



# City of Richmond

## Report to Committee Planning and Development Division

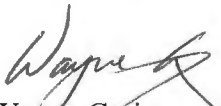
**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** August 22, 2016  
**File:** RZ 16-730029

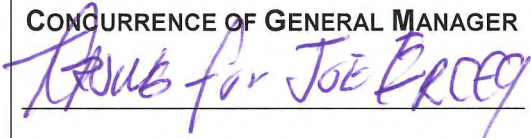
**Re:** Application by Rav Bains for Rezoning at 9131 Dolphin Ave from Single Detached (RS1/B) to Single Detached (RS2/K)

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9595, for the rezoning of 9131 Dolphin Avenue from "Single Detached (RS1/B)" to "Single Detached (RS2/K)", be introduced and given first reading.

  
Wayne Craig  
Director, Development

WC:jr  
Att. 7

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

## Staff Report

### Origin

Rav Bains has applied to the City of Richmond for permission to rezone 9131 Dolphin Avenue from the “Single Detached (RS1/B)” zone to the “Single Detached (RS2/K)” zone, to permit the property to be subdivided to create two (2) single-family lots with vehicle access to Dolphin Avenue (Attachment 1). The proposed subdivision plan is shown in Attachment 2. There is an existing home on the property, which would be demolished.

### Findings of Fact

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

### Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North, two (2) homes on lots zoned “Single Detached (RS1/B),” fronting Myron Court.
- To the South, across Dolphin Avenue, one (1) home on a lot zoned “Single Detached (RS1/B),” fronting Dolphin Court.
- To the East, one (1) home on a lot zoned “Single Detached (RS1/B),” fronting Dolphin Avenue.
- To the West, one (1) home on a lot zoned “Single Detached (RS1/B),” fronting Dolphin Avenue.

### Related Policies & Studies

#### Official Community Plan/Broadmoor Area Plan

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

The subject property is located within the area governed by the Ash Street Sub-Area Plan contained in the OCP. The land use designation for the subject property is “Low Density Residential” (Attachment 5). The proposed rezoning is consistent with this designation.

The Ash Street Sub-Area Plan permits the development of lands outside of designated infill sites shown on the Land Use Map to be governed by the City’s normal development application process (Attachment 5). Lots fronting Dolphin Avenue on this block range from widths of 10.06 metres to 22.71 metres. The proposed rezoning and subdivision would result in lots 11.31 metres wide, which is generally consistent with other redeveloped properties in the area. One (1) property immediately to the west and the three (3) properties to the east have similar subdivision potential.

## **Floodplain Management Implementation Strategy**

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

## **Public Consultation**

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

Should the Planning Committee endorse this application and Council grant 1<sup>st</sup> reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the Local Government Act.

## **Analysis**

### **Existing Legal Encumbrances**

There is an existing 3.0 metre-wide Statutory Right-of-Way (SRW) for the municipal sewer along the north and east property lines (registration number X112484). The applicant is aware that encroachment into the SRW is not permitted.

### **Transportation and Site Access**

Vehicle access is proposed to be provided from Dolphin Avenue via separate driveway crossings to each new lot.

### **Tree Retention and Replacement**

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses eight (8) bylaw-sized trees on the subject property, nine (9) trees on neighbouring properties, and one (1) tree on City property.

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

- Five (5) trees located on the development site (Tag # 16, 17, 19, 20, and 21) are to be retained and protected as per the Arborist's Report.
- Four (4) trees on neighbouring properties (Tag # OS1, OS2, OS5, and OS6) are to be retained and protected as per the Arborist's Report.

- One (1) City tree (Tag # CI) is to be retained and protected. Install tree protection barrier 2 m from base of tree.
- Three (3) trees located in the side yard of the development site (Tag # 15, 22, and 23) are in fair to poor condition. These trees are in conflict with the anticipated building footprint and should be removed and replaced.
- Five (5) trees on a neighbouring property (Tag # OS3, OS7, OS8, OS9, and OS10) forming a Cedar hedge will be impacted by site grading and require written permission from the adjacent property owner for removal. Retain and protect as per City of Richmond Tree Protection Information Bulletin TREE-03. The applicant must obtain written permission from the adjacent property owner and obtain a valid tree removal permit before removing these trees.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

### *Tree Protection*

Five (5) trees on the subject property, four (4) trees on neighbouring properties, and one (1) City-owned tree are to be retained and protected (Tag # 16, 17, 19, 20, 21, OS1 OS2, OS5, OS6, and CI). Five (5) trees forming a cedar hedge (Tag # OS3, OS7, OS8, OS9, and OS10) on a neighbouring property are recommended for removal, but are to be retained and protected if permission from the neighbour is not granted. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during the development stage (Attachment 6). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to final adoption of the rezoning bylaw, submission to the City of a Tree Survival Security in the amount of \$10,000.00 for the five (5) on-site trees and \$7,400 for the one (1) City-owned tree to be retained, for a total of \$17,400.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

### *Tree Replacement*

The applicant wishes to remove three (3) on-site trees (Tag # 15, 22, and 23). The 2:1 replacement ratio would require a total of six (6) replacement trees. Five (5) trees forming a cedar hedge are proposed for removal, but require permission from the neighbour. The applicant has agreed to plant three (3) trees on each lot proposed; for a total of six (6) trees. The required

replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
4	6 cm	3.5 m
2	8 cm	4 m

Prior to final adoption of the rezoning bylaw, the applicant must provide a \$3,000 Landscape Security, which is equal to \$500 per replacement tree, to ensure that the six (6) required replacement trees are planted and maintained on the subject property.

Five (5) trees on a neighbouring property (Tag # OS3, OS7, OS8, OS9, and OS10) forming a Cedar hedge are recommended for removal, but require permission from the adjacent property owner. Replacement trees for the hedge to be removed will be established in the tree removal permit, if approved.

### **Affordable Housing Strategy**

The City's Affordable Housing Strategy requires a secondary suite or coach house on 100% of new lots created through single-family rezoning and subdivision applications, or a secondary suite or couch house on 50% of new lots created and a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund of \$2.00/ft<sup>2</sup> of the total buildable area of the remaining lots.

To comply with the City's Affordable Housing Strategy, the applicant proposes to construct a secondary suite on one (1) of the two (2) future lots and provide a cash-in-lieu contribution of \$5,695.50 to the City's Affordable Housing Reserve Fund for the remaining lot. Prior to rezoning, the applicant must register a legal agreement on Title to ensure that no final Building Permit inspection will 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.

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

At a future development stage, the applicant must complete the required servicing works as described in Attachment 7, through a work order.

### **Financial Impact or Economic Impact**

This rezoning application results in an insignificant Operation Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees, and traffic signals).

### **Conclusion**

The purpose of this application is to rezone 9131 Dolphin Avenue from the "Single Detached (RS1/B)" zone to the "Single Detached (RS2/K)" zone, to permit the property to be subdivided to create two (2) lots.

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

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

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9595 be introduced and given first reading.



