



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee **Date:** February 16, 2015

From: Cynthia Lussier
Planning Technician- Design **File:** RZ 11-586707

Re: **Application by Robert Kirk for Rezoning at 8395 Ruskin Place from Single Detached (RS1/E) to Single Detached (RS2/B)**

Staff Recommendation

That Bylaw No. 9218, for the rezoning of 8395 Ruskin Place from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, be introduced and given first reading.

Wayne Craig
Director of Development

CL:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Robert Kirk has applied to the City of Richmond for permission to rezone 8395 Ruskin 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 (Attachment 1). A survey showing the proposed subdivision plan is included in Attachment 2.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

Surrounding Development

Existing development immediately surrounding the subject site is as follows:

- To the north, fronting Ruskin Road, is an older character dwelling on a lot zoned “Single Detached (RS1/E)”.
- To the east, fronting Ryan Road, are older character townhouses on a lot zoned “Low Density Townhouses (RTL1)”.
- To the south, is an older character dwelling on a lot zoned “Single Detached (RS1/E)”.
- To the west, are two (2) newer dwellings on lots zoned “Single Detached (RS1/B)”.

Related Policies & Studies

Official Community Plan (OCP) Designation

There is no Area Plan for this neighbourhood. The Official Community Plan’s (OCP) land use designation for the subject site is “Neighbourhood Residential”. This redevelopment proposal is consistent with this designation.

Lot Size Policy 5469

The subject property is located within the area covered by Single-Family Lot Size Policy 5469 (adopted by Council in 2001) (Attachment 4). This Policy permits rezoning and subdivision of lots on portions of Ryan Road, Leonard Road, Ruskin Road, and Ruskin Place to “Single Detached (RS2/B)”. Consistent with the Lot Size Policy, this rezoning application would enable the creation of two (2) lots; each meeting the minimum lot area of 360 m² required under the proposed RS2/B zone.

Flood Management

The proposed development must meet the requirements of Flood Plain Designation & Protection Bylaw No. 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. There have been no concerns expressed by the public about the development proposal.

Analysis

Background

Since 2001, this area has seen some redevelopment through rezoning and subdivision to smaller lot sizes in accordance with the Lot Size Policy. Currently, there are two (2) active applications for redevelopment on Ruskin Place, including the subject property (RZ 08-423764 at 8364 Ruskin Place, which received 3rd reading at the Public Hearing in October 2008; and RZ 11-586707 at the subject site).

Trees & Landscaping

A Tree Survey and Certified Arborist's Report have been submitted by the applicant, which identify tree species, assess the condition of the trees, and provide recommendations on tree retention and removal relative to the development proposal. The survey and report identify that there are:

- 22 bylaw-sized trees on the subject property.
- One (1) bylaw-sized tree located on the adjacent property to the east (8404 Ruskin Place).

The Arborist's Report recommends that:

- Six (6) Western Red Cedar trees located on the east property line be retained and protected as they are in good condition (tags #975-980). Tree protection fencing must be installed a minimum of 4.0 m out from the base of the trees.
- 15 Lombardy Poplar trees along the north and east property lines be removed as they are identified as hazardous trees due to previous topping and visible cavities below old topping cuts, resulting in weakly attached large secondary branches with a high probability of failure.
- One (1) Cherry tree (tag #981) be removed due to poor condition (i.e., canker and 50% live canopy due to suppression from adjacent trees).
- One (1) Western Red Cedar tree (tag #974) located on the neighbouring property to the south at 8404 Ruskin Place be removed due to its poor condition from previous topping and its location close the shared property line as it would likely be impacted by new construction on the proposed south lot at the subject site. The applicant has received authorization (on file) from the owners of 8404 Ruskin Place for its removal. Prior to the tree being removed, the applicant must apply for and be issued a Tree Removal Permit to remove the tree (tag # 974). Until such time, tree protection fencing is required to be installed and maintained.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report recommendations, conducted on-site visual tree assessment, and concurs with the recommendations based on the condition of the on-site trees and anticipated impacts to the off-site tree.

The final Tree Retention Plan is included in Attachment 5.

Where tree protection fencing is required (as described above), it must be installed to City standard prior to demolition of the existing dwelling on-site and must remain in place until construction and landscaping on the proposed lots is completed.

To ensure the survival of protected trees (tags # 975-980), the applicant must submit the following prior to rezoning adoption:

- A Contract with a Certified Arborist for supervision of any works to be conducted within the tree protection zone. The Contract must include the scope of work, including the proposed number of site monitoring inspections (including stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
- A Tree Survival Security to the City in the amount of \$6,000. The City will release 70% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post-construction impact assessment report is received. The remaining 30% of the security would be released one year (1) later subject to inspection.

Considering the limited space in the yards of the proposed lots after the six (6) Western Red Cedar trees are retained, and that replacement trees are not assessed for the removal of the 15 hazard trees, staff recommends that two (2) replacement trees, plus an additional two (2) trees, be planted and maintained on-site [two (2) per lot]. This is consistent with Council Policy 5032, which encourages all owners of property in Richmond to plant and maintain at least two (2) trees on every lot. To ensure that the above four (4) trees are planted and maintained on the proposed lots, the applicant must submit a landscaping security in the amount of \$2,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

Affordable Housing

For single-family development proposals, 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/ft² of total buildable area towards the City's Affordable Housing Reserve Fund.

The applicant proposes 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 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 the City's Zoning Bylaw. This legal agreement is required prior to final adoption of the rezoning bylaw. This agreement will be discharged from title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicant change their mind prior to rezoning adoption 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/ft² of total buildable area of the single detached dwellings (i.e. \$6,336.00).

Subdivision & Future Development Stage

At subdivision and future development stage, the applicant will be required to:

- Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fee.
- Enter into a Servicing Agreement for the design and construction of sanitary sewer upgrades as well as water, drainage, and sanitary connection works to service the proposed lots. The scope of the required works is provided in Attachment 6.

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

Financial Impact

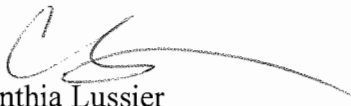
This rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

Conclusion

The purpose of this rezoning application is to rezone the property at 8395 Ruskin 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.

This rezoning application complies with the land use designations contained within the Official Community Plan (OCP) for the subject site, and is consistent with Lot Size Policy 5469.

On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9218 be introduced and given first reading.



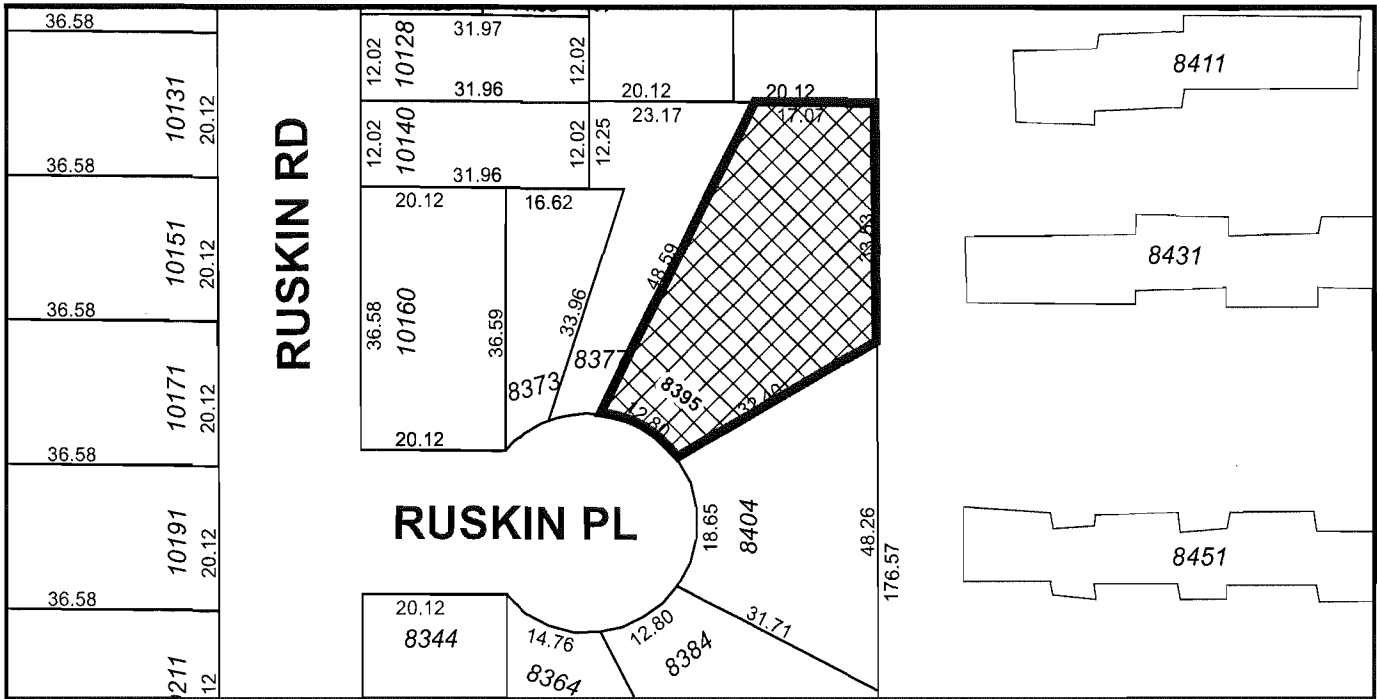
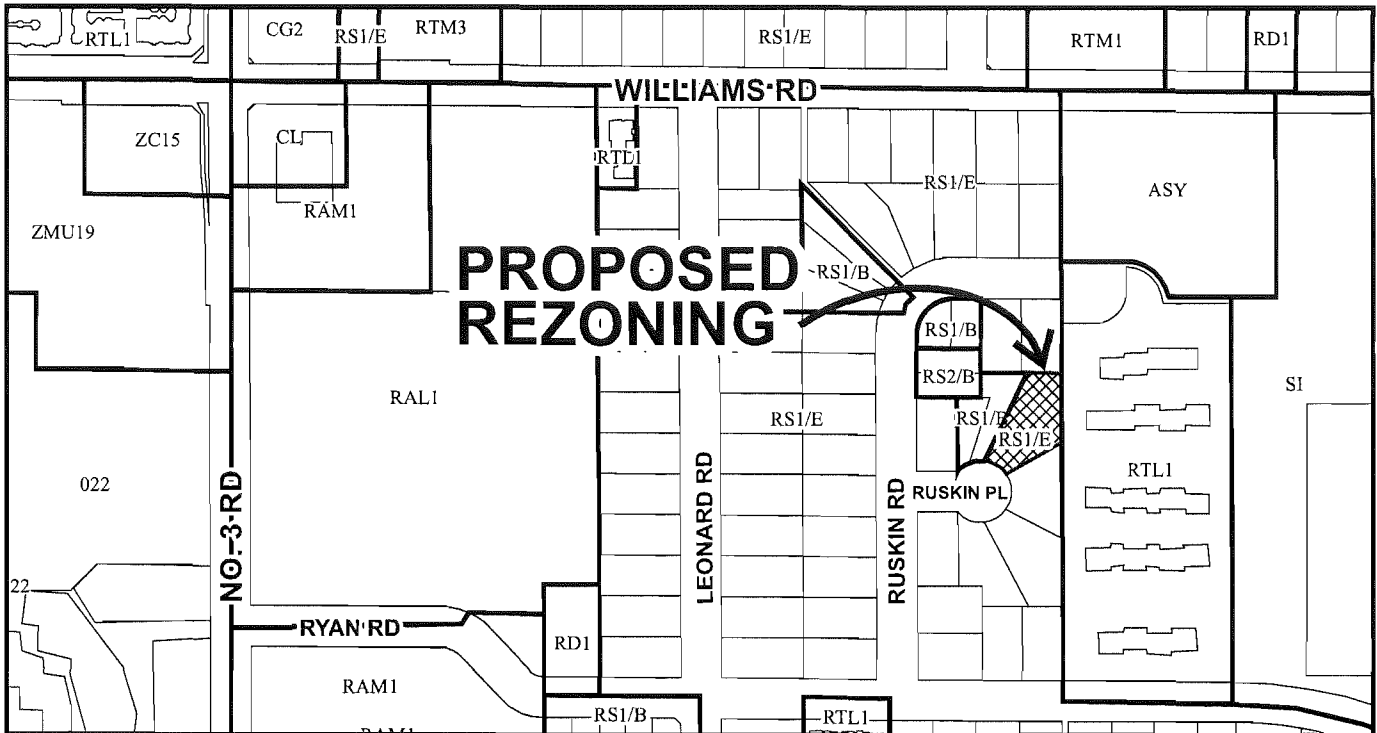
Cynthia Lussier
Planning Technician – Design
(604-276-4108)

CL:blg

Attachment 1: Location Map/Aerial Photo
Attachment 2: Proposed Subdivision Plan
Attachment 3: Development Application Data Sheet
Attachment 4: Lot Size Policy 5469
Attachment 5: Tree Retention Plan
Attachment 6: Rezoning Considerations Concurrence



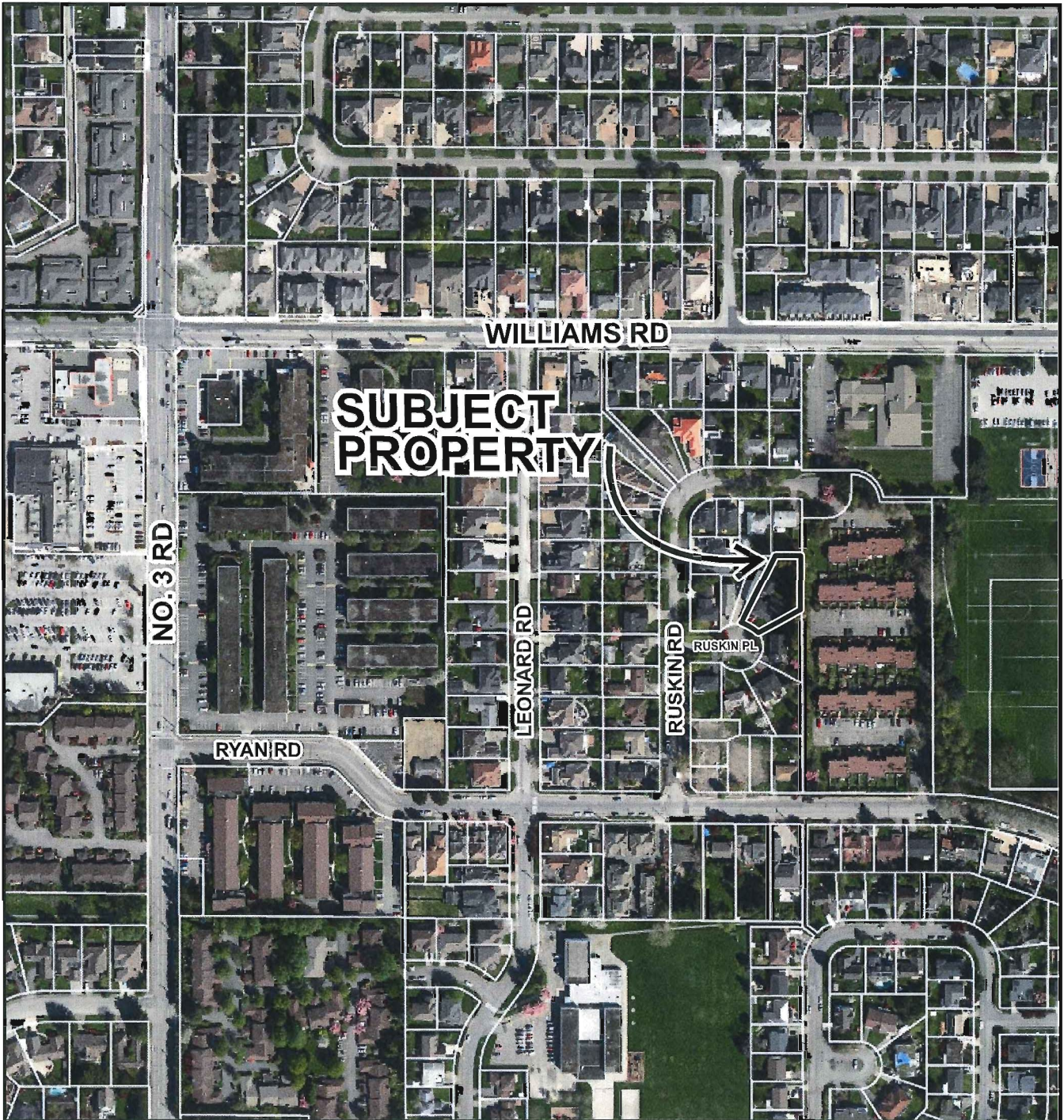
City of
Richmond



	<h1>RZ 11-586707</h1>	<p>Original Date: 02/16/15</p> <p>Revision Date: 02/19/15</p> <p>Note: Dimensions are in METRES</p>
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City of
Richmond



RZ 11-586707

Original Date: 02/16/15

Revision Date:

Note: Dimensions are in METRES

**SURVEY PLAN OF LOT 35 SECTION 33
BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT PLAN 18353**

PARCEL IDENTIFIER (PID): 003-528-901

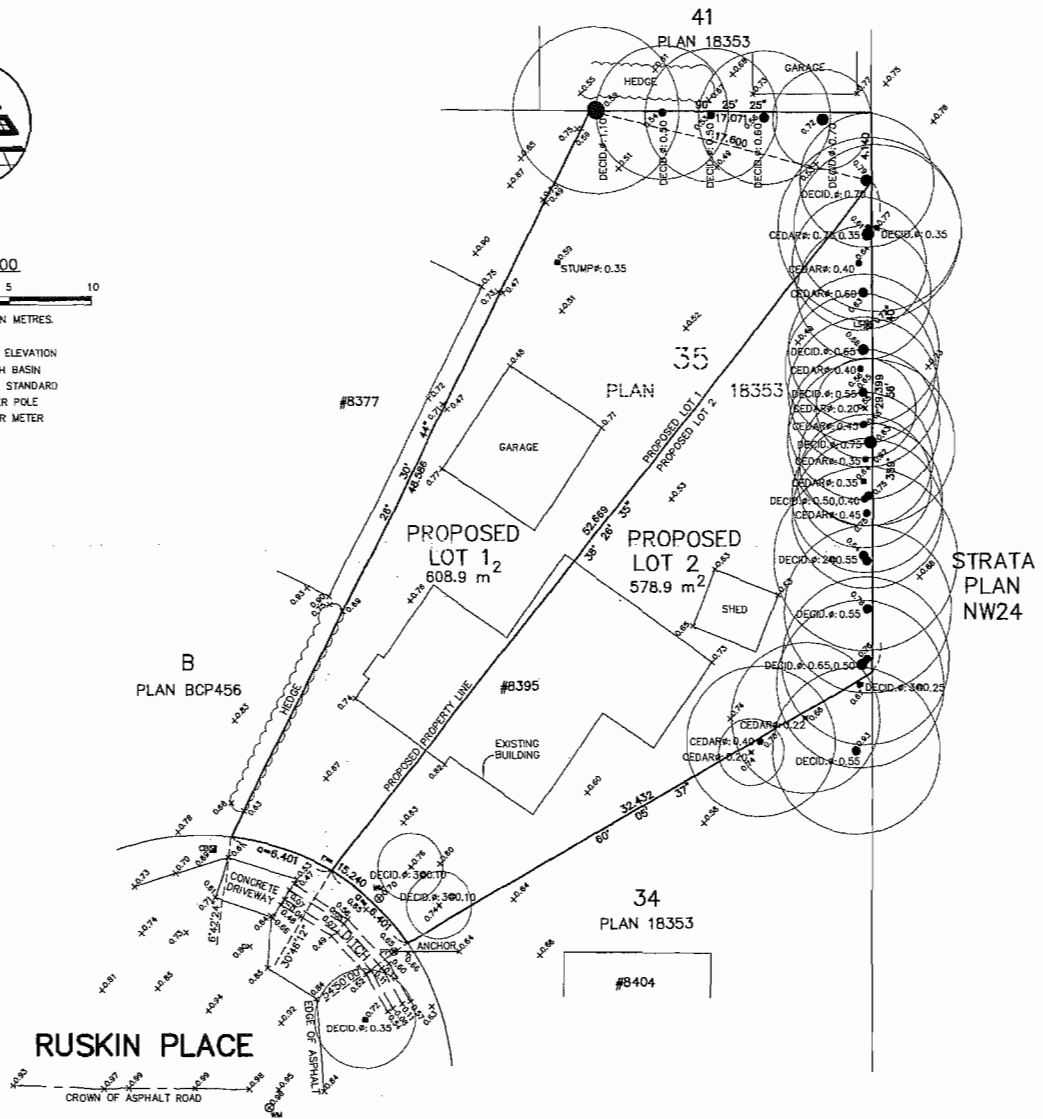
CIVIC ADDRESS
#8395 RUSKIN PLACE
RICHMOND, B.C.

RE-ZONING RS1/E TO RS1/B

LEGEND
SCALE 1:200

ALL DISTANCES ARE IN METRES.

- x 0.34 INDICATES SPOT ELEVATION
- CB INDICATES CATCH BASIN
- LS INDICATES LAMP STANDARD
- PP INDICATES POWER POLE
- WM INDICATES WATER METER



NOTES:

- ELEVATIONS ARE IN METRES AND ARE DERIVED FROM CITY OF RICHMOND 1PM MONUMENT #204 (D2-42452) WITH AN ELEVATION OF 1.559 METRES.
- PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS AND LEGAL FIELD SURVEYS.
- ALL DESIGNATED TREES AS DEFINED BY THE CITY OF RICHMOND BYLAW NO. 8057, ARE SHOWN HEREON.

© COPYRIGHT
MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
#320 - 11120 HORSESHOE WAY
RICHMOND, B.C., V7A 5H7
PH: 604-270-9331
FAX: 604-270-4137
CADFILE: 16752-001-TPG-001.DWG

CERTIFIED CORRECT
THIS 15TH DAY OF JULY, 2011

B.C.L.S.



RZ 11-586707

Attachment 3

Address: 8395 Ruskin Place

Applicant: Robert Kirk

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Gary Finlay Kirk Sandra Kathleen Kirk	To be determined
Site Size (m²):	1,187.8 m ² (12,785.8 ft ²)	North Lot - 608.9 m ² South Lot - 578.9 m ²
Land Uses:	Single-family	No change
OCP Designation:	Neighbourhood Residential	No change
Lot Size Policy Designation:	Policy 5469 permits rezoning subdivision to the "Single Detached (RS2/B)" zone.	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Buildings:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	360 m ²	North Lot - 608.9 m ² South Lot - 578.9 m ²	none
Setback – Front & Rear Yard (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

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

**City of Richmond****Policy Manual**

Page 1 of 2

Adopted by Council: February 19, 2001

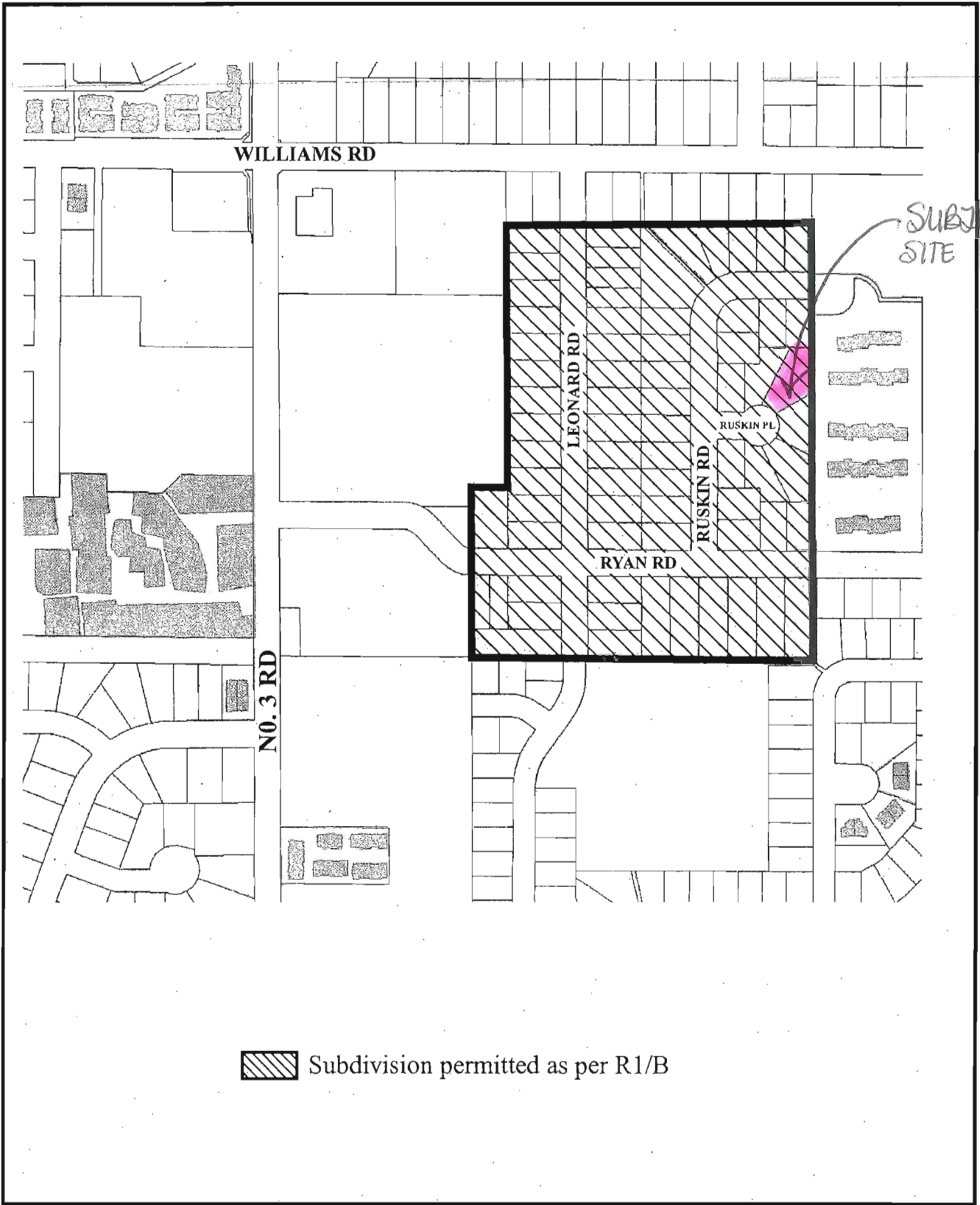
POLICY 5469

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER SECTION 33-4-6**POLICY 5469:**

The following policy establishes lot sizes in a portion of Section 33-4-6, for the properties generally located along **Ryan Road, Leonard Road, Ruskin Road and Ruskin Place**, as shown on the attached map:

That properties along Ryan Road, Leonard Road, Ruskin Road and Ruskin Place (in a portion of section 33-4-6) as shown on the attached map, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) as per the Zoning and Development Bylaw 5300 and that this policy be used to determine the disposition of future rezoning applications in this area for a period of not less than five years, except as per the amending procedures in the Zoning and Development Bylaw 5300.



POLICY 5469
SECTION 33,4-6

Adopted Date: 02/19/01
 Amended Date:

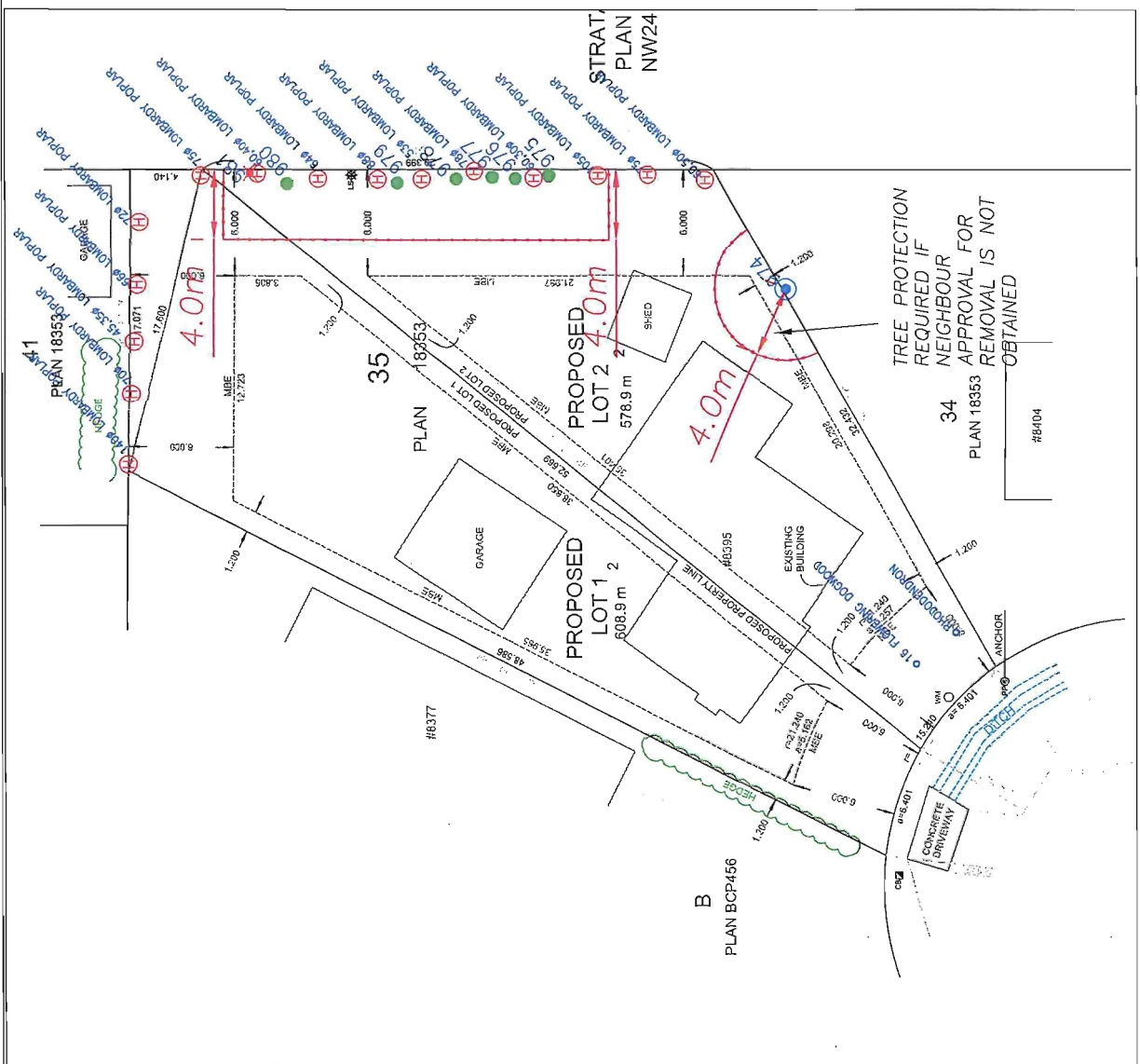


arbortech consulting ltd
 Suite 200 - 2740 Chatham Street
 Richmond BC V6V 2S8
 F 604 275 2484
 email: hees@arbortech.bc.ca

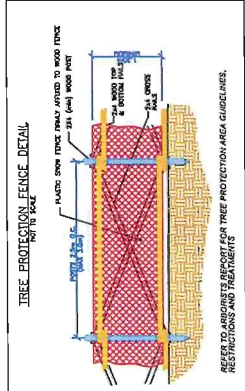
Tree Retention Drawing

Client:	ROBERT KIRK
Project:	PROPOSED DEVELOPMENT
Address:	8393 RUSKIN PLACE, RICHMOND
Date:	02 NOVEMBER 2011
Our File:	11293
Client:	Mun. File:

Scale 1:250



Note: This plan is based on a landscape and tree location survey provided by the owner. Approved British Columbia Land Surveyor (BCLS) and report number provided. If the owner is provided for contract work, and is not satisfied as to the accuracy of the site plan, it is recommended that the owner hire a professional to conduct an independent site plan for their purposes.



LEGEND - TREE RETENTION

- ⊕ denotes trees to be retained
- ⊙ denotes BYLAW trees to be RETAINED
- ⊙ denotes BYLAW trees to be REMOVED
- ⊙ denotes TREE PROTECTION FENCE to be installed to Tree Retention Area (TRA) limits.
- ⊙ denotes OFFSITE trees requiring REFERRAL to owner if recommended for removal (see figure)

REFER TO ARBORIST REPORT FOR TREE PROTECTION AREA GUIDELINES, RESTRICTIONS AND TREATMENTS

TREE PROTECTION FENCE REQUIRED IF NEIGHBOUR APPROVAL FOR REMOVAL IS NOT OBTAINED

PLAN 18353
 34

PROPOSED LOT 1 2
 35

PROPOSED LOT 2
 4.0m

PLAN 18353
 35

PLAN BCP456
 B

PLAN 18377

PLAN 18377

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City of Richmond

Rezoning Considerations

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

Address: 8395 Ruskin Place

File No.: RZ 11-586707

Prior to final adoption of Zoning Amendment Bylaw 8871, the following must be completed:

1. Submission of a Landscaping Security in the amount of \$2,000 (\$500/tree) to ensure that four (4) trees are planted and maintained on-site [two (2) per lot proposed] with the following minimum sizes.

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	6 cm		3.5 m
2	8 cm		4.0 m

If required 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. 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 (tag #'s 975-980). 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. Submission of a Tree Survival Security to the City in the amount of \$6,000 for the six (6) trees to be retained. The City will release 70% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post-construction impact assessment report is received. The remaining 30% of the security would be released one (1) year later subject to inspection.
4. Registration of a flood indemnity covenant on Title.
5. 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. \$6,336) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

At demolition* stage, the following will be required:

- Installation of appropriate tree protection fencing around all on-site trees to be retained (tags #975-980) as per the attached Tree Retention Plan (Attachment 5). Tree Protection Fencing must be installed to City standard prior to demolition of the existing dwelling on-site and must remain in place until construction and landscaping on the future lots is completed.

At subdivision and future development stage*, the following will be required:

- Obtain a Tree Removal Permit for Tree tag #974 located on the on the adjacent property to the east (8404 Ruskin Place).
- Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fee.
- Enter into a Servicing Agreement for the design and construction of the following upgrades as well as water, drainage, and sanitary connection works to service the proposed lots:

Water Works

- Using the OCP Model, there is 95.9 L/s of water available at a 20 psi residual at the Ruskin Road. Based on your proposed development, your site requires a minimum fire flow of 95.0 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 and Building designs.
- At the developer's cost, the City is to:
 - Cut and cap the existing water service connection at the watermain along the Ruskin Place frontage.
 - Install two (2) new 25 mm water service connections complete with meters and meter boxes along the Ruskin Place frontage.

Storm Sewer Works

- The developer is required to:
 - Upgrade and extend along the subject sites frontage the existing culvert infill to a 600 mm diameter pipe to include boulevard and property drainage inspection chambers (ICs) and manholes as required. Closed Circuit Television Video (CCTV) pipe inspection and survey of existing downstream culverts may be required.

Sanitary Sewer Works

- The developer is required to:
 - Install approximately 45 m of a 200 mm sanitary sewer complete with manholes as required along Ruskin Place (from Ruskin Rd – Ruskin Pl cul-de-sac). Subject to a cost review and funding approval, the City will pay for 77% of sanitary sewer installation costs (excluding IC's and service connections).
 - Install 1 new IC at the adjoining property line of the new subdivided lots complete with two (2) new service connections to each new lot.

Frontage Improvements

- The developer is required to coordinate with BC Hydro, Telus and other private communication service providers:
 - For servicing requirements.
 - 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).

General Items

- 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.

(signed original on file)

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9218 (RZ 11-586707)
8395 RUSKIN 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. 003-528-901
Lot 35 Section 33 Block 4 North Range 6 West New Westminster District Plan 18353

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9218".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Series of horizontal lines for recording readings and requirements.

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

MAYOR

CORPORATE OFFICER