



To: Planning Committee

To Planning - Mar 21, 2006.
Date: March 1, 2006

From: Holger Burke, MCIP
Acting Director of Development

RZ 05-315710

File: 12-8060-20-7999.

Re: **Application by Ramlin Developments Ltd. for Rezoning at 3760 and 3780 Broadway Street from Assembly District (ASY) to Single-Family Housing District, Subdivision Area A (R1/A)**

Staff Recommendation

That Bylaw No. 7999, to amend the minimum setbacks from property lines in "Single-Family Housing District (R1)" for 3780 Broadway Street only, and to rezone 3760 and 3780 Broadway Street from "Assembly District (ASY)" to "Single-Family Housing District, Subdivision Area A (R1/A)", be introduced and given first reading.

Jean Lamontagne
Director of Development

EL:blg
Att.

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Ramlin Developments Ltd. has applied to the City of Richmond for permission to rezone 3760 and 3780 Broadway Street (**Attachment 1**) from “Assembly District (ASY)” to “Single-Family Housing District, Subdivision Area A (R1/A)” in order to facilitate construction of two (2) single-family residences on the currently undeveloped properties.

A zoning textural amendment to Single-Family Housing District (R1) is also being proposed to accommodate the subject rezoning application.

Findings of Fact

Item	Existing	Proposed
Owner	The Trustees of the Steveston Congregation of the United Church of Canada	To be determined
Applicant	Ramlin Developments Ltd.	No change
Site Size	367.8 m ² (3,959 ft ²) each	No change
Land Uses	Vacant	Single-family lots
OCP Designation (General Land Use Map)	Neighbourhood Residential	No change
Steveston Area Plan Designation	Single-Family	No Change
Zoning	ASY	R1/A

Surrounding Development

- To the north: Single-family residential (R1/A zoning);
- To the east: Single-family residential (R1/A zoning);
- To the south: Commercial uses zoned Land Use Contract (LUC 092) and Steveston Commercial District (C5) zoning; and
- To the west: Church (Assembly zoning) with single-family residential (R1/A zoning) beyond.

Related Policies & Studies

The subject properties are located within the Steveston Town Site and are subject to the provisions of the Steveston Area Plan. One of the goals identified in the Plan concerns the need to protect the “nature and character” of existing residential neighbourhoods. The proposed rezoning would be satisfying this goal by facilitating development of a housing form that is consistent with the surrounding neighbourhood.

Public Input

To date, one letter has been received from a resident in the neighbourhood regarding the preservation of the five (5) large trees on 3780 Broadway Street (**Attachment 2**).

Staff Comments

Tree Preservation

A tree survey (**Attachment 3**) and arborist report (**Attachment 4**) was submitted outlining the location and health of existing trees. The report recommends that all of the five (5) trees be removed prior to construction of the new dwellings based on the assumption that 35 cm of fill is needed to bring the grade up to match the road crown. The City Arborist confirmed that the four (4) large Walnut trees on the east edge of the property are over-mature and some of them have serious issues in regards to stability and overall health. They are not candidates for retention or relocation.

However, the City Arborist confirmed that the large Maple tree is in excellent condition and is a definite area asset. It is possible to relocate to another location, such as a nearby park, but this would cost approximately \$50,000. The applicant agreed to retain the Maple tree on site and enter into a Restrictive Covenant for Tree Protection. The Restrictive Covenant will include language to ensure a protection fence be placed outside of the drip-line of the Maple tree prior to issuance of any permits and no fill be allowed to be placed within the protection area. Based on the tree survey, the drip-line of the Maple tree encroaches into the building envelope to a point approximately 8.25 m (27 ft.) from the front property line. The Restrictive Covenant will also include language to ensure all structures on 3780 Broadway Street will setback 8.25 m (27 ft.) from the front property line. The applicant will provide a security of \$2,000 for tree survival to be held by the City until one (1) year after the occupancy permit for the dwelling has been issued.

The applicant also agrees to plant and maintain one (1) 4 ft. high Maple tree on 3760 Broadway Street and contribute \$1,500 towards the Park Improvement Fund in-lieu of the balance of the replacement trees.

Access

Transportation Department staff recommends the driveway be off the rear lane (i.e., not off 1st Avenue or Broadway Street). The driveway should be located as far away from 1st Avenue as possible and designed according to City's Bylaw requirements (Bylaw No. 7222). A Restrictive Covenant limiting vehicle access to the rear lane must be registered on title prior to final adoption of the rezoning bylaw.

Proposed Zoning Text Amendment

The applicant is requesting to amend Single-Family Housing District (R1) to accommodate a single-family dwelling with an attached garage to be developed on 3780 Broadway Street.

Side Yard Setback - At a Public Hearing on July 15, 1996, Council approved Bylaw No. 6646, which granted the majority of corner lots in this area with 1.8 m (5.906 ft.) side yard setbacks. However, this Bylaw does not indicate any special directions on yard setback for the lots bounded

by 1st Avenue, Chatham Street, 2nd Avenue, and Broadway Street. The Zoning Bylaw requires a minimum flanking side yard setback at 3780 Broadway Street of 3 m (9.843 ft.). The applicant is requesting a 1.8 m setback which would be consistent with existing 10 m (33 ft.) wide Single-Family Housing District, Subdivision Area A (R1/A) corner lots in Steveston.

Rear Yard Setback - Since the Maple tree has encroached into the building envelope of the property at 3780 Broadway Street and forced the developer to set the future dwelling back from the front property line, the applicant is requesting the south (rear) property line setback at 3780 Broadway Street be reduced from 6.0 m (19.685 ft.) to 1.2 m (3.937 ft.) for an attached garage. The reduced rear yard setback is supportable as the reduced setback is limited to the first floor for an attached garage only. The applicant has prepared a preliminary building scheme for the corner lot (**Attachment 5**) and agreed to register a building scheme covenant on title.

Analysis

The residential properties in the subject neighbourhood are zoned exclusively Single-Family Housing District, Subdivision Area A (R1/A) (the requirements for this zone are as shown in the table below).

	R1/A Zone	Subject Lot Sizes
Minimum area	270 m ²	368 m ²
Minimum width	9.0 m	10.0 m (approx.)
Minimum depth	24 m	36.6 m

This has translated into stable housing stock and a stable neighbourhood overall. The subject properties are two (2) of a group of three (3) on the south side of the 3700 block of Broadway Street. The westernmost property is a 2575 m² church site that is the only non-residential use in the otherwise single-family residential neighbourhood. The size and configuration of the subject properties is consistent with the established residential lot pattern in the neighbourhood.

The Assembly District (ASY) zone designation is intended to provide for places of worship and private schools in the community. The zone also permits single-family residential use, but only where ancillary to the principal use which, in the subject instance, is church use. The proposed rezoning would bring the subject properties into consistency with Single-Family Housing District, Subdivision Area A (R1/A) zone designation in the balance of the neighbourhood, as well as encourage construction of houses on the parcels. This translates into a more coherent neighbourhood form.

The properties back on to a portion of paved lane that currently “dead-ends” at the church property, but services the church parking lot. There is value in requiring a Restrictive Covenant for lane access as it would improve the appearance of the streetscape by relocating the typical two-car garage element from the front of the house to the rear yard on these relatively narrow parcels.

Financial Impact or Economic Impact

None.

Conclusion

The proposed rezoning is consistent with the zone designation on the balance of residential parcels within the subject neighbourhood. It will promote house construction on the subject parcels which is an appropriate fit for the location. Access from the back lane would improve the appearance of the streetscape and the preservation of the Maple tree – an area asset, will maintain a public amenity in the area. As such, staff recommends approval of the application.



Edwin Lee
Planning Technician – Design
(Local 4121)
EL:blg

The following must be completed prior to final adoption of the rezoning bylaw:

1. Registration of a Tree protection Restrictive Covenant for the Maple Tree, including providing a security in the amount of \$2000 for tree survival to be held by the City until one year after the occupancy permit for the dwelling at 3780 Broadway Street has been issued.
2. Deposit of a Landscaping Security in the amount of \$500.00 for the planting of one (1) 4 ft. high Maple tree on 3760 Broadway Street
3. Contribution of \$1,500.00 in-lieu of three (3) replacement trees to go to the Park Improvement Fund.
4. Registration of a restrictive covenant on title to ensure building construction on 3780 Broadway Street occurs in accordance with the designs approved by the City of Richmond.
5. Registration of a Restrictive Covenant limiting vehicle access to the rear lane.

Attachment 1: Location Map

Attachment 2: Letter from a Resident

Attachment 3: Tree Survey

Attachment 4: Arborist Report

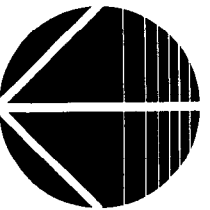
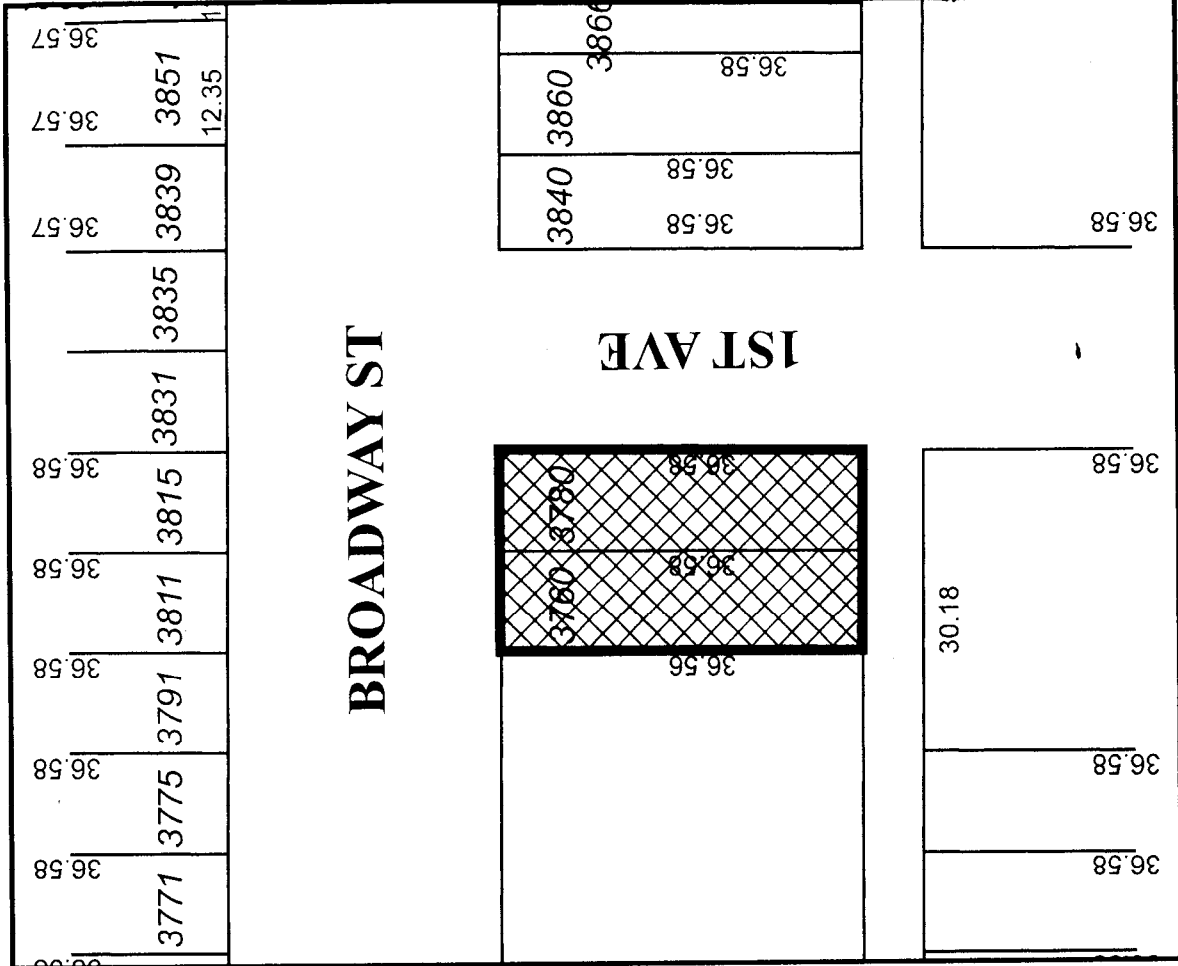
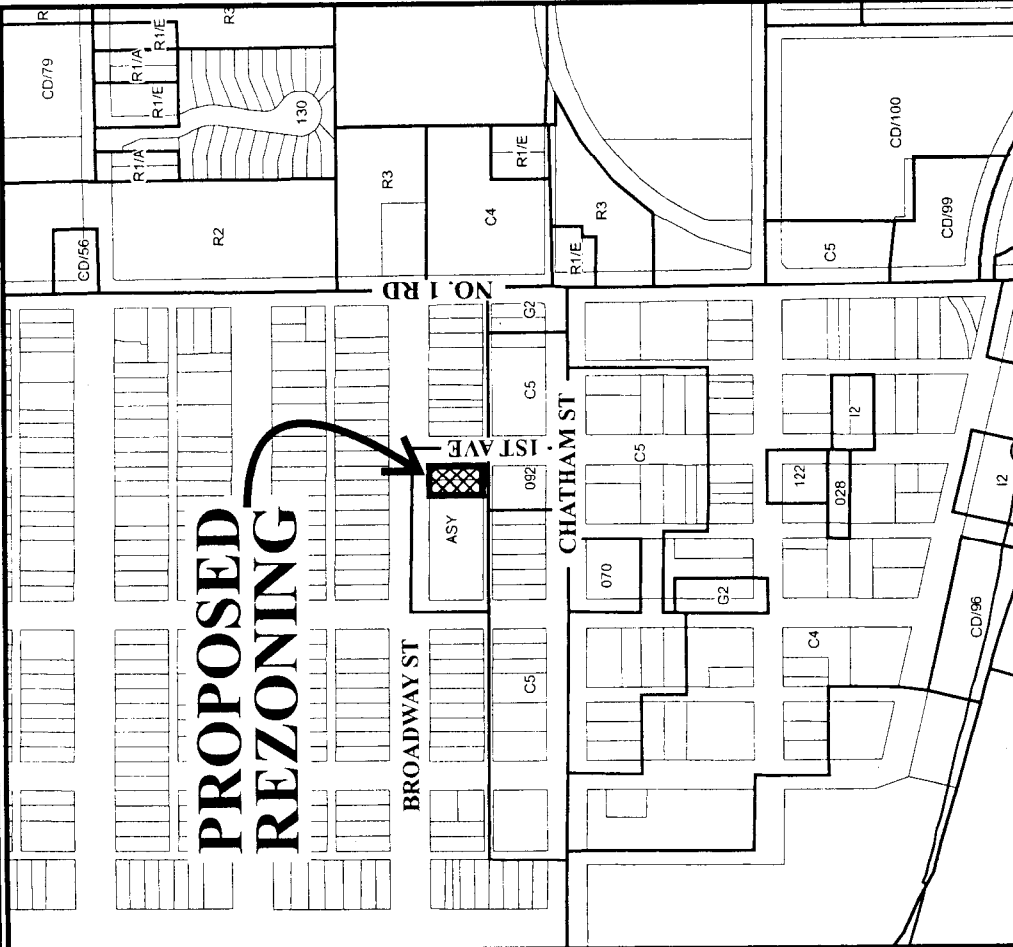
Attachment 5: Building Scheme for 3780 Broadway Street

Attachment 6: Conditional Rezoning Requirements



City of Richmond

PROPOSED REZONING



RZ 05-315710

Original Date: 11/08/05

Revision Date:

Note: Dimensions are in METRES

Lee, Edwin

From: Hohlweg, Brent
Sent: Thursday, 8 December 2005 4:18 PM
To: Lee, Edwin
Subject: DEVELOPMENT PERMIT RZ-05-315710
Follow Up Flag: Follow up
Flag Status: Red

Edwin,

Many thanks for your replay to my call last week regarding the property at 3760 and 3780 Broadway in Steveston.

Development # RZ-05-315710

As a resident of Steveston for over 30 years I have some concerns regarding the trees. There are four large old growth trees located on this property that have been part of our community for as long as I have lived here. Back in my youth I rode past them everyday to pick up my local Vancouver Sun route newspapers at the shack behind Nobby's. Today my son attends preschool in the United Church adjacent to the properties. I am concerned that development may require that trees be removed. The trees are in good health and I recently photograph them in fall season in their full color.

I am not against development. I just wish as a resident that the development include these trees instead of having them labelled "diseased". I do have some concerns as two weeks ago I saw a truck from CedarBridge Landscape what looked like doing a tree inspection. If the City of Richmond could ensure that the trees are protected under the recent tree bylaws that are in the works that would be very beneficial.

Looking forward to your continued dedications and efforts.

Regards

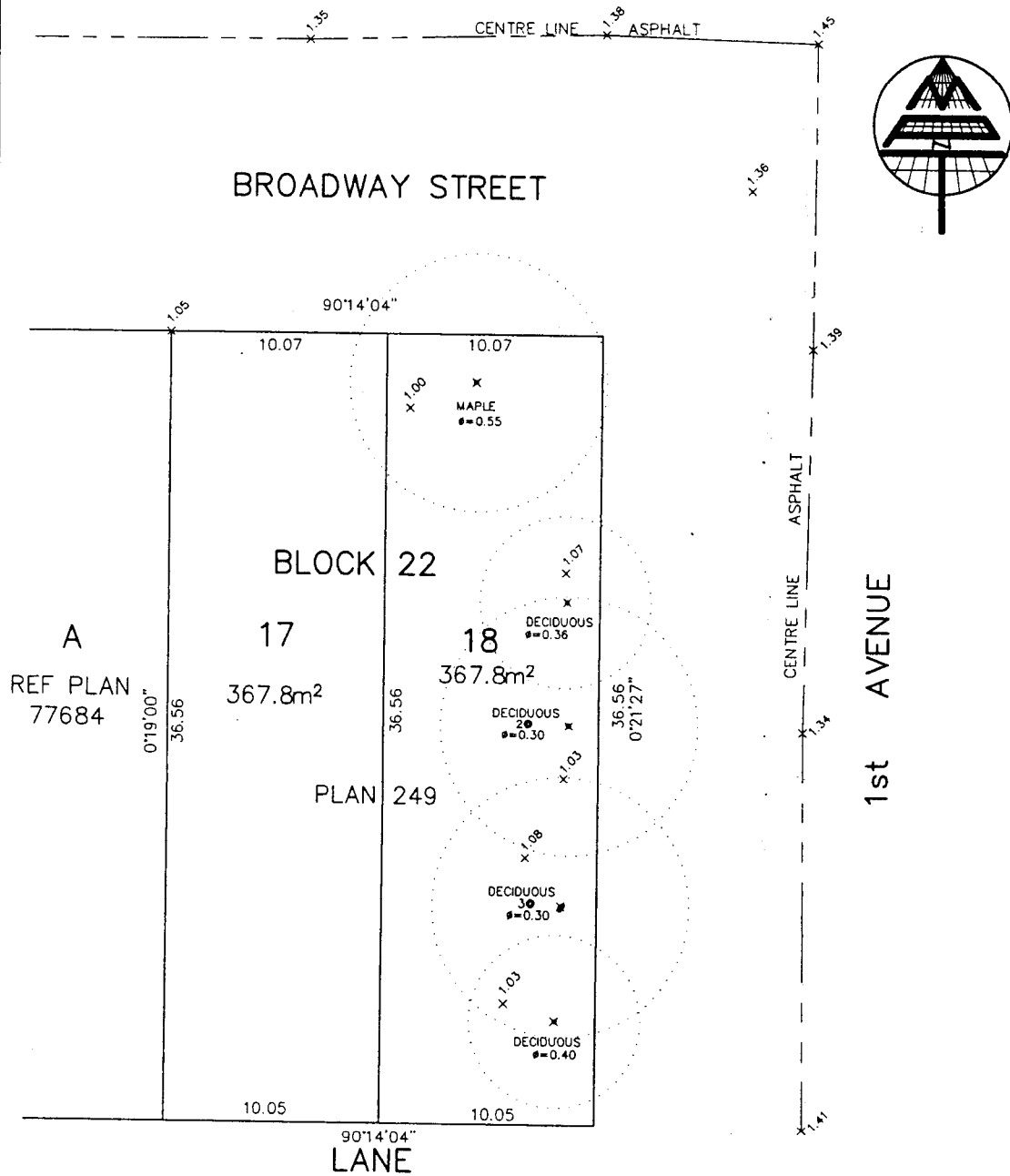
Brent Hohlweg
Cambie Community Center
604-233-8399

PLAN OF LOTS 17 AND 18 OF BLOCK 22
SECTION 3 BLOCK 3 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT PLAN 249.

R-05-14950-TREES

ATTACHMENT 3

PARCEL IDENTIFIER (PID): LOT 17 - 010-909-095
LOT 18 - 010-909-109



ELEVATIONS ARE GEODETIC DERIVED FROM INTEGRATED SURVEY MONUMENT
77H4803 AT CHATHAM AND 2nd AVENUE = 1.279 METRES

LOT DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS
AND HAVE NOT BEEN CONFIRMED BY FIELD SURVEY

© COPYRIGHT

MATSON PECK & TOPLISS

SURVEYORS & ENGINEERS

#210 - 8171 COOK ROAD
RICHMOND, B.C.

V6Y 3T8

PH: 604-270-9331

FAX: 604-270-4137

CADFILE: 14950-TREES.FLX

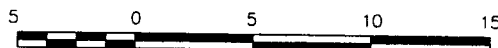
W.P. Wong

B.C. LAND SURVEYOR (#897)

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED

LEGEND

SCALE 1:250



ALL DISTANCES ARE IN METRES

PLAN PREPARED DECEMBER 12, 2005

R-05-14950-TREES

CLIENT REF: RAMLIN DEVELOPMENTS

CEDAR RIDGE TREE CARE

Caring For Your Trees Since 1986

December 14, 2005

ARBORIST REPORT PREPARED FOR:

LEN TOEWS

RE: LOT AT BROADWAY AND 1ST AVENUE, RICHMOND

The scope of this report was to inspect the trees on this site and provide comment on the possibility of retention with regard to a proposed new building. A site survey with locations of the trees in question was provided and an on site meeting demonstrated the proposed construction requirements.

I found 5 trees on the proposed east side lot. Each tree is listed by common name and botanical name, the diameter breast height (DBH) as well as the approximate height (H) and canopy radius (CR) - which is a measurement of the drip line of the tree (from the edge of trunk to average outside branch tip) . The overall health of the tree is stated as 'satisfactory', meaning progressing in a positive normal manner with a healthy full canopy and foliage, or 'poor', meaning the tree is in decline, showing dieback, thinning canopy and / or sparse foliage.

Trees #1-4 are all located along the eastern edge of the lot in the southern portion and numbered starting at the south end.

Tree #1 Walnut (*Juglans nigra*), DBH 455mm, H 9.5M, CR 7M, Satisfactory

Tree #2 Walnut (*Juglans nigra*) , DBH 370mm + 308mm + 348mm (triple stem), H 11M, CR 7M, Satisfactory

Tree #3 Walnut (*Juglans nigra*), DBH 290mm + 372mm (dbl stem), H 8M, CR 7M, Satisfactory

Tree #4 Walnut (*Juglans nigra*) DBH 398mm, H 8M, CR 7M, Satisfactory

Tree #5 Maple (most likely *Acer platanoides*), DBH 608mm, H 13M, CR 6.5M, Satisfactory. This tree is located on the north east corner of the lot.

A DIVISION OF CEDAR RIDGE LANDSCAPE LTD.

CEDAR RIDGE TREE CARE

Caring For Your Trees Since 1986

With regard to retaining these trees:

The best way to retain trees is to have no impact anywhere within the drip line of the canopy as well as no grade changes anywhere around the dripline / canopy area. Anything less than that is a compromise. The typical construction site of today is of course asking how far can we compromise.

With the construction plan that was demonstrated to me all 5 of these trees would have encroachment into their drip line (or root zone) area. The Walnut trees would have to have at least 50 percent of their root zone AND canopy removed to begin to accommodate the foundation requirements. I would estimate that the Maple would have to have 45 percent of its' canopy pruned off and would loose about 30 percent of its' root zone.

It is a forgone conclusion that the Walnut trees would not survive this treatment and would be considered unstable in any windy conditions. The Maple would certainly be pushed to its' possible limits as far as long term survival. All of this becomes redundant because of the grade changes that are required. The survey shows that an average of 35cm of fill will be needed to bring the grade up to match the road crown. This amount of fill will most certainly mean the death of these trees as the voids in the present soil where the existing roots are will be compacted and as such the oxygen for the roots will be cut off.

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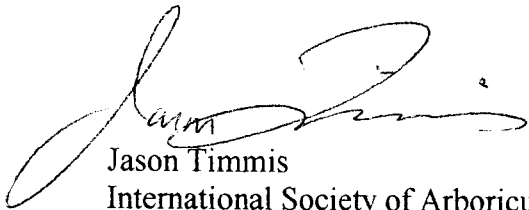
CEDAR RIDGE TREE CARE

Caring For Your Trees Since 1986

So in conclusion, assuming that the proposed building and site grade raising can not be significantly altered to stay outside of the drip line of these trees, **I would recommend that these 5 trees be removed prior to construction.** Footnote: Planting new (and suitable) trees which can grow up within the new site requirements would ensure that the long term health was the best possible.

Please note that my observations and subsequent report was done by visual inspection only and as such do not guarantee the productivity and / or safety of any tree discussed.

This report is submitted in good faith and with out prejudice of any person or party.

