



**City of Richmond**  
Planning and Development Department

**Report to Committee**

To: Planning Committee

To Planning - Mar 3, 2009  
Date: February 12, 2009

From: Brian J. Jackson  
Director of Development

RZ 08-447003

File: 12-8060-20-8476

Re: **Application by Balbir K. Purewal for Rezoning at 5151/5171 Merganser Drive from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area C (R1/C)**

**Staff Recommendation**

That Bylaw No. 8476, for the rezoning of 5151/5171 Merganser Drive from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area C (R1/C)", be introduced and given first reading.

Brian J. Jackson, MCIP  
Director of Development

CL:blg  
Att.

**FOR ORIGINATING DEPARTMENT USE ONLY**

| FOR ORIGINATING DEPARTMENT USE ONLY |  |                                |
|-------------------------------------|--|--------------------------------|
| ROUTED TO:                          | CONCURRENCE  | CONCURRENCE OF GENERAL MANAGER |
| Real Estate Services.....           | Y <input checked="" type="checkbox"/> N <input type="checkbox"/> |                                |

## Staff Report

### Origin

Balbir K. Purewal has applied to the City of Richmond for permission to rezone 5151/5171 Merganser Drive from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area C (R1/C) to permit the property to be subdivided into two (2) single-family residential lots, each approximately 14 m wide (**Attachment 1**). There is currently an existing non-conforming duplex on the subject property.

### Findings of Fact

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

### Surrounding Development

The area is an established residential neighbourhood consisting predominantly of older single-family dwellings on lots zoned Single-Family Housing District, Subdivision Area E (R1/E), or Single-Family Housing District, Subdivision Area B (R1/B), and a number of duplex lots that are either non-conforming or zoned Two-Family Housing District (R5).

To the north, is an older duplex on a lot zoned Two-Family Housing District (R5);

To the east and west, are older single-family dwellings on lots zoned Single-Family Housing District, Subdivision Area E (R1/E); and

To the south, across Merganser Drive, is an older single-family dwelling on a lot zoned Single-Family Housing District, Subdivision Area E (R1/E).

### Related Policies & Studies

#### OCP Designation

The Steveston Area Plan's land use designation for this site is *Single-Family*. This redevelopment proposal is consistent with this designation.

#### Lot Size Policy

There is no Lot Size Policy for this area.

### Public Input

In response to the placement of the rezoning sign on the subject property, two (2) residents of the neighbourhood informally contacted staff to express concerns about the application. The nature of concerns was:

- a) that the placement of the sign at the street edge was overly prominent and that it would have to remain throughout the duration of the application review process; and
- b) that the proposed change in lot size was not in keeping with the character of the established neighbourhood.

## Staff Comments

### Background

This established residential neighbourhood has not seen much in the way of redevelopment. The Westwind neighbourhood was developed in the 1970's and 1980's and the City's records show only two (2) residential development applications completed in this neighbourhood since the year 2000 under unique circumstances.

This rezoning application is consistent with the Zoning Bylaw Amendment Procedures, which enable applications to permit the subdivision of duplex-zoned lots into no more than two (2) single-family residential lots to be considered. Each future lot will be approximately 14 m wide, and is consistent with other lot sizes in the surrounding neighbourhood [lots on Osprey Drive immediately southeast of the subject property are a minimum of 12 m wide and zoned Single-Family Housing District, Subdivision Area B (R1/B)].

### Trees & Landscaping

A Tree Survey of the subject property submitted by the applicant shows the location of two (2) bylaw-sized trees on the adjacent property at 5131 Merganser Drive, within 2 m of the west property line (**Attachment 3**).

Two Certified Arborist's Reports were submitted by the applicant. The reports identify tree species, assess the condition of trees, and provide recommendations on tree retention and removal relative to the proposed development. The reports recommend:

- retention of the Cedar and Maple trees on the adjacent property;
- the installation of tree protection barriers, and provide design details; and,
- the construction of tree wells, and provide design details.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and asserts that the long-term viability of the trees would best be guaranteed by minimizing any grade changes within the drip line of the trees (within 2 m of the west property line). If grade changes must take place within the drip line, the proposed tree well construction specifications outlined in the Arborist's Reports should be employed with the additional requirement of "Landscape Fabric" between the gravel and new soil layer.

Tree protection fencing must be installed around the Cedar and Maple trees, to City standards and in accordance with the design details provided in the Certified Arborist's Reports, prior to demolition of the existing dwelling on the subject property, and must remain in place until construction of the future dwellings on the site is complete.

In addition, as a condition of rezoning, the applicant will be required to submit a contract with a Certified Arborist to supervise on-site works conducted within the drip lines of the Cedar and Maple trees on the adjacent property at 5131 Merganser Drive. The contract should include the scope of work to be undertaken as recommended in the Arborist's Reports, including preparation of a post-construction impact assessment report and letter of compliance to be submitted by the Arborist to the City for review.

To enhance the future lots, the applicant has agreed to plant four (4) trees, two (2) per lot (minimum 6 cm calliper). As a condition of rezoning, the applicant must submit a Landscaping Security in the amount of \$2,000 (\$500/tree) to ensure that the replacement trees will be planted.

### Affordable Housing

City Council adopted an Interim Affordable Housing Strategy for Single-Family Developments on April 28, 2008. This Interim Strategy applies to in-stream single-family rezoning applications received after July 1, 2007, until a revised Richmond Affordable Housing Strategy related to single-family rezoning applications is approved. The Interim Strategy requires a suite on 50% of new lots or a cash-in-lieu contribution of \$1.00/ft<sup>2</sup> of total building area toward the Affordable Housing Reserve.

In order to help meet the City's targets for rental housing, the applicant has agreed to provide a legal secondary suite on one of the two future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Interim Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection would 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. This legal agreement is a condition of rezoning. This agreement will be discharged from Title on the lot without the secondary suite after the requirements are satisfied, at the initiation of the applicant.

### Site Servicing & Vehicle Access

There are no servicing concerns or charges with rezoning.

Vehicle access to/from the future lots will be via Merganser Drive.

### Flood Management

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

### Subdivision

At future subdivision stage, the applicant will be required to pay servicing costs.

### **Analysis**

This rezoning application is consistent with the Steveston Area Plan's land use designation for this site, which is *Single-Family*. It is also consistent with the Zoning Bylaw Amendment Procedures, which enable staff to consider rezoning applications to permit the subdivision of duplex lots into no more than two (2) single-family residential lots.

### **Financial Impact**

None.

**Conclusion**

This rezoning application to permit subdivision of a large lot, on which is situated an existing non-conforming duplex, into two (2) lots zoned Single-Family Housing District, Subdivision Area C (R1/C) complies with all applicable land use designations and policies contained within the Official Community Plan (OCP). Each future lot would be approximately 14 m wide, which is consistent with other lot sizes in the surrounding neighbourhood. The list of rezoning conditions is included as Attachment 4, which has been agreed to by the Applicant (signed acceptance on file). On this basis, staff support the application.



Cynthia Lussier  
Planning Assistant

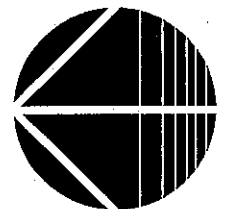
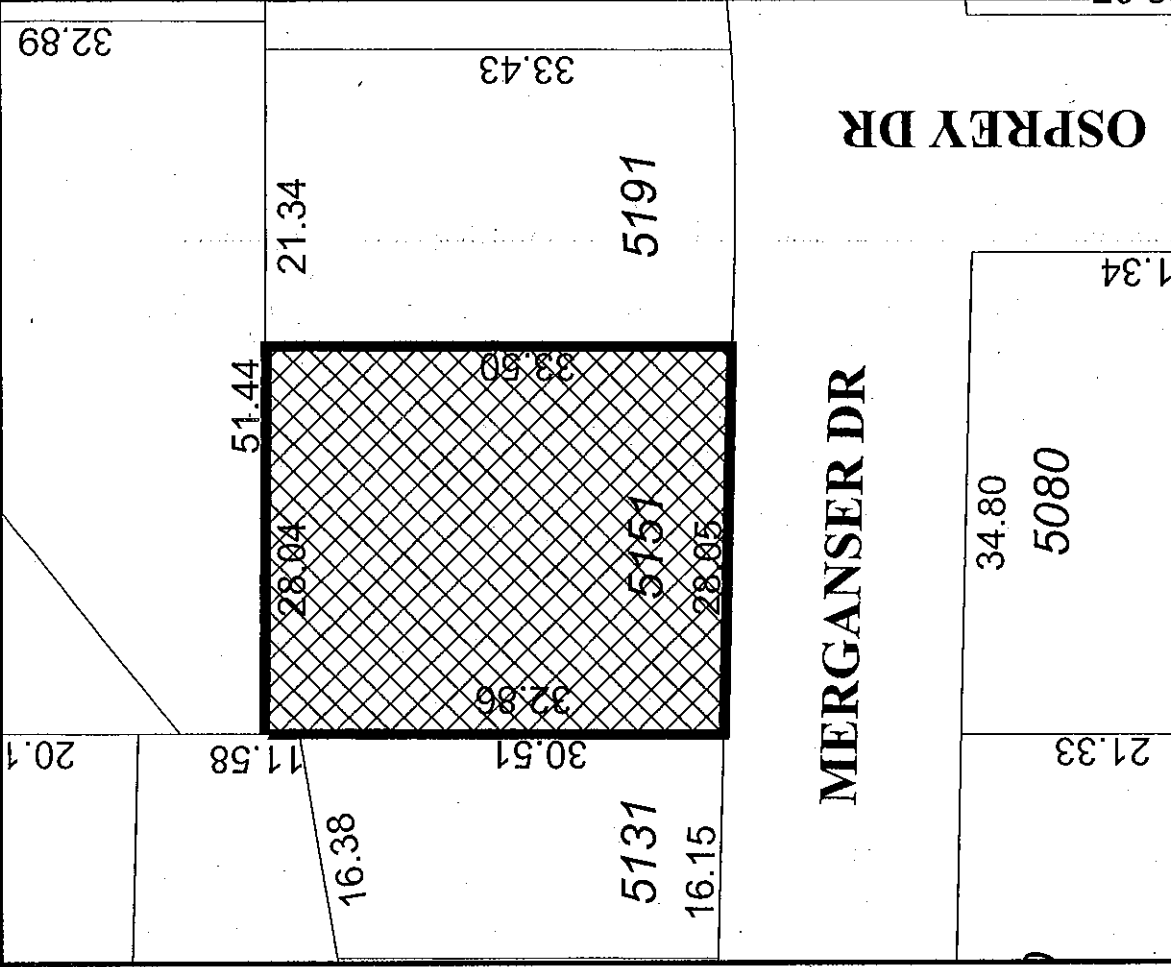
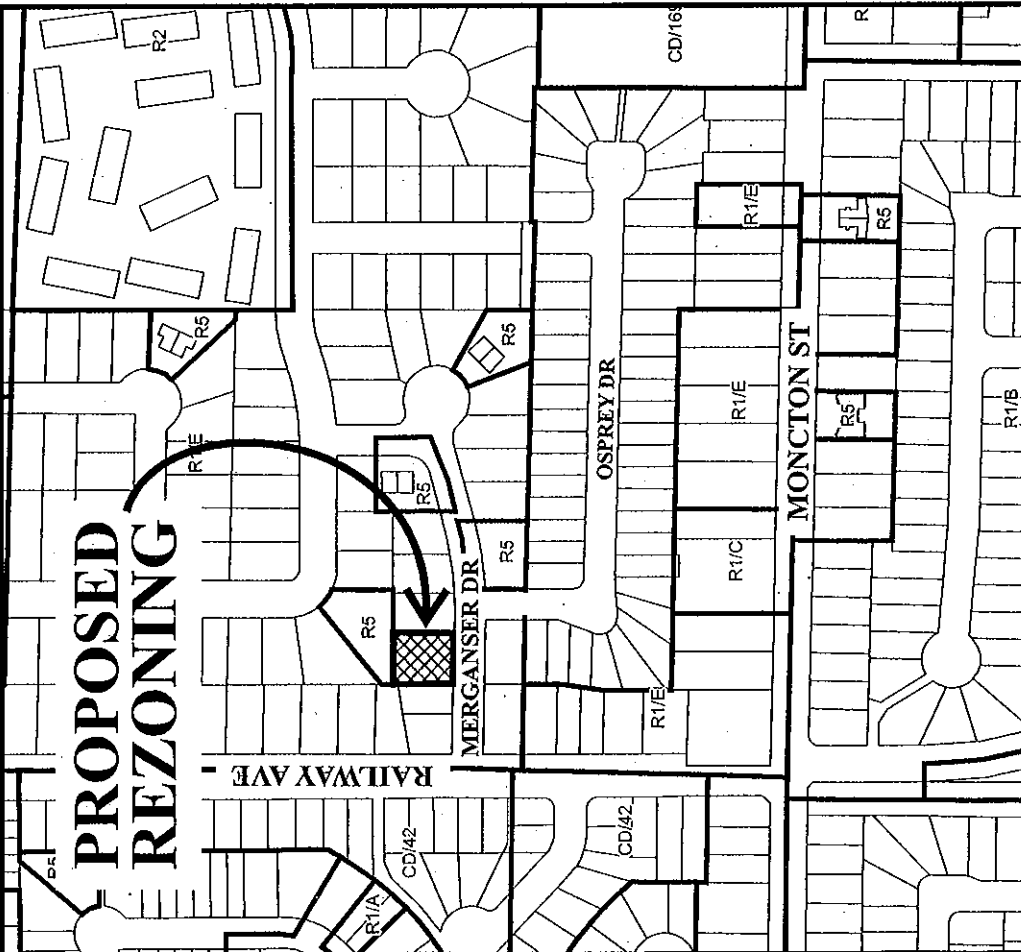
CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Tree Survey
- Attachment 4: Rezoning Considerations Concurrence



# City of Richmond

## PROPOSED REZONING



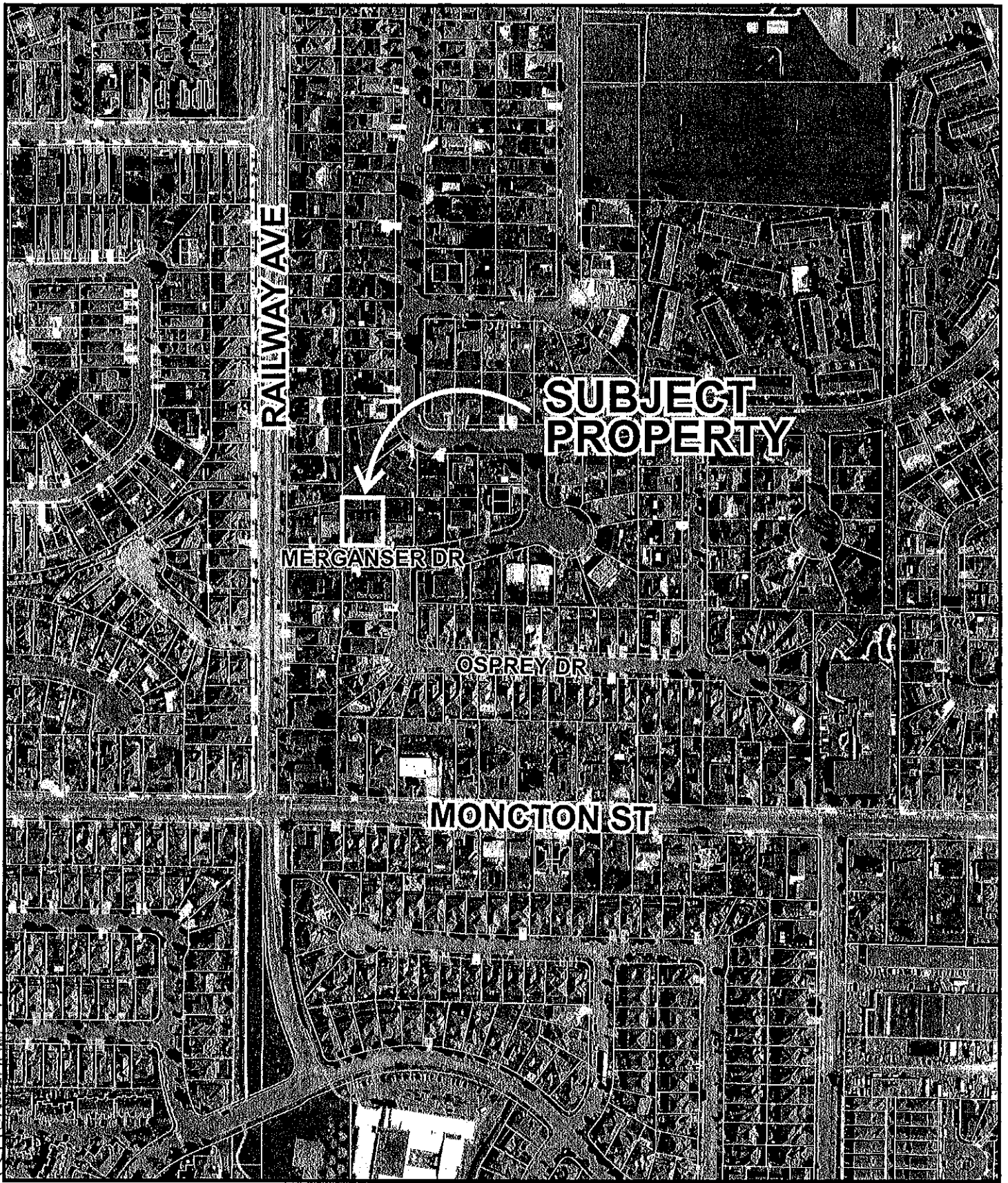
# RZ 08-447003

# ENTERED

Original Date: 08/11/17

Revision Date:

Note: Dimensions are in METRES



ENCLOSURE



RZ 08-447003

Original Date: 11/17/08

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 08-447003**

**Attachment 2**

Address: 5151/5171 Merganser Drive

Applicant: Balbir K. Purewal

Planning Area(s): Steveston

|                                   | Existing  | Proposed   |
|-----------------------------------|---|--|
| <b>Owner:</b>                     | Balbir K Purewal  | To be determined   |
| <b>Site Size (m<sup>2</sup>):</b> | 931 m <sup>2</sup> (10, 021 ft <sup>2</sup> )               | Two (2) lots – each approximately 465 m <sup>2</sup> (5, 005 ft <sup>2</sup> ) |
| <b>Land Uses:</b>                 | One (1) two-family residential dwelling                     | Two (2) single-family residential dwellings                                    |
| <b>OCP Designation:</b>           | Generalized Land Use Map – <i>Neighbourhood Residential</i> | No change  |
| <b>Area Plan Designation:</b>     | Single-Family   | No change  |
| <b>702 Policy Designation:</b>    | None  | No change  |
| <b>Zoning:</b>                    | Single-Family Housing District, Subdivision Area E (R1/E)   | Single-Family Housing District, Subdivision Area C (R1/C)                      |
| <b>Number of Units:</b>           | 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 <sup>2</sup> (3, 875 ft <sup>2</sup> ) | Each approx. 465 m <sup>2</sup> (5, 005 ft <sup>2</sup> ) | 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           |



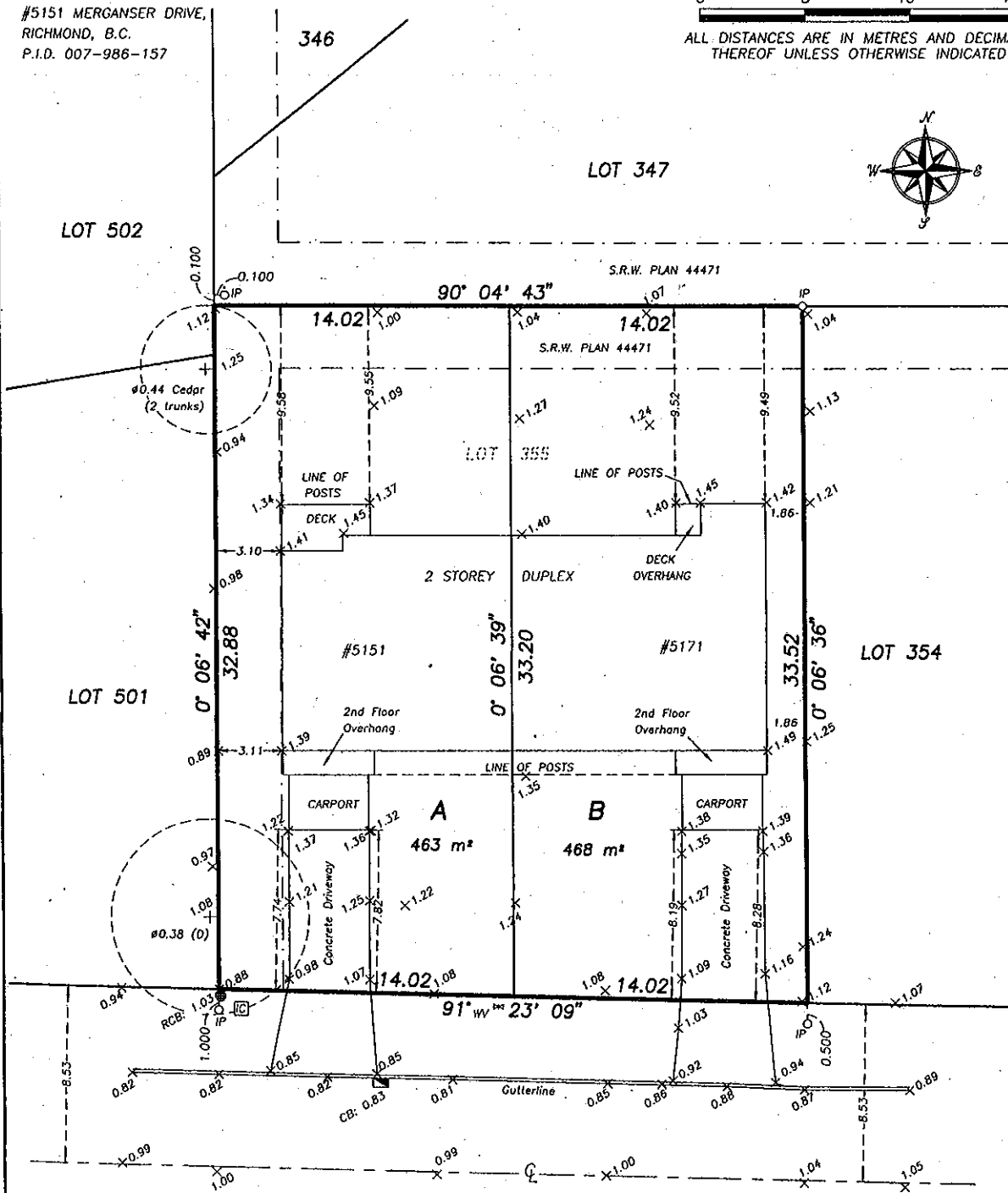
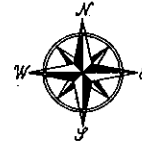
**TOPOGRAPHIC PLAN AND PROPOSED SUBDIVISION OF  
LOT 355 SECTION 1 BLOCK 3 NORTH RANGE 7 WEST  
NEW WESTMINSTER DISTRICT PLAN 44470**

#5151 MERGANSER DRIVE,  
RICHMOND, B.C.  
P.I.D. 007-986-157

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED



**MERGANSER DRIVE**

© Copyright  
J. C. Tam and Associates  
Canada and B.C. Land Surveyor  
115 - 8833 Odlin Crescent  
Richmond, B.C. V6X 3Z7  
Telephone: 214-8928  
Fax: 214-8929  
E-mail: office@jctam.com  
Website: www.jctam.com  
Job No. 3574  
FB-127 P137-139  
Drawn By: KA

- LEGEND:**
- CB denotes catch basin.
  - (D) denotes deciduous tree.
  - IC denotes inspection chamber.
  - WV denotes water valve.
  - RCB denotes round catch basin.
  - O IP Standard Iron Post Placed

**NOTE:**  
Elevations shown are based on City of Richmond,  
Metro Vancouver's High Precision Network of Monuments (HPN).



**Rezoning Considerations**  
**5151/5171 Merganser Drive**  
**RZ 08-447003**

Prior to final adoption of Zoning Amendment Bylaw 8476, the following items are to be addressed:

1. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of on-site works conducted within the drip lines of the Cedar and Maple trees on the adjacent property to the west at 5131 Merganser Drive. The contract should include the scope of work to be undertaken as recommended in the Arborist's Reports, including but not limited to:
  - the number of proposed site inspections;
  - supervision of perimeter drainage installation;
  - supervision of creative lot grading away from protected trees and/or construction of tree wells; and
  - preparation of a post-construction impact assessment report and letter of compliance to be submitted by the Arborist to the City for review.
2. Submission of a Landscaping Security to the City of Richmond in the amount of \$2,000 (\$500/tree) for the planting and maintenance of four (4) trees, two (2) per future lot (minimum 6 cm calliper).
3. Registration of a legal agreement on Title to ensure that no final Building Permit inspection would be 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.
4. Registration of a flood indemnity covenant on Title.

Prior to demolition stage, the following item is to be addressed:

1. Installation of Tree Protection Fencing, to City standards and as recommended in the Certified Arborist's Reports dated December 9<sup>th</sup> and 13<sup>th</sup>, 2008, by Dale Mclean, around the drip line of the Cedar and Maple trees located on the adjacent property to the west at 5131 Merganser Drive.

Tree Protection Fencing must remain in place until construction of the future dwellings on the site is complete.

[Signed original on file]

Signed  
 Authorized Agent: Jim Purewal

Date



**Richmond Zoning and Development Bylaw 5300  
Amendment Bylaw 8476 (RZ 08-447003)  
5151/5171 MERGANSER DRIVE**

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 and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA C (R1/C)**.

P.I.D. 007-986-157

Lot 355 Section 1 Block 3 North Range 7 West New Westminster District Plan 44470

2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8476”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

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|---|
| CITY OF RICHMOND  |
| APPROVED by   |
|  |
| APPROVED by Director or Councillor  |
|  |

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER