



To: Planning Committee
From: Brian J. Jackson
Director of Development

To Planning - Sep 16, 2008
Date: August 26, 2008

RZ 08-423764

File: 12-8060-20-8422

Re: Application by Peter and Ewa Schwarz for Rezoning at 8364 Ruskin Place from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B)

Staff Recommendation

That Bylaw No. 8422, for the rezoning of 8364 Ruskin Place from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area B (R1/B)", be introduced and given first reading.

Brian J. Jackson
Director of Development

CL:blg
Att. 5

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Real Estate Services.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Peter and Ewa Schwarz have applied to the City of Richmond for permission to rezone 8364 Ruskin Place from *Single-Family Housing District, Subdivision Area E (R1/E)* to *Single-Family Housing District, Subdivision Area B (R1/B)* to permit the property to be subdivided into two (2) single-family residential lots (**Attachment 1**).

Findings of Fact

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

Surrounding Development

The surrounding area is an established residential neighbourhood consisting predominantly of older character dwellings on larger lots zoned *Single-Family Housing District, Subdivision Area E (R1/E)*, with a few newer character dwellings on smaller lots zoned *Single-Family Housing District, Subdivision Area B (R1/B)*.

- To the North, immediately across the cul-de-sac on Ruskin Place, are two (2) newer character dwellings on lots rezoned and subdivided in 2001 to *Single-Family Housing District, Subdivision Area B (R1/B)*.
- To the East, is an older character dwelling on a lot zoned *Single-Family Housing District, Subdivision Area E (R1/E)*.
- To the South, are three (3) older character dwellings fronting Ruskin Road and Ryan Road on lots zoned *Single-Family Housing District, Subdivision Area E (R1/E)*, that are currently the subject of active rezoning applications to *Single-Family Housing District, Subdivision Area B (R1/B)* (RZ 08-403161).
- To the West, is an older character dwelling fronting Ruskin Place on a lot zoned *Single-Family Housing District, Subdivision Area E (R1/E)*.

Related Policies & Studies

OCP Designation

There is no Area Plan for this area. The Official Community Plan's (OCP) Generalized Land Use Map designation for this property is *Neighbourhood Residential*, and the Specific Land Use Map designation is *Low-Density Residential*. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5469

The subject property is located within the area covered by Single-Family Lot Size Policy 5469 (adopted by Council in 2001) (**Attachment 3**). This Policy permits rezoning and subdivision of lots on sections of Ryan Road, Leonard Road, Ruskin Road, and Ruskin Place to *Single-Family Housing District, Subdivision Area B (R1/B)*. This redevelopment proposal would enable a two-lot subdivision, with each lot meeting the minimum lot area of 360 m².

Staff Comments

Background

Since 2001, this area has begun to see some redevelopment to smaller lot sizes in accordance with the Lot Size Policy. Currently, there are three (3) active applications for redevelopment in this area, including the subject property.

Trees & Landscaping

A Tree Survey submitted by the applicant indicates the location of six (6) trees and two (2) hedges (**Attachment 4**):

- three (3) bylaw-sized trees, and two (2) hedges are located on the subject property; and
- three (3) bylaw-sized trees are located on adjacent properties to the south that are currently the subject of an active development application (RZ 08-403161 at 10240 Ruskin Road and 8371 Ryan Road).

A Certified Arborist's Report has been submitted by the applicant. The report identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the proposed development. The report recommends removal of the three (3) bylaw-sized trees and removal of the two (2) hedges from the subject property (Trees # 1-5) based on poor condition and conflict with proposed development. The City's Tree Preservation Coordinator has reviewed the Arborist Report and concurs with these recommendations.

The trees on adjacent properties at 10240 Ruskin Road and 8371 Ryan Road (Trees A and B) are to be protected and Tree Protection Fencing installed in accordance with the recommendations provided in the Arborist's Report (see details in **Attachment 5**). Tree Protection Fencing must be installed, to City standards, prior to demolition of the existing dwelling on the subject property, and must remain in place until construction of the future dwellings on the site is complete.

