

# City of Richmond Planning and Development Department

# **Report to Committee**

To:

**Planning Committee** 

Date:

February 4, 2011

From:

Brian J. Jackson, MCIP

**Director of Development** 

File:

RZ 10-538153

Re:

Application by Steve Dhanda for Rezoning at 11880 Railway Avenue from

Single Detached (RS1/E) to Single Detached (RS2/C)

#### **Staff Recommendation**

That Bylaw No. 8671, for the rezoning of 11880 Railway Avenue from "Single Detached (RS1/E)" to "Single Detached (RS2/C)", be introduced and given First Reading.

Brian J. Jackson, MCIP Director of Development

EL:blg Att.

FOR ORIGINATING DEPARTMENT USE ONLY

ROUTED TO:

CONCURRENCE

CONCURRENCE OF GENERAL MANAGER

Affordable Housing

Y D/N 🗆

#### Staff Report

#### Origin

Steve Dhanda has applied to the City of Richmond for permission to rezone 11880 Railway Avenue (Attachment 1) from Single Detached (RS1/E) to Single Detached (RS2/C) in order to permit a subdivision to create two (2) residential lots with vehicle access from Railway Avenue.

#### **Findings of Fact**

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

#### **Surrounding Development**

To the North: Along Railway Avenue, single-family dwellings on Single Detached (RS1/E)

zoned lots;

To the East: Single-family dwellings on RS1/E zoned lots along the north side of

Moncton Street and single-family dwellings on Single Detached (RS1/B) zoned

lots fronting Osprey Drive;

To the South: A recently created Single Detached (RS1/E) zoned lot fronting Railway Avenue

and two (2) recently created Single Detached (RS1/C) zoned lots fronting

Moncton Street; and

To the West: Across Railway Avenue, single-family dwellings on Single Detached (RS1/C)

zoned lots fronting Moncton Street and single-family dwellings on Single

Detached - Steveston (ZS3) zoned lots fronting Railway Avenue.

#### Related Policies & Studies

#### Steveston Area Plan

The subject property is located within the Steveston Area Plan, Schedule 2.4 of the Official Community Plan (OCP). The Land Use Map in the Steveston Area Plan designates the subject property for "Single-Family".

### Lane Establishment and Arterial Road Redevelopment Policy

The Lane Establishment and Arterial Road Redevelopment Policy permits rezoning and subdivision along arterial roads where the development can connect to an operational lane or an existing side street, except as prescribed in the Policies. The subject rezoning application does not comply with the Policies since front access lots are being proposed. The subject application is being brought forward for consideration based on its own merits, a discussion is being provided under the "Analysis" section of this report.

#### Affordable Housing

The Richmond Affordable Housing Strategy requires a suite on at least 50% of new lots, or a cash-in-lieu contribution of \$1.00 per square foot of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant has agreed to provide a voluntary cash contribution for affordable housing based on \$1 per square foot of building area for single-family developments (i.e. \$5,246). Should the applicant change their mind about the Affordable Housing option selected to providing a legal secondary suite on one (1) of the two (2) future lots at the subject site, the developer will be 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 will be a condition of rezoning adoption. This agreement will be discharged from Title on the lot without the secondary suite, at the initiation of the applicant, after the requirements are satisfied.

#### Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required prior to rezoning bylaw adoption.

#### **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**

#### Tree Preservation

A Tree Survey and a Certified Arborist's report were submitted in support of the application; 18 trees are noted:

- 14 bylaw-sized trees located on the subject property (4 of which are under joint ownership with the adjacent properties to the east);
- one (1) bylaw-sized tree located on the adjacent property to the south; and
- one (1) bylaw-sized tree and two (2) under-sized trees located on the City boulevard in front of the subject site.

A Certified Arborist's report was submitted by the applicant in support of the application. The City's Tree Preservation Coordinator has reviewed the Arborist Report and concurred with the Arborist's recommendations to remove 12 bylaw-sized trees on-site due to damaged structure and decay from previous topping, as well as disease infections such a bacterial blight and bacterial canker. Since four (4) of the bylaw-sized trees proposed for removal are under joint ownership with 12220 and 12226 Osprey Drive, and consensus from the adjacent property owners could not be obtained at the time of writing this report, the applicant has agreed to protect these four (4) bylaw-sized trees along the common property line.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) sixteen (16) replacement trees are required. Based on the size requirements for replacement tree in the Tree Protection Bylaw No. 8057, replacement trees with the following minimum calliper sizes are required:

# Trees dbh removed/to be removed	# trees to be replaced	Min. calliper of deciduous tree	or	Min. height of coniferous tree
6 20-30 0	em 10	6 cm		3.5 m
2 31-40	cm 6	8 cm		4.0 m

Due to the configurations of the future lots and building footprints, it is expected that only eight (8) replacement trees can be planted on site. The applicant has agreed to provide a voluntary contribution of \$4,000 to the City's Tree Compensation Fund in-lieu of planting the remaining 10 replacement trees.

The City's Tree Preservation Coordinator also concurred with the Arborist's recommendations to retain a Red Maple tree and a Douglas Fir tree located at the southeast corner of the site as well as to protect a Douglas Fir tree located on the adjacent property to the south. Tree protection barriers around the above mentioned protected trees, as per the Tree Retention Plan (Attachment 3), must be installed on-site prior to any construction or demolition works commencing.

The applicant is also proposing to remove one (1) boulevard tree along the Railway Avenue frontage due to damaged structure from previous topping. Parks Operations staff have agreed to the proposed tree removal and have determined that no compensation to the Tree Replacement Fund is required. Prior to the removal of any City trees, the applicant will need to seek formal permission from Parks, and have the standard 48 hour tree removal notice posted. Removal of boulevard trees will be at the owner's cost.

#### Landscaping

A Landscape Plan (Attachment 4), prepared by a registered landscape architect, was submitted to ensure that the proposed replacement trees will be planted and that the front yards of the future lots will be enhanced. The landscape plan complies with the guidelines of the Official Community Plan's Arterial Road Redevelopment Policy, and includes eight (8) replacement trees (a mix of coniferous and deciduous). In order to ensure that this landscaping work is undertaken and the survival of the protected trees on site, the applicant has agreed to provide a landscape security in the amount of \$17,132 prior to final adoption of the rezoning bylaw.

#### Site Servicing & Vehicle Access

No servicing concerns. As a condition of rezoning the applicant is required to dedication land along the entire frontage on Railway Avenue for future road widening (2.59 m wide at the south property line of the site tapering to 2 m at the north property line).

The proposed Single Detached (RS1/C) zoning requires a minimum front yard setback of 9 m for lots with access to a section line road (Railway Avenue) in order to enable implementation of a driveway with turnaround capability to facilitate ease of access. As a condition of rezoning, the applicant is required to register a restrictive covenant on Title to ensure and identify that, upon subdivision of the property:

- the lots be designed in such a way to accommodate on-site vehicle turnaround capability to prevent vehicles from reversing onto Railway Avenue; and
- a Cross-Access Easement is required on the lots (6 m wide x 9 m long, centered on the proposed shared property line), to permit vehicular access via a single shared driveway crossing (6 m wide at the back of the sidewalk, and 9 m wide at the curb).

#### Subdivision

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

#### **Analysis**

The subject property is located in an established predominantly single-family residential neighbourhood comprised of mixed-age housing stock. There is similar diversity in single-family zone designations that include RS1/B, RS1/C, RS1/E and ZS3. The width of the lots within the block between Merganser Drive and Moncton Street where the subject site is located ranges from 12.58 m to 21.31 m. The subject lot is 27.23 m wide which is considerably wider than the existing lots within this block.

#### Redevelopment Potential

In determining the appropriate form of redevelopment for the subject site, it is important to understand how the surrounding lots are likely to change in the future. The properties to the south of the subject site are recently redeveloped with access from Railway Avenue and Moncton Street. Three (3) of the five (5) properties to the north may have subdivision potential with lane access; however, the other two (2) lots on the block are too narrow (approx. 12.5 m wide) to yield any subdivision potential. Therefore, the ability to establish a lane between Merganser Drive and Moncton Street is likely not feasible.

Under the existing zoning, the subject site would remain as one (1) large 948 m<sup>2</sup> lot. A new multiple-family development on the subject site would be in contrary to the Arterial Road Redevelopment Policy. In addition, the subject site has an existing frontage of 27.23 m, which does not meet the minimum width requirements (30 m) for a townhouse site under the Low Density Townhouses (RLT) zoning district.

With a rezoning to Single Detached (RS1/C) the subject lot would be able to subdivide into two (2) lots each approximately 475 m² in size and 13.62 m in width. The resulting lots would be in a lot size marginally larger (472 m² vs. 451 m²) and have a frontage marginally wider (13.41 m vs. 12.58 m) than the smaller lots within the same block (which are existing non-conforming RS1/E lots). The proposed rezoning and subdivision conforms to the general character of the adjacent properties and existing neighbourhood overall (see **Attachment 4**). A

preliminary building design has been submitted by the applicant (Attachment 5). The proposed house design and building materials compliment existing homes to the north and south.

It is noted that there is no other property within this block has a similar lot width which could facilitate a subdivision of two (2) medium-sized lots (13.5 m wide). This proposal will not set a precedent for future subdivision on this block since the resulting lot size and lot width are within the range of sizes exist on this block.

#### Front Access Development

The development of front access single-family lots on arterial roads is not considered an appropriate development solution in the majority of cases due to concerns related to traffic operation and aesthetics. However, in this particular case, an exception is being considered for the following reasons:

- 1. The existing lot geometry of the subject site is substantially larger than the other lots between Merganser Drive and Moneton Street.
- 2. The property is located on a local arterial road (versus major arterial) and road dedication being provided on Railway Avenue will assist the realignment of the Railway Avenue and Moncton Street intersection.
- 3. Only one (1) shared vehicle access will be provided for the future lots to limit vehicle access. Since the subject site has an existing driveway, there is no net increase to the number of driveways on Railway Avenue. The shared vehicle access will be secured through the registration of a cross-access agreement;
- 4. Adequate space in the front yard is provided for the shared access and driveways with turn-around capability (a 9 m front yard setback is required under the provision of Single-Detached (RS1/C) where a lot is intended to be serviced by a driveway accessing a section line road);
- 5. A landscape plan has been submitted to ensure adequate landscaping will be planted in the front yard (**Attachment 6**). The applicant has agreed to provide a landscaping security to ensure the landscaping works will be undertaken.

While front access subdivision applications on arterial roads are not typically supported by staff, the site specific conditions associated with the subject site are considered unique and therefore staff support the proposal.

#### **Financial Impact or Economic Impact**

None.

#### Conclusion

The proposed rezoning and subsequent subdivision of the property is an in-fill project that will result in a corresponding smaller building form and denser lot pattern. This will contribute to the range of housing choice in this area. On this basis, staff recommend that rezoning application be approved.

Edwin Lee

Planning Technician - Design

(604-276-4121)

EL:blg

Attachment 1: Location Map

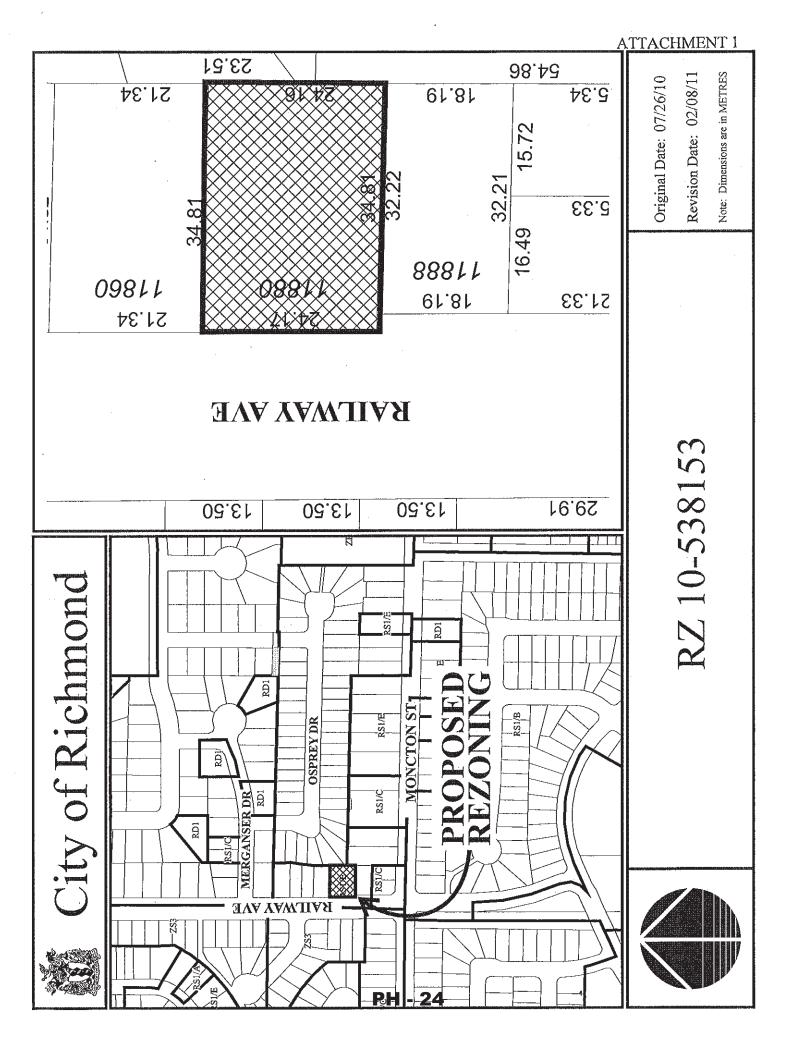
Attachment 2: Development Application Data Sheet

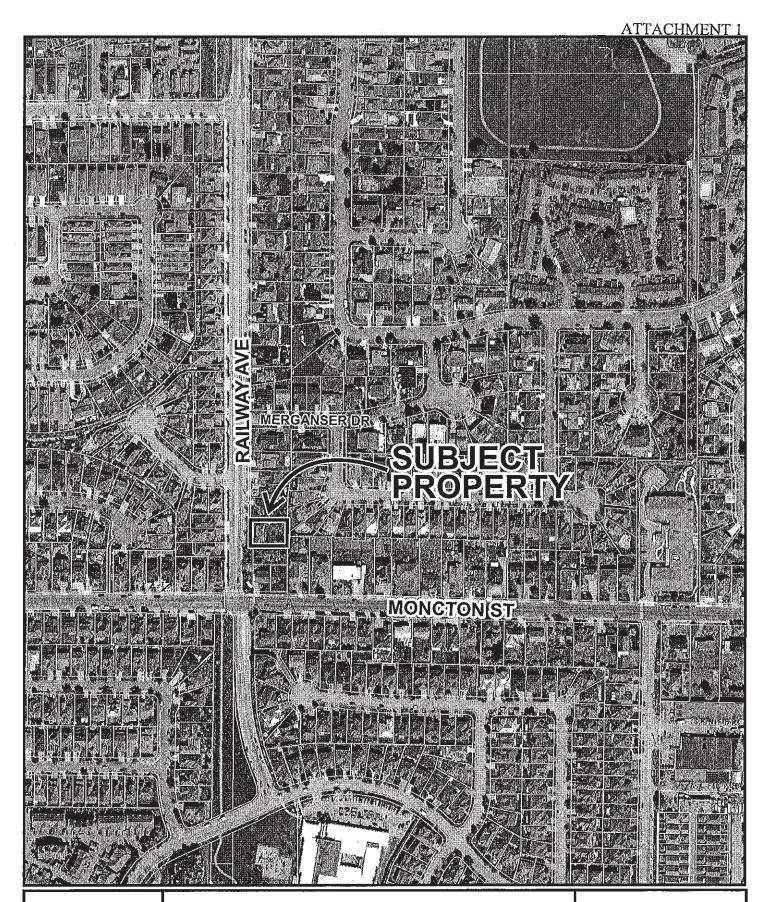
Attachment 3: Tree Retention Plan Attachment 4: Proposed Streetscape

Attachment 5: Preliminary Building Elevations

Attachment 6: Landscape Plan

Attachment 7: Rezoning Considerations Concurrence







RZ 10-538153

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Original Date: 07/26/10

Amended Date:

Note: Dimensions are in METRES



# Development Application Data Sheet

RZ 10-538153 Attachment 2

Address: 11880 Railway Avenue

Applicant: Steve Dhanda

Planning Area(s): N/A

	Existing	Proposed	
Owner:	Sadaugar Singh Dhanda	No change	
Site Size (m²):	948 m² (10,204 ft²)	2 lots, each at approx. 445 m <sup>2</sup> (4,790 ft <sup>2</sup> )	
Land Uses:	One (1) single-family residential dwelling	Two (2) single-family residential dwellings	
OCP Designation:	Specific Land Use Map – Neighbourhood Residential	No change	
Area Plan Designation:	N/A	No change	
702 Policy Designation:	N/A	No change	
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/C)	
Number of Units:	1	2	
Other Designations:	N/A	No change	

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 m²	approx <sub>.</sub> 445 m²	none
Setback Front Yards (m):	Min. 9 m	Min. 9 m	none
Setback – Side Yard (m):	Min. 1.2 m / 2.0 m	Min. 1.2 m / 2.0 m	none
Setback - Rear Yard (m):	Min. 6 m	Min. 6 m	none
Height (m):	2.5 storeys	2.5 storeys	none

Other: Tree replacement compensation required for removal of Bylaw-sized trees.

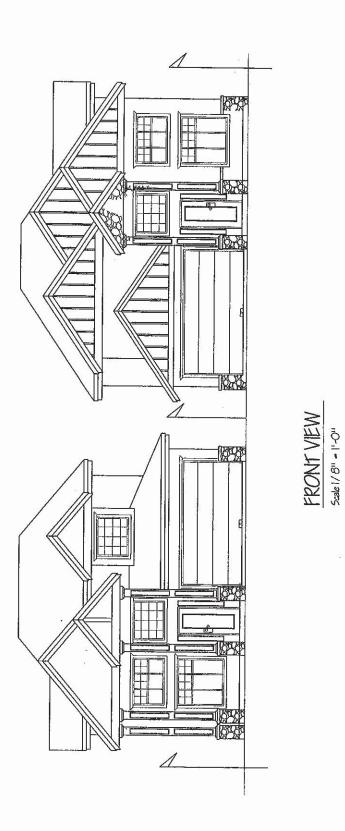
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MONCTON STREET 0 APPLICATION

11880 Railway Avenue RZ 2010-538153

STREET SCAPE

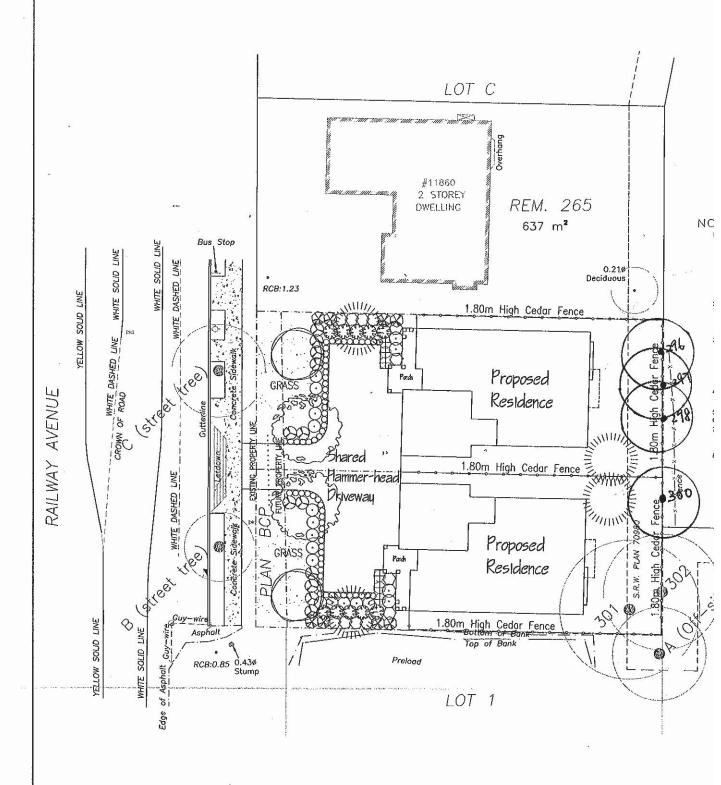
(along Railway Avenue)



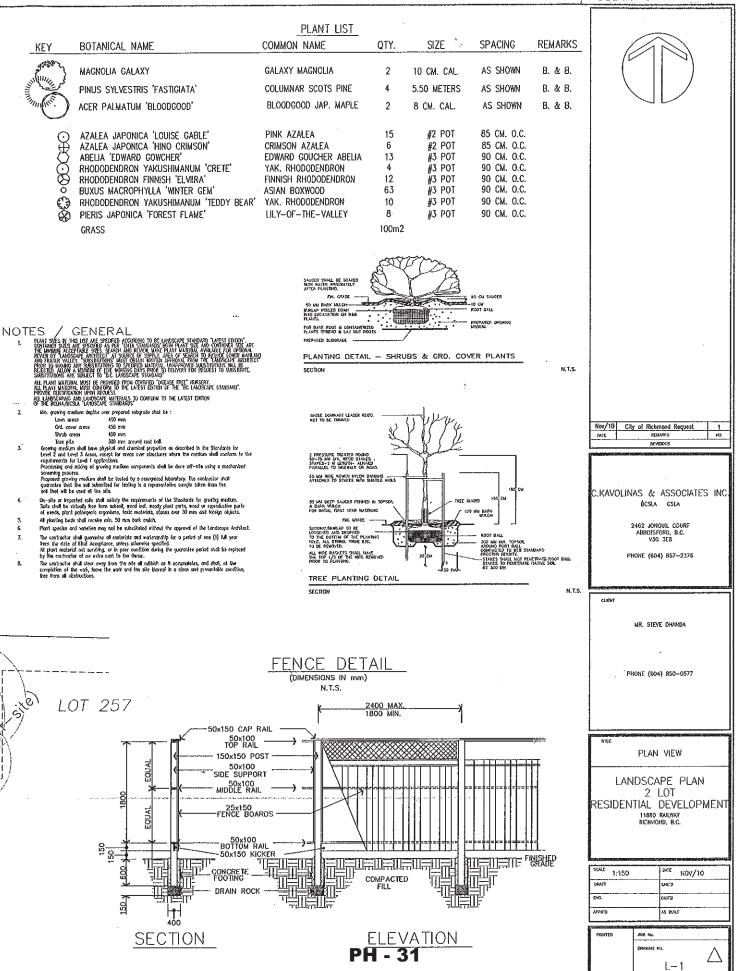
RZ 2010-538153

11880 Railway Avenue

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## Rezoning Considerations 11880 Railway Avenue RZ 10-538153

Prior to final adoption of Zoning Amendment Bylaw 8671, the developer is required to complete the following:

1. City acceptance of the developer's offer to voluntarily contribute \$1 per buildable square foot (e.g. \$5,246) to the City's Affordable Housing Reserve.

Note: Should the applicant change their mind about the Affordable Housing option selected (i.e. providing a legal secondary suite on one (1) of the two (2) future lots at the subject site instead of providing a cash contribution, registration of a legal agreement 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, will be required. This legal agreement will be a condition of rezoning adoption. This agreement will be discharged from Title on the lot without the secondary suite, at the initiation of the applicant, after the requirements are satisfied.

- 2. Registration of a flood indemnity covenant on title.
- 3. City acceptance of the developer's offer to voluntarily contribute \$4,000 to the City's Tree Compensation Fund for the planting of eight (8) replacement trees within the City.
- 4. Submission of a Street Tree Removal Application and issuance of a Tree Removal Permit for the removal of one (1) City's tree along the Railway Avenue frontage.
- 5. Submission of a Landscaping Security to the City of Richmond in the amount of \$17,132 to ensure the successful retention of the Red Maple tree and a Douglas Fir tree located at the southeast corner of the site and the proposed landscape work is undertaken as per the landscape plan attached to the report (**Attachment 5**). 50% of the security will be released at Final Inspection of the Building Permit and 50% of the security will be release one year after final inspection of the Building Permit in order to ensure that the trees have survived.
- 6. Registration of a restrictive covenant on Title to ensure and identify that, upon subdivision of the property:
  - a. the lots be designed in such a way to accommodate on-site vehicle turnaround capability to prevent vehicles from reversing onto Railway Avenue; and
  - b. a Cross-Access Easement is required on the lots (6 m wide x 9 m long, centered on the proposed shared property line), to permit vehicular access via a single shared driveway crossing (6 m wide at the back of the sidewalk, and 9 m wide at the curb).

7. Registration of a Road Dedication Plan, along the entire frontage on Railway Avenue, for future road widening (2.59m wide at the south property line of the site tapering to 2m at the north property line).

Prior to approval of Subdivision, the developer is required to do the following:

- 1. Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.
- 2. Provide a Cross-Access Easement (6 m wide x 9 m long, centered on the proposed shared property line), to permit vehicular access via a single shared driveway crossing (6 m wide at the back of the sidewalk, and 9 m wide at the curb).

Prior to Building Permit Issuance, the developer must complete the following requirements:

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.

[Signed original on file]			
Signed	· · · · · · · · · · · · · · · · · · ·	Date	



# Richmond Zoning Bylaw 8500 Amendment Bylaw 8671 (RZ 10-538153) 11880 RAILWAY AVENUE

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. 028-267-672

Lot A Section 12 Block 3 North Range 7 West New Westminster District Plan BCP 45218

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8671".

FIRST READING	FEB 2 8 2011	CITY OF RICHMOND
A PUBLIC HEARING WAS HELD ON		APPROVED by
SECOND READING	<del></del>	APPROVED by Director
THIRD READING		or Solicitor
OTHER REQUIREMENTS SATISFIED		
ADOPTED		
MAYOR	CORPORATE OFFICE	ER