



City of Richmond
Planning and Development Department

Report to Committee

To: Planning Committee
From: Brian J. Jackson, MCIP
Director of Development
Date: February 9, 2010
File: RZ 09-498513
Re: **Application by Bawa Singh Bains for Rezoning at 10240 Gilmore Crescent from Single Detached (RS1/D) to Single Detached (RS2/B)**

Staff Recommendation

That Bylaw No. 8584, for the rezoning of 10240 Gilmore Crescent from "Single Detached (RS1/D)" to "Single Detached (RS2/B)", 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 <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Bawa Singh Bains has applied to the City of Richmond for permission to rezone 10240 Gilmore Crescent from “Single Detached (RS1/D)” to “Single Detached (RS2/B)” to permit a subdivision to create 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 on the south side of Gilmore Crescent in an established residential neighbourhood consisting primarily of older character dwellings on medium and large-sized lots.

- To the north, west, and east, are older character dwellings on lots zoned “Single Detached (RS1/D)”;
- To the south, is a dwelling constructed in the early 90’s on a lot zoned “Single Detached (RS1/D)” fronting Davies Court.

Related Policies & Studies

Official Community Plan

The Official Community Plan’s (OCP) Generalized Land Use Map designation for this property is “Neighbourhood Residential”, and the Bridgeport Area Plan’s Land Use Map designation is “Residential (Single-Family)”. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5448

The subject property is located within the area covered by Single Family Lot Size Policy 5448 (adopted by Council in 1991)(**Attachment 3**). This Policy permits rezoning and subdivision of lots along Gilmore Crescent to “Single Detached (RS2/B)”. This redevelopment proposal would allow for the creation of two (2) lots, each approximately 14.13 m wide, which is consistent with the Lot Size Policy.

Aircraft Noise Sensitive Development Policy

The Aircraft Noise Sensitive Development (ANSD) Policy applies to the subject site, which is located within the High Aircraft Noise Area (Area 2). In accordance with this Policy, rezonings from one (1) single detached sub-zone to another (i.e. RS1/D to RS2/B) may be considered if it is supported by a Lot Size Policy, as is the case with the subject proposal. As a condition of rezoning, the applicant is required to register a restrictive covenant on Title to address aircraft noise mitigation and public awareness.

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 undergone some redevelopment through rezoning and subdivision to smaller lot sizes since the 1980's. This proposal is consistent with the pattern of redevelopment established in the neighbourhood.

Tree Conservation

A survey submitted by the applicant shows the location of five (5) bylaw-sized trees on the subject property and the proposed building envelopes (**Attachment 4**). A Certified Arborist's Report submitted by the applicant identifies tree species, assesses tree condition and structure, and provides recommendations on tree retention and removal relative to proposed development. The Report recommends:

- retention of three bylaw-sized trees in the front yard (identified as trees # 1 to # 3 in the Arborist's Report), and indicates the proposed minimum dimensions for tree protection fencing; and
- removal of two (2) bylaw-sized trees in the rear yard (identified as trees # 4 and # 5 in the Arborist's Report) on the basis of poor structural condition.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and concurs with these recommendations, subject to an enlarged tree protection zone for tree # 1. As a result, tree protection fencing should be installed as follows:

- a minimum of 1.8 m (6 ft.) from the base of Tree # 1 on the east side, and a minimum of 2.7 m (9 ft.) from the tree base on the north and south sides;
- a minimum of 3 m (10 ft.) from the base of Tree # 2 in all directions; and
- a minimum of 1.8 m (6 ft.) from the base of Tree # 3 on the west side, and a minimum of 2.4 m (8 ft.) from the tree base on the north and south sides.

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

To ensure the survival of the three (3) retained bylaw-sized trees in the front yard (trees # 1 to # 3), the applicant must submit the following items as a condition of rezoning:

- A Contract with a Certified Arborist for supervision of any works to be conducted within the tree protection zones. The Contract must include the proposed number of site monitoring inspections 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 \$3,000 (\$1,000/tree to reflect the 2:1 replacement ratio).

Based on the 2:1 tree replacement ratio goal in the Official Community Plan's (OCP), and the size requirements for replacement trees in the City's Tree Protection Bylaw, a total of four (4) replacement trees are required to be planted on the future lots to compensate for the removal of the two (2) bylaw-sized trees in the rear yard (minimum 9 cm calliper deciduous/5 m high conifer).

To ensure that the four (4) required 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 \$2,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

The survey submitted by the applicant has been annotated to reflect the final outcome of tree protection and removal (**Attachment 4**).

Affordable Housing

The Richmond 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 is 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 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 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. \$5,558).

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning. The existing frontage is already upgraded to current City standards.

At future development stage, vehicular access to the future lots will be from Gilmore Crescent.

Subdivision

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

Flood Management

Registration of a Flood Indemnity Covenant on Title is required prior to final adoption of the rezoning bylaw.

Analysis

This development proposal is consistent with Lot Size Policy 5448 and is located within an established residential neighbourhood that has seen some redevelopment to smaller lot sizes through rezoning and subdivision since the 1980's.

Financial Impact

None.

Conclusion

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with the Bridgeport Area Plan, Single-Family Lot Size Policy 5448, and with all applicable policies contained within the Official Community Plan (OCP).

The list of rezoning conditions is included as **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
(Local 4108)

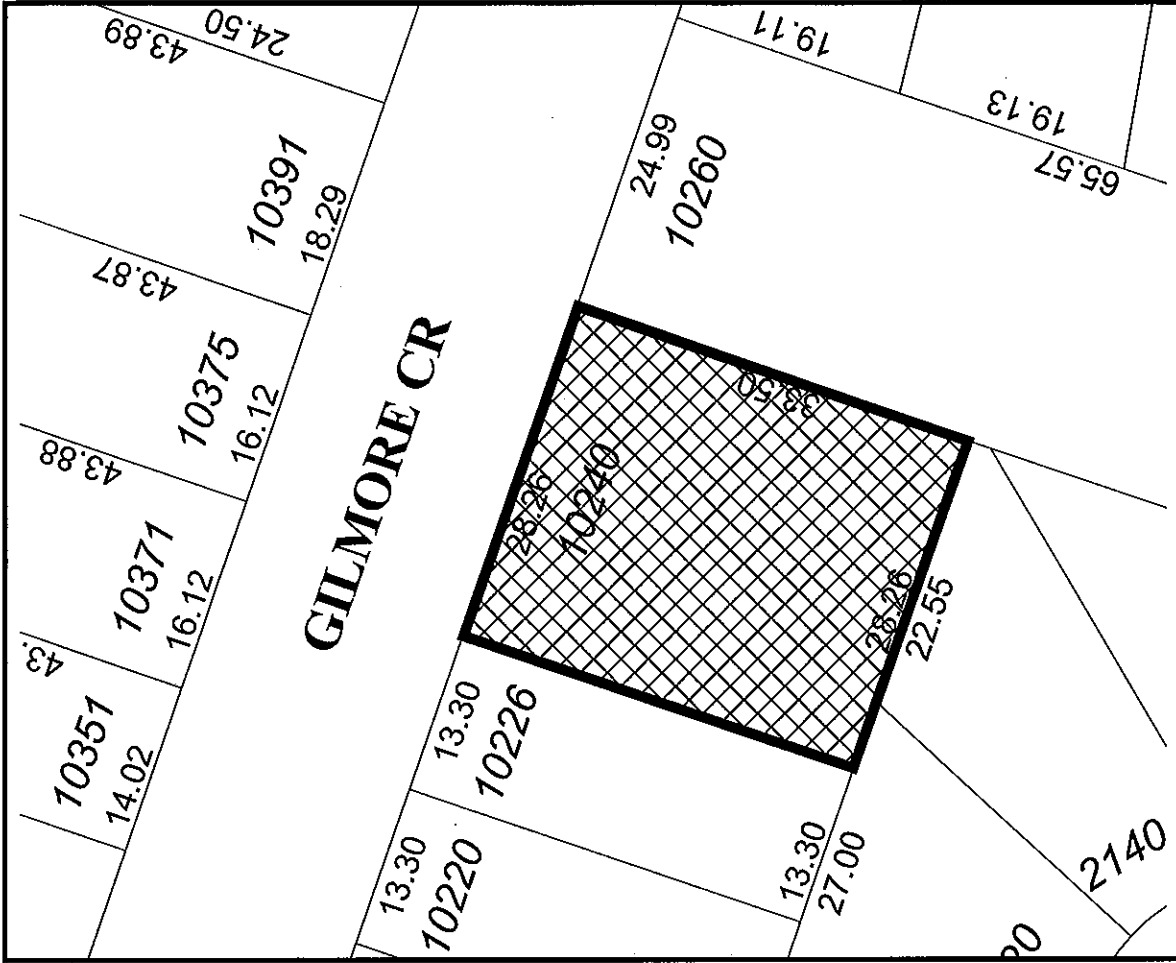
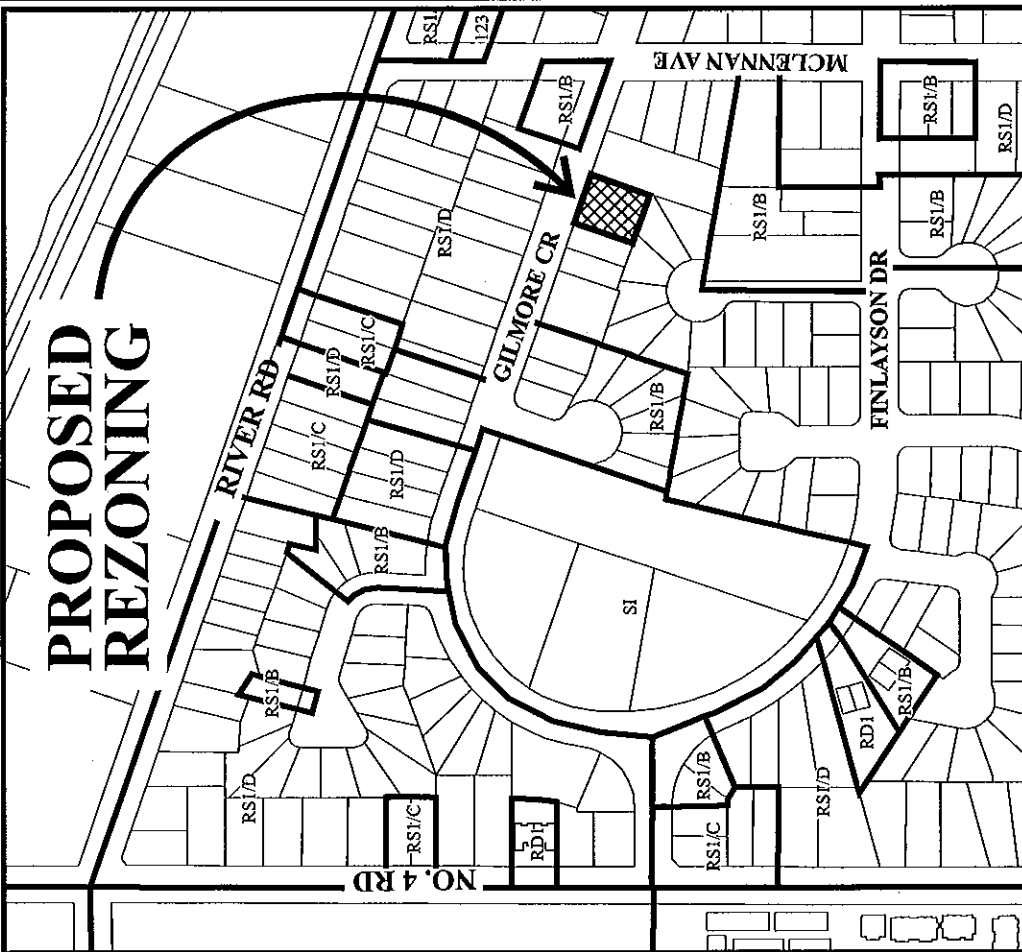
CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5448
- Attachment 4: Tree Survey/Retention Plan
- Attachment 5: Rezoning Considerations Concurrence



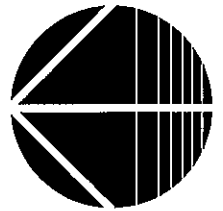
City of Richmond

PROPOSED REZONING



Original Date: 11/05/09
 Revision Date: 02/09/10
 Note: Dimensions are in METRES

RZ 09-498513



North Arm Fraser River

RIVER RD

**SUBJECT
PROPERTY**

GILMORE CR

NO. 4 RD

MCLENNAN AVE

FINLAYSON DR



RZ 09-498513

Original Date: 11/05/09

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 09-498513

Attachment 2

Address: 10240 Gilmore Crescent

Applicant: Bawa Singh Bains

Planning Area(s): Bridgeport

	Existing	Proposed
Owner:	Harpreet Kaur Johal	To be determined
Site Size (m²):	946.8 m ² (10,192 ft ²)	Two (2) lots – each approximately 473.4 m ² (5,096 ft ²)
Land Uses:	One (1) single detached dwelling	Two (2) single detached dwellings
OCP Designation:	Generalized Land Use Map Designation – “Neighbourhood Residential”	No change
Area Plan Designation:	“Residential (single-family)”	No change
702 Policy Designation:	Lot Size Policy 5448 permits rezoning and subdivision of the subject site to Single Detached (RS2/B) (minimum 12 m or 39.4 ft wide)	No change
Zoning:	Single Detached (RS1/D)	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	Each lot – 473.4 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

POLICY 5448

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 23-5-6

POLICY 5448:

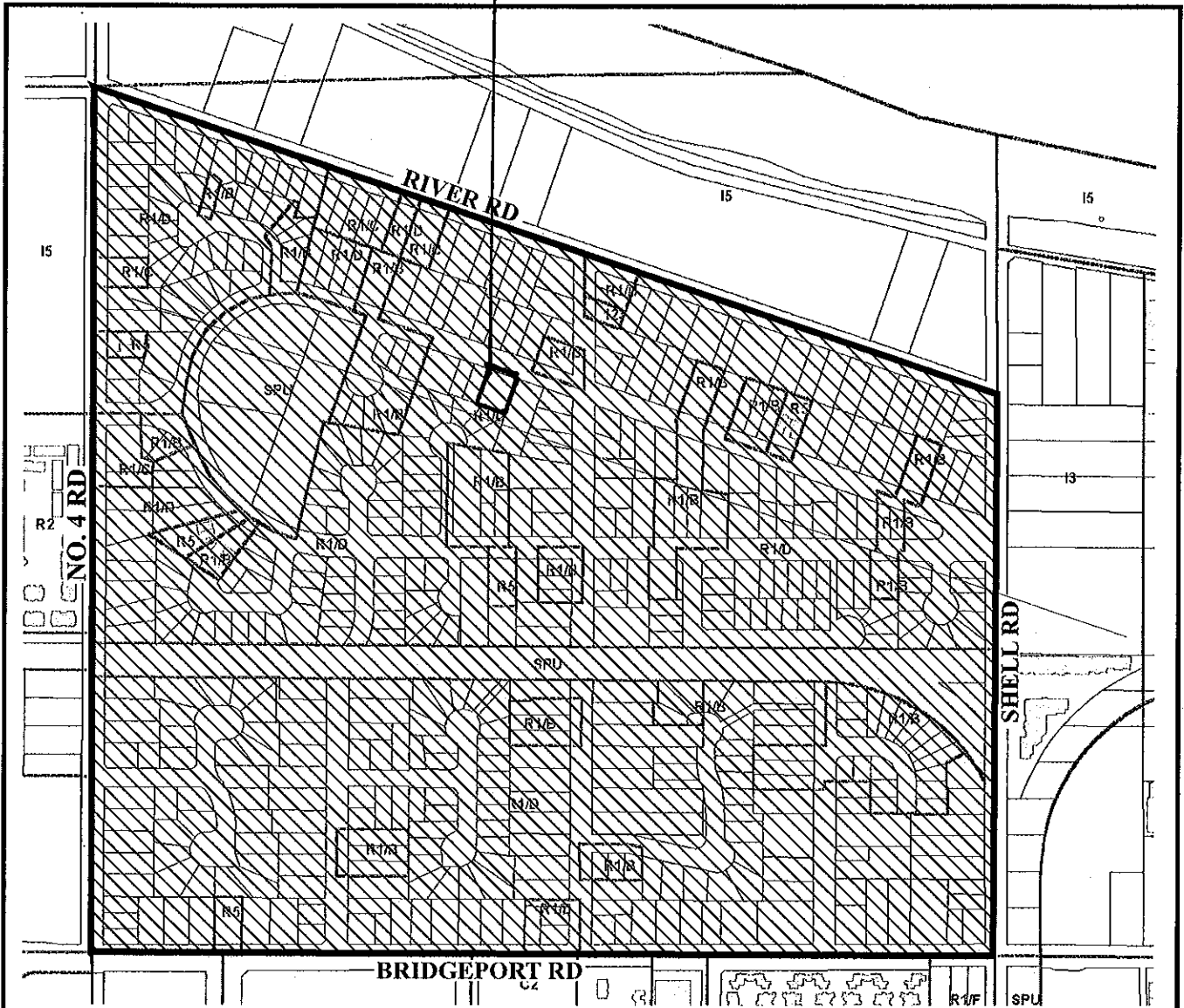
The following policy establishes lot sizes in a portion of Section 23-5-6, bounded by the **Bridgeport Road, Shell Road, No. 4 Road and River Drive:**

That properties within the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west, in a portion of Section 23-5-6, 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) Properties along Bridgeport Road and Shell Road will be restricted to Single-Family Housing District (R1/D) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted,
- (b) Properties along No. 4 Road and River Drive will be restricted to Single-Family Housing District (R1/C) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted;

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 PROPERTY



Subdivision permitted as per R1/B except:

1. River Drive: R1/C unless there is a lane or internal road access, then R1/B.
2. Shell Road: R1/D unless there is a lane or internal road access, then R1/B.
3. No. 4 Road: R1/C unless there is a lane or internal road access then R1/B.
4. Bridgeport Road: R1/D unless there is a lane or internal road access then R1/B.



POLICY 5448
SECTION 23, 5-6

Adopted Date: 09/16/91

Amended Date:

DEC 01 2009

not to be used to define boundaries

scale 1:250
METRES

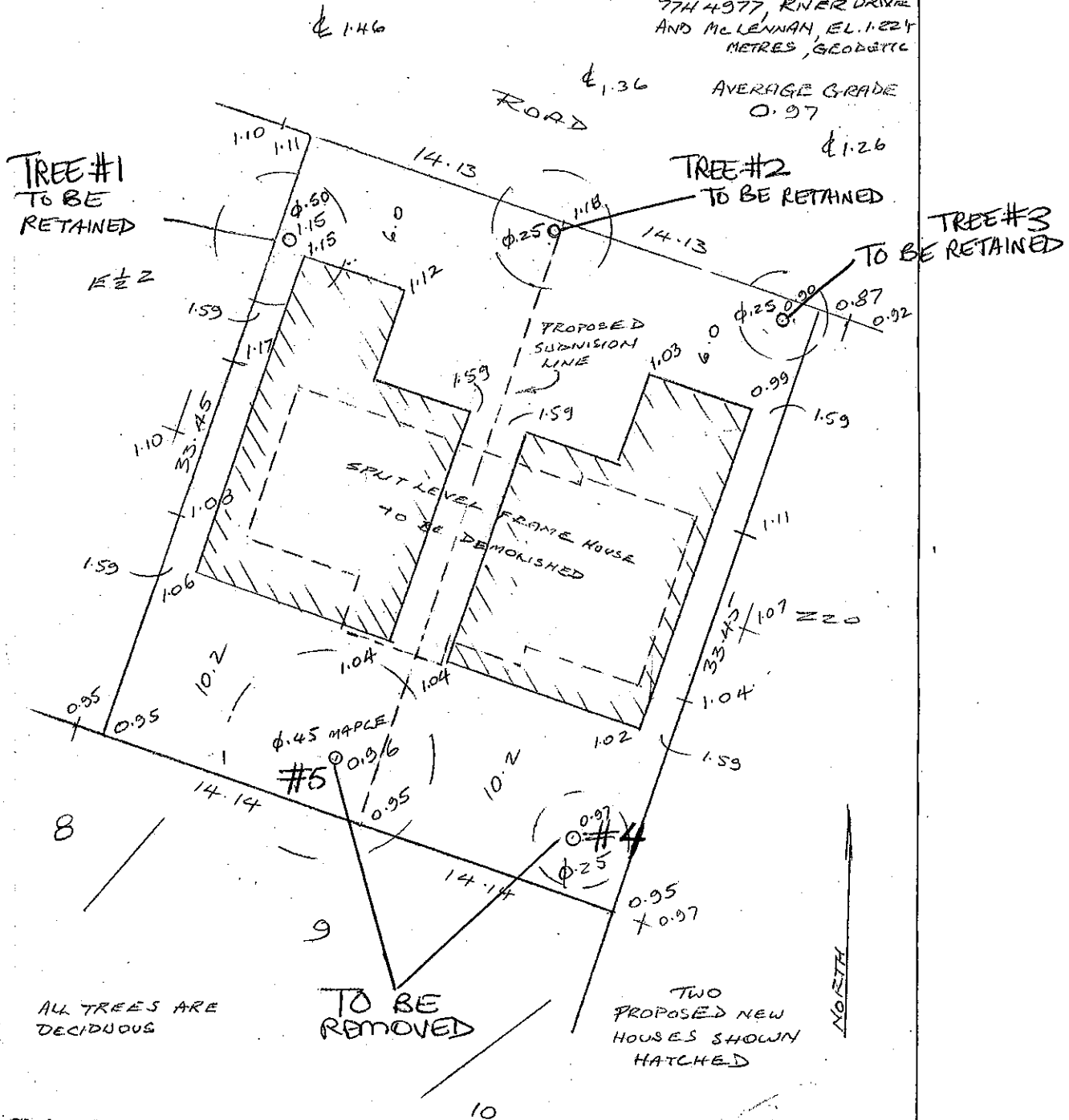
Survey Certificate
for

ELEVATIONS AND TREES ON
REM. 1, SECTION 23, B.L.K. 51, RGE. 60,
PLAN 72241 N.W.D.

CIVIC
10240 GILMORE CRESCENT
RICHMOND

EXISTING GROUND
ELEVATIONS
ARE DERIVED
FROM MONUMENT
7744977, RIVER DRIVE
AND McLENNAN, EL. 1.224
METRES, GEODETIC

AVERAGE GRADE
0.97



© C. James B.C.L.S. 2009

ALL TREES ARE
DECIDUOUS

TO BE
REMOVED

TWO
PROPOSED NEW
HOUSES SHOWN
HATCHED

Christopher J. James
British Columbia Land Surveyor
2822 Gordon Avenue
Surrey B.C. V4A 3J4
604-535-3261

certified correct
B.C.L.S.
this 28 day of OCTOBER 2009

this document is not valid unless originally signed and sealed

file 7695

Rezoning Considerations
10240 Gilmore Crescent
RZ 09-498513

Prior to final adoption of Zoning Amendment Bylaw 8584, the applicant is required to complete the following:

1. Submission of a Landscaping Security to the City in the amount of \$2,000 for the planting and maintenance of four (4) replacement trees (minimum 9 cm calliper deciduous/5 m high conifer).
2. 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 zones of the three (3) retained trees on-site (Trees # 1 to # 3). 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 impact assessment report to the City for review.
3. Submission of a Survival Security to the City in the amount of \$3,000 for the three (3) retained trees on-site (\$1,000/tree to reflect the 2:1 replacement ratio).
4. 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) new lots created, 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 prior to final adoption of the rezoning bylaw about the Affordable Housing option selected, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single detached dwellings (i.e. \$5,558) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

5. Registration of a flood indemnity covenant on Title.
6. Registration of an aircraft noise sensitive use covenant on Title.

At future Subdivision stage, the applicant will be required to:

Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing costs.

[Signed original on file]

Signed

Date



City of Richmond

Bylaw 8584

Richmond Zoning Bylaw 8500 Amendment Bylaw 8584 (RZ 09-498513) 10240 GILMORE CRESCENT

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. 004-509-463

Lot 1, Except: part on plan LMP7847 Section 23 Block 5 North Range 6 West New Westminster District Plan 72241

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 8584”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by
<i>[Signature]</i>
APPROVED by Director or Solicitor
<i>[Signature]</i>

MAYOR

CORPORATE OFFICER