



# City of Richmond

## Report to Committee Planning and Development Division

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** February 6, 2017  
**File:** RZ 16-741423

**Re:** Application by Focus Construction Ltd. for Rezoning at 9760 Seallily Place from "Single Detached (RS1/E)" to "Single Detached (RS2/B)"

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9680, for the rezoning of 9760 Seallily Place from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.

Wayne Craig  
Director, Development

JR:blg  
Att. 7

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

## Staff Report

### Origin

Focus Construction Ltd. has applied to the City of Richmond for permission to rezone 9760 Sealily Place from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/B)” zone, to permit the property to be subdivided to create two single-family lots with vehicle access from Sealily Place (Attachment 1). The proposed subdivision plan is shown in Attachment 2. There is an existing dwelling on the property, which would be demolished.

### Findings of Fact

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

### Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North: Single-family dwellings on lots zoned “Single Detached (RS1/E).”
- To the South: Two single-family dwellings on lots zoned “Single Detached (RS1/E),” with vehicle access from Seaton Place.
- To the East: A duplex on a lot zoned “Single Detached (RS1/E)”; fronting Sealily Place and with vehicle access from the rear lane.
- To the West: A single-family dwelling on a lot zoned “Single Detached (RS1/E),” with vehicle access from Sealily Place. There is a pending rezoning application for this property (RZ 16-735240), to rezone the property from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/B)” zone, to permit a subdivision to create two single-family lots. This application was given third reading on November 21, 2016.

### Related Policies & Studies

#### Official Community Plan/Shellmont Area Plan

The subject site is located in the Shellmont planning area. The Official Community Plan (OCP) designation for the subject site is “Neighbourhood Residential” (Attachment 4). The proposed rezoning and subdivision is consistent with this designation.

#### Richmond Zoning Bylaw 8500/Single-Family Lot Size Policy No. 5409

The subject site is located in the area governed by Single-Family Lot Size Policy No. 5409, which was adopted by Council on April 10, 1989, and subsequently amended on October 16, 1995, July 16, 2001, and October 21, 2013 (Attachment 5). The subject property is permitted to rezone and subdivide as per the requirements of the “Single-Detached (RS2/B)” Zoning Bylaw only. The proposed rezoning and subdivision is consistent with this Policy.

## **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*.

## **Analysis**

### **Existing Legal Encumbrances**

There is an existing Statutory Right-of-Way (SRW) for the sanitary sewer service in the southeast corner of the subject property. An additional SRW for an extension of the sanitary sewer to service the newly subdivided lots will be required. The applicant is aware that encroachment into the SRW is not permitted.

### **Transportation and Site Access**

Vehicle access to each lot is proposed from separate driveways with a shared driveway crossing to Sealily Place.

### **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 six (6) bylaw-sized trees on the subject property.

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

- Two Western Red Cedar trees (Tag # 171 and 173) located on the development site are to be retained and protected.
- One Crimson King Maple tree (Tag # 174) located on the development site is to be retained and protected.
- Two Lombardy Poplar trees (Tag # 169 and 170) located on the development site; between 100 cm and 96 cm DBH in size, have been historically topped and are in poor condition. Remove and replace.
- One Silver Maple tree (Tag # 172) located on the development site; 66 cm DBH in size, has been historically topped and is in poor condition. Remove and replace.
- Replacement trees should be specified at 2:1 ratio as per the Official Community Plan (OCP).

Parks Department staff has reviewed the application as it impacts landscaping in the City-owned boulevard. Staff have authorized the removal of the Laurel and Cedar hedge, and have determined that no compensation is required.

*Tree Replacement*

The applicant wishes to remove three on-site trees (Tag # 169, 170, and 172). The 2:1 replacement ratio would require a total of six replacement trees. The applicant has agreed to plant three trees on each lot proposed; for a total of six trees. The required replacement trees are to be of the following minimum sizes; based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
6	11 cm	6 m

Prior to final adoption of the rezoning bylaw, the applicant must provide a \$3,000 Landscape Security to ensure that six required replacement trees are planted.

*Tree Protection*

Three trees (Tag # 171, 173, and 174) on the subject property are to be retained and protected. 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 6). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- 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, submission to the City of a \$20,000 Tree Survival Security.
- Prior to demolition of the existing dwelling on the subject site, installation of 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 remain in place until construction and landscaping on-site is completed.

### **Affordable Housing Strategy**

The City's Affordable Housing Strategy requires a secondary suite or coach house on 100% of new lots created through single-family rezoning and subdivision applications; a secondary suite or coach house on 50% of new lots created together with a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund of \$2.00/ft<sup>2</sup> of the total buildable area of the remaining lots; or a cash-in-lieu contribution for all lots created in instances where a secondary suite cannot be accommodated in the development.

To comply with the City's Affordable Housing Strategy, the applicant proposed to build a secondary suite on both of the new lots. Prior to final adoption of the rezoning bylaw, the applicant must register a legal agreement on Title stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.