In addition, as a condition of rezoning, the applicant will be required to submit a contract with a Certified Arborist to supervise on-site works conducted within the drip lines of Trees A and B. The contract should include the nature of the work that is to be undertaken as recommended in the Arborist's Report, specifically:

- supervision of perimeter drainage installation;
- construction of a retaining wall; and
- preparation of a post-construction impact assessment report to be submitted by the Arborist to the City for review.

Based on the OCP's tree replacement ratio goal of 2:1, and the size requirements for replacement trees in the City's Tree Protection Bylaw, a total of six (6) replacement trees are required, with the following minimum calliper sizes:

# trees to be replaced	min. calliper of deciduous tree	or	min. height of coniferous tree
2	9 cm		5 m
2	8 cm		4 m
2	6 cm		3.5 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

City Council adopted an Interim Affordable Housing Strategy for Single-Family Developments on April 28, 2008. This interim strategy applies to in-stream single-family rezoning applications received after July 1, 2007, until a revised Richmond Affordable Housing Strategy related to single-family rezoning applications is approved. The interim strategy requires a suite on 50% of new lots or a cash-in-lieu contribution of \$1.00/ft² of total building area toward the Affordable Housing Reserve.

In order to help meet the City's targets for rental housing, the applicant has agreed to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Interim Affordable Housing Strategy, the developer is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection would be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning. This agreement will be discharged from Title after the requirements are satisfied, at the initiation of the applicant.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicular access to the site at future development stage will be from Ruskin Place.

Flood Management

In accordance with the Interim Flood Protection Management Strategy, registration of a Flood Indemnity Covenant on Title is required prior to final adoption of the rezoning bylaw.

Subdivision

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

Analysis

This development proposal is consistent with Lot Size Policy 5469 and is located within an established residential neighbourhood that has seen some redevelopment to smaller lot sizes since 2001 in accordance with the Lot Size Policy.

Financial Impact

None.

Conclusion

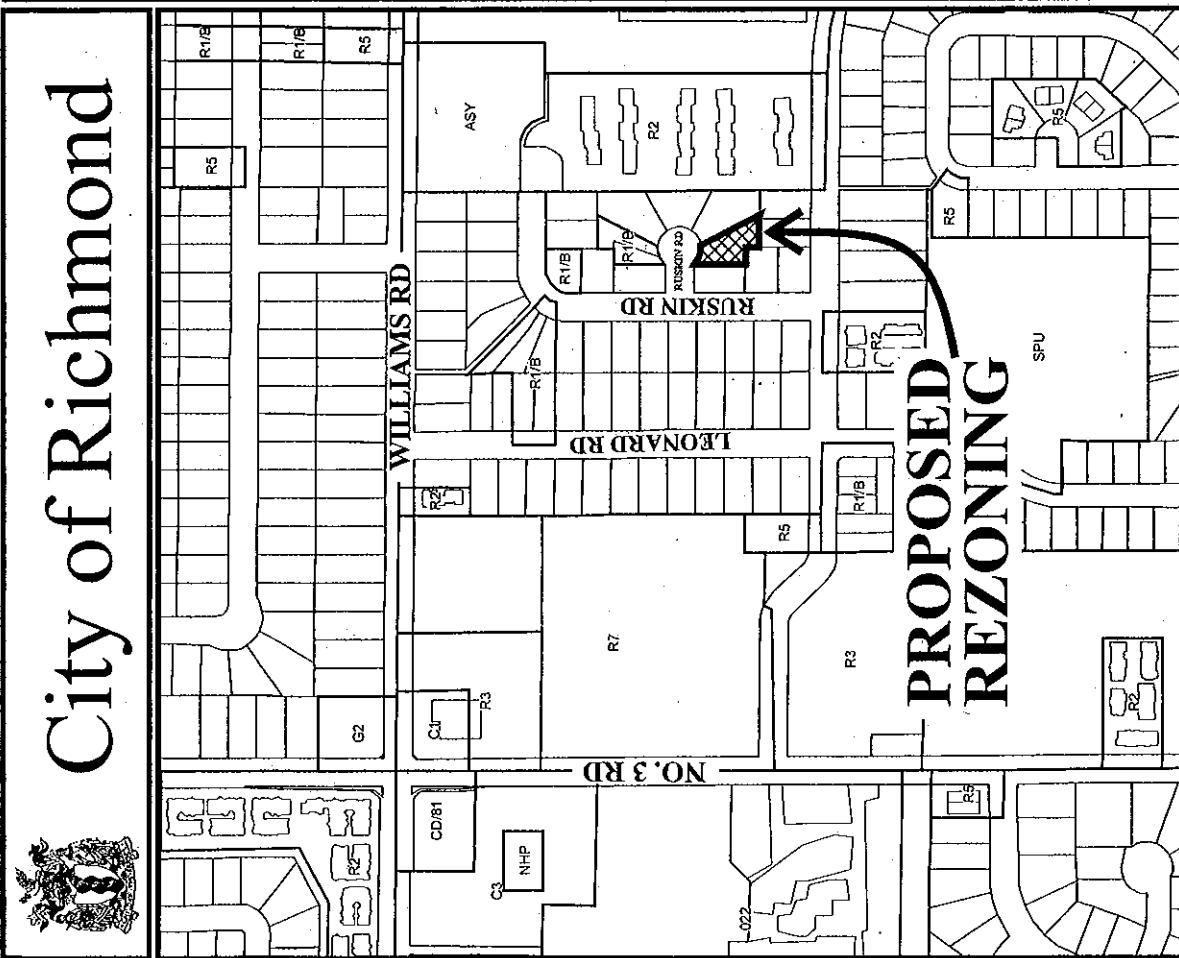
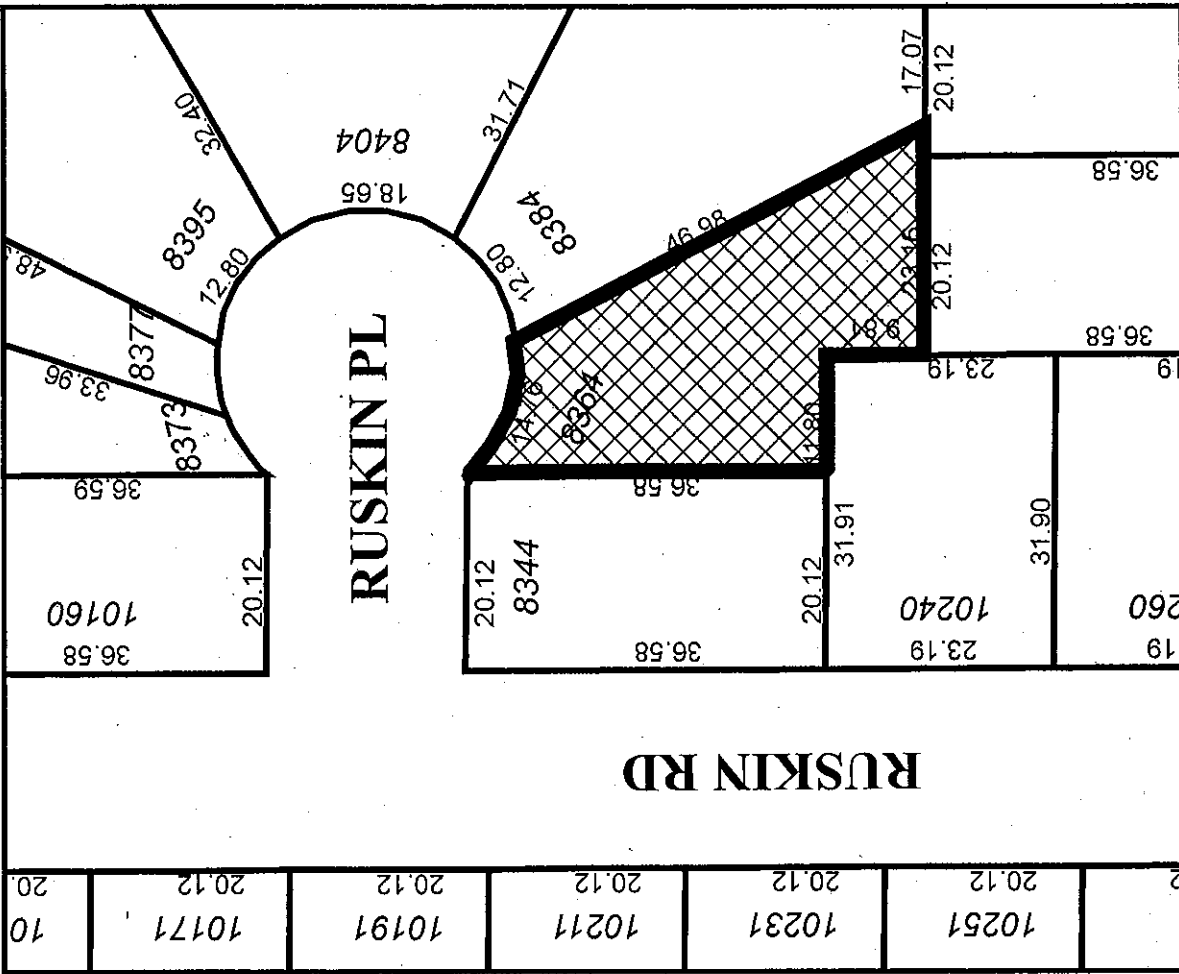
This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with Lot Size Policy 5469, and complies with all applicable policies and land use designations contained within the OCP. The list of rezoning conditions is included as **Attachment 5**, which has been agreed to by the applicant (signed acceptance on file). On this basis, staff support the application.



Cynthia Lussier
Planning Assistant
(Local 4108)

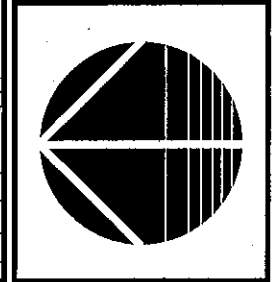
CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5469
- Attachment 4: Tree Survey
- Attachment 5: Rezoning Considerations Concurrence



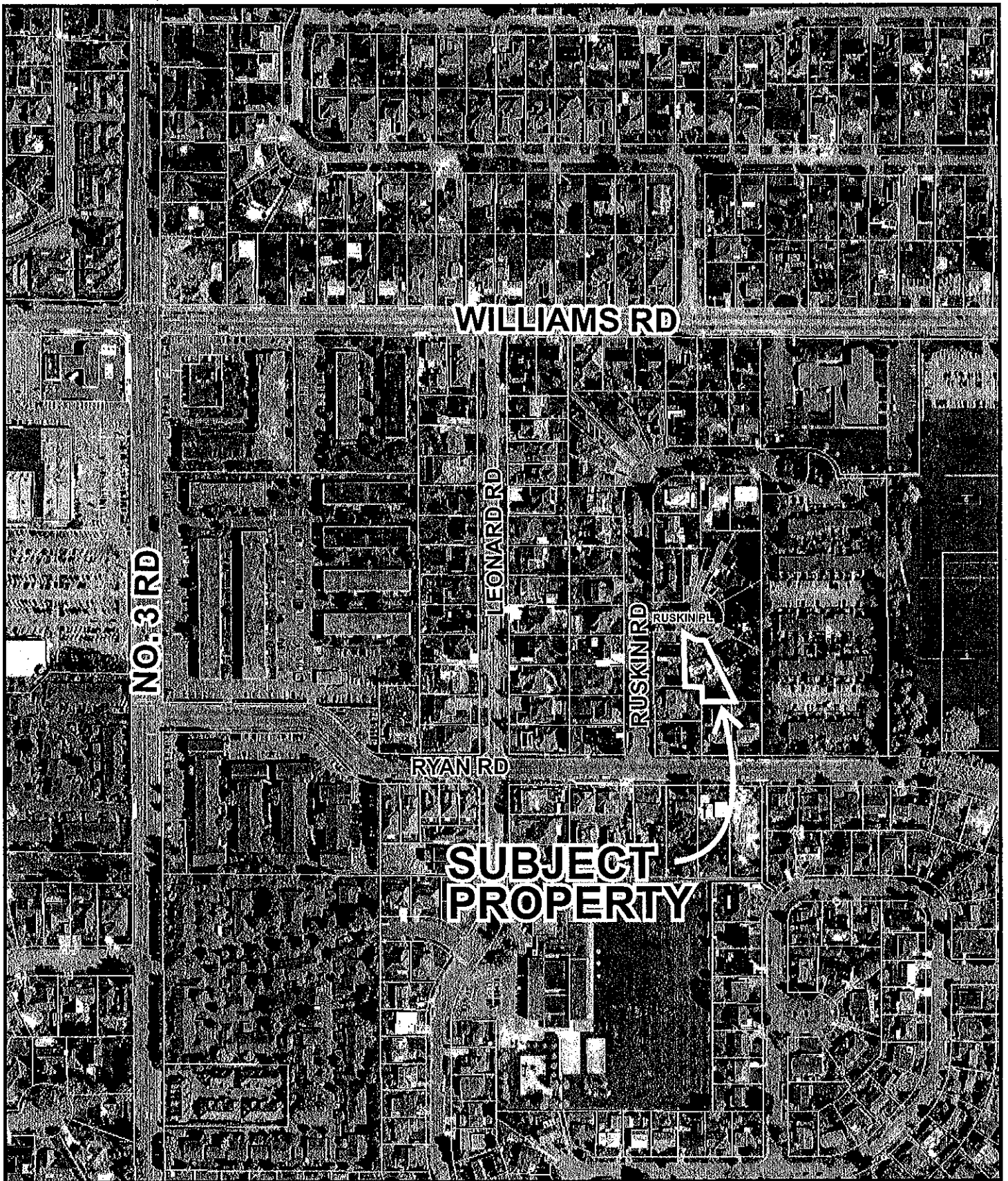
Original Date: 04/06/08
 Revision Date:
 Note: Dimensions are in METRES

RZ 08-423764



City of Richmond





RZ 08-423764

Original Date: 06/04/08

Amended Date:

Note: Dimensions are in METRES



City of Richmond
 6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

Development Application Data Sheet

RZ 08-423764

Attachment 2

Address: 8364 Ruskin Place

Applicant: Peter and Ewa Schwarz

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Peter and Ewa Schwarz	To be determined
Site Size (m²):	898 m ² (9,666 ft ²)	Two lots, each approximately 449 m ² (4,833 ft ²)
Land Uses:	One (1) single-family dwelling	Two (2) single-family dwellings
OCP Designation:	<ul style="list-style-type: none"> • Generalized Land Use Map designation – <i>Neighbourhood Residential</i> • Specific Land Use Map Designation – <i>Low-Density Residential</i> 	No change
Area Plan Designation:	None	No change
702 Policy Designation:	Policy 5469 permits subdivision to "Single-Family Housing District, Subdivision Area B (R1/B)".	No change
Zoning:	Single-Family Housing District, Subdivision Area E (R1/E)	Single-Family Housing District, Subdivision Area B (R1/B)
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):	360 m ²	Two lots each approximately 449 m 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):	2.5 storeys	2.5 storeys	none

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



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: February 19, 2001

POLICY 5469

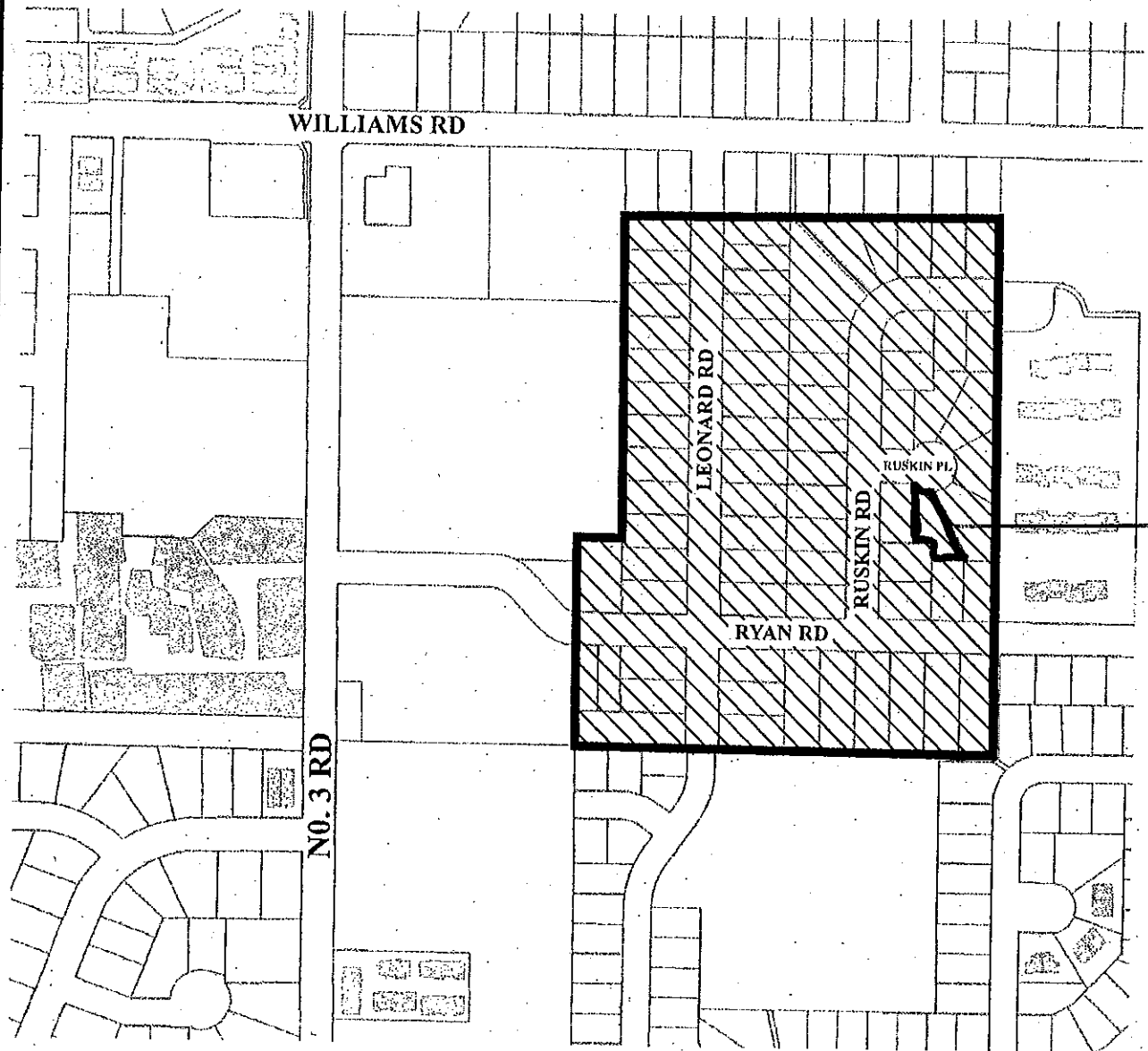
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SINGLE-FAMILY LOT SIZE POLICY IN QUARTER SECTION 33-4-6


POLICY 5469:

The following policy establishes lot sizes in a portion of Section 33-4-6, for the properties generally located along **Ryan Road, Leonard Road, Ruskin Road and Ruskin Place**, as shown on the attached map:

That properties along Ryan Road, Leonard Road, Ruskin Road and Ruskin Place (in a portion of section 33-4-6) as shown on the attached map, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) as per the Zoning and Development Bylaw 5300 and that this policy be used to determine the disposition of future rezoning applications in this area for a period of not less than five years, except as per the amending procedures in the Zoning and Development Bylaw 5300.



SUBJECT
PROPERTY

 Subdivision permitted as per R1/B



POLICY 5469
SECTION 33,4-6

Adopted Date: 02/19/01
Amended Date:

SURVEY PLAN OF JT 32 SECTION 33
 BLOCK 4 NORTH RANGE 6 WEST
 NEW WESTMINSTER DISTRICT PLAN 18353

R-08-14712-TREE

ATTACHMENT 4

SHOWING TREES ACCORDING TO CITY OF RICHMOND
 BYLAW No. 8014

PARCEL IDENTIFIER (PID): 003-907-821

CIVIC ADDRESS:
 #8364 RUSKIN PLACE
 RICHMOND, B.C.

NOTES:

- ELEVATIONS ARE IN METRES AND ARE REFERRED TO RICHMOND GEODETIC DATUM.
- PROPERTY LINE DIMENSIONS ARE DERIVED FROM LEGAL FIELD SURVEYS.
- TREES WITH TRUNK DIAMETERS OF LESS THAN 0.20m ARE NOT SHOWN ON THIS PLAN.

CERTIFIED CORRECT
 THIS 8TH DAY OF APRIL, 2008.

Shirley Campbell

B.C. LAND SURVEYOR

THIS DOCUMENT IS NOT VALID UNLESS
 ORIGINALLY SIGNED AND SEALED.

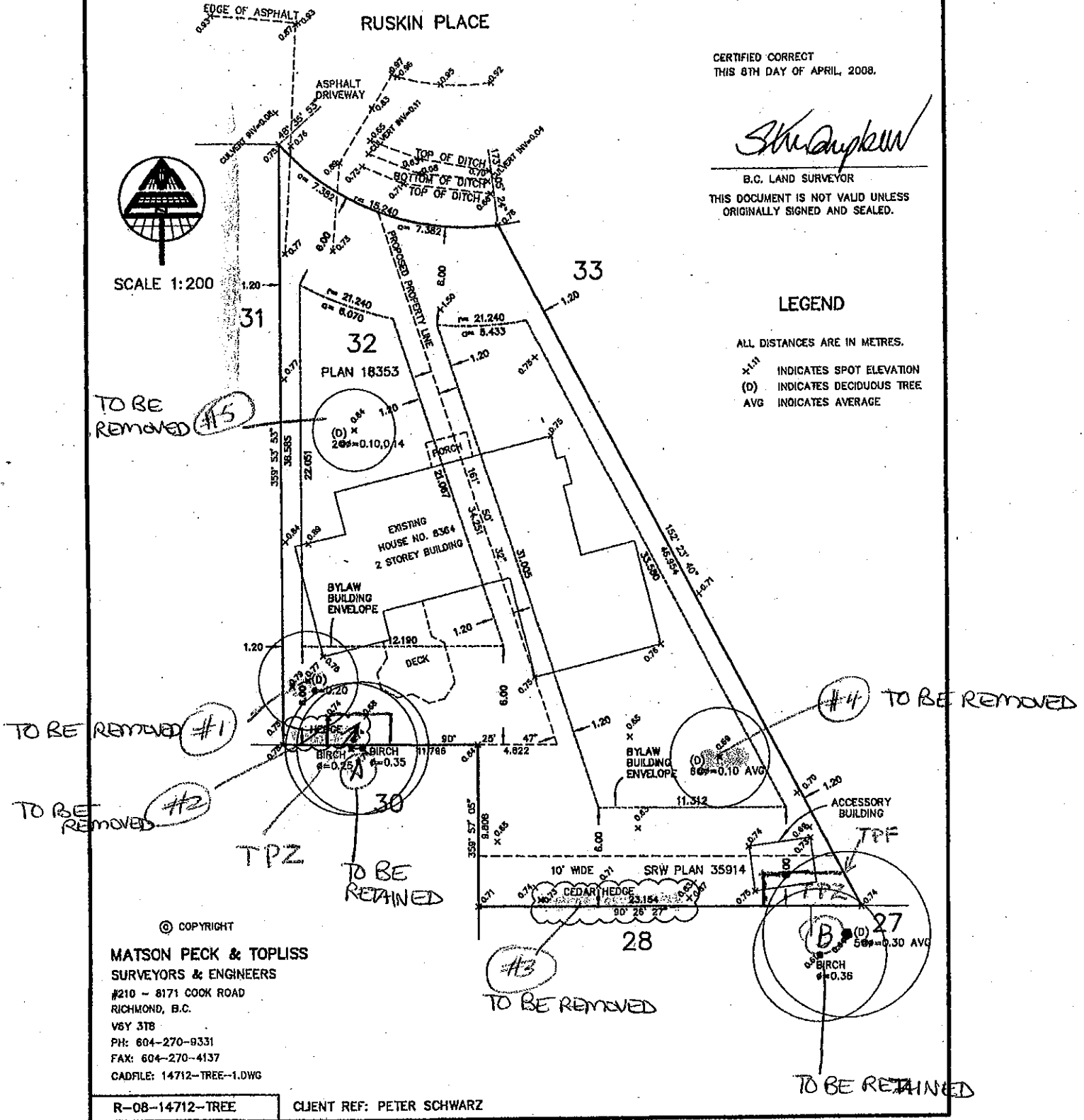


SCALE 1:200

LEGEND

ALL DISTANCES ARE IN METRES.

- +1.11 INDICATES SPOT ELEVATION
- (D) INDICATES DECIDUOUS TREE
- AVG INDICATES AVERAGE



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MATSON PECK & TOPLISS
 SURVEYORS & ENGINEERS
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 RICHMOND, B.C.
 V6Y 3T8
 PH: 604-270-9331
 FAX: 604-270-4137
 CADFILE: 14712-TREE-1.DWG

R-08-14712-TREE

CLIENT REF: PETER SCHWARZ

Rezoning Considerations
8364 Ruskin Place
RZ 08-423764

Prior to final adoption of Zoning Amendment Bylaw 8422, the following items are to be addressed:

1. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of on-site works conducted within the drip lines of the Birch trees (Trees A and B) located on adjacent properties. The contract should include the nature of the work that is to be undertaken, as recommended in the Arborist's Report, specifically:
 - a. supervision of perimeter drainage installation;
 - b. construction of a retaining wall; and
 - c. preparation of a post-construction impact assessment report to be submitted by the Arborist to the City for review.
2. 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 with the following minimum calliper sizes:
 - two (2) trees of 6 cm;
 - two (2) trees of 8 cm; and
 - two (2) trees of 9 cm.
3. Registration of a legal agreement on title to ensure that no final Building Permit inspection would be 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.
4. Registration of a flood indemnity covenant on title.

Prior to demolition stage, the following item is to be addressed:

1. Installation of Tree Protection Fencing, to City standards, as recommended in the Arborist's Report dated April 28, 2008, by Mountain Maple Garden & Tree Service Ltd.:
 - a. around the drip line of the Birch tree (Tree A) located at 10240 Ruskin Road, at a minimum distance of 1.5 m (5 ft.) from the rear property line to the north, and 1.5 m (5 ft.) from the base of the stem to the east and west; and,
 - b. around the drip lines of the two (2) Birch trees (Tree B) located at 8371 Ryan Road, at a minimum distance of 1.8 m (6 ft.) from the rear property line to the north and 3.7 m (12 ft.) from the base of the stem to the west.

Tree protection fencing must be installed, to City standards, prior to demolition of the existing dwelling on the subject property, and must remain in place until construction of the future dwellings on the site is complete.

[Signed original on file]

Signed _____

Date _____



Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8422 (RZ 08-423764)
8364 RUSKIN PLACE

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

- 1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B).

P.I.D. 003-907-821

Lot 32 Section 33 Block 4 North Range 6 West New Westminster District Plan 18353

- 2. This Bylaw may be cited as "Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8422".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Series of horizontal lines for recording readings and requirements.

Official approval stamp: CITY OF RICHMOND APPROVED by [signature] APPROVED by Director or Solicitor [signature]

MAYOR

CORPORATE OFFICER