Jordan Rockerbie  
Planning Technician

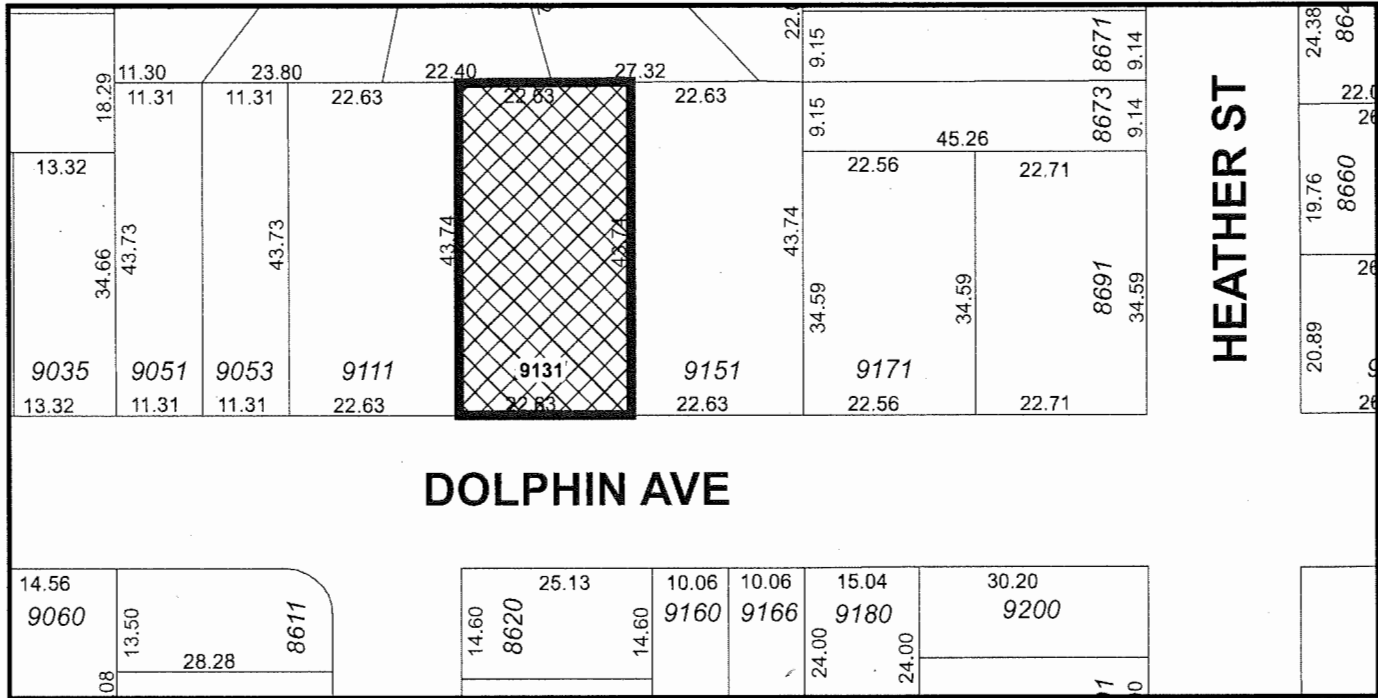
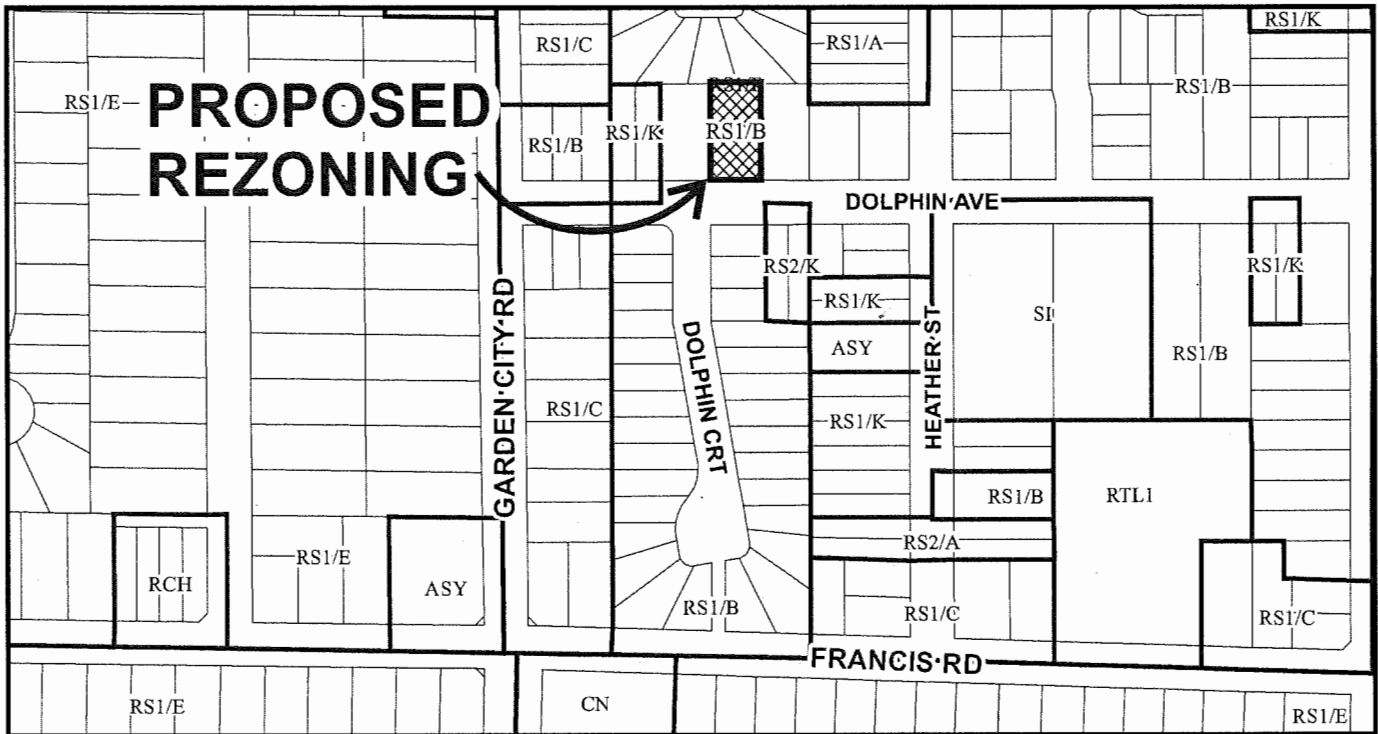
JR:rg

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



City of  
Richmond

ATTACHMENT 1



RZ 16-730029

Original Date: 05/03/16

Revision Date:

Note: Dimensions are in METRES





City of  
Richmond



RZ 16-730029

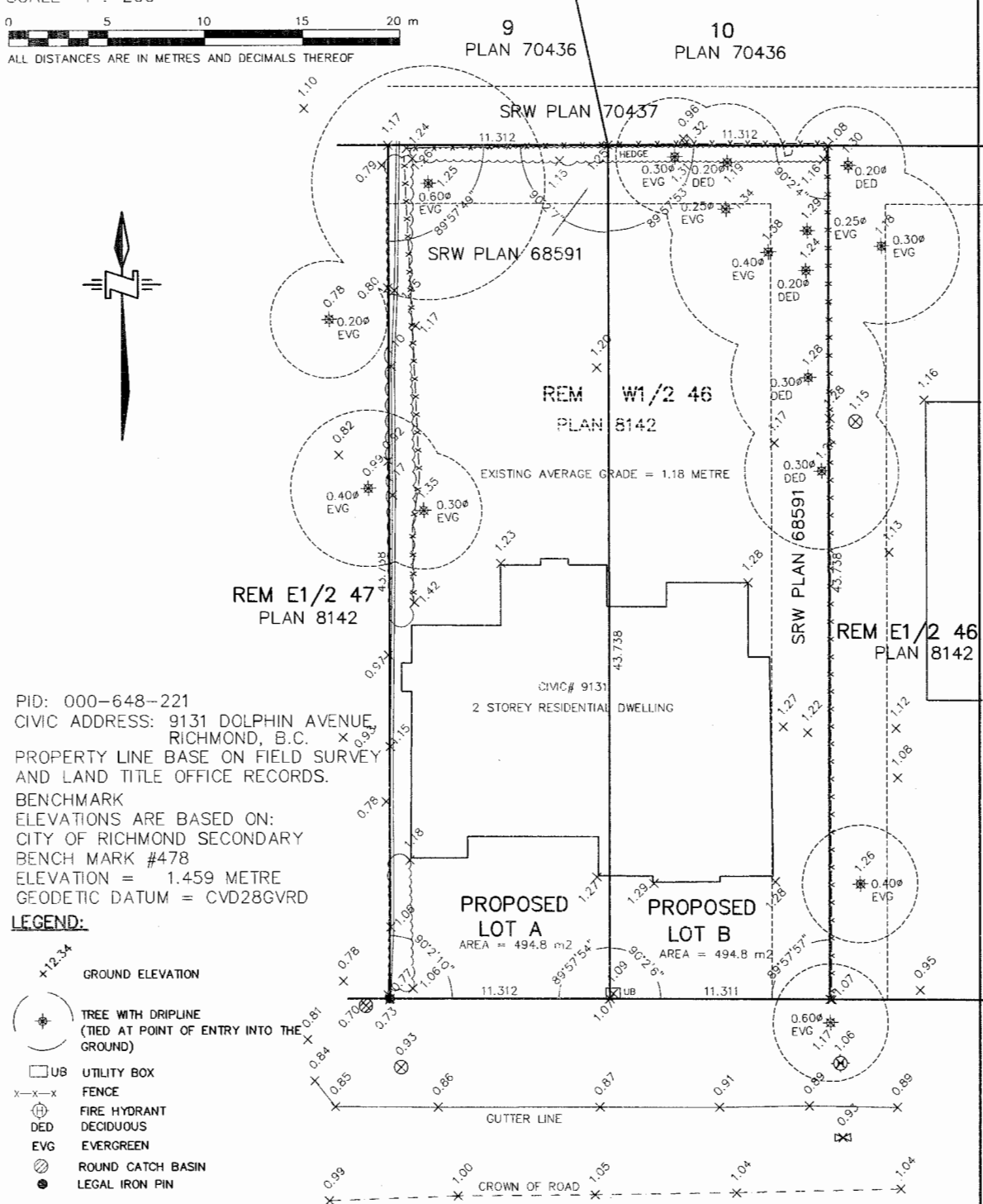
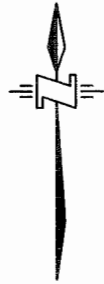
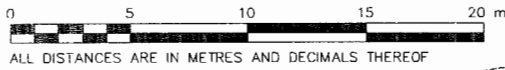
Original Date: 05/03/16

Revision Date:

Note: Dimensions are in METRES



TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION  
 OF W 1/2 LOT 46 EXCEPT: PT SUBDIVIDED BY PLAN  
 68168, SEC. 22, BLK. 4 N., RGE. 6 W., N.W.D., PLAN 8142  
 SCALE 1 : 200



PID: 000-648-221  
 CIVIC ADDRESS: 9131 DOLPHIN AVENUE  
 RICHMOND, B.C.  
 PROPERTY LINE BASE ON FIELD SURVEY  
 AND LAND TITLE OFFICE RECORDS.  
 BENCHMARK  
 ELEVATIONS ARE BASED ON:  
 CITY OF RICHMOND SECONDARY  
 BENCH MARK #478  
 ELEVATION = 1.459 METRE  
 GEODETIC DATUM = CVD28GVRD

**LEGEND:**

- GROUND ELEVATION
- TREE WITH DRIPLINE  
(TIED AT POINT OF ENTRY INTO THE  
GROUND)
- UTILITY BOX
- FENCE
- FIRE HYDRANT
- DED  
DECIDUOUS
- EVG  
EVERGREEN
- ROUND CATCH BASIN
- LEGAL IRON PIN

CERTIFIED CORRECT ACCORDING TO FIELD  
 SURVEY THIS 11TH DAY OF MAR., 2016.

RICHARD S FU B.C.L.S.

THIS PLAN WAS PREPARED FOR MUNICIPAL AND/OR MORTGAGE PURPOSES AND IS FOR THE  
 EXCLUSIVE USE OF OUR CLIENT. THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED  
 STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED ABOVE.  
 THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS. THE  
 SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY  
 A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS  
 DOCUMENT.



3817 McGRAY PLACE  
 RICHMOND BC V6X 3R6  
 TEL: 604-313-2883  
 FILE: 1602-005



**RZ 16-730029**

**Attachment 3**

Address: 9131 Dolphin Ave

Applicant: Rav Bains

Planning Area(s): Broadmoor, Ash Street Sub-Area

	Existing	Proposed
<b>Owner:</b>	Paramjit Singh Kahlon Gurdev Singh Kahlon Inderbir Kaur Kahlon	To be determined
<b>Site Size (m<sup>2</sup>):</b>	989.6 m <sup>2</sup>	Lot A: 494.8 m <sup>2</sup> Lot B: 494.8 m <sup>2</sup>
<b>Land Uses:</b>	One (1) single-family lot	Two (2) single-family lots
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Area Plan Designation:</b>	Low density residential	No change
<b>Zoning:</b>	Single Detached (RS1/B)	Single Detached (RS2/K)

On Future Subdivided Lots		Bylaw Requirement	Proposed	Variance
Floor Area Ratio:		Max. 0.55 applied to 464.5 m <sup>2</sup> of the lot area, together with 0.30 applied to the balance	Max. 0.55 applied to 464.5 m <sup>2</sup> of the lot area, together with 0.30 applied to the balance	none permitted
Buildable Floor Area*		Lot A: Max. 264.565 m <sup>2</sup> (2,847.75 ft <sup>2</sup> ) Lot B: Max. 264.565 m <sup>2</sup> (2,847.75 ft <sup>2</sup> )	Lot A: Max. 264.565 m <sup>2</sup> (2,847.75 ft <sup>2</sup> ) Lot B: Max. 264.565 m <sup>2</sup> (2,847.75 ft <sup>2</sup> )	none permitted
Lot Coverage	Building:	Max. 40%	Max. 40%	none
	Non-permeable Surfaces:	Max. 70%	Max. 70%	none
	Live Plant Material:	Min. 20%	Min. 20%	none
Lot Size:		Min. 315.0 m <sup>2</sup>	Lot A: 494.8 m <sup>2</sup> Lot B: 494.8 m <sup>2</sup>	none
Setback – Front & Rear Yards:		Min. 6.0 m	Min. 6.0 m	none
Setback – Side Yard:		Min. 1.2 m	Min. 1.2 m	none
Height (Max.):		2 ½ Storeys	2 ½ Storeys	none

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

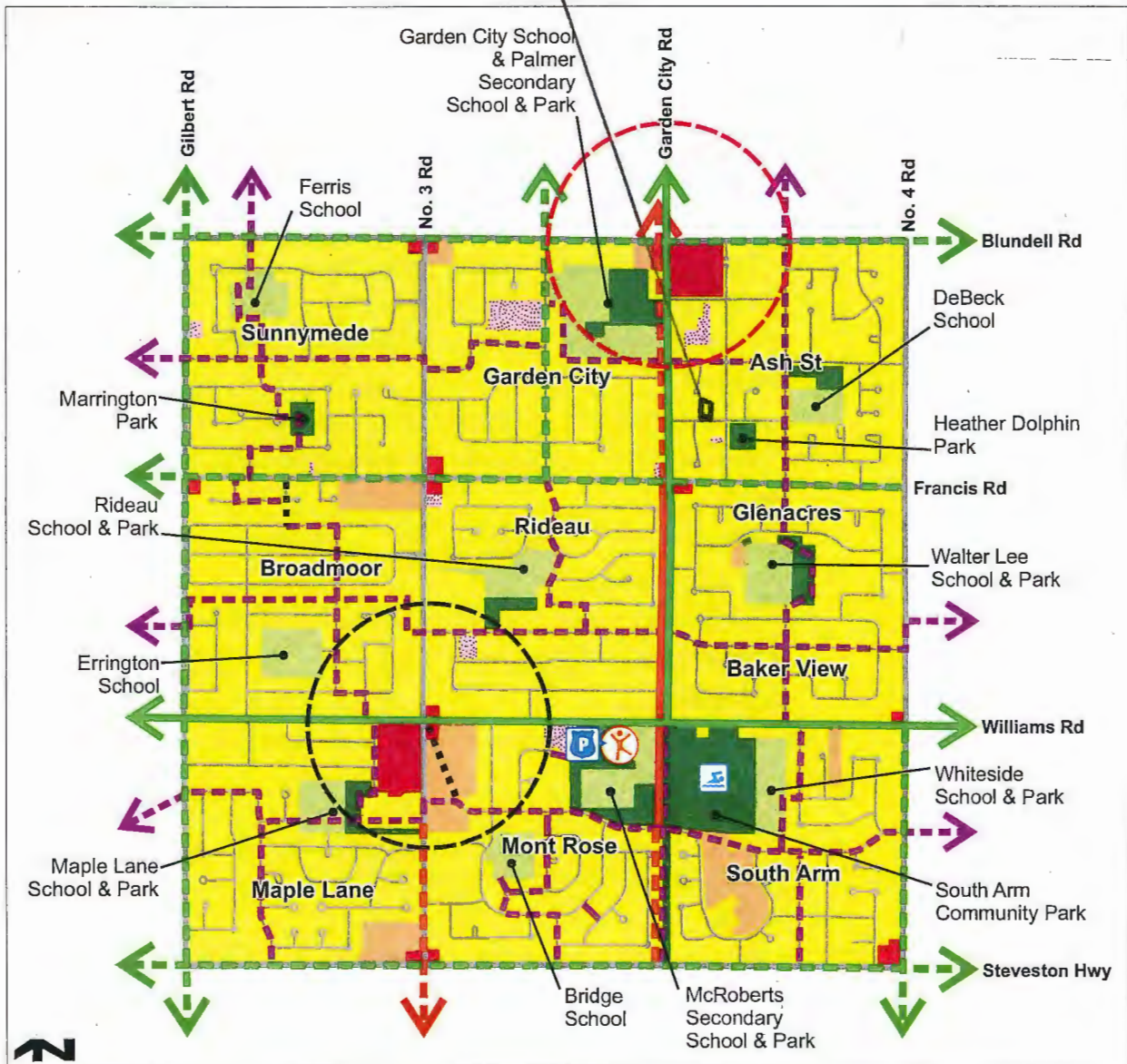
\* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.



## 6. Broadmoor

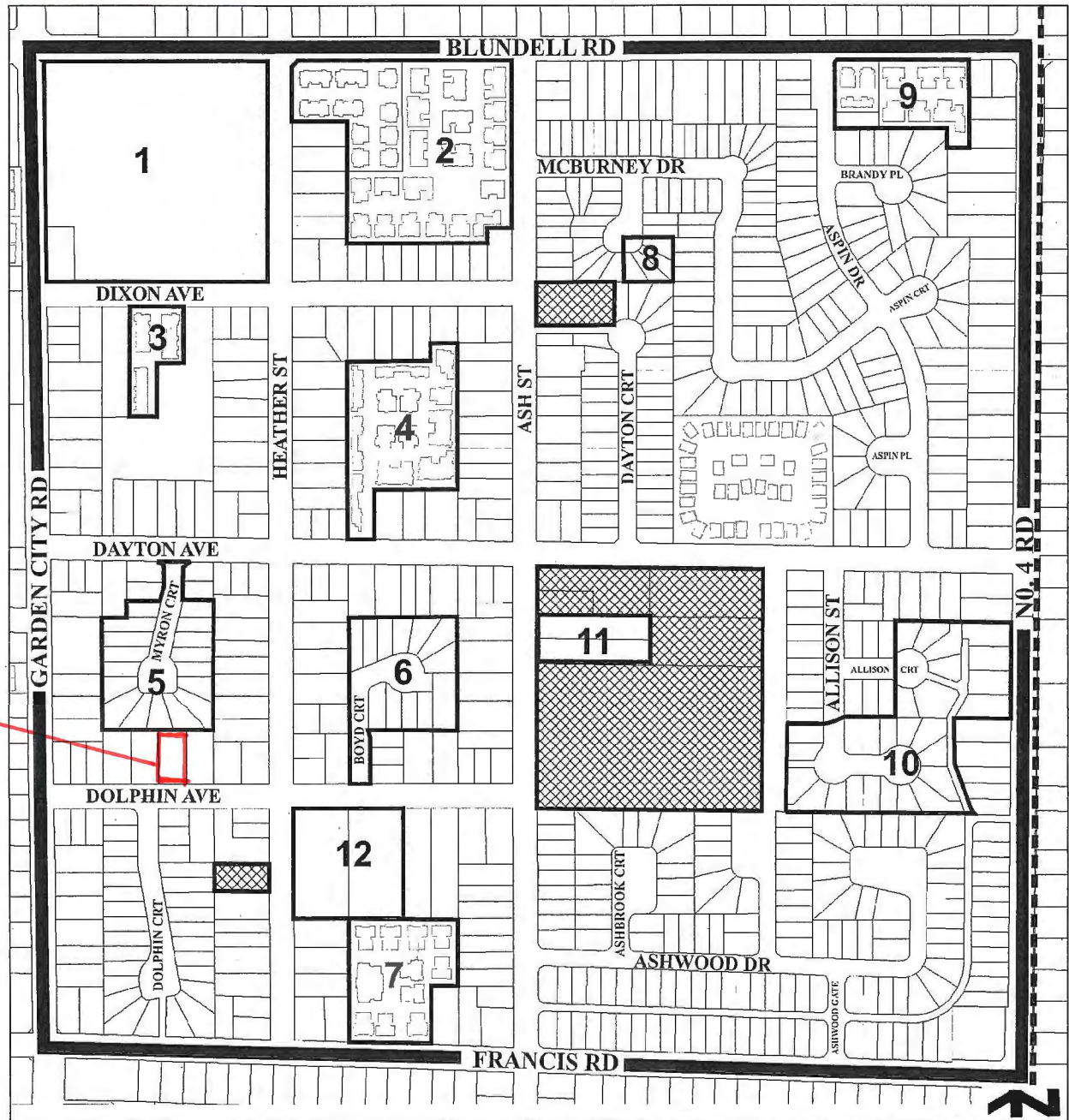
SUBJECT PROPERTY

ATTACHMENT 4



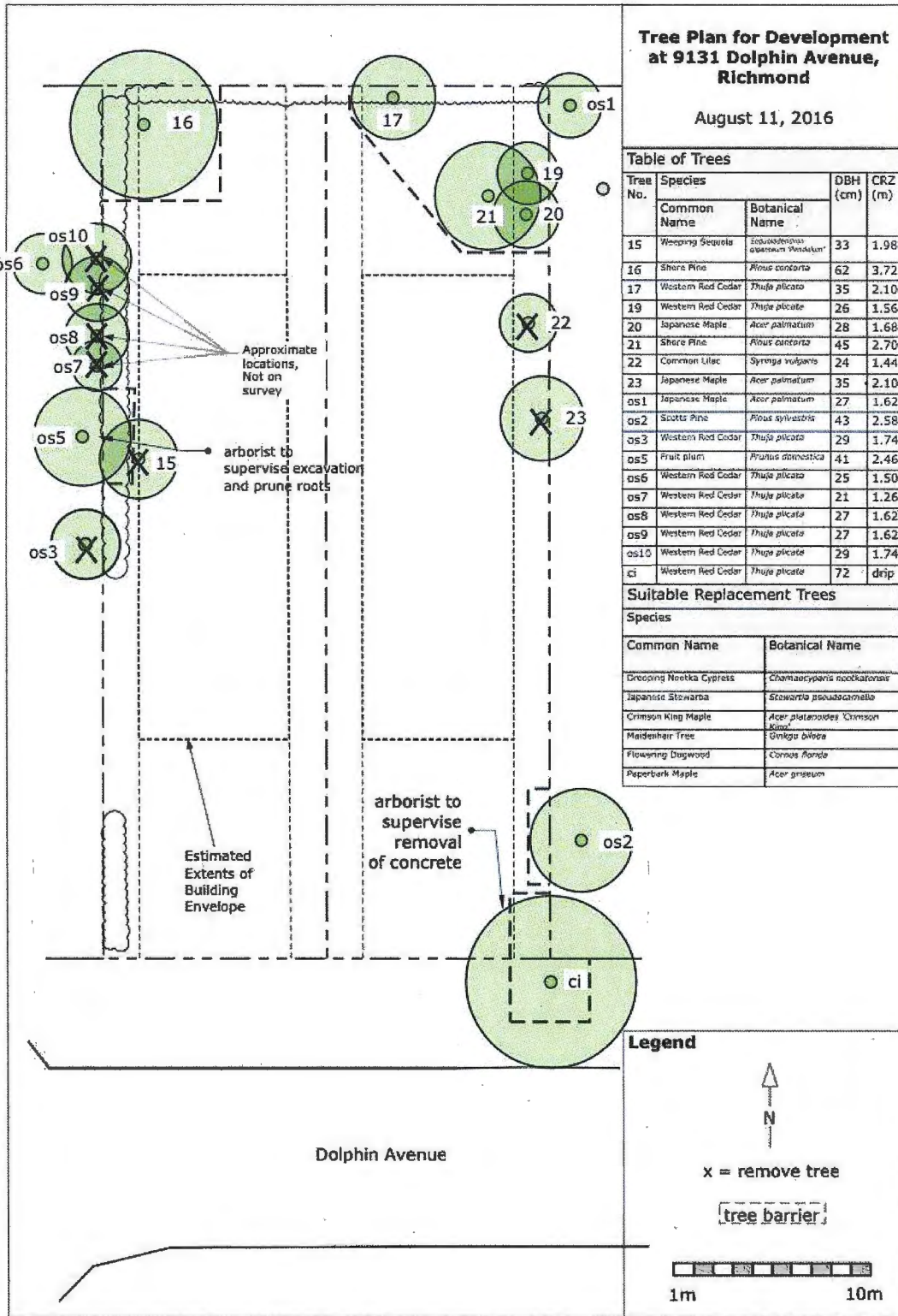
Apartment Residential	Broadmoor Neighbourhood Centre (future)	Existing Major Street Bike Route
Commercial	Garden City Neighbourhood Centre (future)	Future Major Street Bike Route
Community Institutional	Police South Arm Community Station	Existing Greenway/Trail
Neighbourhood Residential	South Arm Community Centre	Future Greenway/Trail
Neighbourhood Service Centre	South Arm Pool	Existing Neighbourhood Link - enhanced
Park		Future Neighbourhood Link - unenhanced
School		Future Neighbourhood Link

Land Use Map Bylaw 9086 2015/04/27



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





Arborist Report for 9131 Dolphin Avenue, Richmond  
Woodridge Tree Consulting Arborists Ltd

CNCL - 188



Address: 9131 Dolphin Ave

File No.: RZ 16-730029

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9595, the applicant is required to complete the following:**

1. Submission of a Landscape Security in the amount of \$3,000 (\$500/tree) to ensure that a total of three (3) replacement trees are planted and maintained on each lot proposed (for a total of six (6) trees). Replacement trees should result in a mix of coniferous and deciduous trees on each lot, and must be of the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	Minimum Height of Coniferous Tree
4	6 cm	3.5 m
2	8 cm	4 m

2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
3. Submission of a Tree Survival Security to the City in the amount of \$17,400.00 for the five (5) on-site trees and one (1) City-owned tree to be retained.
4. Registration of a flood indemnity covenant on title.
5. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on 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.
6. The City's acceptance of the applicant's voluntary contribution of \$2.00 per buildable square foot of the single-family developments (i.e. \$5,695.50) to the City's Affordable Housing Reserve Fund.

**At Demolition\* stage, the applicant must complete the following requirements:**

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.

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

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. 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 Department at 604-276-4285.

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

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

*Water Works*

- Using the OCP model, there is 203 L/s of water available at a 20 psi residual at the Dolphin Avenue frontage. Based on the proposed development, the site requires a minimum fire flow of 95 L/s.



- The Developer is required to:
  - Submit a Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit stage building designs.
- At the Developer's cost, the City is to:
  - Cut and cap at main the existing water service connection along the Dolphin Avenue frontage.
  - Install two (2) new water service connections complete with meter and meter box off of the existing 150 mm AC watermain on Dolphin Avenue.

#### *Storm Sewer Works*

- The Developer is required to:
  - Retain the existing storm service connection at the middle of the subject site's Dolphin Avenue frontage.

#### *Sanitary Sewer Works*

- At the Developer's cost, the City is to:
  - Install a new sanitary service connection, complete with inspection chamber and dual service leads off of the 200 mm PVC sewer on Dolphin Avenue, at the adjoining property line of the newly created lots.
  - Cut, cap, and remove the existing sanitary service connection inspection chamber SIC16750 at the east property line of the subject site.

#### *Frontage Improvements*

- The Developer is required to:
  - Coordinate with BC Hydro, Telus, and other private communication service providers:
    - To underground Hydro service lines.
    - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
    - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus kiosks, etc.).

#### *General Items*

- The Developer is required to:
  - Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

#### **Note:**

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the

Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

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Signed

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Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9595 (RZ 16-730029)
9131 Dolphin Avenue

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

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

P.I.D. 000-648-221

West Half Lot 46 Except: Part Subdivided by Plan 68168, Section 22 Block 4 North Range 6 West New Westminster District Plan 8142

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9595".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Horizontal lines for recording readings and conditions.

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

MAYOR

CORPORATE OFFICER