### **Site Servicing and Frontage Improvements**

At future subdivision and Building Permit stage, the applicant is required to complete the following:

- Payment of the current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with the completion of the required servicing works and frontage improvements as described in Attachment 7.

### **Financial Impact**

This rezoning application results in an insignificant Operations 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 application is to rezone 9760 Sealily Place from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create two single-family lots with vehicle access from Sealily Place.

This rezoning application complies with the land use designations and applicable policies for the subject site contained within the OCP and Richmond Zoning Bylaw 8500.

The list of rezoning considerations is included in Attachment 7; which has been agreed to by the applicant (signed concurrence on file).

February 6, 2017

- 6 -

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9680 be introduced and given first reading.



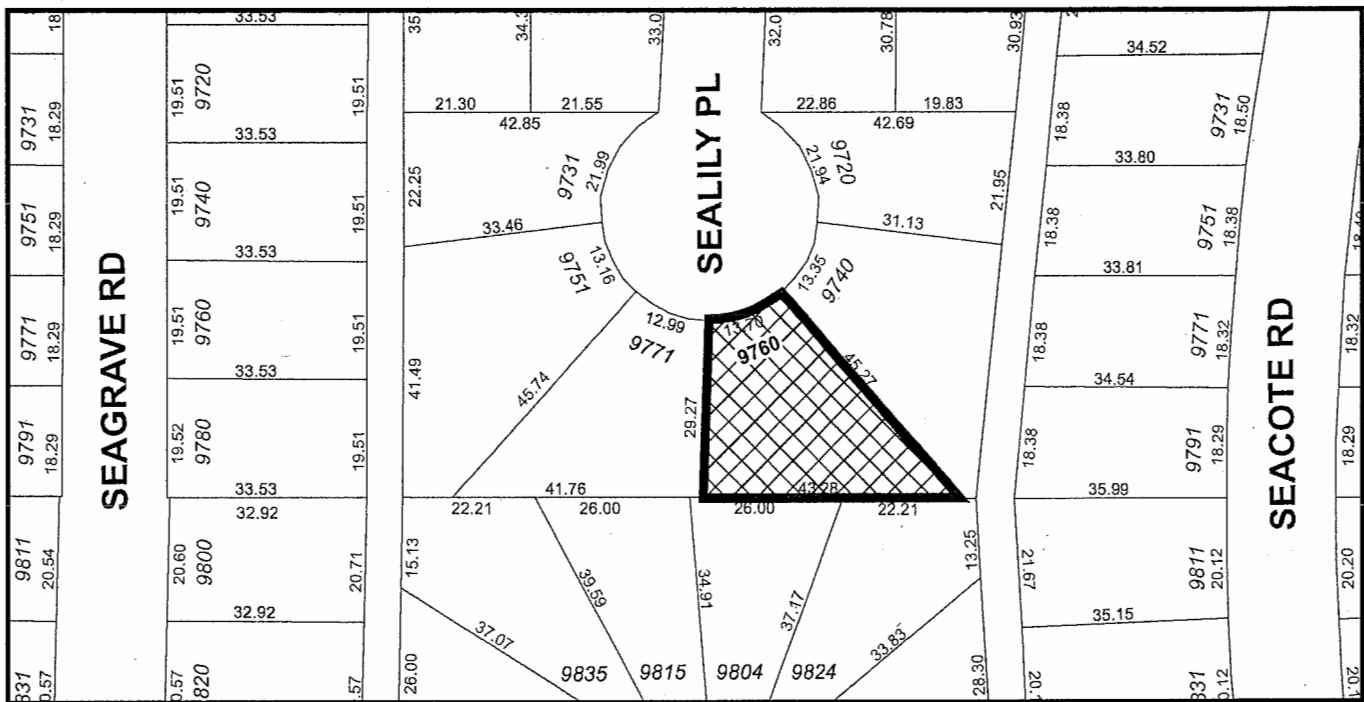
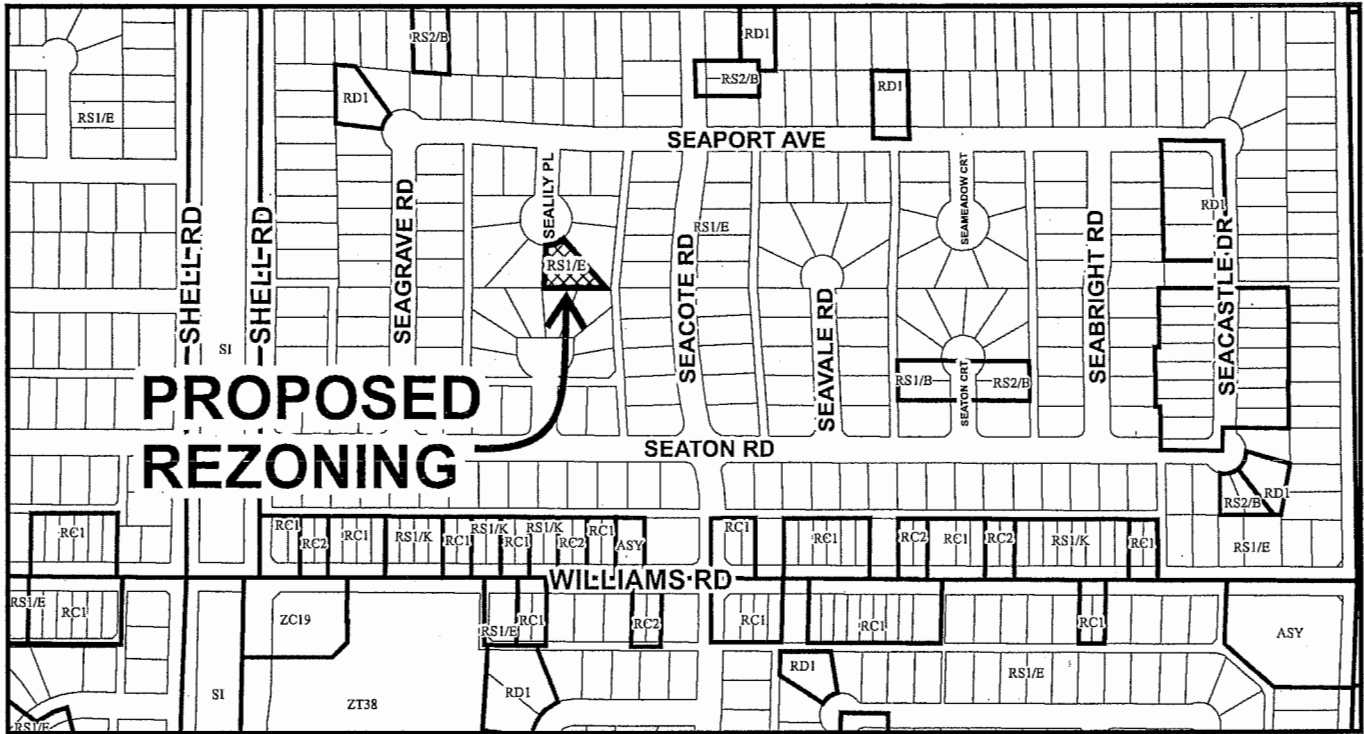
Jordan Rockerbie  
Planning Technician  
(604-276-4092)

JR:blg

Attachment 1: Location Map and Aerial Photo  
Attachment 2: Proposed Subdivision Plan  
Attachment 3: Development Application Data Sheet  
Attachment 4: Shellmont Area Land Use Plan  
Attachment 5: Single-Family Lot Size Policy No. 5409  
Attachment 6: Tree Management Plan  
Attachment 7: Rezoning Considerations



City of  
Richmond



RZ 16-741423

Original Date: 09/16/16

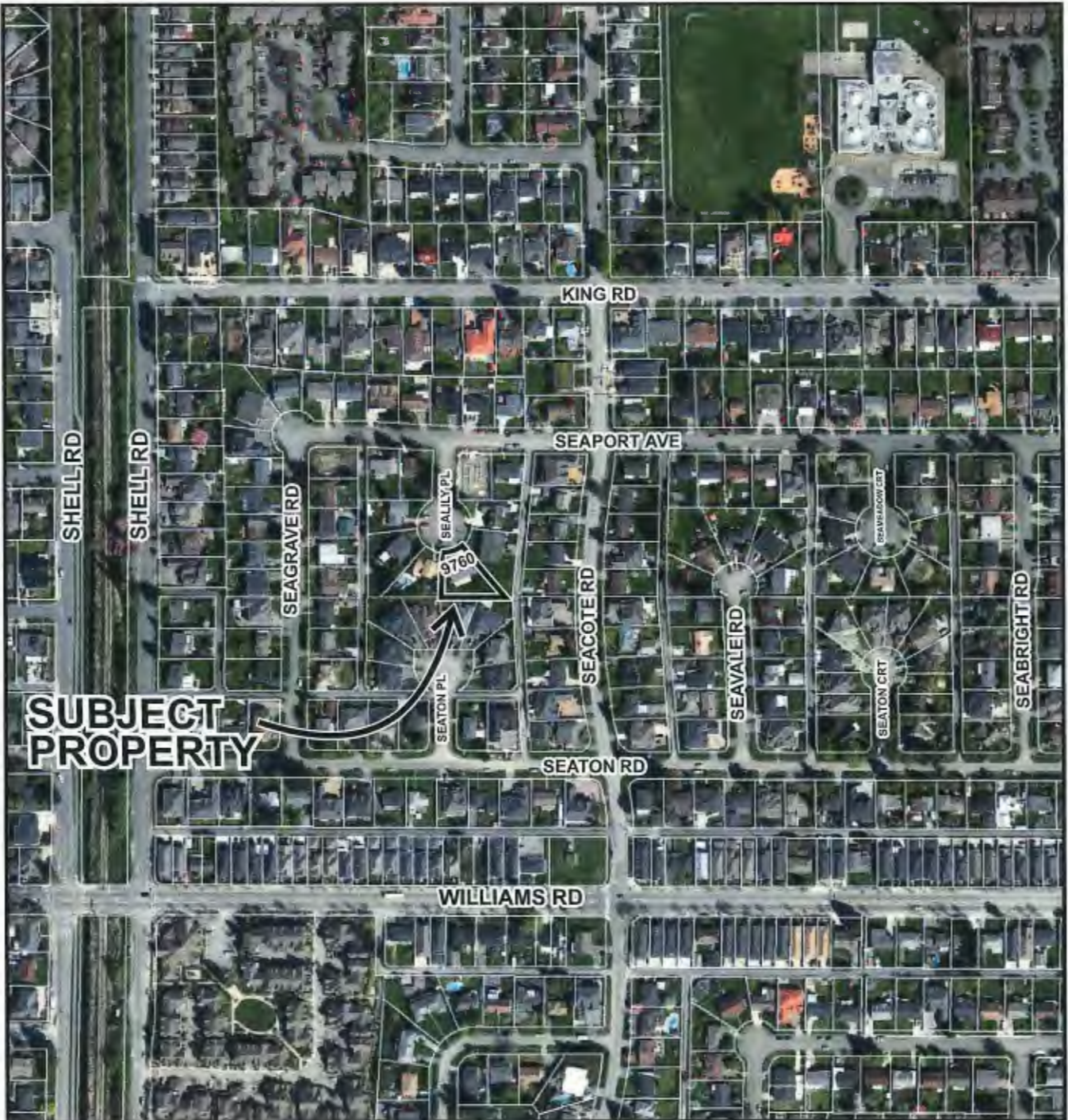
Revision Date:

Note: Dimensions are in METRES





City of  
Richmond



RZ 16-741423

Original Date: 09/16/16

Revision Date:

Note: Dimensions are in METRES



**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION PLAN OF  
LOT 297 SECTION 25 BLOCK 4 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN 42425**

ATTACHMENT 2

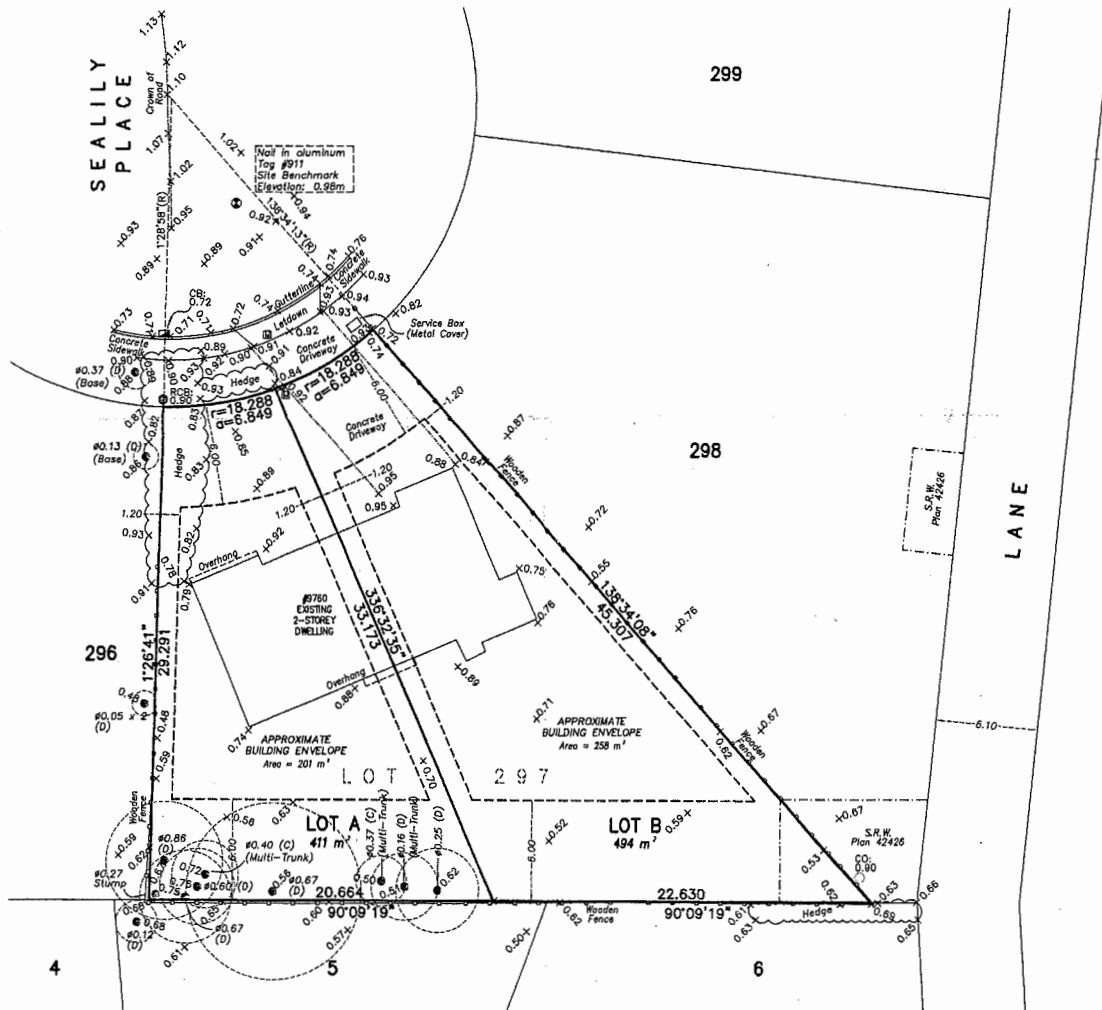
#9760 SEALILY PLACE,  
RICHMOND, B.C.  
P.I.D. 003-653-871



SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED



© 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. 6622  
FB-309 P127, 129-131  
Drawn By: IO

**NOTE:**  
Elevations shown are based on  
City of Richmond HPN  
Benchmark network.  
Benchmark: HPN #190  
Control Monument 94H1624  
Elevation: 2.353m  
Benchmark: HPN #191  
Control Monument 02H2453  
Elevation: 1.664m

**NOTE:**  
Use site Benchmark Tag #911 for  
construction elevation control.

**LEGEND:**  
(C) denotes conifer  
(D) denotes deciduous  
■ denotes catch basin  
● denotes round catch basin  
⊕ denotes water valve  
⊗ denotes water meter  
○ denotes cleanout  
(R) denotes radial bearing

**PLN - 160**

**CERTIFIED CORRECT:**  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.

*Johnson C. Tam*  
JOHNSON C. TAM, B.C.L.S.  
JUNE 21st, 2016.

DWG No. 6622-TOPO-03



**RZ 16-741423**

**Attachment 3**

Address: 9760 Seasily Place

Applicant: Focus Construction Ltd.

Planning Area(s): Shellmont

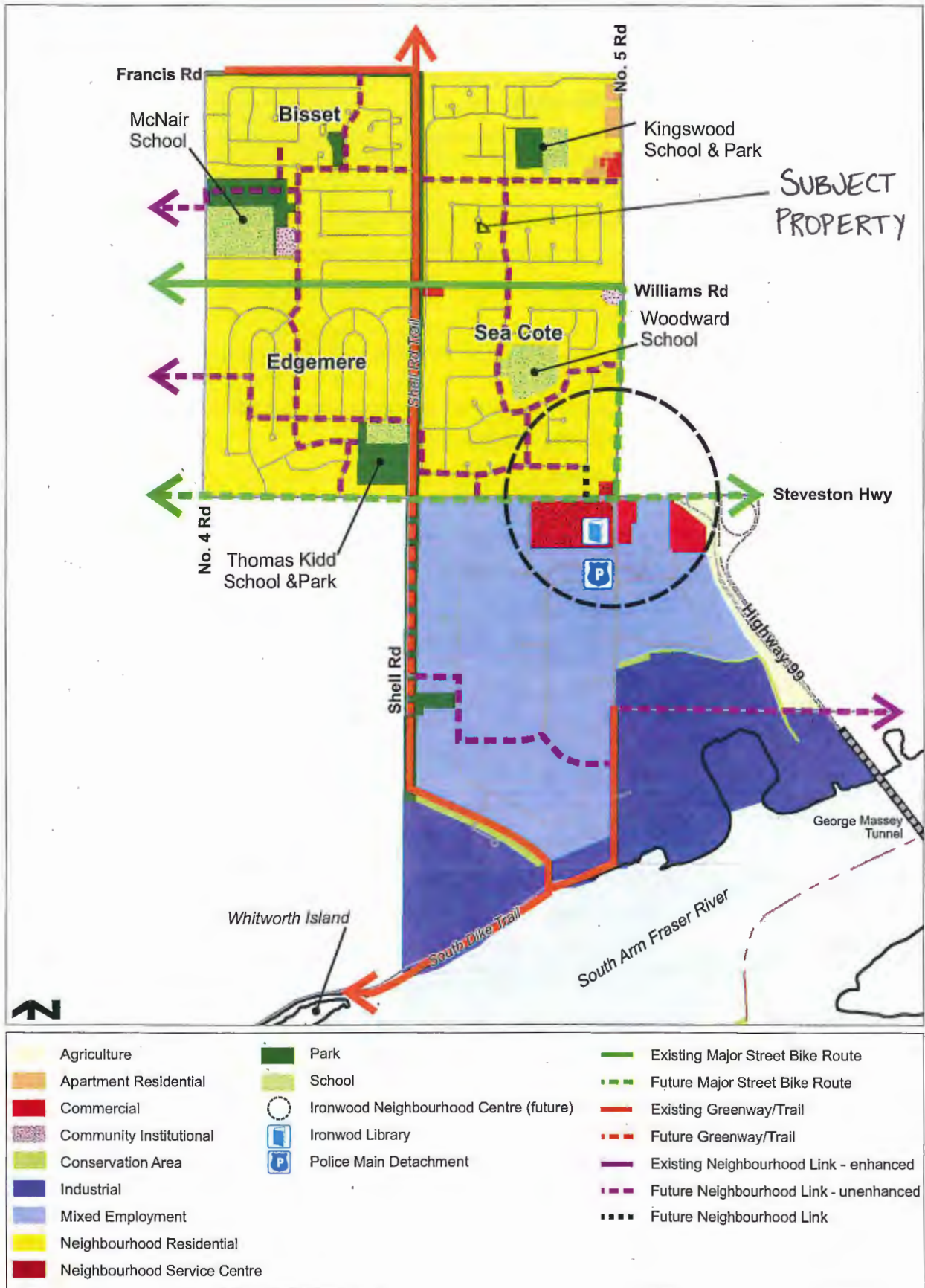
	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	Alan C. L. Chen Audrey I. L. Chen	To be determined
<b>Site Size (m<sup>2</sup>):</b>	905 m <sup>2</sup>	Lot A: 411 m <sup>2</sup> Lot B: 494 m <sup>2</sup>
<b>Land Uses:</b>	One single-family dwelling	Two single-family dwellings
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>702 Policy Designation:</b>	Single Detached (RS2/B)	Single Detached (RS2/B)
<b>Zoning:</b>	Single Detached (RS1/E)	Single Detached (RS2/B)

<b>On Future Subdivided Lots</b>	<b>Bylaw Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	none permitted
Buildable Floor Area:*	Lot A: Max. 226.05 m <sup>2</sup> (2,433.18 ft <sup>2</sup> ) Lot B: Max. 264.33 m <sup>2</sup> (2,845.17 ft <sup>2</sup> )	Lot A: Max. 226.05 m <sup>2</sup> (2,433.18 ft <sup>2</sup> ) Lot B: Max. 264.33 m <sup>2</sup> (2,845.17 ft <sup>2</sup> )	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:	Min. 360.0 m <sup>2</sup>	Lot A: 411 m <sup>2</sup> Lot B: 494 m <sup>2</sup>	none
Lot Dimensions (m):	Width: Min. 12.0 m Depth: Min. 24.0 m	Lot A Width: 13.76 m Lot A Depth: 31.23 m Lot B Width: 14.74 m Lot B Depth: 39.24 m	none
Setbacks (m):	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	none
Height (m):	Max. 9.0 m	Max. 9.0 m	none

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

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

### 8. Shellmont



PLN - 162



# City of Richmond

# Policy Manual

Page 1 of 2

Adopted by Council: April 10, 1989  
 Amended by Council: October 16, 1995  
 Amended by Council: July 16, 2001\*  
 Amended by Council: October 21, 2013

POLICY 5409

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 25-4-6

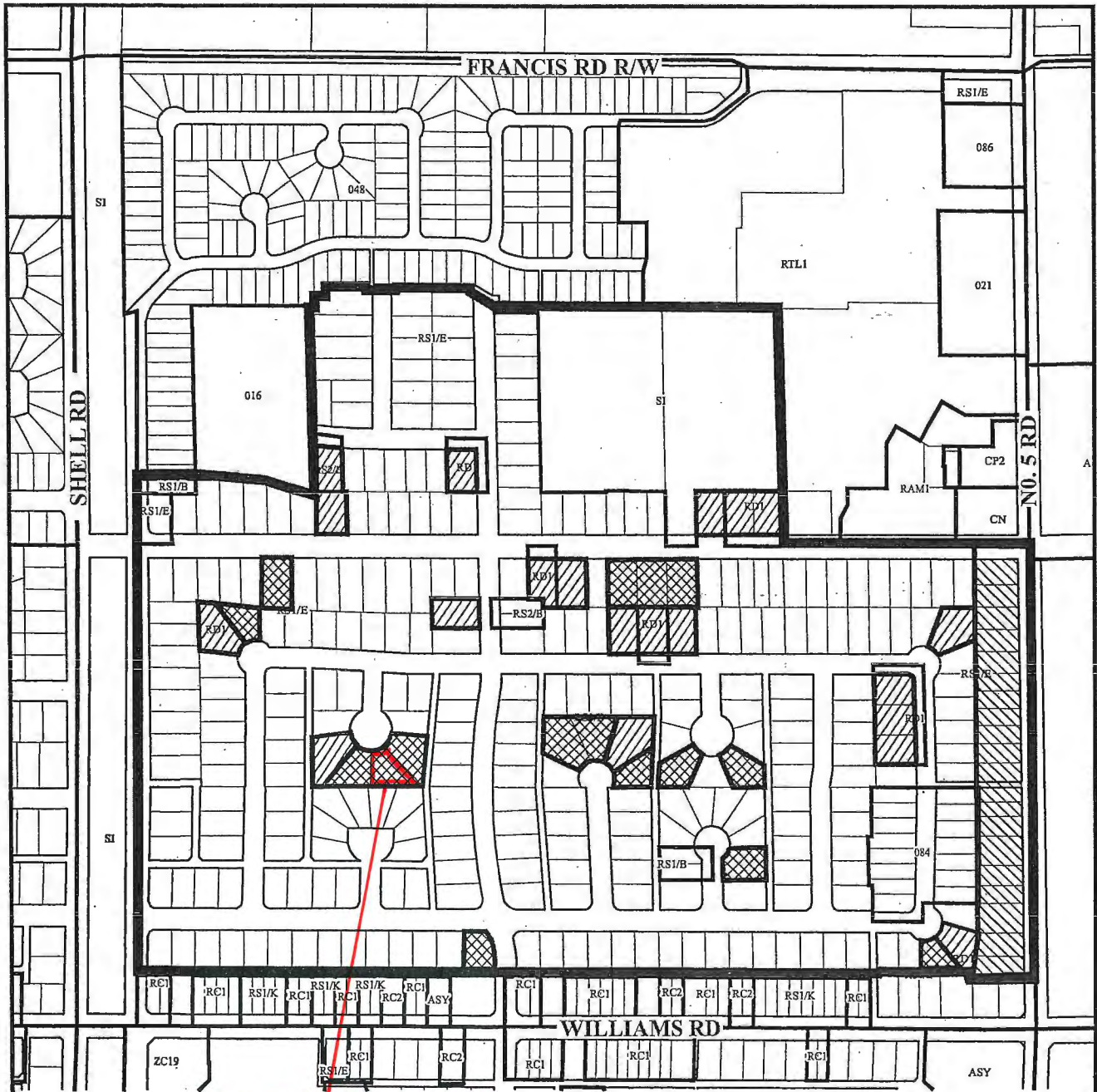
## POLICY 5409:

The following policy establishes lot sizes for the area generally bounded by **Shell Road, King Road, No. 5 Road and properties fronting onto Seaton Road**, in a portion of Section 25-4-6:

1. That properties within the area be permitted to rezone and subdivide in accordance with the provisions of Single Detached (RS2/E) in Richmond Zoning Bylaw 8500, with the following exceptions:
  - (a) properties with existing duplexes identified on the accompanying plan may be rezoned and subdivided into a maximum of two lots;
  - (b) properties with frontage on No. 5 Road may be rezoned and subdivided as per Single Detached (RS2/C); and
  - (c) properties shown as "cross-hatched" on the accompanying plan may be rezoned and subdivided as per Single Detached (RS2/B).

This policy, as shown on the accompanying plan, is to be used to determine the disposition of future single-family rezoning applications in this area for a period of not less than five years, unless changed by the amending procedures contained in Richmond Zoning Bylaw 8500.

\* Original Adoption Date in Effect



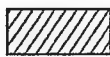
**SUBJECT PROPERTY**



Rezoning and Subdivision permitted as per RS2/C



Rezoning and Subdivision permitted as per RS2/E



Duplexes eligible to be rezoned and subdivided into two lots.



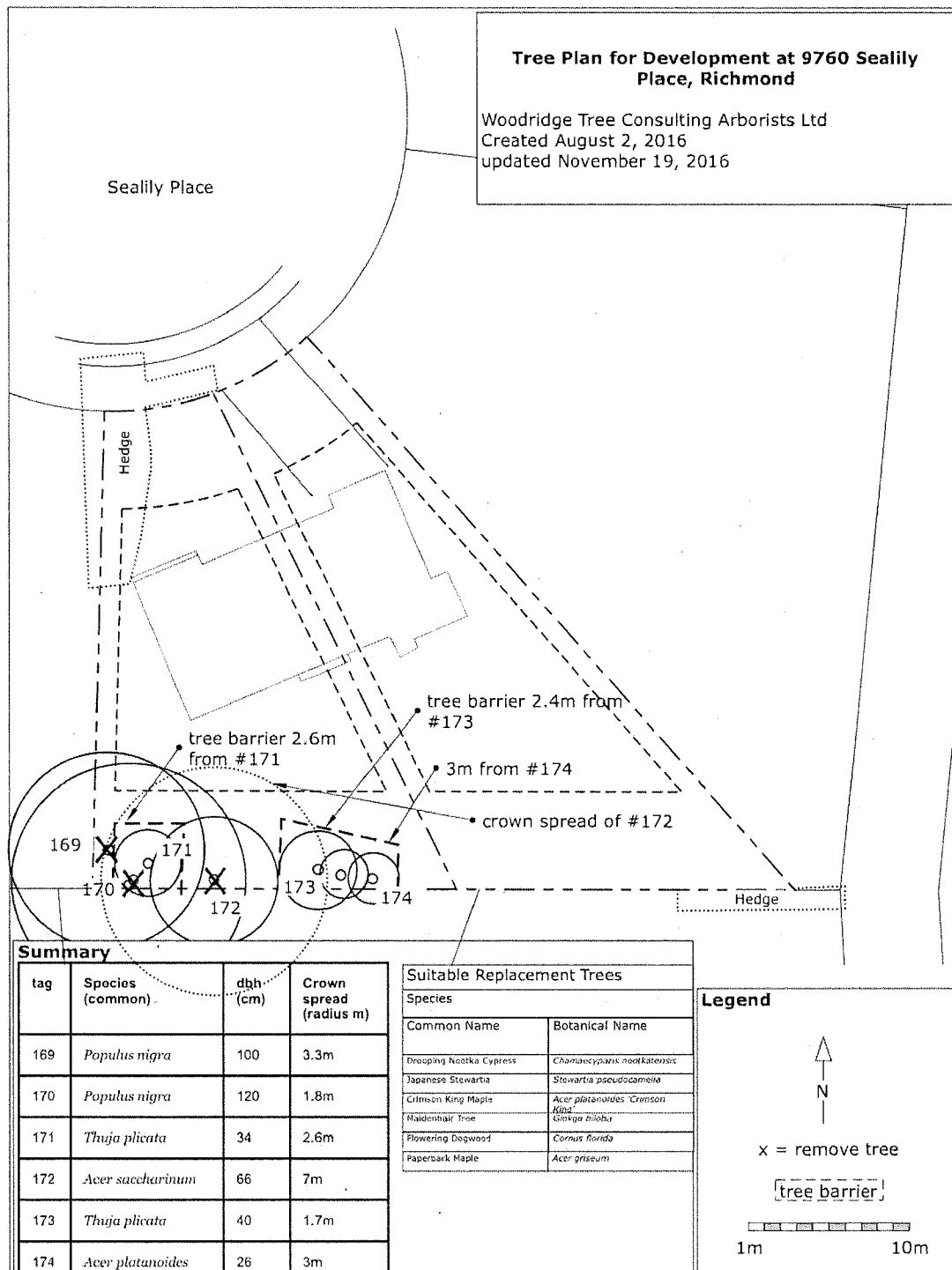
Rezoning and subdivision permitted as per RS2/B



**Policy 5409**  
**Section 25,4-6**  
 PLN - 164

Adopted Date: 04/10/89  
 Amended Date: 07/16/01  
 Amended Date: 10/21/13









# City of Richmond

## Rezoning Considerations

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

**Address:** 9760 Sealily Place

**File No.:** RZ 16-741423

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9680, the developer is required to complete the following:**

1. Submission of a Landscape Security in the amount of \$3,000 (\$500/tree) to ensure that a total of three replacement trees are planted and maintained on each lot proposed (for a total of six trees). Minimum replacement size to be as per Tree Protection Bylaw No. 8057 Schedule A – 3.0 Replacement Trees, as shown below:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	Minimum Height of Coniferous Tree
6	11 cm	6 m

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 \$20,000 for the three trees to be retained.
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 both of the two future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

**Prior to removing the landscaping in the City-owned boulevard, the developer must complete the following requirement:**

1. Notify the City Parks Division (604-244-1208, ext. 1317) a minimum of four business days prior to removal, so that appropriate signage can be posted.

**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.

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

1. 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.

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

1. Payment of the current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees.
2. 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 a City cost estimate for the City to manage the design and construction of the works:

*Water Works*

- Using the OCP Model, there is 128 L/s of water available at a 20 psi residual at the Seaport Avenue frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- The Developer is required to:
  - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
- At Developer's cost, the City is to:
  - Install two new water service connections complete with meter and meter box off of the existing 150 mm AC watermain on Sealily Place.
  - Cut and cap, at main, the existing water service connection.

*Storm Sewer Works:*

- At Developer's cost, the City is to:
  - Install a new storm service connection complete with inspection chamber and dual service leads at the adjoining property line of the two newly subdivided lots.
  - Cut and cap the existing storm service lead at the northeast corner of the subject site. Remove the inspection chamber if it is no longer in use by 9771 Sealily Place.

*Sanitary Sewer Works:*

- The Developer is required to:
  - Install approximately 30 m of sanitary sewer along the south property line of 9760 and 9740 Sealily Place complete with tie-in to the existing manhole SMH362. Terminate sewer with a new manhole and dual service leads off of the manhole.
  - Provide additional utility SRW along the south property line for the proposed sanitary sewer.
  - Tie-in the sanitary service connection for 9740 Sealily Place to the new proposed sanitary sewer along the south property line. Ensure Lot 9740 is adequately serviced during and after the construction process.
- At Developer's cost, the City is to:
  - Perform all tie-ins of proposed works to existing City infrastructure.
  - Cut, cap and remove the existing sanitary service connection and inspection chamber at the southwest corner of the subject site.

*Frontage Improvements:*

- The Developer is required to:
  - Coordinate with BC Hydro, Telus and other private communication service providers
    - 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.). These should be located on-site.
  - Remove and replace concrete sidewalk panels and driveway letdowns as required.

*General Items:*

- The Developer is required to:
  - Enter into, if required, 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, 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.

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Signed

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Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9680 (RZ 16-741423)
9760 Sealily Place

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

- 1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "SINGLE DETACHED (RS2/B)".

P.I.D. 003-653-871

Lot 297 Section 25 Block 4 North Range 6 West New Westminster District Plan 42425

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9680".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Series of horizontal lines for signatures and dates.

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

MAYOR

CORPORATE OFFICER