



To: Planning Committee

Date: March 16, 2006

From: Jean Lamontagne
Director of Development

File: RZ 05-321067

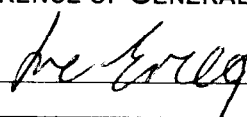
Re: **Application by Hari and Mohinder Gill for Rezoning at 5491 Walton Road from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B)**

Staff Recommendation

That Bylaw No. 8036, for the rezoning of 5491 Walton Road 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.

Jean Lamontagne
Director of Development

EL:rg/blg

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER


Staff Report

Origin

Hari and Mohinder Gill have applied to the City of Richmond for permission to rezone 5491 Walton Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B) in order to permit the subdivision of two (2) single-family residential lots.

Findings of Fact

Item	Existing	Proposed
Owner	Hari & Mohinder Gill	To be determined
Applicant	Hari & Mohinder Gill	No change
Site Size	1,127 m ² (12,131 ft ²)	548 m ² (5,898 ft ²) & 574 m ² (6,178 ft ²)
Land Uses	One (1) large lot single-family	Two (2) small lot single-family
OCP Designation	Low Density Residential	No change
702 Policy Designation	R1/B	No change
Zoning	R1/E	R1/B

Surrounding Development

This is a single-family neighbourhood with a range of lot sizes. There are a number of new homes on both Single-Family Housing District, Subdivision Area E (R1/E) and Single-Family Housing District, Subdivision Area B (R1/B) zoned lots in the vicinity of the subject sites.

- To the north – recent single-family dwellings fronting Pearl Court on R1/B zoned lots;
- To the east – two (2) single-family dwellings on R1/E zoned lots, and then one (1) single-family dwelling on R1/B zoned lot;
- To the south – across Walton Road, single-family dwellings on R1/E zoned lots; and
- To the west – one (1) recent single-family dwelling on a R1/E zoned lot, and then two (2) recent single-family dwellings on R1/B zoned lots.

Related Policies & Studies

Lot Size Policy

Lot Size Policy 5419 (**Attachment 2**) which was adopted in 1989 and amended in 2003, permits subdivision of lots to an R1/B lot size which is 12 m or 39.4 ft. wide minimum. The subject lot is 24.658 m wide and therefore has sufficient width to accommodate two (2) R1/B size lots.

Public Input

A petition was received by staff signed by residents from 15 households within Lot Size Policy Area 5419, objecting to the subject rezoning proposal. A copy of the petition is attached to the report (**Attachment 3**).

Staff Comments

Lot Size Policy 5419

The subject proposal is consistent with the Lot Size Policy for the area (**Attachment 2**). Therefore, while the subdivision of the subject lot will result in a lot that is smaller than those around it, it is consistent with the Policy in place for this neighbourhood and the direction of redevelopment currently ongoing in this area.

Trees

A tree survey and Arborist report was submitted outlining the location and health of existing trees (**Attachment 4**). The report recommends removal of four (4) out of the five (5) trees on site based on the tree conditions and locations. Staff recommend that the applicant plant and maintain a minimum of two (2) trees on site for each tree being removed. The applicant has agreed to this recommendation and is proposing to plant and maintain two (2) new 4 ft. high Maple trees on each of the future lots, and contribute \$2,000 towards the Park Improvement Fund in-lieu of the balance of the replacement trees. In order to ensure that the landscaping works are undertaken, the City would require a landscaping Letter of Credit in the amount of \$2,000 prior to final adoption of the rezoning bylaw. Tree protection barrier to be installed prior to any building demolition or any site preparation work being undertaken.

Other Requirements

There are no engineering requirements for the rezoning application. With the future subdivision, the developer is to pay a Neighbourhood Improvement Charge (NIC) for future road upgrading, Development Cost Charges, School Site Acquisition Charge, Address Assignment Fee and Servicing Costs. An Aircraft Noise Covenant is required prior to final adoption of the rezoning bylaw.

Analysis

The adjacent large lot to the west (5471 Walton Road) has an existing lot width of 23.438 m which is only marginally short of the lot width required (24 m) for two (2) future R1/B lots. The subject site has the lot width to subdivide into two (2) R1/B lots and provide a 0.57 m wide strip of property to the neighbouring lot to the west thus preserving the future ability of 5471 Walton Road to subdivide to create two (2) R1/B lots.

Staff requested the applicant contact the owner of 5471 Walton Road regarding this situation and report back on the possibility of 5471 Walton Road purchasing a 0.57 m wide strip of land to facilitate a future two (2) lot subdivision. The applicant has advised that the property owner of 5471 Walton Road is not interested in pursuing redevelopment in the near future. The applicant wishes to proceed with a rezoning and subdivision that does not include the sale of a 0.57 m wide strip of land to the neighbouring lot at 5471 Walton Road.

Staff communicated to Mr. Khosla, the owner of 5471 Walton Road, regarding this situation and confirmed he was approached regarding the purchase of a 0.57 m wide strip of land. Mr. Khosla indicated he is not interested in pursuing redevelopment at this time and is against small lot developments in this neighbourhood.

Staff recommend the proposed subdivision be revised to preserve a 0.57 m wide strip of land along the western property line of Proposed Lot A in order to preserve the full subdivision potential of 5471 Walton Road (**Attachment 5**). This strip of land would be protected by a Restrictive Covenant until the adjacent lot to the west (5471 Walton Road) pursues redevelopment. The Restrictive Covenant will include language to ensure this area is transferred at fair market value upon redevelopment of 5471 Walton Road. The Restrictive Covenant will also include language to ensure all side yard setback requirements be measured from the eastern edge of the 0.57 m wide strip instead of the west property line of the Proposed Lot A and that the "no-build" area is not used for density calculations. Staff recommend this Restrictive Covenant be required as a condition of final adoption of the rezoning bylaw.

Financial Impact or Economic Impact

None.

