



City of Richmond
Planning and Development Department

Report to Committee

To: Planning Committee **Date:** June 28, 2010
From: Brian J. Jackson
Director of Development **File:** RZ 09-506728
Re: Application by Sarah A. Mercer for Rezoning at 4111 Williams Road from
Single Detached (RS1/E) to Single Detached (RS2/C)

Staff Recommendation

That Bylaw No. 8373, for the rezoning of 4111 Williams Road from "Single Detached (RS1/E)" to "Single Detached (RS2/C)", be introduced and given first reading.

Brian J. Jackson
Director of Development

BJ:el
Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Sarah A. Mercer has applied to the City of Richmond for permission to rezone 4111 Williams Road (**Attachment 1**) from Single Detached (RS1/E) to Single Detached (RS2/C) in order to permit a subdivision to create two (2) residential lots with vehicle access from Williams Road. The applicant is proposing to retain the existing dwelling and trees on the east side of the site and create a new lot on the west side of the site for future development.

It is noted that the applicant had submitted a Rezoning application in 2007 (RZ 07-394861) for the same purpose but had subsequently withdrew the application prior to that application being forwarded to Planning Committee for consideration.

Findings of Fact

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

Surrounding Development

The subject property is located in a block of Williams Road where there is a mix of medium and large sized single-family lots and townhouses. The housing stock is a mix of newer and older homes. There are a number of Single Detached (RS1/C) lots on the north side of Williams Road within this block. The adjacent property to the east of the subject site has the same potential to redevelop into two (2) medium sized single-family lots.

Related Policies & Studies

Lane Establishment and Arterial Road Redevelopment Policy

The Lane Establishment and Arterial Road Redevelopment Policy permits rezoning and subdivision along arterial roads where a Single-Family Lot Size Policy permits development on the properties fronting the arterial road.

Lot Size Policy 5426

The subject site is located within the area covered by Lot Size Policy 5426 (adopted by Council December 18, 1989) (**Attachment 3**). This Policy permits rezoning and subdivision of lots on this section of Williams Road in accordance with "Single Detached (RS1/C)" (minimum 13.5 m wide). If there is a lane or internal road access, then subdivision in accordance with "Single Detached (RS1/B)" (minimum 12 m wide) would be permitted. This redevelopment proposal to create two (2) lots, with a minimum width of 13.5 m and vehicle access from Williams Road, is conforming to the Lot Size Policy.

Affordable Housing

The Richmond Affordable Housing Strategy requires a suite on at least 50% of new lots, or a cash-in-lieu contribution of \$1.00 per square foot of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicants are proposing to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the Strategy, the applicants are required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection is to be granted until the secondary suites are constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning. This agreement will be discharged from title on the one (1) lot where the secondary suites are not required by the Affordable Housing Strategy after the requirements are satisfied, at the initiation of the applicant.

Should the applicants change their mind about the affordable housing option selected, a voluntary contribution to the City's Affordable Housing Reserve Fund in-lieu of providing the secondary suite will be accepted. In this case, the voluntary contribution would be required to be submitted prior to final adoption of the rezoning bylaw, and would be based on \$1.00 per square foot of total building area of the single detached developments (i.e. \$10,566).

Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required prior to rezoning bylaw adoption.

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

Tree Preservation

A Tree Survey (**Attachment 4**) and a Certified Arborist's report were submitted in support of the application; 24 trees are noted:

- twenty (20) bylaw-sized trees located on the subject property;
- two (2) under-sized trees located on site; and
- two (2) bylaw-sized trees located on the adjacent property to the northeast at 4320 Waller Drive.

A Certified Arborist's report was submitted by the applicant in support of the application. The City's Tree Preservation Coordinator has reviewed the Arborist Report and confirmed that there are currently only three (3) bylaw-sized trees located on the west side of the subject property site. Tree tag# 996 (32 cm caliper English Oak) is in good condition and should be retained and protected. Tree tag# 997 (multi-branching Birch) and tag# 994 (75 cm cal Popular) are both in very poor condition (decay and cavity development from previous topping) and should be removed. Neither tree is identified as an "extreme risk" thus replacement trees are required.

It is noted that Tree tag# 991 (53 cm caliper Western Red Cedar) is located along the proposed property line between the future lots. This tree will be significantly impacted as a result of the

new construction. Excavation and raising of the grade for flood proofing will result in a loss of 45% of the trees root volume and will either kill or destabilize the tree. In addition, with the construction of a new house, this tree would be located in a shared side yard, between the two (2) houses. Therefore, the City's Tree Preservation Coordinator has no objection to the removal of this Western Red Cedar tree.

It is also noted that six (6) bylaw-sized trees were removed without a Tree Permit. Based on a Certified Arborist's report prepared in October 2007, these six (6) trees were in very poor condition. The City's Tree Preservation Coordinator had reviewed the October 2007 Arborist Report and had concurred that these six (6) would have approved for removal as part of the 2007 rezoning application. Compensation for the removal of these bylaw-sized trees is required.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) eighteen (18) replacement trees are required. Considering the effort made by the applicant to retain the English Oak tree on site, staff recommend two (2) replacement trees be exempted. As a condition of Rezoning, the applicant is required to submit a \$3,000 landscaping security to ensure that the English Oak tree will not be damaged during construction. The City will retain 90% of the security until the proposed landscaping is planted on site. The City will retain the remaining 10% of the security for one (1) year after inspection of the completed landscaping to ensure that the English Oak tree has survived. In addition, a contract with a Certified Arborist to confirm that future development plans for the western lot will have no impact to all bylaw-sized trees to be retained on site and that monitoring of all works to be done near or within all tree protection zones must be submitted prior to final adoption of the rezoning bylaw. Tree protection barriers along the proposed subdivision line and around the above mentioned English Oak trees, as per the Tree Assessment Plan (**Attachment 5**), must be installed on-site prior to any construction or demolition works commencing.

Tree Summary Table

	Number of Trees	Number of Replacement Trees Required	Comments
Trees Removed without Permit	6	12	These trees were in poor condition.
Trees to be Removed as part of this Application	3	6	Certified Arborist's report submitted in support of the proposed tree removal.
Trees to be Retained on the Future Western Lot	1	-2	Incentive for protection and retention of trees on site. Survival security and monitoring program required.
Total Replacement Trees Required		16	Tree removal/compensation on future eastern lot to be determine as part of future Building Permit application.

Based on the size requirements for replacement tree in the Tree Protection Bylaw No. 8057, replacement trees with the following minimum calliper sizes are required:

# Trees removed/to be removed	dbh	# trees to be replaced	Min. calliper of deciduous tree	or	Min. height of coniferous tree
1	20-30 cm	2	6 cm		3.5 m
2	31-40 cm	4	8 cm		4.0 m
1	41-50 cm	2	9 cm		5.0 m
2	51-60 cm	4	10 cm		5.5 m
2	60+ cm	4	11 cm		6.0 m

Due to the configurations of the future lots and building footprints, it is expected that only six (6) replacement trees (at 10 cm to 11 cm calliper) can be planted on site. The applicant has agreed to provide a voluntary contribution of \$5,000 to the City’s Tree Compensation Fund in-lieu of planting the remaining ten (10) replacement trees.

As a condition of rezoning, the applicant must submit a final Landscape Plan, prepared by a registered landscape architect, for the newly created lot on the west side of the site and a landscaping security based on 100% of the cost estimates provided by the landscape architect. The landscape plan should comply with the guidelines of the Official Community Plan’s Arterial Road Redevelopment Policy, and should include six (6) replacement trees (a mix of coniferous and deciduous). If replacement trees cannot be accommodated on-site, cash-in-lieu (\$500/tree) for off-site planting would be required.

Site Servicing & Vehicle Access

No servicing concerns. One (1) shared driveway providing access to the proposed single-family lots will be required.

Due to the location of the existing dwelling/garage and the preservation of existing trees in the front yard, staff have no objection to the retention of the existing driveway along the eastern edge of the site and the proposal for a new driveway for the future western lot as an interim access arrangement, provided that the new driveway is located along the future shared property line. The shared driveway requirement will be deferred to future redevelopment of the eastern lot.

At future subdivision stage, a Restrictive Access Covenant requiring a single shared driveway centered on the proposed shared property line to service the two (2) future lots at the time of redevelopment of the eastern lot is required. The existing driveway located at the east side of the parent parcel may remain until the existing dwelling is demolished. A Cross Access Easement/Agreement to secure the implementation of the shared driveway in the future will also be required.

The proposed Single-Family Housing District, Subdivision Area C (R1/C) zoning requires a minimum front yard setback of 9 m (29.5 ft.) for lots with access to a section line road (Williams Road) in order to enable implementation of a driveway with turnaround capability to facilitate ease of access. The Easement Agreement will also include language to ensure that adequate space is provided for the shared access and driveways with turnaround capability.

Subdivision

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

Analysis

The subject property is located in an established predominantly single-family residential neighbourhood comprised of mixed-age housing stock. There is similar diversity in zone designations that include Single Detached (RS1/E), Single Detached (RS1/C), Low Density Townhouse (RTL3) and Land Use Contract (LUC). The proposed rezoning and subdivision conforms to the general character of the adjacent properties and existing neighbourhood overall.

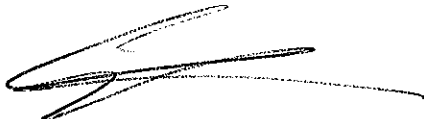
This development proposal is also in consistent with Lot Size Policy 5426 and the Arterial Road Redevelopment Policy. All the relevant technical issues have been addressed. Ultimately only one (1) shared vehicle access will be provided for the future lots to limits vehicle access. The adjacent property to the east (4131 Williams Road) has a similar development potential.

Financial Impact or Economic Impact

None.

Conclusion

The rezoning application complies with Lot Size Policy 5426 and all the land use designations contained within the Official Community Plan (OCP) as well as corresponds to the existing development along the north side of Williams Road. On this basis, staff recommend that the proposed development be approved.



Edwin Lee
Planning Technician - Design

EL:rg

- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5426
- Attachment 4: Tree Survey
- Attachment 5: Tree Assessment Plan
- Attachment 6: Rezoning Considerations Concurrence



**SUBJECT
PROPERTY**



RZ 09-506728

Original Date: 01/12/10

Amended Date:

Note: Dimensions are in METRES



City of Richmond

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

**Development Application
 Data Sheet**

RZ 09-506728

Attachment 2

Address: 4111 Williams Road

Applicant: Sarah A. Mercer

Planning Area(s): N/A

	Existing	Proposed
Owner:	Sarah A. Mercer	To be determined
Site Size (m²):	1,637 m ² (17,621 ft ²)	1 lot at 617 m ² (6,642 ft ²) and 1 lot at 1,020 m ² (10,979 ft ²)
Land Uses:	One (1) single-family residential dwelling	Two (2) single-family residential dwellings
OCP Designation:	Specific Land Use Map – Neighbourhood Residential	No change
Area Plan Designation:	N/A	No change
702 Policy Designation:	Policy 5426 permits subdivision to "Single Detached (RS1/C)" along this section of Williams Road.	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/C)
Number of Units:	1	2
Other Designations:	N/A	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	360 m ²	617 m ² & 1020 m ²	none
Setback – Front Yards (m):	Min. 9 m	Min. 9 m	none
Setback – Side Yard (m):	Min. 1.2 m / 2.0 m	Min. 1.2 m / 2.0 m	none
Setback – Rear Yard (m):	Min. 6 m	Min. 6 m	none
Height (m):	2.5 storeys	2.5 storeys	none

Other: Tree replacement compensation required for removal of Bylaw-sized trees.



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: December 18, 1989

POLICY 5426

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 26-4-7/35-4-7

POLICY 5426:

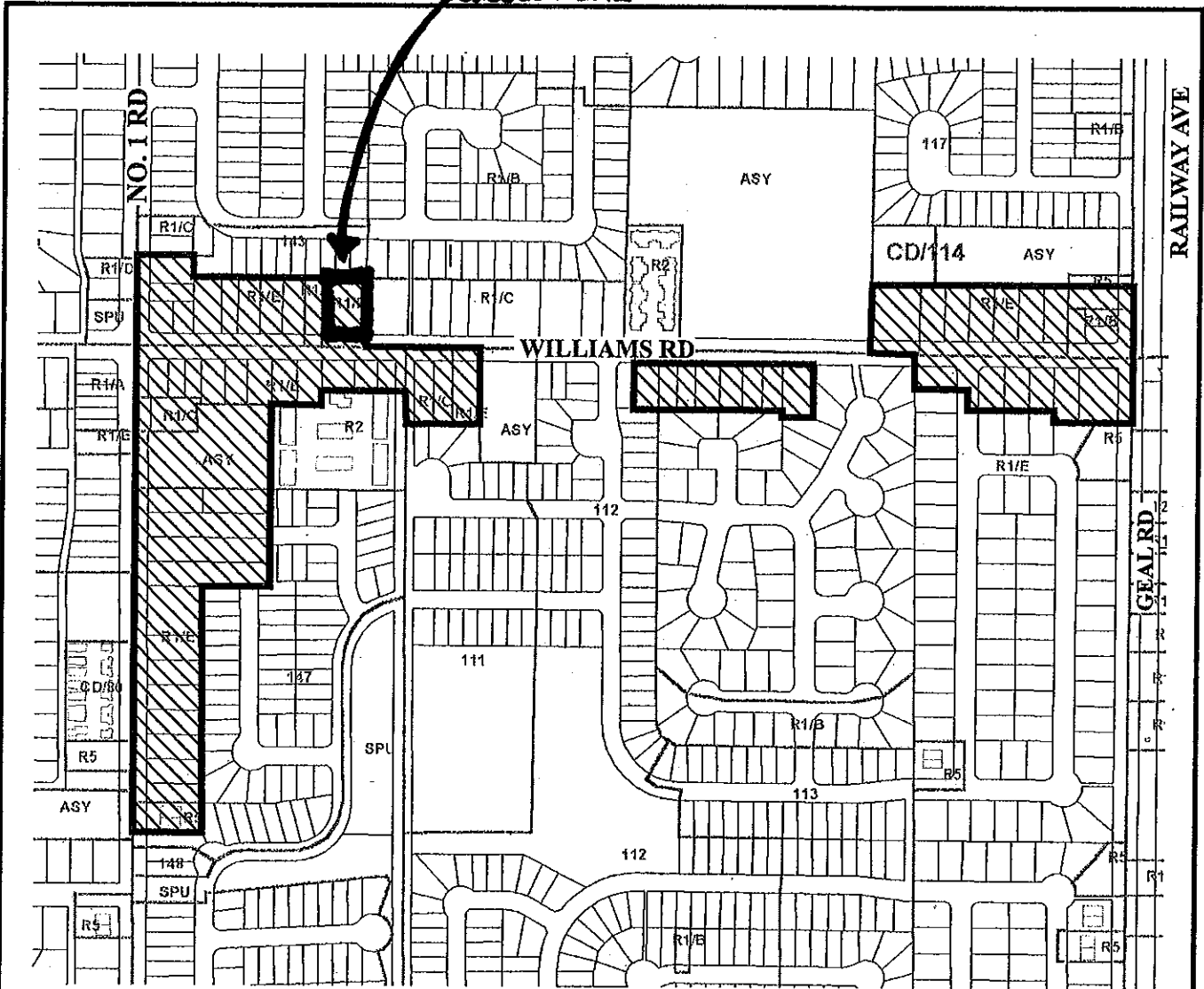
The following policy establishes lot sizes for properties within the area located on **Williams Road, No. 1 Road and Geal Road**, in a portion of Section 26-4-7/35-4-7:

That properties within the area located on Williams Road, No. 1 Road and Geal Road, in a portion of Section 26-4-7/35-4-7, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300, with the following provisions:

- (a) If there is no lane or internal road access, then properties along No. 1 Road would be restricted to Single-Family Housing District (R1/E).
- (b) Properties along Williams Road will be permitted Single-Family Housing District (R1/C) zoning unless there is lane or internal road access in which case Single-Family Housing District (R1/B) would be allowed.

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.

SUBJECT SITE



Subdivision permitted as per R1/B except

1. Williams Road - R1/C unless there is a lane or internal road access then R1/B
2. No. 1 Road - R1/G unless there is a lane or internal road access then R1/B.



POLICY 5426 SECTION 26 & 35, 4-7

Adopted Date: 12/18/89

Amended Date:

SURVEY PLAN OF LOT 7 EXCEPT: FIRSTLY:
 PART SUBDIVIDED BY PLAN 53737
 SECONDLY: PART SUBDIVIDED BY PLAN 56211
 THIRDLY: PART SUBDIVIDED BY PLAN NWP87846
 SECTION 26 BLOCK 4 NORTH RANGE 7 WEST
 NEW WESTMINSTER DISTRICT PLAN 15229

ATTACHMENT 4

PARCEL IDENTIFIER (PID): 004-633-695

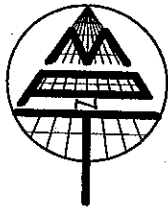
RECEIVED

SCALE 1:250



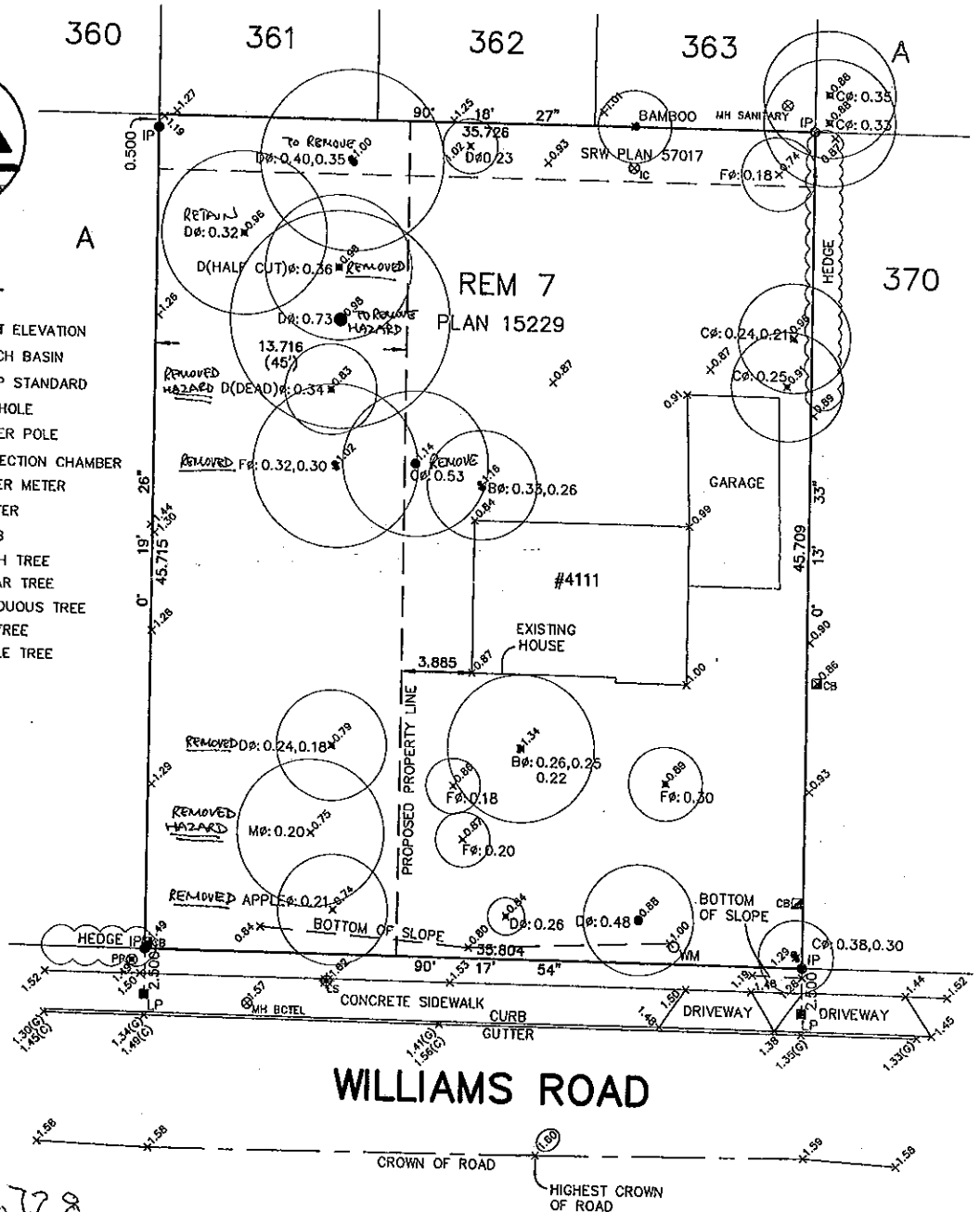
ALL DISTANCES ARE IN METRES.

CIVIC ADDRESS
 #4111 WILLIAMS ROAD
 RICHMOND, B.C.



LEGEND

- +1.25 INDICATES SPOT ELEVATION
- CB INDICATES CATCH BASIN
- ⊙ LS INDICATES LAMP STANDARD
- MH INDICATES MANHOLE
- ⊙ PP INDICATES POWER POLE
- IC INDICATES INSPECTION CHAMBER
- WM INDICATES WATER METER
- (G) INDICATES GUTTER
- (C) INDICATES CURB
- B INDICATES BIRCH TREE
- C INDICATES CEDAR TREE
- D INDICATES DECIDUOUS TREE
- F INDICATES FIR TREE
- M INDICATES MAPLE TREE



R209-506728

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MATSON PECK & TOPLISS
 SURVEYORS & ENGINEERS
 #320 - 11120 HORSESHOE WAY
 RICHMOND, B.C., V7A 5H7
 PH: 604-270-9331
 FAX: 604-270-4137
 CADFILE: 15608-001-TPG-002.DWG

NOTES:

- PROPERTY LINE DIMENSIONS ARE DERIVED FROM FIELD SURVEYS.
- ELEVATIONS ARE REFERRED TO CITY OF RICHMOND HPN DATUM, MONUMENT #205 (77H4827) WITH AN ELEVATION OF 1.044 METRES.
- TREES ARE SHOWN ACCORDING TO CITY OF RICHMOND BYLAW No. 8057

CERTIFIED CORRECT
 THIS 5TH DAY OF FEBRUARY, 2010

[Signature]
 B.C.L.S.

RE-INSPECTED AND
 CONVERTED TO HPN SYSTEM: FEBRUARY 3, 2010
 DATE OF SURVEY: SEPTEMBER 28, 2007

R-10-15608-TPG

CLIENT REF: SARAH MERCER/TRENDSSETTER

Rezoning Considerations
4111 Williams Road
RZ 09-506728

Prior to final adoption of Zoning Amendment Bylaw 8373, the developer is required to complete the following:

1. 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.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$10,566) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

2. Registration of a flood indemnity covenant on title.
3. Submission of a Tree Survival Security to the City in the amount of \$3,000 for the English Oak tree to be retained on site. 90% of the security will be released upon completion of the proposed landscaping works on site. The remaining 10% of the security will be release one year after final inspection of the completed landscaping in order to ensure that the tree has survived.
4. 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.
5. City acceptance of the developer's offer to voluntarily contribute \$5,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
6. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - comply with the guidelines of the OCP's Lane Establishment and Arterial Road Redevelopment Policies and should not include hedges along the front property line;
 - include a mix of coniferous and deciduous trees;
 - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and

- include six (6) replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Trees
4	11 cm		6.0 m
2	10 cm		5.5 m

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

Prior to approval of Subdivision, the developer is required to do the following:

1. Registration of a Restrictive Access Covenant to ensure vehicular access for the two (2) future lots is from a single shared driveway centered on the proposed shared property line, except in the interim the existing driveway located at the east side of the parent parcel can remain until the existing dwelling is demolished.
2. Registration of a Cross Access Easement / Agreement to secure the implementation of the shared driveway in the future. The easement agreement will include language to ensure that the future lots are to be accessed via a single shared driveway and adequate space is provided for the shared access and driveways with turnaround capability.
3. Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Prior to Building Permit Issuance, the developer 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.
2. Submission of Landscape Cross-sections (at min. ¼" or 1:50) to demonstrate how existing grades will be maintained within the drip line of the English Oat identified for retention, specifically, tree tag# 996. The final house location is subject to the successful retention of tree# 996.

[Signed original on file]

Signed _____

Date _____



Richmond Zoning Bylaw 8500
Amendment Bylaw 8373 (RZ 09-506728)
4111 WILLIAMS 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 Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it SINGLE DETACHED (RS2/C).

P.I.D. 004-633-695

Lot 7 Except: Firstly: part subdivided by Plan 53737

Secondly: part subdivided by Plan 56211

Thirdly: part subdivided by Plan NWP87846

Section 26 Block 4 North Range 7 West New Westminster District Plan 15229

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8373".

FIRST READING

JUL 26 2010

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by
APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER