



City of Richmond

Report to Committee Planning and Development Division

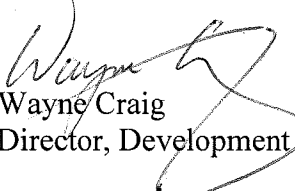
To: Planning Committee
From: Wayne Craig
Director, Development

Date: May 19, 2016
File: RZ 15-700420

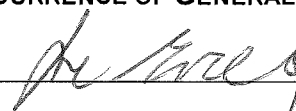
Re: Application by New Horizon Development Ltd. for Rezoning at
5411/5431 Clearwater Drive from Two-Unit Dwellings (RD1) to Single Detached
(RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9560, for the rezoning of 5411/5431 Clearwater Drive from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)”, be introduced and given first reading.


Wayne Craig
Director, Development

SDS:blg
Att.

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

Staff Report

Origin

New Horizon Development Ltd. has applied to the City of Richmond for permission to rezone the property at 5411/5431 Clearwater Drive from the “Two-Unit Dwellings (RD1)” zone to the “Single Detached (RS2/B)” zone, to permit the property to be subdivided to create two (2) lots (Attachment 1). The site is currently occupied by a duplex, which will be demolished. A site 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

Development immediately surrounding the subject site is as follows:

- To the North: Single-family dwelling on a lot zoned “Single Detached (RS1/E)” and a duplex on a lot zoned “Two-Unit Dwelling (RD1)” fronting Blundell Road.
- To the South: Single-family dwellings on lots zoned “Single Detached (RS1/E)” fronting Cathay Road.
- To the East: Vacant land zoned “Single Detached (RS1/E)”.
- To the West: Single-family dwellings on lots zoned “Single Detached (RS1/E)” fronting Clifton Road.

Related Policies & Studies

Official Community Plan

The Official Community Plan (OCP) land use designation for the subject property is “Neighbourhood Residential”. The proposed rezoning and subdivision would comply with this designation.

Single-Family Lot Size Policy 5453/Zoning Bylaw 8500

The subject site is located within the area governed by Single-Family Lot Size Policy 5453 (adopted by Council on November 15, 1993 and amended in 2001 and 2003) (Attachment 4). The Policy permits lots with an existing duplex to be rezoned and subdivided in accordance with the provisions of the “Single Detached (RS1/B)” zone. The proposed east and west lots will be approximately 14 m (46 ft.) and 20 m (66 ft.) wide and approximately 634 m² (6,824 ft²) and 575 m² (6,189 ft²) in area respectively. The proposed subdivision would comply with the requirements of the “Single Detached (RS1/B)” zone and Single-Family Lot Size Policy 5453.

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.

Analysis

Existing Legal Encumbrances

There is an existing 3.0 m wide statutory right-of-way registered on Title for utilities in the rear yard of the subject property; which will not be impacted by the proposed development. The applicant is aware that encroachment into the statutory right-of-way is not permitted.

There is also an existing restrictive covenant registered on Title, restricting the use of the subject property to a duplex (Document No. AE11709). The covenant must be discharged from Title as a condition of rezoning.

Site Access

Vehicle access to the proposed lots will be limited to a single shared driveway from Clearwater Drive. Prior to rezoning, the applicant is required to register a legal agreement on Title to ensure that upon subdivision of the property, vehicle access to the proposed lots is through a shared driveway crossing (6 m wide at the property line), centered on the proposed shared property line. No obstructions are permitted within the shared driveway.

As a condition of rezoning, the applicant is required to register a cross-access easement on Title; centered on the proposed shared property line to enable vehicles to pass over the common lot line to enter and exit the properties, and allow on-site vehicle maneuvering.

Prior to issuance of a Building Permit, the applicant is required to submit a Construction Parking and Traffic Management Plan to the City's Transportation Department for review.

Tree Retention and Replacement

A Certified Arborist's Report was submitted by the applicant, which identifies tree species, assesses tree structure and condition, and provides recommendations for tree retention and removal related to the proposed development. The report assesses three (3) trees on the subject property, one (1) hedgerow on-site, and one (1) tree on the neighbouring property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted an on-site visual tree assessment, and concurs with the Arborist's recommendations to:

- Retain one (1) tree located in the rear yard due to fair condition (tag# 234).
- Retain one (1) tree on the neighbouring property to the south due to its good condition (tag# A).
- Remove two (2) trees on-site due to historical topping and poor condition (tag# 232 & 233).
- Remove one (1) hedgerow (labelled "North Cedar Hedge") located in the rear yard and within the existing statutory right-of-way. The Engineering Department has confirmed this hedge will need to be removed due to required sanitary sewer works for the proposed lots.

Tree Protection

The proposed Tree Management Drawing is shown in Attachment 5; which outlines the protection of one (1) tree on-site and one (1) tree off-site.

To ensure the protection of the two (2) trees (tag# 234 & A), the applicant is required to complete the following items prior to final adoption of the rezoning bylaw:

- Submission of a contract with a Certified Arborist for supervision of all works conducted within close proximity to tree protection zones. The contract must include the scope of work; including the number of 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 report to the City for review.
- Submission of a survival security in the amount of \$1,000. The security will not be released until an acceptable impact assessment report by the Certified Arborist is submitted and a landscaping inspection has been passed by City staff.

Prior to demolition of the existing dwelling on the subject site, the applicant is required to install tree protection fencing around all trees 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 must remain in place until construction and landscaping on-site is completed.

Tree Replacement

For the removal of the two (2) trees, the Official Community Plan (OCP) tree replacement ratio goal of 2:1 requires four (4) replacement trees to be planted and maintained on the proposed lots. The City's Tree Preservation Coordinator recommends an additional one (1) replacement tree for the removal of the hedgerow; which the applicant has agreed to, resulting in a total of five (5) replacement trees. The applicant has proposed to plant and maintain five (5) trees on-site in the proposed lots; two (2) trees on the west lot with the existing protected tree and three (3) trees on the east lot. Based on the size of the trees being removed, replacement trees shall be a minimum size of 6 cm deciduous caliper or 3.5 m high conifer, as per Tree Protection Bylaw No. 8057.

To ensure that five (5) replacement trees are planted on-site at development stage, the applicant is required to submit a Landscaping Security in the amount of \$2,500 (\$500/tree) prior to final adoption of the rezoning bylaw. Securities will not be released until a landscaping inspection has been passed by City staff after construction and landscaping has been completed. The City may retain a portion of the securities for a one-year maintenance period from the date of the landscape inspection.

Affordable Housing Strategy

The Affordable Housing Strategy for single-family rezoning applications received prior to September 14, 2015 requires a secondary suite or coach house on 50% of new lots, 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 voluntary contribution to the Affordable Housing Reserve Fund based on \$1.00/ft² of total buildable area of the single-family developments (i.e. \$6,403.99) in-lieu of providing a secondary suite on 50% of the new lots.

Site Servicing and Frontage Improvements

At future subdivision and Building Permit stage, the applicant is required to complete the required service connection works as described in Attachment 6.

Prior to subdivision, the applicant must discharge the existing Strata Plan (BCS1029).

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

The purpose of this rezoning application is to rezone the property at 5411/5431 Clearwater Drive from the "Two-Unit Dwellings (RD1)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create two (2) lots.

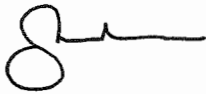
Conclusion

The purpose of this rezoning application is to rezone the property at 5411/5431 Clearwater Drive from the "Two-Unit Dwellings (RD1)" 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 and applicable policies contained within the OCP for the subject site.

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

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9560 be introduced and given first reading.



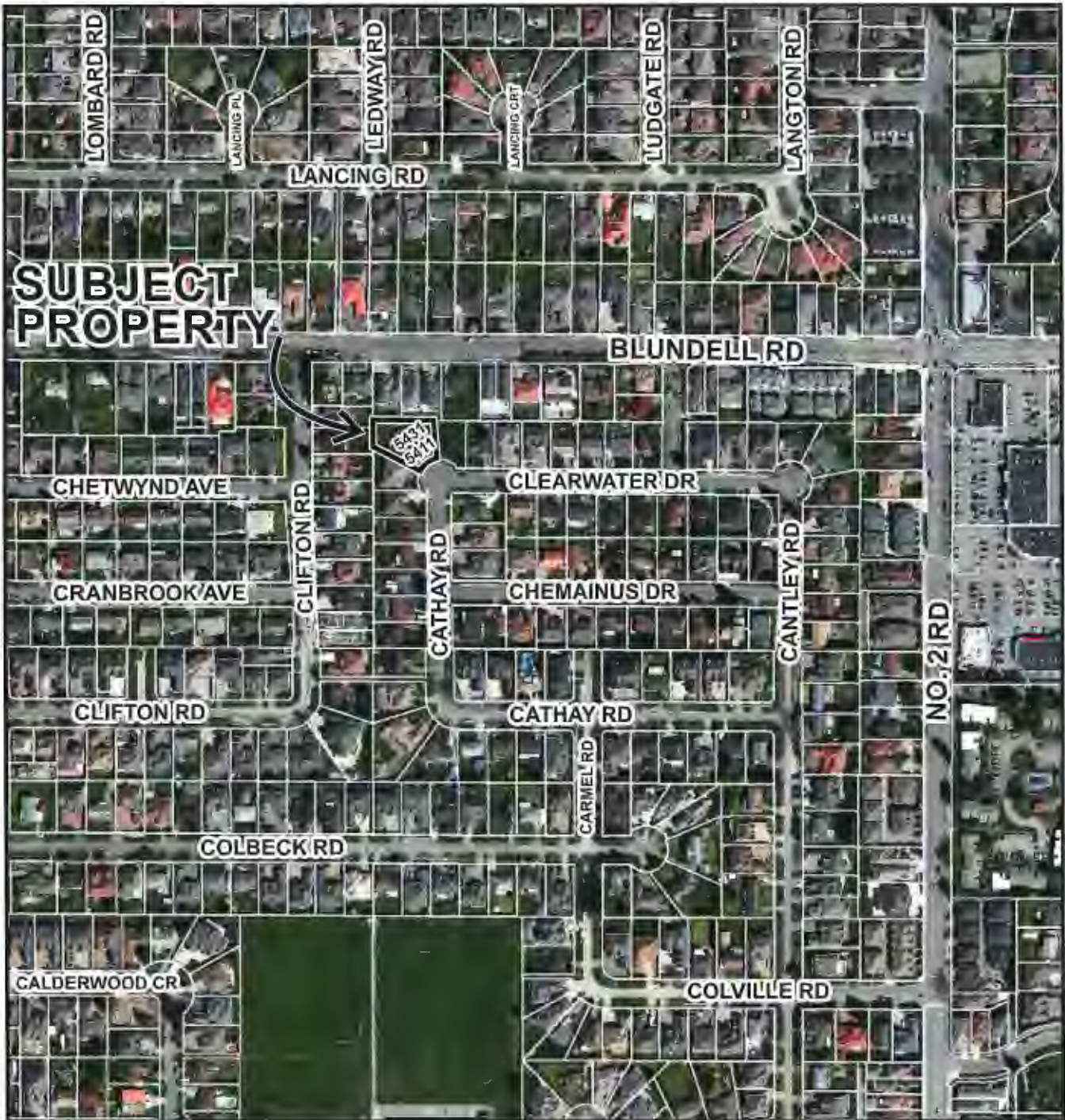
Steven De Sousa
Planning Technician - Design
(604-276-8529)

SDS:blg

- Attachment 1: Location Map
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Lot Size Policy 5453
- Attachment 5: Tree Management Plan
- Attachment 6: Rezoning Considerations



City of Richmond



RZ 15-700420

Original Date: 07/09/15

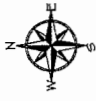
Revision Date: 05/25/16

Note: Dimensions are in METRES

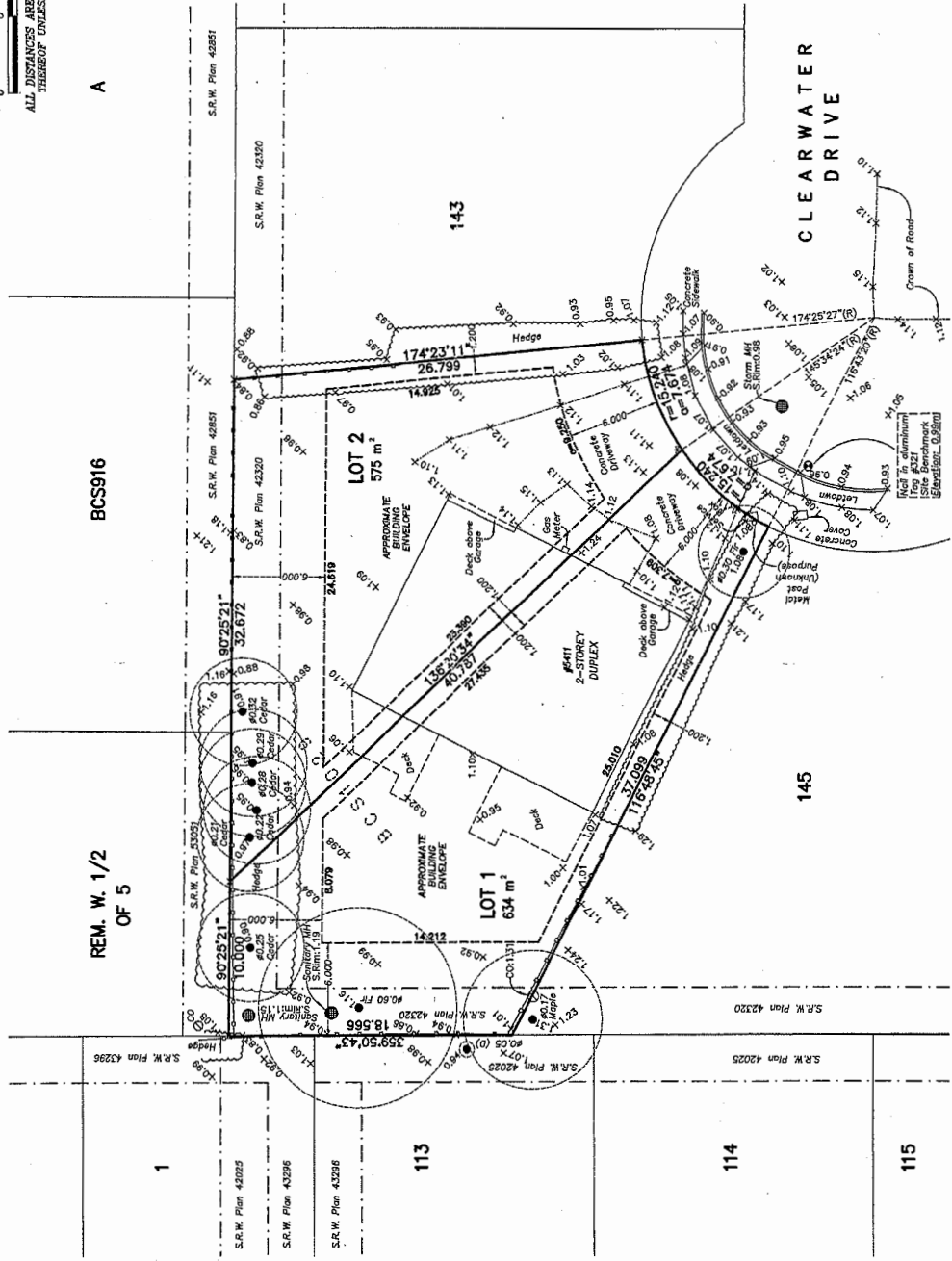
**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF STRATA PLAN BCS1029
SECTION 24 BLOCK 4 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT**

#5411 CLEARWATER DRIVE,
RICHMOND, B.C.
P.L.D. 026-085-933

#5431 CLEARWATER DRIVE,
RICHMOND, B.C.
P.L.D. 026-085-944



SCALE: 1:200
0 5 10 15
ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



LEGEND:
 (O) denotes deciduous
 (V) denotes water valve
 (●) denotes manhole
 (○) denotes cleantop

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 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. 6003
 PB-260 P17-20
 Drawn By: IO

NOTE:
 Elevations shown are based on City of Richmond HPN Benchmark network.
 Benchmark: HPN #202
 Control Monument: 77H4823
 Elevation: 1.422m
 Benchmark: HPN #234
 Control Monument: 77H4891
 Elevation: 1.125m

NOTE:
 Utility Benchmark Tag #321 for construction elevation control.

CERTIFIED CORRECT:
 LOT DIMENSION ACCORDING TO
 FIELD SURVEY.

John C. Tam
 JOHN C. TAM, B.C.L.S.
 MAY 12th, 2015.



RZ 15-700420

Attachment 3

Address: 5411/5431 Clearwater Drive

Applicant: New Horizon Development Ltd.

Planning Area(s): Blundell

	Existing	Proposed
Owner:	New Horizon Development Ltd.	To be determined
Site Size (m²):	1,209 m ² (13,013 ft ²)	East lot: 634 m ² (6,824 ft ²) West lot: 575 m ² (6,189 ft ²)
Land Uses:	One (1) two-family dwelling	Two (2) residential lots
OCP Designation:	Neighbourhood Residential	No change
702 Policy Designation:	Lot Size Policy 5453 permits Single Detached (RS1/B) for lots with existing duplexes	No change
Zoning:	Two-Unit Dwellings (RD1)	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 – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	360 m ²	East lot: 634 m ² West lot: 575 m ²	none
Setback – Front & Rear Yard (m):	Min. 6.0 m	Min. 6.0 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none

Other: Tree replacement compensation required for loss of significant trees.



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: November 15, 1993
 Amended by Council: January 15, 2001 *
 October 20th, 2003

POLICY 5453

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 24-4-7

POLICY 5453:

The following policy establishes lot sizes in Section 24-4-7, located in the area generally **bounded by Francis Road, Blundell Road, Railway Avenue and No. 2 Road** as shown on the attached map:

That properties located within the area generally bounded by Francis Road, Blundell Road, Railway Avenue and No. 2 Road in Section 24-4-7, as shown on the attached map, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area E (R1/E) in Zoning and Development Bylaw No. 5300, with the following exceptions:



- (i) That lots with existing duplexes be permitted to subdivide as per Single-Family Housing District, Subdivision Area B (R1/B); and

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, unless changed by the amending procedures contained in the Zoning and Development Bylaw 5300.

* Original Adoption Date In Effect

1081046



-  Subdivision Permitted as Per R1/E
-  Subdivision of Duplexes Permitted as Per R1/B



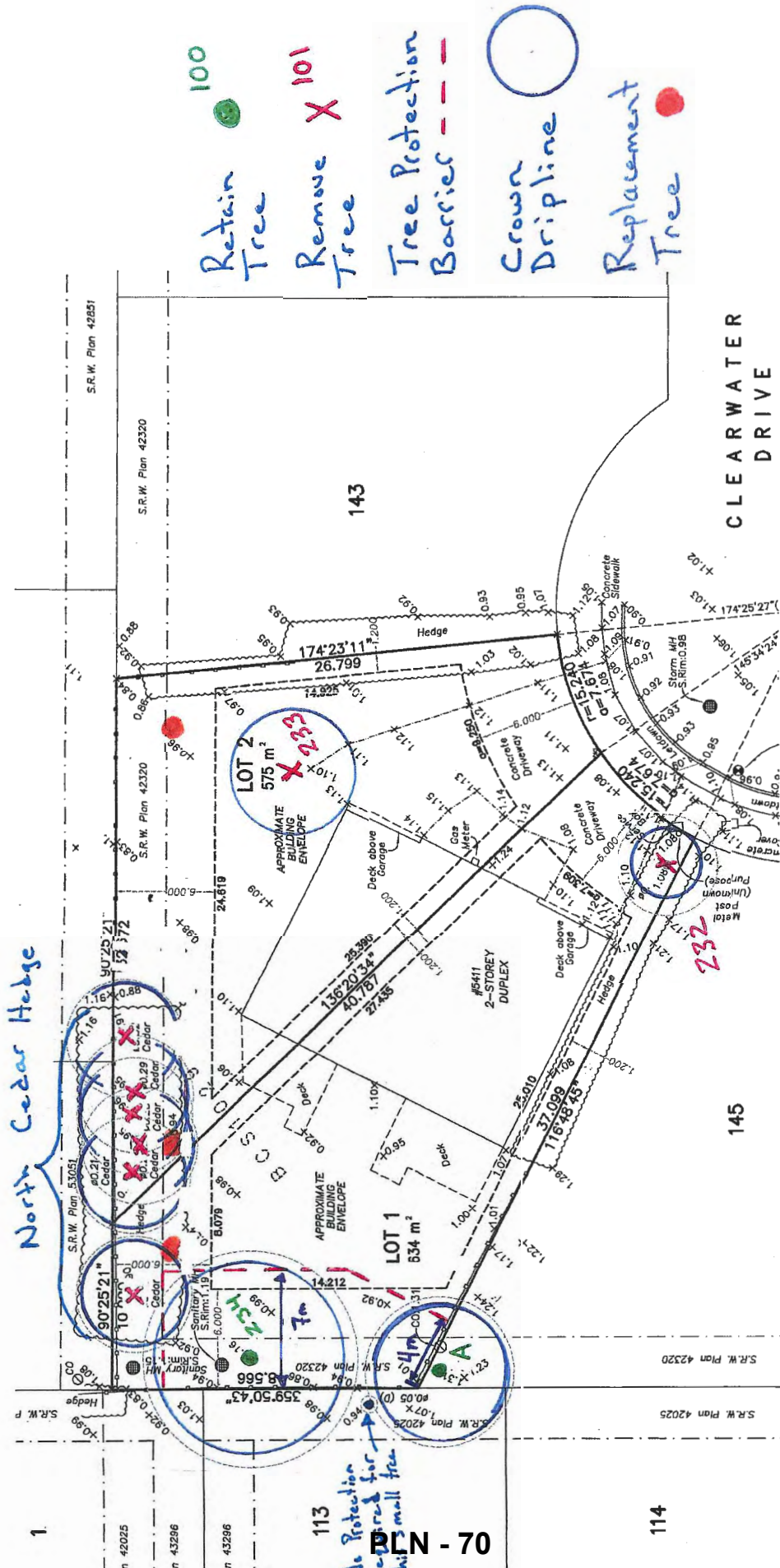
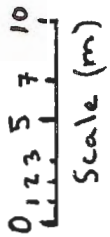
Policy 5453
Section 24-4-7
PLN - 69

Adopted Date: 11/15/93
 Amended Date: 10/20/03

Tree Management Plan - 5411 Clearwater Dr. - May 12

D.A. 2016

Amendment #1 DA



- 100 ● Retain Tree
- 101 X Remove Tree
- Tree Protection Barrier - - -
- Crown Dripline
- Replacement Tree ●

113
114
143
145
CLEARWATER DRIVE



Address: 5411/5431 Clearwater Drive

File No.: RZ 15-700420

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9560, the developer is required to complete the following:

1. Submission of a landscaping security in the amount of \$2,500 (\$500/tree) to ensure that the five (5) required replacement trees are planted and maintained on the proposed lots (minimum size of 6 cm deciduous caliper or 3.5 m high conifer). The landscaping security will not be released until construction and landscaping on the subject site is completed and a landscape inspection has been passed by City staff. The City may retain a portion of the security for a one-year maintenance period from the date of the landscape inspection to ensure that the replacement trees survive. If required replacement 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. 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 \$1,000 for the one (1) tree to be retained on-site.
4. Registration of a flood indemnity covenant on Title.
5. Registration of a legal agreement on title to ensure that upon subdivision of the property, vehicular access to the proposed lots is via a shared driveway crossing (6 m wide at the property line), centered on the proposed shared property line. No obstructions are permitted within the shared driveway.
6. Registration of a cross-access easement on Title prior to subdivision centered on the proposed shared property line to enable vehicles to pass over the common lot line to enter and exit the proposed lots.
7. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$6,403.99) to the City's Affordable Housing Reserve Fund.
8. Discharge of the existing covenant registered on Title of the subject property (i.e. AE11709), which restricts the use of the property to a duplex.

At Demolition Permit* stage, the applicant is required to:

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development in accordance with the City's Tree Protection Information Bulletin TREE-03, prior to any construction activities, including building demolition, occurring on-site, and must remain in place until construction and landscaping on-site is completed.

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

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management plan should include location for parking 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. Discharge of the existing Strata Plan (BCS1029).
3. The following servicing works and off-site improvements may be completed through either a) a Servicing Agreement* entered into by the applicant to design and construct the works to the satisfaction of the Director of Engineering; or b) a cash contribution (based on the City's cost estimate for the works) for the City to undertake the works at development stage:

Water Works:

- a) Using the OCP Model, there is 135.0 L/s of water available at a 20 psi residual at the Clearwater Drive frontage. Based on your proposed development, your site requires a minimum fire flow of 95.0 L/s.
- b) 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.
- c) At Developers cost, the City is to:
 - Cut and cap the existing water service connection along the Clearwater Road frontage.
 - Install 2 new water service connections complete with meters and meter boxes away from driveways.

Storm Sewer Works:

- d) At Developers cost, the City is to:
 - Cut and cap the existing storm service connection at the south corner of the development site.
 - Install a new storm service connection complete with IC with dual connections at the adjoining property line of the newly subdivided lots.

Sanitary Sewer Works:

- e) At Developers cost, the City is to:
 - Cut and cap the existing sanitary service connection at the southwest corner of the development site.
 - Install one (1) new sanitary service connection complete with new IC and dual connections at the adjoining property line of the newly subdivided lots along the north property line within the existing SRW. All sanitary works to be completed prior to any on-site building construction.

Frontage Improvements:

- f) Developer is required to:
 - to coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground Hydro service lines.
 - 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.).
- g) Complete other frontage improvements as per Transportation's requirements.

General Items:

- h) 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 copy on file]

Signed

Date