



City of Richmond

Report to Committee Fast Track Application Planning and Development Department

TO PLN - SEP. 17, 2013

To: Planning Committee

Date: September 4, 2013


From: Wayne Craig
Director of Development

File: RZ 13-636814


Re: Application by Jacken Investments Inc. for Rezoning at 8131 No. 3 Road from Single Detached (RS1/E) to Compact Single Detached (RC2)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9057, for the rezoning of 8131 No. 3 Road from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.


Wayne Craig
Director of Development

CL:blg
Att.

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

Staff Report

Item	Details	
Applicant	Jacken Investments Inc.	
Location	8131 No. 3 Road - See Attachment 1	
Development Data Sheet	See Attachment 2	
Zoning	Existing: "Single Detached (RS1/E)"	
	Proposed: "Compact Single Detached (RC2)"	
OCP Designation	Neighbourhood Residential	Complies <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Other Designations	The Arterial Road Policy in the 2041 Official Community Plan identifies the subject site for redevelopment to compact lots with rear lane access.	Complies <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Affordable Housing Strategy Response	The applicant proposes to provide a legal secondary suite in the principal dwelling on one (1) of the two (2) future lots at the subject site.	Complies <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Flood Management	Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw. The required minimum flood construction level is 0.3 m above highest elevation of the crown of the fronting road.	
Surrounding Development	To the north, is a dwelling on a large lot zoned "Single Detached (RS1/E)".	
	To the south, are two (2) dwellings on smaller lots zoned "Compact Single Detached (RC1)" created through subdivision in 2008.	
	To the east, there is a frontage road separated from No. 3 Road by a large coniferous hedge, and beyond that, on the east side of No. 3 Road, there are dwellings on large lots zoned "Single Detached (RS1/E)".	
	To the west, across the existing rear lane, is a newer dwelling on a large lot zoned "Single Detached (RS1/E)" fronting Sunnymede Crescent.	
Rezoning Considerations	See Attachment 3	

Staff Comments

Background

This proposal is to rezone the subject property to enable the creation of two (2) smaller lots from an existing large lot on the west side of No. 3 Road, south of Blundell Road. Each new lot proposed would be approximately 12 m wide and 424 m² in area. The west side of No. 3 Road, between Francis Road and Blundell Road, has seen some redevelopment through rezoning and subdivision in recent years, consistent with the Arterial Road Policy. This redevelopment proposal complies with the Arterial Road Policy, which identifies the subject site for redevelopment to compact lots with access from the existing operational rear lane. Potential exists for other lots in this block of No. 3 Road to redevelop in the same manner.

Trees & Landscaping

A Tree Survey and a Certified Arborist's Report were submitted by the applicant in support of the application. There are no trees on the subject property, however, the following off-site trees were identified and assessed:

- One (1) bylaw-sized Maple tree on the adjacent property to the south at 8151 No. 3 Road whose canopy and Critical Root Zone encroach into the subject site (identified as Tree # 1 on the Tree Management Plan – see **Attachment 4**).
- Two (2) bylaw-sized Maple trees within the boulevard on City-owned property (identified as Trees # 2 and 3 on the Tree Management Plan).

The Maple tree on the adjacent property to the south (Tree # 1) is to be protected to ensure its survival during the proposed redevelopment of the subject property. The City's Tree Preservation Coordinator reviewed the Arborist's Report, conducted a Visual Tree Assessment, and concurs with the recommendation to protect the Maple tree (Tree # 1), which is in fair condition.

The City's Parks Department staff conducted a Visual Tree Assessment of the two (2) Maple trees on City-owned property in front of the subject site (Trees # 2 and 3), and indicated that these are not good specimen trees worthy of retention, and are not viable due to their current location within a hedge. It is recommended that these trees be removed and that a cash-in-lieu contribution be provided by the applicant to the City's Tree Compensation Fund prior to rezoning adoption in the amount of \$2,600 for the planting of four (4) replacement trees on public property elsewhere in the City (e.g. street trees in boulevards, parks etc.).

Tree protection fencing must be installed on-site to City standard around the Maple tree (Tree # 1) at a minimum of 3.0 m from the base of the tree to the north and west, and adjacent to the sidewalk on the east side.

Since the buildings have already been demolished on-site, tree protection fencing must be installed at Building Permit stage and must remain in place until construction and landscaping on the future lots is completed.

The Tree Retention Plan is reflected in **Attachment 4**.

Prior to final adoption of the rezoning bylaw, the applicant is required to submit a contract with a Certified Arborist to supervise any on-site works within the Tree Protection Zone of the off-site Maple tree (Tree # 1). The contract must include the scope of work to be supervised, the proposed number of monitoring inspections at specified stages of construction, and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.

Consistent with "Council Policy 5032 – Tree Planting" and with Richmond Zoning Bylaw 8500, the applicant has agreed to plant and maintain a total of four (4) trees (two [2] per future lot), with a minimum size of 6 cm deciduous calliper or 3 m high conifer. Two (2) of the required trees must be located within the front yard of the proposed lots.

To ensure that the trees are planted on-site, and that the front yards of the future lots are enhanced, the applicant must submit a Landscape Plan, prepared by a Registered Landscape

Architect, along with a Landscaping Security (based on 100% of the cost estimate provided by the Landscape Architect, including fencing, paving, and installation costs). The Landscape Plan must be submitted prior to rezoning adoption. A variety of suitable native and non-native trees must be incorporated into the required Landscape Plan for the site, ensuring a visually rich urban environment and diverse habitat for urban wildlife.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicle access to the proposed future lots must be from the existing operational rear lane. A restrictive covenant is required on to be registered on Title prior to rezoning adoption, to ensure vehicular access to the site at proposed development stage is from the rear lane only, with no access permitted to or from No. 3 Road.

Subdivision

At the proposed subdivision stage, the developer will be required to pay Development Cost Charges, (City and GVS&DD), Engineering Improvement Charge (for future lane improvements), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Conclusion

This rezoning application to enable subdivision of an existing large lot into two (2) smaller lots complies with applicable policies and land use designations contained within the Official Community Plan (OCP), and is consistent with the pattern of redevelopment in the block. Potential exists for other lots on the west side of this block of No. 3 Road to redevelop in the same manner.

The list of rezoning considerations is included in **Attachment 5**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommends support for the application.

It is also recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9057, to rezone the property at 8131 No. 3 Road from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.



Cynthia Lussier
Planning Technician
(604-276-4108)
CL:blg

Attachments:

Attachment 1: Location Map/Aerial Photo

Attachment 2: Development Application Data Sheet

Attachment 3: Rezoning Considerations

Attachment 4: Tree Management Plan



BLUNDELL RD

SUBJECT
PROPERTY

NO. 3 RD



RZ 13-636814

PH - 144

Original Date: 05/17/13

Amended Date:

Note: Dimensions are in METRES



RZ 13-636814

Attachment 2

Address: 8131 No. 3 Road

Applicant: Jacken Investments Inc.

Date Received: May 10, 2013 Fast Track Compliance: June 19, 2013

	Existing	Proposed
Owner	Jacken Investments Inc.	To be determined
Site Size (m²)	848 m ² (9,128 ft ²)	Two (2) lots, each approximately 424 m ² (4,564 ft ²)
Land Uses	Vacant lot	Two (2) single-family lots
Zoning	Single Detached (RS1/E)	Compact Single Detached (RC2)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio	Max. 0.60	Max. 0.60	none permitted
Lot Coverage – Building	Max. 50%	Max. 50%	none
Lot Coverage – Building, structures, and non-porous	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping	Min. 20%	Min. 20%	none
Setback – Front & Rear Yards (m)	Min. 6.0 m	Min. 6.0 m	none
Setback – Side Yards (m)	Min. 1.2 m	Min. 1.2 m	none
Height (m)	2 ½ storeys	2 ½ storeys	none
Lot Size	Min. 270 m ²	Min. 270 m ²	none
Lot Width	Min. 9.0 m	Approx. 12.64 m	none

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



City of Richmond

Rezoning Considerations

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

Address: 8131 No. 3 Road

File No.: RZ 13-636814

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9057, the developer is required to complete the following:

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect (including fencing, paving, and installation costs). The Landscape Plan should:
 - Comply with the Compact Lot Development Requirements of the 2041 OCP's Arterial Road Policy.
 - Include a mix of suitable deciduous and coniferous native and non-native trees, which ensure a visually rich urban environment and diverse habitat for urban wildlife.
 - Include the dimensions of tree protection fencing as discussed in this report.
 - Include four (4) trees (two [2] per future lot), with the minimum size of 6 cm deciduous caliper or 3 m high conifer. Two (2) of the trees must be located within the front yard of the proposed lots.
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 Maple tree to be retained at 8151 No. 3 Road (Tree # 1). The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections (at specified stages of construction), and a provision for the Arborist to submit a post-construction assessment report to the City for review.
3. The City's acceptance of the developer's voluntary contribution to the City's Tree Compensation Fund in the amount of \$2,600 for the planting of four (4) replacement trees on public property elsewhere in the City (e.g. street trees in boulevards, parks etc.).
4. Registration of a flood indemnity covenant on Title.
5. Registration of a restrictive covenant to ensure vehicular access to the site at proposed development stage is from the rear lane only, with no access permitted to or from No. 3 Road.
6. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed in the dwelling on one (1) of the two (2) proposed lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e., \$5,477) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

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

- Pay Development Cost Charges, (City and GVS&DD), Engineering Improvement Charge (for future lane improvements), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

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

- Tree protection fencing must be installed to City standard around the off-site Maple tree (Tree # 1) at a minimum of 3.0 m from the base of the tree to the north and west, and adjacent to the sidewalk on the east side. Tree protection fencing must remain in place until construction and landscaping on the future lots is completed.
- Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. The 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.

