



# City of Richmond

## Report to Committee Planning and Development Department

**To:** Planning Committee

**Date:** January 21, 2015


**From:** Wayne Craig  
Director of Development

**File:** RZ 14-666216

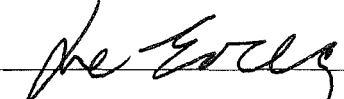
**Re:** Application by Alan Kwok and Angelina Kwok for Rezoning at  
11760 Seaton Road from Single Detached (RS1/E) to Single Detached (RS2/B)

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9182, for the rezoning of 11760 Seaton Road from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.

  
Wayne Craig  
Director of Development

WC:blg  
Att.

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

## Staff Report

### Origin

Alan Kwok and Angelina Kwok have applied to the City of Richmond for permission to rezone the property at 11760 Seaton Road from “Single Detached (RS1/E)” zone to “Single Detached (RS2/B)” zone to permit subdivision into two (2) lots fronting Seaton Road. An existing dwelling situated on the lot is to be demolished. A map and aerial photograph, showing the location of the subject site is included in Attachment 1. A preliminary subdivision plan is provided in Attachment 2.

### Findings of Fact

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

### Surrounding Development

The subject property is located in the Shellmont Planning Area, in a primarily single-family residential neighbourhood. Existing development immediately surrounding the subject property is as follows:

- To the north, on either side of Seacastle Drive, are single-family residential lots under Land Use Contract 084.
- To the east, is a residential lot zoned “Two-Unit Dwellings (RD1)”.
- To the south and west, are single-family residential lots zoned “Single Detached (RS1/E)”.

### Related Policies & Studies

#### 2041 Official Community Plan (OCP)

The 2041 Official Community Plan (OCP) designation of the subject site is “Neighbourhood Residential (NRES)”. The proposed single-family development complies with the OCP land use designation.

#### Single-Family Lot Size Policy 5409

The subject site is located within the area governed by Single-Family Lot Size Policy 5409, which was adopted by Council on April 10, 1989, and subsequently amended on October 16, 1995; July 16, 2001 and October 21, 2013 (see Attachment 4). The Lot Size Policy permits the subject site to rezone and subdivide in accordance with the provisions of the “Single Detached (RS2/B)” zone.

### Flood Management

The proposed redevelopment must meet the minimum requirements of Richmond Flood Plain Designation and Protection Bylaw No. 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

### **Public Consultation**

The rezoning information sign has been installed on the subject site. Staff have not been notified of any concerns expressed by the public regarding the proposed redevelopment.

### **Analysis**

#### Site Servicing and Vehicle Access

There are no site servicing concerns regarding the proposed rezoning.

Vehicle access to both proposed lots is to be from Seaton Road.

#### Trees and Landscaping

A Certified Arborist's Report and Tree Retention Plan were submitted by the applicants (see Attachment 5). The report identifies one (1) tree located on City property proposed for removal, one (1) bylaw-sized tree located on-site proposed for removal, and one (1) bylaw-sized tree located on-site proposed for retention.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted an on-site Visual Tree Assessment, and concurs with the Arborist's recommendations as follows:

- One (1) Birch tree (Tag# 33) at 63 cm dbh located on-site is in good condition and should be retained.
- One (1) Cherry tree (Tag# 32) at 53 cm dbh located on-site is in fair condition, but cannot be retained, as it is located within the future building footprint of the proposed east subdivided lot.

Parks Department Staff have authorized the removal of one (1) off-site Plum tree on City property (Tag C) at 81 cm dbh located near the northeast frontage of the subject site, as it will conflict with new driveway construction and engineering servicing upgrades at future development stage. Prior to final adoption of the rezoning bylaw, the applicant is required to submit a contribution in the amount of \$1,300 to the Tree Compensation Revenue Fund for this tree removal.

Tree protection fencing is to be installed at a minimum of 4 m out from the base of the Birch tree (Tag# 33). Tree fencing is to be installed to City standard and in accordance with the City's Bulletin TREE-03 prior to demolition of existing buildings and must remain in place until all construction and landscaping works are completed on-site. To ensure the protection of this tree,

the applicants are required to complete the following prior to final adoption of the rezoning bylaw:

- Submit a Tree Survival Security in the amount of \$1,000.
- Enter into a contract between the applicant and a Certified Arborist for the supervision of works conducted within close proximity to the tree protection zone of the Birch tree (Tag# 33) to be retained. Pending the survival of the tree, the Tree Survival Security will not be released until a post-construction impact assessment report is reviewed to the satisfaction of City Staff.

Consistent with the 2:1 tree replacement guidelines in the OCP and with Council Policy 5032 – Tree Planting (Universal), the applicant is required to plant a total of three (3) replacement trees on the future subdivided lots (two (2) on the proposed west lot and one (1) on the proposed east lot). The replacement trees must be of the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
1	6 cm		3.5 m
2	10 cm		5.5 m

Prior to final adoption of the rezoning bylaw, the applicant is required to submit a Landscaping Security to the City in the amount of \$1,500 (\$500/tree) to ensure that the three (3) replacement trees are planted and maintained on-site. Suitable replacement tree species include the Japanese Snowbell and the Star Magnolia.

Affordable Housing Strategy

For Single-Family rezoning applications, Richmond’s Affordable Housing Strategy requires a secondary suite within a dwelling on 50% of new lots created through rezoning and subdivision, or a cash-in-lieu contribution of \$1.00/ft<sup>2</sup> of total building area towards the City’s Affordable Housing Reserve Fund.

The applicants propose to provide a legal secondary suite in the dwelling on one (1) of the two (2) lots proposed at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City’s Affordable Housing Strategy, the applicants are 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 the City’s Zoning Bylaw. Registration of the legal agreement is required prior to final adoption of the rezoning bylaw. This agreement will be discharged from Title (at the initiation of the applicants) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

**Note:** Should the applicants change their minds 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/ft<sup>2</sup> of total building area of the single detached dwellings to be constructed (i.e., \$4,465).

Subdivision Stage

At subdivision stage, the developer is required to pay Development Cost Charges (City and GVS&DD), School Site Acquisition Charges, Address Assignment Fee, and Engineering Servicing Costs for works outlined in Attachment 6.

**Financial Impact or Economic Impact**

None.

**Conclusion**

The rezoning application to permit subdivision of an existing lot into two (2) lots zoned "Single Detached (RS2/B)" is consistent with the applicable policies and land use designations outlined within the Official Community Plan (OCP) and with Single-Family Lot Size Policy 5409.

The applicants have agreed to the list of rezoning considerations (signed concurrence on file) included in Attachment 6.

On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9182 be introduced and given first reading.



Andrew Yu  
Planning Technician (Temp)  
(604-204-8518)

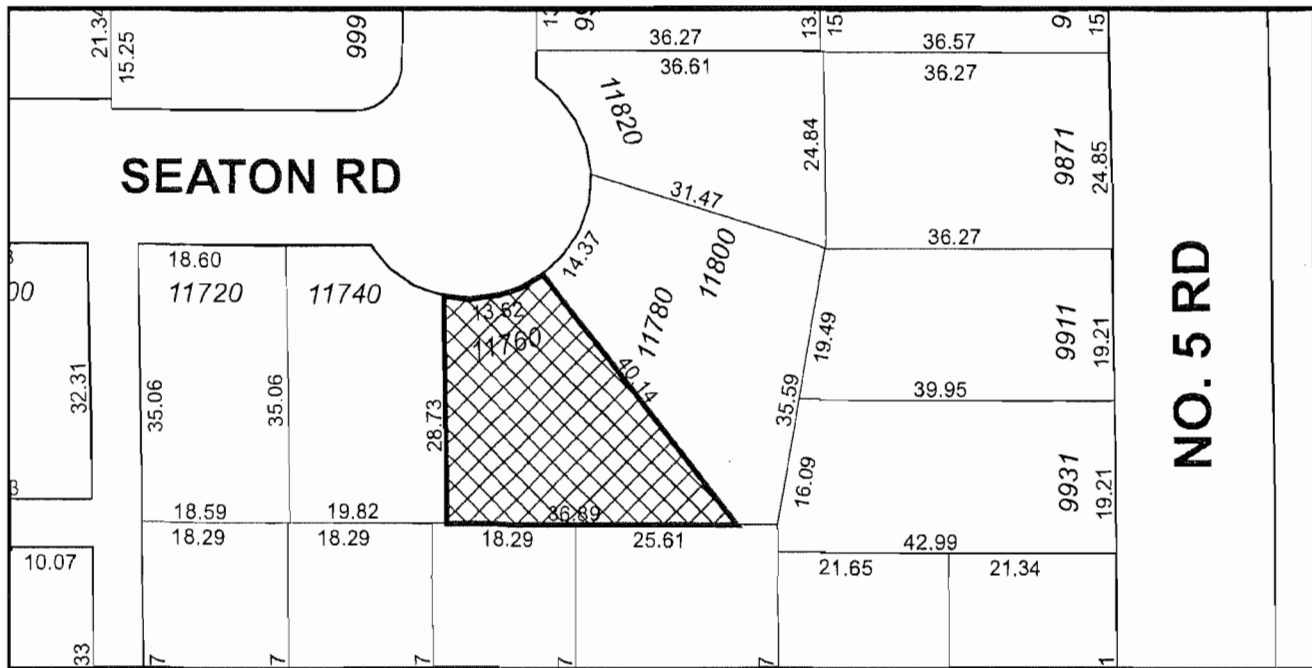
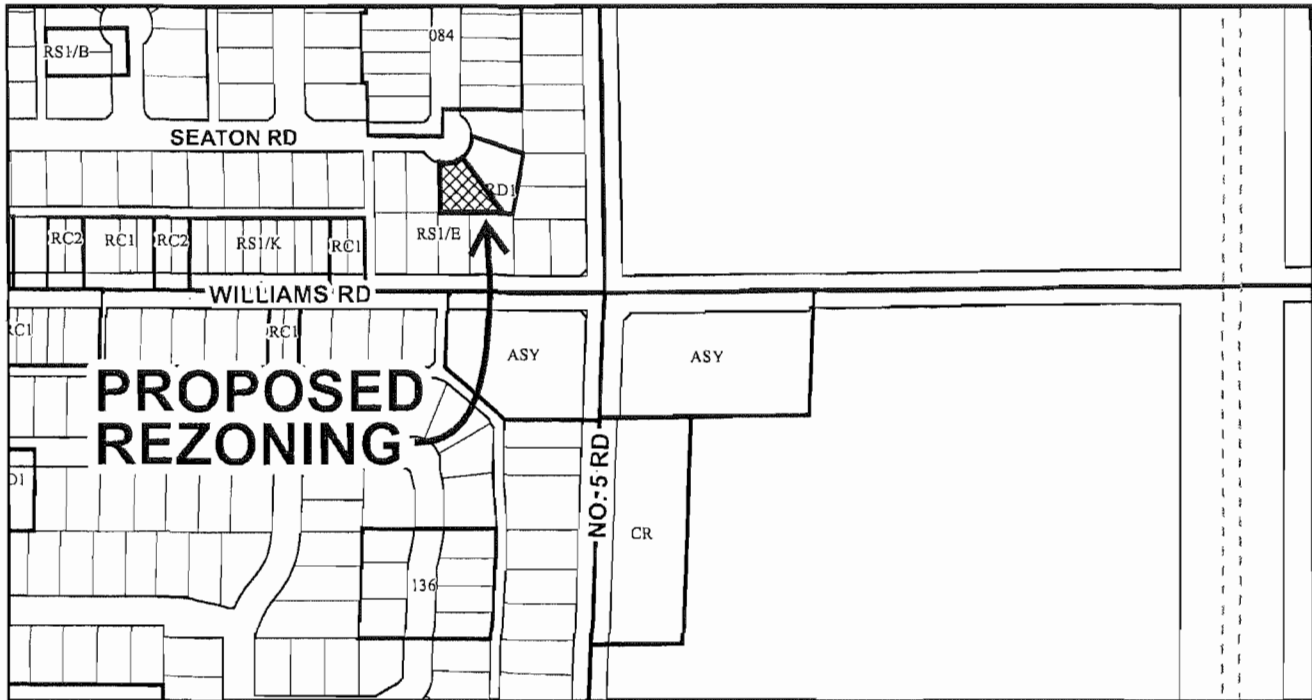
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Attachments:

- Attachment 1: Location Map and Aerial Photograph
- Attachment 2: Preliminary Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Single-Family Lot Size Policy 5409
- Attachment 5: Proposed Tree Retention Plan
- Attachment 6: Rezoning Considerations



City of  
Richmond



	<h1>RZ 14-666216</h1>	<p>Original Date: 07/08/14</p> <p>Revision Date:</p> <p>Note: Dimensions are in METRES</p>
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City of  
Richmond



RZ 14-666216

Original Date: 07/08/14

Revision Date:

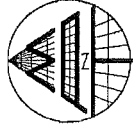
Note: Dimensions are in METRES

R-14-17620-TPC

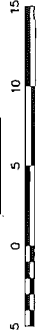
**SURVEY PLAN OF LOT 356 SECTION 25 BLOCK 4 NORTH  
RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 44475**

-> FOR APPLICATIONS TO THE CITY OF RICHMOND  
 PARCEL IDENTIFIER (PID): 003-648-818  
 CIVIC ADDRESS  
 #11760 SEATON ROAD  
 RICHMOND, B.C.  
 CURRENT ZONING: RST/E

**NOTE: PRELIMINARY**

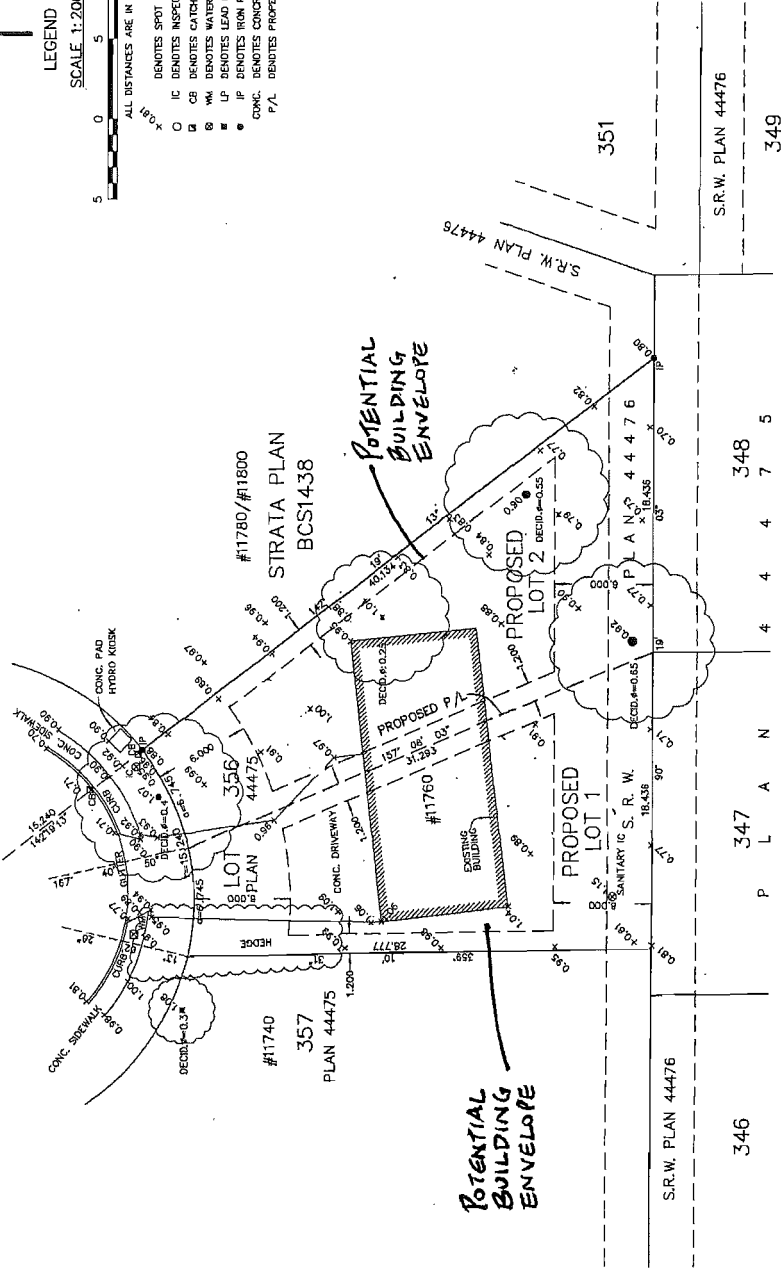


LEGEND  
 SCALE 1:200



- ALL DISTANCES ARE IN METRES.
- DENOTES SPOT ELEVATION
  - IC DENOTES INSPECTION CHAMBER
  - CB DENOTES CATCH BASIN
  - ⊗ WM DENOTES WATER METER
  - ⊕ LP DENOTES LEAD PLUG
  - IP DENOTES IRON POST
  - CONC. DENOTES CONCRETE
  - P/L DENOTES PROPERTY LINE

SEATON ROAD



- NOTES:
- ELEVATIONS ARE IN METERS AND ARE DERIVED FROM CITY OF RICHMOND IRM MONUMENT #191 (0212452) WITH AN ELEVATION OF 1.884 METRES
  - PROPERTY LINE DIMENSIONS ARE BASED ON LEGAL FIELD SURVEYS.
  - ALL TREES HAVE BEEN PLOTTED AS REQUIRED BY CITY OF RICHMOND (BTLAW No.8027)

DATE OF ISSUE: JANUARY 28, 2015  
 DATE OF SURVEY: JUNE 17, 2014

*Stefan Law*  
 1. STEFAN LAW  
 B.C. LAND SURVEYOR (P710)  
 THIS DOCUMENT IS UNLAWFUL  
 AND UNENFORCEABLE UNLESS  
 AND UNLESS IT IS SIGNED  
 AND SEALED.

MATSON PECK & TOPLISS  
 SURVEYORS & ENGINEERS  
 #320 - 11120 HORSESHOE WAY  
 RICHMOND, B.C.  
 V7A 5H7  
 PH: 604.270.9331  
 FAX: 604.270.4137  
 CADFILE: 17620-001-TPC-D01.DWG

CLIENT REF: HAROLD HARMS

R-14-17620-TPC





**RZ 14-666216**

**Attachment 3**

Address: 11760 Seaton Road

Applicant: Alan Kwok and Angelina Kwok

Planning Area(s): Shellmont

	Existing	Proposed
Owner:	Alan Kwok and Angelina Kwok	TBD
Site Size (m <sup>2</sup> ):	754.5 m <sup>2</sup>	Proposed west lot: 360.0 m <sup>2</sup> Proposed east lot: 394.5 m <sup>2</sup>
Land Uses:	Single-Family Residential	No change
OCP Designation:	Neighbourhood Residential	No change
702 Policy Designation:	Single-Family Lot Size Policy 5409 permits subject site to rezone and subdivide to "Single Detached (RS2/B)".	Complies
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)
Number of Lots:	1	2

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 – Building, structures, non-porous surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping with live plant material:	Min. 25%	Min. 25%	none
Setback – Front & Rear Yard (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height:	Max. 2½ storeys	Max. 2½ storeys	none
Lot Size (m <sup>2</sup> ):	Min. 360 m <sup>2</sup>	Proposed west lot: 360.0 m <sup>2</sup> Proposed east lot: 394.5 m <sup>2</sup>	none
Lot Width (m):	Min. 12 m	Proposed west lot: 12.6 m Proposed east lot: 12.6 m	none
Lot Depth (m):	Min. 24 m	Proposed west lot: 30.0 m Proposed east lot: 35.7 m	none
Lot Frontage (m):	Min. 6 m	Proposed west lot: 6.7 m Proposed east lot: 6.7 m	none

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



# 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	

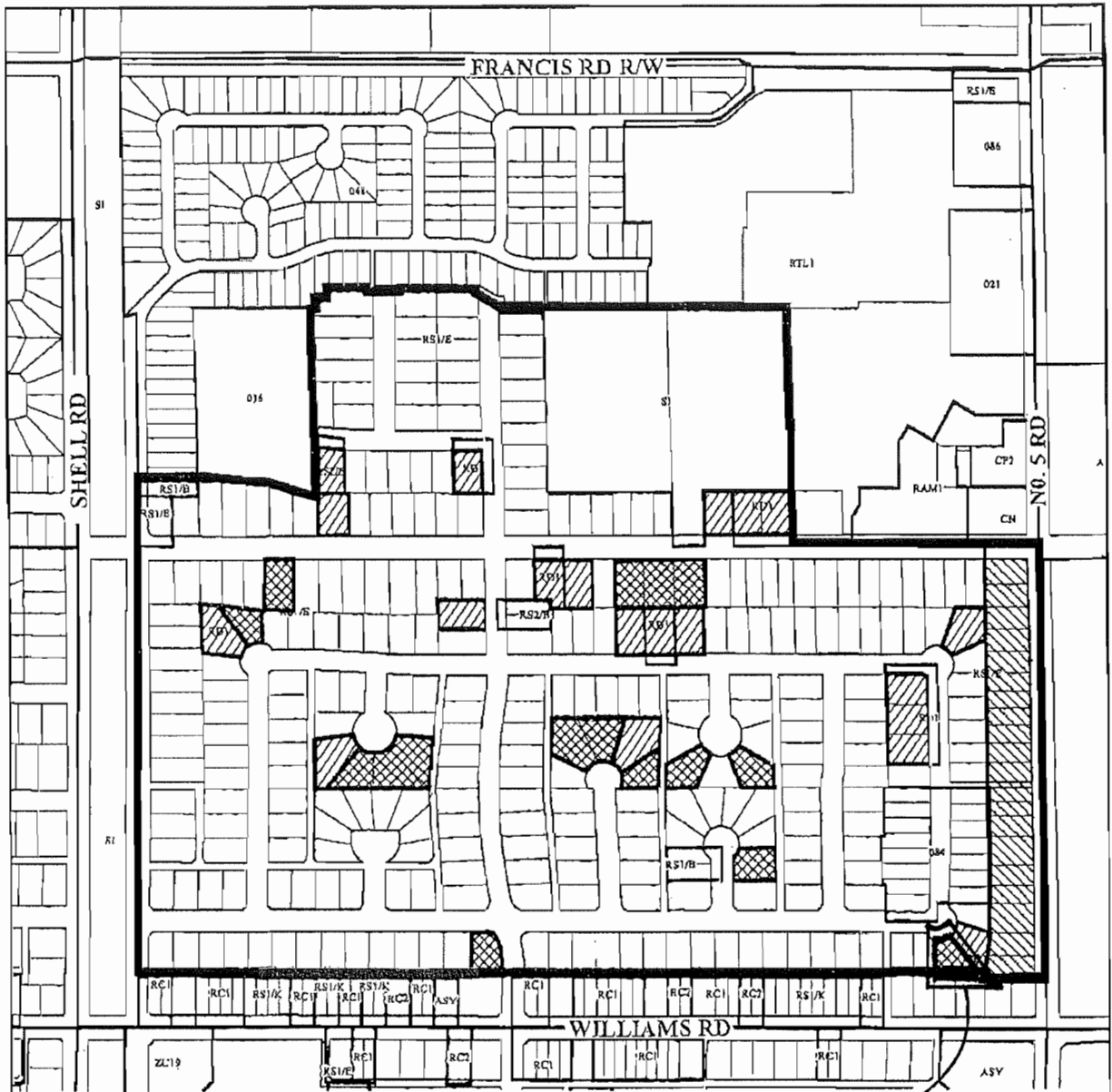
## POLICY 5409:

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



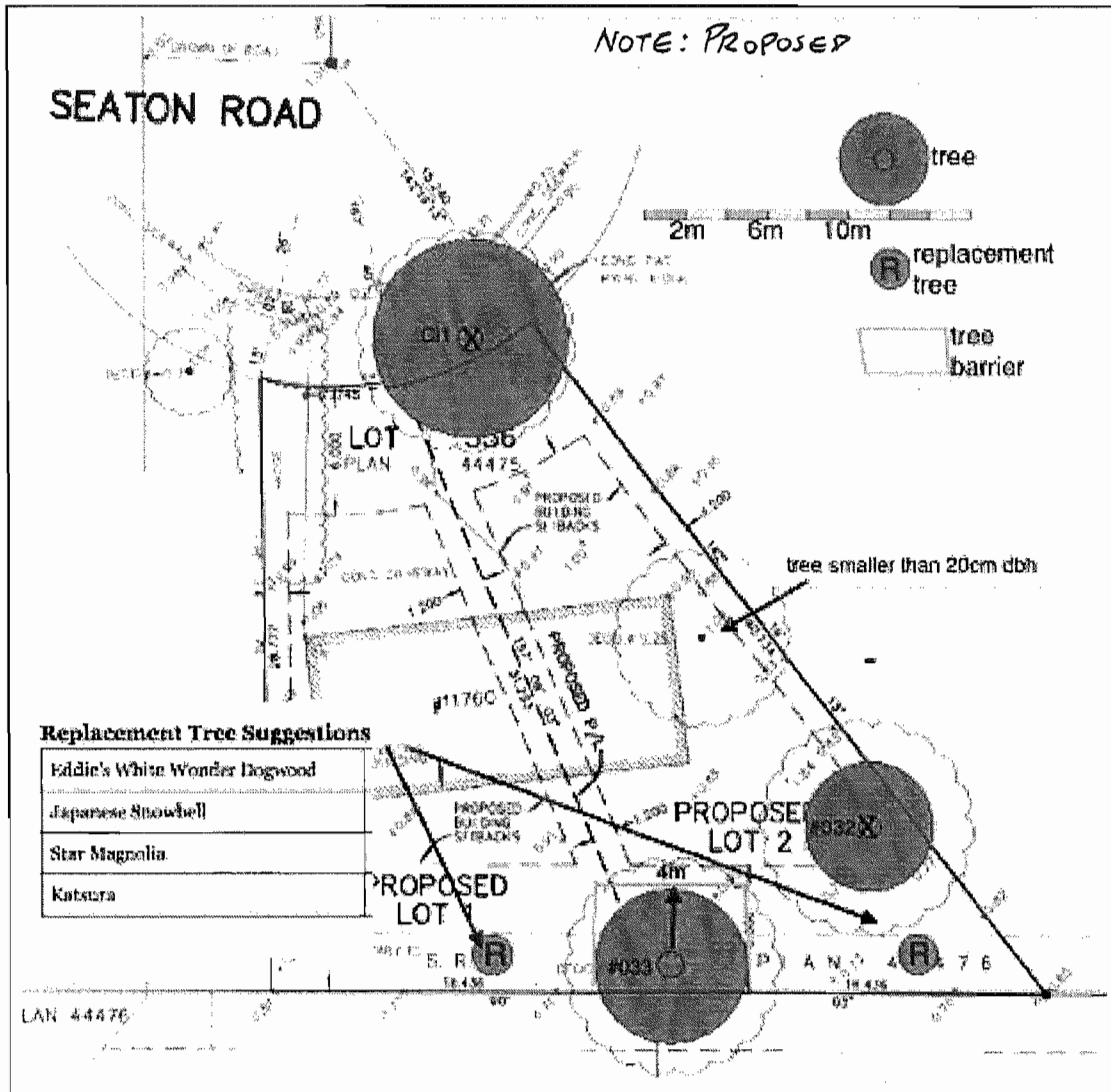
*SUBJECT SITE*

- |   |   |  |   |
|---|---|--|---|
|  | 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



Woodridge Tree Tree Removal and Retention Plan		Tree Table	
December 27, 2014			
11760 Seaton Road Richmond			
#	Species	dbh (cm)	Action
C11	Plum	81	remove
O32	Cherry	53	remove
O33	Birch	63	retain
total # retained			1
total # removed			2

Arborist Report for 11760 Seaton Road  
Woodridge Tree



**Rezoning Considerations**

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

**Address:** 11760 Seaton Road

**File No.:** RZ 14-666216

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9182, the developer is required to complete the following:**

1. Submission of a Landscaping Security to the City in the amount of \$1,500 (\$500/tree) to ensure that three (3) trees are planted on the proposed lots (one [1] on the proposed west lot and two [2] on the proposed east lot). The replacement trees must be of the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
1	6 cm		3.5 m
2	10 cm		5.5 m

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, for the removal of the Plum tree (Tag C) on City property.
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 \$1,000 for the one (1) Birch tree (Tag# 33) to be retained. Pending tree survival, the Security will not be released until the post-construction assessment report is submitted to the City and reviewed to the satisfaction of Staff.
5. Registration of a flood indemnity covenant on Title.
6. 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. \$4,465) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

**Prior to Demolition Permit\* Issuance, the developer 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.

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

1. At subdivision stage, the developer is required to pay Development Cost Charges (City and GVS&DD), School Site Acquisition Charges, Address Assignment Fee, and Engineering Servicing Costs for works including, but not limited to the following:

*Water Works:*

- Using the OCP Model, there is 73 L/s of water available at a 20 psi residual at the Seaton Road frontage. Based on the proposed development, the site requires a minimum fire flow of 95 L/s and as a result upgrade to the frontage water main along Seaton Court may be required. Alternatively, please submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) to confirm that there is adequate available flow for onsite fire protection without needing to upgrade the existing frontage water main.
- Water main upgrade may be required pending the review of the FUS calculation to be submitted by the developer.
- City to disconnect the existing 20 mm water connection and install two (2) new 25 mm diameter water connections complete with meter boxes at the property line.

*Storm Sewer Works:*

- City to cut and cap the existing storm service connection at the inspection chamber near the northeast property corner, and install a new inspection chamber and two (2) service connections at the common property line.
- Site drainage must be directed towards the existing or new inspection chambers fronting Seaton Road to prevent storm water from ponding on the boulevard, road and driveways.

*Sanitary Sewer Works:*

- City to remove the existing sanitary IC and service connection in the southwest property corner, and install a new inspection chamber and two (2) service connections at the common property line in the right-of-way.
- The required sanitary sewer works outlined above must be completed prior to the issuance of Building Permit to prevent the developer's building foundation work from jeopardizing the City forces' ability to access the rear yard with heavy equipment.

**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 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.
- 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 copy on file]

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Signed

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Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9182 (RZ 14-666216)
11760 Seaton 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. 003-648-818
Lot 356 Section 25 Block 4 North Range 6 West New Westminster District Plan 44475

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9182".

FIRST READING

FEB 10 2015

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by BJC
APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER