



City of Richmond
Planning and Development Department

Report to Committee

To: Planning Committee **Date:** April 14, 2011
From: Brian J. Jackson, MCIP **File:** RZ 10-555818
Director of Development
Re: **Application by Ajit Thaliwal and Gurmeet Malhi for Rezoning at
8211/8231 Lundy Road from Single Detached (RS1/E) to Single Detached
(RS2/C)**

Staff Recommendation

That Bylaw No. 8740, for the rezoning of 8211/8231 Lundy Road from "Single Detached (RS1/E)" to "Single Detached (RS2/C)", be introduced and given First Reading.

Brian J. Jackson, MCIP
Director of Development

CL:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	Y ☒ N ☐	

Staff Report

Origin

Ajit Thaliwal and Gurmeet Malhi have applied to the City of Richmond for permission to rezone 8211/8231 Lundy Road from “Single Detached (RS1/E)” to “Single Detached (RS2/C)”, to permit the property to be subdivided into two (2) lots (**Attachment 1**).

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 an established residential neighbourhood consisting primarily of single-detached dwellings on large-sized lots. Development immediately surrounding the subject site is as follows:

- To the north, is an old dwelling on a large lot zoned “Single Detached (RS1/E)”;
- To the east, immediately across Lundy Road, is Saint Paul’s Catholic Church and School on a lot zoned “Assembly (ASY)”;
- To the south, are two (2) old dwellings on large lots zoned “Single Detached (RS1/E)”, at the corner of Lundy Road and Lurgan Road; and
- To the west, fronting Luton Road, are two (2) newer dwellings on smaller lots zoned “Single Detached (RS1/C)”, created through rezoning and subdivision of a duplex lot in 2005.

Related Policies & Studies

Official Community Plan (OCP) Designation

The subject site is located in the Broadmoor Planning Area. The OCP’s Generalized Land Use Map designation for this property is “Neighbourhood Residential”. The OCP’s Specific Land Use Map designation for this property is “Low-Density Residential”. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5423

The subject site is located within the area covered by Lot Size Policy 5423, adopted by Council in 1989 (**Attachment 3**). The Lot Size Policy permits rezoning and subdivision of duplex lots into no more than two (2) lots in accordance with “Single Detached (RS2/B or RS2/C)”. This redevelopment proposal would allow for the creation of two (2) lots, each approximately 14 m wide and 612 m² in area, consistent with the Lot Size Policy.

Affordable Housing Strategy

Richmond's Affordable Housing Strategy requires a suite on 50% of new lots, or a cash-in-lieu contribution of \$1.00/ft² of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant proposes 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 City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is 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 adoption. This agreement will be discharged from Title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicant change their minds prior to rezoning adoption 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/ft² of total building area of the single detached dwellings (i.e. \$6,453).

Flood Management

Registration of a flood indemnity covenant on title is required prior to final adoption of the rezoning bylaw.

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

Background

This neighbourhood has seen minimal redevelopment through rezoning and subdivision as a result of the Lot Size Policy, which restricts the majority of properties in the neighbourhood to large-sized lots. There is currently one other active rezoning application to permit subdivision of a duplex-lot to create two (2) smaller lots, consistent with the Lot Size Policy (RZ 10-557898 at 8180/8200 Lundy Road).

Trees & Landscaping

A Certified Arborist's Report was submitted by the applicant, which identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The Report identifies and assesses:

- Seven (7) bylaw-sized trees on-site, and one (1) undersized hedging cedar tree located on the shared north property line with the adjacent property at 8191 Lundy Road;

- Two (2) bylaw-sized trees in the boulevard on City-owned property; and
- One (1) bylaw-sized tree on adjacent property at 8220 Luton Road.

The City's Tree Preservation Coordinator and Parks' Arborist have both reviewed the Arborist's Report and conducted Visual Tree Assessments.

The City's Tree Preservation Coordinator concurs with the Arborist's recommendations to:

- Retain Trees # 003 and 004 on the basis of good condition and location in the rear yard setback of the proposed new lots (tree protection fencing is required as described in the Arborist's Report and as shown on the Tree Retention Plan).
- Retain the off-site bylaw-sized tree on the adjacent property at 8220 Luton Road (tree protection fencing is not required as the tree is located far enough away from the west property line and there are no anticipated impacts from proposed construction on-site).
- Remove Trees # 001, 002, 005, 006, and 007 on the basis of poor condition (i.e. basal cavities, weak structure, disease infections, 40-50% canopy dieback, and visible declining health).
- Remove Tree # 8, which is located within the building envelope and is not a valuable specimen to consider for retention through significant design modifications (the building footprint would require a reduction of 50% in order to retain the tree).
- Remove the undersized hedging cedar tree located on the shared north property line with the adjacent property at 8191 Lundy Road, which is in conflict with proposed development and is of low value (written authorization from the neighbour for future tree removal has been obtained by the applicant and is on file).

Tree protection fencing must be installed to City standard as required around retained trees prior to demolition of the existing dwelling on the subject site and must remain in place until construction and landscaping on the future lots is completed.

To ensure survival of retained Trees # 003 and 004, the applicant is required to submit the following items prior to rezoning adoption:

- A Contract with a Certified Arborist for supervision of any works to be conducted at development stage within tree protection zones. The Contract must include the scope of work to be undertaken, including: the proposed number and stages of site monitoring inspections (e.g. demolition, excavation, lot grading, landscaping, installation of perimeter drainage, retaining walls, and service connection), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review; and,
- A Survival Security to the City in the amount of \$2,000 (reflects the 2:1 replacement tree ratio).

The City's Parks' Arborist concurs with the Arborist's recommendations to:

- Remove the two (2) Plum trees (Trees A & B) located in the boulevard on City-owned property in front of the site, due to poor condition.

PLN - 22

Prior to rezoning adoption, the applicant is required to submit \$2,600 to the City's Tree Compensation Fund for the planting of replacement trees within the City. Formal authorization from the City's Parks department must be obtained directly by the applicant prior to tree removal to enable removal signage to be posted on the property.

The proposed Tree Retention Plan is included in **Attachment 4**.

Based on the 2:1 tree replacement ratio goal in the Official Community Plan (OCP), a total of 12 replacement trees are required to be planted and maintained on the future lots. Considering the available space in the yards of the future lots and the effort to be taken by the applicant to retain the two (2) bylaw-sized trees on-site, staff recommend that only eight (8) replacement trees be required, with the following minimum sizes:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	9 cm		5 m
2	8 cm		4 m
4	6 cm		3.5 m

The applicant proposes to plant and maintain six (6) replacement trees [three (3) per future lot] and provide a voluntary contribution in the amount of \$1,000 (\$500/tree) to the City's Tree Compensation Fund in-lieu of planting the balance of required replacement trees.

To ensure that the proposed replacement trees are planted and maintained on the future lots, the applicant is required to submit a landscaping security to the City in the amount of \$3,000 (\$500/tree) prior to rezoning adoption.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicle access to the future lots will be from Lundy Road.

Subdivision

At Subdivision stage, the applicant will be required to pay Servicing Costs and Neighbourhood Improvement Charges for future road improvements.

Analysis

The subject site is located in an established residential area that has seen minimal redevelopment to smaller lot sizes as a result of the Lot Size Policy, which restricts rezoning and subdivision to properties with duplexes and five other specific properties in the neighbourhood. This redevelopment proposal is consistent with the Lot Size Policy, as it contains a duplex and is intended to be subdivided into two (2) lots, each approximately 14 m wide and 612 m² in area. Other duplex and specific properties within this neighbourhood have the potential to rezone and subdivided in accordance with the Lot Size Policy.

Financial Impact

None.

Conclusion

This rezoning application to permit subdivision of an existing large duplex lot into two (2) smaller lots complies with applicable land use designations and policies contained within the OCP, and is consistent with the Lot Size Policy.

The list of rezoning considerations is included in **Attachment 5**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommends support for the application.



Cynthia Lussier
Planning Technician
(604-276-4108)

CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5423
- Attachment 4: Tree Retention Plan
- Attachment 5: Rezoning Considerations Concurrence

Note: Dimensions are in METRES

RZ 10-555818



City of Richmond

PROPOSED REZONING

PLN - 25

NO. 3 RD

BLUNDELL RD

LURGAN RD

NO

8

100



RZ 10-555818

PLN - 26

Original Date: 01/05/11

Revision 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 10-555818

Attachment 2

Address: 8211/8231 Lundy Road

Applicant: Ajit Thaliwal & Gurmeet Malhi

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Judy Sin-Yee Wong	To be determined
Site Size (m²):	1,224 m ² (13,176 ft ²)	Two lots – each approx 612 m ² (6,588 ft ²)
Land Uses:	One (1) two-family dwelling	Two (2) single-family lots
OCP Designation:	- Generalized Land Use Map designation – "Neighbourhood Residential" - Specific Land Use Map designation – "Low-Density Residential"	No change
Area Plan Designation:	N/A	No change
702 Policy Designation:	Lot Size Policy 5423 permits rezoning and subdivision of properties with duplexes in accordance with "Single Detached (RS2/B or RS2/C)"	No change
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/C)
Number of Units:	2	2

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	Two (2) lots – each approx 612 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

Other: Tree replacement compensation required for loss of bylaw-sized trees.



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: November 20, 1989
 Amended by Council: November 17th, 2003
 Amended by Council: March 15th, 2004

POLICY 5423

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 21-4-6**POLICY 5423:**

The following policy establishes lot sizes within the area generally bounded by **Blundell Road, No. 3 Road, Francis Road and Garden City Road** (in a portion of Section 21-4-6):

That properties within the area generally bounded by Blundell Road, No. 3 Road, Francis Road and Garden City Road, in a portion of Section 21-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area E (R1/E) in Zoning and Development Bylaw 5300, with the exception that:

- a) properties with duplexes be permitted to subdivide into two equal halves, provided that each lot created meets the requirements of the Single-Family Housing District (R1/B) or (R1/C).
- b) five properties highlighted on the map be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area H (R1/H) in Zoning and Development Bylaw 5300.

This policy, as shown on the accompanying plan, is to 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..

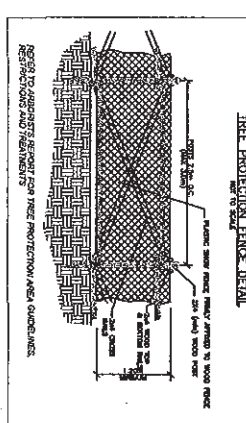
[illegible]

Policy 5423
Section 21, 4-6
PLN - 29

Adopted Date: 11/20/89
Amended Date: 03/15/04

1. This plot is based on a topographic and the location survey provided by the owner Registered British Columbia Land Surveyor (BCLS) and Special drainage provided by the owner Engineer (P Eng) and/or Design Consultants.

2. This plan is provided for contract only, and is not certified as to the accuracy of the location of features or structures that are shown on this plan. Please refer to the original plans for those purposes.



LEGEND - TREE RETENTION

- denotes TREE NUMBER. Refer to tree inventory for type, size and condition data.
- denotes tree to be RETAINED
- X denotes TREE PROTECTION FENCE to be installed to Tree Retention Area limits.

TREE RETENTION PLAN

Client:	MALHI CONSTRUCTION
Project:	PROPOSED DEVELOPMENT
Address:	3211 LUNDY RD, BIRMINGHAM
Date:	3 NOVEMBER 2010
Our File:	10267

Muni File:

 NORTH
Scale 1:250



Rezoning Considerations

8211/8231 Lundy Road

RZ 10-555818

Prior to final adoption of Zoning Amendment Bylaw 8740, the following items are required to be completed:

1. Submission of a Landscaping Security in the amount of \$3,000 (\$500/tree) for the planting and maintenance of six (6) replacement trees [three (3) per future lot], with the following minimum sizes:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	9 cm		5 m
2	8 cm		4 m
2	6 cm		3.5 m

2. City acceptance of the applicant's voluntary contribution in the amount of \$1,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City in-lieu of planting the balance of required replacement trees on-site.
3. City acceptance of the applicant's voluntary contribution in the amount of \$2,600 to the City's Tree Compensation Fund for the removal of Trees A and B from the boulevard on City-owned property and for the planting of replacement trees within the city.
4. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any works to be conducted at development stage within the tree protection zone of retained trees (Trees # 003 and 004). The Contract must include the scope of work to be undertaken, including: the proposed number and stages of site monitoring inspections (e.g. demolition, excavation, lot grading, landscaping, installation of perimeter drainage, retaining walls, and service connections), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
5. Submission of a Tree Survival Security to the City in the amount of \$2,000 for the two (2) trees to be retained (Trees # 003 and 004).
6. Registration of a flood indemnity covenant on Title.
7. 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. \$6,453) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

At Tree Removal stage, the applicant is required to:

- Obtain formal authorization from the City's Parks department a minimum 48 hours prior to removal of Trees A and B from the boulevard on city-owned property, to enable tree removal signage to be posted on-site.

At Demolition stage, the applicant is required to:

- Install Tree Protection Fencing on-site around retained trees (Trees # 003 and 004), as described in the Certified Arborist's report dated December 6, 2010, by Arbortech Consulting Ltd. and as illustrated in the Tree Retention Plan included in the staff report by the Director of Development (Attachment 4).

Tree Protection Fencing must be installed to City standard prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the future lots is completed.

At Subdivision stage, the applicant is required to:

- Pay Servicing Costs and Neighbourhood Improvement Charges for future road improvements.

[Signed original on file]

Signed

Date



City of Richmond

Bylaw 8740

Richmond Zoning Bylaw 8500 Amendment Bylaw 8740 (RZ 10-555818) 8211/8231 LUNDY 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. 006-286-933

Lot 77 Section 21 Block 4 North Range 6 West New Westminster District Plan 20753

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 8740**".

FIRST READING

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