



# City of Richmond

## Report to Committee Fast Track Application Planning and Development Department

To: Planning Committee  
From: Wayne Craig  
Director of Development

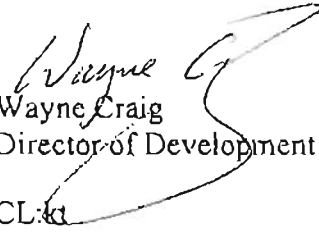
Date: December 5, 2013

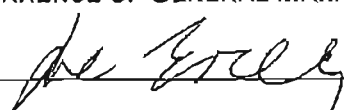
File: RZ 13-645746

Re: Application by Kulwinder Pooni for Rezoning at 8951 Heather Street from Single Detached (RS1/B) to Single Detached (RS2/A)

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9088, for the rezoning of 8951 Heather Street from "Single Detached (RS1/B)" to "Single Detached (RS2/A)", be introduced and given first reading.

  
Wayne Craig  
Director of Development  
CL:kl  
Att.

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

**Staff Report**

Item	Details	
Applicant	Kulwinder Pooni	
Location	8951 Heather Street ( <b>Attachment 1</b> )	
Development Application Data Sheet	See <b>Attachment 2</b>	
Zoning	Existing: Single Detached (RS1/B)	
	Proposed: Single Detached (RS2/A)	
OCP Designation	Neighbourhood Residential (NRES)	Complies <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Ash Street Sub-Area Plan Land Use Map Designation	Low Density Residential	Complies <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Affordable Housing Strategy Response	Consistent with the Affordable Housing Strategy for single-family rezoning applications, the applicant proposes a legal secondary suite within the principal dwelling on one (1) of the two (2) proposed lots.	Complies <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Flood Management	Registration of a flood indemnity covenant on title is required prior to final adoption of the rezoning bylaw.	
Surrounding Development	North: One (1) newer dwelling on a lot zoned "Single Detached (RS1/K)".	
	South: Three (3) dwellings on lots zoned "Single Detached (RS1/C)".	
	East: Two (2) dwellings on lots zoned "Single Detached (RS1/B)", fronting Dolphin Court.	
	West: One (1) dwelling on a lot that was recently rezoned to "Single Detached (RS2/A)", directly across Heather Street.	
Rezoning Considerations	See <b>Attachment 3</b>	

**Staff Comments**Background

The proposed rezoning would enable the creation of two (2) smaller lots from an existing large lot on the west side of Heather Street, just north of Francis Road. Each new lot would be a minimum of 9 m wide and 429 m<sup>2</sup> in area. The proposed subdivision plan is provided in **Attachment 4**.

The west side of this block of Heather Street has undergone redevelopment through rezoning and subdivision in recent years. The subject application is consistent with the pattern of redevelopment already begun on the block.

Trees & Landscaping

A Tree Survey and a Certified Arborist's Report were submitted by the applicant, which identify and provide recommendations for the two (2) bylaw-sized trees on-site, and the one (1) bylaw-sized tree on the adjacent property to the south at 8971 Heather Street. A list of tree species assessed as part of the Arborist's Report is included on the Tree Retention Plan (**Attachment 5**).

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

- Retain and protect the Gingko biloba tree located in the front yard of the subject site, which is in excellent condition (Tree #1).
- Remove the Cherry tree located in the rear yard, which has been historically topped and is experiencing decay as a result (Tree #3).

The Plum tree (Tree #2), located on the adjacent property to the south at 8971 Heather Street will not be impacted by proposed development on the subject site.

To ensure protection of the Gingko biloba tree (Tree #1), the following is required prior to rezoning:

- Submission of a site plan demonstrating that the driveway and dwelling on the proposed north lot will be designed outside of the required Tree Protection Zone for the tree.
- Submission of a contract entered into between the applicant and a Certified Arborist for supervision of any works conducted within close proximity to the Tree Protection Zone.
- Submission of a survival security in the amount of \$2,500 (based on the tree's replacement value). After construction and landscaping on the site is completed, a landscaping inspection will be conducted to verify tree survival and 50% of the security will be released. The remaining 50% of the security will be released one year after the initial landscaping inspection if the tree has survived.

Tree protection fencing must be installed to City standard around Tree #1 in accordance with the City's Tree Protection Bulletin (Tree-03) (i.e. min. 1.5 m from the base of the tree in all directions). Tree protection fencing must be installed prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the proposed lots is completed.

The applicant proposes to plant and maintain three (3) trees on the proposed lots, which is consistent with City policy (min. 6 cm deciduous calliper or 3 m high conifer). With the protection of the Gingko biloba tree (Tree # 1) in the front yard of the subject site, there will be a total of four (4) trees on the proposed new lots.

#### Vehicle Access & Site Servicing

Vehicle access to the proposed lots will be from Heather Street. As mentioned above, the driveway and dwelling on the proposed north lot must be located outside of the Tree Protection Zone of Tree # 1.

A storm inspection chamber and connection is required along the common property line of the subdivided lots to service both lots. A sanitary inspection chamber and connection is required along the common property line of the subdivided lots to service both lots. New service connections complete with water meters are required to service both lots.

Through past redevelopment on the west side of Heather Street, from Dolpin Avenue to the south property line of 8875 Heather Street, road improvements were undertaken to widen the road and install curb, gutter, grass boulevard, street trees, and a concrete sidewalk.

Due to the sequence in which redevelopment occurred along the west side of Heather Street, no road improvements exist from the north property line of 8891 Heather Street to Francis Road. Through past redevelopment at 8891 to 8933 Heather Street, Neighbourhood Improvement Charges were collected for future road improvements.

Due to the location of the subject site within the middle of the block, Engineering Improvement Charges for future road improvements are required to be paid by the applicant at subdivision stage.

With this rezoning application at 8951 Heather Street, redevelopment of the west side of this block of Heather Street will be complete. Information provided by the City's Engineering department indicates that, with the funds secured through redevelopment, the City intends to complete the frontage improvements along the west side of Heather Street from the north property line of 8891 Heather Street to Francis Road in the near future.

#### Subdivision

At subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS&DD), School Site Acquisition Charge, Address Assignment fee, Servicing Costs, and Engineering Improvement Charges in the amount of \$19,100 for future road improvements (to include pavement widening, curb and gutter, boulevard landscape and trees, sidewalk and roadway lighting).

#### **Conclusion**

This rezoning application, to permit subdivision of an existing large lot into two (2) smaller lots, complies with applicable policies and land use designations contained within the OCP, and are consistent with the pattern of redevelopment that has already begun in the neighbourhood.

The list of rezoning considerations is included in Attachment 3, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommends support for the application. It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9088 be introduced and given first reading.

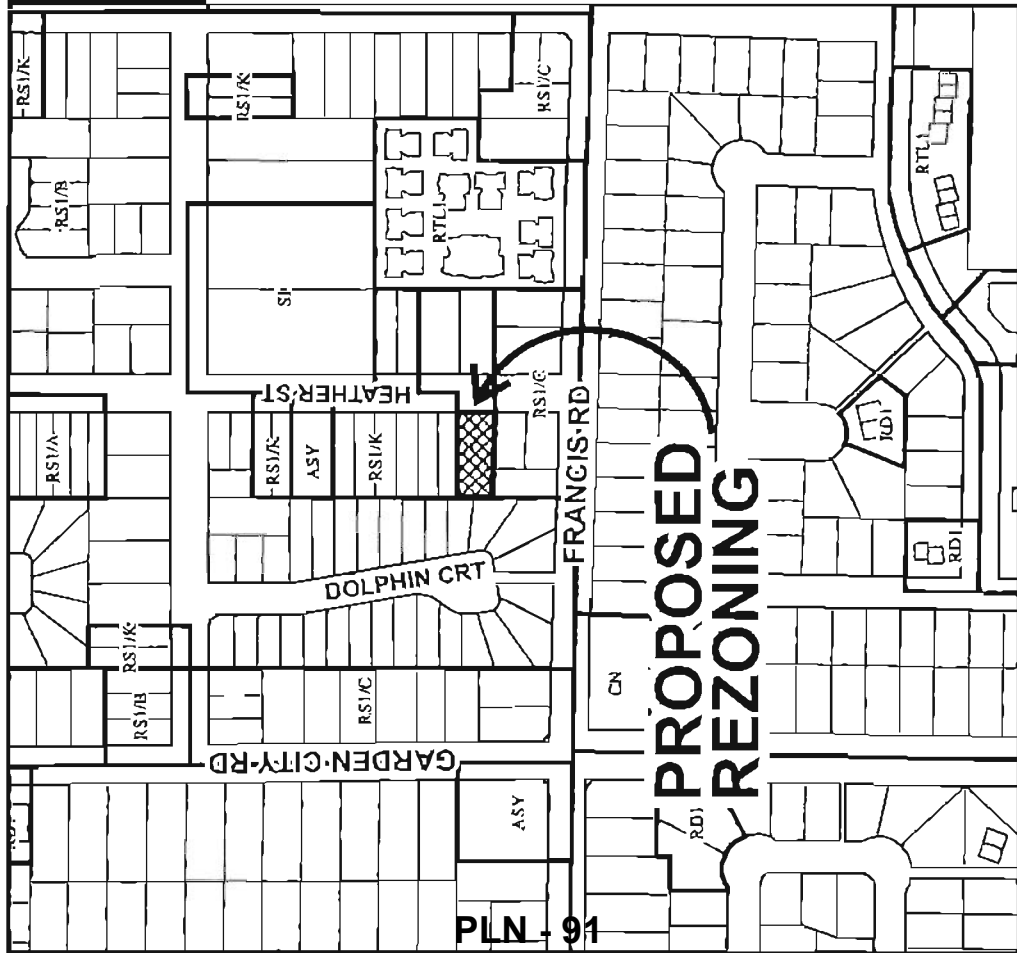


Cynthia Lussier  
Planning Technician  
(4108)  
CL:kt

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Rezoning Considerations
- Attachment 4: Proposed Subdivision Plan
- Attachment 5: Tree Retention Plan



City of  
Richmond



1		10.67	45.27	8933	8931	10.67	HEATHER ST		21.79	8940
1		10.67	45.27	8933	8931	10.67			18.29	8960
2		15.25	34.75	9211	34.71	16.78			35.84	8988
25		20.00	24.54	15.25	30.06	17.84			18.29	25
		18.29	9200	18.29	9220	18.29	FRANCIS RD		19.5	92
		18.29	9200	18.29	9220	18.29			9260	92



RZ 13-645746

Original Date: 09/18/13

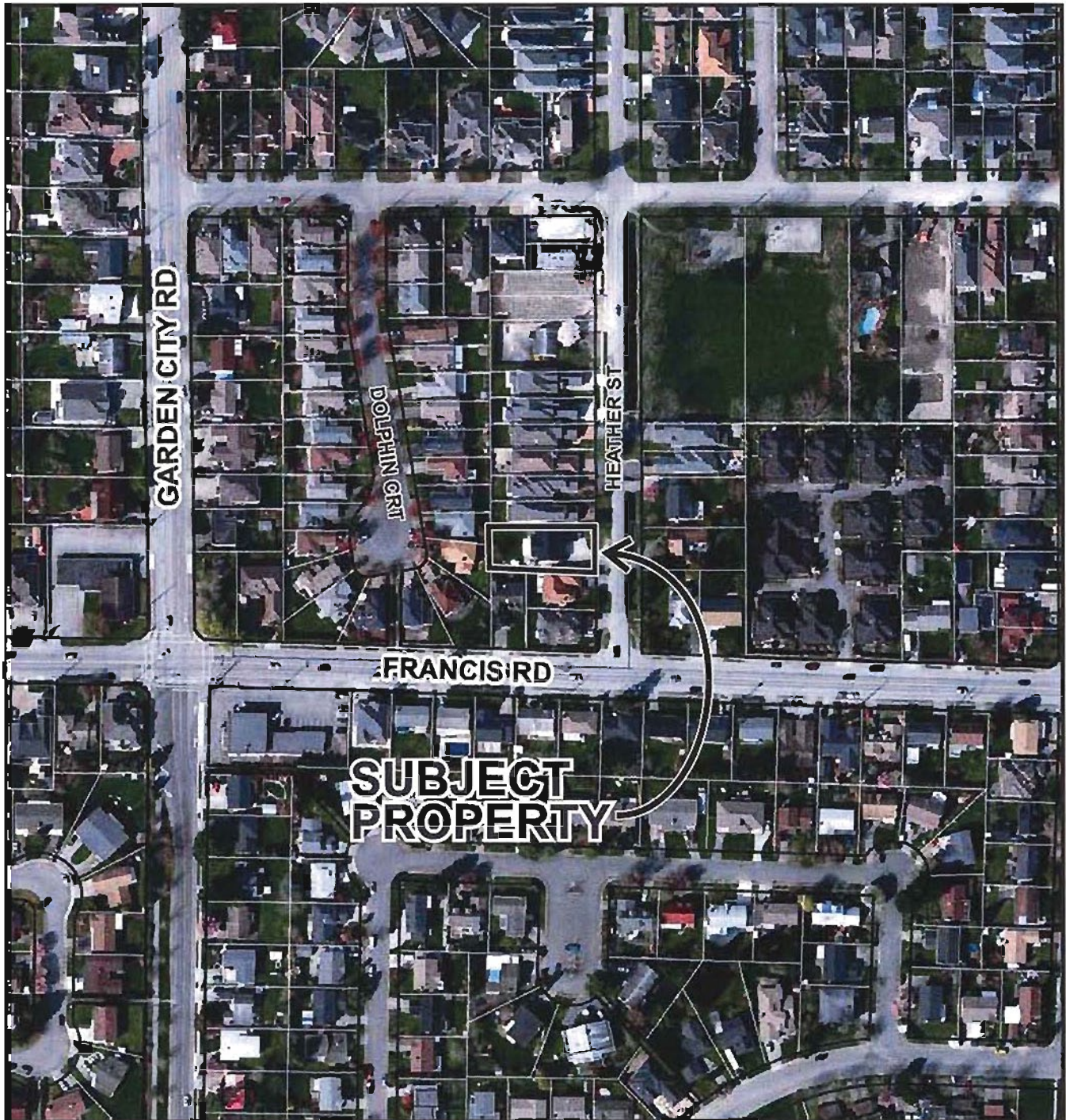
Revision Date:

Note: Dimensions are in METRES





City of  
Richmond



RZ 13-645746

Original Date: 09/18/13

Revision Date:

Note: Dimensions are in METRES



**RZ 13-645746**

**Attachment 2**

Address: 8951 Heather Street

Applicant: Kulwinder Pooni

Date Received: September 13, 2013 Fast Track Compliance: October 21, 2013

	Existing	Proposed
Owner	Kulwinder Pooni Narinder Mann	To be determined
Site Size (m <sup>2</sup> )	858 m <sup>2</sup> (9,235 ft <sup>2</sup> )	Two (2) lots, each 429 m <sup>2</sup> (4,617 ft <sup>2</sup> )
Land Uses	One (1) single detached dwelling	Two (2) single detached dwellings
Zoning	Single Detached (RS1/B)	Single Detached (RS2/A)

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 Coverage – Building, structures, and non-porous	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping	Min. 20%	Min. 20%	none
Setback – Front & Rear Yards (m)	Min. 6 m	Min. 6 m	none
Setback – Side Yards (m)	Min. 1.2 m	Min. 1.2 m	none
Height (m)	2 ½ storeys	2 ½ storeys	none
Lot Size	Min. 270 m <sup>2</sup>	Min. 429 m <sup>2</sup>	none
Lot Width	Min. 9 m	Min. 9.48 m	none

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



# City of Richmond

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

**Address:** 8951 Heather Street

**File No.:** RZ 13-645746

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9088, the developer is required to complete the following:**

1. Submission of a site plan, which demonstrates how the driveway and dwelling on the proposed north lot will be designed outside of the Tree Protection Zone for the Gingko biloba tree in the front yard of the subject site (Tree #1).
2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within close proximity to the Tree Protection Zone of the Gingko biloba tree in the front yard of the subject site (Tree #1). The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections (to include driveway excavation and installation stage), 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 \$2,500 for the Gingko biloba tree to be retained (Tree #1). After construction and landscaping on the site is completed, a landscaping inspection will be conducted to verify tree survival and 50% of the security will be released. The remaining 50% of the security will be released one year after the initial landscaping inspection if the tree has survived.
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. \$5,080) 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:**

- Install tree protection fencing around the Gingko biloba tree in the front yard of the subject site (Tree #1). Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Bulletin (Tree-03) (i.e. min. 1.5 m from the base of the tree in all directions), and must remain in place until construction and landscaping on the proposed lots is completed.

**Prior to Building Permit Issuance, the developer must complete the following requirements:**

- 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.

- 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:**

- 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]

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Signed

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Date

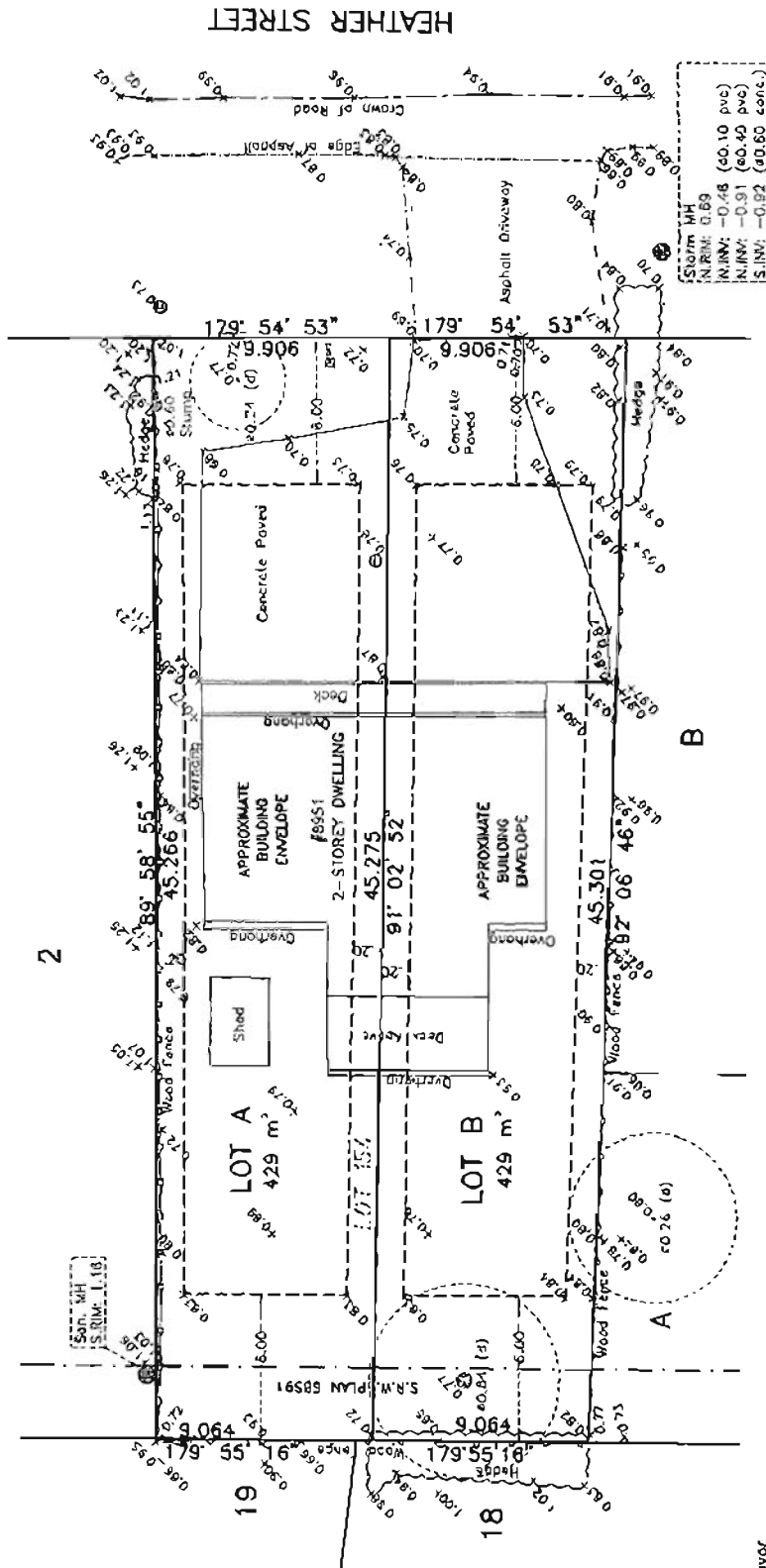
TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 154 SECTION 22 BLOCK 4 NORTH  
RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 40408

#8951 HEATHER STREET,  
RICHMOND, B.C.  
P.L.D. 003-735-770

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED



- LEGEND:
- ⊙ denotes round catch basin
  - ⊙ denotes manhole
  - W denotes water meter
  - = denotes water valve
  - (d) denotes deciduous

NOTE:

Elevations shown are based on City of  
Richmond HPI Benchmark network.  
Benchmark: HPI #202, Control Monument 77H4623  
Located at CL S bound L turn lane @ No.3 Rd & Bennett Rd  
Elevation = 1.452 metres

CERTIFIED CORRECT:  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.

*[Signature]*  
JOHNSON C. TAM, B.C.L.S.  
AUGUST 28th, 2013

© copyright  
J. C. Tam and Associates  
Canada and B.C. Land Surveyor  
115 - 8833 Odlin Crescent  
Richmond, B.C. V6X 3J7  
Telephone: 214-8928  
Fax: 214-8929  
E-mail: office@jctam.com  
Website: www.jctam.com  
Job No. 5281  
FB-235 P115-118  
Drawn By: TH

PLN - 96

DWG No. 5281-TOPO

NTS

# TREE RETENTION PLAN

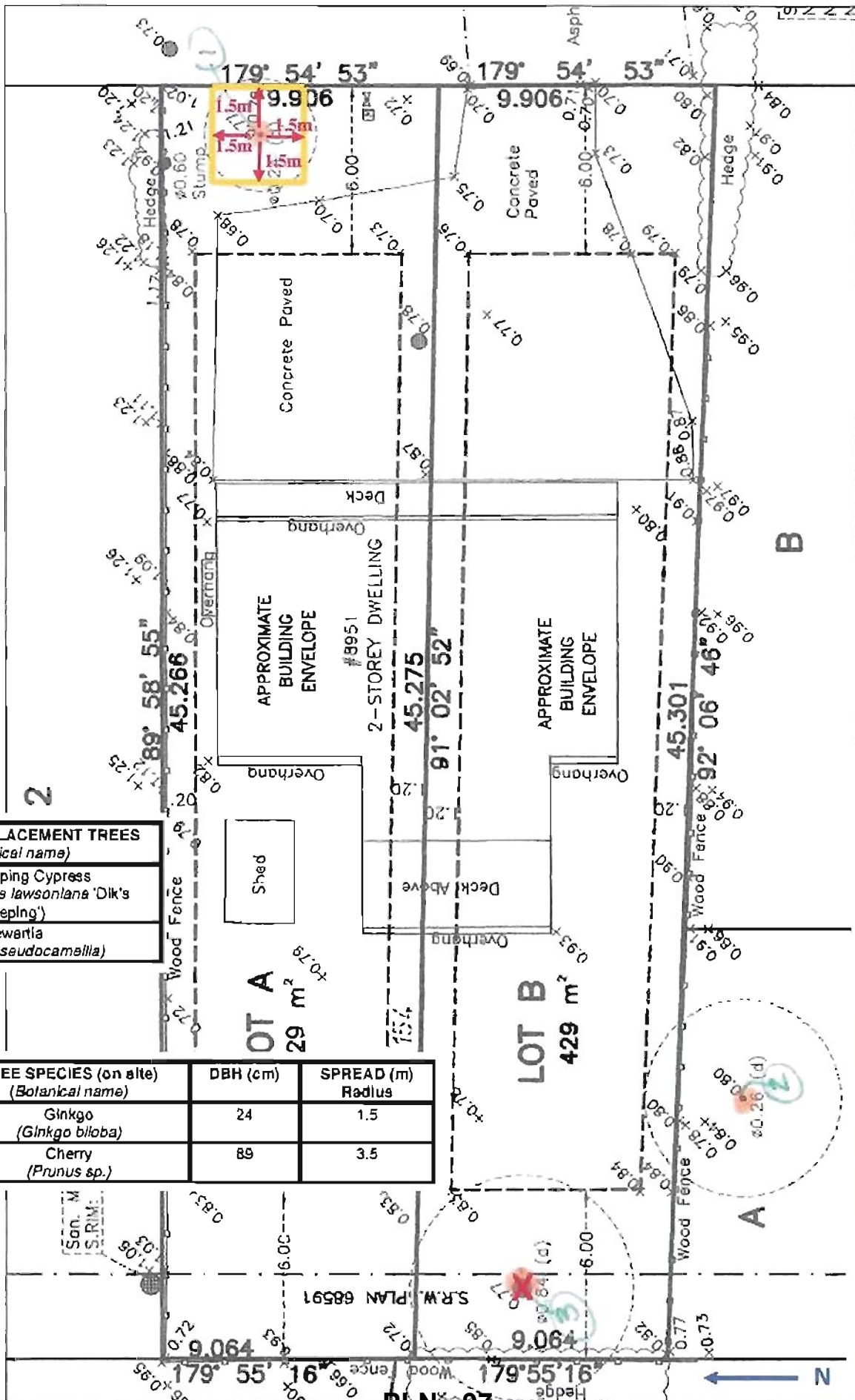
ATTACHMENT 5

## SUITABLE REPLACEMENT TREES (Botanical name)

Dik's Weeping Cypress  
(*Chamaecyparis lawsoniana* 'Dik's Weeping')

Stewartia  
(*Stewartia pseudocamellia*)

TREE #	TREE SPECIES (on site) (Botanical name)	DBH (cm)	SPREAD (m) Radius
1	Ginkgo ( <i>Ginkgo biloba</i> )	24	1.5
3	Cherry ( <i>Prunus sp.</i> )	89	3.5



PLN-97

NTS



Richmond Zoning Bylaw 8500  
Amendment Bylaw 9088 (RZ 13-645746)  
8951 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. 003-735-770

Lot 154 Section 22 Block 4 North Range 6 West New Westminster District Plan 40408

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9088".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

_____
_____
_____
_____
_____
_____

CITY OF RICHMOND
APPROVED by <i>BIC</i>
APPROVED by Director or Solicitor <i>W</i>

\_\_\_\_\_  
MAYOR

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