Conclusion

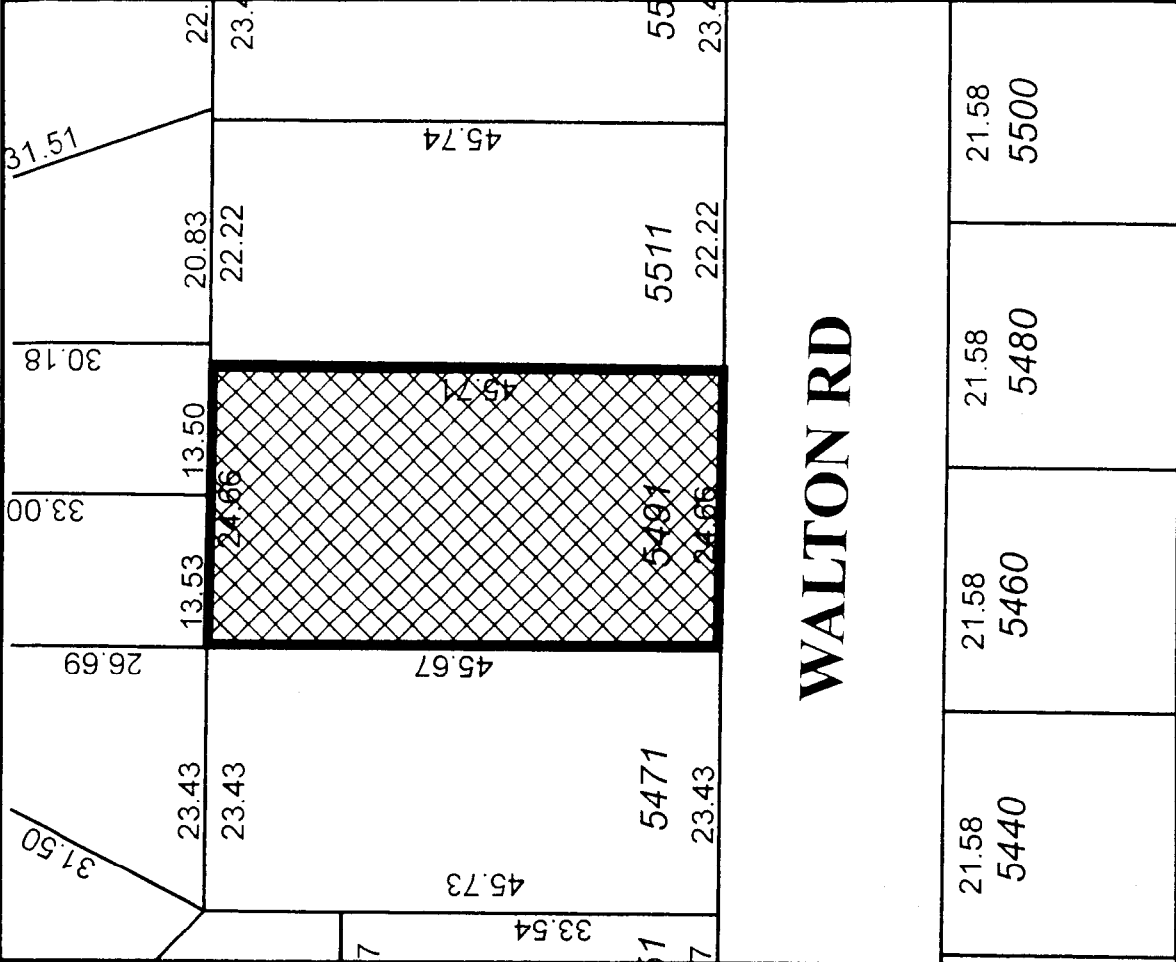
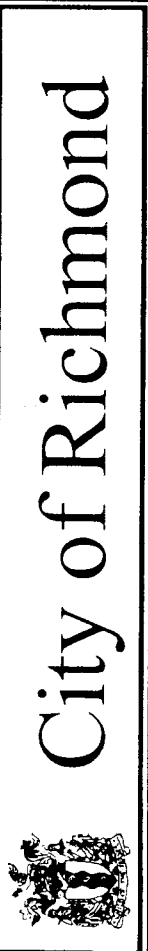
The rezoning application complies with all policies and land use designations contained within the Official Community Plan (OCP) and is consistent with the direction of redevelopment currently ongoing in the surrounding area. On this basis, staff support the application.



Edwin Lee
Planning Technician - Design
(Local 4121)

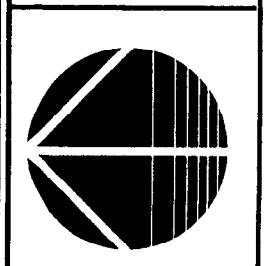
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- Attachment 1: Location Map
- Attachment 2: Lot Size Policy 5419
- Attachment 3: Petition from the Area Residents
- Attachment 4: Tree Survey and Arborist Report
- Attachment 5: Conceptual Subdivision Plans
- Attachment 6: Conditional Rezoning Requirements



