



To: Planning Committee
From: Wayne Craig
Director of Development

Date: March 19 2014
File: RZ 13-646115

Re: Application by Nirmal Takhar for Rezoning at 7100/7120 Marrington Road from Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9128, for the rezoning of 7100/7120 Marrington Road from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, be introduced and given first reading.

Wayne Craig
Director of Development

WC:cl
Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	

Staff Report

Origin

Nirmal Takhar has applied to the City of Richmond for permission to rezone the property at 7100/7120 Marrington Road from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, to permit the property to be subdivided to create two (2) lots. There is currently an existing duplex on the property, which will be demolished. A map and aerial photo showing the location of the subject site is included in **Attachment 1**. The proposed subdivision plan of the property is included in **Attachment 2**.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 3**).

Surrounding Development

Existing development immediately surrounding the subject site is as follows:

- to the north and east, are dwellings on four (4) medium-sized lots zoned “Single Detached (RS1/B)” fronting Lockhart Road;
- to the south, is a duplex on a large lot zoned “Two-Unit Dwellings (RD1)” fronting Marrington Road; and
- to the west, directly across Marrington Road, is a new dwelling on a large lot zoned “Single Detached (RS1/E)”.

Related Policies & Studies

2041 OCP Designation

There is no Area Plan for this neighbourhood. The 2041 OCP land use designation for the subject site is “Neighbourhood Residential (NRES)”. The proposed rezoning and subdivision is redevelopment is consistent with this designation.

Lot Size Policy 5447

The subject property is located within the area under Lot Size Policy 5447, adopted by City Council in 1991 (**Attachment 4**). The Lot Size Policy permits the subject property to rezone and subdivide in accordance with the “Single Detached (RS2/B)” zone. This redevelopment proposal is consistent with Lot Size Policy 5447, and would result in a subdivision to create two (2) lots, each approximately 12 m wide and 593 m² in area.

Affordable Housing Strategy

For single-family rezoning applications, Richmond’s Affordable Housing Strategy requires a secondary suite within a dwelling on 50% of new lots created through rezoning and subdivision, or a cash-in-lieu contribution of \$1.00/ft² of total building area towards the City’s Affordable Housing Reserve Fund.

The applicant proposes to provide a contribution of \$1.00 per buildable square foot of the single-detached dwellings (i.e. \$6,335) to the City's Affordable Housing Reserve Fund in-lieu of providing a legal secondary suite in a dwelling on one (1) of the two (2) lots proposed at the subject site. The cash-in-lieu contribution must be submitted prior to final adoption of the rezoning 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 proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning 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

The subject property is located on the east side of Marrington Road between Lockhart Road and Moresby Drive, in an established residential neighbourhood which has undergone substantial redevelopment through rezoning and subdivision. This proposal is to rezone the subject property to enable the creation of two (2) smaller lots from an existing large lot, and is consistent with the pattern of redevelopment in the immediate surrounding area.

Trees & Landscaping

A Tree Survey and Certified Arborist's Report have been submitted by the applicant. The Survey and Report identify three (3) bylaw-sized trees on the subject property, one (1) bylaw-sized tree on the neighbouring property to the east at 3420 Lockhart Road, and one (1) bylaw-sized tree on City-owned property in the boulevard to the northwest of the subject property. The report identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The proposed Tree Retention Plan is shown in **Attachment 5**. A list of tree species assessed in the Arborist's Report is included on the Tree Retention Plan.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted an on-site visual tree assessment, and concurs with the Arborist's recommendations to:

- retain and protect the three (3) bylaw-sized trees on the subject property (Tags # 9317, 9318, 9319), which are in good condition. Tree protection fencing is required to be installed to City standard at a minimum of 2.5 m to 3.0 m out from the base of the trees.
- protect the bylaw-sized tree on the neighbouring property to the east at 3420 Lockhart Road (Tag # OS1). Tree protection fencing is required to be installed to City standard on the subject site at a minimum of 3.5 m out from the base of the tree.

- protect the bylaw-sized tree on City-owned property in the boulevard to the northwest of the subject property (Tag # C1). Tree protection fencing is required to be installed to City standard at a minimum of 2.0 m out from the base of the tree.

To ensure the protection of the trees to be retained, the applicant must complete the following prior to final adoption of the rezoning bylaw:

- submit a contract with a Certified Arborist for supervision of any works to be conducted within close proximity to the tree protection zones of retained trees. The contract must include the scope of work required, the proposed number of on-site monitoring inspections (including stages of construction), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review; and
- submit a tree survival security in the amount of \$4,000 for tree tags #9317, 9318, and 9319 on-site and for tree tag # C1 on City-owned property in the boulevard along Marrington Road. Following completion of construction and landscaping on the proposed lots, a landscaping inspection will be conducted at the request of the applicant to verify tree survival and 50% of the security will be released. The remaining 50% of the security will be released one (1) year after the initial landscaping inspection if the tree has survived.

In recognition of the many benefits derived from urban trees, Council Policy 5032 encourages the planting and maintenance of at least two (2) trees per lot. Consistent with this Policy, the applicant has agreed to plant and maintain two (2) trees on the proposed lots (one (1) tree per lot in the front yard [6 cm deciduous caliper or 3 m high conifer]). On the proposed north lot, this results in a total of two (2) trees due to the retention of tree tag # 9317 in the rear yard and the planting of one (1) tree in the front yard. On the proposed south lot, this results in a total of three (3) trees due to the retention of tree tags # 9318 and 9319 in the rear yard and the planting of one (1) tree in the front yard. Suitable native tree species for planting in the front yards of the proposed lots include Pacific Dogwood (*Cornus nuttallii*) and Vine Maple (*Acer circinatum*).

To ensure that the two (2) trees are planted and maintained on the proposed lots, the applicant is required to submit a landscaping security in the amount of \$1,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

Flood Management

Prior to final adoption of the rezoning bylaw, the applicant is required to register a flood indemnity covenant on title. The minimum flood construction level is a minimum of 0.3 m above the highest elevation of the crown of Marrington Road.

Vehicle Access & Site Servicing

Vehicle access to the proposed lots is to be from Marrington Road.

Prior to subdivision, the applicant is required to enter into a standard Servicing Agreement for the design and construction of engineering infrastructure improvements along Marrington Road, as detailed in **Attachment 6**.

Subdivision

At subdivision stage, the applicant will be required to:

- pay servicing costs; and
- enter into a standard Servicing Agreement for the design and construction of engineering infrastructure improvements along Marrington Road, as detailed in **Attachment 6**

Analysis

The subject site is located in an established residential area consisting mainly of single detached housing and duplexes.

The neighbourhood immediately surrounding the subject site has undergone substantial redevelopment through rezoning and subdivision in recent years. The subject proposal is consistent with the established pattern and character of redevelopment in the area and is consistent with Lot Size Policy 5447, which allows the subject site to rezone and subdivide in accordance with the “Single Detached (RS2/B)” zone.

There is potential for other large lots in this neighbourhood to rezone and subdivide consistent with the Lot Size Policy.

Financial Impact


None.

Conclusion

This rezoning application to permit subdivision of an existing large lot containing a duplex into two (2) smaller lots complies with Lot Size Policy 5447 and applicable policies and land use designations contained within the OCP.

The list of rezoning considerations is included in **Attachment 6**, which has been agreed to by the applicant (signed concurrence on file).

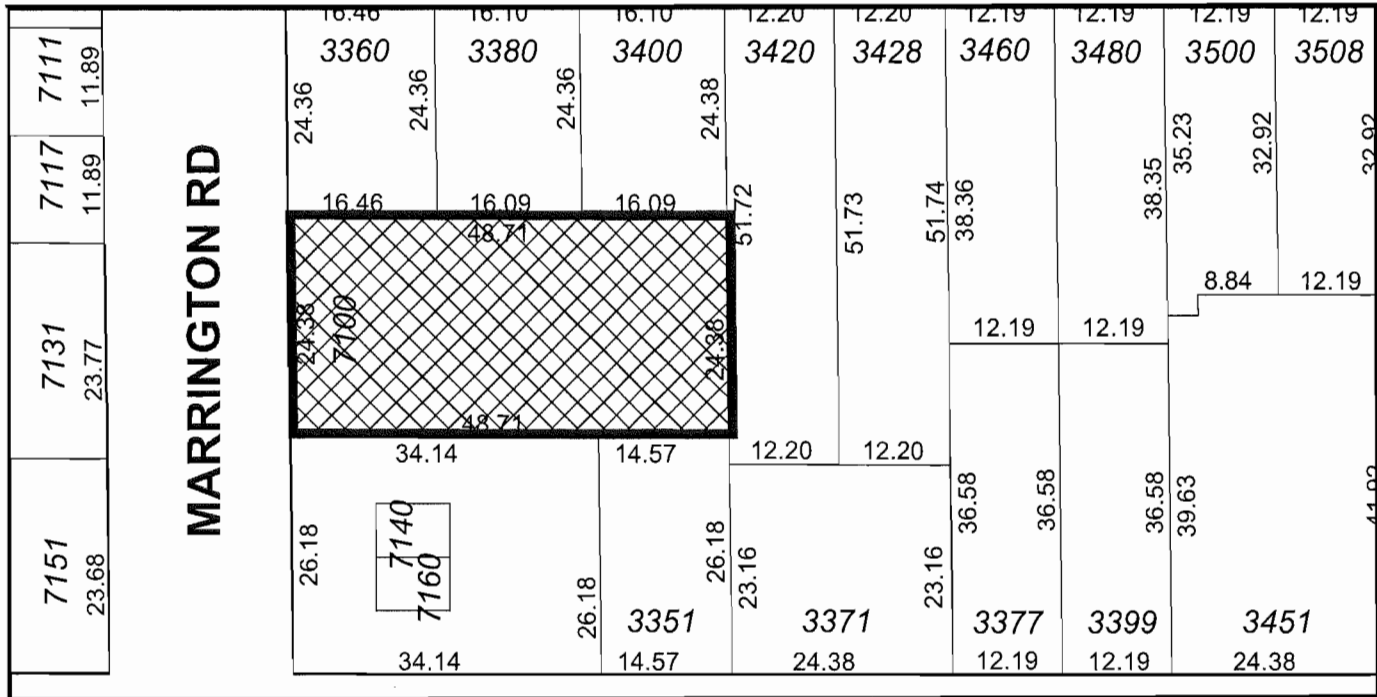
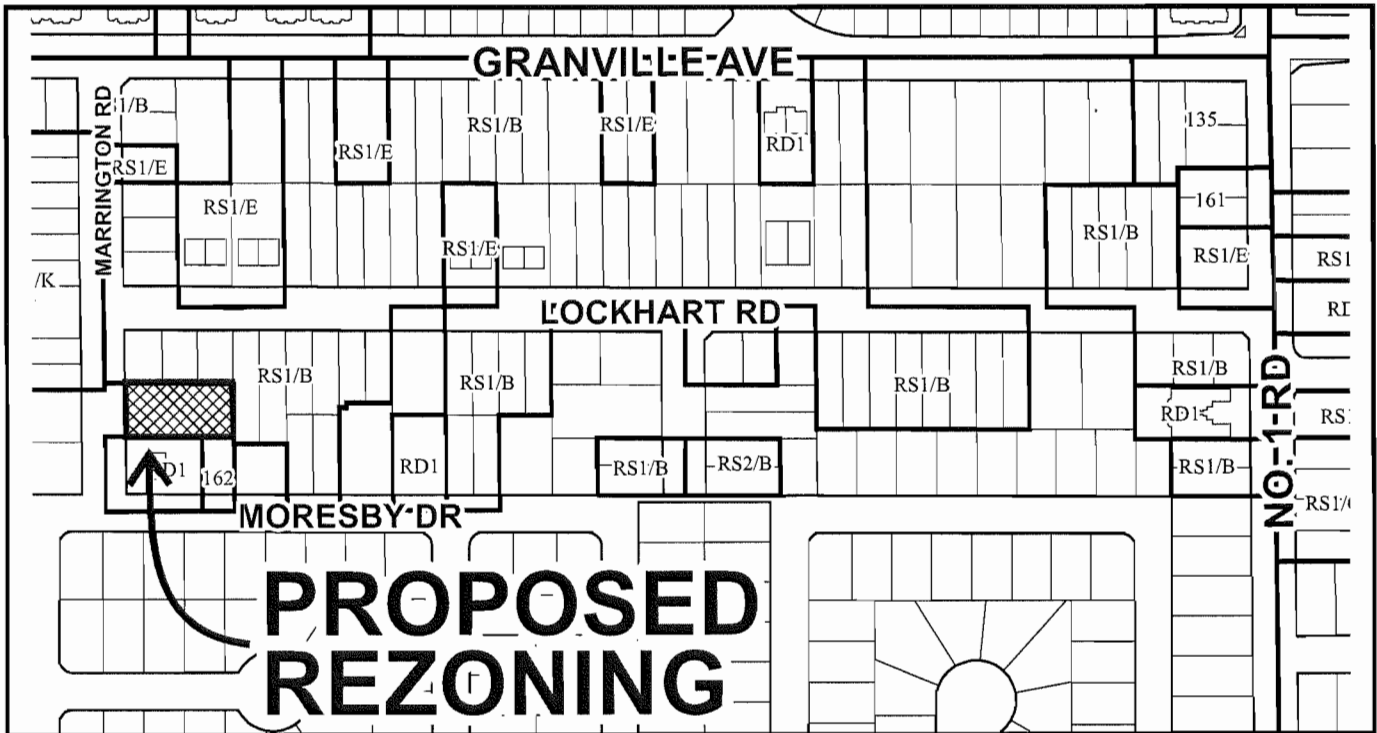
On this basis, staff recommends support for the application. It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9128 be introduced and given first reading.


Cynthia Lussier
Planning Technician
(604-276-4108)

CL:rg



City of
Richmond



RZ 13-646115

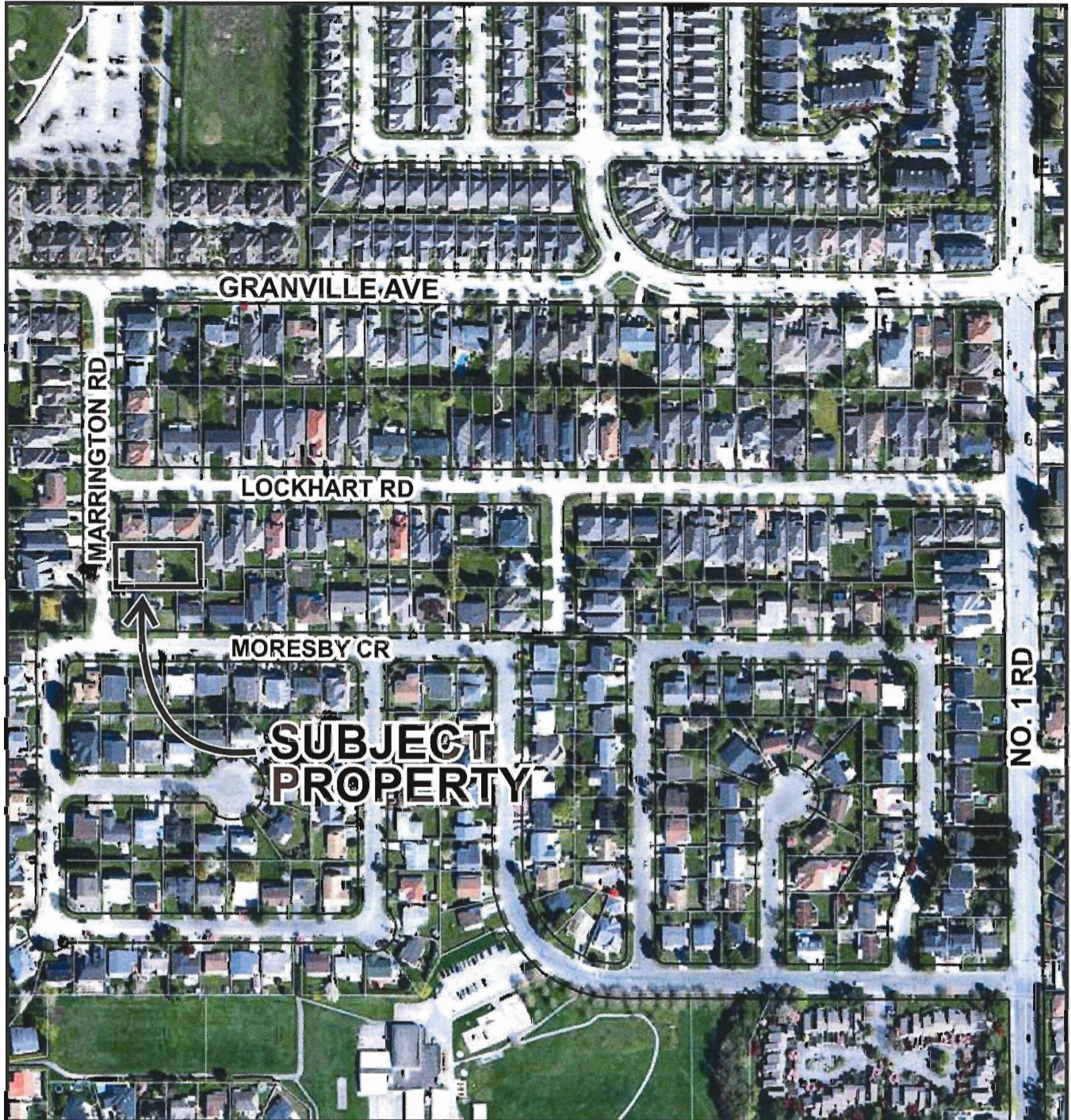
Original Date: 03/18/14

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 13-646115

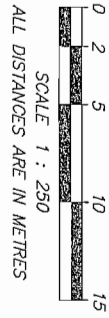
Original Date: 10/01/03

Revision Date:

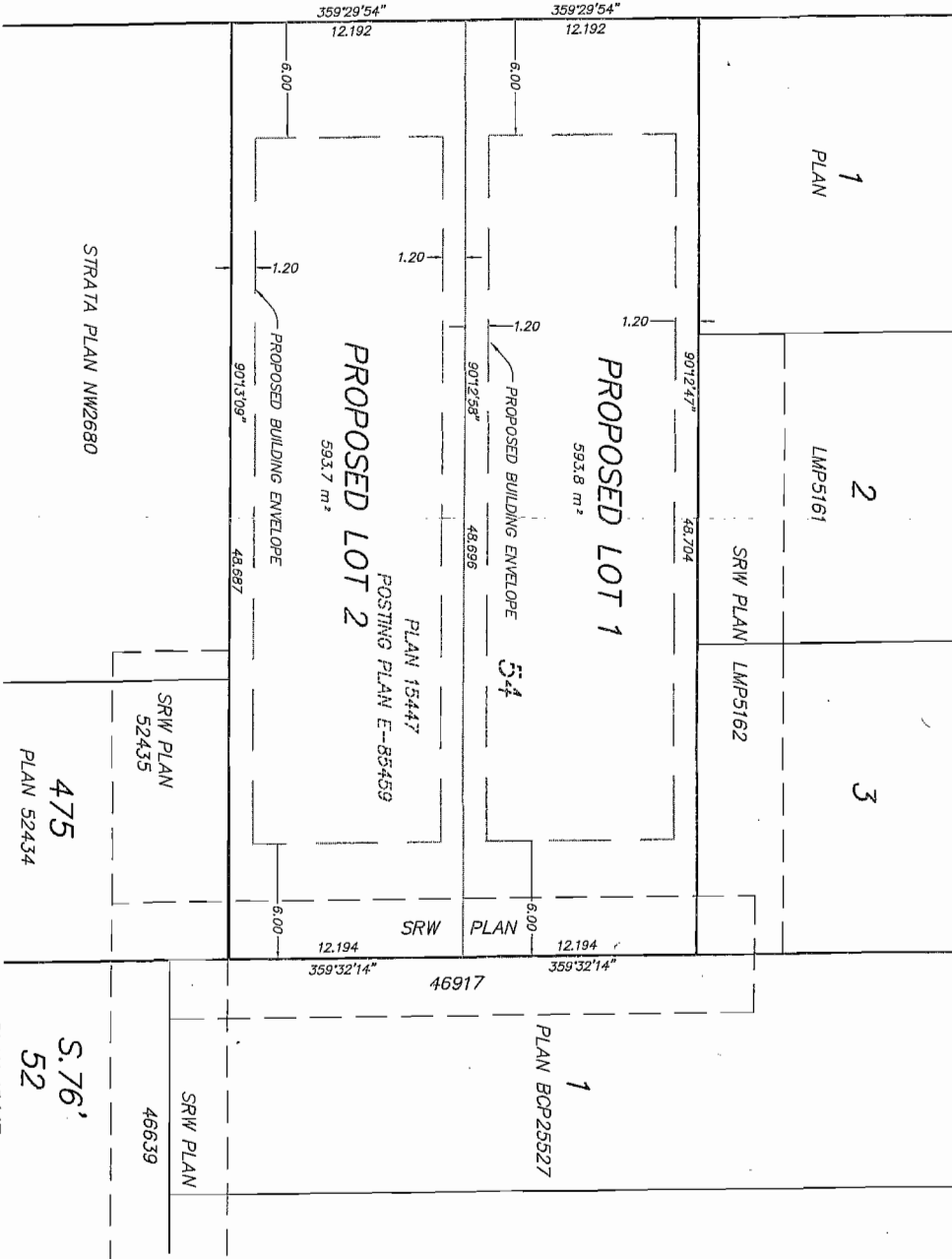
Note: Dimensions are in METRES

CNCL - 143

**PRELIMINARY SUBDIVISION PLAN OF LOT 54,
SECTION 15, BLOCK 4 NORTH, RANGE 7 WEST,
NEW WESTMINSTER DISTRICT, PLAN 15447**



MARRINGTON ROAD



LEGAL BOUNDARIES ARE PRELIMINARY AND
SUBJECT TO CHANGE.
PROPOSED SUBDIVISION SUBJECT TO MUNICIPAL APPROVAL.

MURRAY & ASSOCIATES
201-12448 82nd AVENUE
SURREY, B.C.
V3W 3E9
(604) 597-9189

CNCL - 144

NTS

DATE: SEPTEMBER 12th, 2013
FILE 9934-01



RZ 13-646115

Attachment 3

Address: 7100/7120 Marrington Road

Applicant: Nirmal Takhar

Planning Area(s): Seafair

	Existing	Proposed
Owner:	0869575 BC Ltd.	To be determined
Site Size (m²):	1,187 m ² (12,776 ft ²)	Two (2) lots, each approximately 593 m ² (6,382 ft ²)
Land Uses:	One (1) two-unit dwelling	Two (2) single detached dwellings
OCP Designation:	Neighbourhood Residential	No change; complies.
Lot Size Policy Designation:	Lot Size Policy 5447 permits this property to rezone and subdivide in accordance with the "Single Detached (RS2/B)" zone.	No change; complies.
Zoning:	"Single Detached (RS1/E)"	"Single Detached (RS2/B)"

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	593 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 ½ storeys	2 ½ 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: September 16, 1991 Amended by Council: July 20, 1998 Amended by Council: October 20 th , 2003	POLICY 5447
File Ref: 4430-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 15-4-7	

POLICY 5447:

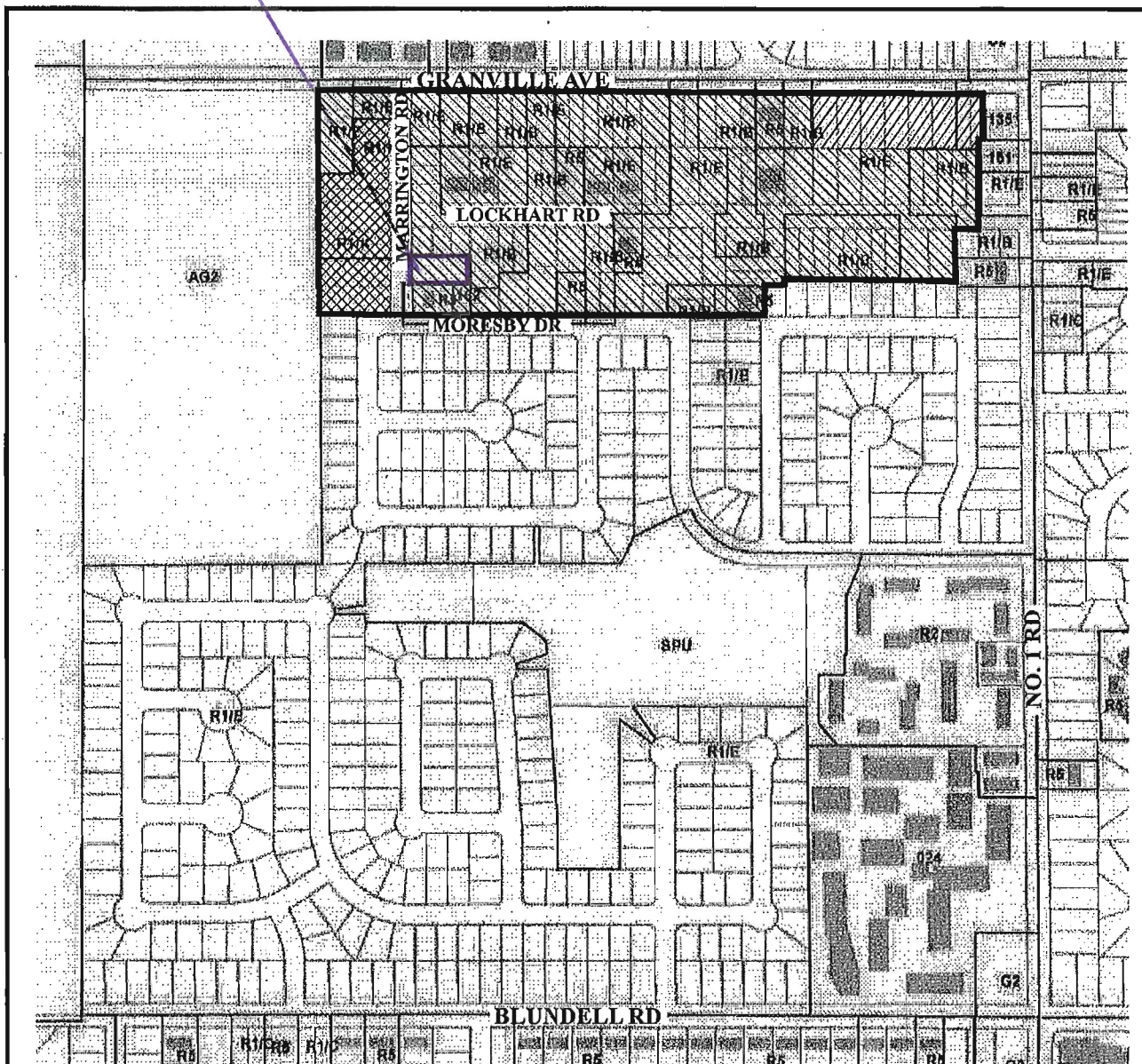
The following policy establishes lot sizes in a portion of Section 15-4-7, located generally between the **south side of Granville Avenue, the west side of Marrington Road, the north side of Moresby Drive and No. 1 Road:**




That properties within the area generally bounded by the south side of Granville Avenue, the north side of Moresby Drive, the west side of Marrington Road and No. 1 Road, in a portion of Section 15-4-7, 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) That properties between and including 3620 and 3780 Granville Avenue be permitted to subdivide as per Single-Family Housing District (R1/C) zoning;
- (b) That properties between and including 7151 and 7031 Marrington Road be permitted to subdivide as per Single-Family Housing District, Subdivision Area K (R1/K) zoning;

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.

SUBJECT SITE



-  Subdivision permitted as per R1/B with the following provisions:
-  1. Between 3620 and 3780 Granville Avenue R1/C.
-  2. Between 7151 and 7031 Marrington Road R1/K.

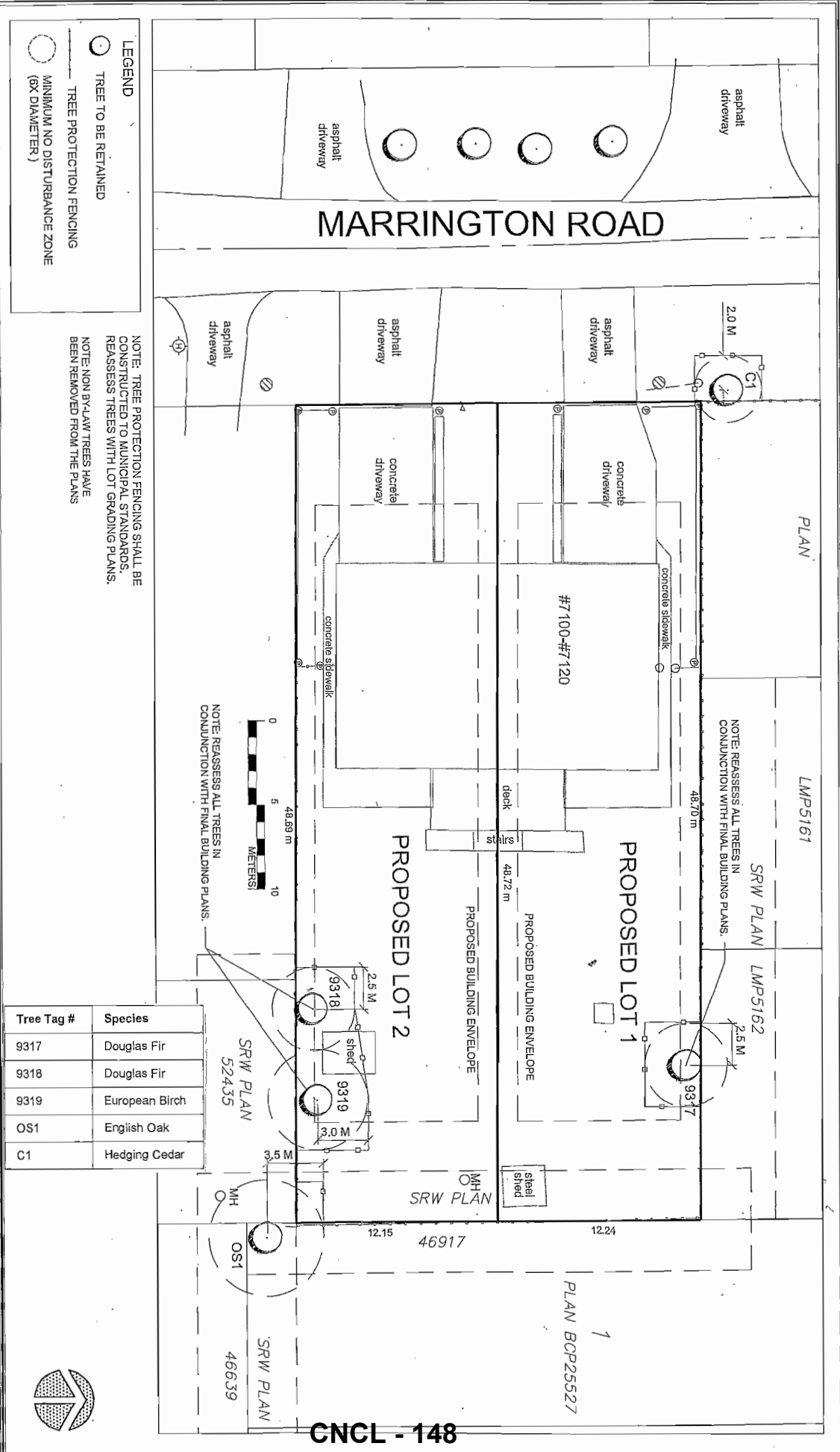


Policy 5447
Section 15-4-7

Adopted Date: 09/16/91

Amended Date: 10/20/03

Note: Dimensions are in METRES



NO.	DATE	BY	REVISION

MIKE FADUM AND ASSOCIATES LTD
VEGETATION CONSULTANTS

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7100 7120 MARRINGTON RD.
RICHMOND, B.C.

T2 - TREE PROTECTION PLAN
DATE: OCTOBER 18, 2013

SCALE: AS SHOWN
SHEET 2 OF 2

CNCL - 148



Address: 7100/7120 Marrington Road

File No.: RZ 13-646115

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9128, the applicant is required to complete the following:

1. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within close proximity to the tree protection zone of the trees to be retained (i.e., tree tags # 9317, 9318, 9319, OS1, and C1). 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.
2. Submission of a Tree Survival Security to the City in the amount of \$4,000 for the protection of the trees to be retained (i.e., tree tags # 9317, 9318, 9319, OS1, and C1). Following completion of construction and landscaping on the proposed lots, a landscaping inspection will be conducted at the request of the applicant to verify tree survival and 50% of the security will be released. The remaining 50% of the security will be released one year after the initial landscaping inspection if the tree has survived.
3. Submission of a Landscaping Security to the City in the amount of \$1,000 (\$500/tree) to ensure that two (2) trees are planted in the front yards of the proposed lots (one [1] tree per lot, with a minimum size of 6 cm deciduous caliper or 3 m high conifer).
4. Registration of a flood indemnity covenant on title.
5. The City's acceptance of the applicant's cash-in-lieu contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$6,335) to the City's Affordable Housing Reserve Fund.

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 proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.

At Demolition* stage, the applicant must complete the following:

- Installation of tree protection fencing around: tree tags #9317, 9318, and 9319 on-site; tree tag #OS1 located on the neighbouring property to the east at 3420 Lockhart Road; and tree tag # C1 on City-owned property in the boulevard to the northwest of the subject site. Tree protection fencing is required to be installed to City standard in accordance with the City's tree protection information bulletin TREE-03, and as shown in the proposed Tree Retention Plan (Attachment 5). Tree protection fencing must remain in place until construction and landscaping on the proposed lots is completed.

At Subdivision* stage, the applicant must complete the following:

- Payment of servicing costs;
- Entrance into a standard Servicing Agreement* for the design and construction of engineering infrastructure improvements, including (but not limited to):

Storm Sewer Works

- The provision of a new storm sewer service connection complete with inspection chamber near or at the common property line of the proposed new lots. The inspection chamber must be located in the City boulevard along the west property line of the subject site.

Water Works

- Using the OCP Model, there is 105 L/s available at 20 psi residual at the hydrant at the frontage of 7140 Marrington Road. Based on the proposed rezoning, the subject site requires a minimum fire flow of 95 L/s. Once the applicant has confirmed the building design at the Building Permit stage, the applicant must submit fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey or ISO to confirm that there is adequate available flow.
- The provision of two (2) new water service connections complete with individual water meters in accordance with the Waterworks and Water Rates Bylaw No. 5637 from the existing 150 mm diameter watermain at the Marrington Road frontage. The water meters must be located within the City boulevard along the west property line of the subject site.
- Disconnection and capping of the existing water service connections at the main.

Sanitary Sewer Works

- The provision of a new sanitary sewer service connection complete with a Type 2 inspection chamber located near or at common property line within the existing three meter wide utility Right-of-Way along the north property line. The applicant must cap and abandon the existing sanitary sewer service connections.

Road Frontage Improvements

- Construction of works along the subject property's Marrington Road frontage and additional transitional works beyond the property's frontage to tie-in to the existing road and boulevard layout. Works referenced from the west property line must include:
 - Construction of a new grass boulevard along the west property line for City owned inspection chambers and water meters;
 - Construction of a new concrete sidewalk;
 - Construction of a new grass/treed boulevard with street lighting between the required sidewalk and the back of the curb. The required street lighting must be designed to the ultimate layout and must be required to tie-in to the existing street lighting system in Lockhart Road;
 - Construction of new wide base barrier curb and gutter;
 - Construction of road widening complete with catch basins to collect road run-off and transitions to the existing pavement, 20:1 for local roads as per City specifications, at Marrington Road;

Note: Details of the above upgrade works will be finalized through the Servicing Agreement review process. The Servicing Agreement design is to include the water, storm, and sanitary connections for the proposed lots.

General Items

- The provision of any private utility company rights-of-ways to accommodate any above ground equipment (i.e., transformers, kiosks, transformers, etc.) and future under-grounding of overhead lines.

Note:

- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9128 (RZ 13-646115)
7100/7120 Marrington 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/B)".

P.I.D. 010-118-501
Lot 54 Section 15 Block 4 North Range 7 West New Westminster District Plan 15447

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9128".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Horizontal lines for signature and date entry corresponding to the reading stages.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER