



Public Notice is hereby given of a Regular Council Meeting for Public Hearings being held on:

Monday, June 17, 2013 – 7 p.m.

Council Chambers, 1st Floor

Richmond City Hall

6911 No. 3 Road

Richmond, BC V6Y 2C1

OPENING STATEMENT

Page

PH-5 1. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9011 (RZ 13-628035)

(File Ref. No. 12-8060-20-9011; RZ 13-628035) (REDMS No. 3824001)

See Page **PH-5** for full report

Location: 8960 Heather Street

Applicant: Ajit Thaliwal

Purpose: To rezone the subject property from “Single Detached (RS1/B)” to “Single Detached (RS2/A)”, to permit the property to be subdivided to create two (2) lots.

First Reading: May 27, 2013

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9011.



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PH-19 2. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9019 (RZ 12-617804)

(File Ref. No. 12-8060-20-9019; RZ 12-617804) (REDMS No. 3826149)

See Page **PH-19** for full report

Location: 10640/10660 Bird Road

Applicant: Ajeet Johl and Paskash K. Johl

Purpose: To rezone the subject property from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)”, to permit the property to be subdivided to create two (2) lots.

First Reading: May 13, 2013

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9019.



PH-35 3. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9023

(File Ref. No. 12-8060-20-9023) (REDMS No. 3817141)

See Page **PH-35** for full report

Location: Agriculture (AG) Zone

Applicant: City of Richmond

Purpose: To add Other Regulations to the Agriculture (AG) zone to regulate multiple dwellings on single-family lots and agricultural lands (e.g., require a common wall and roof, no breezeway connection, one front door, central kitchen location and one garage where an existing single-family house is being retained and added onto other than for a legal secondary suite or a building addition of less than 35 m² or 375 ft²).

Page

First Reading: May 13, 2013

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9023. ☐
2. Adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9023. ☐

PH-42 4. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9025 (RZ 11-591331)

(File Ref. No. 12-8060-20-9025; RZ 11-591331) (REDMS No. 3835343)

See Page **PH-42** for full report

Location: 9591 Patterson Road

Applicant: Narinder Patara

Purpose: To rezone the subject property from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, to permit the property to be subdivided into two (2) single-family residential lots.

First Reading: May 13, 2013

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9025. ☐

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PH-59 5. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9026 (RZ 12-598660)

(File Ref. No. 12-8060-20-9026; RZ 12-598660) (REDMS No. 3835658)

See Page **PH-59** for full report

Location: 10291 Bird Road

Applicant: Harvinder Mattu and Ganda Singh

Purpose: To rezone the subject property from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, to permit the property to be subdivided into two (2) single-family residential lots.

First Reading: May 13, 2013

Order of Business:

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 9026.

☐

ADJOURNMENT

☐



City of Richmond

To Council - May 27, 2013
Report to Committee
Planning and Development Department

TO PLN - MAY 22, 2013

To: Planning Committee
From: Wayne Craig
Director of Development

Date: May 2, 2013

RZ 13-628035

File: 12-8060-12-9011

Re: Application by Ajit Thaliwal for Rezoning at 8960 Heather Street from Single Detached (RS1/B) to Single Detached (RS2/A)

Staff Recommendation

That Bylaw 9011, for the rezoning of 8960 Heather Street from "Single Detached (RS1/B)" to "Single Detached (RS2/A)", be introduced and given first reading.

Wayne Craig
Director of Development

ES:blg
Att.

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

Staff Report

Origin

Ajit Thaliwal has applied to the City of Richmond for permission to rezone 8960 Heather Street from Single Detached (RS1/B) to Single Detached (RS2/A) in order to permit the property to be subdivided into two (2) single-family lots (**Attachment 1**).

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

The subject property is located on the east side of Heather Street between Francis Road and Dolphin Avenue. This residential neighbourhood has seen a great deal of redevelopment in the last 10 years with older homes on large lots being replaced by newer character single-detached dwellings on small and medium-sized lots. Other land uses also exist nearby in the neighbourhood (i.e. public open space, assembly, multi-family). Existing development immediately surrounding the site is as follows:

- To the north, is an older single detached dwelling zoned “Single Detached (RS1/B)”;
- To the east, is a townhouse development zoned “Low Density Townhouses (RTL1)”;
- To the south, are two (2) lots zoned “Single Detached (RS1/C)”, one (1) of which has a new home currently being constructed on it; and
- To the west, across Heather Street, is an older single detached dwelling zoned “Single Detached (RS1/B)”.

Related Policies & Studies

2041 Official Community Plan (OCP) Designation

The subject property is located in the Broadmoor Planning Area. The 2041 Official Community Plan's (OCP) Land Use Map designation for this property is “Neighbourhood Residential”. The Ash Street Sub-Area Plan Land Use Map designation for this property is “Low Density Residential”. This redevelopment proposal is consistent with these designations.

Lot Size Policy

The subject property does not fall within a Lot Size Policy area.

Staff Comments

Background

This neighbourhood has undergone a great deal of redevelopment through rezoning and subdivision to smaller lot sizes in recent years. This property is one of the last few remaining lots which have subdivision potential on their own.

Trees & Landscaping

A survey submitted by the applicant shows the location of bylaw-sized trees on-site and immediately adjacent to the subject site (**Attachment 3**).

A Certified Arborist's Report, submitted by the applicant, identifies tree species, assesses tree condition and health, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses 16 bylaw-sized trees on the subject site and eight (8) trees on neighbouring properties.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and conducted a visual tree assessment. The City's Tree Preservation Coordinator concurs with the Arborist's recommendations to:

- Remove and replace nine (9) on-site trees (tag #'s 329, 331, 332, 333, 334, 341, 342, 343 & 344) due to their poor condition (from being previously topped or exhibit structural defects). Note: one (1) tree (tag #330) was removed under separate Tree Permit (T2 12-624495) during construction of the adjacent single-family house at 8988 Heather Street (formerly 9271 Francis Road).
- Retain and protect eight (8) neighbouring trees (F, G, H, J, K, L, M & N).
- Retain and protect six (6) on-site trees:
 - A 42 cm calliper Douglas Fir tree (tag# 335), which has a co-dominant relationship with tree "H" located on the neighbouring property at 9291 Francis Road; and
 - Five (5) 33-56cm calliper Douglas Fir and Cedar trees (tag #'s 336, 337, 338, 339 & 340) located along the rear property line.

Tree protection fencing must be installed to City standards as per City of Richmond Tree Protection Information Bulletin Tree-03 prior to demolition of the existing dwelling on the subject site, and must remain in place until construction and landscaping on the future lots is completed.

The Final Tree Retention Plan which reflects the final outcome of tree protection and removal is included as **Attachment 4**.

As a condition of rezoning adoption, the applicant must submit:

- A Contract with a Certified Arborist for supervision of any works to be conducted within the Tree Protection Zone of on-site trees (tag #'s 335, 336, 337, 338, 339 & 340) and off-site trees (F, G, H, J, K, L, M & N) to be retained. The Contract must include the proposed number of site monitoring inspections (including stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
- A Tree Survival Security to the City in the amount of \$8,000 to ensure that on-site trees (tag #'s 335, 336, 337, 338, 339 & 340) and off-site trees (F, G, H, J, K, L, M & N) will be protected. The City will release 90% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post-construction impact assessment report is received. The remaining 10% of the security would be released one year later subject to inspection.

Based on the Official Community Plan's (OCP) tree replacement ratio goal of 2:1, and the size requirements for replacement trees in the City's Tree Protection Bylaw, a total of 18 replacement trees are required to be planted. Considering the effort to be taken by the applicant to retain the on-site trees, and the limited space in the yards of the future lots, staff recommend only 10 replacement trees be required. Since not all 10 replacement trees can be accommodated on-site, staff recommend six (6) replacement trees be planted and maintained on-site (three (3) per future lot) and that the applicant make a voluntary contribution to the City's Tree Compensation Fund in the amount of \$2,000 (\$500/tree) prior to rezoning adoption in-lieu of planting the balance of replacement trees on-site. Replacement trees must meet the following minimum height/size requirements:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
6	8 cm		4 m

To ensure that the replacement trees are planted and maintained, the applicant is required to submit a Landscaping Security to the City in the amount of \$3,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

Affordable Housing Strategy

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

The applicant proposes to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning adoption. This agreement will be discharged from title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicant change their mind prior to rezoning adoption about the affordable housing option selected, a voluntary contribution to the City's Affordable Housing Reserve Fund in-lieu of providing the secondary suite will be accepted. In this case, the voluntary contribution would be required to be submitted prior to rezoning adoption, and would be based on \$1.00/ft² of total building area of the single detached dwellings (i.e. \$4,902).

Flood Management

Registration of flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Existing Utility Right-of-Way

There is an existing 6 m wide (3 m of it on the subject property) utility right-of-way (ROW) that runs north-south along the rear lot line of the subject site. There is a 1.7 m encroachment permitted from the west side of the right-of-way.

Site Servicing

Prior to subdivision, the developer is required to design and pay to construct (via a work order) a 600 mm diameter permanent storm sewer along the entire frontage of the site to connect to the culvert infill at 8988 Heather Street. A manhole may be required at the connection point. Design to be supplied by the owner's civil engineering consultant.

Subdivision

Prior to approval of subdivision, the developer will be required to pay Development Cost Charges (City & GVS&DD), Engineering Improvement Charges for future road improvements (curb, gutter, treed/grass boulevard, sidewalk and street lighting), School Site Acquisition Charge, Address Assignment Fee, and servicing costs.

Analysis

The proposal to rezone and subdivide the subject property into two (2) single-family residential lots is consistent with all applicable land use designations guiding development in this block. It is similar to developments already undertaken in the immediate vicinity of the site.

The remaining few larger lots along this block of Heather Street have the potential to rezone and subdivide. Given that the majority of the lots in the immediate area are small already and/or have relatively new housing, this proposal is congruent with the character of the neighbourhood.

Financial Impact

Staff recommend a capital submission by the Engineering Department as part of next year's (2014) Capital Budget for the completion of frontage improvements for the east side of Heather Street between Francis Road and the north property line of 8880 Heather Street.

Conclusion

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with all applicable land use designations and policies contained within the OCP, and is consistent with the established pattern of redevelopment in the neighbourhood.

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

On this basis, staff recommend support for the application.



Erika Syvokas
Planning Technician
(604-276-4108)

ES:blg

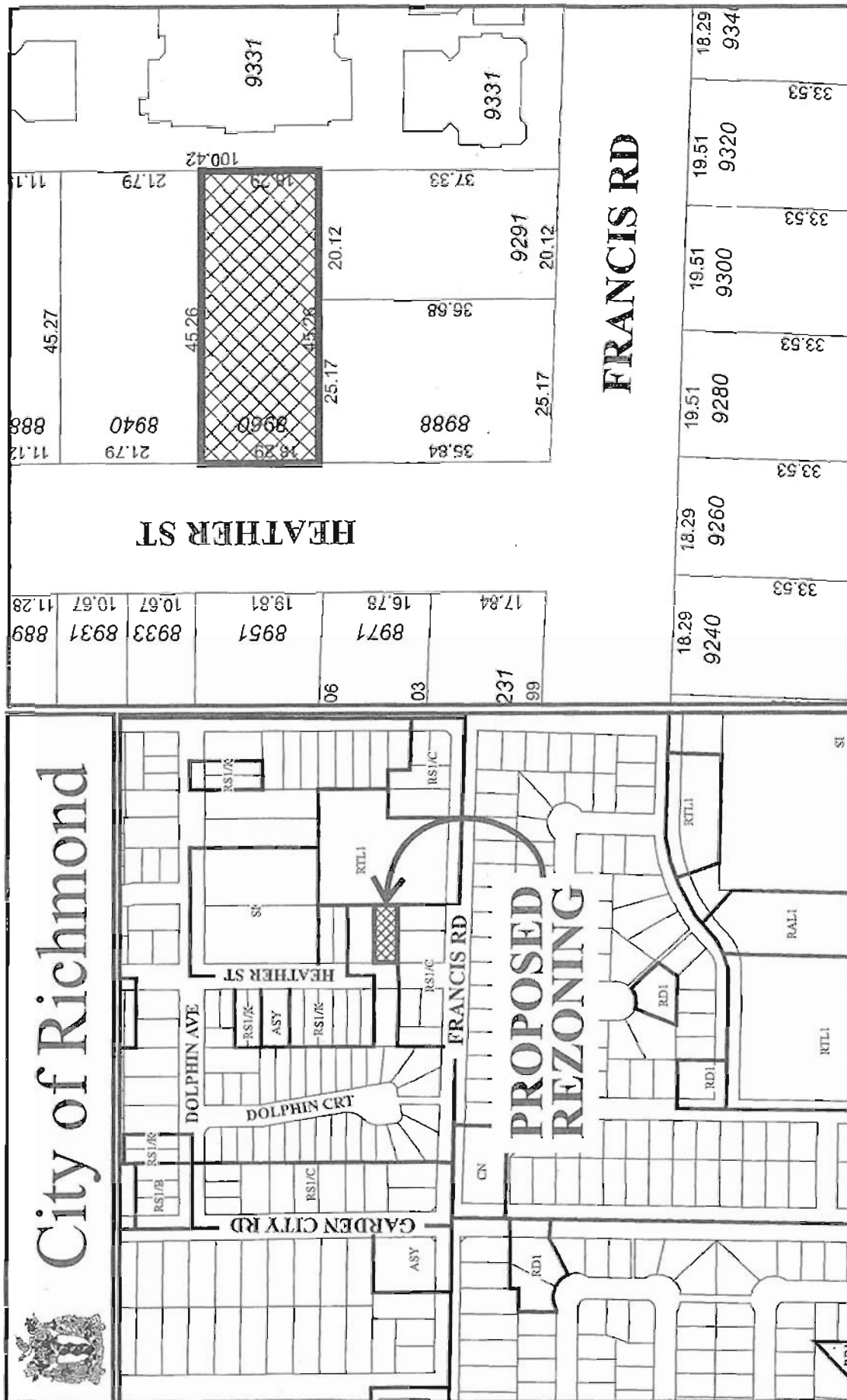
- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Tree Survey/Proposed Subdivision Plan
- Attachment 4: Tree Retention Plan
- Attachment 5: Rezoning Considerations Concurrence

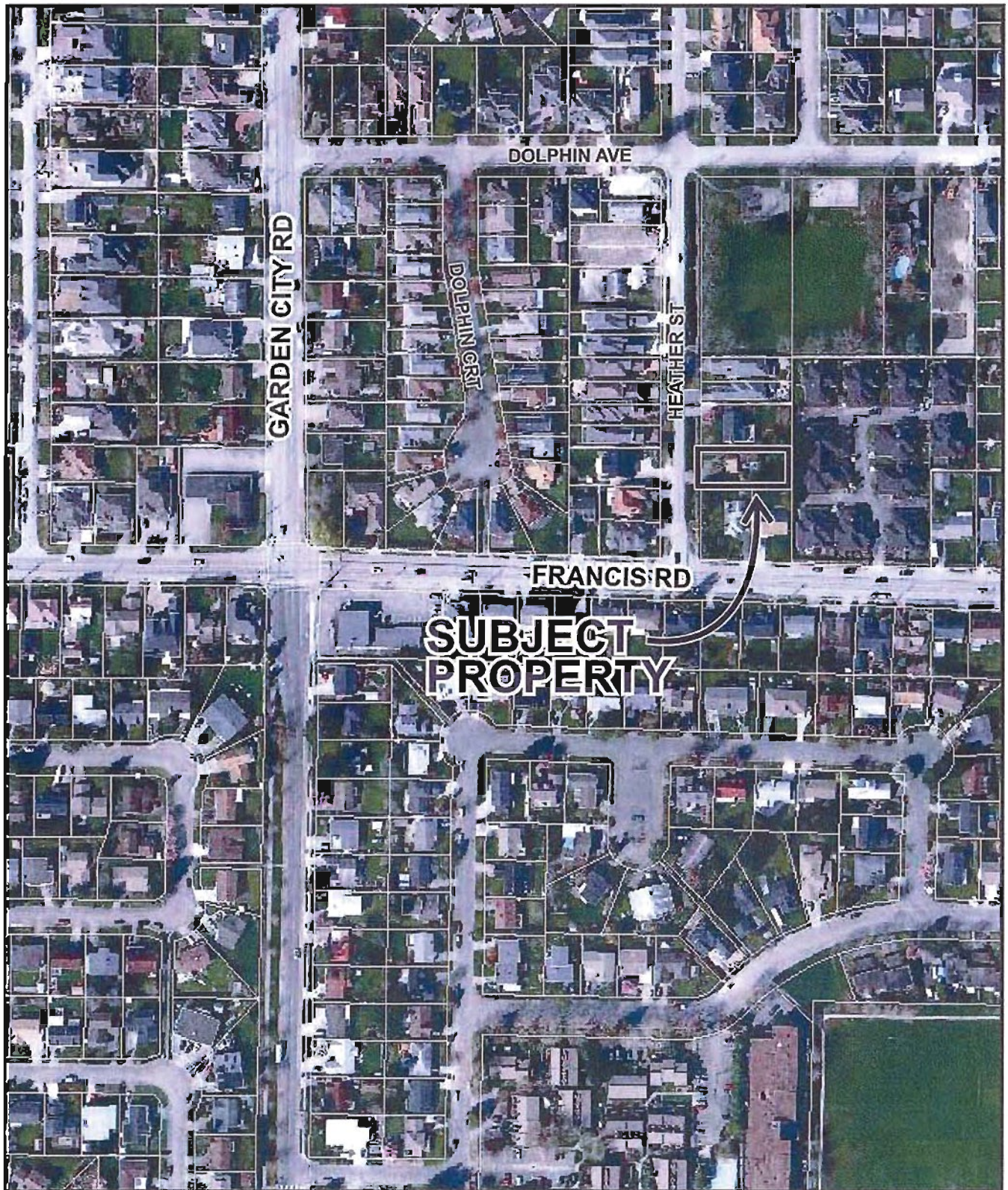


Original Date: 01/21/13

Revision Date:

Note: Dimensions are in METRES





RZ 13-628035

Original Date: 01/21/13

Amended Date:

Note: Dimensions are in METRES



RZ 13-628035

Attachment 2

Address: 8960 Heather Street

Applicant: Ajit Thaliwal

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

	Existing	Proposed
Owner:	Syed Hasan and Harsh Sharma	To be determined
Site Size (m ²):	828 m ² (8,913 ft ²)	Lot 1 – 414 m ² (4,456 ft ²) Lot 2 – 414 m ² (4,456 ft ²)
Land Uses:	One (1) single-family dwelling	Two (2) single-family dwellings
OCP Designation:	"Neighbourhood Residential"	No change
Area Plan Designation:	Low Density Residential	No change
702 Policy Designation:	N/A	N/A
Zoning:	Single Detached (RS1/B)	Single Detached (RS2/A)
Number of Units:	1	2

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	270 m ² (2,906 ft ²)	Lot 1 – 414 m ² (4,456 ft ²) Lot 2 – 414 m ² (4,456 ft ²)	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2 ½ storeys	2 ½ storeys	none
Width (m):	9 m	Lot 1 - 9.143 m Lot 2 - 9.143 m	none

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

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 138 SECTION 22 BLOCK 4 NORTH RANG 6 WEST NEW WESTMINSTER DISTRICT PLAN 37935

#8960 HEATHER STREET,
RICHMOND, B.C.
P.L.D. 007-730-021

LEGEND:

- (d) denotes deciduous
- (c) denotes coniferous
- o denotes power pole
- MNS denotes sanitary manhole
- HW denotes headwall

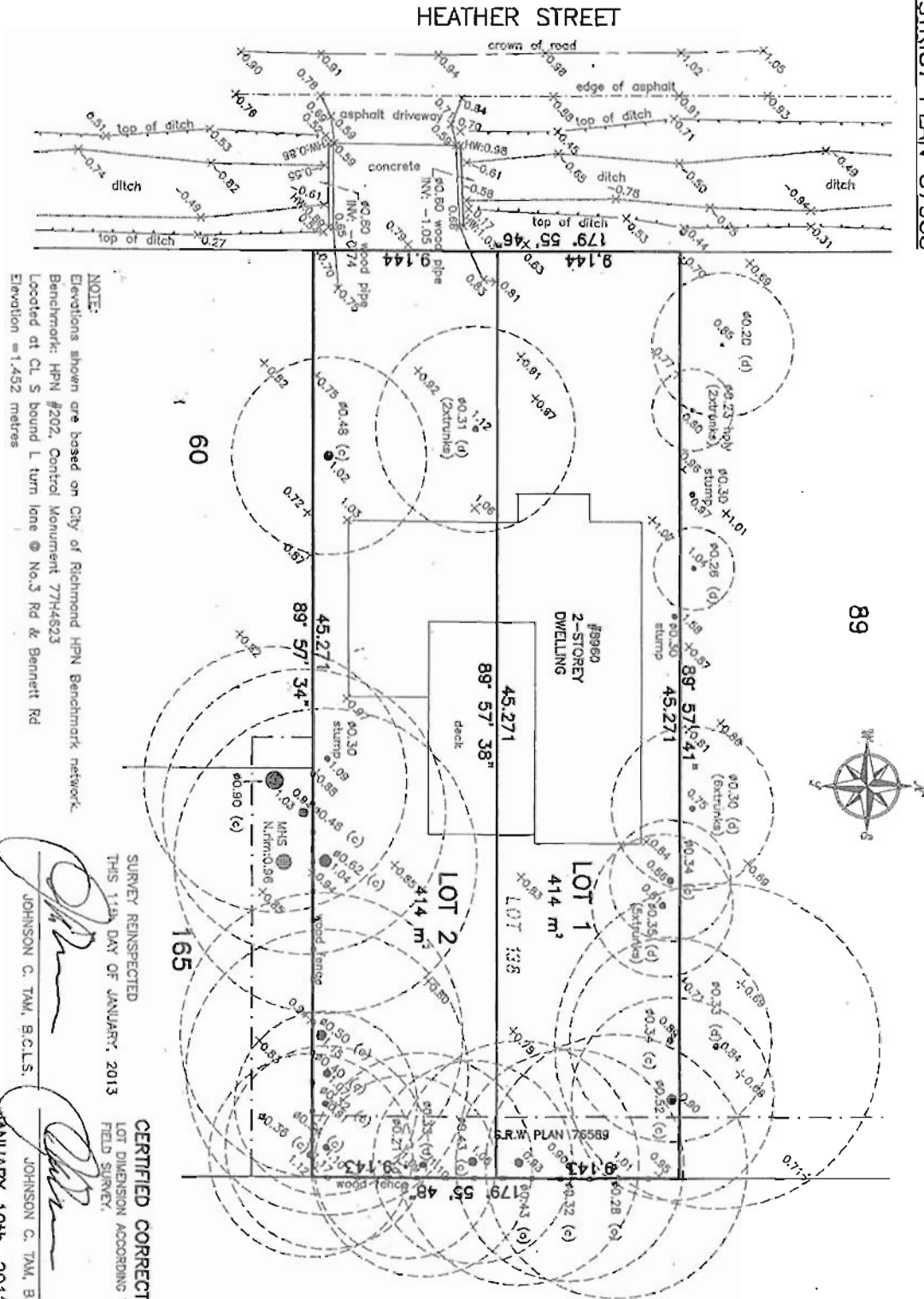
SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED

© copyright
J. C. Tom and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
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E-mail: office@jctam.com
Website: www.jctam.com
Job No. 4743
FB-200 P42-46
Drawn By: TH

DWG No. 4743-TOPO



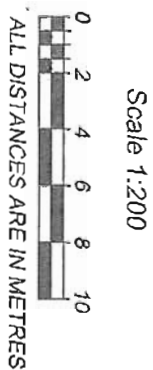
NOTE TO CONTRACTOR: ROOT PRUNING BY PROJECT ARBORIST REQUIRED AT TIME OF SITE PREPARATION AND DEMOLITION-----

85

NOTE:
RETAIN OFFSITE TREES J, K, L, M AND N
PURSUANT TO NEIGHBOURS REQUEST

NOTE TO CONTRACTOR: RE-GRADING AND FENCES IN THIS AREA ARE TO BE INSTALLED WITH ON SITE DIRECTION BY PROJECT ARBORIST AND WITH COMPLIANCE TO DETAIL SHOWN HEREIN.

NOTE: OFFSITE TREES F AND G AND SHARED TREE H ARE TO BE PROTECTED TO THE EXTENT POSSIBLE PURSUANT TO NEIGHBOUR'S DENIAL OF REMOVAL REQUEST WITH ADVICE THAT THE CONSTRUCTION IMPACTS WOULD DESTABILIZE THEIR ROOT SYSTEMS..



TREE RETENTION PLAN



Address: 8960 Heather Street

File No.: RZ 13-628035

Prior to final adoption of Zoning Amendment Bylaw 9011 , the developer is required to complete the following:

1. Submission of a Landscaping Security to the City in the amount of \$3,000 (\$500/tree) to ensure that the six (6) required replacement trees are planted and maintained on the future lots, with the following minimum sizes;

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
6	8 cm		4 m

The City will release 100% of this security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable Arborist's post-construction impact assessment report of tree protection is received.

2. City acceptance of the developer's offer to voluntarily contribute \$2,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. 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 on-site trees (tag #'s 335, 336, 337, 338, 339 & 340) and off-site trees (F, G, H, J, K, L, M, & N) 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.
4. Submission of a Tree Survival Security to the City in the amount of \$8,000 to ensure that on-site trees (tag #'s 335, 336, 337, 338, 339 & 340) and off-site trees (F, G, H, J, K, L, M, & N) will be retained and protected. The City will release 90% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post-construction impact assessment report is received. The remaining 10% of the security would be released one year later subject to inspection.
5. Registration of a flood indemnity covenant on Title.
6. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$4,902) 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 applicant must complete the following:

- Design and pay to construct (via a work order) a 600 mm diameter permanent storm sewer along the entire frontage of the site to connect to the culvert infill at 8988 Heather Street. A manhole may be required at the connection point. Design to be supplied by owner's civil engineering consultant.

- Pay Development Cost Charges (City & GVS&DD), Engineering Improvement Charges for future road improvements (curb, gutter, treed/grass boulevard, sidewalk and street lighting), School Site Acquisition Charge, Address Assignment Fee, and servicing costs.

Prior to Demolition Permit* issuance, the following is required to be completed:

- Installation of appropriate tree protection fencing around all trees to be retained as part of the development (P, G, H, J, K, L, M, & N and tag #'s 335, 336, 337, 338, 339 & 340) prior to any construction activities, including building demolition, occurring on-site. Tree Protection fencing must remain in place until construction and landscaping on the future lots has been completed.

Prior to Building Permit* issuance, the following is required to be completed:

- Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

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.

[Signed original on file]

Signed _____

Date _____



Richmond Zoning Bylaw 8500
Amendment Bylaw 9011 (RZ 13-628035)
8960 Heather Street

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. 007-730-021

Lot 138 Section 22 Block 4 North Range 6 West
New Westminster District Plan 37935

2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9011**”.

FIRST READING

MAY 27 2013

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER DEVELOPMENT REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by HB
APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee

Planning and Development Department

TO PLN - MAY 7, 2013

TO CNCL - MAY 13, 2013

To: Planning Committee

Date: April 26, 2013

From: Wayne Craig
Director of Development

File: RZ 12-617804

Re: Application by Ajeet Johl and Parkash K. Johl for Rezoning at
10640/10660 Bird Road from Two-Unit Dwellings (RD1) to Single Detached
(RS2/B)

Staff Recommendation

That Bylaw 9019, for the rezoning of 10640/10660 Bird Road from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", be introduced and given first reading.

Wayne Craig
Director of Development

ES:blg
Att.

REPORT CONCURRENCE

ROUTED TO:

Affordable Housing

CONCURRENCE



CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Ajeet and Parkash K. Johl have applied to the City of Richmond for permission to rezone 10640/10660 Bird Road from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)”, to permit the property to be subdivided into two (2) lots (**Attachment 1**).

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

The subject property is a large lot located on the south side of Bird Road, between St. Edwards Drive and Shell Road, in an existing residential neighbourhood that has undergone a redevelopment to smaller lot sizes through rezoning and subdivision in recent years. Existing development immediately surrounding the site is as follows:

- To the north, directly across Bird Road, is a non-conforming older duplex on a lot zoned “Single Detached (RS1/E)” and an older duplex on a lot zoned “Single Detached (RD1)”.
- To the east, is a newer dwelling on a lot zoned “Single Detached (RS1/B)”.
- To the south, facing Caithcart Road, are two (2) older dwellings zoned “Single Detached (RS1/E)”.
- To the west, is a newer dwelling on a lot zoned “Single Detached (RS1/B)”.

Related Policies & Studies

2041 Official Community Plan (OCP) Designation

The subject property is located in the East Cambie Planning Area. The OCP’s Land Use Map designation for this property is “Neighbourhood Residential”. The East Cambie Area Plan’s Land Use Map designation for this property is “Residential (Single-Family Only)”. This redevelopment proposal is consistent with these designations.

Aircraft Noise Sensitive Development (ANSD) Policy

The ANSD Policy applies to the subject site, which is located within the “Aircraft Noise Notification Area (Area 4)”. In accordance with this Policy, all aircraft noise sensitive land uses may be considered. Prior to rezoning adoption, the applicants are required to register an aircraft noise sensitive use covenant on Title.

Lot Size Policy 5424

The subject property is located within the area covered by Lot Size Policy 5424, adopted by City Council in 1989 (**Attachment 3**). The Lot Size Policy permits properties on Bird Road to rezone and subdivide in accordance with "Single Detached (RS2/B)". This redevelopment proposal would allow for the creation of two (2) lots, each approximately 14 m wide and 603 m² in area, which is consistent with the Lot Size Policy.

Affordable Housing Strategy

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

The applicants propose to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicants are required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning adoption. This agreement will be discharged from Title (at the initiation of the applicants) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicants change their minds prior to rezoning adoption about the affordable housing option selected, a voluntary contribution to the City's Affordable Housing Reserve Fund in-lieu of providing the secondary suite will be accepted. In this case, the voluntary contribution would be required to be submitted prior to rezoning adoption, and would be based on \$1.00/ft² of total building area of the single detached dwellings (i.e. \$6,394.60).

Flood Management

Registration of flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Staff CommentsBackground

Numerous similar applications to rezone and subdivide properties to the proposed "Single Detached (RS2/B)" zone have been approved within this block of Bird Road since the early 1990's. Other lots on this block have redevelopment potential in accordance with the existing Lot Size Policy.

Trees & Landscaping

A tree survey, submitted by the applicant, shows the location of (1) bylaw-sized tree on the subject property, one (1) street tree in the boulevard on City-owned property, and three (3) bylaw-sized trees on the adjacent lot to the south (10671 Caithcart Road).

A Certified Arborist's Report was submitted by the applicant, which identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the redevelopment proposal.

The City's Tree Preservation Coordinator reviewed the Arborist's Report, conducted a Visual Tree Assessment, and concurs with the recommendations to:

- Retain and protect tree tag #1 on the subject property;
 - Retain and protect tree tag #'s 2 & 4 on the adjacent lot to the south; and
 - Remove tree tag #3 on the adjacent lot to the south due to its existing poor condition.
- However, the applicant has decided to retain and protect tree tag #3 as it does not interfere with the proposed development plans. Should the applicant or the owner of the subject tree wish to remove this tree at a later date, a Tree Removal Permit will be required.

The City's Parks Arborist recommends that the one (1) bylaw-sized tree in the boulevard on City-owned property should be retained and protected prior to demolition and construction on the subject site:

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

Tree Protection Fencing for the on-site tree (tag #1), the off-site trees (tag #'s 2, 3 & 4) and the tree in the boulevard on City-owned property must be installed to City standards prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the future lots is completed.

To ensure survival of tree tag #'s 1, 2, 3 & 4 and the off-site tree located on City-owned property adjacent to the subject property, the applicants must submit the following items prior to rezoning adoption:

- A Contract with a Certified Arborist to supervise any on-site works within the Tree Protection Zones of retained trees on-site and off-site trees to be protected. The Contract must include the proposed number of monitoring inspections at specified stages of construction (e.g. demolition, excavation, installation of perimeter drainage, etc.), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
- A Tree Survival Security to the City in the amount of \$1,000 (reflects the 2:1 replacement tree ratio at \$500/tree) to ensure tree tag #1 and the off-site tree located on City-owned property will be protected. The City will release 90% of the security after construction and landscaping on the future lots are completed, inspections are approved, and an acceptable post-construction impact assessment report is received. The remaining 10% of the security would be released one year later, subject to inspection, to ensure the trees have survived.

As there are no trees proposed to be removed on site, no replacement trees are required. However, Council Policy 5032 (**Attachment 5**) encourages property owners to plant and maintain at least two (2) trees on every lot in recognition of the many benefits derived from urban trees. Consistent with this Policy, the applicant has agreed to plant and maintain three (3) trees (one (1) tree on Lot A and two (2) trees on Lot B) with a size of minimum 6 cm deciduous calliper/2.5 m coniferous height.

To ensure that the three (3) new trees are planted and maintained on the future lots, the applicant is required to submit a landscaping security to the City in the amount of \$1,500 (\$500/tree) prior to final adoption of the rezoning bylaw.

Existing Covenant

There is currently a covenant on Title that restricts the use of the property to a duplex (charge #BE160459). This covenant must be discharged by the applicant prior to rezoning adoption.

Existing Utility Right-of-Way

There is an existing 3 m wide utility right-of-way (ROW) that runs east-west through the rear portion of the subject site. The applicants have been advised that no encroachment into the ROW is permitted. This includes no building construction, planting of trees, no concrete fence posts, no concrete retaining walls etc.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicular access to the site at redevelopment stage will be from Bird Road.

As the site is within 800 m of an intersection of a Provincial Limited Access Highway and a City road, Ministry of Transportation and Infrastructure approval is required. Preliminary approval for the rezoning has been granted for one year.

Subdivision

At Subdivision stage, the applicants will be required to pay an Engineering Improvement Charge for frontage improvements that were constructed previously using Neighbourhood Improvement Charges. The applicants will also be required to pay for servicing costs.

Analysis

The subject property is located in an established residential neighbourhood that has seen redevelopment to smaller lot sizes through rezoning and subdivision in recent years, consistent with the Lot Size Policy for this neighbourhood. This redevelopment proposal would allow for the creation of two (2) lots, each approximately 14 m wide and 603 m² in area, which is consistent with the Lot Size Policy.

Financial Impact

None.

Conclusion

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with applicable policies and land use designations contained within the OCP and the Lot Size Policy, and is consistent with the established pattern of redevelopment in the surrounding area.

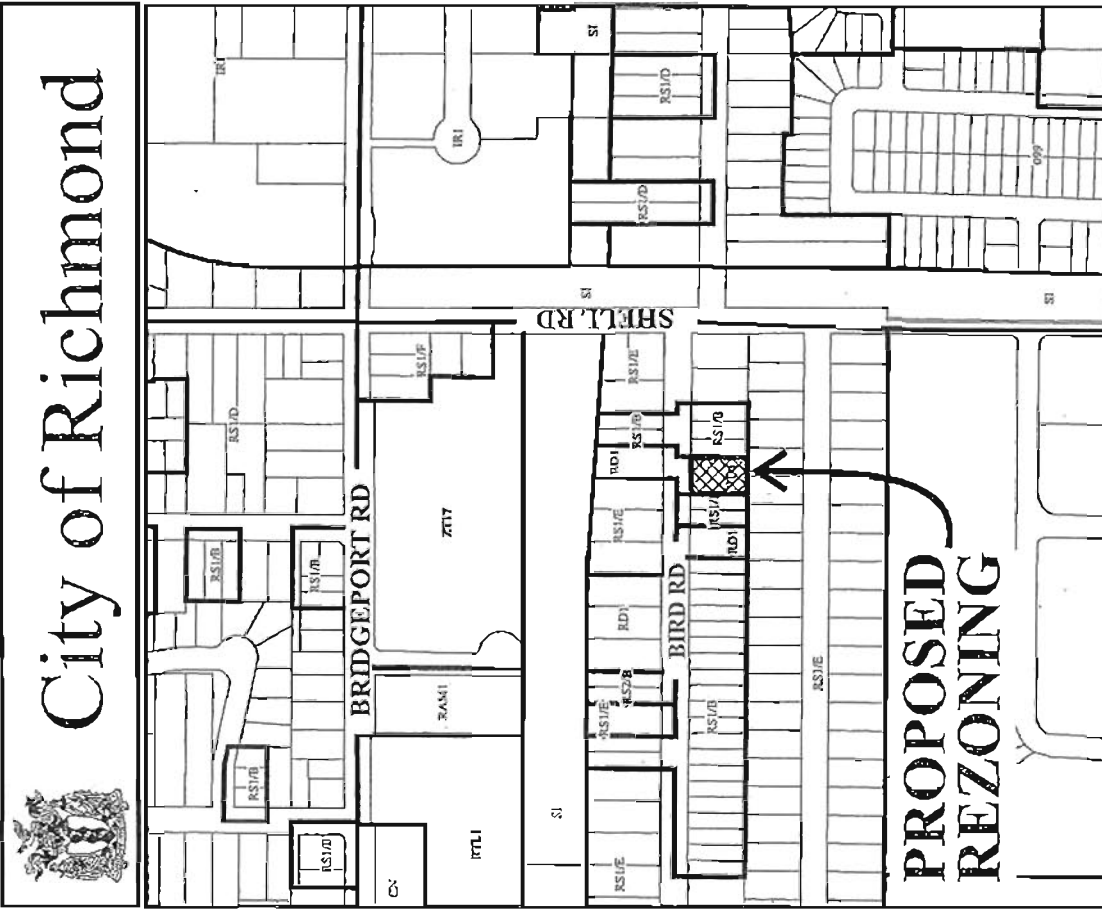
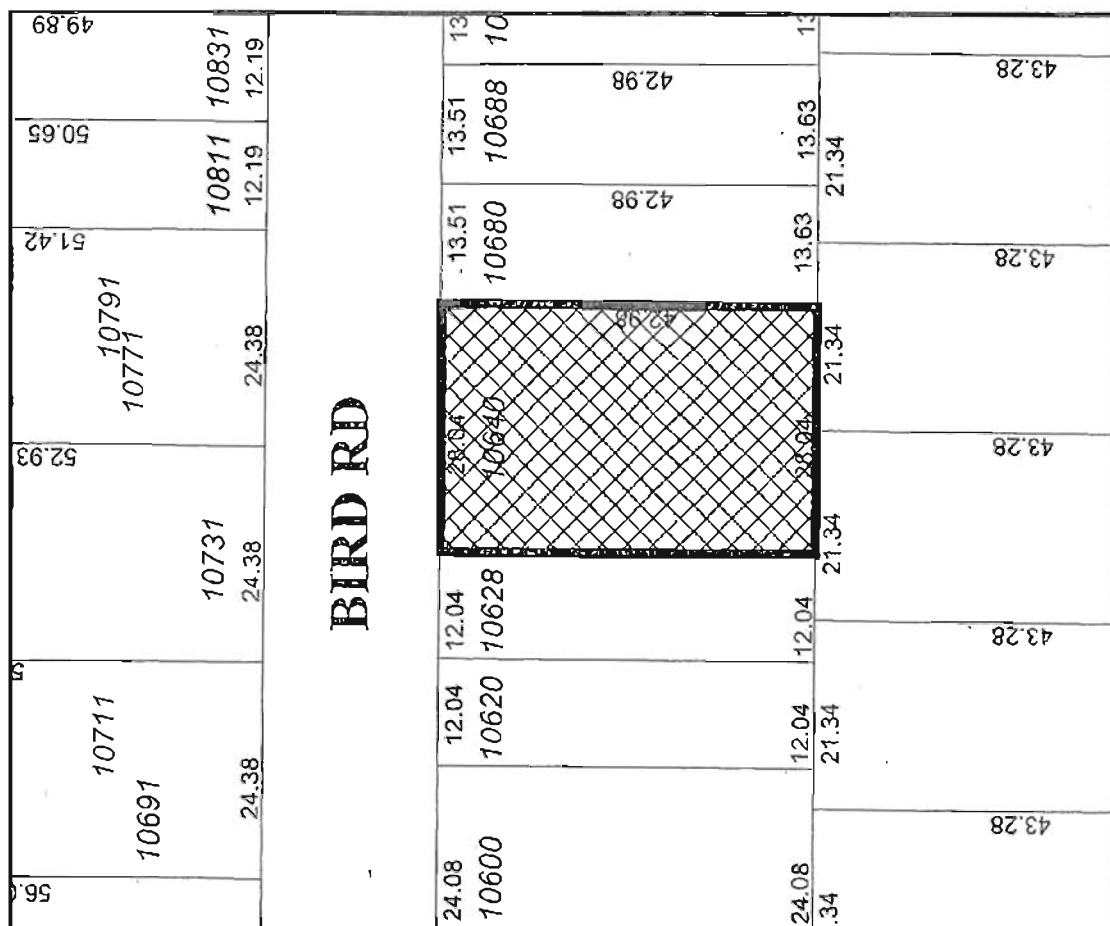
The list of rezoning considerations is included as **Attachment 6**, which has been agreed to by the applicants (signed concurrence is on file).


On this basis, staff recommends support for the application.



Erika Syvokas
Planning Technician
(604-276-4108)

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5424
- Attachment 4: Tree Retention Plan
- Attachment 5: Council Policy 5032
- Attachment 6: Rezoning Considerations Concurrence



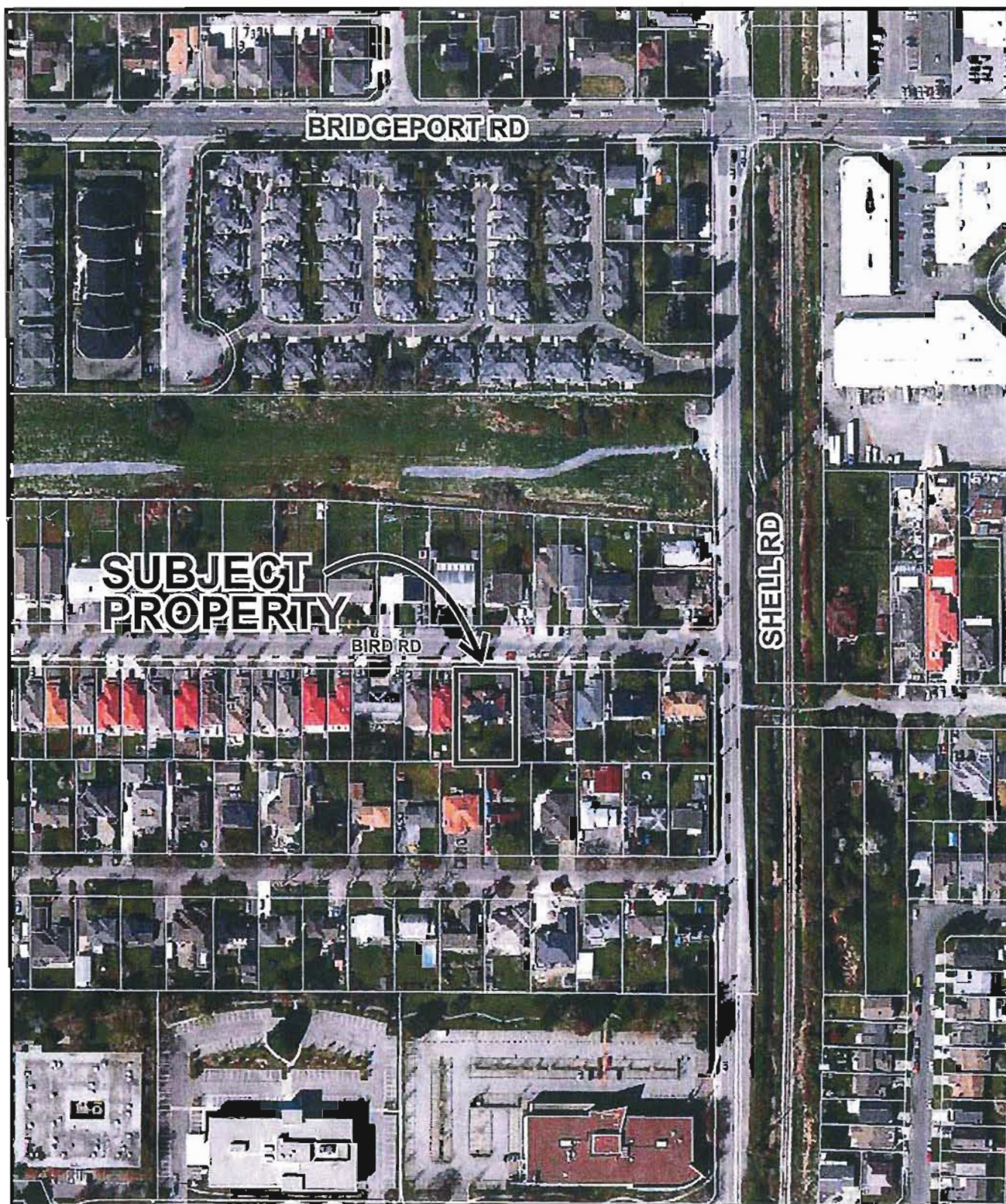


RZ 12-617804

Original Date: 08/23/12

Revision Date: 08/28/12

Note: Dimensions are in METRES



RZ 12-617804

Original Date: 08/23/12

Amended Date:

Note: Dimensions are in METRES



RZ 12-617804

Attachment 2

Address: 10640/10660 Bird Road

Applicant: Ajeet and Parkash K. Johl

Planning Area(s): East Cambie

	Existing	Proposed
Owner:	Ajeet and Parkash K. Johl	To be determined
Site Size (m ²):	1206 m ² (12,981.7 ft ²)	Lot A - 603 m ² (6,490.8 ft ²) Lot B - 603 m ² (6,490.8 ft ²)
Land Uses:	One (1) two-family dwelling	Two (2) single-family lots
OCP Designation:	Neighbourhood Residential	No change
Area Plan Designation:	Residential (Single-Family Only)	No change
702 Policy Designation:	Lot Size Policy 5424	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	Lot A – 603 m ² Lot B – 603 m ²	none
Lot Width (min. dimensions):	Min. 12 m	Lot A – 14.023 m Lot B – 14.023 m	none
Setback – Front Yard (m):	Min. 6 m	Min. 6 m	none
Setback – Side & Rear Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

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



City of Richmond

Policy Manual

Page 1 of 1

Adopted by Council: November 20, 1989

Policy 5424

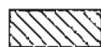
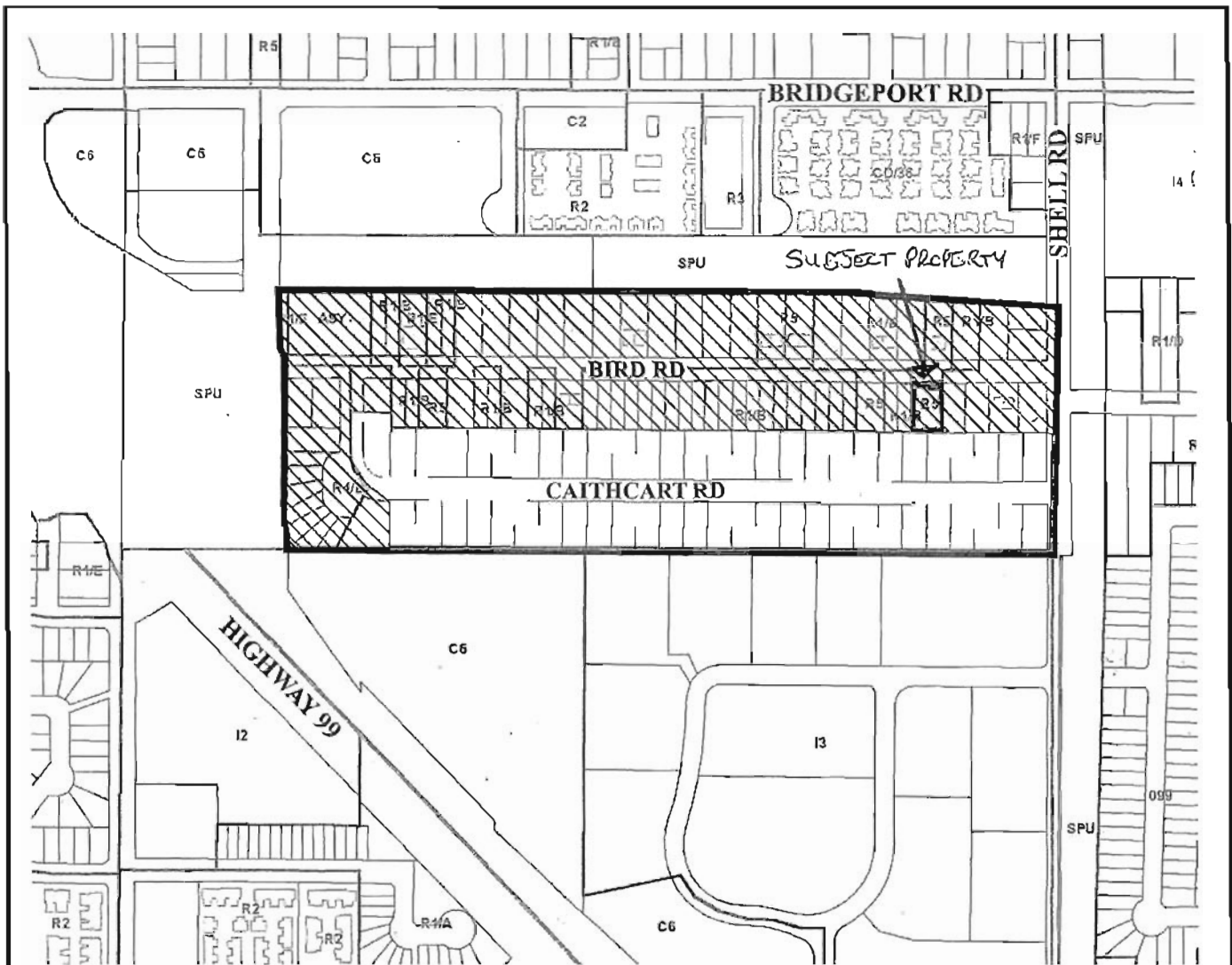
File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 26-5-6

Policy 5424;

The following policy establishes lot sizes in Section 26-5-6, located on **Bird Road and Caithcart Avenue**:

That properties located in a portion of Section 26-5-6, be permitted to subdivide on Bird Road and at the westerly end of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/B) and be permitted to subdivide on the remainder of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/E) in Zoning and Development Bylaw 5300, and that this policy, as shown on the accompanying plan, 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.



Subdivision permitted as per Single-Family Housing District (R1/B) on Bird Road and Caithcart Road.



Subdivision permitted as per Single-Family Housing District (R1/E) on Caithcart Road.



POLICY 5424
SECTION 26, 5-6
PH - 29

Adopted Date: 11/20/89

Amended Date:

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT "C" SECTION 26 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 18071

#10640 & #10660 BIRD ROAD,
RICHMOND, B.C.
P.I.D. 010-325-468

SCALE: 1:200

ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



BIRD ROAD

NOTE:

Elevations shown are based
on City of Richmond HPN
Benchmark network.
Benchmark: HPN #196,
Control Monument 77H4970
Located at CL Brown Rd &
Brown Gate.
Elevation = 1.793 metres

LEGEND:

- (d) denotes deciduous
- (c) denotes conifer
- PP denotes power pole
- RCB denotes round catch basin
- MH denotes manhole
- CB denotes catch basin
- CO denotes cleanout
- LS denotes lamp standard
- NR denotes north rim

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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. 4299
PB-174 P74 & PB-163 P40-42
Drawn By: MY

DWG No. 4299-TOPO

RE-INSPECTED:

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

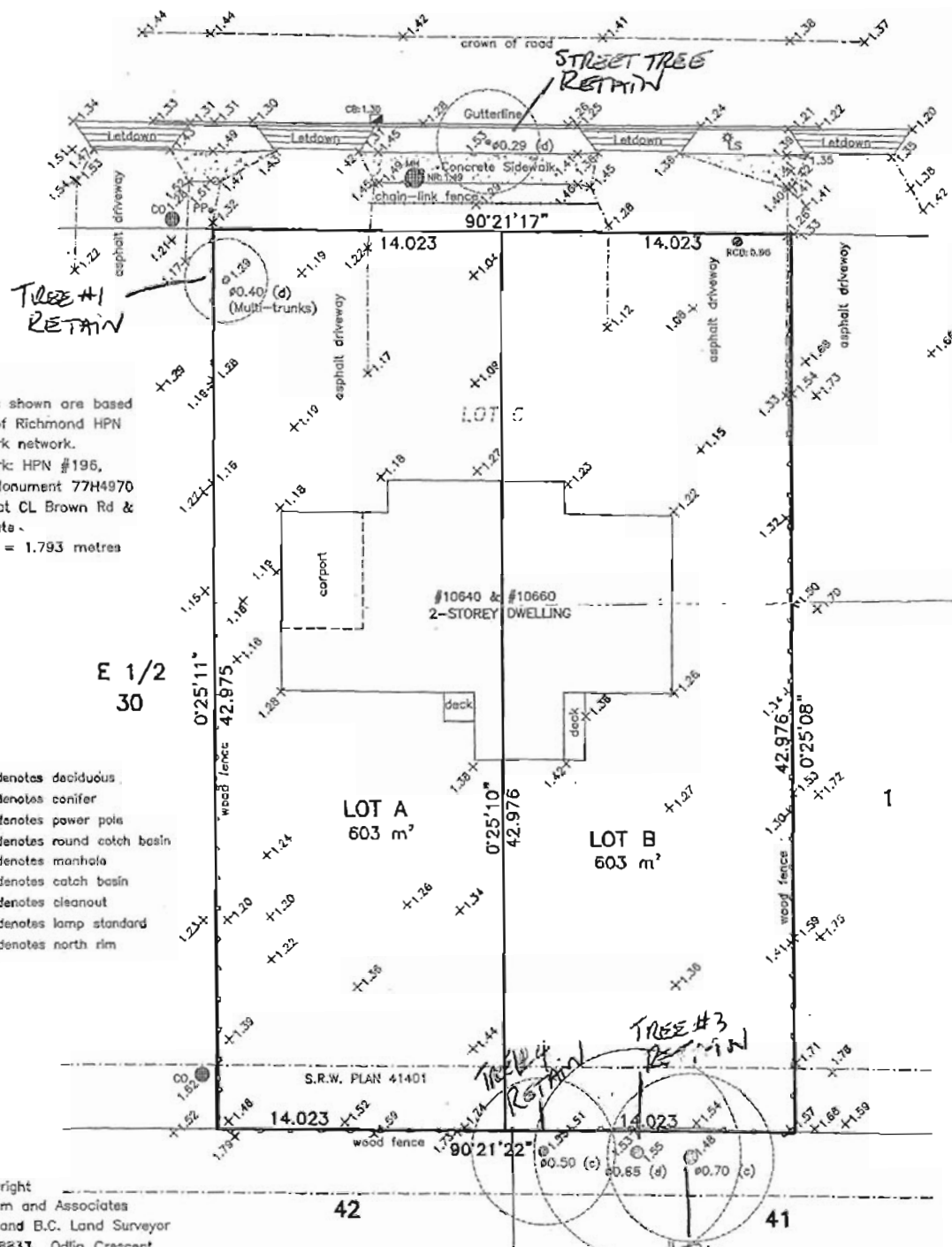
PH - 30

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

JUNE 29th, 2012.

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

FEBRUARY 12th, 2011.





City of Richmond

Policy Manual

Page 1 of 1

Adopted by Council: July 10/95

POLICY 5032

File Ref: 6550-00

TREE PLANTING (UNIVERSAL)

POLICY 5032:

It is Council policy that:

In recognition of the many benefits derived from urban trees, including cleaning the air, enhancing our neighbourhoods and beautifying our community, Council encourages all owners of property in Richmond to plant and maintain at least two trees on every lot.

(Urban Development Division)



City of Richmond

Rezoning Considerations

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

Address: 10640/10660 Bird Road

File No.: RZ 12-617804

Prior to final adoption of Zoning Amendment Bylaw 9019, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
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 on-site and off-site trees to be retained (tag #'s 1, 2, 3 & 4). The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections (e.g. demolition, excavation, installation of perimeter drainage etc.), 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) on-site tree (tag #1) to be retained.
4. Submission of a Landscaping Security in the amount of \$1,500 (\$500/tree) for the planting and maintenance of three (3) trees (one (1) tree on Lot A and two (2) trees on Lot B) with a size of minimum 6 cm deciduous calliper/2.5 m coniferous height.
5. The discharge of the existing covenant on title restricting the use of the property to a duplex (charge #BE160459).
6. Registration of an aircraft noise sensitive use covenant on title.
7. Registration of a flood indemnity covenant on title.
8. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$ 6,394.60) 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 applicants must complete the following:

- Pay an Engineering Improvement Charge for frontage improvements that were constructed previously using Neighbourhood Improvement Charges. The applicants will also be required to pay for servicing costs.

Prior to Demolition Permit* issuance, the applicants must complete the following requirements:

- Tree Protection Fencing for the on-site tree (tag #1), off-site trees (tag #'s 2, 3 & 4) and street tree located on City-owned property must be installed to City standard and must remain in place until construction and landscaping on the future lots is completed.

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

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

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.

[Signed original on file]

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9019 (RZ 12-617804)
10640/10660 Bird 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 **SINGLE DETACHED (RS2/B)**.

P.I.D. 010-325-468

Lot "C" Section 26 Block 5 North Range 6 West New Westminster District Plan 18071

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 9019**".

FIRST READING

MAY 13 2013

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by <i>HB</i>
APPROVED by Director or Solicitor <i>al</i>

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee

TO OPEN PLN - MAY 7, 2013

TO CNCL - MAY 13, 2013

To: Planning Committee

Date: April 25, 2013

From: Gavin Woo, P. Eng.
Senior Manager, Building Approvals

File: 08-4430-03-07/2013-
Vol 01

Re: Multiple Dwellings on Single-Family Lots and Agricultural Lands Referral

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9023, to add Other Regulations to the Agriculture (AG) zone to regulate multiple dwellings on single-family lots and agricultural lands, be introduced and given first reading.

Gavin Woo, P. Eng.
Senior Manager, Building Approvals
(604-276-4113)

REPORT CONCURRENCE			
ROUTED TO:		CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law		<input checked="" type="checkbox"/>	
REVIEWED BY DIRECTORS	INITIALS: DW	REVIEWED BY CAO	INITIALS:

Staff Report

Origin

The purpose of this report is to respond to the following referral from the September 8, 2010 Planning Committee:

"That staff be directed to examine whether a common wall and roof should be required for additions to single-family and duplex dwellings and report back."

Specifically, this referral was made in response to the concern that existing single-family houses in the Agriculture (AG) zone were being added onto (often by a breezeway) and becoming two single-family houses where this is not permitted.

Findings of Fact

Richmond Zoning Bylaw 8500 permits one single-family house and a secondary suite having a maximum floor area of 90 m² (970 ft²) in the Agriculture (AG) zone. The only exception to this is if the property is 8.0 ha (20 acres) or larger, in which case additional single-family houses are permitted for full-time farm workers of a farm operation employed on the lot in question if justified by a certified professional registered with the BC Institute of Agrologists. So, in the majority of cases, only one single-family house and one secondary suite are permitted in the AG zone. The purpose this Staff Report is to ensure that two single-family houses aren't built on an AG zoned lot where this is not permitted.

It should be emphasized that this report does not deal with the issue of the size of single-family houses in the AG zone. The City of Richmond has taken the position that the Province needs to take the lead on the house size issue as it applies to all Agricultural Land Reserve (ALR) lands in the Lower Mainland (i.e., this is a Provincial issue which requires consistency among local governments). In response to a request from the Metro Vancouver (MV) Board, the Minister of Agriculture has advised MV that Ministry staff are working with other ministries and agencies to examine the mechanisms which may be available to require local government bylaws to have mandatory standards regarding the siting and footprint of single-family houses (not the house size) in the ALR. The focus of this Staff Report is on the use of AG zoned lands, not the size, siting or footprint of that house.

The construction of a major addition or expansion to an existing single-family house in the AG zone does not occur that frequently. In fact, over the past eight years there have only been five Building Permits of this nature where an existing single-family house is being retained. One of these Permits is what led to the referral from Planning Committee in September 2010 to more clearly regulate this type of situation.

In response to the specific direction given by Planning Committee, staff have examined and agree that a common wall and roof could be required for additions to single-family houses in the AG zone to prevent them from becoming duplex dwellings. However, in doing so, it should be recognized that the common wall and roof would not apply to a legal secondary suite if it was being added to the single-family house. The Zoning Bylaw already requires that the secondary

suite must be completely enclosed within the single-family house and not in a detached building, that it must be incidental and integrated within the single-family house so as not to externally appear as a separate house, and that the secondary suite must not exceed 40% of the total floor area of the existing single-family house. It is also suggested that the common wall and roof not apply to a small building addition of 35 m² (375 ft²) or less (e.g., the construction of a recreation room onto an existing single-family house or the expansion of the current kitchen).

Where the existing single-family house has the typical shape of a box or rectangle (i.e., four exterior walls), it is proposed that one of the walls of the new addition or expansion should be permanently attached to the entire wall face of one of the four exterior walls of the existing house. Where the existing single-family house has an irregular shape (i.e., more than four exterior walls), it is proposed that one of the walls of the new addition or expansion be permanently attached to the wall face of one of the exterior walls of the existing house and that attachment must be either 7.62 m (25 feet) wide or 10% of the total of all the exterior walls of the single-family house, whichever is greater. The purpose of this requirement is to prevent a breezeway from being used to connect the existing single-family house to the addition or expansion. It should be noted that a similar provision has already been added to the Two-Family (RD) zone in response to previous concerns from Council that a duplex in non-agricultural areas could be connected by a breezeway (i.e., the party wall between the two dwelling units has to be at least 20% of the total length of all the exterior walls, excluding the garage, indentations and projections).

Where the existing single-family house and the addition or expansion have the same number of floors (i.e., both are one storey or both are two storeys), the roof of the existing single-family house should be required to extend over the new addition or expansion so as to become one continuous roof with the same pitch, slope or design. If however, the existing single-family house and the addition or expansion have a different number of floors, the roof of the new addition or expansion should have a similar style pitch, slope and design as the existing single-family house.

In addition to a common wall and roof, staff would also recommend five other requirements.

1. The first would be that the addition or expansion must not be attached by a breezeway, but instead, similar to a secondary suite, should be required to be integrated with the existing single-family house so as to form one house. In doing so, the addition or expansion should also be incidental and integrated with the existing single-family house so as not to externally appear or be internally laid out as a separate unit (e.g., should add to or expand an existing kitchen, create a common living/family/great room or have a hallway connection with no internal doors). This requirement would address the concern that the existing single-family house and the addition or expansion externally look like two single-family houses and are designed internally to easily be converted into two single-family houses.
2. The second additional requirement would be that there only be one door, whether an entrance door into the dwelling or a sliding door onto a deck or patio, to the existing single-family house and the new addition or expansion facing the road. If the property happens to be a corner lot or a lot with double road frontages (i.e., roads in the front and

back), no additional doors would be permitted other than the one facing the primary road from which the house is addressed. The purpose of this requirement is to prevent two front doors and the potential for the building to be converted into two single-family houses with separate entrances.

3. The third new requirement recommended by staff is that both the primary kitchen and any permitted secondary kitchen be located either in the existing single-family house or the new addition or expansion, but not in both. All single-family houses are limited to two kitchens, not including the kitchen for a legal secondary suite. Typically, these are located side-by-side, and there shouldn't be one kitchen in the existing single-family house and a second kitchen in the new addition or expansion. Again, the intent of this requirement is to prevent the expanded single-family house from becoming two single-family houses with separate kitchens.
4. The fourth new requirement is that there should only be one garage that is shared and used by both the existing single-family house and the new addition or expansion. This would make it clear that there is only one single-family house on the property. There is no need for a single-family house to have two garages as part of the house.
5. The final additional requirement, besides the common wall and roof suggested by Planning Committee, gives the building inspector residual authority to impose additional design limitations if the effect of a proposed addition or expansion would, in his/her opinion, either give the single-family house an external appearance of being two units or have the capability of being separated into two units. This will help Building staff to ensure compliance with the proposed new zoning regulations.

Analysis

Two different options on how to proceed are suggested for Planning Committee and Council consideration.

The first option is to continue the current practice of relying on the Zoning Bylaw and Building Bylaw as they presently exist. Richmond Zoning Bylaw 8500 is quite clear that only one single-family house is permitted in the AG zone (unless the lot is 8 ha (20 acres) or more and certain requirements are met for an additional single-family house). Furthermore, Building Regulation Bylaw No. 7230 gives the Building Inspector the authority to refuse to issue a Building Permit where the proposed work will contravene the provisions of any other applicable bylaws of the City (i.e., Richmond Zoning Bylaw 8500). This option may however be open to interpretation as the current Richmond Zoning Bylaw 8500 does not address the issue in any depth. It remains a viable option because in the past few years there has on average only been one Building Permit per year to construct a major addition or expansion to an existing single-family house.

The second option is to put the requirements noted above in the Findings of Fact section into Richmond Zoning Bylaw 8500. Specifically, they could be added to the Other Regulations in the Agriculture (AG) zone. This is what Richmond Zoning Bylaw 8500, Amendment Bylaw 9023 proposes to do. The advantage of this option is that it provides the greatest certainty and, after being vetted by the public at the required Public Hearing, gives clear Council direction. The disadvantage of this option is that it takes away some of the flexibility. Should a Building

Permit applicant not be able to meet all of these zoning requirements, the only alternative to the changing the Building Permit application is to seek a Development Variance Permit that the Development Permit Panel would consider and Council would issue.

This referral was considered by the Agricultural Advisory Committee on March 14, 2013. The Committee unanimously agreed to the following motion:

That the Agricultural Advisory Committee support the proposed bylaw amendments to the Agricultural (AG) zone as presented to prevent construction of duplexes and multiple-dwelling buildings on agricultural land.

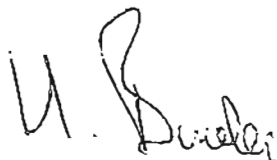
Financial Impact

None.

Conclusion

Planning Committee on September 8, 2010 directed staff to examine whether a common wall and roof should be required for additions to single-family and duplex dwellings and report back. Staff have done this and concluded that a common wall and roof should be required for additions to single-family houses in the Agriculture (AG) zone to prevent them from becoming duplex buildings. At the same time, staff would also recommend that: a breezeway connection be specifically prohibited so as create one single-family house both externally and internally; that there be only one door (including a sliding door) facing the road(s); that any kitchen(s) be located in either the existing single-family house or the addition/expansion (not in both); that only one garage be permitted; and that the building inspector be given residual authority to impose additional design limitations to prevent the single-family house from having the external appearance of being two units or the capability of being separated into two units.

Two options are presented to Planning Committee and Council in proceeding. The first option is to continue the current practice of relying on the Zoning Bylaw and Building Bylaw as they presently exist (i.e., don't change the Zoning Bylaw). The second option is to put the aforesaid new requirements into the AGI zone. Staff are recommending the second option and that Richmond Zoning Bylaw 8500, Amendment Bylaw 9023 be introduced and given first reading. The Agricultural Advisory Committee supports this option.



Holger Burke, MCIP
Development Coordinator (604-276-4164)
HB:cas



**Richmond Zoning Bylaw 8500, Amendment Bylaw 9023
Agriculture (AG) Zone - City of Richmond**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended by:

- a) Inserting the following new section in the Agriculture (AG) zone:

“14.1.11.15 The following provisions shall apply where existing **single detached housing** is added to or expanded on, but do not apply to a legal **secondary suite** which must not exceed a total **floor area** of 90.0 m² or to an addition or expansion having a **lot coverage** of 35 m² or less:

- a) if the existing **single detached housing** has:
 - i) four exterior walls, one wall of the new addition or expansion must be permanently attached to the entire wall face of one of the four exterior walls of the existing **single detached housing**;
 - ii) more than four exterior walls, one wall of the new addition or expansion must be permanently attached to the wall face of one of the exterior walls of the existing **single detached housing** and that attachment must be either at least 7.62 m (25 ft) wide or 10% of the total of all exterior walls of the existing **single detached housing**, whichever is greater;
- b) the roof of the existing **single detached housing** must:
 - i) extend over the new addition or expansion so as to become one continuous roof with the same pitch, slope or design if the existing **single detached housing** and the new addition or expansion have the same number of floors (e.g., both are one **storey** or both are two **storeys**);
 - ii) have a similar style pitch, slope and design if the existing **single detached housing** and the new addition or expansion have a different number of floors (e.g., one is one **storey** and the other is two **storeys**);
- c) the addition or expansion must:
 - i) not be attached by a breezeway, but be integrated with the existing **single detached housing** to form one **single detached housing** unit;
 - ii) be incidental and integrated with the existing **single detached housing** so as not to externally appear or be internally laid out to be a separate unit (e.g., should add to or expand an existing **kitchen**, create a common living/family/great room or have a hallway connection with no internal doors);

- d) there must be only one door, whether an entrance door into the dwelling or a sliding door onto a deck or patio, to the **single detached housing** and the new addition or expansion facing the road on an interior lot and no additional doors facing the other road on a corner lot or a double fronting lot;
 - e) both the primary **kitchen** and any permitted secondary **kitchen** must be located in either the existing **single detached housing** or the new addition or expansion, but not in both;
 - f) there must be only one **garage** that is shared and used for both the **single detached housing** and the new addition or expansion; and
 - g) the building inspector may impose additional design limitations if the effect of a proposed addition or expansion would, in the opinion of the building inspector, either give the **single detached housing** an external appearance of being two units or have the capability of being separated into two units."
- b) Renumbering existing section 14.1.11.15 to a new section 14.1.11.16.
2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9023".

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

MAYOR

MAY 13 2013

CORPORATE OFFICER



City of Richmond

Report to Committee

Planning and Development Department

To OPEN PLN - MAY 7, 2013

To CNCL - May 13, 2013

To: Planning Committee

Date: April 26, 2013

From: Wayne Craig
Director of Development

File: RZ 11-591331

Re: Application by Narinder Patara for Rezoning at 9591 Patterson Road from Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Bylaw 9025, for the rezoning of 9591 Patterson Road from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.

Wayne Craig
Director of Development

EL:kt
Att.

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

Staff Report

Origin

Narinder Patara has applied to the City of Richmond for permission to rezone 9591 Patterson Road (**Attachment 1**) from Single Detached (RS1/E) to Single Detached (RS2/B) in order to permit the property to be subdivided into two (2) single-family residential lots.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

To the north: On-ramp to Highway 99.

To the east: Existing duplex on a lot zoned Two-Unit Dwellings (RD1) and then a single-family dwelling on a large lot zoned Single Detached (RS1/E).

To the south: Across Patterson Road, existing non-conforming duplex and older single-family dwellings on lots zoned Single Detached (RS1/E).

To the west: Existing single-family dwellings on non-conforming Single Detached (RS1/E) lots (approximately 14 m to 15 m wide instead of the minimum 18 m wide).

Background

A single-family dwelling was recently built on the western half of the subject site (BP 11-581489, issued on August 4, 2011; Final Inspection issued July 24, 2012). A Site Survey and Site Plan for proposed Lot A (western lot) is submitted (**Attachment 3**) in support of the application. The existing house and the proposed subdivision layout conform to all zoning requirements under the RS2/B zone including floor area ratio (F.A.R.), lot coverage and setbacks. The eastern portion of the site is currently vacant.

Six (6) trees were removed prior to Building Permit Issuance via a Tree Permit (T2-2011-581488, issued July 6, 2011).

Related Policies & Studies

Lot Size Policy 5446

The subject site is located within the area covered by Lot Size Policy 5446 (adopted by Council September 16, 1991, amended June 21, 1999) (**Attachment 4**). This Policy permits rezoning and subdivision of lots on the north side of Patterson Road in accordance with "Single Detached (RS2/B)". This redevelopment proposal would enable the property to be subdivided into a maximum of two (2) lots. The applicant is proposing to create one larger lot on the west side with a 17.901 m frontage (766 m² in area) and a smaller lot on the east side with a 14.557 m frontage (605 m² in area).

Affordable Housing

The Richmond Affordable Housing Strategy requires a suite on at least 50% of new lots, or a cash-in-lieu contribution of \$1.00 per square foot of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

Since the new house built on the western half of the site has no secondary suite, the applicant is proposing to provide a legal secondary suite on the future eastern lot. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection on the future eastern lot is to be granted until the secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning.

Should the applicants' change their mind about the affordable housing option selected, a voluntary contribution to the City's Affordable Housing Reserve Fund in-lieu of providing the secondary suite will be accepted. In this case, the voluntary contribution would be required to be submitted prior to final adoption of the rezoning bylaw, and would be based on \$1.00 per square foot of total building area of the single detached developments (i.e. \$6,928).

Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required prior to rezoning bylaw adoption.

OCP Aircraft Noise Sensitive Development (ANSD) Policy

The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area within a designation that permits new single-family development that is supported by an existing Lot Size Policy. As the site is affected by Airport Noise Contours, the development is required to register a covenant on title prior to final adoption of the rezoning bylaw.

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

Tree Retention and Replacement

A Tree Survey prepared in March 2011 and a Certified Arborist's Report prepared in May 2011 were submitted in support of the application. Seven (7) bylaw-sized trees on site were identified and assessed. As mentioned above, a Tree Permit was issued in July 2011 and Building Permit was issued in August 2011 to allow the construction of a new single-family dwelling on the west half of the site. A site inspection conducted by the City's Tree Preservation Coordinator in

March 2012 revealed that the 55 cm calliper Western Red Cedar (in good condition) is retained and protected on site. The Tree Preservation Coordinator confirmed that the rest of the bylaw-sized trees (six (6) in total) were removed via Tree Permit (T2-2011-581488). Five (5) of them were either dead, dying, or in very poor condition; one (1) of them was hazardous and needed to be removed immediately.

It is noted that no replacement trees have been installed onsite. Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP), 10 replacement trees are required for the removal of five (5) bylaw-sized trees on site (replacement trees are not required for the removal of hazardous trees). Based on the size requirements for replacement trees in the Tree Protection Bylaw No. 8057, replacement trees with the following minimum calliper sizes are required:

# Trees Removed	dbh	# trees to be replaced	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	20-30 cm	4	6 cm		3.5 m
1	31-40 cm	2	8 cm		4.0 m
2	41-50 cm	4	9 cm		5.0 m

A landscape plan (**Attachment 5**) is submitted in support of the application. The landscape plan shows that a total of 10 trees will be planted on site.

The applicant has agreed to protect one (1) tree and four (4) shrubs located on the adjacent property to the west at 9551 Patterson Road as well as one (1) shrub located on the adjacent property to the east at 9611/13 Patterson Road. A Tree Retention Plan is attached (**Attachment 6**). Tree protection fencing must be installed to City standards prior to any construction activities occurring on-site and must remain in place until construction and landscaping on the future lots is completed.

Landscape Buffer

To provide an aesthetically pleasing edge along the Sea Island Way on-ramp to Highway 99 and noise attenuation, the applicant has agreed to install a landscape buffer along the north property line of the subject site (see Landscape Plan in **Attachment 5**). The buffer is 1.5 m wide and is composed of a 1.8 m high solid cedar fence and a continuous hedge planting of Emerald Arborvitae (a moderately fast growing evergreen hedge with a mature height and spread of 4.5 m x 1.2 m). The combination of the fencing and hedge planting will screen the view of the highway from the proposed lots and partially mitigate noise generated by nearby traffic.

Registration of a restrictive covenant to identify the entire 1.5 m rear yard space as a buffer area is required to prevent the removal of the buffer landscaping. In order to ensure that this landscape buffer work is undertaken and the replacement trees are planted, the applicant has agreed to provide a landscape security in the amount of \$34,628.00 prior to final adoption of the rezoning bylaw.

Ministry of Transportation (MOT) Approval

MOT approval is a condition of final approval for this site. Preliminary Approval has been granted by MOT for one (1) year. No direct access to Highway 99 or the off-ramp is permitted.

Site Servicing and Subdivision

No Servicing concerns.

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

Analysis

This is a relatively straightforward redevelopment proposal. This development proposal is consistent with Lot Size Policy 5446 and is located within an established residential neighbourhood that has a strong presence of single-family lots zoned Single Detached (RS1/B). All the relevant technical issues have been addressed. The list of rezoning considerations is included as **Attachment 7**, which has been agreed to by the applicants (signed concurrence on file).

Financial Impact or Economic Impact

None.

Conclusion

This rezoning application to permit subdivision of one (1) existing large lot into two (2) medium sized lots that comply with Lot Size Policy 5446 and all applicable policies and land use designations contained within the Official Community Plan (OCP). The proposal is consistent with the direction of redevelopment in the surrounding area. On this basis, staff recommend support of the application.



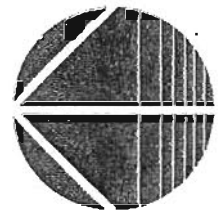
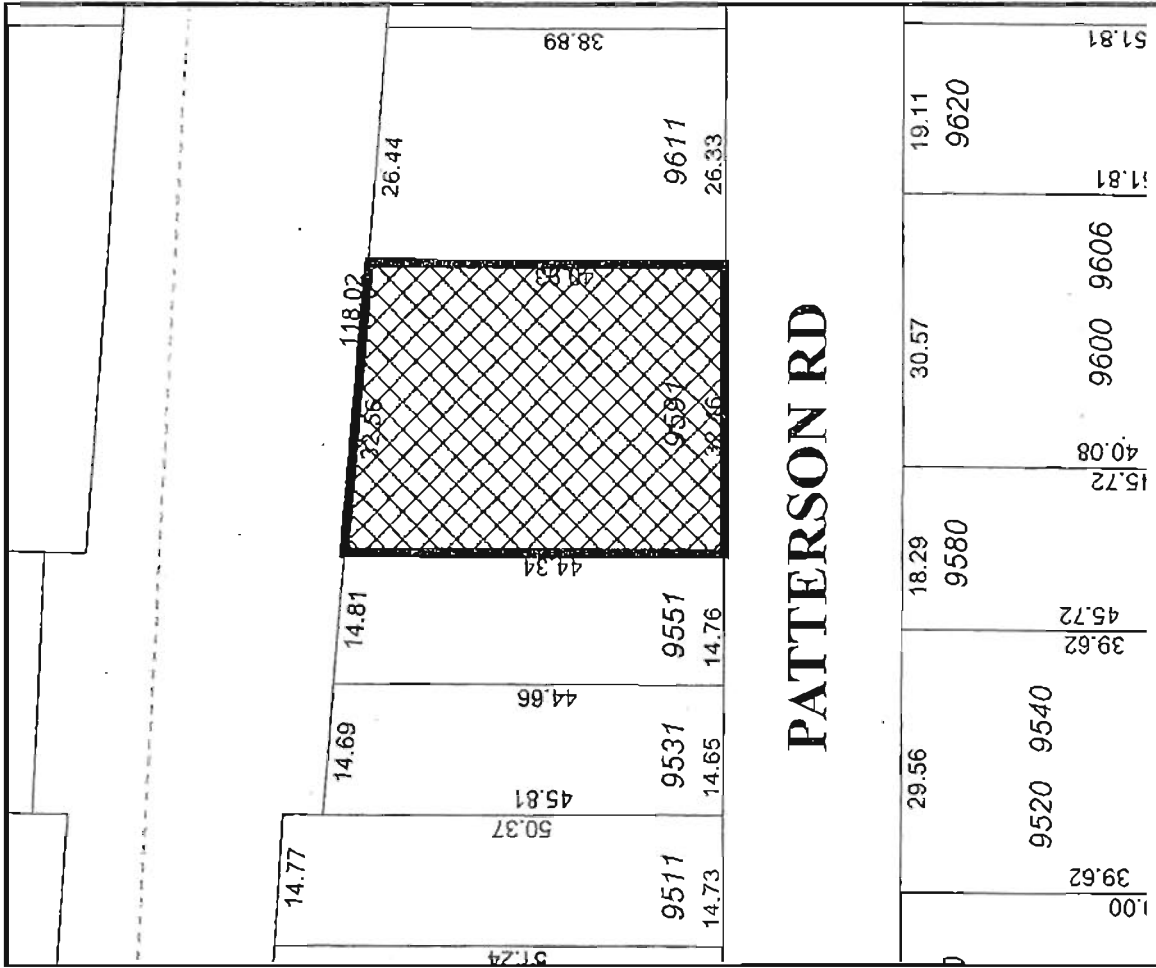
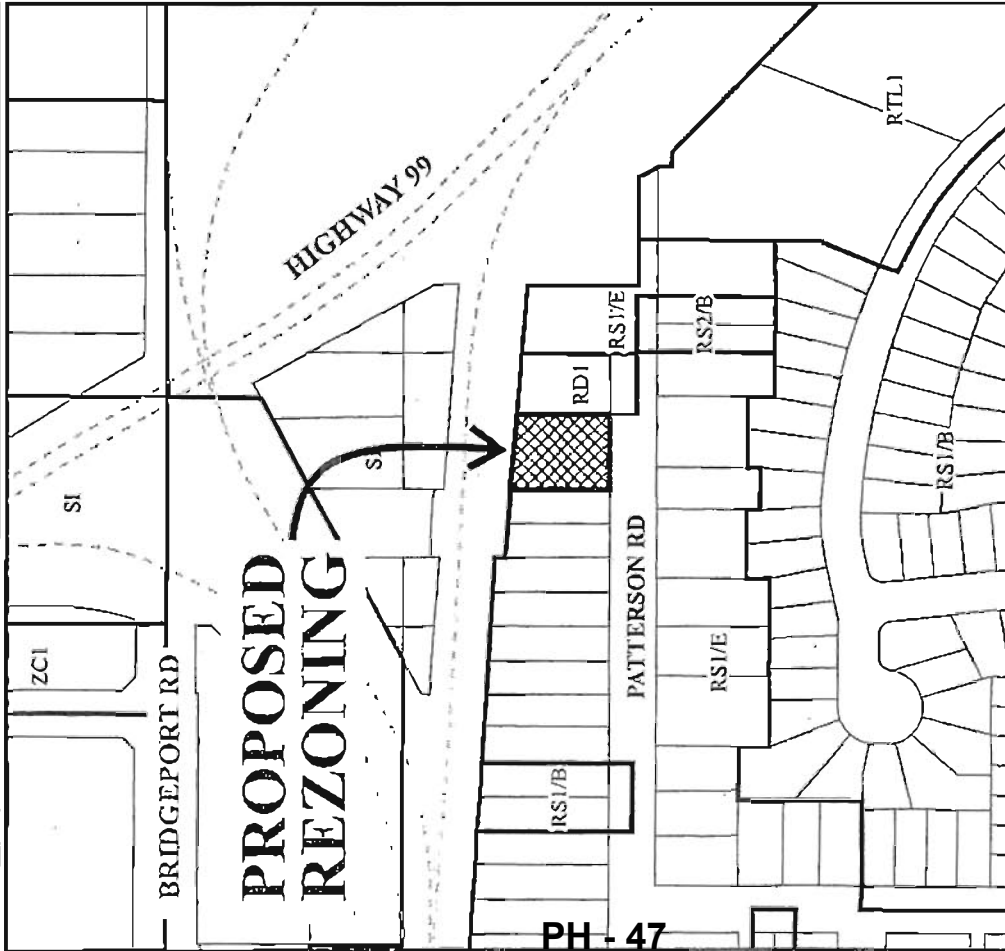
Edwin Lee
Planning Technician - Design

EL:kt

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Site Certificate
- Attachment 4: Lot Size Policy 5446
- Attachment 5: Landscape Plan
- Attachment 6: Tree Preservation Plan
- Attachment 7: Rezoning Considerations Concurrence



City of Richmond

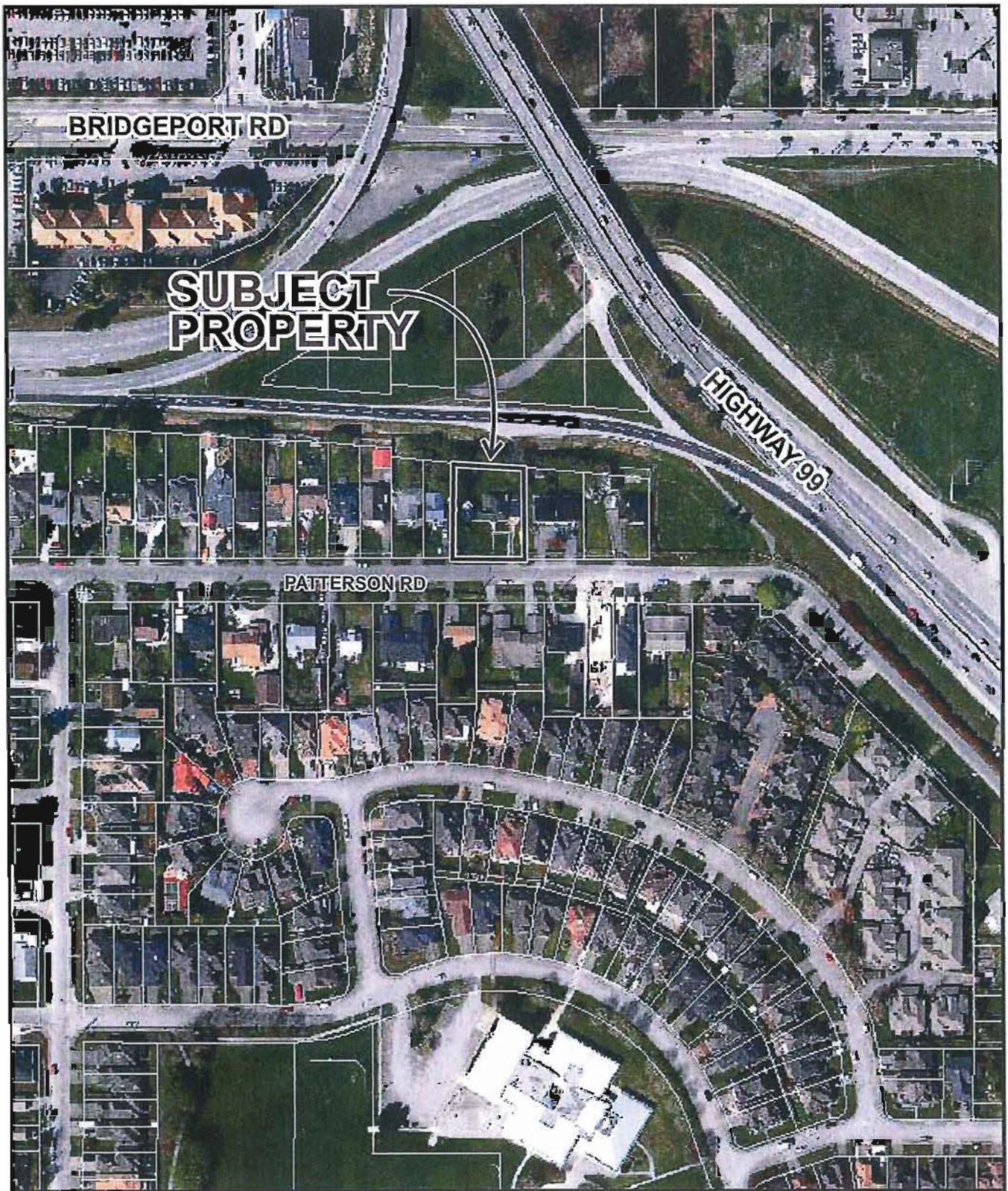


RZ 11-591331

Original Date: 10/27/11

Revision Date:

Note: Dimensions are in METRES



RZ 11-591331

Original Date: 10/27/11

Amended Date:

Note: Dimensions are in METRES



RZ 11-591331

Attachment 2

Address: 9591 Patterson Road

Applicant: Narinder Patara

Planning Area(s): West Cambie

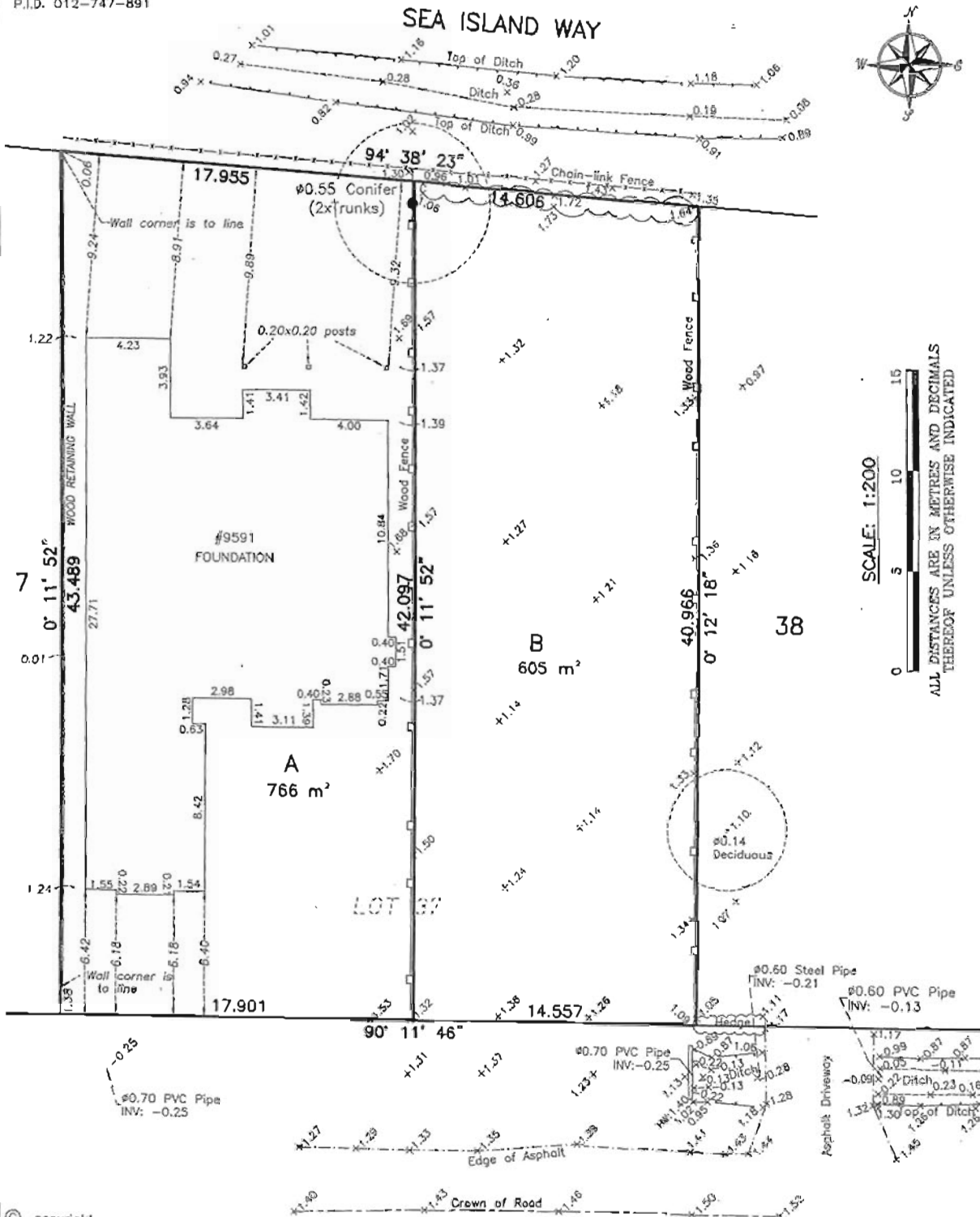
	Existing	Proposed
Owner:	Narinder Patara	No Change
Site Size (m ²):	1,371 m ² (14,758 ft ²)	605 m ² (6,513 ft ²) & 766 m ² (8,245 ft ²)
Land Uses:	One (1) single-family dwelling	Two (2) single-family dwellings
OCP Designation:	2041 OCP Land Use Map designation – "Neighbourhood Residential"	No change
Area Plan Designation:	West Cambie Area Plan – Residential (Single Family only)	No change
702 Policy Designation:	Policy 5446 permits subdivision to "Single Detached (RS2/B)"	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)
Number of Units:	1	2
Other Designations:	N/A	No Change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Non-porous:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping:	Min. 25%	Min. 25%	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Setback – Exterior Side Yard (m):	Min. 3.0 m	Min. 3.0 m	none
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none
Lot Size (min. dimensions):	360 m ²	605 m ² & 766 m ²	none

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

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 37 SECTION 27 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 27793

#9591 PATTERSON ROAD,
RICHMOND, B.C.
P.I.D. 012-747-891



© 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. 4371
FB-217 P52-54
Drawn By: TH

LEGEND:
● denotes power pole
⊙ denotes manhole
B denotes water meter
CO denotes cleanout

NOTE:
Elevations shown are based on City of
Richmond HPN Benchmark network.
Benchmark: HPN #195.
Control Monument 77H4970
Located at CL Brown Rd & Brown Gate.
Elevation = 1.793 metres.

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

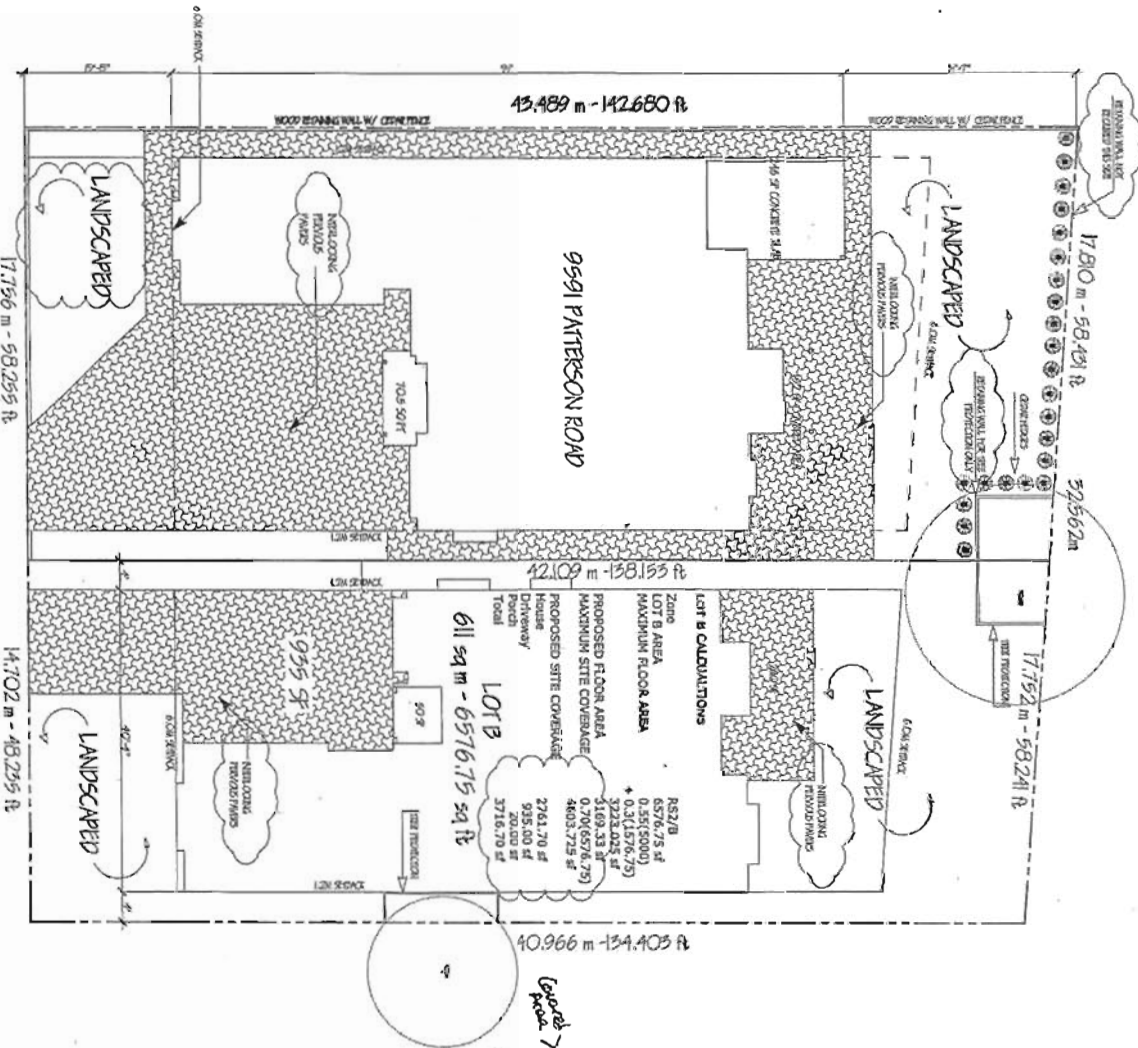
JOHNSON C. TAM, B.C.L.S.

AUGUST 23rd, 2012

DWG No. 4371-TOPO-03

PROPOSED SITE PLAN

Patterson Road



NORTH

9591 Patterson Road			
LEGAL			
LOT	37	Sec 27-5-6 Plan 27793	
ZONE	RS2/B	proposed RS2/B	
Secondary Suite	No		
Flood Plain	No		
Crown of Road	2.9m		
Avg Finished Grade	1.44m		
Top of Roof	2.14m (max 0.6m backfill)		
Lot Area	11.14m		
FAR - Permitted	760 sq m - 8180.57 sf		
Main	3704.17 sf		
Second	2316.26 sf		
FAR Total	1302.97 sf		
Garage	3619.23 sf		
Garage Surplus	544.00 sf		
Covered Area-permit	6.00 sf		
Covered area-prop	370.42 sf		
Covered area surplus	306.54 sf		
Driveways	27.65 sf		
Covered area	1261.00 sf		
Covered Area	246.00 sf		
Site Coverage:	152.00 sf		
Permitted	5352.85 sf		
Footprint	45% (land x 4500)		
	2316.26 sf		
	544.00 sf		
	246.00 sf		
	152.00 sf		
	70.50 sf		
Total	3328.76 sf		
Pavers	3185.63 sf		

PH - 51



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: September 16, 1991

POLICY 5446

Amended by Council: June 21, 1999

File Ref: 4430-00

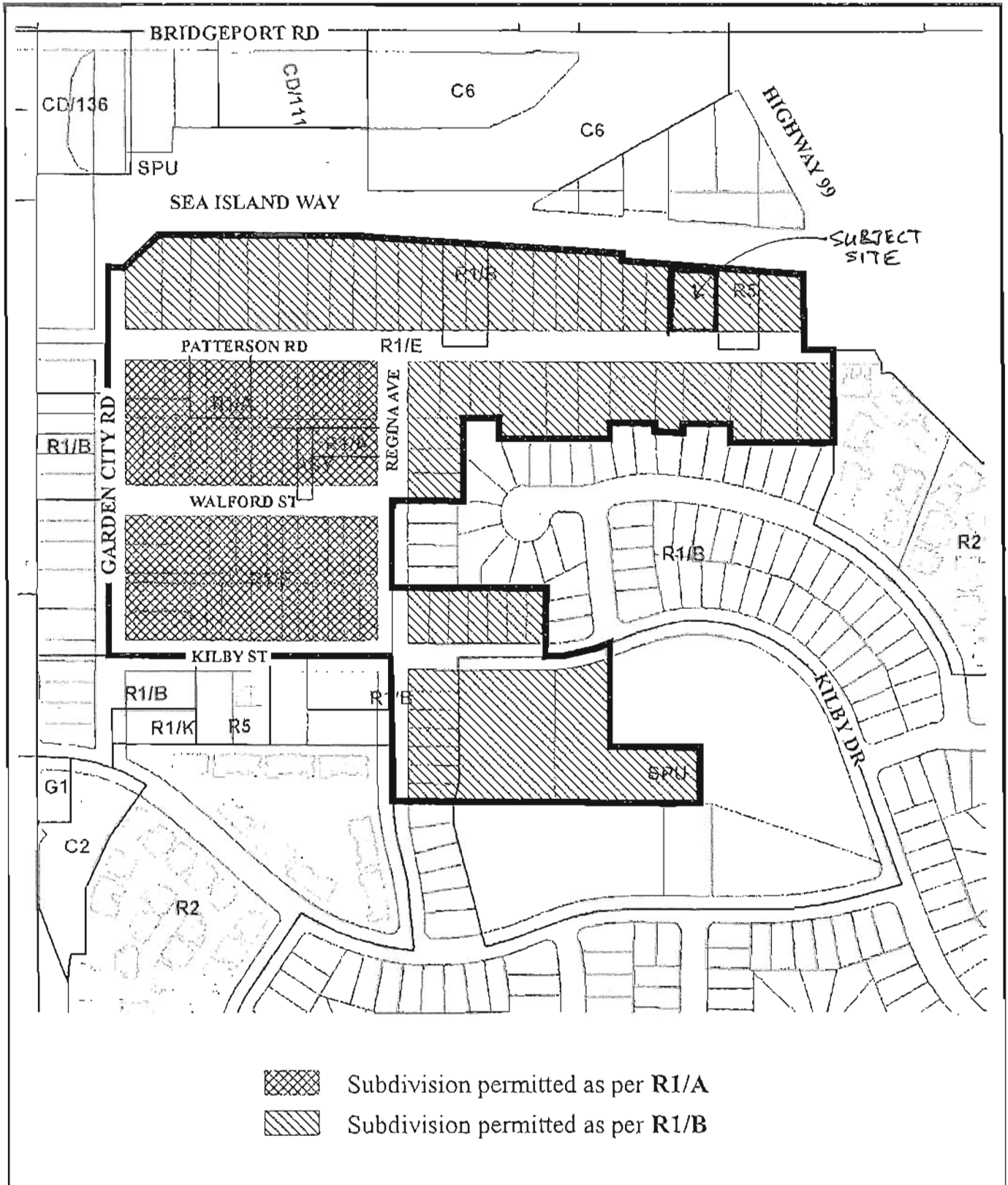
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 27-5-6

POLICY 5446:

The following policy establishes lot sizes in a portion of Section 27-5-6, bounded by **Sea Island Way, Highway 99, east side of Garden City Road, east side of Regina Avenue and north side of Kilby Street:**

That properties within the area bounded by Sea Island Way, Highway 99 and the east side of Regina Avenue, in a portion of Section 27-5-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) and further that properties within the area bounded by the east side of Garden City Road, the south side of Patterson Road, the west side of Regina Avenue and the north side of Kilby Street be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area A (R1/A) in Zoning and Development Bylaw 5300.

That this policy, as shown on the accompanying plan, 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 the Zoning and Development Bylaw.

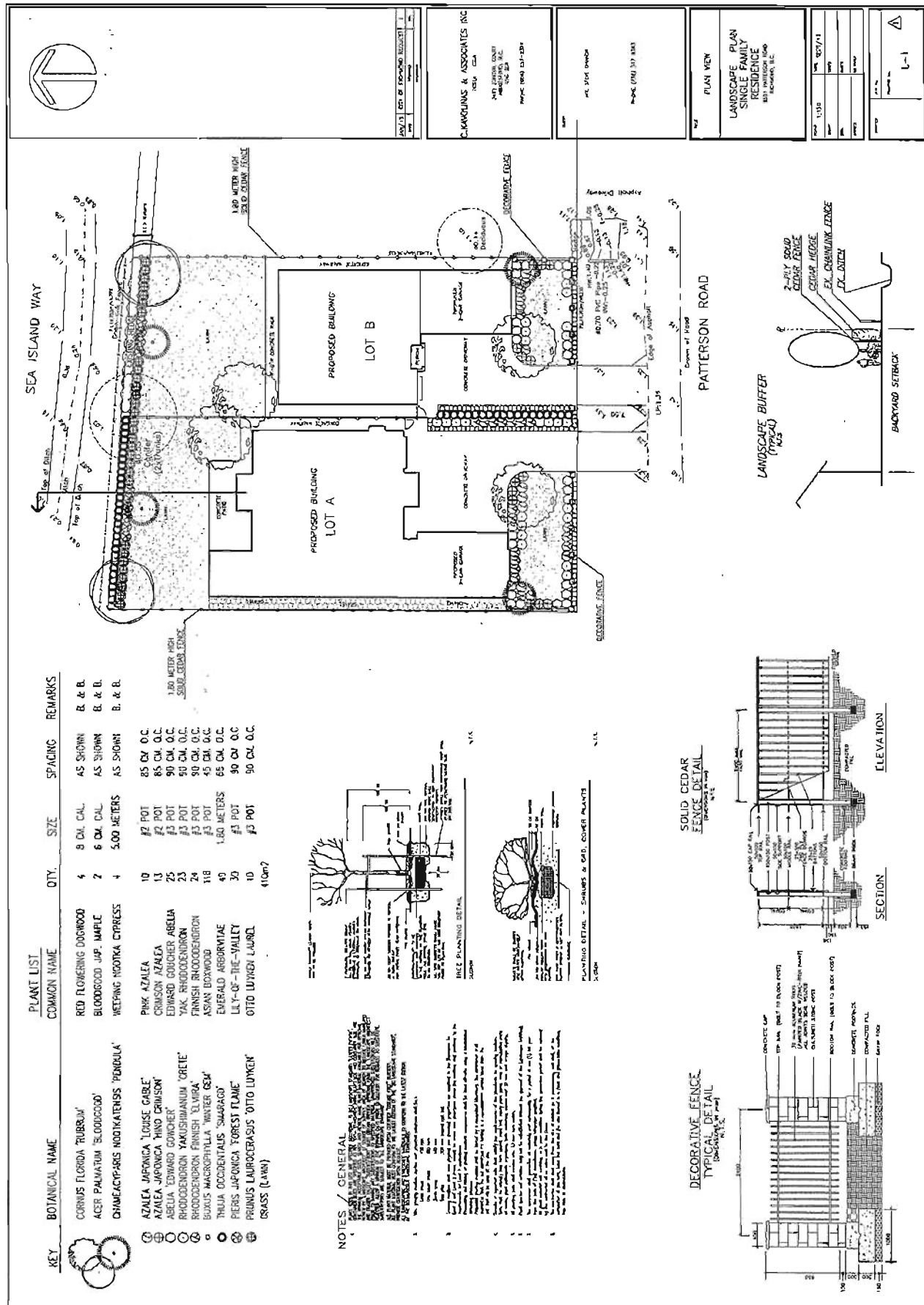


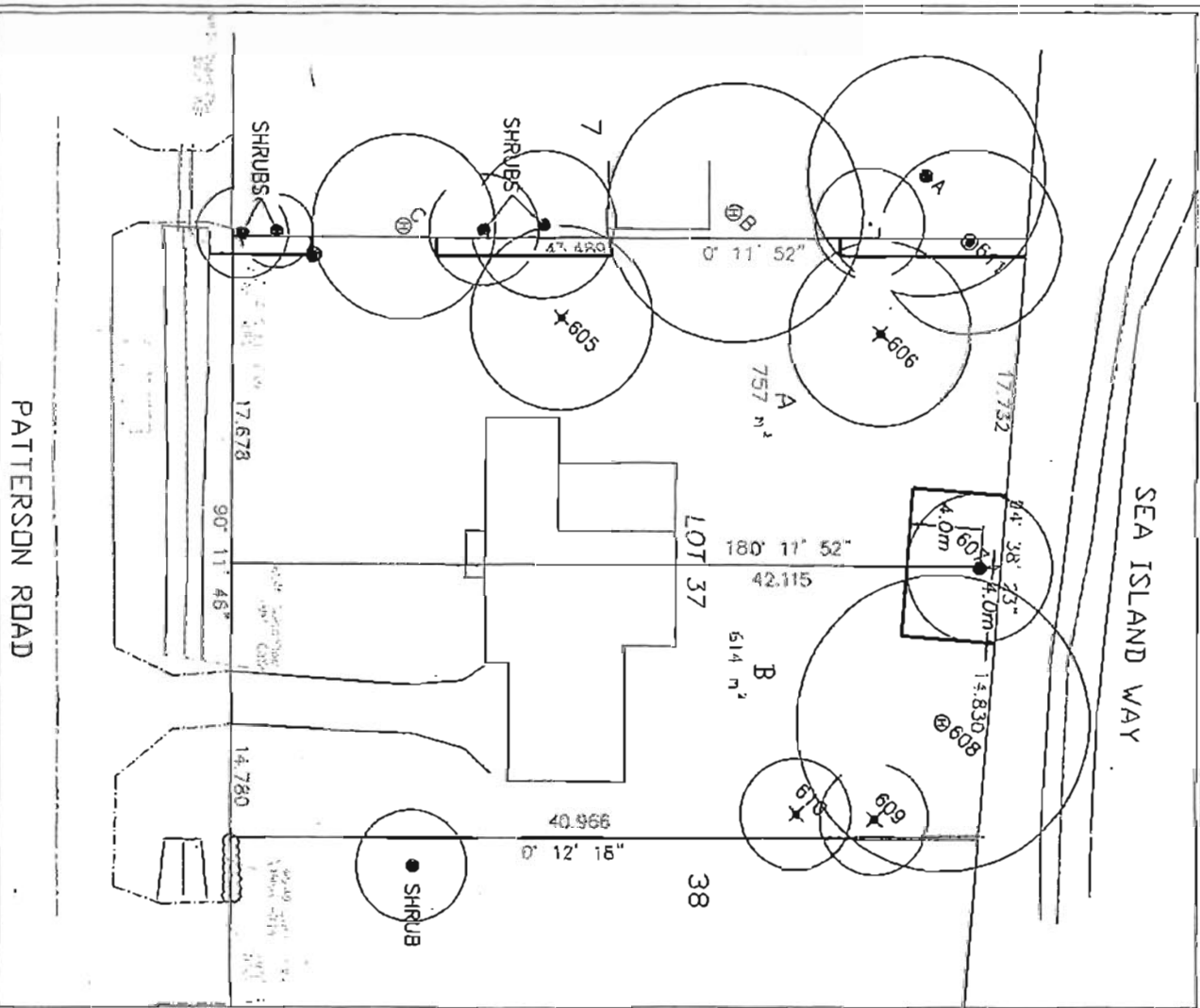
Policy 5446 Section 27-5-6

Adopted Date: 09/16/91

Amended Date: 06/21/99

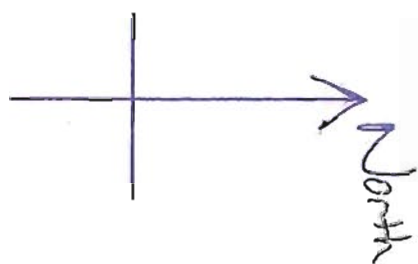
Note: Dimensions are in METRES





Plan Notes:
 1. This plan is based on a topographic and tree location survey provided by the owner. ArborTech Consulting Ltd. (ATCL) and its agents do not warrant the accuracy of the survey data. The owner is responsible for the accuracy of the survey data.
 2. The plan is provided for general information only and is not to be used for any other purpose without the written consent of ATCL.

LEGEND - TREE RETENTION
 • denotes TREE NUMBER. Refer to tree inventory for type, size and condition data.
 • denotes tree to be RETAINED
 X denotes tree to be REMOVED
 • denotes tree to be REMOVED for hazard mitigation
 • denotes TREE PROTECTION FENCE to be installed in Tree Retention Area (TRA) limits.



CITY OF RICHMOND
 JUN - 9 2011
RECEIVED

ATCL
 arbor tech consulting ltd
 Suite 200 - 3740 Chatham Street
 Richmond, BC Canada V7E 2Z3
 P 604 275 3484 F 604 275 9554
 email: trees@arbor tech.bc.ca

TREE RETENTION PLAN

Client: STEVE DHANDA
 Project: 2 LOT SUBDIVISION APPLICATION
 Address: 9591 PATTERSON ROAD, RICHMOND
 Date: 5 MAY 2011
 Our File: 11164

Muni File:

Scale 1:250



Rezoning Considerations

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

Address: 9591 Patterson Road

File No.: RZ 11-591331

Prior to final adoption of Zoning Amendment Bylaw 9025 , the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Registration of an aircraft noise sensitive use covenant on title.
3. Registration of a flood indemnity covenant on title.
4. Registration of a legal agreement on title to identify the entire 1.5 m rear yard space as a buffer area and to ensure that landscaping planted within this buffer is maintained and will not be abandoned or removed. Buffer is conceptually shown in the landscape plan prepared by C.Kavolinas & Associates Inc., dated January 2013, and attached to the Report to Committee dated April 12, 2013.
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 the future eastern lot of the proposed two-lot subdivision, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$6,928) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

6. Submission of a Landscaping Security to the City of Richmond in the amount of \$34,628 for the landscaping works (including 10 replacement trees) and buffer works as per the landscape plan prepared by C.Kavolinas & Associates Inc., dated January 2013, and attached to the Report to Committee dated April 12, 2013.

Prior to approval of Subdivision, the applicant is required to do the following:

1. Payment of Development Cost Charges (City and GVS & DD), Engineering Improvement Charges for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

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

1. Installation of appropriate tree protection fencing around all trees to be retained on site and/or on adjacent properties prior to any construction activities occurring on-site.

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

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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.

[signed copy on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9025 (RZ 11-591331)
9591 Patterson 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 **SINGLE DETACHED (RS2/B)**.

P.I.D. 012-747-891

Lot 37 Section 27 Block 5 North Range 6 West New Westminster District Plan 27793

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 9025**".

FIRST READING

MAY 13 2013

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by UB
APPROVED by Director or Solicitor iel

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Department

TO OPEN PLN - MAY 7, 2013

TO CNCL - MAY 13, 2013

To: Planning Committee

Date: April 26, 2013


From: Wayne Craig
Director of Development

File: RZ 12-598660

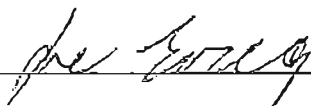
Re: Application by Harvinder Mattu and Ganda Singh for Rezoning at 10291 Bird Road from Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Bylaw 9026, for the rezoning of 10291 Bird Road from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.


Wayne Craig
Director of Development

EL:kt
Att.

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

Staff Report

Origin

Harvinder Mattu and Ganda Singh have applied to the City of Richmond for permission to rezone 10291 Bird Road (**Attachment 1**) from Single Detached (RS1/E) to Single Detached (RS2/B) in order to permit the property to be subdivided into two (2) single-family residential lots.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

- To the north: An east-west hydro line corridor and trail on a provincially-owned parcel zoned School & Institutional Use (SI).
- To the east: A series of non-conforming duplexes on lots zoned Single Detached (RS1/E).
- To the south: Across Bird Road, a series of newer single-family dwellings on lots rezoned and subdivided to "Single Detached (RS1/B)" in the early 2000's.
- To the west: Two (2) newer single-family dwellings on lots zoned "Single Detached (RS1/B)" (RZ 06-330144, SD 06-330146).

Related Policies & Studies

Lot Size Policy 5424

The subject site is located within the area covered by Lot Size Policy 5424 (adopted by City Council in 1989) (**Attachment 3**). This Policy permits rezoning and subdivision of lots on the Bird Road in accordance with "Single Detached (RS2/B)". This redevelopment proposal would enable the property to be subdivided into a maximum of two (2) lots; each approximately 12.2 m wide and approximately 688 m² in area, which is consistent with the Lot Size Policy.

Affordable Housing

The Richmond Affordable Housing Strategy requires a suite on at least 50% of new lots, or a cash-in-lieu contribution of \$1.00 per square foot of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant is proposing to provide a legal secondary suite on at least one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection is to be granted until the secondary suites are constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning. This agreement will be discharged from Title on the one (1) lot where a secondary

suite is not required by the Affordable Housing Strategy after the requirements are satisfied, at the initiation of the applicant.

Should the developers' change their mind about the affordable housing option selected, a voluntary contribution to the City's Affordable Housing Reserve Fund in-lieu of providing the secondary suite will be accepted. In this case, the voluntary contribution would be required to be submitted prior to final adoption of the rezoning bylaw, and would be based on \$1.00 per square foot of total building area of the single detached developments (i.e. \$6,976).

Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required prior to rezoning bylaw adoption.

OCP Aircraft Noise Sensitive Development (ANSD) Policy

The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area within a designation that permits new single-family development that is supported by an existing Lot Size Policy. As the site is affected by Airport Noise Contours, the development is required to register a covenant on title prior to final adoption of the rezoning bylaw.

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

Tree Preservation and Replacement

A Tree Survey (**Attachment 4**) and a Certified Arborist's Report were submitted in support of the application. The City's Tree Preservation staff have reviewed the Arborist Report and concurred with the recommendations made by the Arborist.

There are three (3) trees located on site but all of them are not good candidates for retention as they have all been previously topped and as a result all have visible decay at the old pruning wounds and stem failure. Based on the 2:1 tree replacement ratio goal stated in the OCP, six (6) replacement trees are required. Based on the size requirements for replacement trees in the Tree Protection Bylaw No. 8057, replacement trees with the following minimum calliper sizes are required:

# Trees to be removed	dbh	# of replacement trees required	Min. calliper of deciduous tree	or	Min. height of coniferous tree
1	20-30 cm	2	6 cm		3.5 m
2	60 cm +	4	11 cm		6.0 m

To ensure that the replacement trees are planted and maintained, the applicant is required to submit a Landscaping Security to the City in the amount of \$3,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

There are two (2) trees located on the city's boulevard in front of the site. Parks Operations staff have assessed the tree condition and recommend that the tree protection fencing be installed no less than 2.0 m from the tree. This should allow for a driveway width of approximately 5.5 m between the two (2) city trees. Any excavation within the critical root zone (drip line) of the tree should be done by hand; proper root pruning should be carried out if necessary. A contract with a Certified Arborist to monitor all works to be done near or within the tree protection zone must be submitted prior to final adoption of the rezoning bylaw.

Ministry of Transportation & Infrastructure (MOTI) Approval

MOTI approval is a condition of final approval for this site. Preliminary Approval has been granted by MOTI for one (1) year.

Existing Utility Right-of-Way

There is an existing 6.0 m wide utility right-of-way (ROW) that runs east-west through the rear portion of the subject site. The applicants have been advised that no encroachment into the ROW is permitted. This includes no building construction, planting of trees, placement of fill and non-cast-in-place retaining walls above 0.9 m (3 ft) in height.

Site Servicing and Subdivision

No Servicing concerns.

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

Analysis

This is a relatively straightforward redevelopment proposal. This development proposal is consistent with Lot Size Policy 5424 and is located within an established residential neighbourhood that has a strong presence of Single Detached (RS1/B) lots. Numerous similar applications to rezone and subdivide properties to the proposed "Single Detached (RS2/B)" zone have been approved within this block of Bird Road since the early 1990's. Other lots on the north side of this block have redevelopment potential in accordance with the existing Lot Size Policy.

All the relevant technical issues have been addressed. The list of rezoning considerations is included as **Attachment 5**, which has been agreed to by the applicants (signed concurrence on file).

Financial Impact or Economic Impact

None.

Conclusion

This rezoning application to permit subdivision of one (1) existing large lot into two (2) medium sized lots that comply with Lot Size Policy 5424 and all applicable policies and land use designations contained within the Official Community Plan (OCP). The proposal is consistent with the direction of redevelopment in the surrounding area. On this basis, staff recommend support of the application.

A handwritten signature in blue ink, appearing to read 'Edwin Lee', with a long horizontal flourish extending to the right.

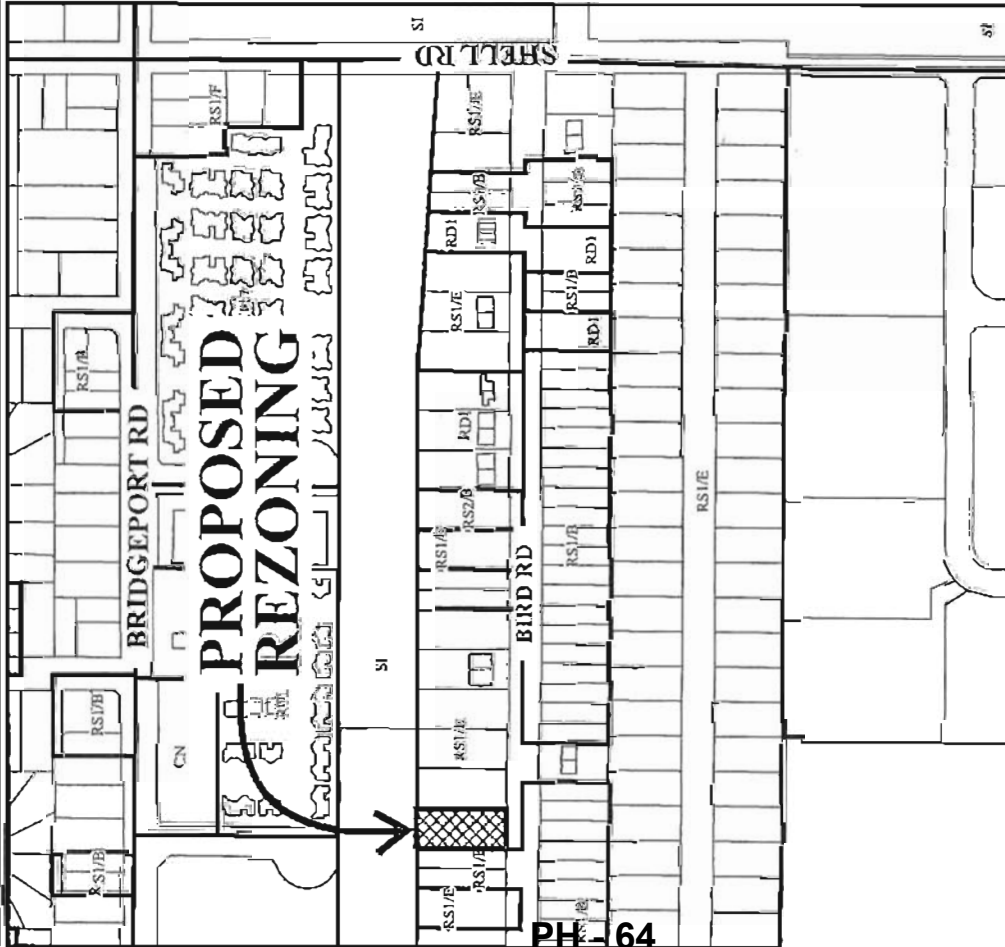
Edwin Lee
Planning Technician - Design

EL:kt

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5424
- Attachment 4: Tree Survey
- Attachment 5: Rezoning Considerations Concurrence

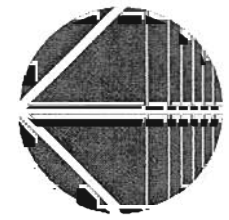


City of Richmond



12.19	12.19	24.38	24.38	56.71	24.38	10331	24.38
56.34	10271	10273	56.39	10291	24.38	10311	24.38
12.19	12.19	24.38	56.39	56.61	24.38	10326	12.04
12.19	12.19	24.38	56.39	56.61	24.38	10366	12.04

BIRD RD

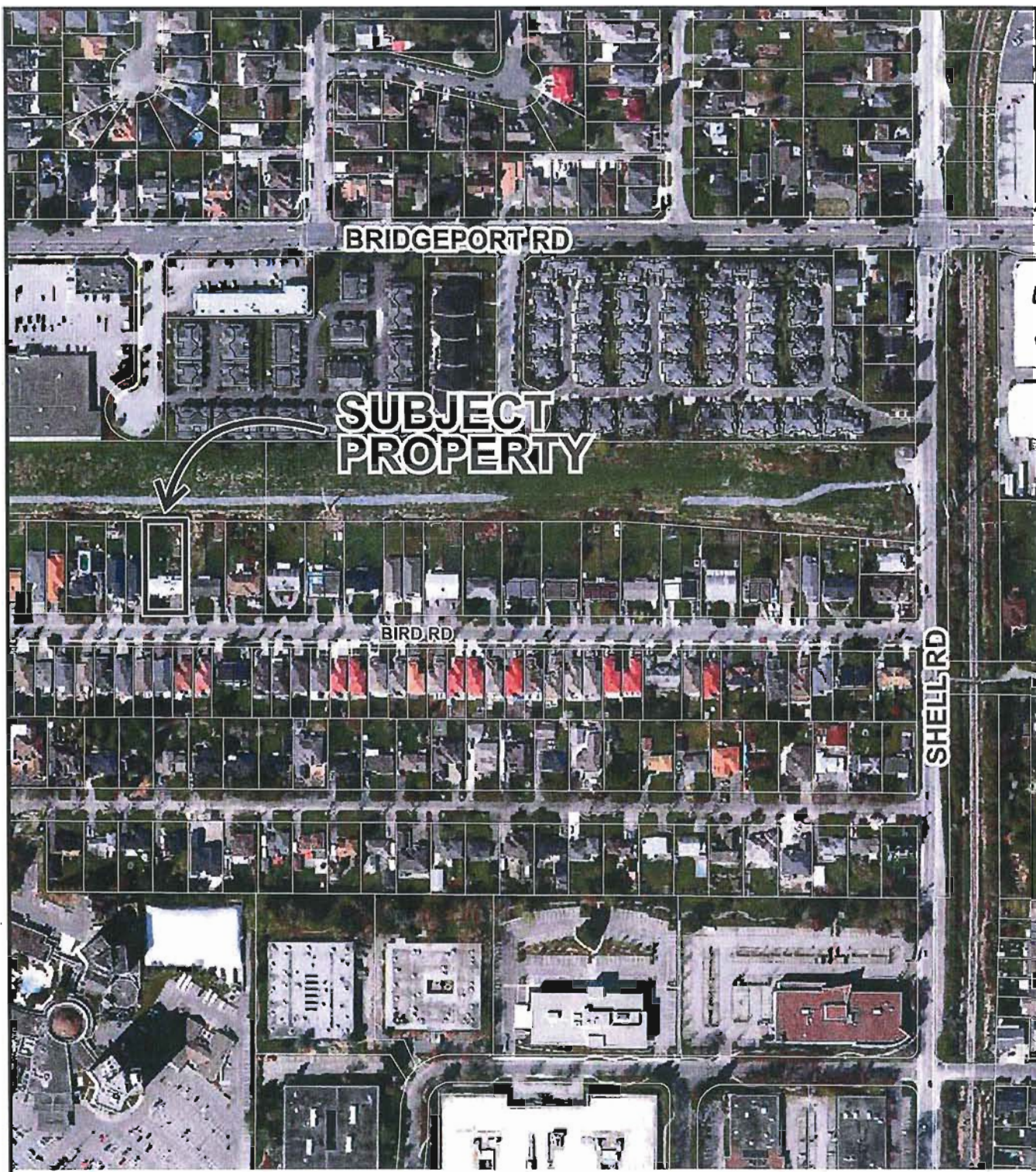


RZ 12-598660

Original Date: 01/26/12

Revision Date:

Note: Dimensions are in METRES



RZ 12-598660

Original Date: 01/26/12

Amended Date:

Note: Dimensions are in METRES



RZ 12-598660

Attachment 2

Address: 10291 Bird Road

Applicant: Harvinder Mattu and Ganda Singh

Planning Area(s): East Cambie

	Existing	Proposed
Owner:	Harvinder Mattu and Ganda Singh	No Change
Site Size (m ²):	1,375 m ² (14,800 ft ²)	Approx. 688 m ² (7,400 ft ²) each
Land Uses:	One (1) single-family dwelling	Two (2) single-family dwellings
OCP Designation:	2041 OCP Land Use Map designation – "Neighbourhood Residential"	No change
Area Plan Designation:	East Cambie Area Plan – Residential (Single Family only)	No change
702 Policy Designation:	Policy 5424 permits subdivision to "Single Detached (RS2/B)"	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)
Number of Units:	1	2
Other Designations:	N/A	No Change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Non-porous:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping:	Min. 25%	Min. 25%	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Setback – Exterior Side Yard (m):	Min. 3.0 m	Min. 3.0 m	none
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none
Lot Size (min. dimensions):	360 m ²	688 m ²	none

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



Page 1 of 1

Adopted by Council: November 20, 1989

Policy 5424

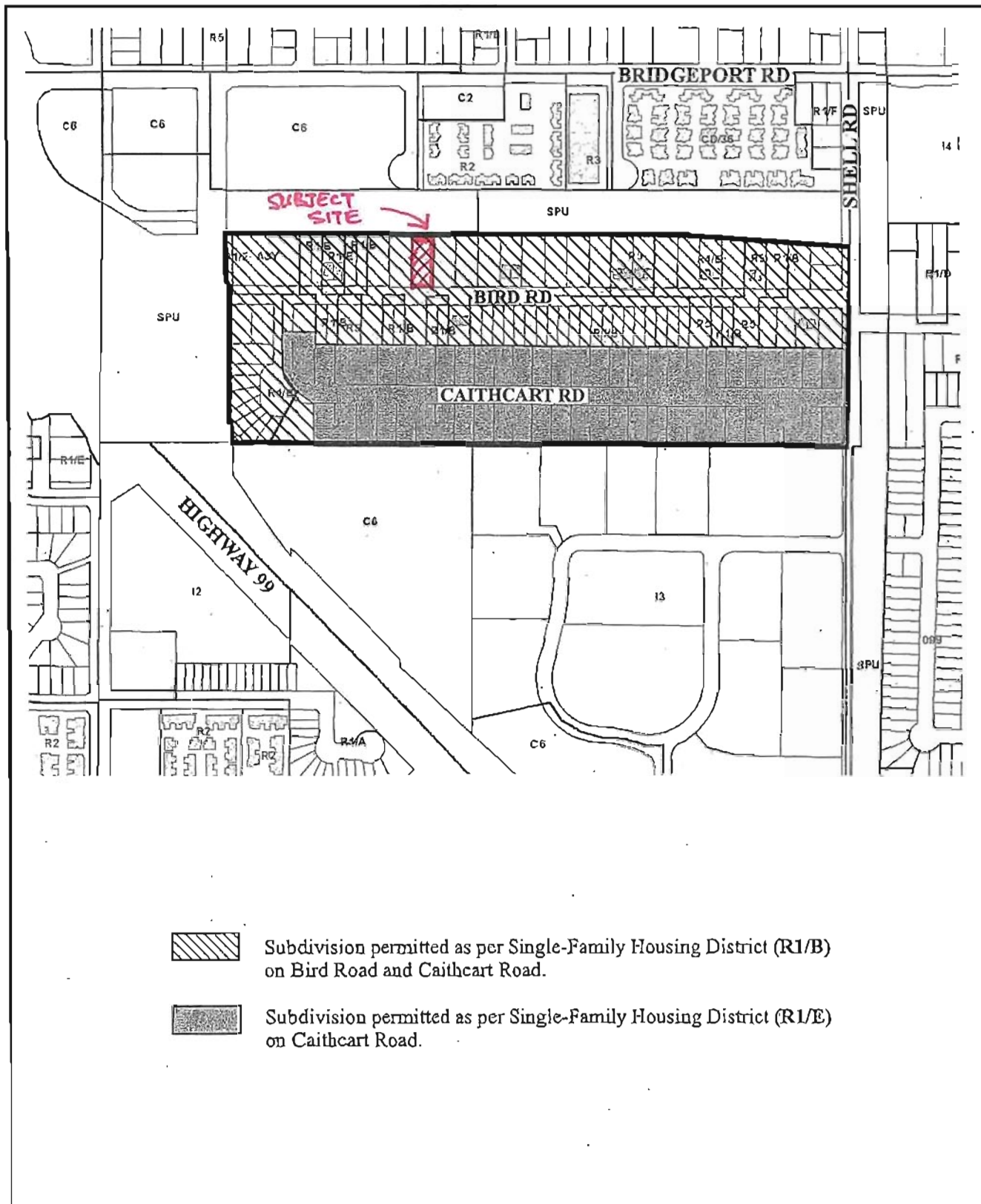
File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER SECTION 26-5-6

Policy 5424:

The following policy establishes lot sizes in Section 26-5-6, located on **Bird Road and Caithcart Avenue:**

That properties located in a portion of Section 26-5-6, be permitted to subdivide on Bird Road and at the westerly end of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/B) and be permitted to subdivide on the remainder of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/E) in Zoning and Development Bylaw 5300, and that this policy, as shown on the accompanying plan, 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.

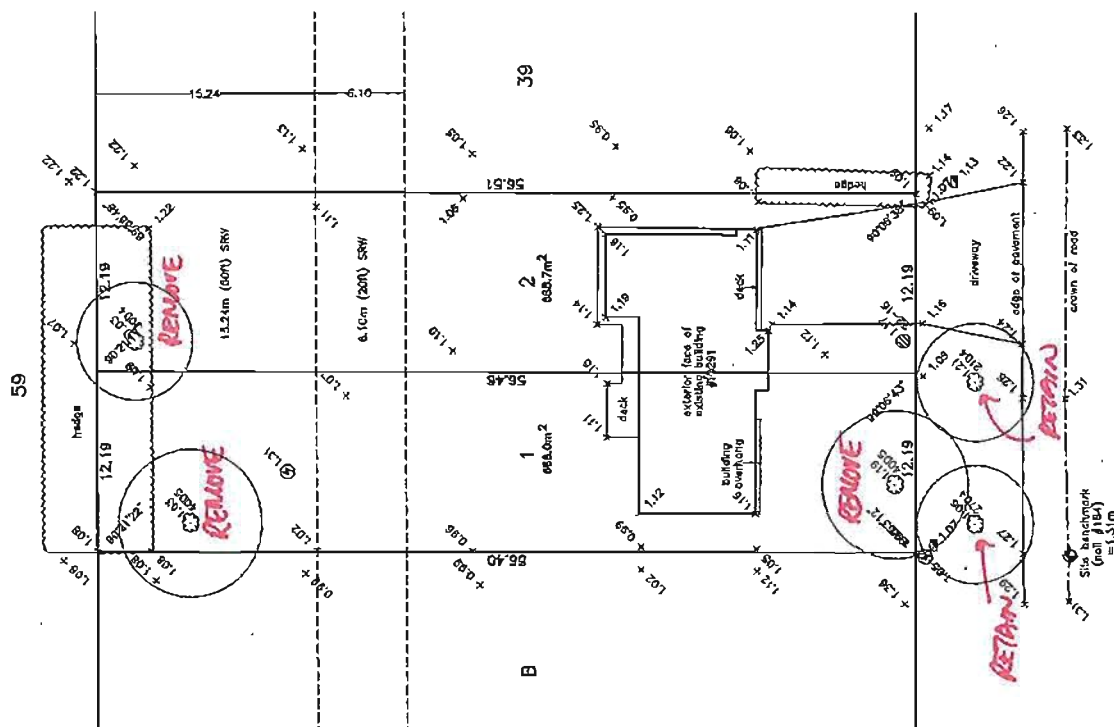


POLICY 5424 SECTION 26, 5-6

Adopted Date: 11/20/89

Amended Date:

PH - 69




- Let dimensions are derived from field survey.
- Elevations are based on the Coddell Datum of Richmond and are derived from Hingolga (02312419) situated in side of Bath Slough North pump station East of No. 5 Rd. Elevation = 3.337 meters.
- For elevation control, use control monument at site benchmark in pavement only.
- All trees and stumps have been planted as required.
- All dimensions are to exterior faces unless otherwise noted.

- ① diameter hydra pole.
 ② diameter ootheca bag.
 ③ diameter tube = lumen.
 ④ height (cm)
 ⑤ diameter lumen.
 ⑥ drip line radius (m)
 ⑦ counterflow
 ⑧ diameter
 ⑨ diameter (cm)

CERTIFIED CORRECT.
DATED THIS 20TH DAY OF SEPT., 2011

MULIAWAN KOESOEMA B.C.L.S.

LOUIS NGAN LAND SURVEYING

 4939 VICTORIA DRIVE
 VANCOUVER, B.C. V6P 3T8
 (604) 327-1536

PID: 007--284--503
FILE: R8--10291TP

© LOUIS NGAN LAXD SURVEYING INC., 2011



Rezoning Considerations

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

Address: 10291 Bird Road

File No.: RZ 12-598660

Prior to final adoption of Zoning Amendment Bylaw 9026 , the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Registration of an aircraft noise sensitive use covenant on title.
3. Registration of a flood indemnity covenant on title.
4. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$6,976) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

5. Submission of a Landscaping Security to the City of Richmond in the amount of \$3,000 (\$500/tree) for the planting and maintenance of six (6) replacement trees (in a mix of coniferous and deciduous trees) with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	Or	Minimum Height of Coniferous Trees
2	6 cm		3.5 m
4	11 cm		6.0 m

Note: 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.

Should the applicant wish to begin site preparation work after Third Reading of the rezoning bylaw, but prior to Final Adoption of the rezoning bylaw, the applicant will be required to obtain a Tree Permit, install tree protection around trees to be retained, and submit a landscape security (i.e. \$3,000) to ensure the replacement planting will be provided.

6. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted near or within the tree protection zone on site and on city boulevard for protected street trees located on the city boulevard. 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.

Prior to approval of Subdivision, the applicant is required to do the following:

1. Payment of Development Cost Charges (City and GVS & DD), Engineering Improvement Charges for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Prior to Demolition Permit* issuance, the applicants must complete the following requirements:

1. Installation of appropriate tree protection fencing around all city trees in front of the site prior to any demolition and/or construction activities occurring on-site. Tree protection fencing must be installed no less than 2.0 m from the tree and must remain in place until construction and landscaping on the future lots is completed.

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

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

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.

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9026 (RZ 12-598660)
10291 Bird 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 **SINGLE DETACHED (RS2/B)**.

P.I.D. 007-294-603

Lot 38 Block "B" Section 26 Block 5 North Range 6 West New Westminster District Plan 14105

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 9026**".

FIRST READING

MAY 13 2013

A PUBLIC HEARING WAS HELD ON

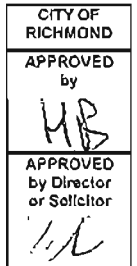
SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER