



City of Richmond
Planning and Development Department

Report to Committee

To: Planning Committee
From: Brian J. Jackson
Director of Development
Date: June 1, 2011
File: RZ 10-544622
Re: Application by Mohinder Gill for Rezoning at 7140/7160 Beecham Road from Two-Unit Dwellings (RD1) to Single Detached (RS2/B)

Staff Recommendation

That Bylaw No. 8731, for the rezoning of 7140/7160 Beecham Road from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", be introduced and given first reading.

Brian J. Jackson
Director of Development

BJ:cl
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

Mohinder Gill has applied to the City of Richmond for permission to rezone 7140/7160 Beecham Road from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)”, to permit the existing duplex 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 the Seafair planning area. The surrounding area contains primarily single detached housing on medium to large sized lots.

To the north, east, and south of the subject site are older dwellings on lots zoned “Single Detached (RS1/E)”.

To the west, immediately across Beecham Road, are two (2) dwellings on lots zoned “Single Detached (RS1/B)”, created through subdivision in the early 1990’s.

Related Policies & Studies

Official Community Plan (OCP) Designation

There is no Area Plan for this neighbourhood. The OCP’s Generalized Land Use Map designation for this property is “Neighbourhood Residential”, and the Specific Land Use Map designation is “Low-Density Residential”. This redevelopment proposal is consistent with these designations.

Lot Size Policy

The subject site is located within the area covered by Lot Size Policy 5447, adopted by City Council in 1991 (**Attachment 3**). The Lot Size Policy permits rezoning and subdivision of the subject site in accordance with “Single Detached (RS2B)”. This redevelopment proposal would allow for the creation of two (2) lots, each approximately 13 m wide, which is 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 towards the City’s 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 **PH - 6**

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 required prior to 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 mind 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. \$5,268).

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 subject property.

Staff Comments

Background

In recent years, this neighbourhood has undergone considerable redevelopment through rezoning and subdivision to smaller lot sizes, consistent with the Lot Size Policy. This redevelopment proposal is consistent with the established pattern of redevelopment in the neighbourhood.

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:

- Ten (10) bylaw-sized trees on the subject site (Trees # 92-101), three (3) of which are located on property lines shared with city-owned property; and,
- One (1) bylaw-sized tree and several undersized shrubs located off-site in the boulevard on city-owned property, in front of the subject site.

The Report recommends:

- removal of six (6) bylaw-sized trees from the subject site on the basis of poor condition (Trees # 93, 95, 97, 98, 99, 100);
- removal of the undersized shrubs located on city-owned property and removal of four (4) bylaw-sized trees from the subject site on the basis of conflict with proposed development (Trees # 92, 94, 96, and 101); and,
- retention of the bylaw-sized tree on the boulevard on city-owned property, northwest of the subject site.

The City's Tree Preservation Coordinator and the City's Parks Arborist have both reviewed the Arborist's Report, conducted Visual Tree Assessments, and the following points summarize their comments.

Concurrence is given to the Arborist's recommendations to:

- remove six (6) bylaw-sized trees from the subject site on the basis of poor condition (Trees #93, 95, 97, 98, 99, 100). These trees have either been previously topped, exhibit decay, poor structure, or are infected with bacterial canker;
- remove one (1) bylaw-sized tree from the subject site due to conflict with proposed development (Tree # 101). Although in good condition, this tree is located 1.2 m from the allowable building envelope in the middle of the required side yard. To successfully retain this tree would require the allowable building width to be reduced by a minimum of 4 m, and is not warranted in this case. The applicant is required to submit \$1,300 to the City's Tree Compensation Fund prior to rezoning adoption for future removal of Tree # 101 from the shared lot line with city-owned property. Formal authorization from the City's Parks Department is required prior to removal of Tree # 101 and the undersized shrubs in the boulevard on city-owned property in front of the subject site; and,
- retain the one (1) bylaw-sized tree located off-site in the boulevard on city-owned property, northwest of the subject site.

However, City staff disagree with the Arborist's recommendation to remove three (3) bylaw-sized trees from the subject site, two (2) of which are located on the shared lot lines with city-owned property (Trees # 92, 94, and 96). These trees are in good condition with no significant defects and should be retained and protected. With respect to Trees # 92 and 94 along the front property line, the proposed buildings and driveways on the future lots must be sited and designed to ensure successful tree retention, as conceptualized in **Attachment 4** (i.e. with side-by-side driveways and garages on either side of the proposed shared property line). Also, to service the proposed new lots, the required new service connections must be located outside tree protection zones and any works conducted in close proximity to tree protection zones must be supervised by a Certified Arborist.

A Tree Retention Plan showing the final outcome of tree retention and removal is included in **Attachment 5**.

Tree Protection Fencing is required to be installed:

- around Trees # 92 and 94 at a minimum of 3 m from the base of the trees;
- around Tree # 96 at a minimum of 4 m from the base of the tree;
- at a minimum of 2 m from the base of the one (1) bylaw-sized tree located off-site in the boulevard on city-owned property, northwest of the subject site.

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

To ensure survival of Trees # 92, 94, 96 and the off-site bylaw-sized tree located on city-owned property northwest of the subject site, the applicant must submit the following items prior to rezoning adoption:

- a Contract with a Certified Arborist for supervision of any works conducted within tree protection zones (e.g. demolition and excavation, manual removal of the existing driveway crossing, installation of new driveways, installation of service connections, root pruning, installation of perimeter drainage etc); and,
- a Survival Security to the City in the amount of \$8,000 for Trees # 92, 94, 96 and the off-site bylaw-sized tree located on city-owned property northwest of the subject site (\$2,000 per tree). The City will retain 90% of the security until construction and landscaping on the future lots is completed, inspections are approved, and the Arborist's post-construction impact assessment report is submitted and approved. The remaining 10% of the security released one (1) year after landscaping inspection to ensure the trees have survived.

Based on the 2:1 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 limited space in the yards of the future lots and the effort to be taken by the applicant to retain trees on and off-site, staff recommend only eight (8) replacement trees be required. If all required replacement trees cannot be suitably planted on-site, the City will accept a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for the balance of replacement trees not planted. Prior to rezoning adoption, the applicant must submit a landscaping security for the number of replacement trees proposed to be planted on-site (\$500/tree).

Pedestrian Walkway

There is an existing 3 m wide public walkway located adjacent to the south property line of the subject site, which provides a pedestrian connection between Beecham Road and Thormanby Crescent.

To balance objectives of maintaining a safe pedestrian walkway while at the same time addressing potential privacy concerns of the future resident on-site, the applicant is required to provide a Landscape Plan for the future lots, prepared by a Registered Landscape Architect, prior to final adoption of the rezoning bylaw. The Landscape Plan will be used to ensure that the proposed location and species of required replacement trees, as well as proposed overall landscaping and fencing, does not excessively restrict natural surveillance between the pedestrian walkway and the subject site. The Landscape Plan will be reviewed to ensure that proposed landscaping and fencing does not exceed 1.2 m along the portion of the south property line located in the front yard or any part of a yard between the principal dwelling and the front lot line. Higher fencing or landscaping that is consistent with zoning may be proposed along the south property line in the rear yard to address privacy concerns.

The applicant is also required to submit a Landscaping Security (100% of the cost estimate provided by the Landscape Architect, including installation costs) to ensure that the required replacement trees are planted and maintained and that the landscaping and fencing has been installed as proposed in the Landscape Plan.

A review of the current condition of the pedestrian walkway has been undertaken by staff, and minor improvements have been identified to the west entrance of the walkway at Beecham Road, adjacent to the subject site. The scope of required improvements includes but is not limited to: removal of the existing barrier posts and a portion of chain link fence at the west entrance and installation of swing-gates; and minor re-paving at the west entrance resulting from the improvements. At Subdivision stage, the applicant will be required to pay for the City to undertake these improvements via a work order.

Existing Covenant

There is currently a covenant on title of the strata lots restricting the use of the property to a duplex. This covenant must be discharged by the applicant prior to rezoning adoption.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning. New service connections to the future lots must be located outside tree protection zones.

Vehicle access to the future lots will be from Beecham Road and must be designed to enable tree retention, as conceptualized in **Attachment 4**.

Subdivision

At subdivision stage, the applicant will be required to:

- pay Neighbourhood Improvement Charge and Servicing costs;
- ensure proposed service connections and driveways for the new lots are sited and designed in such a way to successfully retain Trees # 92 and 94 and the off-site bylaw-sized tree located on city-owned property northwest of the subject site, as conceptualized in **Attachment 4** (i.e. with side-by-side driveways and garages on either side of the proposed shared property line); and,
- pay for the City to undertake the adjacent walkway improvements via a work order (e.g. removal of the existing barrier posts and a portion of chain link fence at the west entrance and installation of swing-gates; and minor re-paving at the west entrance resulting from the improvements); and,

Analysis

The subject site is located in an established residential area that has seen redevelopment to smaller lot sizes through rezoning and subdivision in recent years, consistent with the Lot Size Policy for this neighbourhood. This redevelopment proposal would allow for the creation of two (2) lots, each approximately 13 m wide and 445 m² in area, which is consistent with the Lot Size Policy

Financial Impact

None.

Conclusion

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

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

On this basis, staff recommends support for the application.



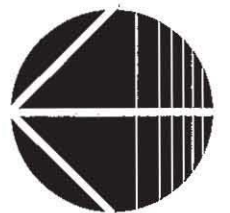
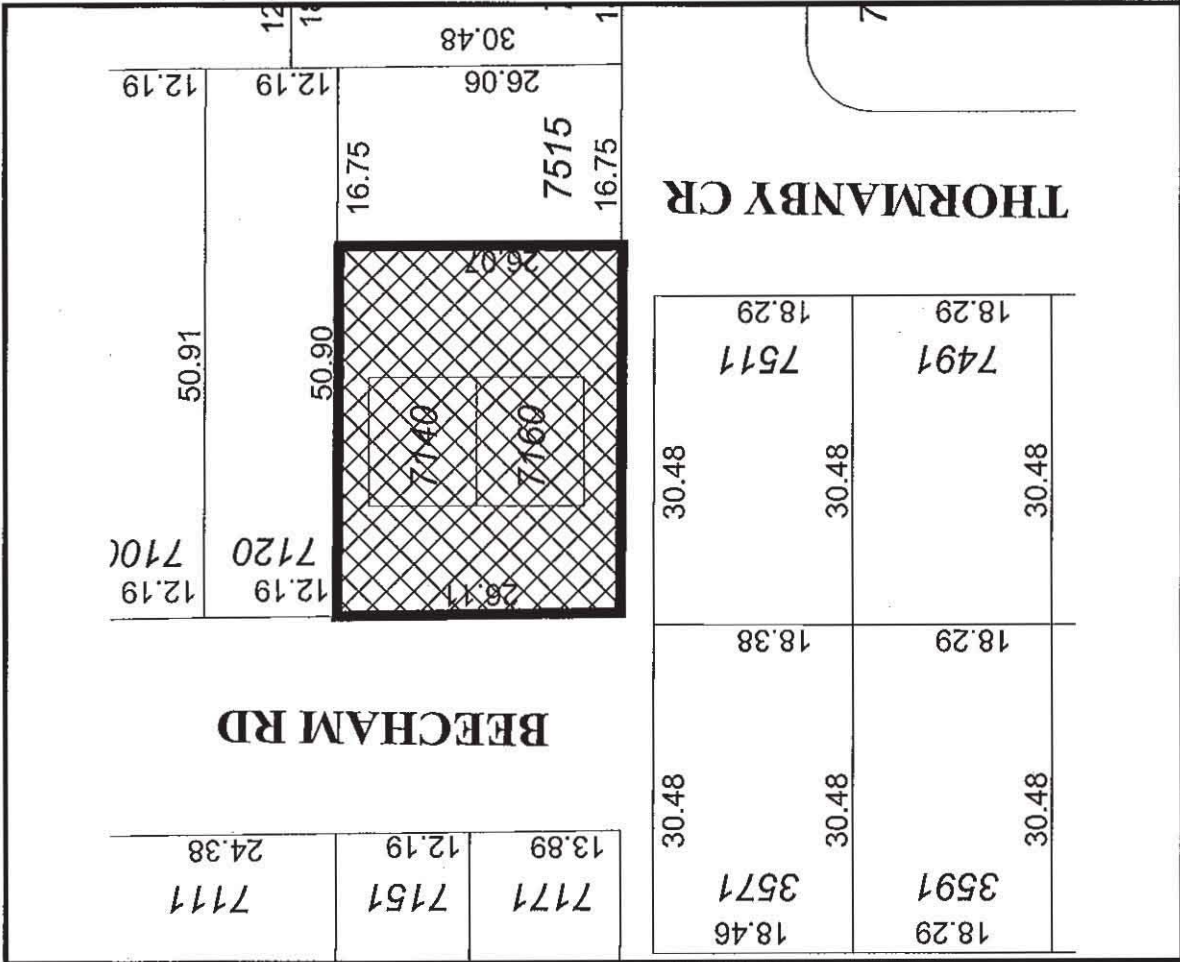
Cynthia Lussier
Planning Technician

CL:rg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5447
- Attachment 4: Preliminary Site Plan including required driveway/garage concept
- Attachment 5: Tree Retention Plan
- Attachment 6: Rezoning Considerations Concurrence



City of Richmond

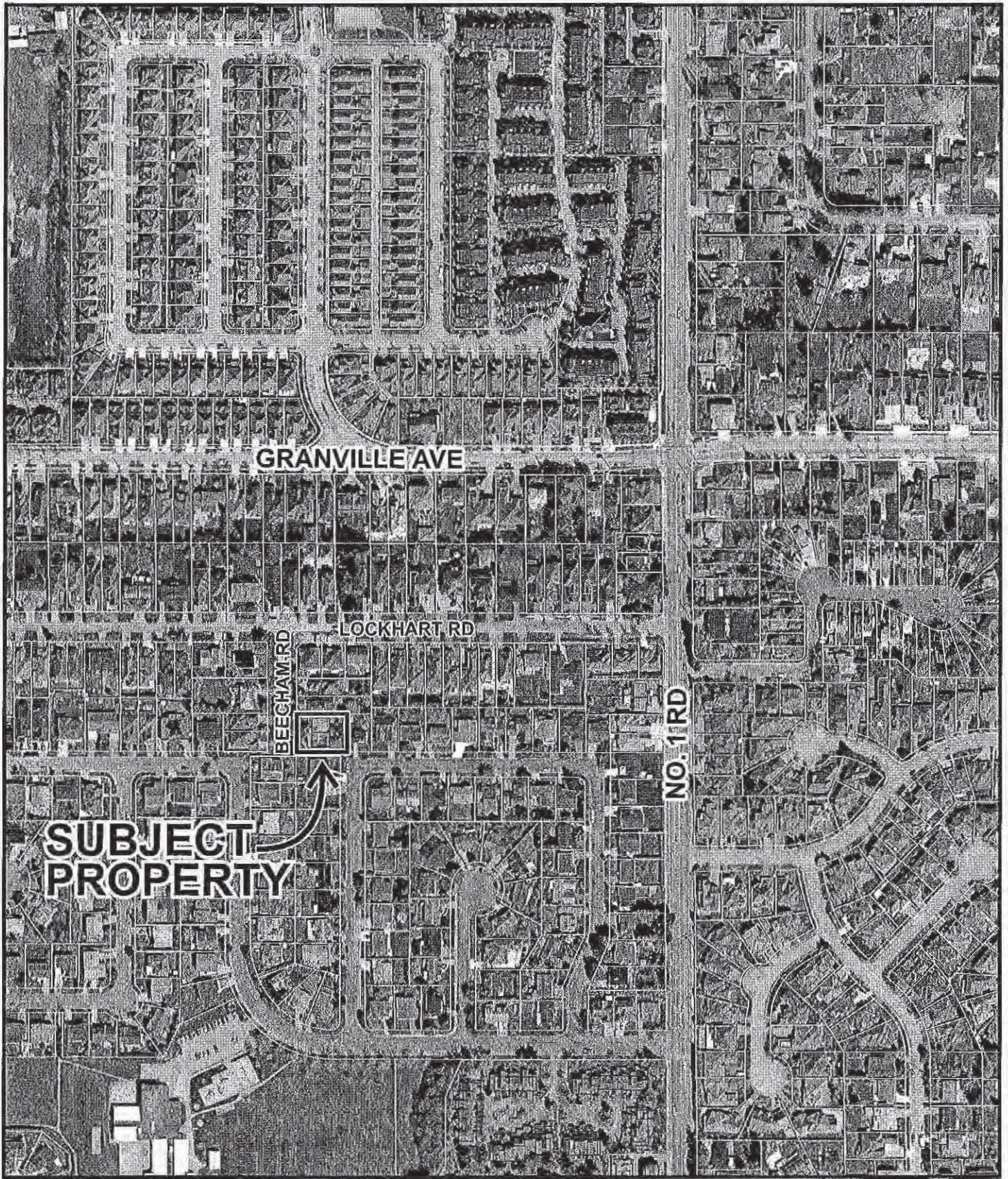


RZ 10-544622

Original Date: 09/01/10

Revision Date:

Note: Dimensions are in METRES



**SUBJECT
PROPERTY**



RZ 10-544622

Original Date: 09/07/10

Amended Date:

Note: Dimensions are in METRES

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City of Richmond

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

**Development Application
 Data Sheet**

RZ 10-544622

Attachment 2

Address: 7140/7160 Beecham Rd

Applicant: Mohinder Gill

Planning Area(s): Seafair

	Existing	Proposed
Owner:	Mohinder Gill Ruman Biring	To be determined
Site Size (m²):	890 m ² (9,580 ft ²)	Two (2) lots – each approx. 445 m ² (4,790 ft ²)
Land Uses:	One (1) two-unit dwelling	Two (2) single family lots
OCP Designation:	<ul style="list-style-type: none"> 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 5447 permits rezoning and subdivision of the subject site to create two (2) lots in accordance with "Single Detached (RS2/B)".	No change
Zoning:	Two-Unit Dwellings (RD1)	Single Detached (RS2/B)
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 445 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: 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:

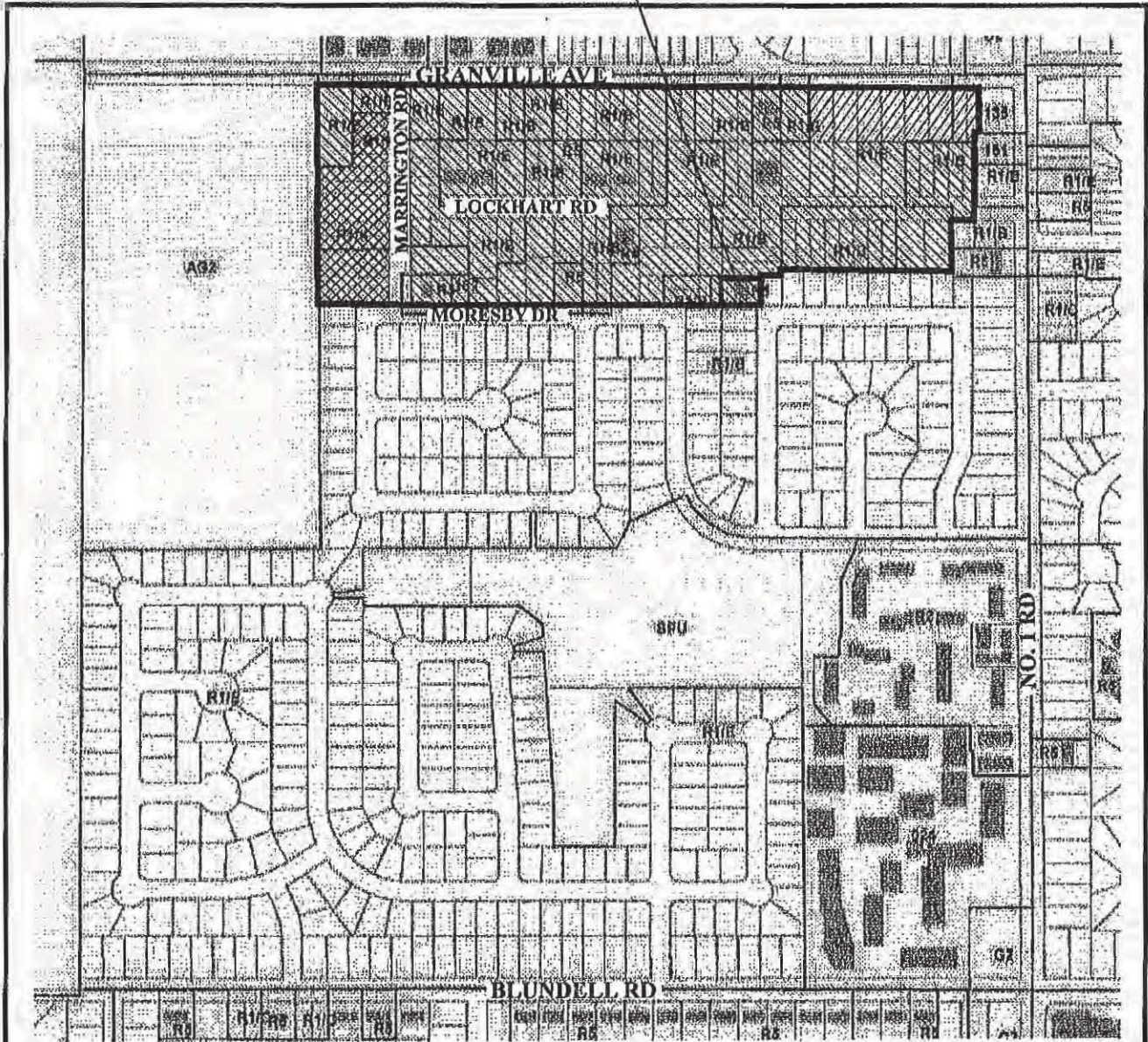
The following policy establishes lot sizes in a portion of Section 15-4-7, located generally between the **south side of Granville Avenue, the west side of Marrington Road, the north side of Moresby Drive and No. 1 Road:**




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:

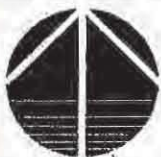
- a) That properties between and including 3620 and 3780 Granville Avenue be permitted to subdivide as per Single-Family Housing District (R1/C) zoning;
- (b) That properties between and including 7151 and 7031 Marrington Road be permitted to subdivide as per Single-Family Housing District, Subdivision 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.

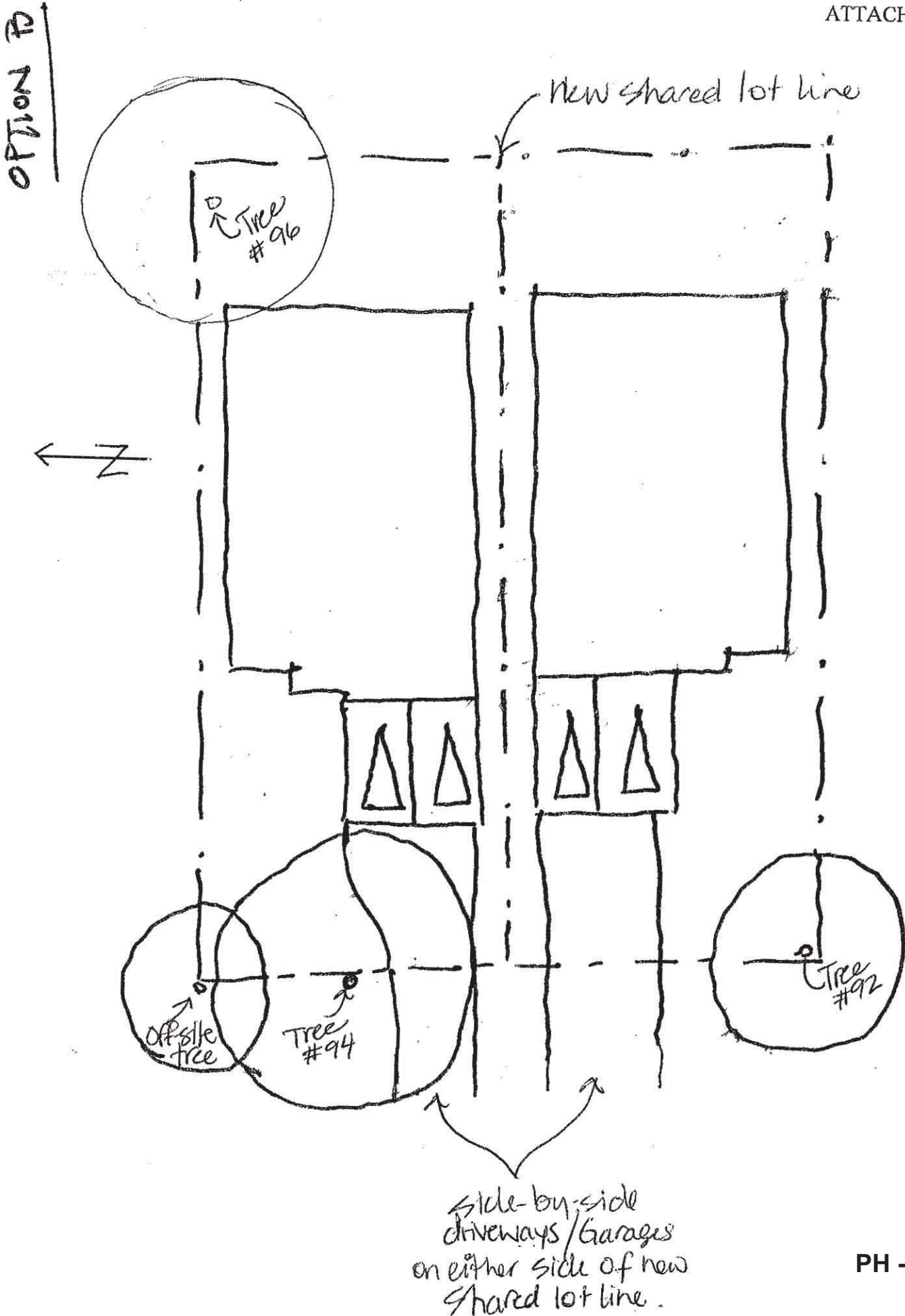


Policy 5447
Section 15-4-7

Adopted Date: 09/16/91

Amended Date: 10/20/03

Note: Dimensions are in METRES

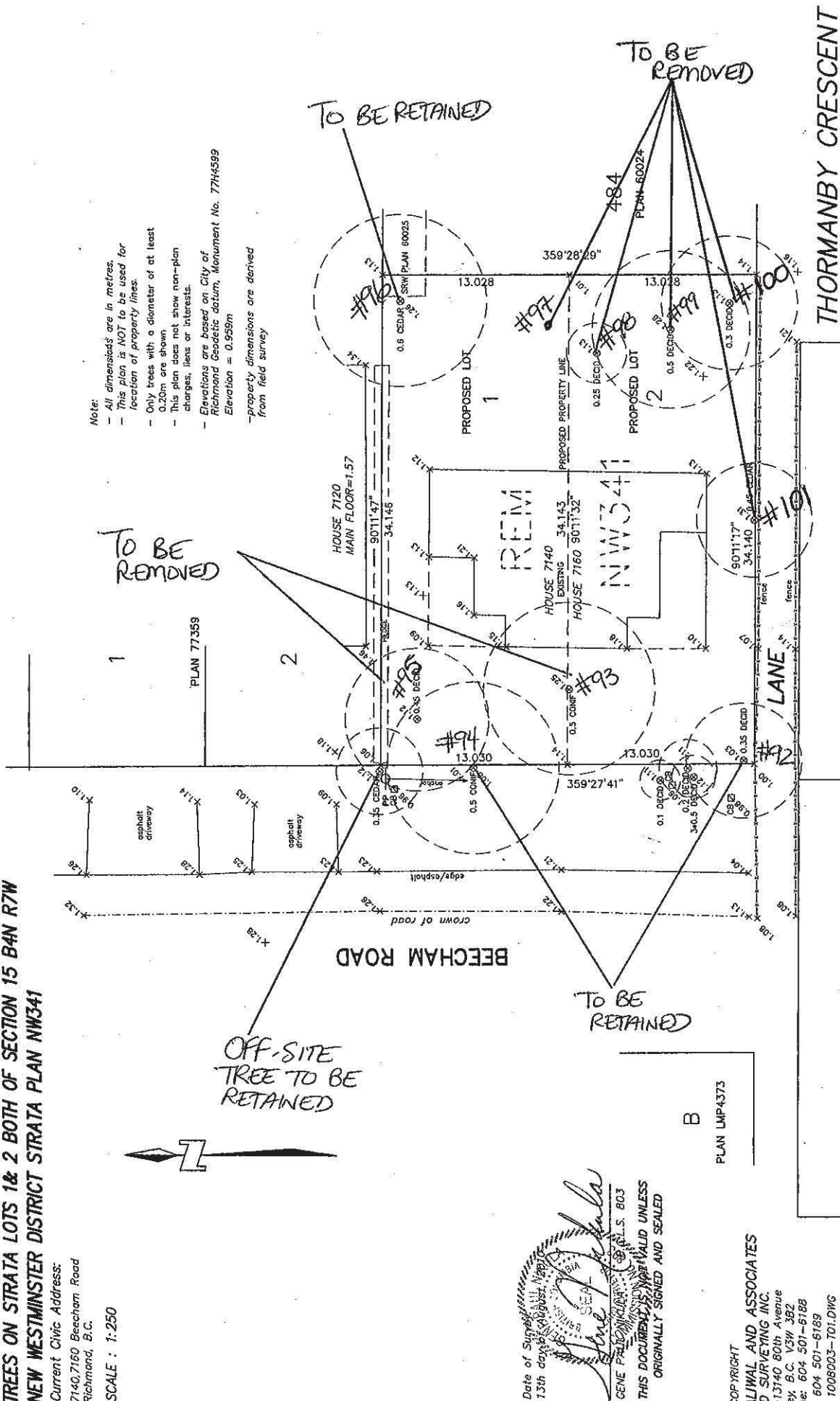


BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE SHOWING EXISTING TREES ON STRATA LOTS 1 & 2 BOTH OF SECTION 15 B4N R7W NEW WESTMINSTER DISTRICT STRATA PLAN NW341

Current Civic Address:
7140, 7160 Beecham Road
Richmond, B.C.

SCALE : 1:250

- Note:
- All dimensions are in metres.
 - This plan is NOT to be used for location of property lines.
 - Only trees with a diameter of at least 0.20m are shown
 - This plan does not show non-plan charges, liens or interests.
 - Elevations are based on City of Richmond Cadastre datum, Monument No. 77H4599
Elevation = 0.959m
 - property dimensions are derived from field survey



Date of Survey: 13th day of August, 2003
 GENE PALOMBA, B.C.L.S. 803
 THIS DOCUMENT IS NOT VALID UNLESS
 ORIGINALLY SIGNED AND SEALED

© COPYRIGHT
 DHALWAL AND ASSOCIATES
 LAND SURVEYING INC.
 121-13140 60th Avenue
 Surrey, B.C. V3W 3B2
 Phone: 604 501-6188
 Fax: 604 501-6189
 File: 1008003-701.DWG

Rezoning Considerations

**7140/7160 Beecham Rd
RZ 10-544622**

Prior to final adoption of Zoning Amendment Bylaw 8731, the following items must be completed:

1. 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:

- Include the required eight (8) replacement trees, with the following minimum sizes:

# Replacement Trees	Min. calliper of deciduous tree		Min. height of coniferous tree
2	10 cm	or	5.5 m
4	9 cm		5 m
2	6 cm		3.5 m

If the required eight (8) replacement trees cannot be suitably accommodated on-site, the City will accept a voluntary contribution by the applicant in the amount of \$500/tree 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;

- Include the dimensions of tree protection fencing, as described in the staff report dated June 1, 2011, from the Director of Development;
 - Include a mix of coniferous and deciduous trees;
 - Aim to allow natural surveillance between the pedestrian walkway and the subject site along the south property line;
 - Not include hedges along the front property line;
 - Not include landscaping or fencing exceeding 1.2 m along the portion of the south property line located in the front yard or any part of a yard between the principal dwelling and the front lot line;
2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any works conducted within tree protection zones (i.e. Trees # 92, 94, 96 and the bylaw-sized tree located in the boulevard on city-owned property, northwest of the subject site). The Contract should include the scope of work to be undertaken, including: the proposed number and stages of site monitoring inspections (e.g. demolition and excavation, manual removal of the existing driveway crossing, installation of new driveways, installation of service connections, root pruning, installation of perimeter drainage etc), and a provision for the Arborist to submit a post-construction, impact assessment report to the City for review.

3. Submission of a Tree Survival Security to the City in the amount of \$8,000 for Trees # 92, 94, 96 and the bylaw-sized tree located in the boulevard on city-owned property, northwest of the subject site (\$2,000 per tree). The City will retain 90% of the security until construction and landscaping on the future lots is completed, inspections are approved, and the Arborist's post-construction impact assessment report is submitted and approved. The remaining 10% of the security released one (1) year after landscaping inspection to ensure the trees have survived.
4. Submission of \$1,300 to the City's Tree Compensation Fund for removal of Tree # 101 from the shared south lot line with city-owned property.
5. The discharge of the existing covenants on title restricting the use of the property to a duplex (charge # AE28412, AE28413).
6. 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. \$5,268) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on title to secure a secondary suite.

7. Registration of a flood indemnity covenant on title.

Prior to removal of Tree # 101 from the shared south lot line, and removal of the undersized shrubs in the boulevard on city-owned property in front of the subject site, the applicant must:

- Obtain formal written authorization from the City's Parks Department [one (1) week prior], to enable signage to be posted at least 48 hours prior to tree removal.

At demolition stage, the applicant will be required to install Tree Protection Fencing:

- around Trees # 92 and 94 at a minimum of 3 m from the base of the trees;
- around Tree # 96 at a minimum of 4 m from the base of the tree;
- at a minimum of 2 m from the base of the one (1) bylaw-sized tree located off-site in the boulevard on city-owned property, northwest of the subject site.

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

At subdivision stage, the applicant will be required to:

- pay Neighbourhood Improvement Charge and Servicing costs;
- ensure proposed service connections and driveways for the new lots are sited and designed in such a way to successfully retain Trees # 92 and 94 and the off-site bylaw-sized tree located on city-owned property northwest of the subject site, as conceptualized in **Attachment 4** (i.e. with side-by-side driveways and garages on either side of the proposed shared property line); and,
- pay for the City to undertake the adjacent walkway improvements via a work order (e.g. removal of the existing barrier posts and a portion of chain link fence at the west entrance and installation of swing-gates; and minor re-paving at the west entrance resulting from the improvements).

[Signed original on file]

Signed _____

Date _____



Richmond Zoning Bylaw 8500
Amendment Bylaw 8731 (RZ 10-544622)
7140/7160 BEECHAM RD

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. 001-297-651
STRATA LOT 1 SECTION 15 BLOCK 4 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT STRATA PLAN NW341
TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN
PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN
ON FORM 1

P.I.D. 001-297-678
STRATA LOT 2 SECTION 15 BLOCK 4 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT STRATA PLAN NW341
TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN
PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN
ON FORM 1

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8731".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

JUN 27 2011

Series of horizontal lines for recording readings and requirements.

CITY OF RICHMOND APPROVED by [signature] APPROVED by Director or Spokesperson [signature]

MAYOR

CORPORATE OFFICER PH-22