.
- The Developer is required to:
  - Retain the existing water service connections.
  - 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 and Building designs.

*Storm Sewer Works:*

- At Developer's cost, the City is to:
  - Cut and cap the existing storm service connection at the northwest corner of the development site.
  - Cut and cap the existing storm service connection and remove the existing inspection chamber along the St. Albans Road frontage.
  - Install a new storm service connection and inspection chamber complete with dual connections at the adjoining property line of the newly subdivided lots along the St. Albans Road frontage. Additional right-of-way will be required to accommodate the new inspection chamber.

*Sanitary Sewer Works:*

- At Developer's cost, the City is to:
  - Cut and cap the existing sanitary service connection at the northeast corner of the development site.
  - Install one (1) new sanitary service connection complete with new inspection chamber at the adjoining property line of the newly subdivided lots along the east property line within the existing statutory right-of-way. All sanitary works to be completed prior to any on-site building construction.

*Frontage Improvements:*

- Developer to coordinate with BC Hydro, Telus and other private communication service providers:
  - To underground Hydro service lines.
  - 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.).
- All removal and relocation of sidewalk panels and curb letdowns to be done at Developer's cost.

*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 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.

**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.

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Signed

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Date



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 9566 (RZ 15-702268)  
8300/8320 St. Albans 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. 001-541-960

Strata Lot 1 Section 21 Block 4 North Range 6 West New Westminster District Strata Plan NW850 together with an interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1

P.I.D. 001-541-978

Strata Lot 2 Section 21 Block 4 North Range 6 West New Westminster District Strata Plan NW850 together with an interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9566"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

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\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER