



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director of Development


Date: February 25, 2015

File: RZ 14-662478

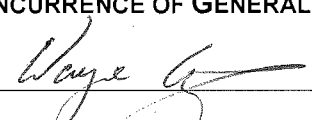
Re: Application by Anwer Kamal and Nabeel Abrahani for Rezoning at 8760 and 8780 Rosemary Avenue from Two-Unit Dwellings (RD1) to Single Detached (RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9228, for the rezoning of 8760 and 8780 Rosemary Avenue from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", be introduced and given first reading.


Wayne Craig
Director of Development

WC:mp
Att.

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

Staff Report

Origin

Anwer Kamal and Nabeel Abrahani have applied to the City of Richmond for permission to rezone the property at 8760/8780 Rosemary Avenue from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)” to permit subdivision into two lots. The property is occupied by a duplex that will be demolished. A map and aerial photograph showing the location of the subject site is included in Attachment 1 and the proposed subdivision plan is provided in Attachment 2.

Findings of Fact

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

Surrounding Development

To the North: Across Rosemary Avenue are single family lots zoned “Single Detached (RS1/E)”.

To the East: Immediately to the east are duplex lots zoned “Two-Unit Dwellings (RD1)”.

To the South: Directly across Steveston Highway is an agricultural lot in the Agricultural Land Reserve (ALR), zoned “Agriculture (AG1)”.

To the West: Immediately adjacent property to the west is a duplex lot, zoned “Two-Unit Dwellings (RD1)”. To the further west are single family lots zoned “Single Detached (RS1/E)”.

Related Policies & Studies

2041 Official Community Plan

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

Flood Management

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

Agricultural Land Reserve (ALR) Buffer Zone

The Official Community Plan (OCP) proposes specific land use considerations to protect the City’s agricultural land base in the Agricultural Land Reserve (ALR). These include guidelines for providing landscape setbacks on non-agricultural sites (including single-family residential sites) located in close proximity to ALR lands. The objective of the landscape setback is to establish a buffer which identifies the urban/rural interface. The proposed redevelopment will

provide a 4 m-wide landscape buffer along the south property line (Attachment 4). Prior to final adoption of the rezoning bylaw, the applicant is required to register a legal agreement on title to ensure that the ALR landscaping buffer planted along Steveston Highway is maintained and will not be abandoned or removed. The legal agreement would also indicate that the property is located adjacent to active agricultural operations and may be subject to potential agricultural impacts including noise, dust and odour. The applicant is also required to submit a Landscape Security in the amount of \$6,142 (based on 100% of the cost estimate provided by the Landscape Architect) to ensure that the proposed landscape plan is implemented.

Consultation

Agricultural Advisory Committee (AAC)

The AAC reviewed the application on January 29, 2015 and passed the following motion unanimously (Attachment 5):

That the rezoning application for 8760/8780 Rosemary Avenue be supported as presented.

Public Input

The rezoning information signs have been installed on the subject site: one facing Rosemary Avenue and the other facing Steveston Highway. City staff have not received any comments or concerns from the public regarding the proposed development.

Analysis

Existing Legal Encumbrances

A covenant (document no. RD43627) which is currently registered on title of the subject site restricts the use of the property to a two-family dwelling. Discharge of this covenant is a requirement of adoption of the rezoning bylaw.

Site Servicing and Vehicle Access

There are no servicing concerns with the proposed rezoning. Servicing and frontage upgrades will be required as described in the "Subdivision Stage" section below.

Vehicle driveway access will be from Rosemary Avenue. In accordance with Residential Lot (Vehicular) Access Regulation Bylaw, which does not allow vehicular access from a residential lot to an arterial road where alternate vehicular access exists for such residential lot, vehicular access to Steveston Highway will not be permitted.

Trees and Landscaping

A tree survey and Certified Arborist's Report have been submitted by the applicant. The survey identifies five (5) trees located on the subject property and seven (7) trees located on neighbouring properties. The proposed Tree Retention Plan is included in Attachment 6.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted an on-site Visual Tree Assessment, and has provided the following comments:

- 3 trees located on site (#93, 96 and 97) to be removed and replaced. Trees identified as #96 and 97 have been topped and not good candidates for retention. Tree identified as #93 to be removed due to limited root retention area within the side setback.
- 2 trees located on site (#91 and C) to be retained and protected.
- 4 trees (#90, A, B and D) located on neighbouring property to the west to be retained and protected.
- 3 trees (#92, 94 and 95) on the neighbouring property to the east to be removed due to limited root retention area within the side setback.

The applicant has obtained written consent from the adjacent property owners at 8800 Rosemary Avenue to remove the three trees (#92, 94 and 95) located on that property.

Tree protection fencing is to be installed to City standard around the drip line of the trees to be retained. Tree fencing must be installed to City standard and in accordance with the City's Bulletin TREE-03 prior to demolition of existing buildings and must remain in place until all construction and landscaping works are completed on-site.

To ensure the protection of the two on-site trees, Sycamore Maple (#91) and Western Red Cedar (#C), the applicants are required to submit a Tree Survival Security in the amount of \$5,000 (\$2,500/tree) and enter into a contract with a Certified Arborist for the supervision of works conducted within close proximity to the tree protection zone. The contract must 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 impact assessment to the City for review.

Consistent with the tree replacement ratio of 2:1 in the City's Official Community Plan, the applicants are required to provide six (6) replacement trees. As two trees will be retained on the proposed west lot, the applicants propose to plant and maintain three (3) replacement trees on the proposed east lot and provide a cash-in-lieu contribution in the amount of \$1,500 (\$500/trees) for the three (3) trees that cannot be accommodated on-site to the City's Tree Compensation Fund for off-site planting. To ensure that three replacement trees are planted and maintained on-site, the applicants are required to submit a Landscaping Security to the City in the amount of \$1,500 (\$500/tree) prior to final adoption of the rezoning bylaw.

Affordable Housing Strategy

For single-family rezoning applications, Richmond's Affordable Housing Strategy requires a secondary suite within a dwelling on 50% of new lots created through rezoning and subdivision, or a cash-in-lieu contribution of \$1.00/ft² of total building area towards the City's Affordable Housing Reserve Fund.

The applicants propose to provide one (1) legal secondary suites in each proposed dwelling on two (2) proposed lots. To ensure that at least one (1) secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicants are required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. Registration of the legal agreement is required prior to final adoption of the rezoning bylaw. This agreement will be

discharged from Title (at the initiation of the applicants) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Note: Should the applicants change their mind 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 to be constructed (i.e., \$6,149.40)

Subdivision Stage

At subdivision stage, the developer will be required to pay service connection costs for the required engineering servicing upgrades outlined in Attachment 7. Works will include water upgrades, storm sewer and sanitary sewer works.

Financial Impact or Economic Impact

None.

Conclusion

This rezoning application to subdivide the site into two lots is consistent with the applicable policies and land use designation.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9228, be introduced and given first reading.



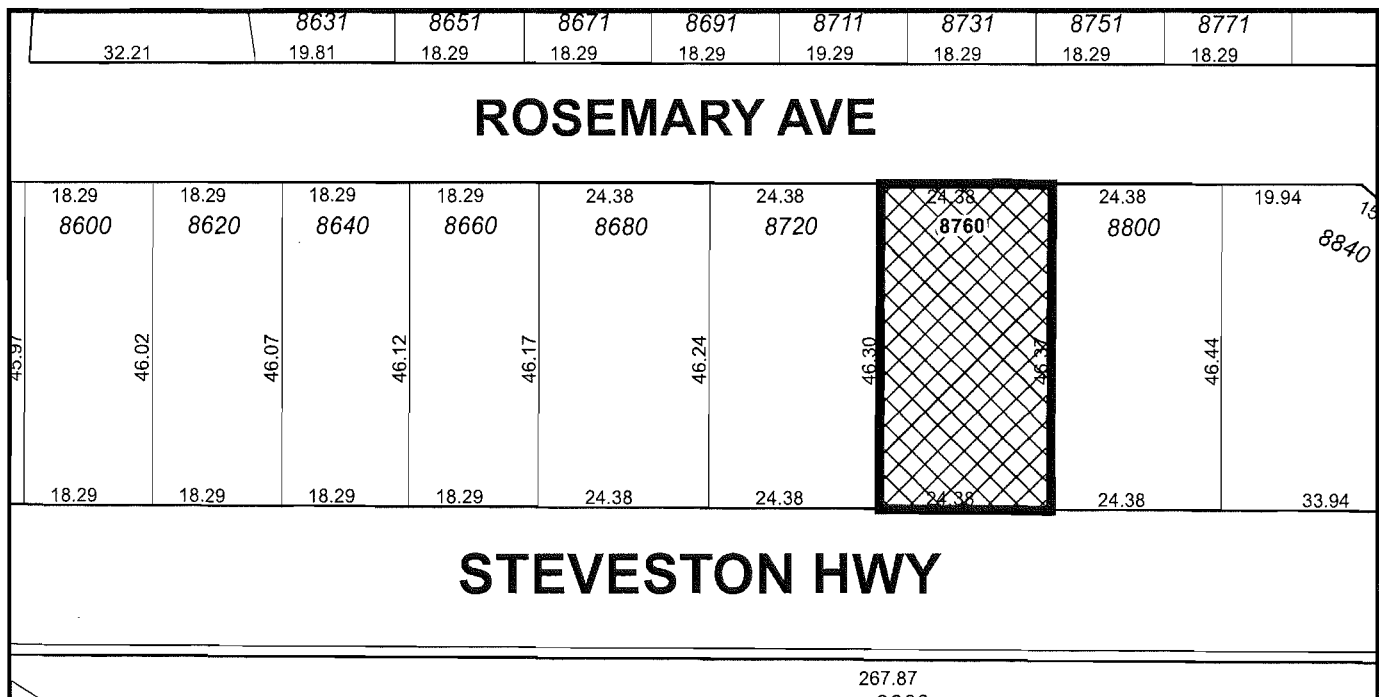
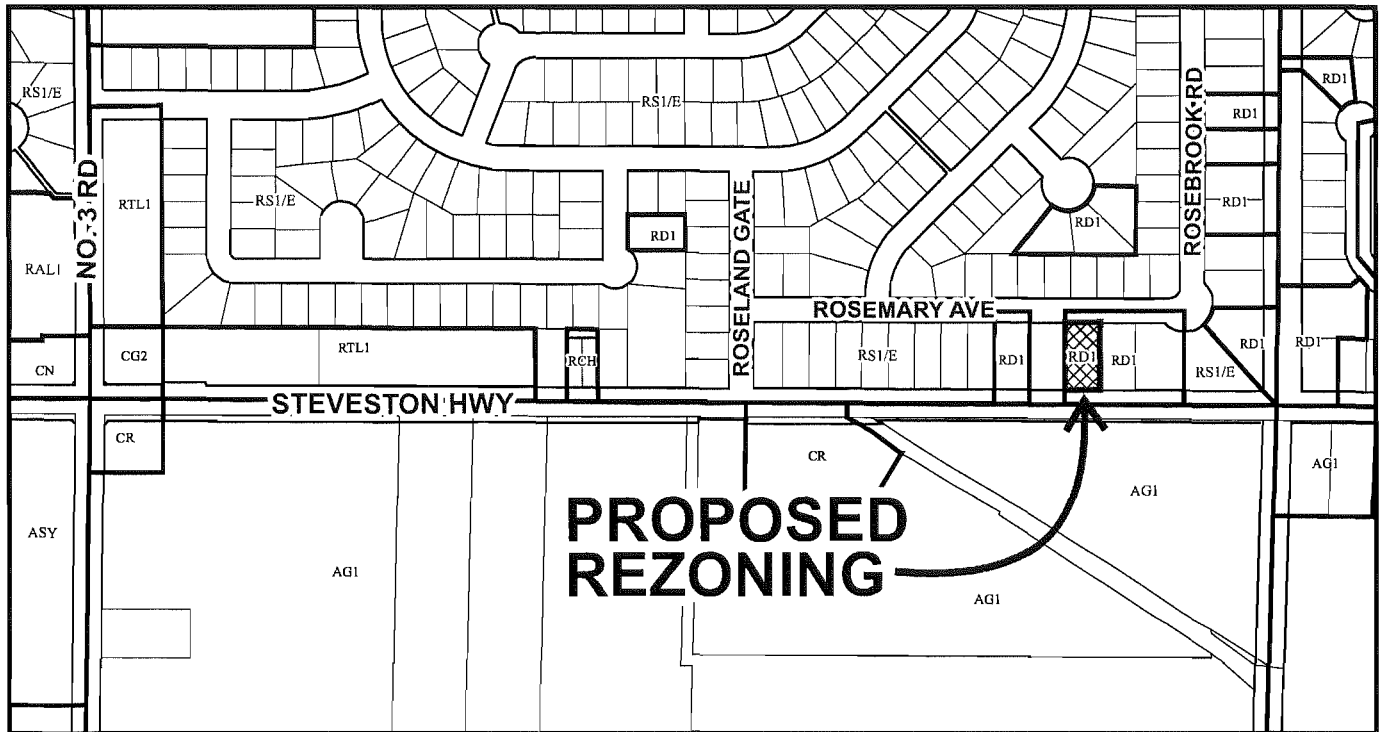
Minhee Park
Planner 1

MP:cas

- Attachment 1: Location Map
- Attachment 2: Preliminary Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: ALR Buffer Landscape Plan
- Attachment 5: Excerpt of January 29, 2015 AAC Meeting Minutes
- Attachment 6: Proposed Tree Retention Plan
- Attachment 7: Rezoning Considerations



City of
Richmond



RZ 14-662478

Original Date: 05/16/14

Revision Date: 02/26/15

Note: Dimensions are in METRES



City of
Richmond



RZ 14-662478

Original Date: 05/16/14

Revision Date:

Note: Dimensions are in METRES

PLN - 171

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 448 SECTION 33 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 35970

#8760 & 8780 ROSEMARY AVENUE,
RICHMOND, B.C.
P.I.D 003-726-843

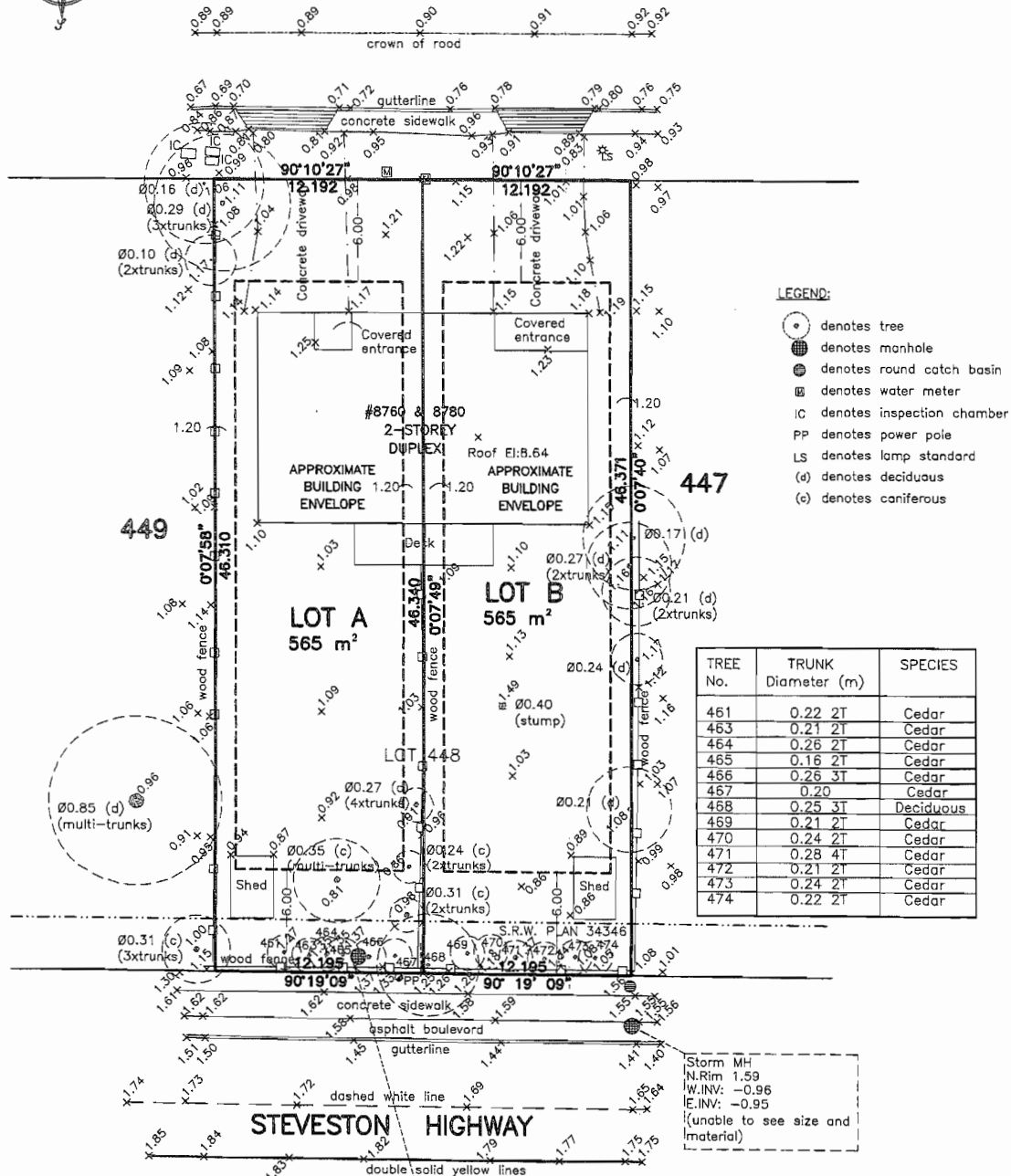
SCALE: 1:250

0 5 10 20

ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



ROSEMARY AVENUE



© copyright
J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 5457
FB-249 P20-25
Drawn By: MB/TH

NOTE:
Elevations shown are based on City of Richmond HPN
Benchmark network.
Benchmark: HPN #204, Control Monument 02H2452
In grassy area @ SW crn No. 3 Rd & Steveston Hwy
Elevation = 1.559 metres

CERTIFIED CORRECT:

LOT DIMENSION ACCORDING TO
FIELD SURVEY.

JOHNSON C. TAM, B.C.L.S.

FEBRUARY 27th, 2014

DWG No. 5457-TOPO

PLN - 172



RZ 14-662478

Attachment 3





Address: 8760 and 8780 Rosemary Avenue

Applicant: Anwer Kamal and Nabeel Abrahani

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Anwer Kamal & Nabeel Abrahani	TBD
Site Size:	1,130 m ²	Proposed west lot: 565 m ² Proposed east lot: 565 m ²
Land Uses:	Two-family residential	Single-family residential
OCP Designation:	Neighbourhood Residential	No Change
Zoning:	Two-Unit Dwellings (RD1)	Single Detached (RS2/B)
Number of Lots	1	2

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Building, structures, non-porous surfaces:	Max. 70 %	Max. 70 %	none
Lot Coverage – Landscaping with live plant material:	Min. 25%	Min. 25%	none
Setbacks – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setbacks – Interior Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	Max. 2½ storeys	Max. 2½ storeys	none
Lot Size (m ²):	Min. 360 m ²	Proposed west lot: 565 m ² Proposed east lot: 565 m ²	none
Lot Width (m):	Min. 12 m	Proposed west lot: 12.2 m Proposed east lot: 12.2 m	none
Lot Depth (m):	Min. 24 m	Proposed west lot: 46.3 m Proposed east lot: 46.3 m	none
Lot Frontage (m):	Min. 6 m	Proposed west lot: 12.2 m Proposed east lot: 12.2 m	none

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE & SPACING
SHRUBS		Abelia 'Edward Goucher'	Pink Abelia Redtwig Dogwood Salal	No. 2 Pot, 90cm o.c., 1m at maturity No. 2 Pot, 150cm o.c., 2m at maturity No. 1 Pot, 60cm o.c., 0.5m at maturity
		Cornus sericea		
		Gaultheria shallon		
HEDGE		Thuja occidentalis 'Brandon'	Pyramidal Cedar	1.5m high, 1.2m o.c.
NOTES: 1. All soil, soil depths, plants & planting to meet BC Landscape Standard, Latest Edition 2. Any proposed substitutions must be pre-approved by Viewpoint prior to shipping 3. Tree sizes must be as specified to meet the Rezoning requirements				

2 LOT SUBDIVISION

ALR BUFFER: PLANT LIST

L2

8760 & 8780 ROSEMARY AVE

RICHMOND, BC

DATE: 27 FEB 2015



VIEWPOINT

LANDSCAPE ARCHITECTS

5244 Prince Edward St.

Vancouver, BC V5W 2X5

tel: 604-669-3201

fax: 604-669-3278

abuts the ALR, the proposed development provides a 4 m-wide landscaped buffer along the south property line (Steveston Highway) to identify the urban/rural interface.

In response to the Committee's questions, staff noted that the RC2 zone, which provides for a density bonus, is used for rezoning applications, and a laneway will be dedicated to extend the existing lane.

Committee asked if any financial security would be required to ensure that the ALR buffer is established. Staff explained that a legal agreement will be secured to ensure the ALR is maintained and will not be removed.

The Co-Chair invited the applicant to come forward. The applicant had no further comment to add.

That the rezoning application for 9751 Steveston Highway/10831 Southridge Road be supported as presented.

Carried Unanimously

2.A Development Proposal – 8760/8780 Rosemary Avenue

Staff (Minhee Park) briefed the Committee on the proposed rezoning application and provided details of the proposed ALR buffer along the rear property line adjacent to Steveston Highway. The Co-Chair invited the applicant to come forward. The applicant had no further comments to add.

In reply to Committee's question about the fence height, the applicant noted that it is currently 4 ft high and the proposed fence is the same height. Committee members noted that it would be an appropriate height considering its location adjacent to Steveston Hwy.

That the rezoning application for 8760/8780 Rosemary Avenue be supported as presented.

Carried Unanimously

3. Development Proposal - ALR Non-Farm Use

Staff outlined the non-farm use proposal to develop a new Hindu temple at 8100 No.5 Road. Staff noted that the proposal is subject to the No.5 Backlands Policy, which allows institutional uses on the westerly 110m when the remaining portion is strictly used for farming. Staff also indicated the proposal includes a height variance and will be subject to the ESA DP requirement.

Committee had the following questions and comments:

- In response to Committee's query about the maximum building height, Staff explained it is the requirement specified in the proposed "Assembly" zone.

Tree Tag #	Tree Species	DBH (cm)	Crown Radius (m)	Tree Tag #	Tree Species	DBH (cm)	Crown Radius (m)
90	Sycamore Maple (Acer pseudoplatanus)	15	3.2	92	Sycamore Maple (Acer pseudoplatanus)	16	2.9
91	Sycamore Maple (Acer pseudoplatanus)	22+7+6	3.8	93	European Birch (Betula pendula)	19+ 15	3.8
A	Sycamore Maple (Acer pseudoplatanus)	6+3	2.0	94	Sycamore Maple (Acer pseudoplatanus)	15+10	2.7
B	Plum (Prunus)	35 x4 + 20 x3	5.0	95	Sycamore Maple (Acer pseudoplatanus)	8 + 6 x 2	2.8
C	Western Redcedar (Thuja plicata)	5-10 15+ stems	2.8	96	European Birch (Betula pendula)	23	4.6
D	Hedging Cedar (Thuja occidentalis)	12 + 15 x2	1.8	97	Sycamore Maple (Acer pseudoplatanus)	12x3	3.6

Suitable Replacement Tree Species
Paperbark Maple (<i>Acer griseum</i>)
Japanese Maple (<i>Acer palmatum</i>)
Drooping Nootka Cypress (<i>Chamaecyparis nootkatensis</i> "Pendula")
Kousa Dogwood (<i>Cornus kousa</i>)
Japanese Stewartia (<i>Stewartia pseudocamellia</i>)
Japanese Snowbell (<i>Styrax japonica</i>)



Rezoning Considerations

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

Address: 8760 and 8780 Rosemary Avenue

File No.: RZ 14-662478

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9228, the developer is required to complete the following:

1. Submission of a Tree Survival Security to the City in the amount of \$5,000 (\$2,500/tree) for the two (2) on-site trees, Sycamore Maple (tag #91) and Western Red Cedar (tag #C), to be retained.
2. Submission of a Landscaping Security in the amount of \$1,500 (\$500/tree) to ensure that a total of three (3) trees are planted and maintained on the proposed east lot with a minimum size of 6 cm deciduous caliper or 3.5m high conifer. Suitable tree species, as recommended by City's Tree Protection Division staff, include: Paperbark Maple (*Acer griseum*), Japanese Maple (*Acer palmatum*), Drooping Nootka Cypress (*Chamaecyparis nootkatensis* "Pendula", Kousa Dogwood (*Cornus kousa*), Japanese Stewartia (*Stewartia pseudocamellia*), and Japanese Snowbell (*Styrax japonica*).
3. City's acceptance of a cash-in-lieu contribution in the amount of \$1,500 (\$500/tree) for the three (3) replacement trees that cannot be accommodated on-site to the City's Tree Compensation Fund for off-site planting.
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 zones 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. Registration of a legal agreement on title to ensure that the Agricultural Land Reserve (ALR) landscaped buffer planted along the Steveston Highway is maintained and will not be abandoned or removed. The legal agreement would also indicate that the property is located adjacent to active agricultural operations and may be subject to potential agricultural impacts including noise, dust and odour.
6. Submission of a Landscape Security in the amount of \$6,142 to ensure the installation of the required landscaping within the ALR landscaped buffer.
7. Registration of a flood indemnity covenant on title.
8. 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. \$6,149.4) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.
9. Discharge of Restrictive Covenant Registration No. RD43627 from title of the subject property.

At Demolition Permit* Stage, the developer must complete the following requirement:

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.

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

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated

fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

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

1. Payment of servicing costs for works include but may not be limited to the following:

Water Works:

- Using the OCP model, there is 103 L/s of water available at 20 psi residual at the Rosemary Ave frontage, and there is 385 L/s of water available at 20 psi residual at the Steveston Hwy frontage. Based on the proposed zoning, the site requires a minimum fire flow of 95 L/s. Once the applicants have confirmed the building design at the Building Permit stage, the applicants must submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) to confirm that there is adequate available flow.
- City to install a meter box at PL on the existing 25mm diameter water connection for the east lot, and install a new 25mm diameter connection complete with a meter box at PL. Meter boxes must be placed on the grass boulevard outside of private fence at minimum 1m away from driveways and paved walkways.

Storm Sewer Works:

- For servicing the east lot, city to install a new storm service connection tie-in to the existing manhole STMH6230 near the NE property corner at Rosemary Ave. Cut and cap the existing service connection at the IC fronting Steveston Hwy.
- For servicing the west lot, reuse the existing storm IC and service connection fronting Rosemary Ave.
- On-site storm runoff must be directed towards Rosemary Ave. Boulevard must be graded towards the existing IC and MH to prevent storm water from ponding on the boulevard, road and driveways.

Sanitary Sewer Works:

- City to install a new sanitary service connection tie-in to the existing manhole in the rear SROW to serve the west lot. The east lot will reuse the existing sanitary IC and connection at the SE corner of the property.
- The required sanitary sewer works outlined in Item b must be completed prior to the issuance of Building Permit to prevent the developer's building foundation work from jeopardizing the City forces' ability to access the rear yard with heavy equipment.

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.



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9228 (RZ 14-662478)
8760 & 8780 Rosemary Avenue**

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. 003-726-843

Lot 448 Section 33 Block 4 North Range 6 West New Westminster District Plan 35970

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9228”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by BK
APPROVED by Director or Solicitor il

MAYOR

CORPORATE OFFICER