



# City of Richmond

## Report to Committee Planning and Development Division

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

**Date:** September 5, 2017  
**File:** RZ 17-775844

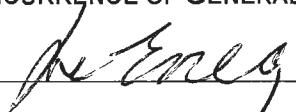
**Re:** Application by Satnam Shergill and Gurjit Pooni for Rezoning at 9371 Dayton Avenue from "Single Detached (RS1/B)" to "Single Detached (RS2/A)"

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9752, for the rezoning of 9371 Dayton Avenue from "Single Detached (RS1/B)" to "Single Detached (RS2/A)", be introduced and given first reading.

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

JR:blg  
Att. 7

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

## Staff Report

### Origin

Satnam Shergill and Gurjit Pooni have applied to the City of Richmond for permission to rezone 9371 Dayton Avenue from the “Single Detached (RS1/B)” zone to the “Single Detached (RS2/A)” zone, to permit the property to be subdivided to create three single-family lots with vehicle access from Dayton Avenue (Attachment 1). The proposed subdivision plan is shown in Attachment 2. There is an existing single-family 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: A townhouse development on a lot zoned “Low Density Townhouses (RTL1),” with vehicle access from Dayton Avenue.
- To the South, East, and West: Single-family dwellings on lots zoned “Single Detached (RS1/B),” with vehicle access from Dayton Avenue.

### Related Policies & Studies

#### Official Community Plan/Broadmoor Area Plan

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

The subject property is located within the area governed by the Ash Street Sub-Area Plan contained in the OCP. The land use designation for the subject property is “Low Density Residential” (Attachment 5). The Ash Street Sub-Area Plan permits the development of lands outside of designated infill sites shown on the Land Use Map to be governed by the City’s normal development application process. The City has considered numerous applications in the area, which have resulted in a number of recently created single-family lots between 9 m and 10 m wide. The proposed rezoning would permit a subdivision to create three 9.1 m wide lots. The proposed rezoning and subdivision are consistent with the Land Use Designation and policies contained in the Ash Street Sub-Area Plan.

## **Floodplain Management Implementation Strategy**

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

## **Public Consultation**

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing; where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

## **Analysis**

### **Existing Legal Encumbrances**

There is an existing 3.0 m wide Statutory Right-of-Way (SRW) for municipal utilities across a portion of the rear yard of the subject property, which will not be impacted by the proposed rezoning or subdivision. The applicant is aware that encroachment into the SRW is not permitted.

### **Transportation and Site Access**

Vehicle access is proposed via separate driveways to each new lot from Dayton Avenue.

### **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 two bylaw-sized trees and a hedge on the subject property, and two trees on a neighbouring property.

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

- One Cherry tree (Tree # 3) and one Cedar tree (Tree # 4) on the subject property are in poor condition and should be removed and replaced.
- One Cedar tree (Tree # 1) and one Japanese Maple tree (Tree # 2) located on a neighbouring property are to be retained and protected as per Arborist's Report specifications.
- One Cedar hedge row (Trees # 5-15) has been topped and is presently overgrown, and should be removed. Replacement with four suitable trees is suggested.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

### *Tree Replacement*

The applicant wishes to remove two on-site trees (Trees # 3 and 4) and one hedge (Trees # 5-15). Four replacement trees are required, and the applicant has agreed to plant four additional new trees to replace the hedge. 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
2	9 cm	5 m
2	6 cm	3.5 m

The four additional trees that the applicant has agreed to provide must meet the minimum standard for replacement trees as per Tree Protection Bylaw No. 8057 (ie. minimum 6 cm deciduous caliper or 3.5 m high conifers).

To ensure that the eight agreed upon trees are planted, the City will collect a \$4,000 Landscape Security prior to final adoption of the rezoning bylaw.

### *Tree Protection*

Two trees (Trees # 1 and 2) on a neighbouring 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 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 Affordable Housing Strategy for single-family rezoning applications received prior to July 25, 2017 requires a secondary suite or coach house on 100% of new lots created; a 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, where secondary suites cannot be accommodated in the development, 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 development.

The applicant proposes to contribute \$13,284.81 to the City's Affordable Housing Reserve Fund; which is consistent with the 100% cash-in-lieu option. The applicant has indicated that the geometry of the proposed lots – 9.1 m wide by 41.2 m deep – is not conducive to a functional floor plan that includes a secondary suite.

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

At Subdivision stage, the applicant is required to pay 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 servicing works 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).

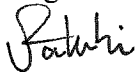
### **Conclusion**

The purpose of this application is to rezone 9731 Dayton Avenue from the "Single Detached (RS1/B)" zone to the "Single Detached (RS2/A)" zone, to permit the property to be subdivided to create three single-family lots with vehicle access from Dayton Avenue.

This rezoning application complies with the land use designations and applicable policies for the subject property contained in 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).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9752 be introduced and given first reading.



Jordan Rockerbie  
Planning Technician  
(604-276-4092)  
JR:blg

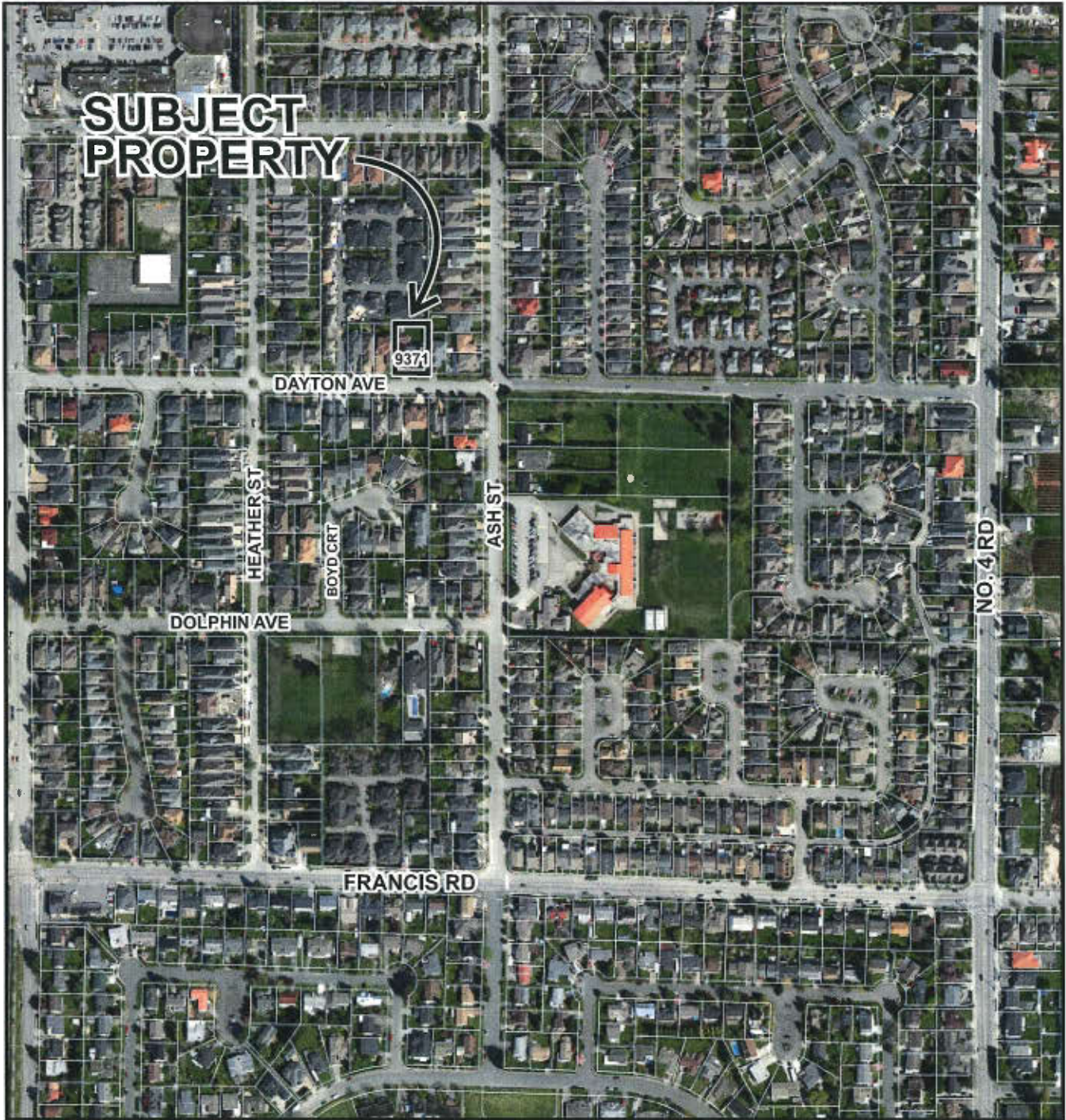
- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Proposed Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Broadmoor Area OCP Land Use Map
- Attachment 5: Ash Street Sub-Area Plan Land Use Map
- Attachment 6: Tree Retention Plan
- Attachment 7: Rezoning Considerations







City of  
Richmond



RZ 17-775844

Original Date: 07/11/17

Revision Date:

Note: Dimensions are in METRES

**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF  
LOT 560 EXCEPT: PART SUBDIVIDED BY PLAN 77669.  
SECTION 22 BLOCK 4 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN 61147**

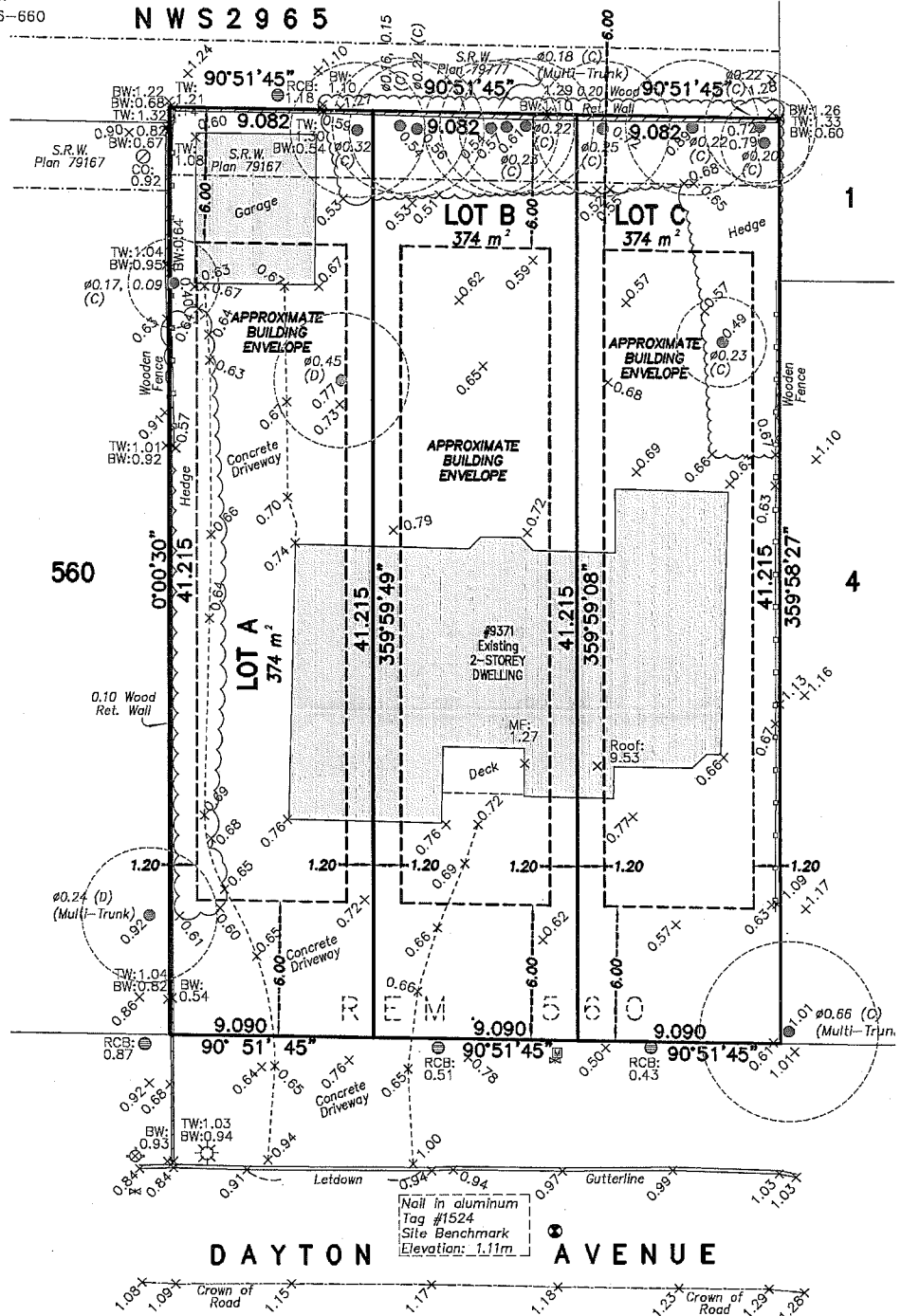
ATTACHMENT 2

#9371 DAYTON AVENUE,  
RICHMOND, B.C.  
P.I.D. 002-686-660

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. 6756  
FB-317 P86-89  
Drawn By: IO

**NOTE:**  
Elevations shown are based on  
City of Richmond HPN  
Benchmark network.  
Benchmark: HPN #204  
Control Monument 02H2452  
Elevation: 1.559m  
Benchmark: HPN #234  
Control Monument 77H4891  
Elevation: 1.125m

**NOTE:**  
Use site Benchmark Tag #1524 for  
construction elevation control.

**LEGEND:**

- (C) denotes conifer
- (D) denotes deciduous
- ⊙ denotes round catch basin
- ⊗ denotes water valve
- ⊕ denotes water meter
- denotes cleanout
- ⊛ denotes lamp standard
- ⊙ denotes fire hydrant
- MF denotes main floor
- BW. denotes bottom of retaining wall
- TW. denotes top of retaining wall

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

*Johnson C. Tam*  
JOHNSON C. TAM, B.C.L.S., C.L.S.

APRIL 27th, 2017.

DWG No. 6756-Topo





**RZ 17-775844**

**Attachment 3**

Address: 9371 Dayton Avenue

Applicant: Satnam Shergill and Gurjit Pooni

Planning Area(s): Broadmoor – Ash Street Sub-Area Plan

	Existing	Proposed
<b>Owner:</b>	Kulwinder Kaur Pooni	To be determined
<b>Site Size (m<sup>2</sup>):</b>	1,122 m <sup>2</sup>	Three 374 m <sup>2</sup> lots
<b>Land Uses:</b>	One single-family dwelling	Three single-family dwellings
<b>OCP Designation:</b>	Neighbourhood Residential	No Change
<b>Area Plan Designation:</b>	Low Density Residential	No Change
<b>Zoning:</b>	Single Detached (RS1/B)	Single Detached (RS2/A)

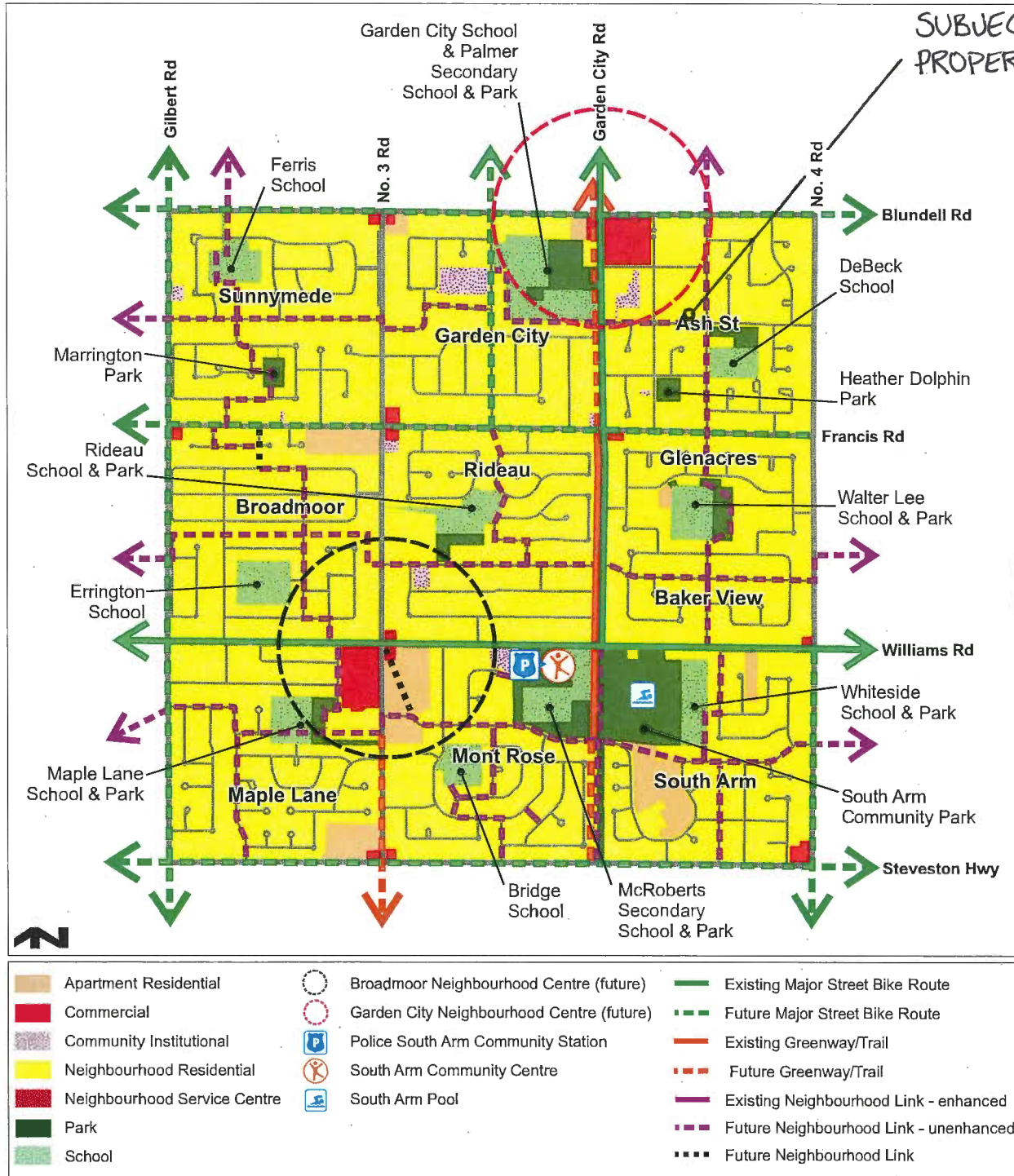
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	none permitted
Buildable Floor Area (m <sup>2</sup> ):*	Max. 205.4 m <sup>2</sup> (2,214 ft <sup>2</sup> )	Max. 205.4 m <sup>2</sup> (2,214 ft <sup>2</sup> )	none permitted
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70%	Building: Max. 45% Non-porous Surfaces: Max. 70%	none
Lot Size:	Min. 270 m <sup>2</sup>	374 m <sup>2</sup>	none
Lot Dimensions (m):	Width: Min. 9.0 m Depth: Min. 24.0 m	Width: 9.09 m Depth: 41.22 m	none
Setbacks (m):	Front: Min. 6.0 m Side: Min. 1.2 m Rear: Min. 20% of lot depth for up to 60% of principal dwelling, 25% of lot depth for remainder, up to 10.7 m	Front: Min. 6.0 m Side: Min. 1.2 m Rear: Min. 8.2 m for up to 60% of principal dwelling, 10.3 m for remainder	none
Height (m):	Max. 9.0 m	Max. 9.0 m	none

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

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



## 6. Broadmoor

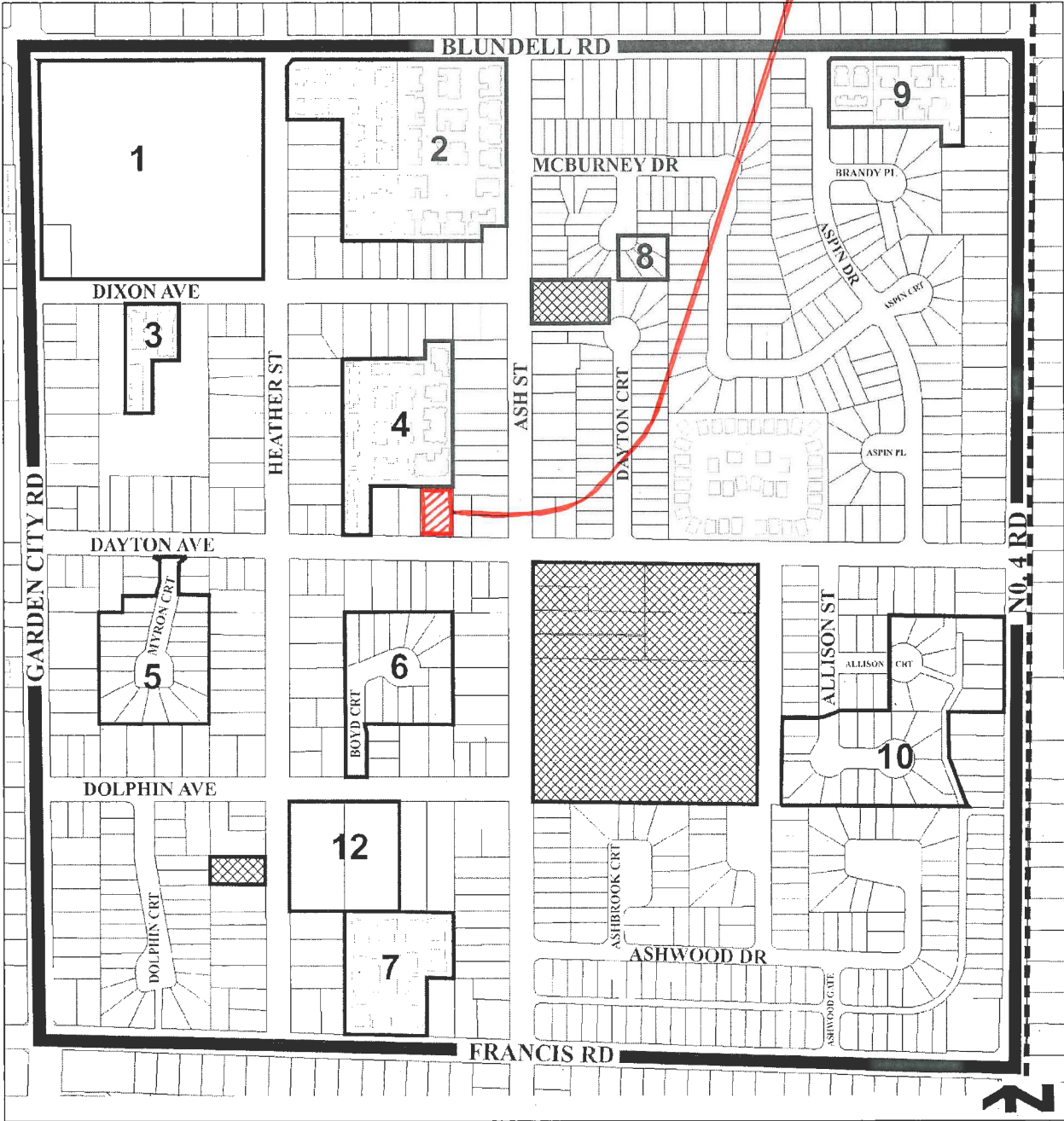


City of Richmond

Land Use Map

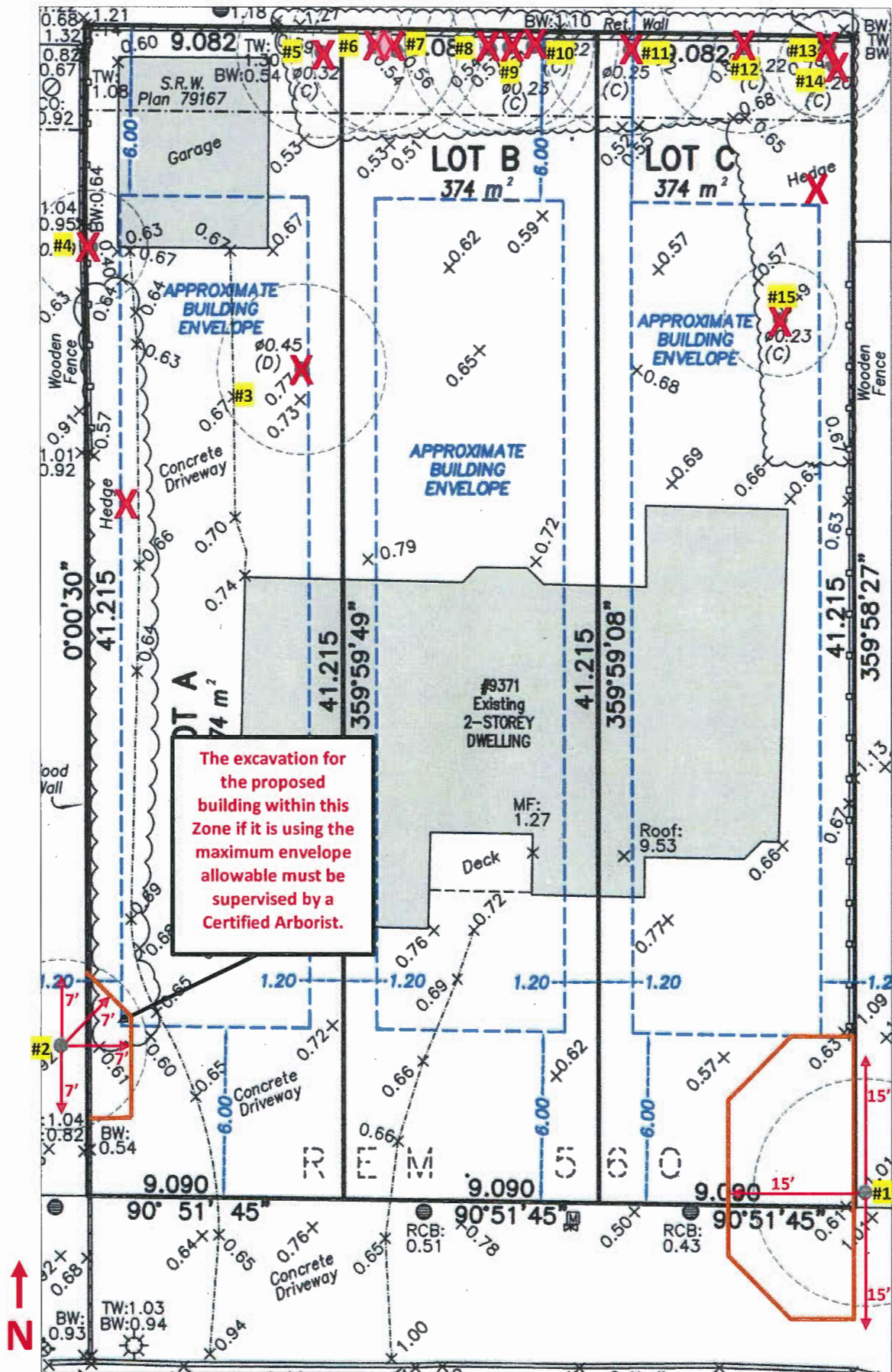
Bylaw 9489  
2016/07/18

SUBJECT PROPERTY



-----	ALR Boundary	————	Area Boundary		Designated Infill Areas – Refer to Table: 1
	Public, Institutional & Open Space		Low Density Residential		





Tree Management Plan – Scale 1/16" = 1'



**Address:** 9371 Dayton Avenue

**File No.:** RZ 17-775844

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9752, the developer is required to complete the following:**

1. Submission of a Landscape Security in the amount of \$4,000 (\$500/tree) to ensure that four replacement trees and four new trees (a total of eight trees) are planted in the development (minimum 6 cm deciduous caliper or 3.5 m high conifers). 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 Required Trees	Minimum Caliper of Deciduous Tree	Minimum Height of Coniferous Tree
2	9 cm	5 m
2	6 cm	3.5 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. Registration of a flood indemnity covenant on Title.
4. The City's acceptance of the applicant's voluntary contribution of \$2.00 per buildable square foot of the single-family developments (i.e. \$13,284.81) to the City's Affordable Housing Reserve Fund.

**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\* 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. Complete the following servicing works and off-site improvements. These may be completed through a Servicing Agreement\* or a City work order:

*Water Works:*

- Using the OCP Model, there is 151.0 L/s of water available at a 20 psi residual at the Dayton Ave frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- 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 designs at Building Permit stage.

- At Developer's cost, the City is to:
  - Cut and cap the existing water service connection serving the development site, and remove water meter.
  - Install three new water service connections, complete with meters and meter boxes, one for each new lot.

*Storm Sewer Works:*

- At Developer's cost:
  - Check the existing storm service connections to the property. The video inspection report, complete with Engineer's signed and sealed letter confirming the condition, capacity, and material of the existing inspection chambers and connections, is to be submitted to the City for review and approval.
  - If deemed acceptable by the City, the existing service connections may be retained. In the case that a service connection is not in a condition to be re-used, the service connection shall be replaced by the City, at the Developer's cost, as described below.
- At Developer's cost, the City is to:
  - If the existing connection is not acceptable to the City, cut and cap at inspection chamber of the existing storm lead serving the development site and replace the connection.
  - Install a new storm service connection at the adjoining property line of the newly subdivided lots, complete with inspection chamber and a single or dual service leads where applicable.

*Sanitary Sewer Works:*

- The Developer is required to:
  - Not start onsite excavation or foundation construction prior to completion of rear yard sanitary works by City crews.
  - Check the existing sanitary service connection to the north of the property. The video inspection report, complete with Engineer's signed and sealed letter confirming the condition, capacity, and material of the existing inspection chambers and connections, is to be submitted to the City review and approval.
  - If deemed acceptable by the City, the existing service connections may be retained. In the case that a service connection is not in a condition to be re-used, the service connection shall be replaced by the City, at the Developer's cost, as described below.
- At Developer's cost, the City is to:
  - If the existing connection is not acceptable to the City, cut and cap at inspection chamber of the existing sanitary lead serving the development site and replace the connection.
  - Install a new dual service sanitary connection complete with inspection chamber for the westernmost properties.

*Frontage Improvements:*

- The Developer is required to:
  - Coordinate with BC Hydro, Telus and other private communication service providers to locate all above ground utility cabinets and kiosks required to service the proposed development within the development site.
  - Coordinate with BC Hydro to underground the overhead service lines to each of the proposed developments.
  - Coordinate with BC Hydro prior to modifying or relocating any overhead lines, poles, or guywires along their frontage, if applicable.
  - Pay, in keeping with the Subdivision and Development Bylaw No. 8751, a \$16,634.70 cash-in-lieu contribution for the design and construction of frontage upgrades as set out below:
    - Concrete Curb and Gutter (EP.0641) \$5,454.00
    - Concrete Sidewalk (EP.0642) \$5,454.10
    - Roadway Lighting (EP.0644) \$3,408.75
    - Boulevard Landscape/Trees (EP.0647) \$2,317.95
  - Relocate lamp standard if in conflict with proposed driveway location.



*General Items:*

- The Developer is required to:
  - Not encroach in to the existing right of ways with proposed trees, non-removable fences, or other non-removable structures.
  - 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 9752 (RZ 17-775844)
9371 Dayton 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/A)".

P.I.D. 002-686-660

Lot 560 Except: Part Subdivided By Plan 77669, Section 22 Block 4 North Range 6 West New Westminster District Plan 61147

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9752".

FIRST READING

SEP 25 2017

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Approval stamp: CITY OF RICHMOND APPROVED BY [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER