



City of Richmond
Planning and Development Department

Report to Committee
Fast Track Application

To: Planning Committee
From: Brian J. Jackson, MCIP
Director of Development
Date: March 2, 2011
File: RZ 10-557898
Re: **Application by Ching-Yeh Cary Tsai for Rezoning at 8180/8200 Lundy Road from Two-Unit Dwellings (RD1) to Single Detached (RS2/C)**

Staff Recommendation

That Bylaw No. 8735, for the rezoning of 8180/8200 Lundy Road from "Two-Unit Dwellings (RD1)" 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 ☐	

Item	Details
Application	RZ 10-557898
Location	8180/8200 Lundy Road (Attachment 1)
Owner	Hai Dong Sun, Sergey Kim, Irina Pak
Applicant	Ching-Yeh Cary Tsai

Date Received	December 24, 2010
Acknowledgement Letter	January 18, 2011
Fast Track Compliance	February 1, 2011
Staff Report	March 2, 2011
Planning Committee	March 22, 2011

Site Size	1,171 m ² (12,605 ft ²)
Land Uses	Existing – One (1) two-family dwelling
	Proposed – Two (2) single-family lots, each approximately 585 m ² (6,302 ft ²)
Zoning	Existing – Two-Unit Dwellings (RD1)
	Proposed – Single Detached (RS2/C)
Planning Designations	• Official Community Plan (OCP) Generalized Land Use Map designation – "Neighbourhood Residential" • OCP Specific Land Use Map designation – "Low-Density Residential" • Area Plan or Sub-Area Plan – None • Lot Size Policy 5423 (adopted by Council in 1989; amended in 2003 and 2004) – permits rezoning and subdivision of properties with duplexes and five other specific properties in accordance with "Single Detached (RS2/B, RS2/C, and RS2/H)" (Attachment 2). <i>This application conforms with applicable land use designations and policies.</i>
Surrounding Development	• The subject property is located in an established residential neighbourhood consisting primarily of single detached dwellings on large lots. • 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 smaller lots, consistent with the Lot Size Policy (RZ 10-555818 at 8211/8231 Lundy Road). • Development immediately surrounding the subject lot is as follows: ○ To the north is a duplex on a lot zoned "Two-Unit Dwellings (RD1)"; ○ To the east are single detached dwellings on large lots zoned "Single Detached (RS1/E)", fronting Lucerne Place; ○ To the south is St-Paul's Catholic Church and School on a lot zoned "Assembly (ASY)";

Surrounding Development (cont'd)	o To the east, immediately across Lundy Road is a duplex on a lot zoned "Two-Unit Dwellings (RD1)", as well as a single detached dwelling and an existing non-conforming duplex on large lots zoned "Single Detached (RS1/E)".
Staff Comments	<u>Background</u> • A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3). <u>Trees & Landscaping</u> • 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: - o 18 bylaw-sized trees on the subject property; - o two (2) bylaw-sized trees on adjacent properties at 8140/8160 Lundy Road and 8175 Lucerne Place; and - o two (2) bylaw-sized trees on City-owned property in front of the site. The City's Tree Preservation Coordinator reviewed the Arborist's Report and conducted a Visual Tree Assessment. The City's Tree Preservation Coordinator concurs with the Arborist's recommendations to remove 14 trees from the subject site. Trees # 3, 4, and 5 have no significant structural defects but are located in the side yard within close proximity to the proposed building envelope, compromising their critical root zone and making safe retention not possible. To successfully retain these trees, the allowable building area/width would need to be reduced by at least 50%. Trees # 7, 10, 12, 13, 14, 15, 16, 17, 20, 21, 22 all exhibit poor health and structural defects such as previous topping, sparse foliage, rot, canker, die-back in the crown, and visible decline. • The City's Tree Preservation Coordinator also concurs with the Arborist's recommendations to retain Trees # 1, 2, 8, and 9 on the subject site and to protect Trees # 6 and 11 on adjacent properties. Tree protection fencing is required to be installed around retained and protected trees as described in the Arborist's Report and as shown on the Tree Retention Plan. • The City's Parks Department has also reviewed the Arborist's Report and conducted a Visual Tree Assessment. The Parks Department concurs with the Arborist's recommendation that the applicant obtain formal authorization from the Parks department to remove Tree # 18 from City-owned property at future development stage, as the tree is dead (no compensation is required). The Parks Department requires that Tree # 19 on City-owned property be retained and protected. This requires that a portion of the existing ditch adjacent to the tree remain in its current open condition and grading within the Tree Protection Zone be maintained. Tree protection fencing is required to be installed around Tree # 19 at a minimum of 4.3 m from the base of the tree on the north, east, and west sides. • Tree protection fencing must be installed to City standard prior to demolition of the existing dwellings on the subject site and must remain in place until construction and landscaping on the future lots is completed.

Staff Comments (cont'd)	• The final Tree Retention Plan is included in Attachment 4. • Based on the 2:1 replacement ratio goal in the OCP, a total of 28 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 the bylaw-sized trees on-site, on the adjacent sites, and on City-owned property, staff recommend that only 20 replacement trees be required. • The applicant proposes to plant and maintain a portion of the required replacement trees and provide a voluntary contribution to the City's Tree Compensation Fund in the amount of \$500/tree in-lieu of planting the balance of required replacement trees on-site. A Landscape Plan, prepared by a Registered Landscape Architect is required prior to rezoning adoption to illustrate the number of replacement trees that can suitably be planted and maintained on-site, along with a Landscaping Security (\$500/tree) to ensure that the proposed number of replacement trees are planted and maintained. • To ensure survival of protected trees, the applicant must submit the following prior to rezoning adoption: ➤ a contract with a Certified Arborist for on-site supervision of all works to be conducted at development stage within close proximity to the tree protection zones of trees to be retained on-site and off-site trees to be protected (i.e. Trees # 1, 2, 6, 8, 9, 11, 19). The contract must include the proposed number and stages of site monitoring inspections (e.g. demolition, excavation, perimeter drainage etc), as well as a provision for a post-construction impact assessment report to be submitted by the City for review; ➤ a survival security to the City in the amount of \$5,000 for Trees # 1, 2, 8, 9, and 19 (\$1,000/tree to reflect the 2:1 replacement ratio). <u>Existing Utility Right-of-Way</u> • There is an existing 3 m wide utility right-of-way that runs along the south and east property lines. The applicant has been informed that future development on the proposed south lot must not encroach into the right-of-way. <u>Existing Covenant</u> • 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. <u>Affordable Housing</u> • 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
-------------------------	---

Staff Comments (cont'd)	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 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. \$6,281). <u>Flood Management</u> • Registration of a flood indemnity covenant on title is required prior to final adoption of the rezoning bylaw. <u>Site Servicing & Vehicle Access</u> • There are no servicing concerns with rezoning. • Vehicle access to the future lots at development stage will be from Lundy Road. <u>Subdivision</u> • At Subdivision stage, the applicant will be required to pay service connection costs and Neighbourhood Improvement Charges, for future road improvements.
Analysis	The subject property is located within an established residential neighbourhood 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 14.5 m wide. Other duplex and specific properties within this neighbourhood have the potential to rezone and subdivide in accordance with the Lot Size Policy.
Attachments	Attachment 1 – Location Map/Aerial Photo Attachment 2 – Lot Size Policy 5423 Attachment 3 – Development Application Data Sheet Attachment 4 – Tree Retention Plan
Recommendation	This rezoning application to permit subdivision of an existing large duplex-zoned 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 below, which has been agreed to by the applicant (signed concurrence on file). On this basis, staff recommends support for the application.

March 2, 2011

- 6 -

RZ 10-557898
Fast Track Application


Cynthia Lussier
Planning Technician
(604-276-4108)

CL:blg

Prior to final adoption of Zoning Amendment Bylaw 8735, the following items are required to be completed:

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, to include:
 - the proposed number of replacement trees that can suitably be planted and maintained on-site, with the following minimum sizes:

# Replacement Trees	Min. calliper of deciduous tree	or	Min. height of coniferous tree
4	10 cm		5.5 m
16	11 cm		6 m

- include the dimensions of tree protection fencing as shown in the Tree Retention Plan attached to this staff report dated March 2, 2011, from the Director of Development;
 - include a mix of coniferous and deciduous trees;
 - not include hedges along the front property line;
2. Submission of a Landscaping Security (\$500/replacement tree) to ensure that the proposed number of replacement trees are planted and maintained, as illustrated in the Landscape Plan.
 3. The City's acceptance of the applicant's voluntary contribution 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.
 4. 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 zone of on-site trees to be retained and off-site trees to be protected (i.e. Trees # 1, 2, 6, 8, 9, 11, 19). The Contract should include the scope of work to be undertaken, including: the proposed number and stages of site monitoring inspections (e.g. demolition, excavation, perimeter drainage etc.), 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 \$5,000 for Trees # 1, 2, 8, 9, and 19.
 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. \$6,281) 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.

March 2, 2011

- 7 -

RZ 10-557898
Fast Track Application

8. The discharge of the existing covenant on title restricting the use of the property to a duplex (charge # BE119603).

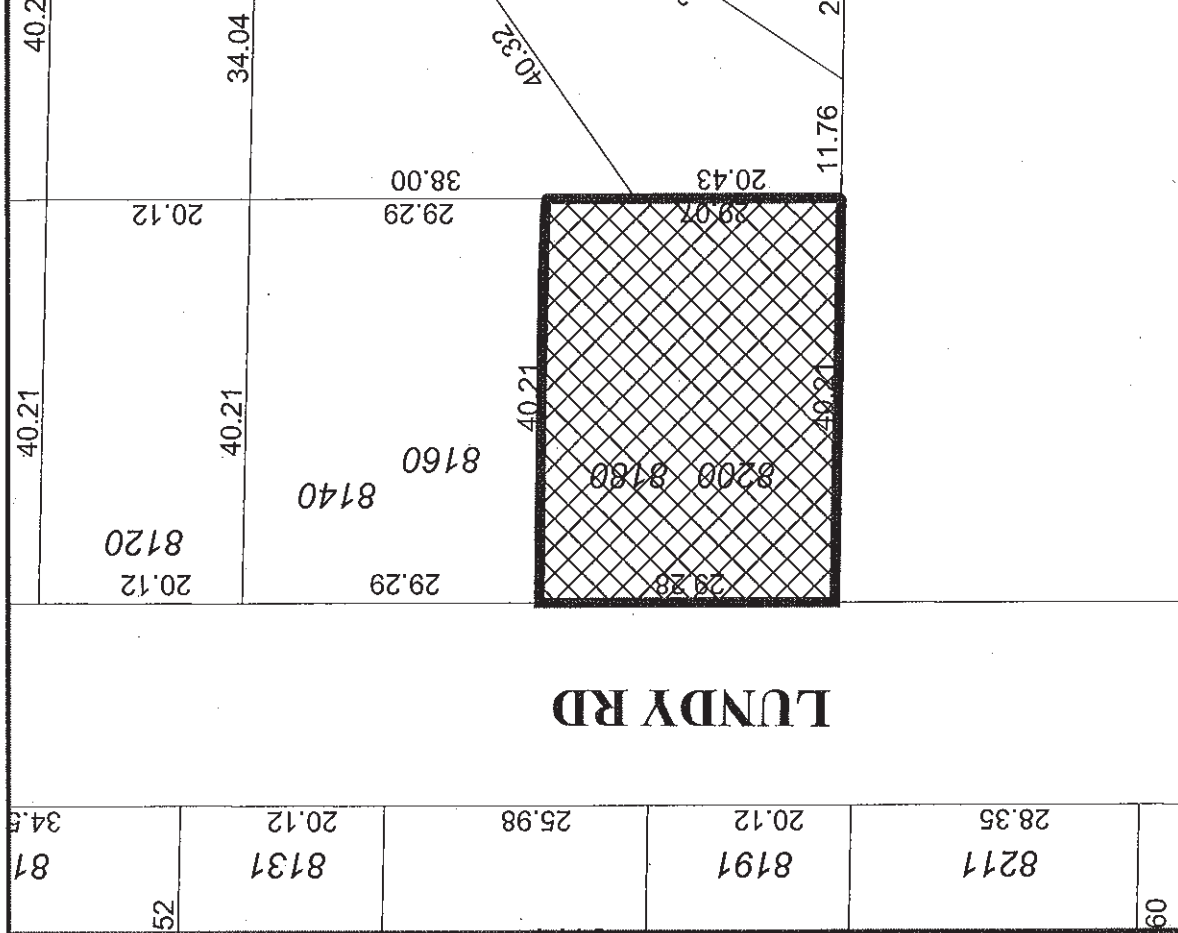
At Demolition stage, the applicant will be required to:

- Install Tree Protection Fencing around trees to be retained on-site and around off-site trees to be protected (i.e. Trees # 1, 2, 6, 8, 9, 11 and 19), as shown on the Tree Retention Plan;

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 will be required to:

- pay service connection costs and Neighbourhood Improvement Charges, for future road improvements.



Original Date: 01/12/011
 Revision Date:
 Note: Dimensions are in METRES

RZ 10-557898



City of Richmond



**PROPOSED
 REZONING**



RZ 10-557898

Original Date: 01/12/11

Revision Date:

Note: Dimensions are in METRES



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

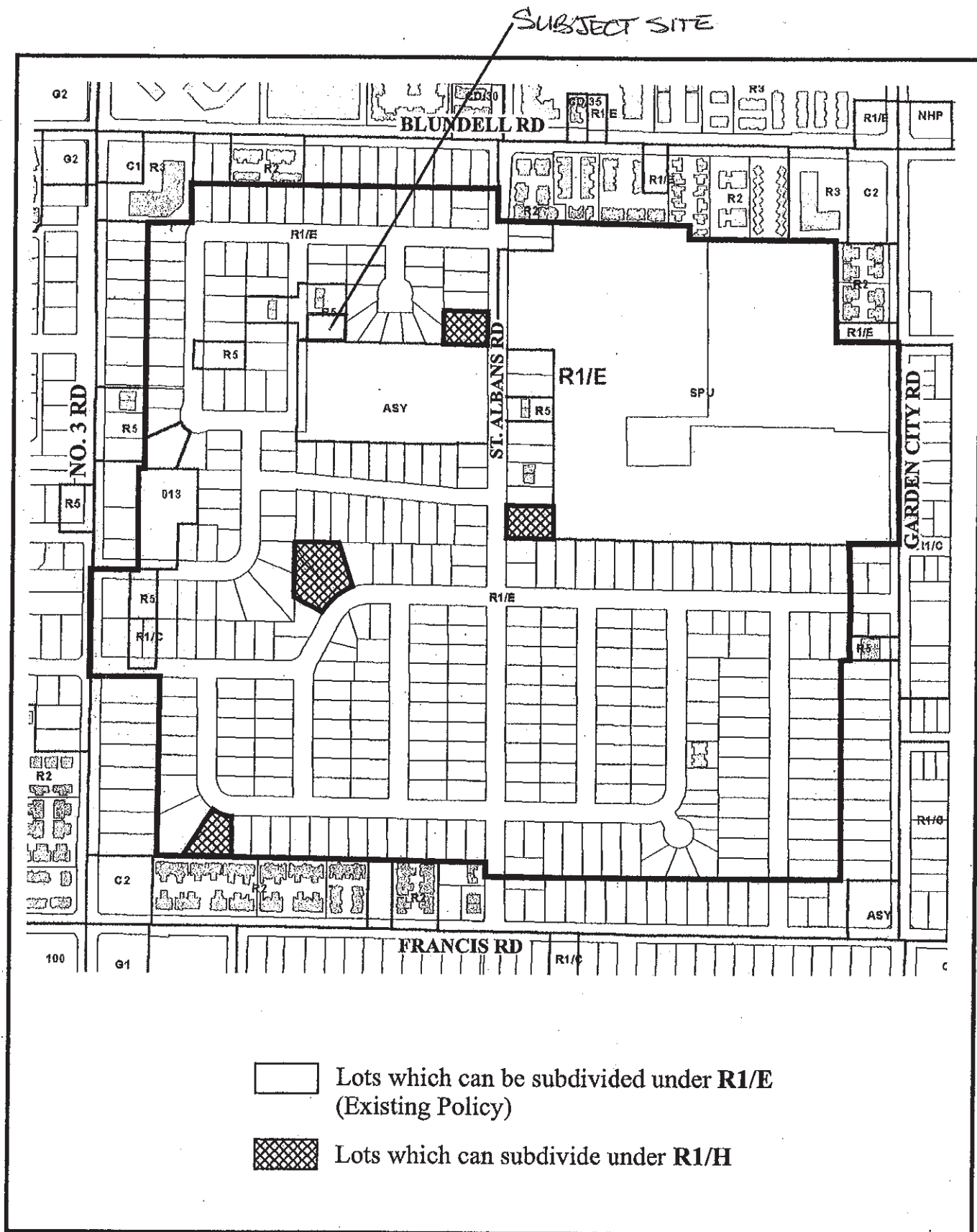
POLICY 5423:

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..



Policy 5423
Section 21, 4-6

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



City of Richmond

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

Development Application Data Sheet

RZ 10-557898

Attachment 3

Address: 8180/8200 Lundy Road

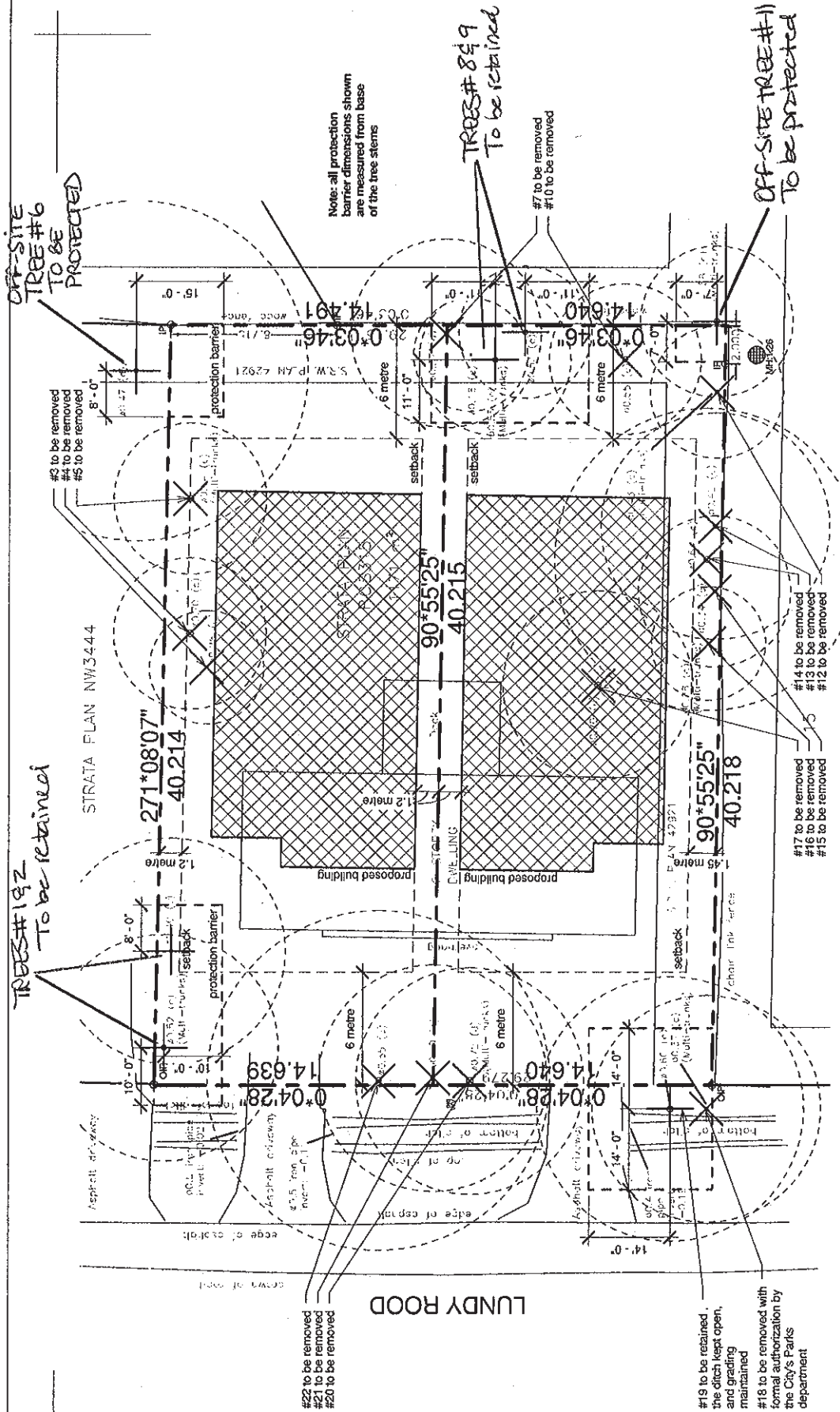
Applicant: Ching-Yeh Cary Tsai

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Hai Dong Sun Sergey Kim Irina Pak	To be determined
Site Size (m²):	1,171 m ² (12,605 ft ²)	Two (2) lots – each approx 585 m ² (6,302 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:	Two-Unit Dwellings (RD1)	Single Detached (RS2/C)

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 585 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.



PLN - 79

project no: 5710008
sheet no: TR 1
revision: 1

project title: Tree Retention Plan

client: 8180 & 8200 LUNDY
address: 8180 & 8200 Lundy Road, Richmond, BC
client: Mr. Sun

architect: ARCHITECT 57 INC.
2115-11871 HORSESHOE WAY, RICHMOND V7A 5H5
phone: 783-3734
fax: 783-3734
website: ARCHITECT57.COM
date: 11.03.01
scale: 1/16" = 1'-0"
drawn: CCT
checked: CCT



**Richmond Zoning Bylaw 8500
Amendment Bylaw 8735 (RZ 10-557898)
8180/8200 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. 025-628-917

STRATA LOT 1 SECTION 21 BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT STRATA PLAN BCS315
TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN
PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN
ON FORM V

P.I.D. 025-628-925

STRATA LOT 2 SECTION 21 BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT STRATA PLAN BCS315
TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN
PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN
ON FORM V

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 8735**".

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