



City of Richmond

Report to Committee

To: Planning Committee
From: Wayne Craig
Director, Development

Date: December 15, 2022

File: RZ 21-938262

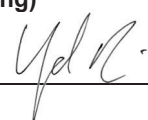
Re: Application by Rav Bains for Rezoning at 8420 Heather Street from "Residential Single Detached (RS1/B)" Zone to "Residential Single Detached (RS2/A)" Zone

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10435, for the rezoning of 8420 Heather Street from "Residential Single Detached (RS1/B)" zone to "Residential Single Detached (RS2/A)" zone, be introduced and given first reading.

Wayne Craig
Director, Development
(604-247-4625)

WC:ak
Att. 6

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

Staff Report

Origin

Rav Bains has applied to the City of Richmond for permission to rezone 8420 Heather Street from the “Single Detached (RS1/B)” zone to the “Single Detached (RS2/A)” zone, to permit the property to be subdivided into two equal-sized single family lots with secondary suites and vehicle access from Heather Street (Attachment 1). The proposed subdivision plan is shown in Attachment 2.

Findings of Fact

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

Subject Site Existing Housing Profile

There is an existing single-family home on the property, which would be demolished. No existing secondary suites are present. The existing single-family home is currently renter occupied.

Surrounding Development

Development immediately surrounding the subject site is as follows:

To the North: A single-family dwelling on a lot zoned “Single Detached (RS1/A)” fronting Heather Street.

To the South: A single-family dwelling on a lot zoned “Single Detached (RS1/B)” fronting Heather Street.

To the East: A townhouse complex on a lot zoned “Low Density Townhouses (RTL1)”, with vehicle access from Dayton Avenue.

To the West: Two (2) single-family dwellings on lots zoned “Single Detached (RS1/K)” fronting Heather Street.

Related Policies & Studies

Official Community Plan/Broadmoor Planning Area – Ash Street Sub Area Plan

The subject property is designated as “Neighbourhood Residential” in the Official Community Plan (OCP) and is located in the Broadmoor Planning Area and is designated for “Low Density Residential” in the Broadmoor Area – Ash Street Sub-Area Plan (Attachment 4). The proposed rezoning and subdivision is consistent with this designation.

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* and the City's *Zoning Bylaw 8500*.

Analysis

This redevelopment proposes to rezone and subdivide an existing single-family lot into two new single-family lots approximately 10 m wide with vehicular access from Heather Street. This rezoning and subdivision is consistent with the lot fabric, lot width and vehicular access of lots to the north along Heather Street and with the Ash Street Sub-Area Plan.

Existing Legal Encumbrances

There is an existing 1.5 m Statutory Right-Of-Way (SRW) across the entire rear (east) property line for the sanitary sewer, which will not be impacted by this development proposal. The applicant is aware that encroachment into the SRW is not permitted.

Transportation and Site Access

Vehicle access is proposed to be provided from Heather Street via separate driveway crossings to each new lot. Parking will be provided in accordance with the Zoning Bylaw.

Site Servicing and Frontage Improvements

At the subdivision stage, the applicant is required pay, in keeping with the Subdivision and Development Bylaw No. 8751, a \$29,200.00 cash-in-lieu contribution for the design and construction of frontage upgrades as set out in Attachment 5. The applicant is also required to pay, at subdivision stage, the costs associated with the completion of the site servicing through a City Work Order as described in Attachment 5.

In addition, at subdivision stage, the applicant is required to pay the current year's taxes, Development Cost Charges (City and GVS & TransLink), School Site Acquisition Charges and Address Assignment Fees.

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 two (2) bylaw sized trees on the subject property.

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

- Two (2) trees located on site (tag# 397 and "stump") to be removed and replaced.
 - One tree (tag# 397) located on site (front yard of Lot A) is a birch in very poor condition; exhibiting cavities in the upper canopy, topping by BC Hydro for line clearance and a lower scaffold limb extending along the ground. This tree is not a good candidate for retention and should be replaced.
 - One tree (tag# no tag) located on site (front yard of Lot A) was a 24" caliper dead birch (10' high standing stump remaining) to be removed and replaced.
- Replacement trees should be specified at 2:1 ratio as per the OCP (Min 4 m high conifer or 8 cm caliper deciduous).

There is a hedge located along the south property line which is proposed to be trimmed and retained. There is also a hedge located along the rear (east property line) which is proposed to be trimmed and a portion retained. The extent of retention is to be further reviewed at the time of the City Work Order as the applicant is required to provide a service connection from the new home on Lot A to the sanitary sewer located in the rear. A Tree Management Plan is attached (Attachment 6).

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, is required. 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 protection of the hedges, and a provision for the arborist to submit a post-construction impact assessment to the City for review. Installation of appropriate tree protection fencing around the hedge to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site, is required.

Tree Replacement

The applicant wishes to remove two (2) on-site trees. The 2:1 replacement ratio would require a total of four (4) replacement trees. The applicant has agreed to plant two (2) trees on each lot proposed; for a total of four (4) trees. 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
4	8 cm	4 m

The applicant will submit a Landscape Security of \$3,000.00 (\$750/tree) to ensure that a total of four (4) trees (two on each lot) are planted and maintained on each lot.

Affordable Housing Strategy

The City of Richmond's Affordable Housing Strategy requires a secondary suite or coach house on 100 per cent of new lots created through single-family rezoning and subdivision applications; a secondary suite on 50 per cent of new lots created and a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund based on the total buildable area of the remaining lots; or a cash-in-lieu contribution based on the total buildable area of all lots where a secondary suite cannot be accommodated in the development.

Consistent with the City's Affordable Housing Strategy, the applicant proposes to construct a one-bedroom secondary suite, approximately 40 m² (430 ft²) in area, on each future lot at the subject site for a total of two secondary suites. 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 suites are constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning adoption.

Financial Impact or Economic Impact

This 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 application is to rezone 8420 Heather Street from the "Residential Single Detached (RS1/B)" zone to the "Residential Single Detached (RS2/A)" zone, to permit the property to be subdivided to create two single-family lots.

This rezoning application complies with the land use designations and applicable policies for the subject site contained within the OCP and the Richmond Zoning Bylaw 8500.

The list of rezoning considerations is included in Attachment 5, which has been agreed to by the applicant (signed concurrence on file).

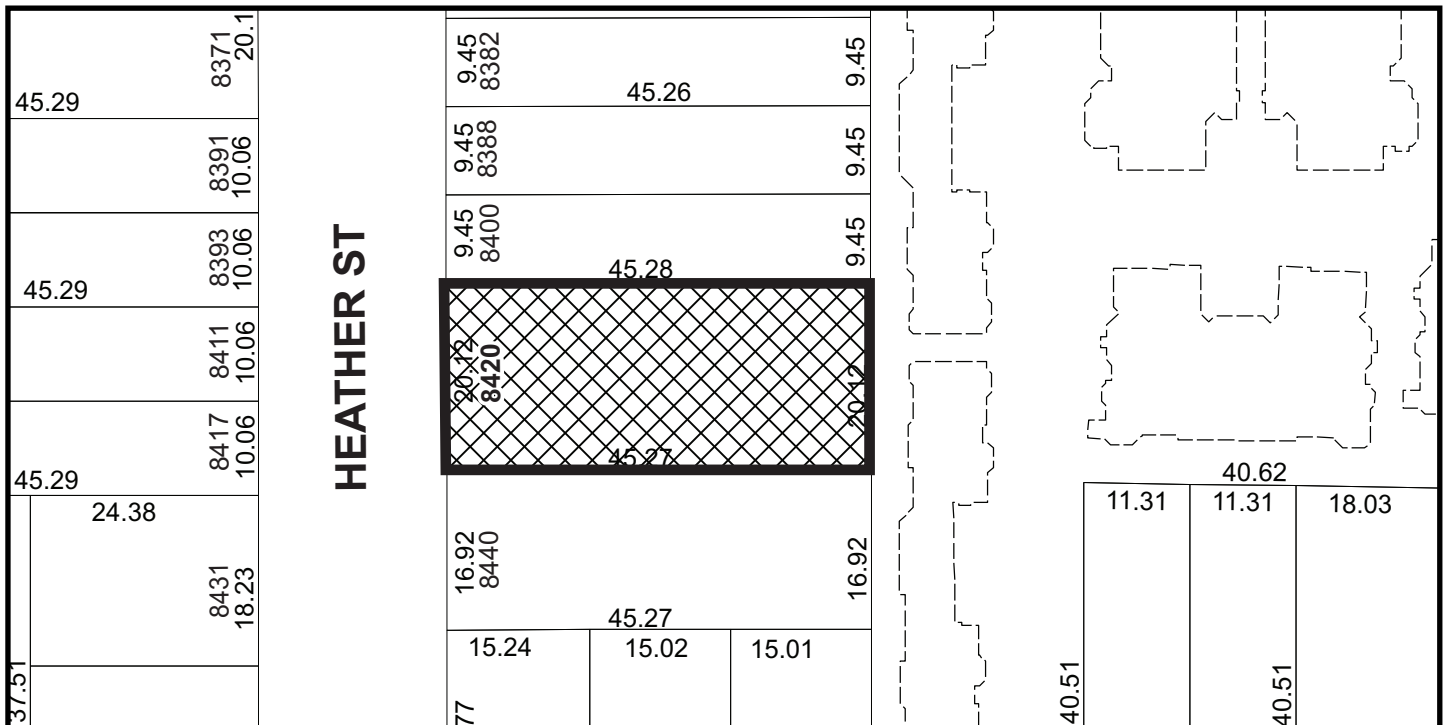
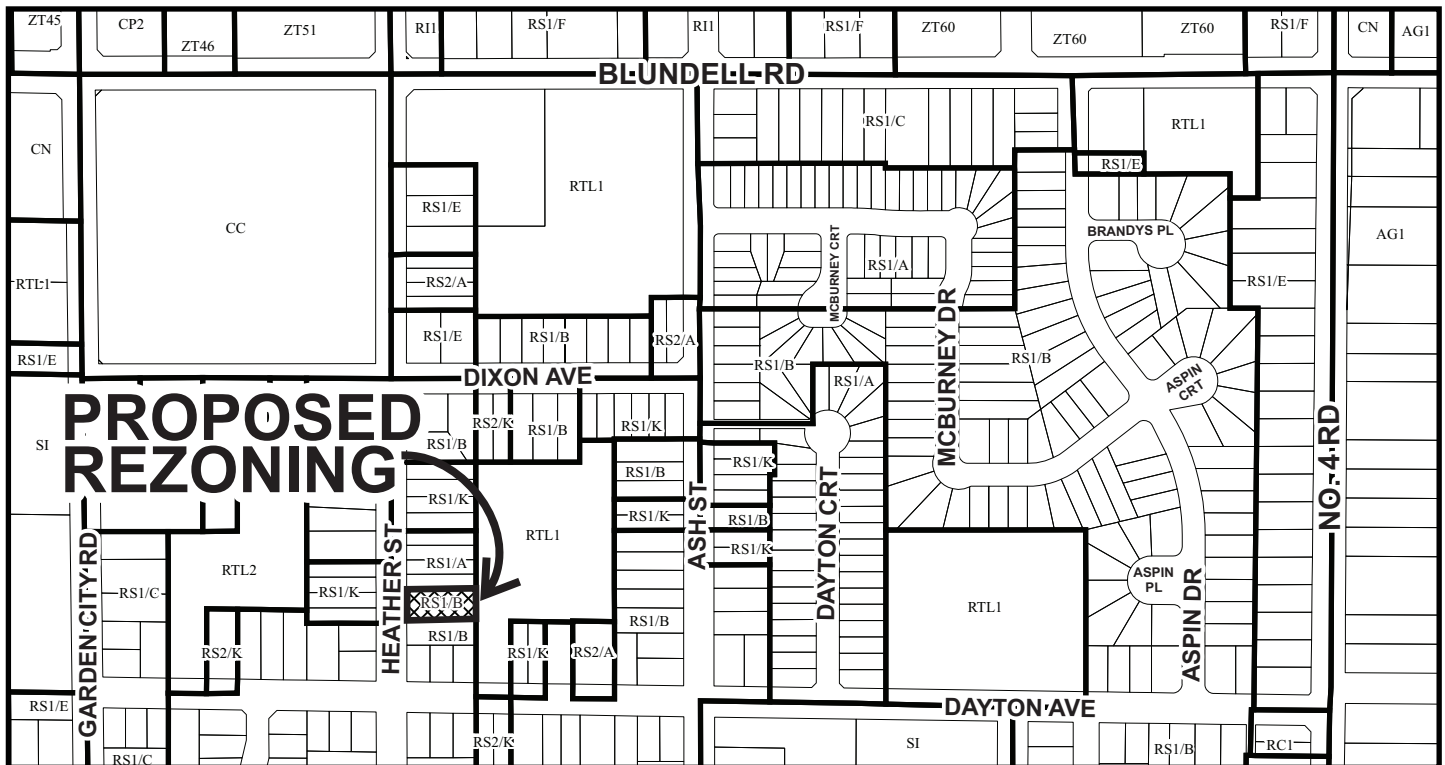
It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10435 be introduced and given first reading.

A handwritten signature in black ink, appearing to read 'Ashley Kwan', with a stylized flourish at the end.

Ashley Kwan
Planner 1
(604-276-4173)

AK:js

- Att. 1: Location Map and Aerial Photo
 2: Proposed Subdivision Plan
 3: Development Application Data Sheet
 4: Ash Street Sub-Area Plan
 5: Rezoning Considerations
 6: Tree Management Plan



RZ 21-938262

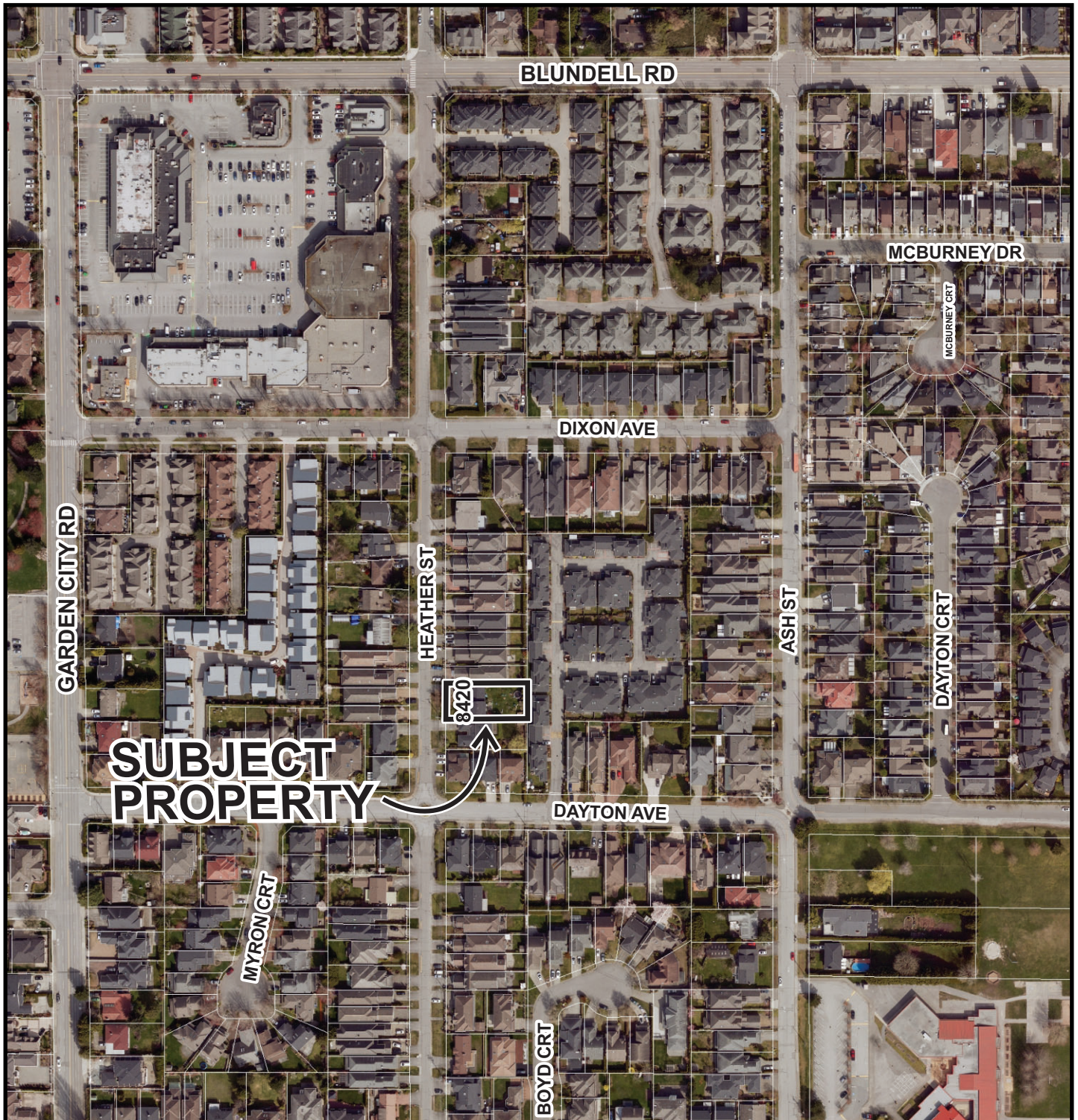
PLN – 33

Revision Date:

Note: Dimensions are in METRES



City of Richmond



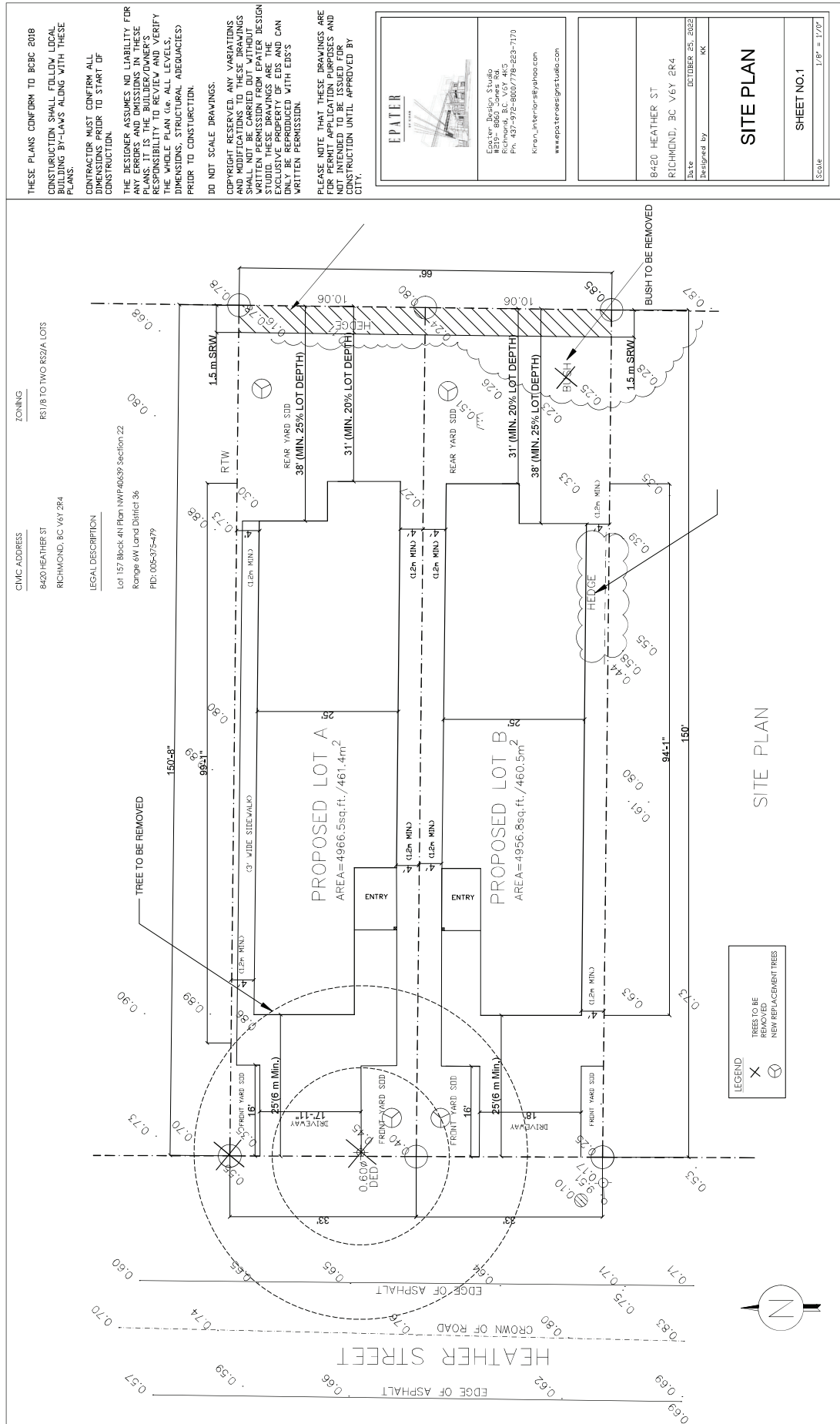
RZ 21-938262

PLN - 34

Original Date: 09/24/21

Revision Date:

Note: Dimensions are in METRES





RZ 21-938262

Attachment 3

Address: 8420 Heather Street

Applicant: Rav Bains

Planning Area(s): Broadmoor, Ash Street Sub-Area

	Existing	Proposed
Owner:	BAYBEST HOMES LTD Inc.No. BC1316270	To be determined
Site Size (m²):	921.9 m ²	Lot A: 461.4 m ² Lot B: 460.5 m ²
Land Uses:	One Single-Family Home	Two Single-Family Homes
OCP Designation:	Neighbourhood Residential	No change
Area Plan Designation:	Low Density Residential	No change
Zoning:	Single Detached (RS1/B)	Single Detached (RS2/A)
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 (m ²):*	Lot A: Max. 253.77 m ² (2731.6 ft ²) Lot B: Max. 253.28 m ² (2726.3 ft ²)	Lot A: 252.99 m ² (2723.2 ft ²) Lot B: Max. 252.99 m ² (2723.2 ft ²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70% Landscaping: Min. 20%	Building: Max. 45% Non-porous Surfaces: Max. 70% Landscaping: Min. 20%	none
Lot Size:	Min 270 m ²	Lot A: 461.4 m ² Lot B: 460.5 m ²	none
Lot Dimensions (m):	Width: Min. 9.0 m Depth: Min. 24.0 m	Width: 10.06 m Depth: 45.82 m	none

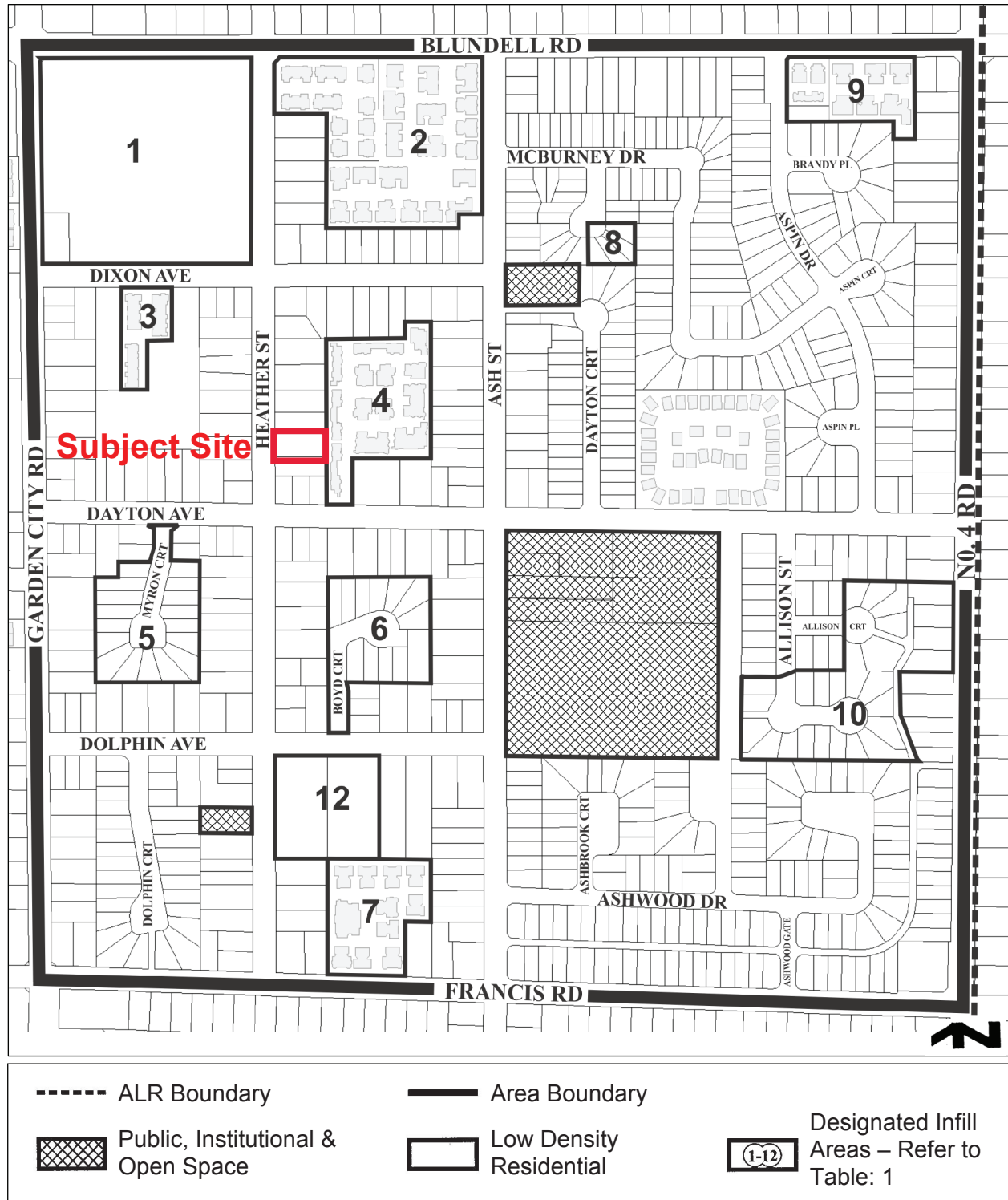
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Setbacks (m):	<p>Front: Min. 6 m</p> <p>Rear: Greater of 6 m or 20% of the total lot depth, for a max. width of 60% of the rear wall of the first storey; and 25% of the total lot depth, for the remaining 40% of the rear wall of the first storey and any second storey, or half storey above up to a max. required setback of 10.7m.</p> <p>Side: Min. 1.2 m</p>	<p>Front: Min. 6 m</p> <p>Lot A Rear: Min. 9.2 m for a max. width of 60% of the rear wall of the first storey; and 10.7 m for the remaining 40% of the rear wall of the first storey and any second storey, or half storey above.</p> <p>Lot B Rear: Min 9.1 m for a max. width of 60% of the rear wall of the first storey; and 10.7 m for the remaining 40% of the rear wall of the first storey and any second storey, or half storey above.</p> <p>Side: Min. 1.2 m</p>	none
Height (m):	Max 9.0 m	Max 9.0 m	none

Other: _____

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

Land Use Map

Bylaw 9489
2016/07/18





Address: 8420 Heather Street

File No.: RZ 21-938262

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10435, the applicant is required to complete the following:

1. Submission of a Landscape Security in the amount of \$3000 (\$750/tree) to ensure that a total of 2 replacement trees are planted and maintained on each lot proposed (for a total of 4 trees); minimum 8 cm deciduous caliper or 4.0 m high conifers). **NOTE: minimum replacement size to be as per Tree Protection Bylaw No. 8057 Schedule A – 3.0 Replacement Trees.**
2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the protection zone of the hedges 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.
3. Registration of a flood indemnity covenant on title (2.9 m GSC – Area A).
4. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite of a minimum one-bedroom and being of a minimum size of 40 m² (430 ft²) is constructed on both 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.
5. Payment of all fees in full for the cost associated with the Public Hearing Notices, consistent with the City's Consolidated Fees Bylaw No 8636, as amended.

Prior to Demolition*, the developer must complete the following requirements:

1. Installation of appropriate tree protection fencing around all trees and hedges to be retained as part of the development in accordance with the City's Tree Protection Information Bulletin TREE-03, prior to any construction activities including building demolition, occurring 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 Section 01570.

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

1. Payment of the current year's taxes, Development Cost Charges (City, Metro Vancouver and TransLink), School Site Acquisition Charges, and Address Assignment Fees.
2. Complete the following servicing works and off-site improvements at the Applicant's cost through a City Work Order. Works shall include but may not be limited to:

Water Works:

- The Applicant is required to:

- Cut and cap the existing water service connection located along the proposed middle property line.
- Install a new water service connection to service the north lot complete with water meter and water meter box as per standard City specifications.
- Install a new water service connection to service the south lot complete with water meter and water meter box as per standard City specifications.
- Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm 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.
- Provide a right-of-way for the water meter. Minimum right-of-way dimensions to be the size of the meter box (from the City of Richmond supplementary specifications) + any appurtenances (for example, the bypass on W2o-SD) + 0.5 m on all sides. Exact right-of-way dimensions to be finalized during the building permit process (or via the servicing agreement process, if one is required).
- Using the OCP Model, there is 151.0L/s of water available at a 20 psi residual at the Heather Street frontage. Based on the proposed developed, the site required a minimum fire flow of 95 L/s.
- At the Applicant's cost, the City will complete all tie-ins for the proposed works to existing City infrastructure.

Storm Sewer Works

- At Applicant's cost, the Applicant is required to:
 - Confirm the condition and capacity of the existing dual chamber storm sewer service connection located at the northwest corner of the site. Reuse if in good condition to service the proposed north lot.
 - Confirm the condition and capacity of the existing dual chamber storm sewer service connection located at the south west corner of the site. Reuse if in good condition to service the proposed south lot.
- At Applicant's cost, the City will complete all tie-ins for the proposed works to existing City infrastructure.

Sanitary Sewer Works

- At Applicant's cost, the Applicant is required to:
 - Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
 - Install a new 100mm sanitary service connection complete with inspection chamber to service north the lot.
 - Confirm the condition and capacity of the existing sanitary service connection. If at 100mm diameter and in good condition, reuse to service the south lot.
- At Applicant's cost, the City will complete all tie-ins for the proposed works to existing City infrastructure.

Frontage Improvements

- The Applicant is required to pay, in keeping with the Subdivision and Development Bylaw No. 8751, a \$29,200.00 cash-in-lieu of construction contribution for the design and construction of lane upgrades as set out below:

1. Concrete curb and gutter	\$6,000.00
2. Concrete sidewalk	\$5,400.00
3. Pavement widening	\$10,300.00
4. Roadway lighting	\$3,900.00
5. Boulevard landscape and trees	\$3,600.00
- Note: Cash-in-lieu rates are updated yearly to adjust for inflation and fluctuations in actual construction costs. The City will re-assess the required contribution when the cash-in-lieu is paid, based on the cash-in-lieu rate that is in effect at that time.

General Items

- At the Applicant's cost, the Applicant is required to:
 - Complete other frontage improvements as per Transportation requirements.
 - Not encroach into City right-of-ways with any proposed trees, retaining walls, or other non-removable structures. Retaining walls proposed to encroach into rights-of-ways must be reviewed by the City's Engineering Department.

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.

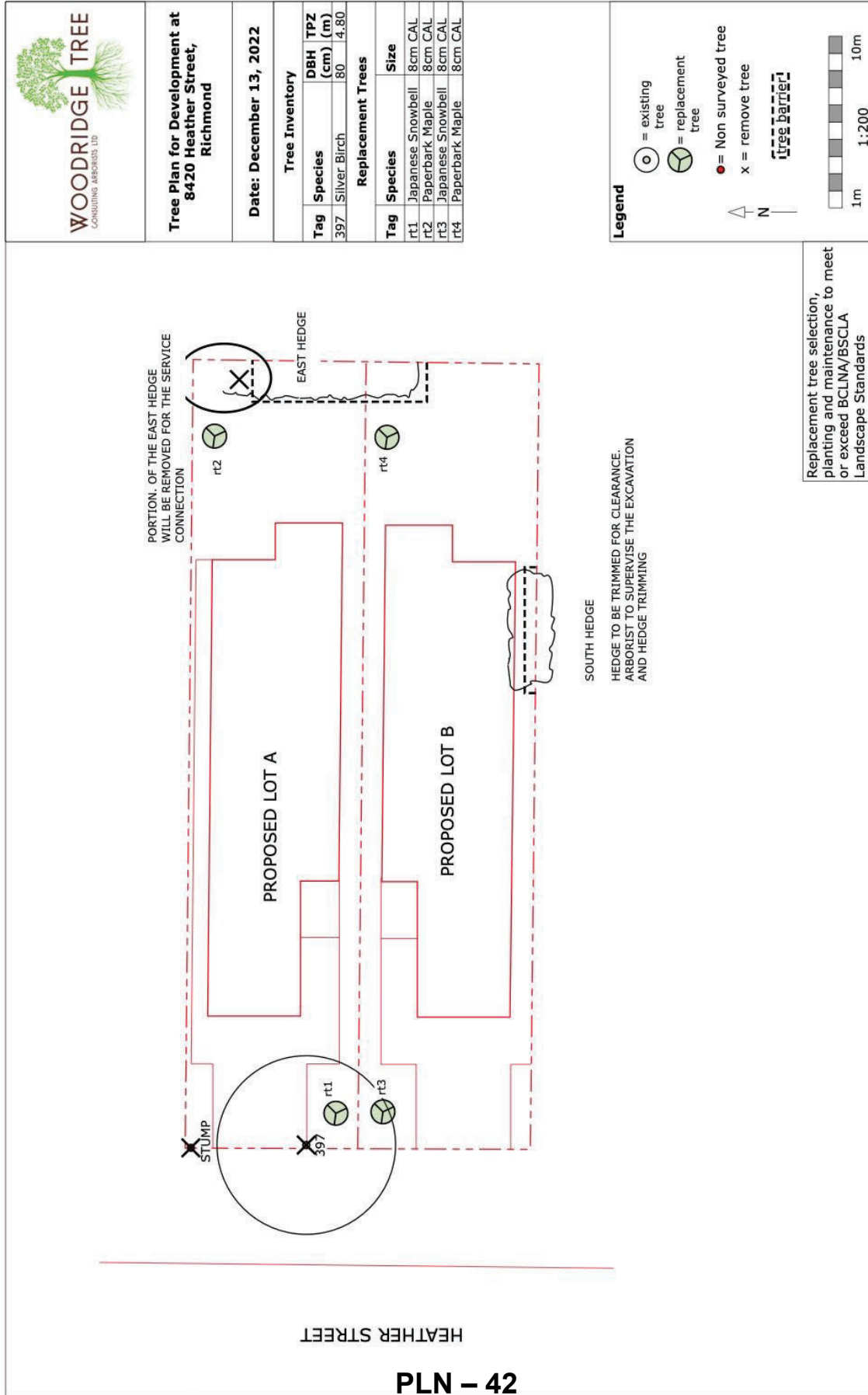
All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, 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 _____

Date _____





**Richmond Zoning Bylaw 8500
Amendment Bylaw 10435 (RZ 21-938262)
8420 Heather Street**

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/A)”**.

P.I.D 005-375-479

Lot 157 Section 22 Block 4 North Range 6 West New Westminster District Plan 40639

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 10435”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER