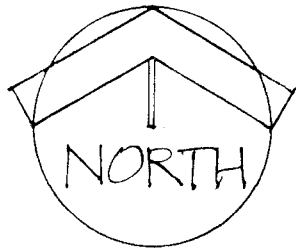


Jason Timmis
International Society of Arboriculture Certified Arborist #PN-2616

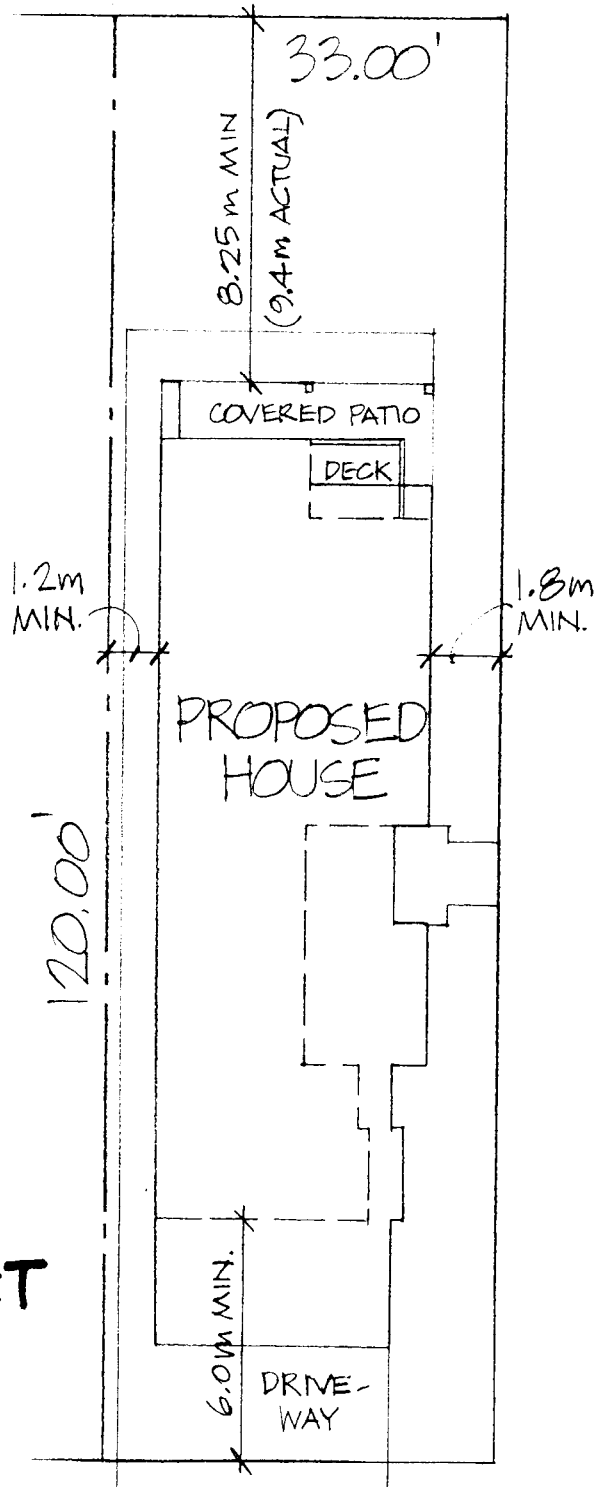
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10680 SCPTRE CRES., RICHMOND, B.C. V7E 2A7 • TEL/FAX: (604) 275-8829 • E-MAIL: crll@infinet.net

BROADWAY STREET



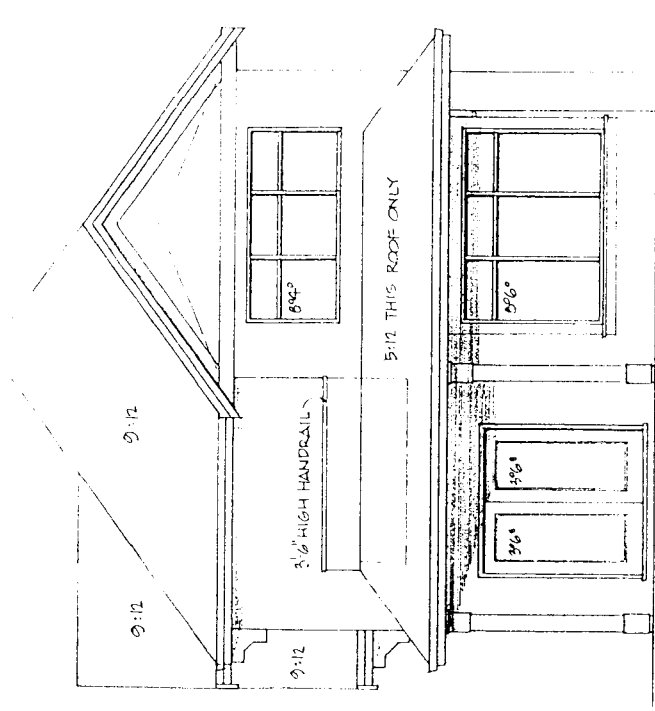
SITE PLAN
SCALE 1/16" = 1'-0"



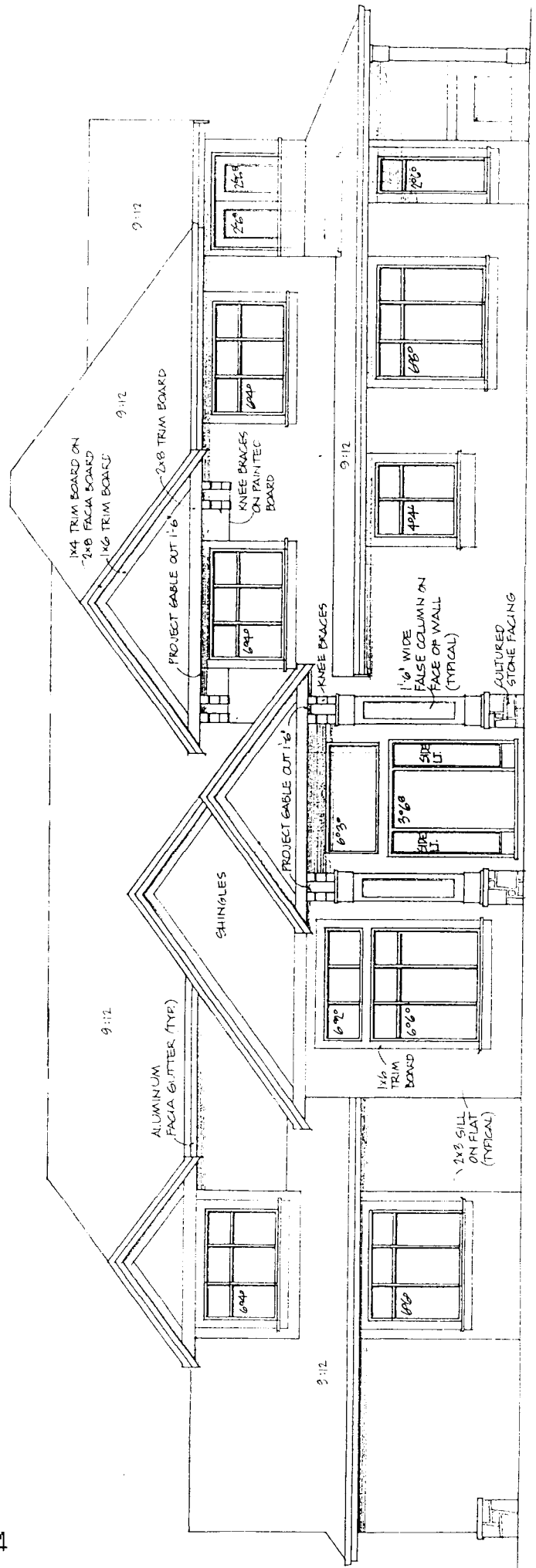
**PROPOSED HOUSE
AT #3780
BROADWAY STREET
RICHMOND B.C.**

