Report to Committee

To:

Planning Committee

Date:

June 27, 2006

From:

Jean Lamontagne

File:

RZ 04-270312

Re:

Director of Development

Application by Les Cohen and Azim Bhimani for Rezoning at

5420 Granville Avenue from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B)

Staff Recommendation

That the following recommendations be forwarded to Public Hearing: 1.

- That Single-Family Lot Size Policy 5439 for the properties located in the (a) northeast portion of Section 13-4-7, located to the southwest of the intersection of Granville Avenue and No. 2 Road, be amended to permit 5420 Granville Avenue to rezone and subdivide to Single-family Housing District, Subdivision Area B (R1/B):
- 2. That Bylaw No. 7761, for the rezoning of 5420 Granville Avenue from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Coach House District (R9)", be abandoned; and
- That Bylaw No. 7907, for the rezoning of 5420 Granville Avenue from "Single-Family 3. 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:blg Att.

FOR ORIGINATING DEPARTMENT USE ONLY

CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Les Cohen and Azim Bhimani have applied to the City of Richmond for permission to rezone 5420 Granville Avenue (**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 with front access garages.

Findings of Fact

Item	Existing	Proposed
Owner & Applicant	Les Cohen and Azim Bhimani	To be determined
Site Size	1,222 m ² (13,154 m ²)	Two lots each 611 m ² (6,577 ft ²)
Land Uses	Single-Family Residential	Two Single-Family Lots
OCP Designation	Neighbourhood Residential; Low-Density Residential	No change
702 Policy Designation	Lot Size Policy 5439 restricts subdivision to R1/E	Amend to allow rezoning to R1/B on the subject property only
Zoning	R1/E (18 m or 59 ft. wide)	R1/B (12 m or 39 ft. wide)

Surrounding Development

To the North: Across Granville Avenue, older character multi-family developments zoned

Townhouse District (R2);

To the East: An existing single-family dwelling on a similarly sized property zoned R1/E;

To the South: Newer character single-family dwellings zoned R1/B; and

To the West: An existing single-family dwelling on a large, deep lot zoned R1/E.

Related Policies & Studies

Lane Establishment and Arterial Road Redevelopment Policies

Council adopted the revised Lane Establishment and Arterial Road Redevelopment Policies on June 26, 2006. Single-family residential and Coach House development will only be considered where the development can connect to an operational lane or an existing side street, except as prescribed in the policies.

The rezoning application does not comply with the revised Policies, since lane access cannot be warranted. However, this application is considered an "in-stream" application, as it was submitted prior to the initiation of the Arterial Road Redevelopment and Lane Establishment Policy Review. On this basis, the subject rezoning application is proposed to be considered on its own merits.

Single-Family Lot Size Policy 5439

The subject property is governed by Single-Family Lot Size Policy 5439 (**Attachment 2**) which limits rezoning to Single-Family Housing District, Subdivision Area E (R1/E) – requiring that any new lots being subdivided have a minimum width of 18 m (59 ft.), and a minimum area of 550 m² (5,920 ft²). Therefore, prior to being able to consider this rezoning application, the existing Single-Family Lot Size Policy 5439 must be amended to allow 5420 Granville Avenue to be subdivided as per Single-Family Housing District, Subdivision Area B (R1/B) – allows a minimum width of 12 m (39 ft.), and a minimum area of 360 m² (3,875 ft²). The proposed amended Policy is shown in **Attachment 3**.

Consultation

A letter dated February 9, 2006 (Attachment 4) was sent to the owners and residents within this neighbourhood outlining proposed amendment to Single-Family Lot Size Policy 5439 and advising of the rezoning application at 5420 Granville Avenue. No Public Information Meeting has been held because no response was generated as a result of the mail-out. No input from the owners or residents had been received at the time of writing this report.

Staff Comments

Background

The applicants originally applied to rezone the property in order to permit a residential subdivision with a temporary shared driveway and provisions for a rear lane at the back of the property. At the August 23, 2004 Public Hearing, the application was referred pending the outcome of the review of the Arterial Road Redevelopment and Lane Establishment Policies.

As a result of the Council referral and Policy review, the application was amended to a six (6) unit townhouse development on the subject site only, at a density of 0.6 F.A.R., with vehicle access provided along the east portion of the site. However, staff were reluctant to bring forward the application for the following reasons:

- o The adjacent properties to the west are designated for single-family residential uses in the Laurelwood Sub Area Plan as a transition from single-family residential in the subject area to multiple-family residential uses further to the west. A townhouse development on the subject property will break this planned transition and is considered inappropriate.
- The frontage of the subject property (25.05 m or 82 ft.) does not meet the minimum width requirements (30 m or 98 ft.) for Townhouse District (R2 0.6).

On the basis of the "Revised Interim Strategy for Managing Rezoning Applications During the Review of the Lane Establishment and Arterial Road Redevelopment Policies" adopted by Council on September 6, 2005 the applicants have revised the application in January 2006 and are proposing to subdivide the subject property into two (2) single-family residential lots with a shared vehicle access off Granville Avenue.

Trees

A tree survey (Attachment 5) and an arborist's report (Attachment 6) were submitted. Four (4) protected trees are noted on the survey; two (2) two of them are located on the development site

and the other two (2) are located near the property line on adjacent lots. The applicant is proposing to remove the English Holly on site to accommodate the future dwellings. The applicant is also proposing to remove the Horse Chestnut on site, based on the result of the arborist's report that the tree has structural defects.

Staff recommend that the applicant plant and maintain a minimum of two (2) trees on site for each tree being removed. The applicant has provided a preliminary landscape plan (Attachment 7) prepared by a registered landscape architect, to ensure that the front yards of the future lots will be enhanced. The landscape plan includes a total of six trees (4 replacement trees as recommended plus 2 additional trees) and a combination of shrubs and ground covers. In order to ensure that this work is undertaken, the applicant has agreed to provide a landscape security in the amount of \$7,843 prior to final adoption of the rezoning bylaw.

The English Oak located on the neighbouring property to the east (5460 Granville Avenue) is identified on the City's Significant Tree Inventory. According to the arborist's report, a protection fencing at 4 m (13 ft.) from the tree is recommended; however, since the tree is located more than 5 m (16 ft.) away from the property line, no specific protection measure is required. The arborist report also recommends no specific protection measures for the Cedar located on the neighbouring property to the south (5591 Linscott Court) as it is well away from the building envelope and located south of the 6 ft. high wood fence between the two (2) lots.

Subdivision

At Subdivision stage, the developer will be required to pay Development Cost Charges, School Site Acquisition Charge, Address Assignment Fee and Servicing Costs. The developer will also be required to provide a Cross-Access Easement/Agreement, centered on the new-shared property line, to permit vehicles to cross property lines as they enter or exit their properties via a single-shared driveway. In order to reduce the impact of garage doors on the streetscape, a restrictive covenant will be required at the subdivision stage to ensure the garage doors for the new houses will be oriented towards the driveway.

Analysis

The development of front access single-family lots on arterial roads is not considered an appropriate development solution in the majority of cases due to concerns related to traffic operation and aesthetics. However, in this particular case, an exception is being considered for the following reasons:

- 1. Only one (1) shared vehicle access will be provided for the future lots to limit vehicle access. The shared vehicle access will be secured through the registration of a cross-access agreement;
- 2. Adequate space in the front yard is provided for the shared access and driveways with turnaround capability. The applicant has agreed to register on title a restrictive covenant to ensure all structures on the future lots will be setback 9 m (29.5 ft.) from the front property line;

- 3. A landscape plan has been submitted to ensure adequate landscaping will be planted in the front yard (**Attachment 7**). The applicant has agreed to provide a landscaping security to ensure the landscaping works will be undertaken; and
- 4. A preliminary building design has been submitted by the applicant and the garage doors of the two future dwellings are facing each others instead of facing Granville Avenue (Attachment 8).

The site context, age of surrounding houses, and varying lot sizes are factors that are specific to the subject site and locale. The subject application is being brought forward for consideration based on these site-specific factors, including the fact that it has been in-stream for some time. In fact, the current proposal complies with the "Revised Interim Strategy for Managing Rezoning Applications During the Review of the Lane Establishment and Arterial Road Redevelopment Policies" adopted by Council on September 6, 2005 but rescinded on June 19, 2006. The Revised Interim Strategy gave staff the direction to continue processing in-stream applications and bring them forward for Council's consideration if the single-family residential proposal is on an arterial road where a municipal lane is not feasible because of the site's unique location. As a result, this proposal for a residential subdivision with garages in the front is considered appropriate.

Lot Size Policy Amendment Implications

The amendment to Lot Size Policy 5439 would allow the rezoning and subdivision to single-Family Housing District, Subdivision Area B (R1/B) at the subject property only. Any other developments within this area must comply with the revised Lot Size Policy 5439 and the revised Arterial Road Redevelopment and Lane Establishment Policies.

Financial Impact or Economic Impact

None.

Conclusion

The proposed rezoning and subsequent subdivision of the property is an in-fill project that will result in a corresponding smaller building form and denser lot pattern. This will contribute to the range of housing choice in this area. On this basis, staff recommend that the proposed amendment to Lot Size Policy 5439 and rezoning application be approved.

Edwin Lee

Planning Technician – Design

(Local 4121)

EL:blg

Attachment 1: Location Map & Aerial Photo

Attachment 2: Single-Family Lot Size Policy 5439

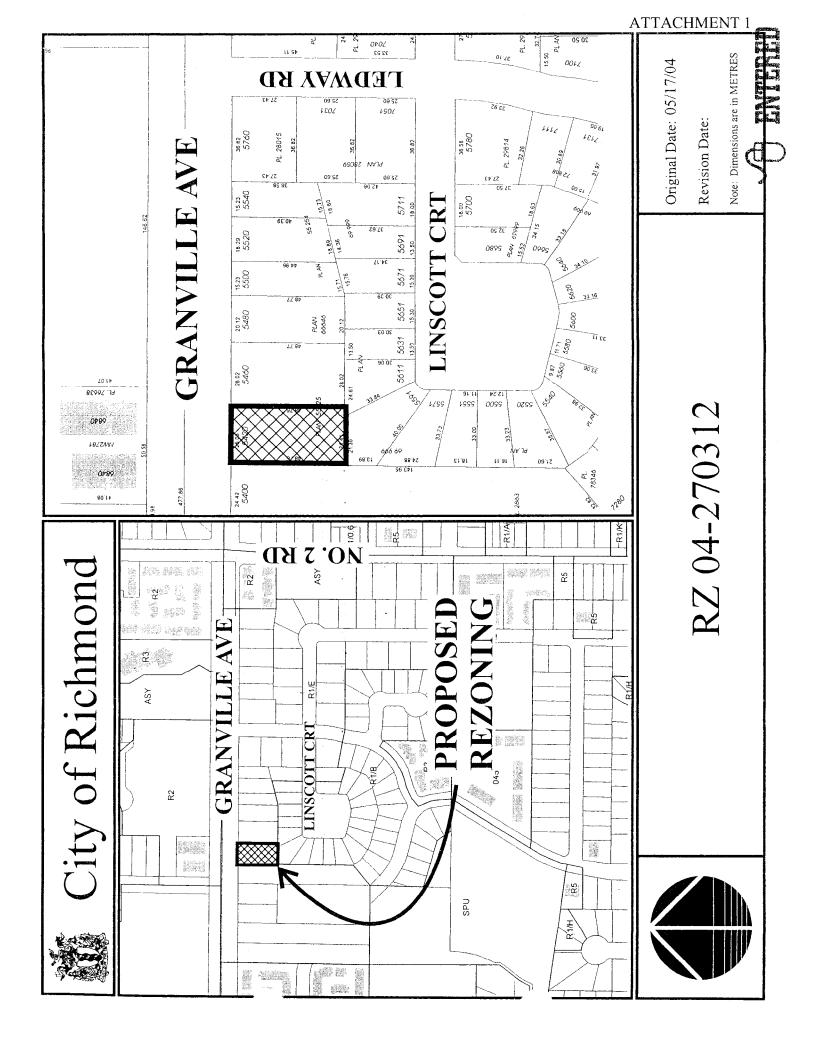
Attachment 3: Proposed Amendment to Single-Family Lot Size Policy 5439

Attachment 4: Neighbourhood Consultation Letter

Attachment 5: Tree Survey Attachment 6: Arborist Report

Attachment 7: Preliminary Landscape Plan Attachment 8: Proposed Building Designs

Attachment 9: Conditional Rezoning Requirements



ATTACHMENT 1





RZ 04-270312

Original Date: 06/19/06

Amended Date:

Note: Dimensions are in METRES



City of Richmond

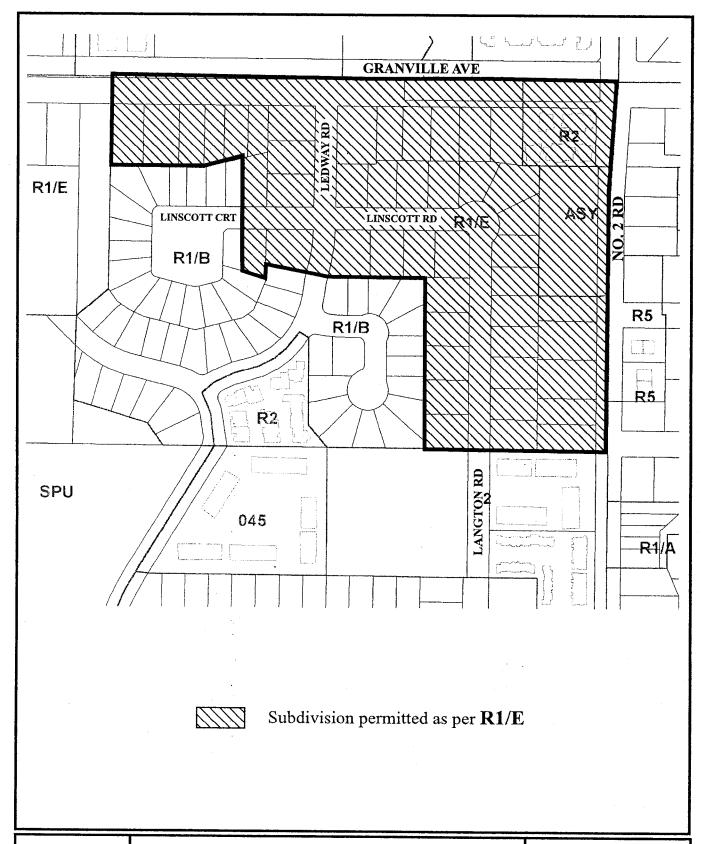
Policy Manual

Page 1 of 2	Adopted by Council: June 18, 1990	POLICY 5439
File Ref: 4045-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION	TION 13-4-7

POLICY 5439:

The following policy establishes lot sizes in the northeast portion of Section 13-4-7, located between **Granville Avenue and No. 2 Road:**

That properties to the south west of the intersection of Granville Avenue and No. 2 Road, in a portion of Section 13-4-7, be permitted to subdivide 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 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 5439 SECTION 13, 4-7

Adopted Date: 06/18/90

Amended Date:



City of Richmond

Policy Manual

Page 1 of 2 Adopted by Council: June 18, 1990		POLICY 5439
	Amended by Council: Proposed Amended Policy 5439	
File Ref: 4045-00 SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 13-4-7		

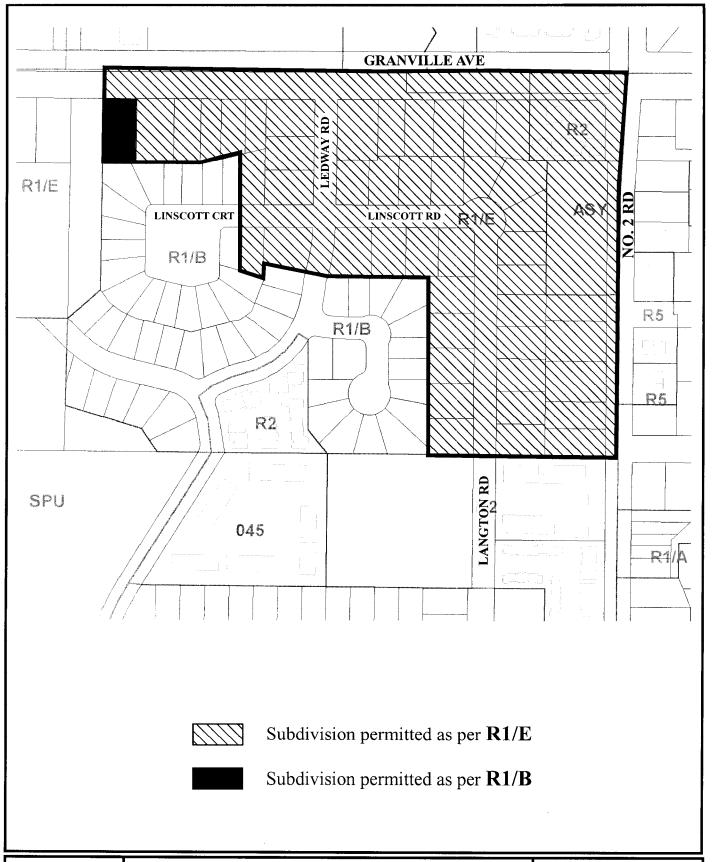
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That 5420 Granville Avenue be permitted to subdivide as per Single-Family Housing District, Subdivision Area B (R1/B) in Zoning and Development Bylaw 5300.

2. 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.





PROPOSED AMENDED POLICY 5439 SECTION 13, 4-7

Adopted Date: 06/18/90

Amended Date:



City of Richmond

6911 No. 3 Road, Richmond, BC V6Y 2C1 Telephone (604) 276-4000 www.city.richmond.bc.ca

February 9, 2006 File: RZ 04-270312 Urban Development Division Fax: (604) 276-4052

Dear Owner/Resident:

Re: Rezoning Application for 5420 Granville Avenue and Single-Family Lot Size Policy 5439

The purpose of this letter is to inform you of a proposed rezoning application along Granville Avenue and a proposed change to the Single-Family Lot Size Policy for your area.

5420 Granville Avenue

The City of Richmond has received an application from a property owner in your neighbourhood to rezone 5420 Granville Avenue (see **Attachment 1** for a location map) from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B). The purpose of the rezoning is to permit the subject property to be subdivided into two (2) residential lots each with a single-family residence. Each lot would have a width of approximately 12.20 m (40 ft.) and a minimum area of approximately 603 m² (6,487 ft²). The applicant is proposing to locate the garages in the front yard and has prepared an appropriate building design for both dwellings that fit into the area (see **Attachment 2** for proposed site plan and elevations).

Single-Family Lot Size Policy 5439

The subject property is governed by Single-Family Lot Size Policy 5439 (see Attachment 3) which limits rezoning to Single-Family Housing District, Subdivision Area E (R1/E) – requiring that any new lots being subdivided have a minimum width of 18 m (59 ft.), and a minimum area of 550 m² (5,920 ft²). Therefore, prior to being able to consider this rezoning application, the existing Single-Family Lot Size Policy 5439 must be amended to allow 5420 Granville Avenue to be subdivided as per Single-Family Housing District, Subdivision Area B (R1/B) – allows a minimum width of 12 m (39 ft.), and a minimum area of 360 m² (3,875 ft²). The proposed amended Policy is shown in Attachment 4.

Background to this Application

Since 2001, the City has been encouraging small lot single-family developments along arterial roads such as Granville Avenue on the condition that a rear lane is provided. It was on this basis that the rezoning application at 5420 Granville Avenue was originally submitted (i.e. proposing the garages in the back



yard with a future lane along the rear property line). However, in light of concerns regarding the potential to implement a lane at this location and over the functionality of garages in the back yard accessed by a future lane, this policy is being reconsidered. Since this application has been "in-stream" since 2004, City staff are proposing to consider it as a site specific rezoning application and amendment to Single-Family Lot Size Policy 5439.

Process

You are being advised of this proposal to solicit your input. It would be appreciated if you could provide us with your comments by <u>Friday</u>, <u>February 24</u>, <u>2006</u>. If you have any questions or require further explanation, please do not hesitate to contact the undersign by phone at 604-276-4121, via e-mail at elee@richmond.ca, or in writing.

Yours truly,

Edwin Lee

Planning Technician - Design

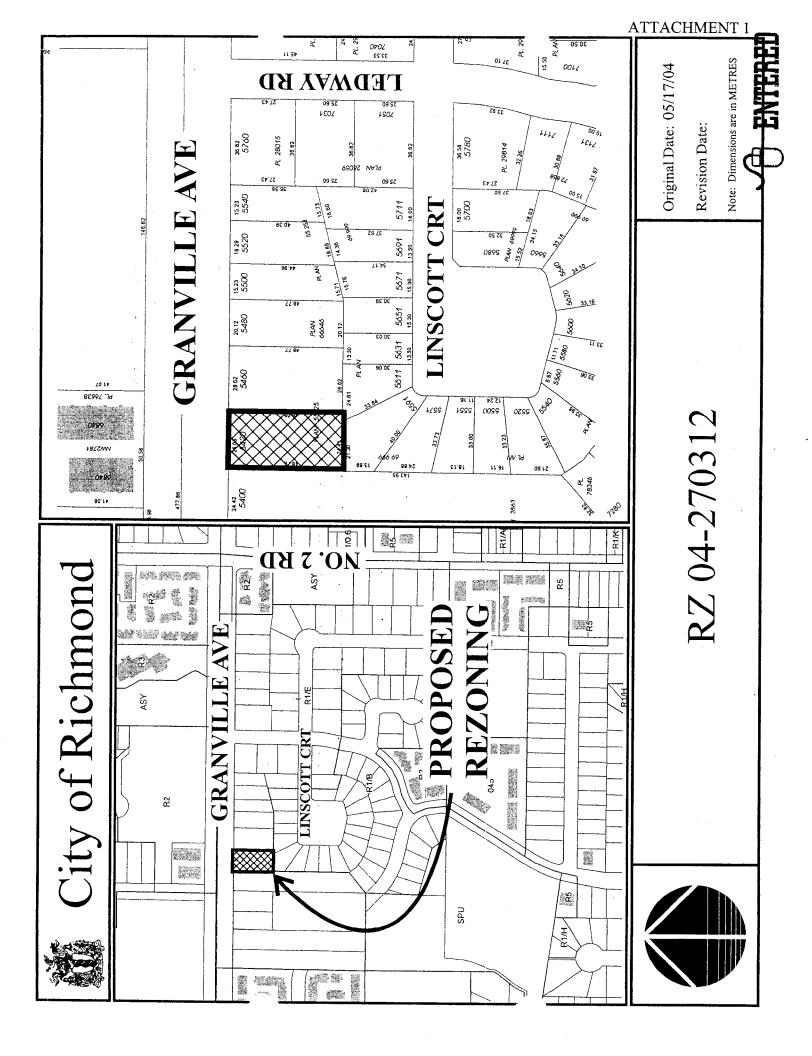
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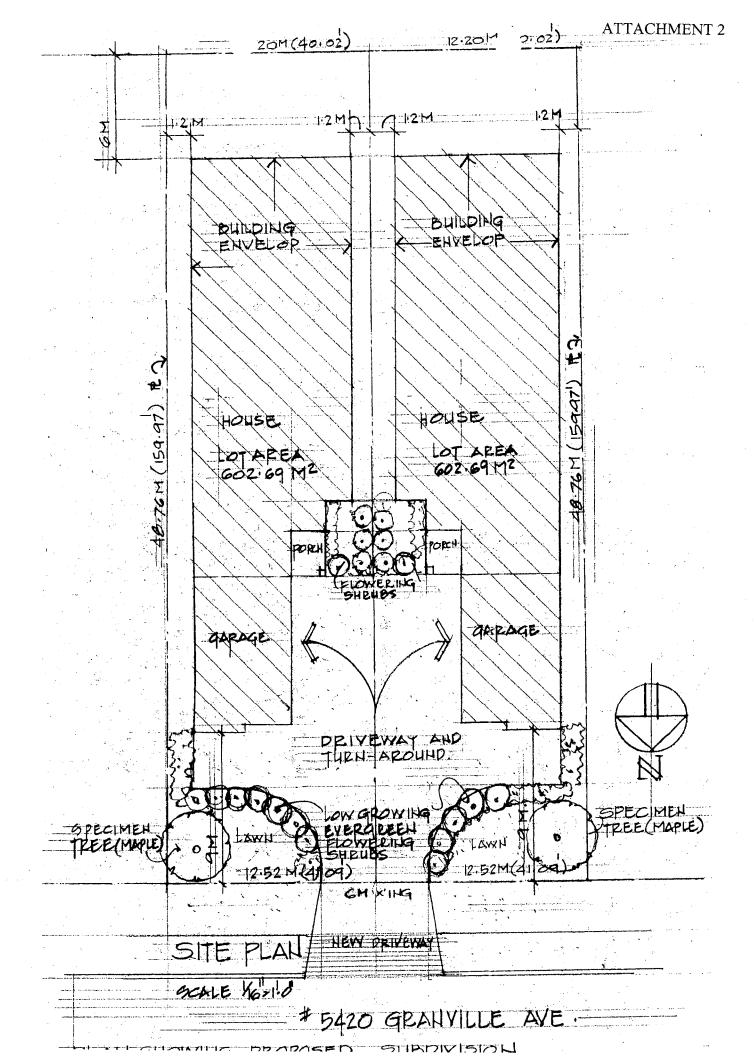
Attachment 1 - Location Map of Rezoning Application at 5420 Granville Avenue (RZ 04-270312)

Attachment 2 - Proposed Building Design

Attachment 3 - Existing Single-Family Lot Size Policy 5439

Attachment 4 - Proposed Amended Single-Family Lot Size Policy 5439





SUBDIVISION * \$420 GRANVILLE



City of Richmond

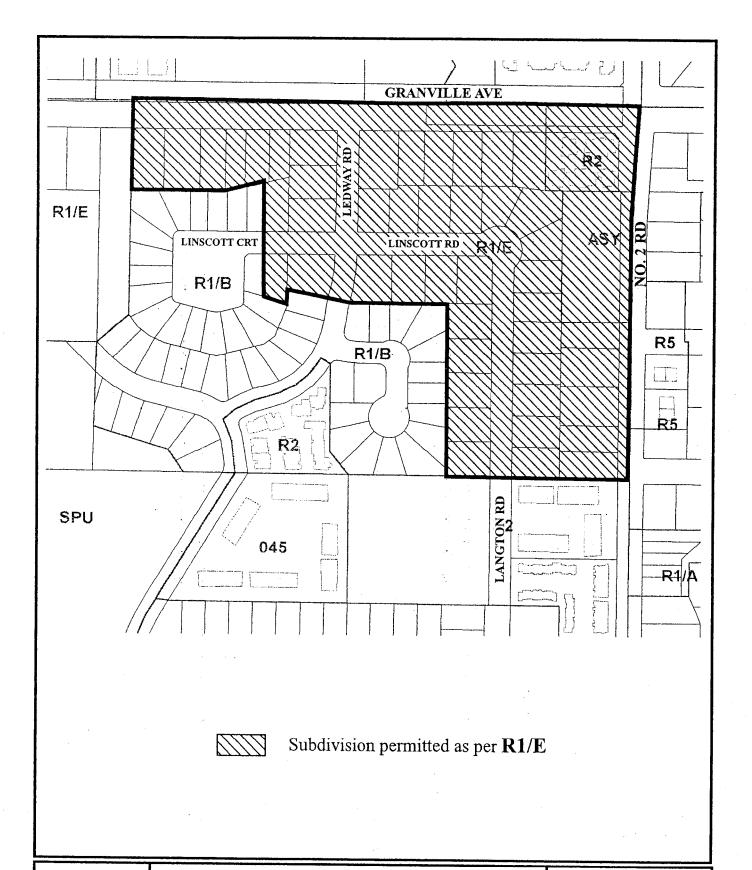
Policy Manual

Page 1 of 2	Adopted by Council: June 18, 1990	POLICY 5439
File Ref: 4045-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 1	3-4-7

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POLICY 5439 SECTION 13, 4-7

Adopted Date: 06/18/90

Amended Date:



Page 1 of 2	Adopted by Council: June 18, 1990 POLICY 5439	
	Amended by Council: Proposed Amended Policy 5439	
File Ref: 4045-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 13-4-7	

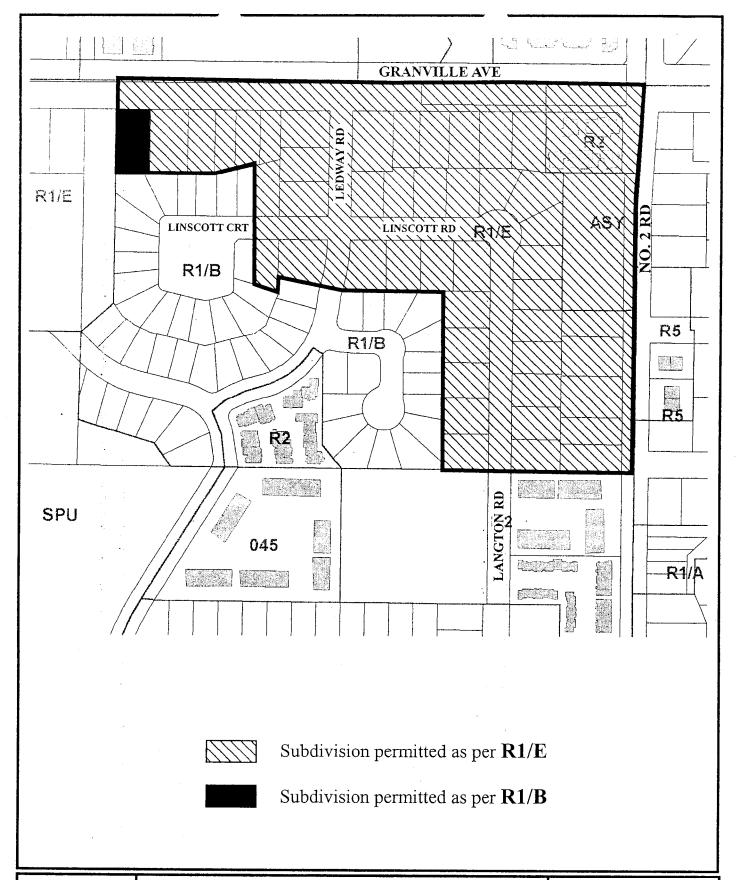
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PROPOSED AMENDED POLICY 5439 SECTION 13, 4-7

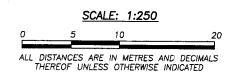
Adopted Date: 06/18/90

Amended Date:

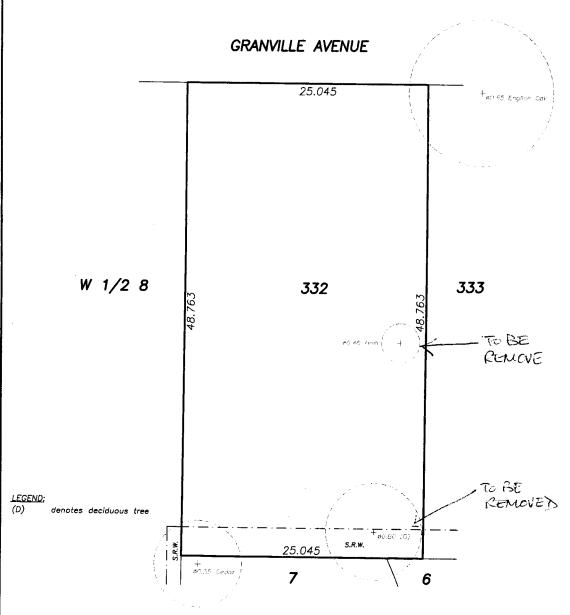
PLAN OF TREE SURVEY OF LOT 332 SECTION 13 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN 55725

ATTACHMENT 5

#5420 GRANVILLE AVENUE, RICHMOND, B.C. P.I.D. 003-660-516







© 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: jctam@telus.net
Job No. 2987
FB-73 P101, FB-75 P126
Drawn By: GB

DWG No. 2987-TREE

SURVEY COMPLETED ON APRIL 25th, 2006.



648 East 5th Street North Vancouver BC V7L 1M7 phone 604.904.0787 cell 604.904.0302 fax 604.904.0706 email catherinemacdonald@shaw.ca

Les Cohen & Azim Bhimani 3203 – 5188 Westminster Highway Richmond, BC V7C 5C7

EMAILED TO: lescohen@macrealty.com & zimmerb@shaw.ca

19 May 2006

Dear Les & Azim:

Re: Proposed Development at 5420 Granville Avenue [Lot # 332], Richmond ARBORIST'S REPORT

With regard to the above site, I am pleased to provide this report on affected trees following my site inspection of 10 May 2006. There are four trees noted on the Survey (from J.C. Tam & Associates), two on the development site and two near the property line on adjacent lots. A Survey is attached showing locations.

The two trees on the property site are:

1. .45m diameter llex aquifolium [English Holly] – This tree is an invasive species, often pruned into a formal geometric appearance, as is this particular tree. Beneath the outer layer of foliage, the tree is primarily composed of deadwood, as little air or light can penetrate the outer layer of leaves. Commonly afflicted by common holly bud moth and scale insects, leaves die and fall, becoming a problematic leaf litter as they are extremely sharp.

This tree poses no real amenity value, ar d it is not possible to remedy the previous pruning history. Therefore, I recommend it be removed prior to construction.

2. .80m diameter Aesculus hippocastanum [Common Horsechestnut] – This tree is located just inside the S.R.W. The tree has been previously topped on a number of occasions. As a result, it has poorly healed wounds and inclusions. The bark is flaking off the trunk, splits are evident on the trunk, and decay is evident in main branches and at wound/pruning sites. While this tree may, at this point in the season, have a pleasing outer appearance, it is in fact, in decline, has structural defects, and I recommend it be removed with the permission of the City of Richmond.

The two trees off the property site are:

- 1. .65m diameter Quercus robur [English Oak] located in the front yard of #5460 Granville Ave. This tree is in good condition, but has structural problems due to pruning away from overhead Hydro lines running through the crown (parallel to Granville), and possibly pruning by others over the driveway of the residence. Some deadwood is evident, as is minor suckering along the trunk and main branches.
 - I do not believe that this tree will be adversely affected by construction. The tree is adjacent to two large open lawn areas (the City boulevard and the front lawn of the residence) and as such, the majority of the root growth, due to water and nutrient availability, will be in this area. For a tree this size, I would typically recommend protection fencing 4 meters from the tree; however, the tree is located more than 5 meters away from the west property line. Therefore, I propose no specific protection measures.
- 2. .35m diameter Thuja plicata [Western Red Cedar] located to the rear of the development lot in Lot 7, in the S.R.W., and south of the 6' high wood fence between the two lots. This tree is in excellent health, although it has been topped. The tree is located south of the south fence, and well away from the building envelope, due to the presence of the S.R.W. and building setback. Therefore, I propose no specific protection measures.

I have photo documentation of these trees in my files should it be required. If there are any questions regarding these trees or other arboriculture issues, kindly contact me at the above.

Sincerely

Catherine MacDonald Inc.

Catherine MacDonald
ISA Certified Arborist PN-0716

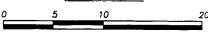
/encl. Reduced Survey Plan

Les Cohen & Azim Bhimani 5420 Granville Avenue, Richmond 19 May 2006

PLAN OF TREE SURVEY OF LOT 332 SECTION 13 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN 55725

#5420 GRANVILLE AVENUE, RICHMOND, B.C. P.I.D. 003-660-516



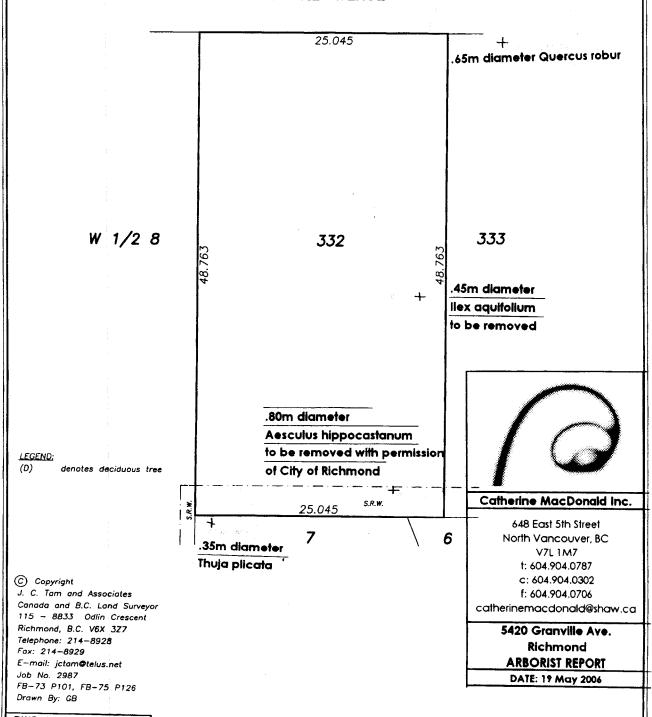


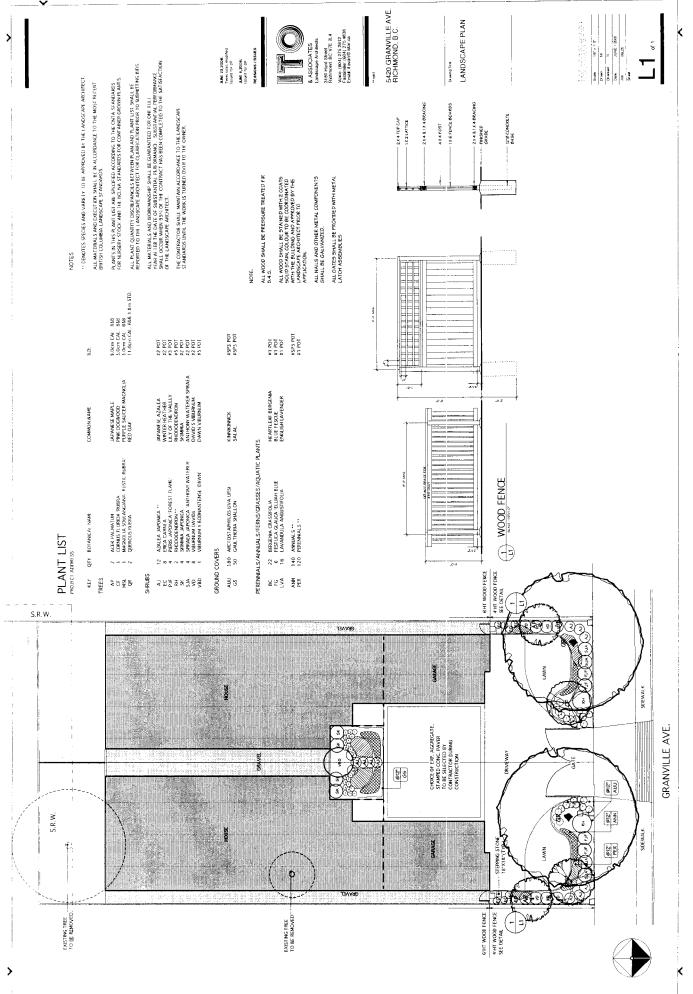
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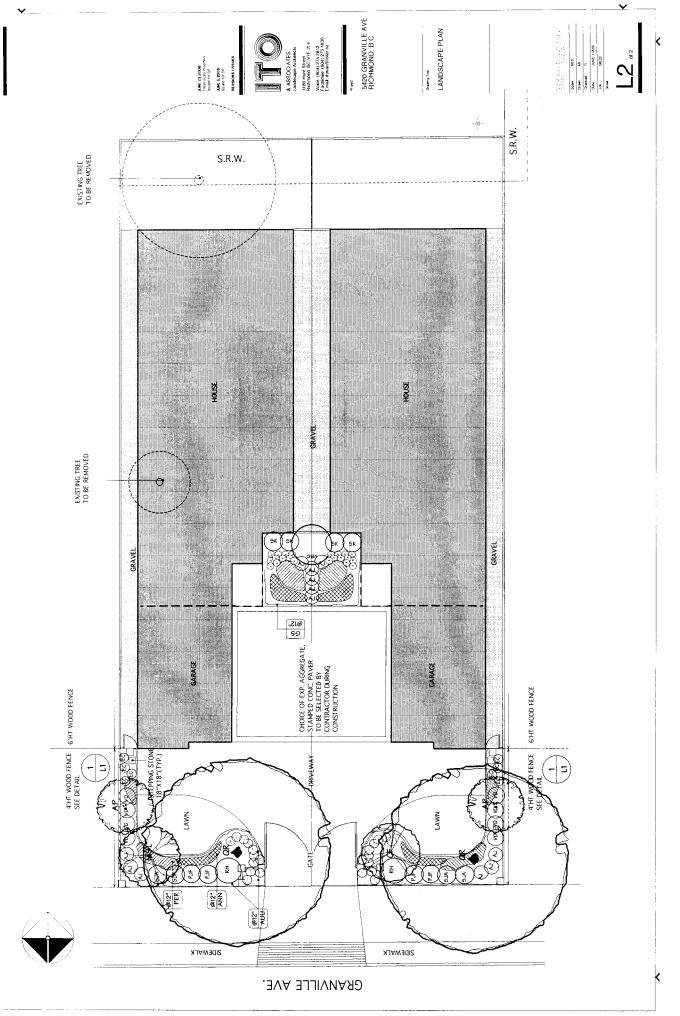


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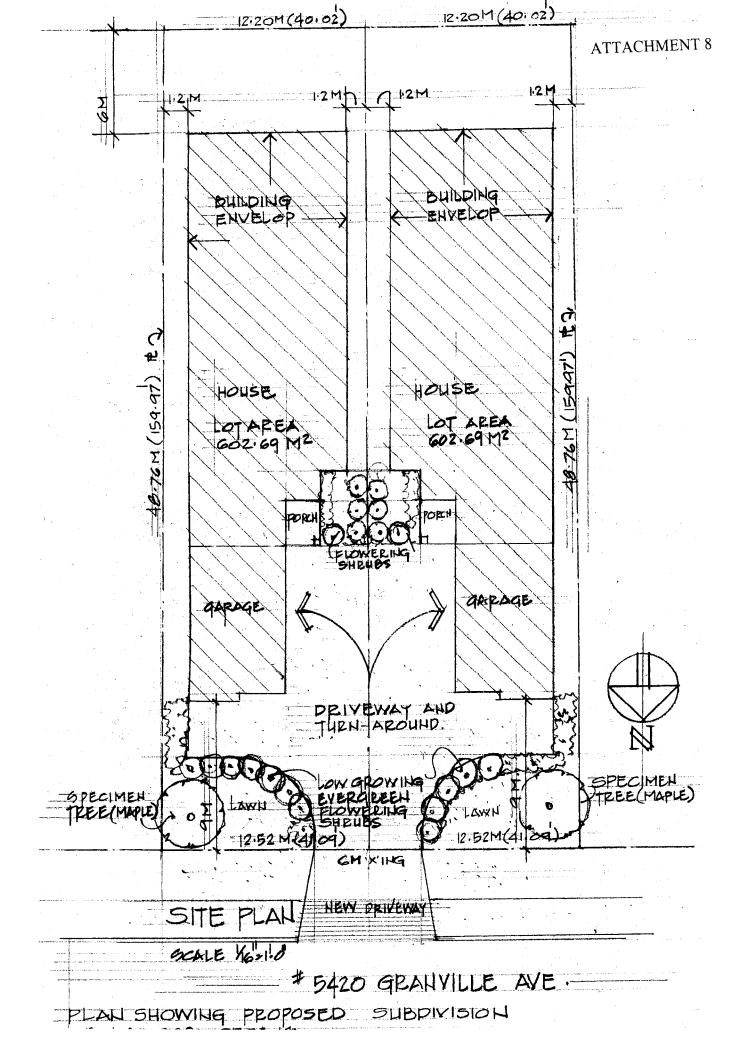
GRANVILLE AVENUE







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Conditional Rezoning Requirements

5420 Granville Avenue RZ 04-270312

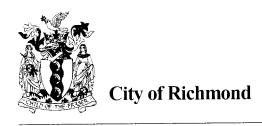
Prior to final adoption of Zoning Amendment Bylaw 7907, the developer is required to complete the following requirements:

- 1. Registration of a restrictive covenant that requires the implementation of one shared driveway for the future two-lot subdivision.
- 2. Registration of a restrictive covenant to ensure that the front yard setback is a minimum of 9 m (29.5 ft.) to ensure that driveways with turnaround capability are implemented.
- 3. Provide a Landscape Security to the City of Richmond in the amount of \$7,843 for the landscape works as per the landscape plan prepared by Ito & Associates, dated June 23, 2006, and attached to the Report to Committee dated June 27, 2006.

Prior to Subdivision Approval:

- 1. Registration of a Cross-Access Easement/Agreement as directed by the Approving Officer to permit vehicles to cross property lines as they enter or exit their properties via a single-shared driveway.
- 2. Registration of a restrictive covenant to ensure that the garage doors of the future dwellings face the access easement.

	[Signed original on file]		
Signed		Date	



Richmond Zoning and Development Bylaw 5300 Amendment Bylaw 7907 (RZ 04-270312) 5420 GRANVILLE 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 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. 003-660-516 Lot 332 Section 13 Block 4 North Range 7 West New Westminster District Plan 55725

2. This Bylaw may be cited as "Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7907".

FIRST READING	CITY OF RICHMOND APPROVED
A PUBLIC HEARING WAS HELD ON	by AFFROYED
SECOND READING	APPROVED by Director or Solicitor
THIRD READING	
OTHER REQUIREMENTS SATISFIED	
ADOPTED	
MAYOR	CORPORATE OFFICER