



To: Planning Committee

Date: October 3, 2023

From: Wayne Craig
Director, Development

File: RZ 22-011063

Re: Application by Pati Yik of Kennon Construction for Rezoning at 10840/10860 Bonavista Gate from the “Two-Unit Dwellings (RD1)” Zone to the “Single Detached (RS2/C)” Zone

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10497, for the rezoning of 10840/10860 Bonavista Gate from the “Two-Unit Dwellings (RD1)” zone to the “Single Detached (RS2/C)” zone, be introduced and given first reading.

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

WC:le

Att. 6

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

Staff Report

Origin

Pati Yik of Kennon Construction has applied on behalf of the property owners, Thomas Mau Shing Ng, Ling Y Ha and Shui Ting Chua to the City of Richmond to rezone 10840 and 10860 Bonavista Gate from the “Two-Unit Dwellings (RD1)” zone to the “Single Detached (RS2/C)” zone in order to subdivide the existing duplex lot into two single-family lots, each with vehicle access from Bonavista Gate (Attachment 1). The proposed subdivision plan and site plan are provided in Attachment 2.

Findings of Fact

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

Subject Site Existing Housing Profile

This site is currently occupied by an existing duplex (two-family) dwelling, which will be demolished prior to subdivision. The existing two-family dwelling is owner-occupied and does not contain any secondary suites.

Surrounding Development

Development immediately surrounding the site is as follows:

To the North: An existing strata-titled duplex on a lot zoned “Single Detached (RS1/E)”.

To the South: Existing single detached houses on a lot zoned “Single Detached (RS1/E)”.

To the East: An existing strata-titled duplex on a lot zoned “Two-Unit Dwellings (RD1)”.

To the West: Single family dwellings on lots zoned “Single Detached (RS1/E)” across Bonavista Gate.

Related Policies & Studies

Official Community Plan/Steveston Area Plan

The property is designated as Neighbourhood Residential in the Official Community Plan (OCP), and as Single Family in the Steveston Area Plan (Attachment 4). This proposal is consistent with both of those land use designations.

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

Proposed Rezoning and Subdivision

The applicant is proposing to rezone the subject site and subdivide it into two single-family lots, each with a secondary suite, with access from Bonavista Gate. This development proposal is consistent with development in the area. The proposed subdivision plan and site plan are shown in Attachment 2. Staff worked with the applicant to modify the building envelope to enable retention of trees on site at the front and rear of the property.

Existing Legal Encumbrances

There is a 3.0 m wide Statutory Right-of-Way (SRW) in the backyard along the eastern property line for sanitary sewer utility purposes. The applicant has been advised that encroachment into the SRW is not permitted.

A City Covenant is registered on both 10840 and 10860 Bonavista Gate Titles that restrict the development to a duplex, therefore, the duplex covenants must be discharged from Title prior to the final adoption of the rezoning bylaw.

There is a Land Tax Deferment Act Agreement currently registered on the 10840 Bonavista Gate Title (proposed Lot A), which allows the property owner to defer the payment of taxes. All deferred taxes must be paid and the agreement must be discharged from Title prior to the preparation and registration of any legal documents associated with this rezoning application.

Transportation and Site Access

Vehicle access is proposed to be from Bonavista Gate for both of the proposed lots. The existing driveways will be removed and new driveways will be constructed as detailed in the Site Servicing and Frontage Improvements sub-section of this report. Two parking spaces will be provided for each dwelling unit in the garage.

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 nine bylaw-sized trees on the subject property, one hedge on the neighbouring property to the north and one shrub on City property as shown on Attachment 5.

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

- One on-site tree located in the southeast corner of proposed Lot B (southern lot) a 59 cm Douglas fir tree (Tag# 2473), is in good condition; retain and protect.
- Three on-site trees located along the rear of both proposed lots on the (eastern) property line - a 70 cm oak tree (tag# 2474), a 42 cm Douglas fir tree (tag# 2475), and a 31 cm Japanese cherry tree (tag# 2756), are all in good condition; retain and protect.
- Three trees located in the front of the property, a 23 cm Douglas fir tree (Tag# 2479), a 23 cm Deodar cedar tree (tag #2478), and a 38 cm Yoshino cherry tree (Tag# 2477) are in moderate condition. As these trees are growing close together, they are reliant on each other for stability (co-dominate); retain and protect all three trees.
- One tree located on-site along the southern property line, a 49 cm Sycamore maple tree (tag# 2472), is in poor condition due to a large inclusion seam (structural defect) where the two main stems connect; remove and replace.
- One tree located on site near the front of the property, a 24 cm Douglas fir tree (tag# 2480), is dead; remove and replace.
- One hedge located along the northern property line and on the adjacent property to the north (10800/10820 Bonavista Gate) is identified to be retained and protected. Provide tree protection as per City of Richmond Tree Protection Information Bulletin Tree-03.
- Replacement trees should be specified at 2:1 ratio as per the OCP.
- Submission of a Tree Survival Security to the City in the amount of \$70,000.00 for the seven trees to be retained.

There are no trees on City property adjacent to the subject site. City Parks Staff reviewed the one shrub on City property, a 10 cm Eastern white cedar tree (tag# city shrub) adjacent to tree Tag# 2477 in moderate condition, and recommended removal with no compensation required.

Tree Replacement

The applicant wishes to remove two on-site trees that are in poor condition (Trees # 2472 and 2480). The 2:1 replacement ratio would require a total of four replacement trees. Based on the size of the lot and the number of trees already on-site, the applicant is unable to accommodate any of the four required replacement trees on-site. To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$3000.00 (\$750/ tree) to the City's Tree Compensation Fund in lieu of the four replacement trees that cannot be accommodated on the subject property after redevelopment.

Tree Protection

The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 5). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Staff worked with the applicant to ensure retention of existing trees at the front and rear of the two lots. The building footprint has been adjusted and setbacks increased to protect the critical root zone at the front and rear of both lots. Prior to final adoption of the rezoning bylaw, registration of a legal agreement will be required for modified setbacks of portions of the east, west and south setbacks on Lot A and Lot B to ensure the retention of tree tags # 2473, 2474, 2475, 2756, 2477, 2478, and 2479.
- 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 applicant is required to submit a Tree Survival Security to the City in the amount of \$70,000.00 for the seven trees to be retained.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees, hedges and shrubs 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.

Affordable Housing Strategy

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

Consistent with the Affordable Housing Strategy, the applicant has proposed to provide a one-bedroom secondary suite of a minimum of 33 m² [355 ft²] on Lot B and a two-bedroom secondary suite of a minimum of 40 m² [430 ft²] on Lot A, for a total of two suites.

Prior to the adoption of the rezoning bylaw, the applicant must register a legal agreement on Title to ensure that no Building Permit inspection is granted until a minimum one-bedroom secondary suite of approximately 33 m² [355 ft²] on Lot B and a minimum two-bedroom secondary suite of approximately 40 m² [430 ft²] on Lot A is constructed, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Subdivision and Site Servicing

Upgrades to the site's servicing and driveways will be arranged through a Work Order with the City. Through a detailed design review of the work order, any impacts to the retained trees will be minimized.

At subdivision stage, the applicant is required to pay Development Cost Charges (City, GVS & DD and TransLink), School Site Acquisition Charge, Address Assignment Fees and other costs associated with the completion of the servicing works (water, storm, sanitary, and driveway installation) via work order as described in Attachment 6.

Financial Impact or Economic Impact

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

Conclusion

Pati Yik of Kennon Construction has applied, on behalf of the property owners Thomas Mau Shing Ng, Ling Y Ha, and Shui Ting Chua, to the City of Richmond for permission to rezone 10840-10860 Bonavista Gate from the "Two-Unit Dwellings (RD1)" zone to the "Single Detached (RS2/C)" zone in order to subdivide the existing duplex lot into two single-family lots, each with vehicle access from Bonavista Gate.

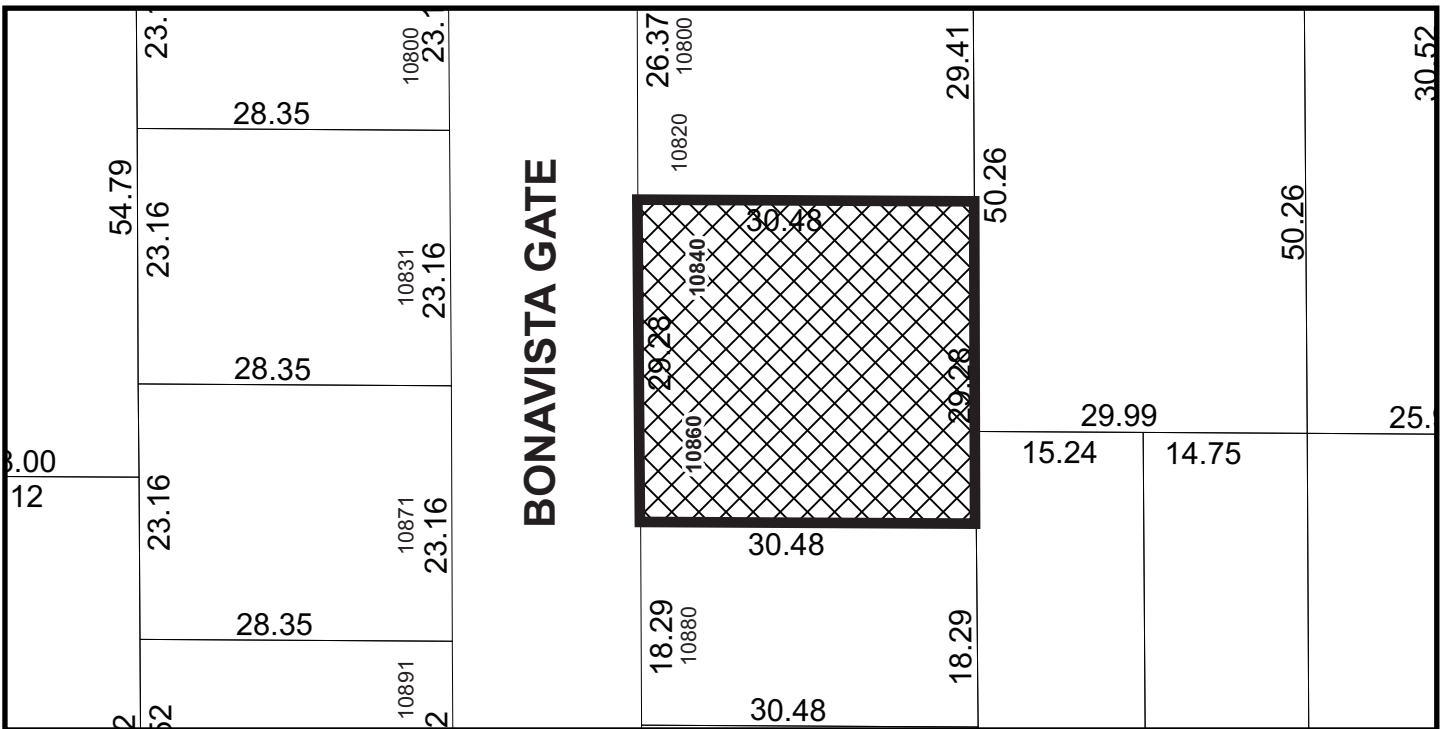
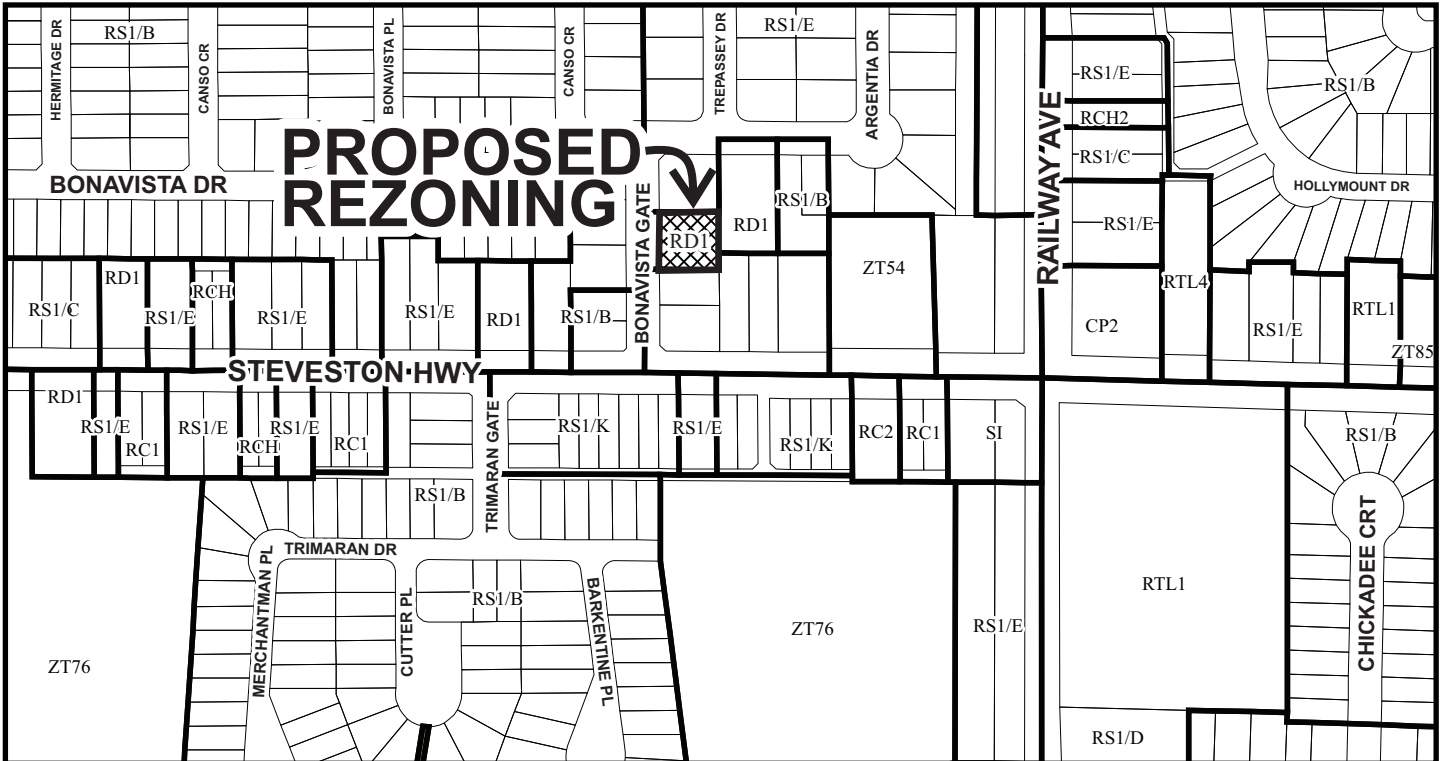
It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10497 be introduced and given first reading.




Laurel Eyton
Planning Technician
(604-276-4262)

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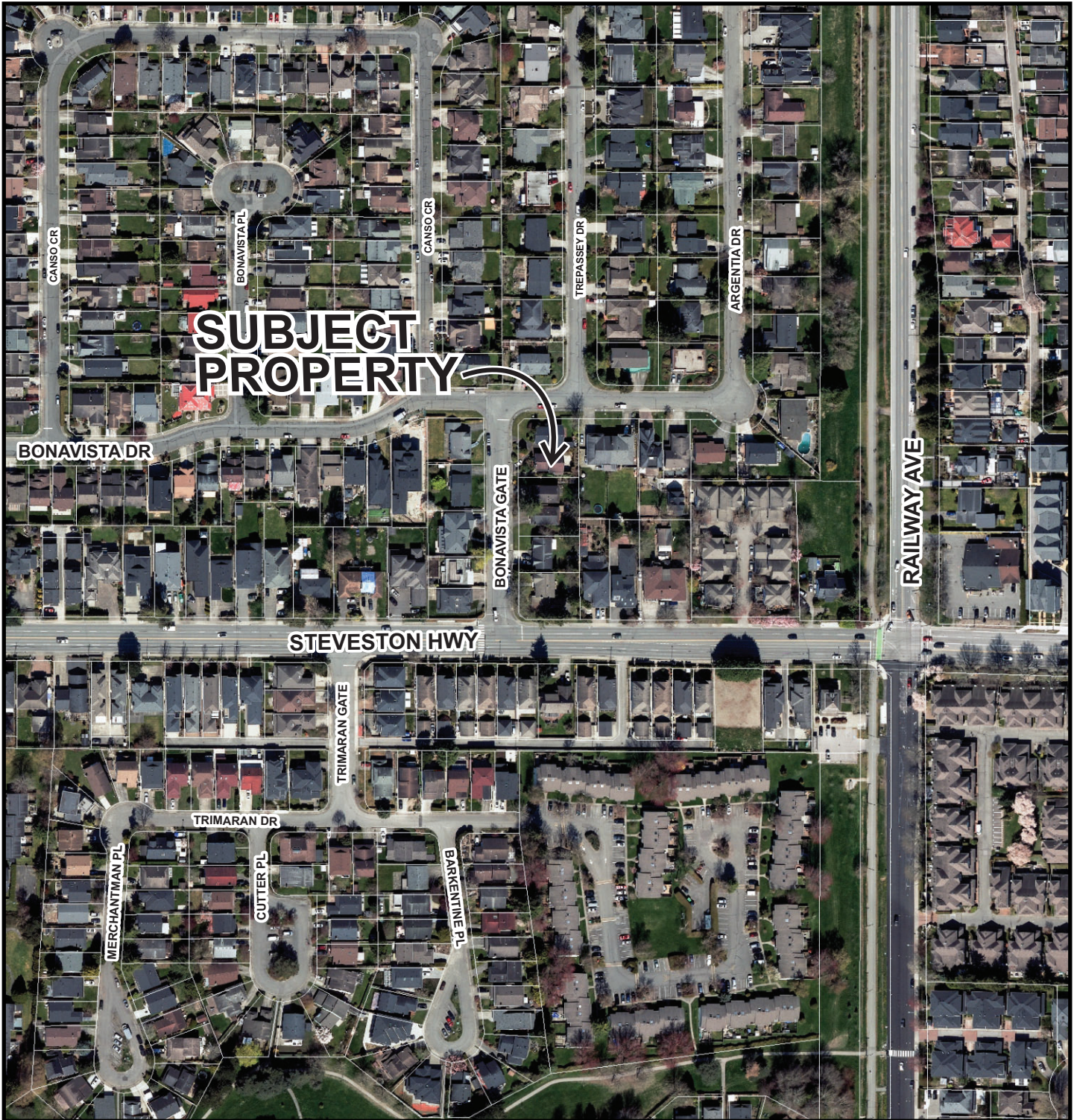
- Att. 1: Location Map
2: Subdivision Plan and Site Plan
3: Development Application Data Sheet
4: Steveston Area Plan
5: Tree Management Plan
6: Rezoning Considerations



	<p>RZ 22-011063</p> <p>PH - 117</p>	<p>Original Date: 04/27/22</p> <p>Revision Date:</p> <p>Note: Dimensions are in METRES</p>
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City of Richmond



RZ 22-011063

PH - 118

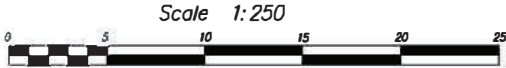
Original Date: 04/27/22

Revision Date:

Note: Dimensions are in METRES

TOPOGRAPHICAL AND PROPOSED SUBDIVISION PLAN OF
 STRATA LOT 1 & STRATA LOT 2 BOTH OF SEC 35 B4N R7W
 NWD STRATA PLAN NW459 TOGETHER WITH AN INTEREST IN THE
 COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT
 OF THE STRATA LOT AS SHOWN ON FORM 1

PID: 001-347-705
 001-347-730
 Civic Address:
 10840/10860 Bonavista Gate
 City of Richmond



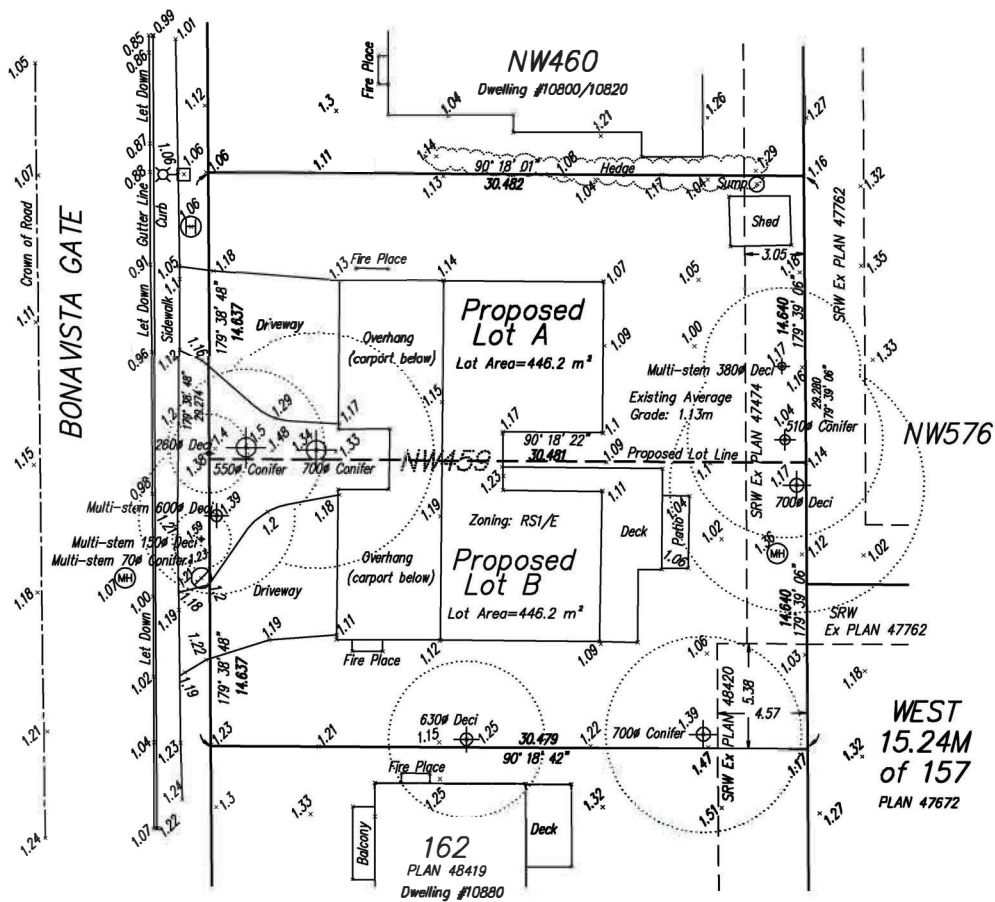
All distances and elevation are in metres and decimals thereof unless otherwise stated.

Parcel's dimensions and grid bearings are derived from PLAN NW459.



Legend:

- Tree (diameter in mm, measured at 1.4m above ground and Species)
- Lamp Standard
- Fire Hydrant
- Manhole
- Round Catch Basin



Benchmark Notes:

Elevations Are Geodetic (CVD28GVRD2018)
 Referred To Monument HPN#205(77H4827)
 Monument Elevation: 1.044m

Notes:

Information shown hereon is for municipal purposes only and is for the exclusive use of the owner.
 All rights reserved. No person may copy, reproduce, transmit, alter, distribute, or store copies of this document in whole or in part without the prior written consent of the undersigned.

The property may be subjected to the following charges:
 BH26255, CA3829608 & CA9149861.

This is certified correct and is valid only with respect to the improvements as shown hereon and located on the 9th day of February, 2023

Digitally signed by
 Liming Yuan 3VSA1H
 DN: c=CA, cn=Liming
 Yuan 3VSA1H, o=BC
 Land Surveyor, ou=Verify
 ID at www.juricert.com/
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LIMING YUAN

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RZ 22-011063

Attachment 3

Address: 10840/10860 Bonavista Gate

Applicant: Pati Yik, Kennon Construction

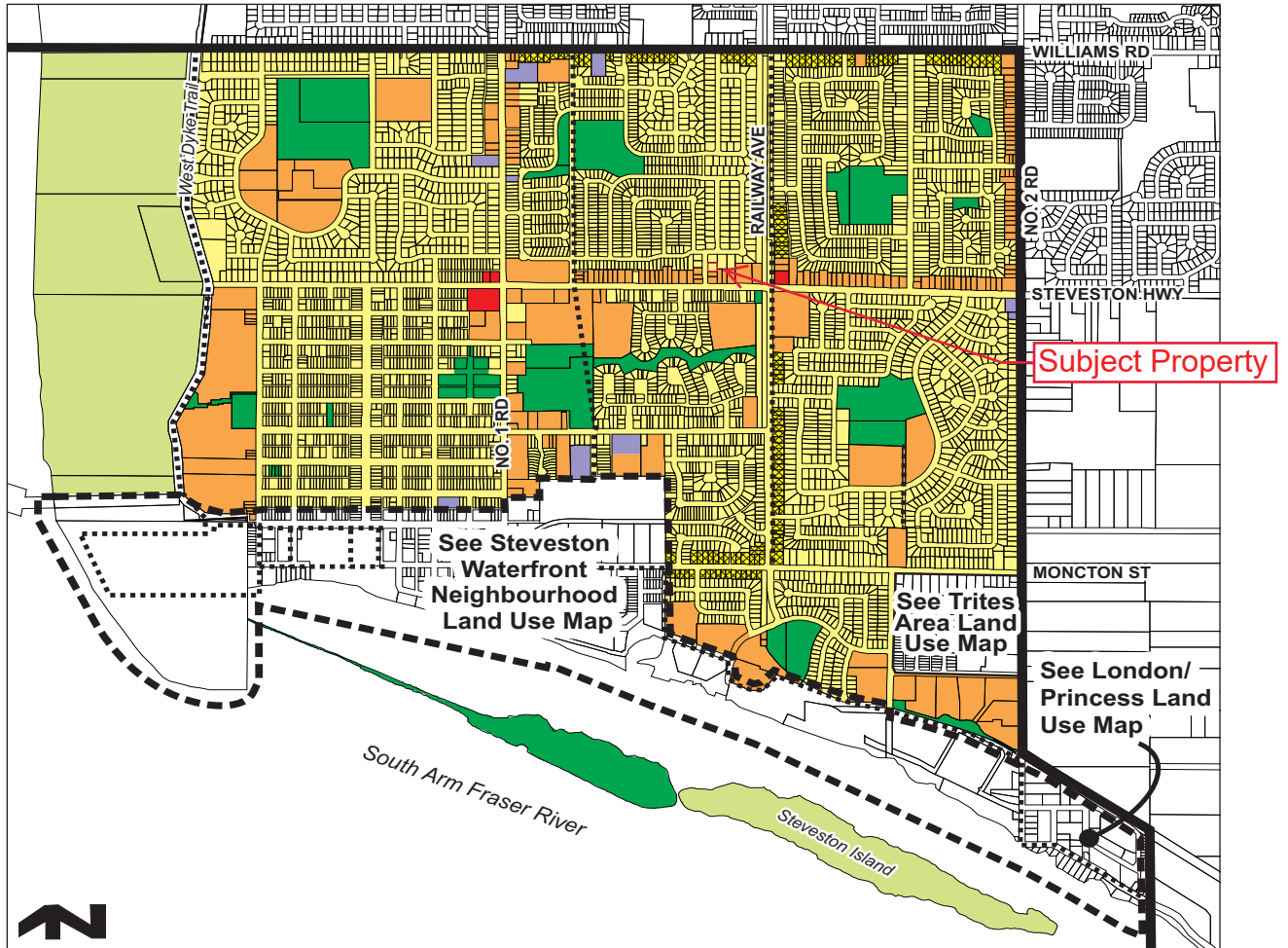
Planning Area(s): Steveston











	Existing	Proposed
Owners:	SL1: Thomas Mau Shing Ng and Ling Y Ha SL2: Shui Ting Chua	Lot A: Thomas Mau Shing Ng and Ling Y Ha Lot B: Shui Ting Chua
Site Size (m²):	892.1 m ²	Lot A: 446.1 m ² Lot B: 446.0 m ²
Land Uses:	Duplex residential	Single family residential
OCP Designation:	Neighbourhood Residential	Neighbourhood Residential
Zoning:	"Two Unit Dwellings (RD1)"	"Single Family (RS2/C)"

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
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70% Live landscaping: Min. 25%	Building: Max. 45% Non-porous Surfaces: Max. 70% Live landscaping: Min. 25%	none
Lot Size:	892.1 m ²	Lot A: 446.1 m ² Lot B: 446.0 m ²	none
Lot Dimensions (m):	Width: Min. 13.5 m Depth: Min. 24.0 m	Width: 14.6 m Depth: 30.5 m	none
Setbacks (m):	Front: Min. 6.0 m Rear: Min. 6.1 m Side: Min. 1.2 m	Front: Min. 6.0 m Rear: Min. 6.1 m Side: Min. 1.2 m	none
Height (m):	Max. 2.5 storeys	Max. 2.5 storeys	none

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

Steveston Area Land Use Map Bylaw 9813
2019/06/24



	Single-Family		Institutional
	Single-Detached/Duplex/Triplex		Conservation Area
	Multiple-Family		Trail
	Commercial		Steveston Area Boundary
	Public Open Space		Steveston Waterfront Neighbourhood Boundary



Address: 10840/10860 Bonavista Gate

File No.: RZ 22-011063

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10497, the developer is required to complete the following:

1. Discharge of Strata Plan NW459.
2. A City Covenant is registered on both 10840 and 10860 Bonavista Gate Titles that restrict the development to a duplex, therefore, the duplex covenants (BH26255 and BH 26256) must be discharged.
3. City acceptance of the developer's offer to voluntarily contribute \$3,000.00 to the City's Tree Compensation Fund for the planting of four replacement trees within the City.
4. 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.
5. Submission of a Tree Survival Security to the City in the amount of \$70,000.00 for the seven trees to be retained.
6. Registration of a flood indemnity covenant on title.
7. Registration of a legal agreement for modified setbacks of portions of the east, west and south setbacks on Lot A and Lot B to ensure the retention of tag # 2473, 2474, 2475, 2756, 2477, 2478, and 2479.
8. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a minimum 33 m² one-bedroom secondary suite is constructed proposed Lot B and a minimum 40 m² two-bedroom suite on proposed Lot A, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw No 8500.
9. A Land Tax Deferment Act Agreement (CA9149861) is currently registered on the 10840 Bonavista Gate Title, which allows the property owner to defer the payment of taxes. All deferred taxes must be paid and the agreement must be discharged from title prior to the preparation and registration of any legal documents associated with this rezoning application.
10. 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 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. Construct the required works as required by the City's Engineering Services department. Works include, but may not be limited to:
 - 1) **Water Works:**
 - a) Using the OCP Model, there is 406 L/s of water available at a 20 psi residual at the Bonavista Gate frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
 - b) **At Developer's cost, the Developer is required to:**
 - i) Review hydrant spacing on all road frontages and install new fire hydrants as required to meet City spacing requirements for the proposed land use.

- ii) Confirm the condition and size of the existing water service connections servicing 10840 Bonavista Gate. If not adequate, cut and cap the existing water service connections and replace with a new water service connection complete with water meter chamber to service lot #1 and #2 as per City specifications.
 - iii) 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.
- c) At Developer's cost, the City will:**
- i) Complete all tie-ins for the proposed works to existing City infrastructure.

2) Storm Sewer Works:

- a) At Developer's cost, the Developer is required to:**
- i) Cut and cap all existing storm sewer service connections and inspection chambers servicing the proposed site.
 - ii) Install a new storm sewer service connection to service lot #1, complete with inspection chamber and a service lead.
 - iii) Install a new storm sewer service connection to service lot #2, complete with inspection chamber and a service lead.
- b) At Developer's cost, the City will:**
- i) Complete all tie-ins for the proposed works to existing City infrastructure.

3) Sanitary Sewer Works:

- a) At Developer's cost, the Developer is required to:**
- i) Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
 - ii) Confirm the condition of the existing sanitary sewer service connection at the Northeast corner of 10840 Bonavista Gate with video inspection and confirm the capacity through a sizing calculation. If not adequate, cut and cap the existing sanitary service connection and replace with a new sanitary sewer service connection complete with inspection chamber to service lot #1 as per City specifications.
 - iii) Install a new sanitary sewer service connection to service lot #2, complete with inspection chamber and a service lead.
- b) At Developer's cost, the City will:**
- i) Complete all tie-ins for the proposed works to existing City infrastructure.

4) General Items:

- a) At Developer's cost, the Developer is required to:**
- i) Complete other frontage improvements as per Transportation requirements.
 - ii) Not encroach into City rights-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.
 - iii) Coordinate with BC Hydro, Telus and other private communication service providers:
 - (1) To pre-duct for future hydro, telephone and cable utilities along all road frontages.
 - (2) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - (3) To underground overhead service lines.

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.

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.

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 10497 (RZ 22-011063)
10840/10860 Bonavista Gate**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

- 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/C)”**.

P.I.D. 001-347-705

Strata Lot 1 Section 35 Block 4 North Range 7 West NWD Strata Plan NW459 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. 001-347-730

Strata Lot 2 Section 35 Block 4 North Range 7 West NWD Strata Plan NW459 together with an interest in the Common Property in proportion to the unit entitlement of the Strata Lot as shown on Form 1

- This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 10497”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

OCT 23 2023

CITY OF RICHMOND
APPROVED by <i>[Signature]</i>
APPROVED by Director or Solicitor <i>[Signature]</i>

MAYOR

CORPORATE OFFICER