LANE

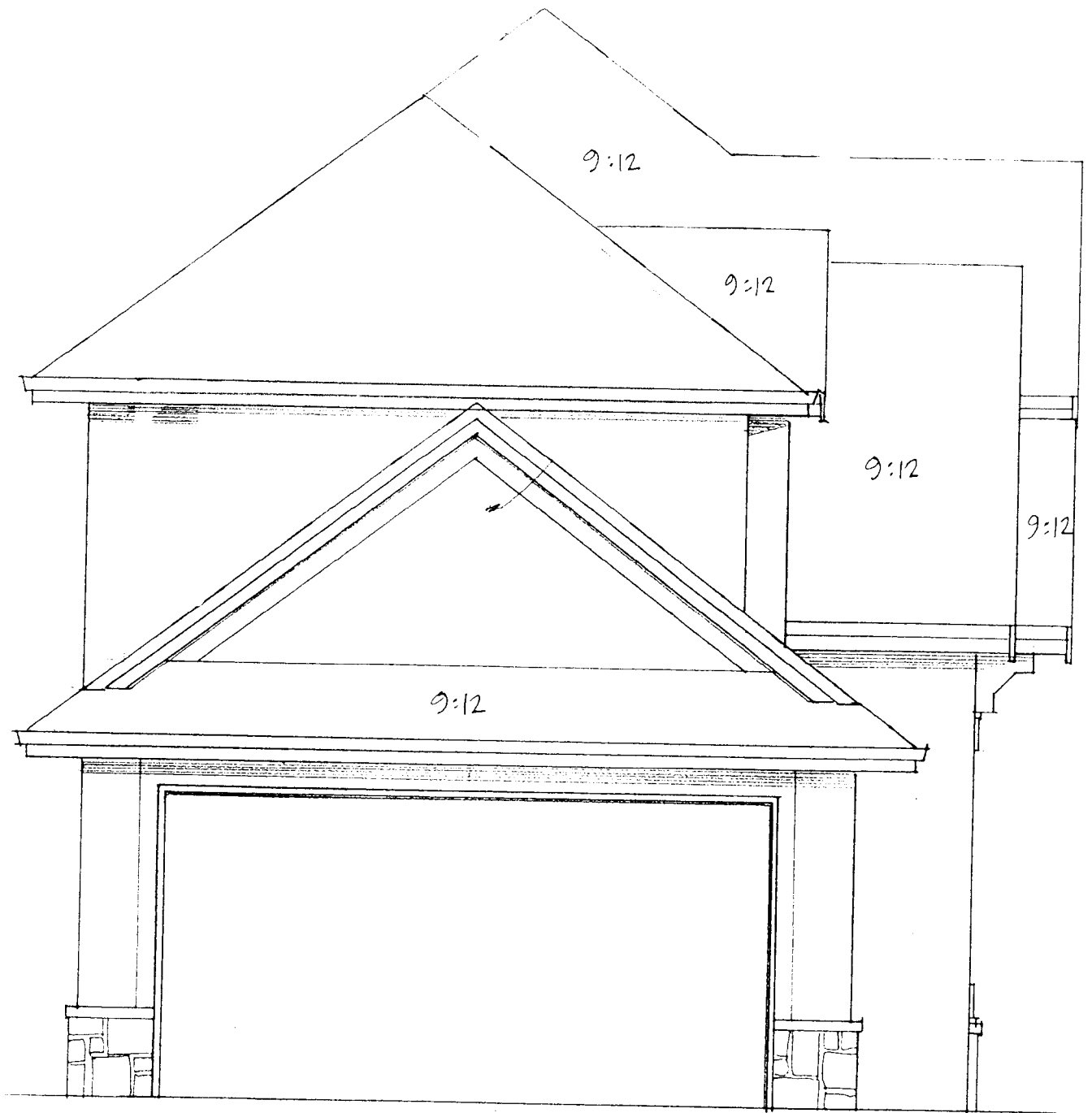
PROPOSED HOUSE AT #3780 BROADWAY STREET RICHMOND B.C.



BROADWAY STREET ELEVATION



FIRST AVENUE ELEVATION



LANE ELEVATION

Conditional Rezoning Requirements
3760 and 3780 Broadway Street
RZ 05-315710

Prior to final adoption of Zoning Amendment Bylaw 8007, the developer is required to complete the following requirements:

1. Registration of a Tree protection Restrictive Covenant for the Maple Tree, including providing a security in the amount of \$2000 for tree survival to be held by the City until one year after the occupancy permit for the dwelling at 3780 Broadway Street has been issued.
2. Deposit of a Landscaping Security in the amount of \$500.00 for the planting of one (1) 4 ft. high Maple tree on 3760 Broadway Street.
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4. Registration of a restrictive covenant on title to ensure building construction on 3780 Broadway Street occurs in accordance with the designs approved by the City of Richmond.
5. Registration of a Restrictive Covenant limiting vehicle access to the rear lane.

[Signed original on file]

Signed

Date



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7999 (RZ 05-315710)
3760 AND 3780 BROADWAY STREET**

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

1. Richmond Zoning and Development Bylaw 5300 is amended by
 - i. Inserting the following subsection into the Single-Family Housing District (R1) Section 202.4 MINIMUM & MAXIMUM SETBACKS FROM PROPERTY LINES :

“.03A Notwithstanding the limitations imposed above, the minimum **rear yard** setback in the area bounded by Steveston Highway, No. 1 Road, Chatham Street, and 7th Avenue shall be as shown in Diagram 1, Section 202.4.05 PROVIDED THAT portions of the principal **building** greater than 5.5 m (18.045 ft.) in **building height** shall be setback a minimum of 6 m (19.685 ft.) from the **rear property line.**”
 - ii. Replacing Diagram 1 in Section 202.4.05 with the diagram shown in Schedule A.
2. 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 A (R1/A)**”.

P.I.D. 010-909-095
Lot 17 Block 22 Section 3 Block 3 North Range 7 West New Westminster District Plan 249

AND

P.I.D. 010-909-109
Lot 18 Block 22 Section 3 Block 3 North Range 7 West New Westminster District Plan 249
3. This Bylaw may be cited as “**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7999**”.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

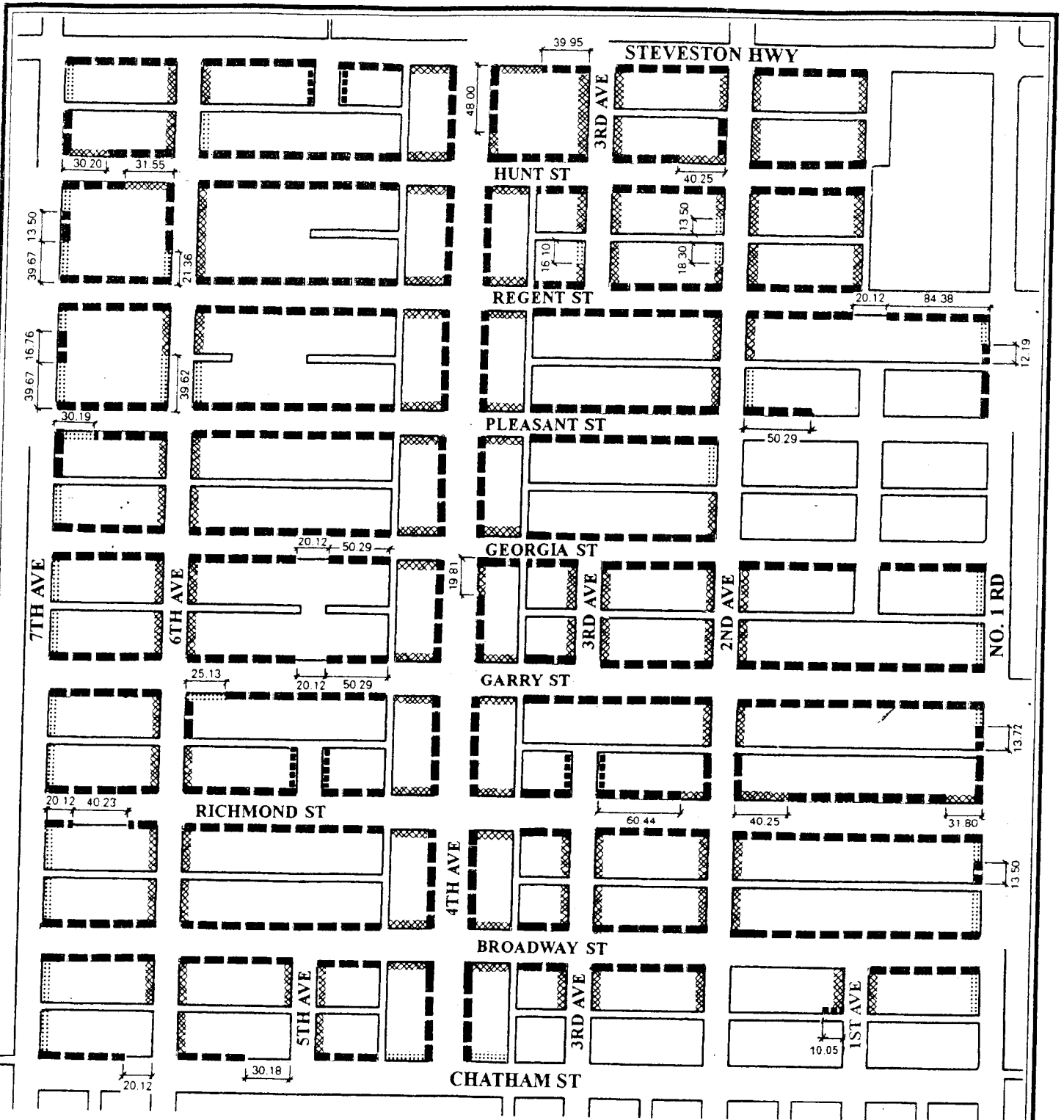
OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

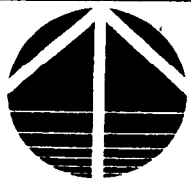
CORPORATE OFFICER



LEGEND

- 1.2 metre setback
- 3.0 metre setback
- 1.8 metre setback
- 6.0 metre setback

Note: All dimensions are in metres



**Bylaw 7999
Schedule A**

Date
02/28/06