Original Date: 01/17/06
 Revision Date:
 Note: Dimensions are in METRES

RZ 05-321067





City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: November 27, 1989

POLICY 5419Amended by Council: November 17th, 2003

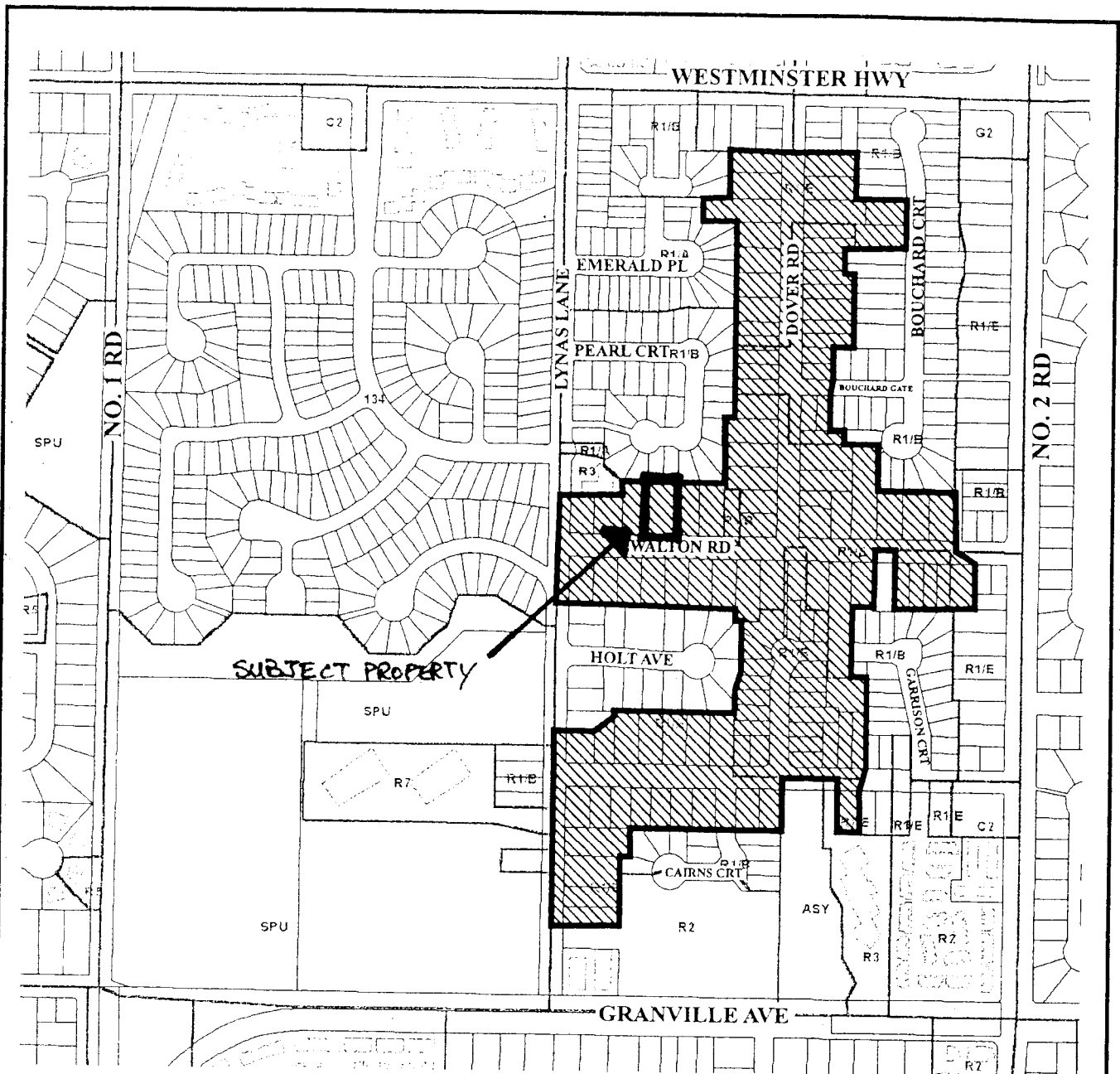
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SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 12-4-7

POLICY 5419:

The following policy establishes lot sizes in a portion of Section 12-4-7, generally bounded by **No. 2 Road, Westminster Highway, Granville Avenue and Lynas Lane:**

That properties generally bounded by No. 2 Road, Westminster Highway, Granville Avenue and Lynas Lane, in a portion of Section 12-4-7, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) 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 R1/B



Policy 5419
Section 12, 4-7

Adopted Date: 11/27/89

Amended Date: 11/17/03

February 22, 2006

To Whom This May Concern:

We are the direct neighbors of the proposed property 5491 Walton Rd, Richmond. We have some strong concerns with the proposed subdivision of this lot into two lots

This is a family orientated neighborhood. Most of the houses are located on much bigger lots. We approve of the way our previous neighbor's lot was subdivided, making a provision for parking. Walton Road is a very small road with larger lots. The proposed subdivision of 5491 does not fit in with the rest of the neighborhood. There are already parking issues, with vehicles being parked on our property. We foresee this being a bigger problem with the subdivision.

Also the subdivision will considerably bring down the value of our properties.

Please note that the property owner did not even inform us of the proposed subdivision.

Thank-you in advance for your consideration.

Kind Regards,

Ashok Khosla

Mr. Ashok Khosla

5471 WALTON Rd, RICHMOND V7C2L7

Brian Vaaldorp

BRIAN VAALDORP

5460 WALTON RD RICHMOND V7C 2L9

John Lum

JOHN LUM

5631 WALTON ROAD V7C 2L8

Mike Naranjo

MIKE NARANJO

5671 WALTON RD V7C 2L8

5691 WALTON RD V7C 2L8

TAM MEYER

TAM MEYER

5660 WALTON RD V7C 2L9

Vasuko Komol

VASUKO KOMOL

5450 WALTON ROAD RICHMOND V7C 2L9

R KHOSLA

R KHOSLA

5751 WALTON ROAD RICHMOND V7C 2L7

John King

JOHN KING

5631 WALTON RD RICHMOND V7C 2L8

Peter Kingston

PETER KINGSTON

5680 WALTON RD RICHMOND V7C 2L9

John King

JOHN KING

5720 WALTON RICHMOND V7C 2L9

John King

JOHN KING

5440 WALTON ROAD V7C 2L9

5731 WALTON RD V7C 2L9

P.T.O. Page 2

ATTACHMENT 3

Page 2

TEAMINH. HAA. Schmidt - 5600 - Waller Rd.

BCV7C-229.

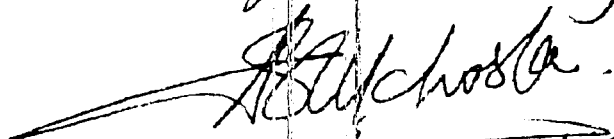
~~REKHA KHOSLA B. Khosla~~

~~Shanta Baitkman C.B.~~

5431 Waller Rd UTC-227

Please note Three to four people are away away on holidays & Signatures are pending & can be forwarded at later date.

Yours truly



~~REKHA KHOSLA~~

All Seasons Tree Service

928 London Place
New Westminster, BC
V3M1Z6
Canada

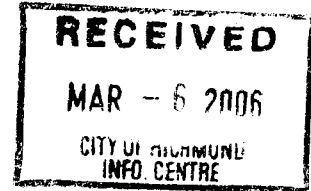
phone: (604) 273-0125
fax: (604) 521-1364
email: allseasontree@shaw.ca

March 5, 2006

RE: Tree Report

Harry Gill
15038 81 Ave Surrey BC

Work site
5491 Walton rd Richmond BC
To Whom It May Concern:



Enclose here is an arboricultural report relating to the numbered trees shown on the site plan (enclosed). This report concentrates on the health and condition of the numbered trees along with their suitability for retaining

Site description

This is a two-lot development that is well drained. The existing house will be removed along with all the protected trees inside the building envelope. There are no environmental issues associated with this site and no raptor nests were visible

Abbreviation Key:

Letters and symbols:

- ~ P = Poplar
- ~ B = Birch
- ~ C = Western Red Cedar
- ~ PL = Purple leaf plum
- ~ M = Maple

Terms:

~DBH = Diameter of tree at breast height

Other Points of Interest:

When excavating and clearing of trees is performed in established treed area, four main problems would occur.

1. Wind throw: this is where tree is exposed to wind in ways, which it wasn't before.
2. Alterations to water table and drainage: this can cause root die back.
3. Compaction of ground: This causes root die back and destabilization of tree.
4. Cutting of roots: This causes root die back and destabilization of tree.

<i>SITE # 5491 Walton road Richmond</i>					
<u>TREE #</u>	<u>SPECIES</u>	<u>DBH</u>	<u>HEIGHT</u>	<u>CONDITION</u>	<u>OBSERVATION RECOMMENDATION</u>
1	PL	.3m	30ft	Poor to good	Multi stem tree with good growth This mature specimen will be impacted by the building envelop and there for should be Removed
2	B	3 times 0.3	45ft	poor	Crown is very thin poor growth with 30% die back Damage at the base South side. Removal recommended
3	P	2 Trunks @0.8m	95ft	Good	This tree has a high risk of crown failure. It is also in the building envelope Removal recommended
4	M	5@ 0.2	45ft	poor	Multi trunk Maple with many Co dominant problems at the base Removal recommended
5	C	0.45	45ft	Very Good	Single trunk cedar with good taper and new growth Every effort should be made to retain this tree using tree berries around the drip line as recommended by the ISA Tree retention mothered

Limitations of this Assessment:

It is our company's policy to attach the following clause regarding limitations. We do this to ensure that owners are clearly aware of what is technically and professionally realistic in retaining trees.

The assessment of the trees presented in this report has been made using accepted arboricultural techniques. These include a visual of the above ground parts of each tree for structural defects, scars, indication of decay such as fungal fruiting bodies, evidence of insect attack, discolored foliage, the condition of any visible root structure, the degree and direction of lean (if any), the general condition of the tree and the surrounding site, and the proximity of property and people. Except where specifically noted in the report, none of the trees examined were dissected, cored, probed, or climbed and detailed root examinations involving excavation were not undertaken.

Notwithstanding the recommendations and conclusions made in this report, it must be realized that trees are a living organism and their health and vigor constantly changes over time. They are not immune to change in sit conditions, or seasonal variations in the weather conditions.

While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered, or implied, that these trees, or any parts of them, will remain standing. It is both professionally and practically impossible to predict with absolute certainty the behavior of any single tree or group of trees or their component parts in all circumstances. Inevitably, a standing tree will always pose some risk. Most trees have the potential for failure in the event of adverse weather conditions and this risk can only be eliminated if the tree is removed.

Although every effort has been made to ensure that this assessment is reasonably accurate, the trees should be re-assessed periodically. The assessment presented in this report is valid at the time of the inspection.

Respectfully,

Raymond Catton
ISA Certified Arborist
All Seasons Tree Service

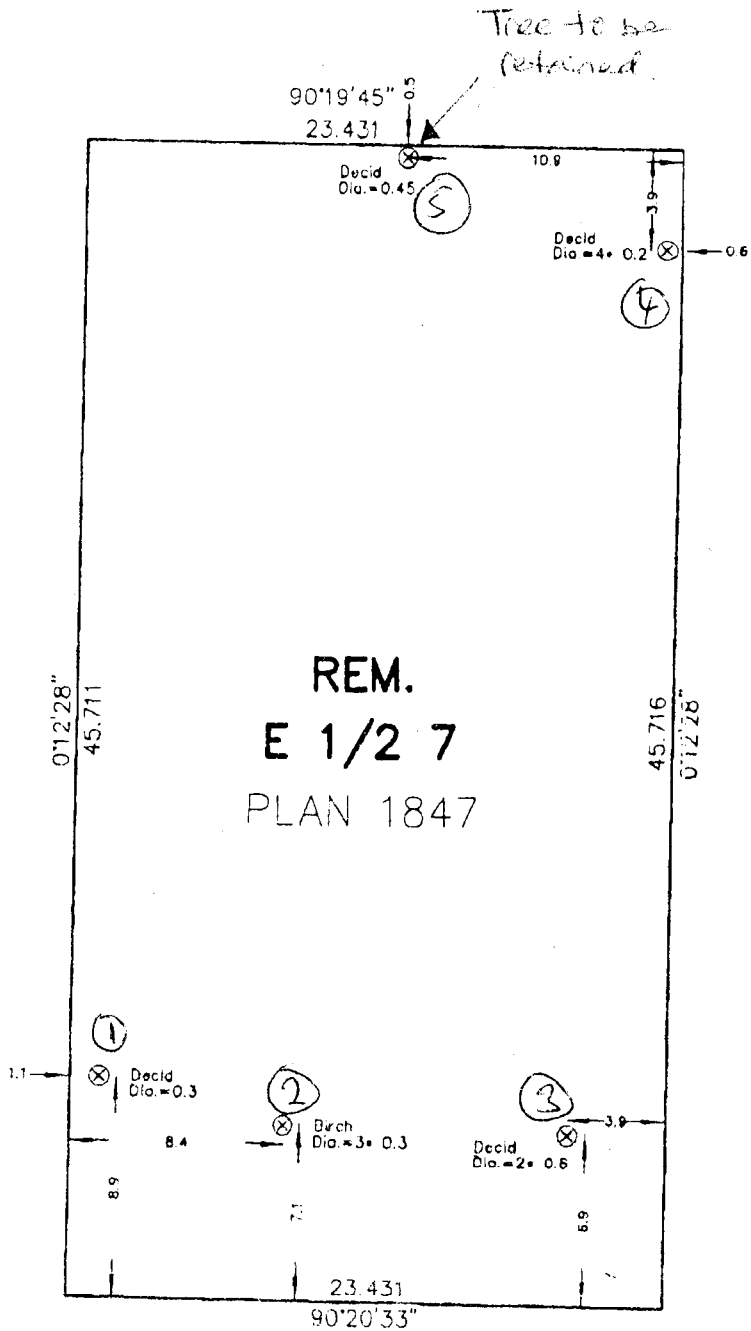
**BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION
OF TREES ON E 1/2 LOT 7 EXCEPT PT SUB'D BY PLAN 64920
SECTION 12 B4N R7W NEW WESTMINSTER DISTRICT PLAN 1847.**

Current civic address:
5491 Walton Road
Richmond, B.C.

SCALE 1:300

Notes:

- All dimensions are in metres.
- This plan is NOT to be used for location of property lines.
- dimensions to tree(s) are to center of tree.



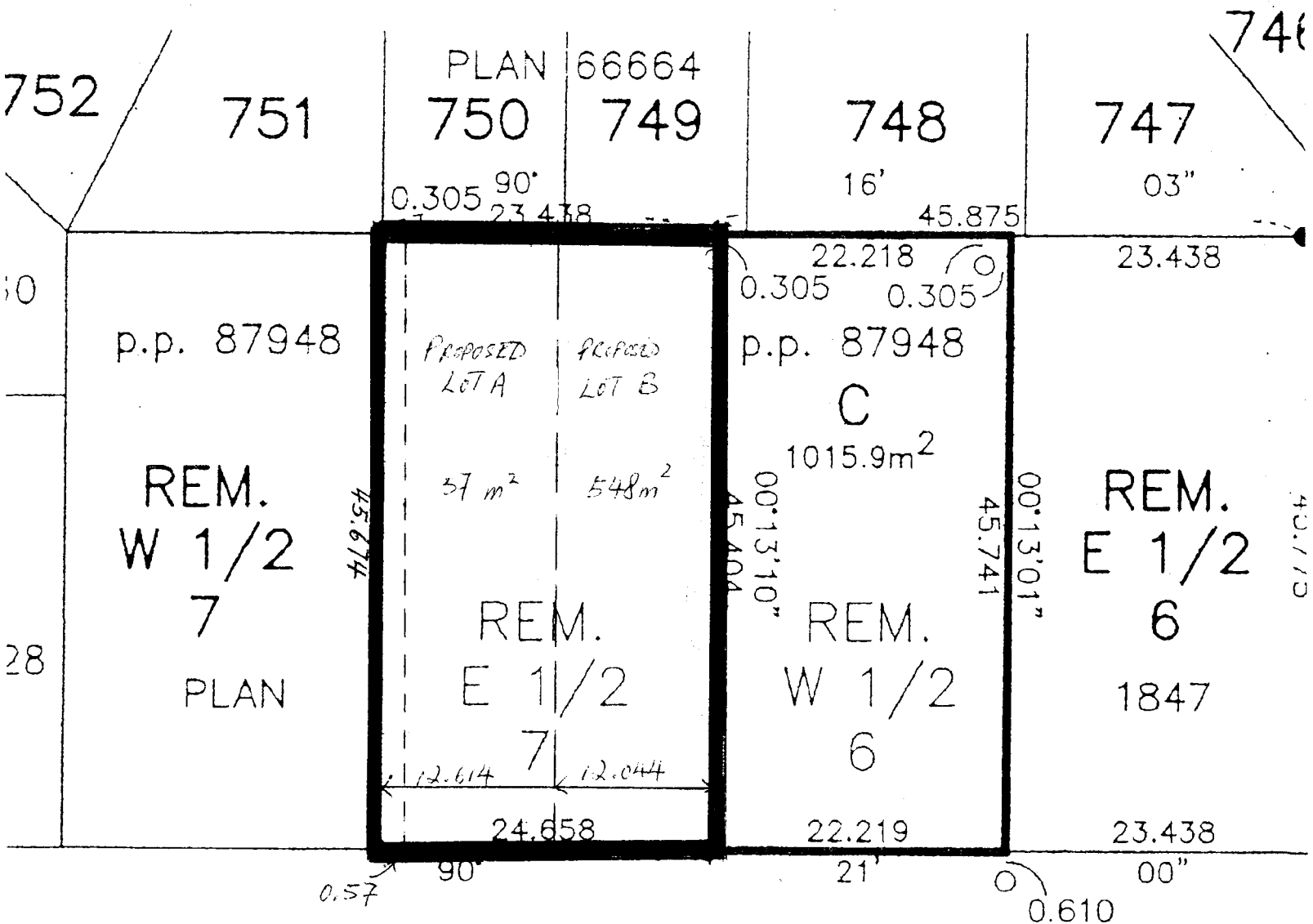
WALTON ROAD

© COPYRIGHT
DHALI WAL & ASSOCIATES
LAND SURVEYING INC.
121-13140 80th Avenue
Surrey, B.C.
V3W 3B2
(ph) 501-6188
(fx) 501-6189
FILE: 0602126-TR1.DWG

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED

PAUL NIKULA
DATE OF SURVEY
19th DAY OF FEBRUARY 2006
BRITISH COLUMBIA
LAND SURVEYOR
GENE DHALI WAL
19th DAY OF FEBRUARY 2006
BRITISH COLUMBIA
LAND SURVEYOR

All distances are in metres.
(NOT IN SCALE)



WALTON ROAD

Conditional Rezoning Requirements
5491 Walton Road
RZ 05-321067

Prior to final adoption of Zoning Amendment Bylaw 8036, the developer is required to complete the following requirements:

1. Registration of an aircraft noise covenant.
2. Provide a security to the City of Richmond in the form of cash or a clean, unconditional and irrevocable standby letter of credit drawn on a Canadian financial institution in an amount equal to \$2,000.00 for four (4) 4 ft. foot high Maple trees to be planted and maintained within the future lots.
3. Contribution of \$2,000 in-lieu of four (4) replacement trees to go to the Park Improvement Fund.
4. Installation of tree protection barriers around all protected trees prior to building demolition or any site preparation work.
5. Registration of a Restrictive Covenant to preserve a 0.57 m wide strip of land along the west property line until the adjacent lot to the west (5471 Walton Road) pursues redevelopment. The Restrictive Covenant will include language to ensure this 0.57 m wide strip of land is transferred at fair market value upon redevelopment of 5471 Walton Road, is not used for density calculations, and all side yard setback requirements are measured from the eastern edge of this strip of land.

[Signed Copy on File]

Signed

Date



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8036 (RZ 05-321067)
5491 WALTON 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 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. 026-149-265

Lot D Section 12 Block 4 North Range 7 West New Westminster District Plan BCP15111

2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8036”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

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

MAYOR

CORPORATE OFFICER