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.

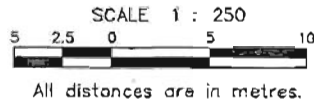
- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, 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 original on file]

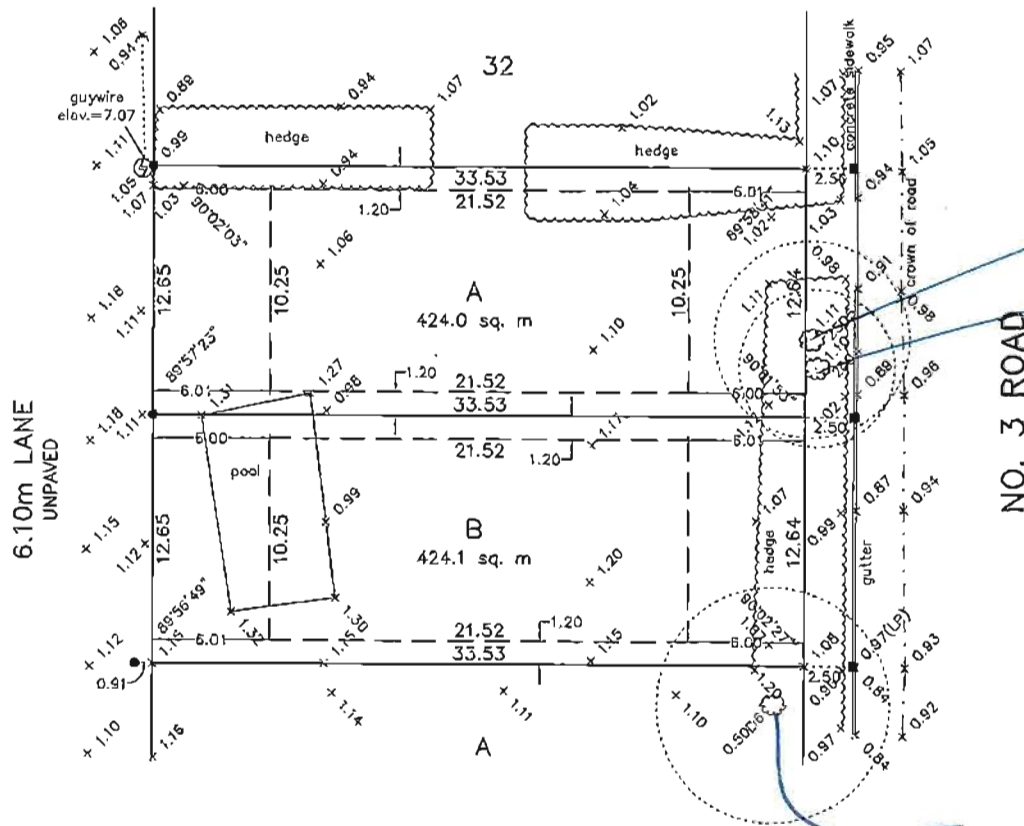
Signed

Date

SURVEY PLAN OF LOTS A AND B
SECTION 20, BLOCK 4 NORTH, RANGE 6 WEST
NEW WESTMINSTER DISTRICT, PLAN EPP30919



Tree Management Plan



Tree #3
Tree #2
both to be removed

Tree #1
To be retained

NOTES:

- Lot dimensions are derived from field survey.
- Elevations are based on the Geodetic Datum of Richmond and are derived from HPN#202 (77H4623) situated at the intersection of No. 3 Road and Bennett Road. Elevation = 1.452 metres.
- All trees and stumps have been plotted as required.
- All elevations along curb lines are gutter levels.

- ⊕ denotes hydro pole.
- Ⓜ denotes manhole
- ⊙ denotes tree.
- ⊗ denotes tree stump.
- 20C4 denotes anchor
- 20-10 denotes height (centimetres)
- ⊘ denotes diameter (centimetres)
- ⊘ denotes drip line radius (metres)
- C=coniferous
- D=deciduous

CIVIC ADDRESS

8111 NO. 3 ROAD
RICHMOND, B.C.

ZONING: RS1/E

CERTIFIED CORRECT.
DATED THIS 28TH DAY OF JUNE, 2013

LOUIS NGAN B.C.L.S.

LOUIS NGAN LAND SURVEYING

1938 VICTORIA DRIVE
VANCOUVER, B.C., V5P 3T6
(604) 327-1535



NTS



Richmond Zoning Bylaw 8500
Amendment Bylaw 9057 (RZ 13-636814)
8131 No. 3 Road

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 "COMPACT SINGLE DETACHED (RC2)".

P.I.D. 010-407-553

Lot 31 Section 20 Block 4 North Range 6 West New Westminster District Plan 21352

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9057".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

SEP 23 2013

CITY OF RICHMOND
APPROVED by
<i>[Signature]</i>
APPROVED by Director or Solicitor
<i>[Signature]</i>

MAYOR

CORPORATE OFFICER