



City of Richmond
 Planning and Development Department

Report to Committee

To: Planning Committee **Date:** July 15, 2008
From: Brian J. Jackson **File:** RZ 07-390593
 Director of Development
Re: **Application by Elegant Development Inc. for Rezoning at
 3620/3640 Lockhart Road from Two-Family Housing District (R5) to
 Single-Family Housing District, Subdivision Area B (R1/B)**

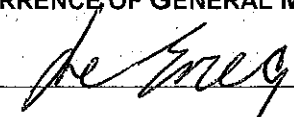
Staff Recommendation

That Bylaw No. 8391, for the rezoning of 3620/3640 Lockhart Road from "Two-Family Housing District (R5)" to "Single-Family Housing District, Subdivision Area B (R1/B)", 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
Real Estate Services	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Elegant Development Inc. has applied to the City of Richmond for permission to rezone 3620/3640 Lockhart Road (**Attachment 1**) from Two-Family Housing District (R5) to Single-Family Housing District, Subdivision Area B (R1/B) in order to permit the site to be subdivided into two (2) single-family residential lots.

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 containing a mix of older and newer single-family lots zoned Single-Family Housing District, Subdivisions Area E (R1/E) and Single-Family Housing District, Subdivisions Area B (R1/B), and a number of older duplex lots that are either non-conforming or zoned Two-Family Housing District (R5).

Numerous similar applications to rezone and subdivide nearby properties to Single-Family Housing District, Subdivision Area B (R1/B) have been approved along this section of Lockhart Road since the early 1990's. Recently, five (5) applications to rezone nearby properties along Lockhart Road have been approved (reference files RZ 05-315343, RZ 06-344783, RZ 06-345319, RZ 07-367100, RZ 07-384769), and one (1) application is in circulation (reference file RZ 08-403603).

Related Policies & Studies

Lot Size Policy 5447

The subject property falls within the area covered by Single-Family Lot Size Policy 5447 (**Attachment 3**). This Policy was adopted in September, 1991 and amended in October, 2003. This Policy permits subdivision to Single-Family Housing District, Subdivision Area B (R1/B) (minimum 12 m or 39.4 ft. wide) for the majority of properties within the area. The proposed rezoning to "Single-Family Housing District, Subdivision Area B (R1/B) conforms to the Lot Size Policy.

Staff Comments

Tree Preservation

A Tree Survey (**Attachment 4**) submitted by the applicant indicates the location of 15 bylaw-sized trees:

- six (6) bylaw-sized trees on the subject property;
- seven (7) bylaw-sized trees in a hedgerow along the east property line on the adjacent properties to the east (3648 Lockhart Road and 7111 Beecham Road); and
- two (2) bylaw-sized street trees on City property along the Lockhart Road frontage.

A Certified Arborist's report was submitted by the applicant in support of the application. Based on the comments of the Arborist Report, staff support the removal of five (5) bylaw-sized trees on site due to poor health and an additional bylaw-sized tree in the front yard due to conflict with the proposed driveway location.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) and the size requirements for replacement tree in the Tree Protection Bylaw No. 8057, 12 replacement trees with the following minimum calliper sizes are required:

- two (2) trees of 11 cm;
- two (2) trees of 10 cm;
- six (6) trees of 8 cm; and
- two (2) trees of 6 cm.

Due to the configurations of the future lots and building footprints, it is expected that only eight (8) trees (two (2) trees at 11 cm calliper, two (2) trees at 10 cm calliper, and four (4) trees at 8 cm calliper) can be planted on the two (2) future lots. The applicant has agreed to provide a voluntary contribution of \$2,000 to the City's Tree Compensation Fund in-lieu of planting the remaining four (4) replacement trees.

In order to ensure that the landscaping works are undertaken, the City will require a Landscaping Security in the amount of \$4,000 for planting of eight (8) replacement trees on-site prior to final adoption of the rezoning bylaw. If replacement trees could not be accommodated on-site, cash-in-lieu (\$500/tree) for off-site planting would be required.

The applicant is also proposing to remove two (2) City trees along the Lockhart Road frontage to allow for a driveway. Parks Operations staff have reviewed the proposal at a preliminary level and have no concerns. Before removal of any City trees, the applicant will need to seek formal permission from the Parks, Recreation & Cultural Services Department and will be required to provide a cash contribution to the Tree Planting Fund (\$1,000 per tree). In addition, removal of the boulevard trees will be at the owner's cost.

The hedgerow on the southeast of the site, on the adjacent properties to the east, must be protected with tree protection barriers a minimum of 3.0 m onto the development site. As a condition of rezoning, the applicant must submit a proof of contract with a Certified Arborist for supervision of on-site works conducted on the subject property within the Tree Protection Zone of the hedgerow to be retained on site and on adjacent properties.

Affordable Housing

Council adopted an Interim Affordable Housing Strategy for Single-Family Developments on April 28, 2008. This interim policy 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.

In order to help meet the City's targets for rental housing, the applicant has agreed to provide a legal secondary suite on 50% of the lots created by the future subdivision at the subject site. To ensure that secondary suite is built to satisfaction of the City, the developer is required to enter into a legal agreement registered on Title stating that no Building Permit or final Building Permit inspection would be granted until the secondary suite constructed is in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement would be a condition of rezoning adoption. This agreement could be discharged from Title after the requirements are satisfied.

Flood Management

In accordance with the Interim Flood Protection Management Strategy, registration of a Flood Indemnity Covenant on title is required prior to final adoption of the rezoning bylaw.

Subdivision

At future Subdivision stage, the developer will be required to pay Neighbourhood Improvement Charges for future road improvements and Servicing Costs.

An existing restrictive covenant limiting the 3620/3640 Lockhart Road to a two-family dwelling only will need to be discharged at subdivision stage as well.

Analysis

The purpose of this rezoning application is to facilitate a two-lot subdivision in accordance with the provisions of Lot Size Policy 5447. Staff support the proposed rezoning, as it is consistent with the applicable land use designation guiding development in this section.

Financial Impact or Economic Impact

None.

Conclusion

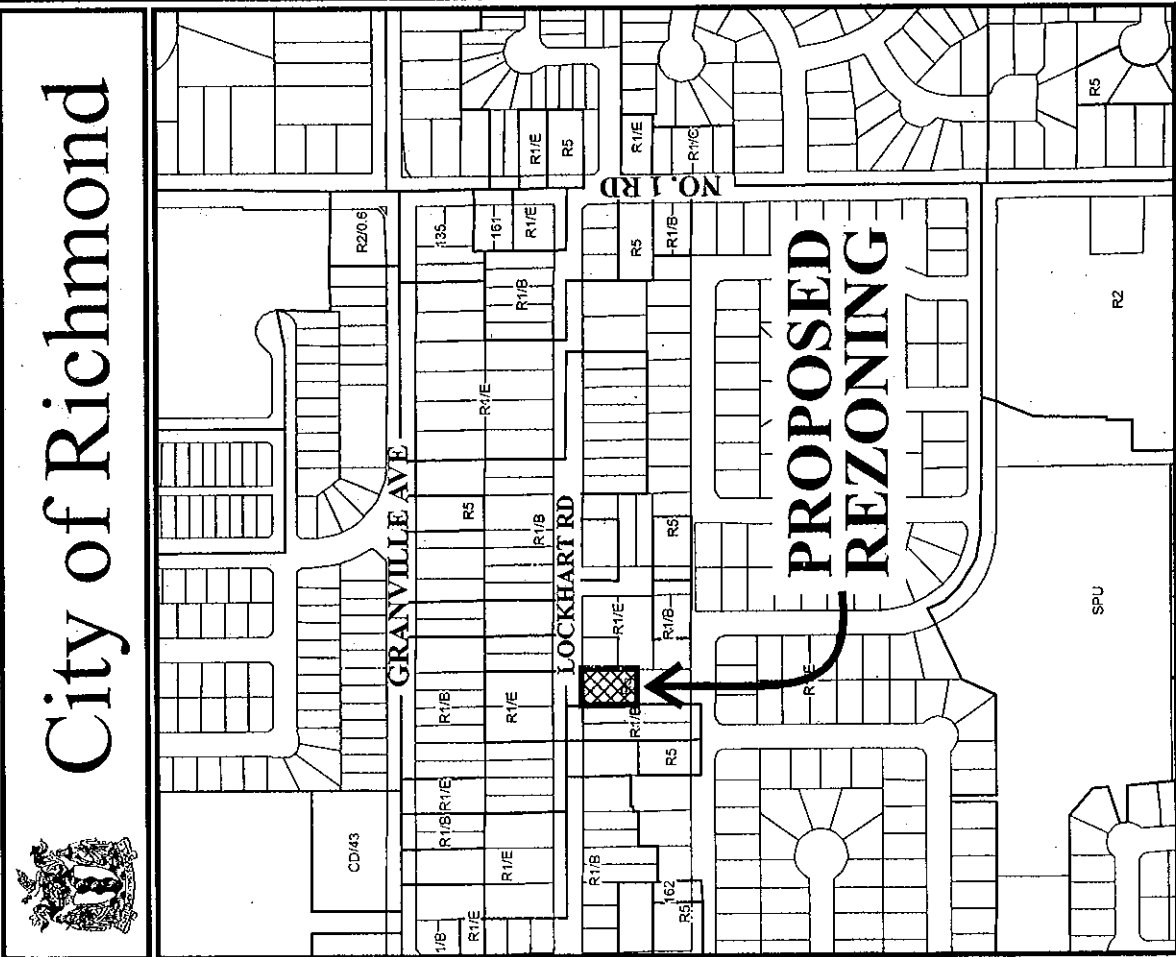
This rezoning application to permit subdivision of an existing large duplex lot into two (2) smaller lots generally complies with Single-Family Lot Size Policy 5447 as well as all land use designations and policies. On this basis, staff support the application.



Edwin Lee
Planning Technician – Design
(604-247-4121)

EL:blg

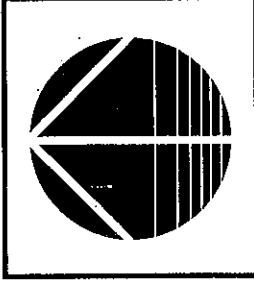
- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet
- Attachment 3: Single-Family Lot Size Policy 5447
- Attachment 4: Tree Survey
- Attachment 5: Rezoning Considerations Concurrence



3631 3611	3671 3651	3673 3711	3731 24.38
24.38	24.38	12.19	12.19
LOCKHART RD			
12.19 3580	12.19 3600	22.56 3648	28.34 3660
38.25	38.25	24.35	28.34
12.19	12.19	22.56	50.90
36.57	36.58	20.73	30.20
12.19	12.19	26.11	26.10
38.25	38.25	24.38	50.90

Original Date: 10/15/07
 Revision Date:
 Note: Dimensions are in METRES

RZ 07-390593





RZ 07-390593

Original Date: 10/15/07

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 07-390593

Attachment 2

Address: 3620/3640 Lockhart Road

Applicant: Elegant Development Inc.

Planning Area(s): N/A

	Existing	Proposed
Owner:	Vankit Construction Inc. & J.M.J. Developments Ltd.	To be determined
Site Size (m²):	934 m ² (10,054 ft ²)	Two (2) lots – each approximately 467 m ² (5,027 ft ²)
Land Uses:	One (1) two-family dwelling	Two (2) single-family dwellings
OCP Designation:	Generalized Land Use Map – Neighbourhood 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 Single-Family Housing District, Subdivision Area B (R1/B) (minimum 12 m or 39.4 ft. wide).	No change
Zoning:	Two-Family Housing District (R5)	Single-Family Housing District, Subdivision Area B (R1/B)
Number of Units:	2	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 m ²	467 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yards:	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

Other: Tree replacement compensation required for removal 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 20th, 2003**POLICY 5447**

File Ref: 4430-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER SECTION 15-4-7

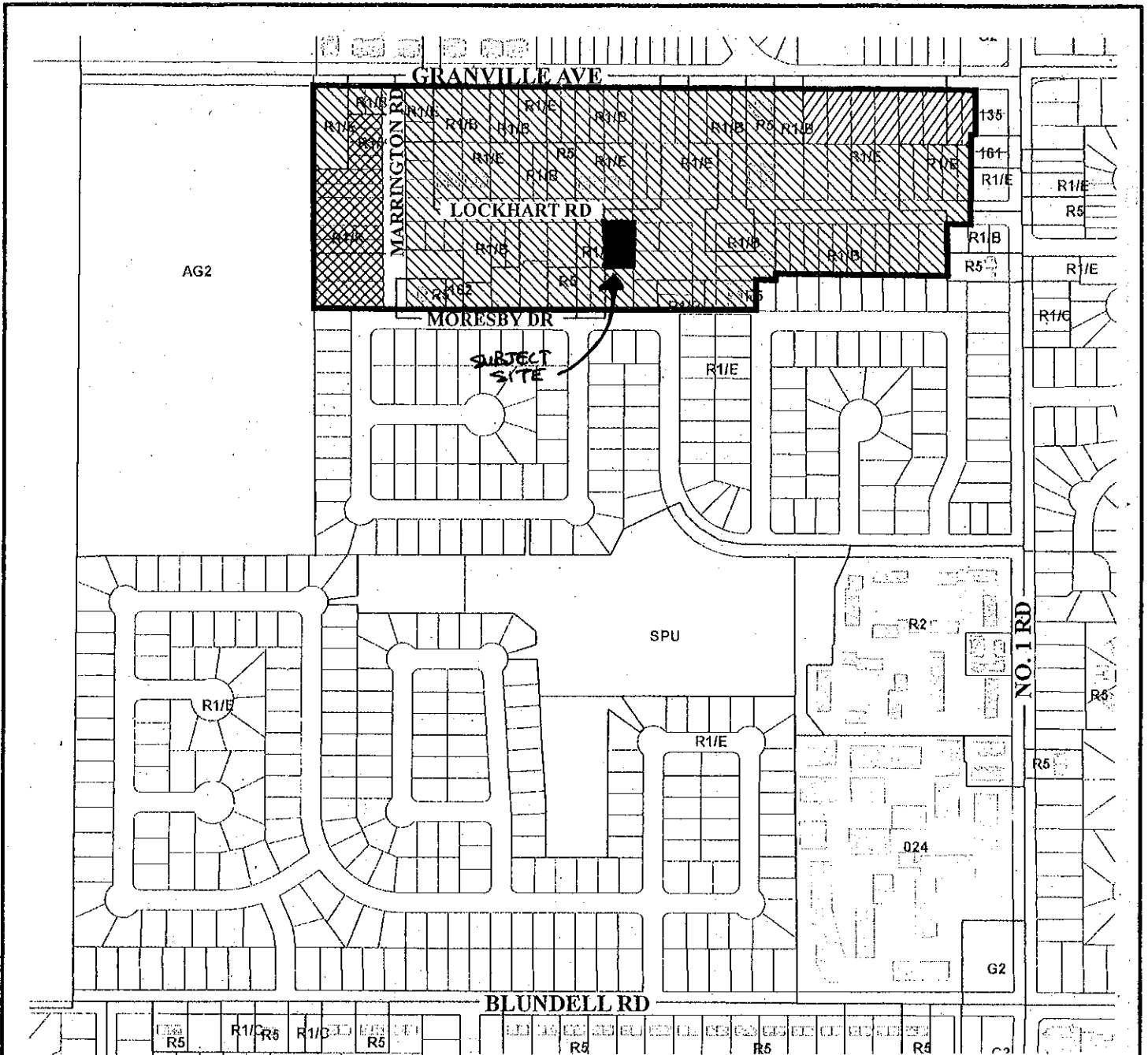
POLICY 5447:




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.



-  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.



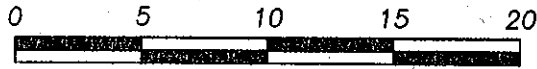
Policy 5447
Section 15-4-7

Adopted Date: 09/16/91
Amended Date: 10/20/03
Note: Dimensions are in METRES

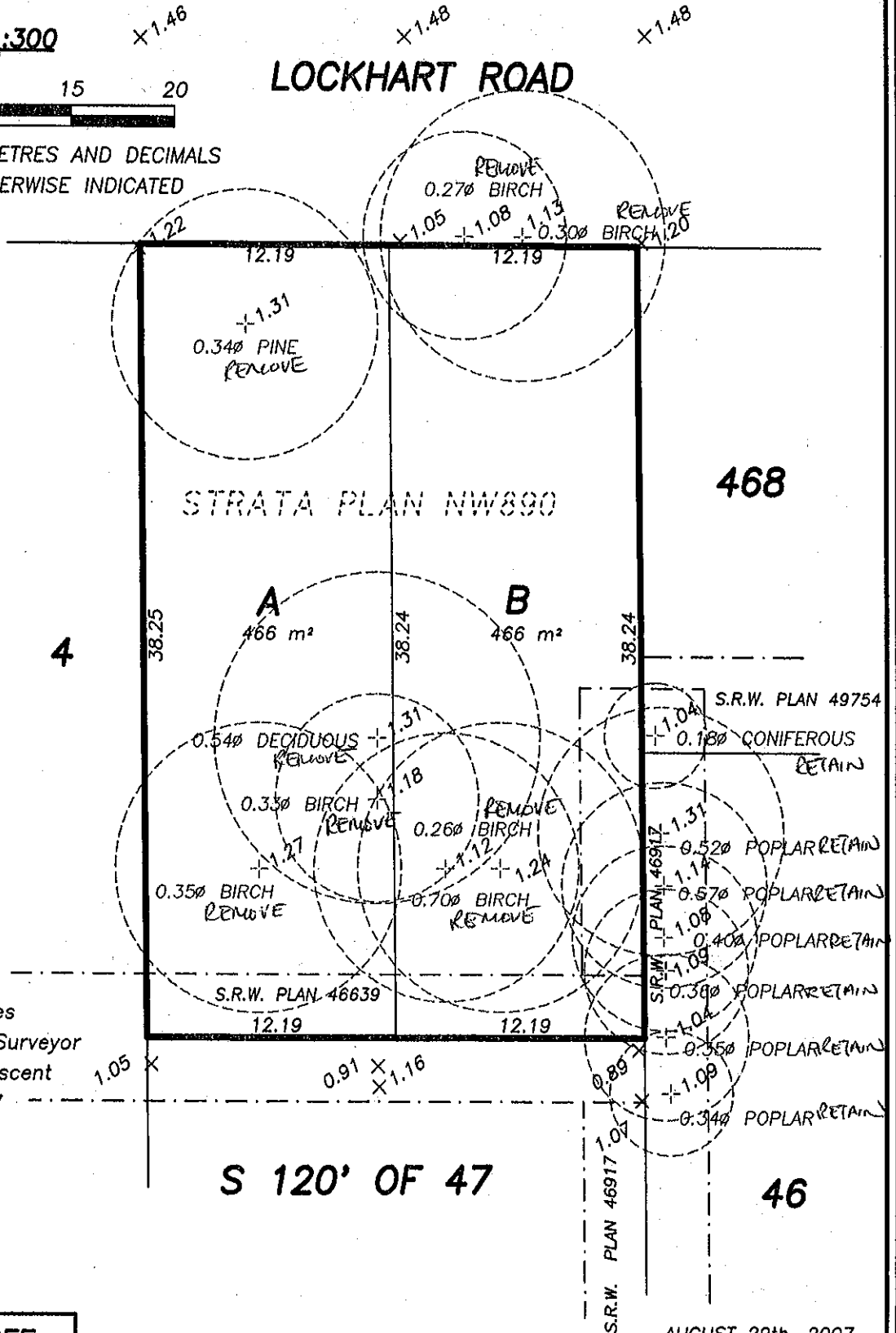
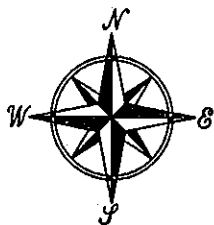
TREE SURVEY AND PROPOSED SUBDIVISION PLAN OF STRATA PLAN NW890 SECTION 15 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT

3620 & 3640 LOCKHART ROAD
RICHMOND, B.C.

SCALE = 1:300



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



© Copyright
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Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: jctam@telus.net
Job No. 3325
FB-101 P85-87
Drawn By: JT

DWG No. 3325-TREE

AUGUST 29th, 2007.

Rezoning Considerations
3620/3640 Lockhart Road
RZ 07-390593

Prior to final adoption of Zoning Amendment Bylaw 8391, the developer is required to complete the following:

1. City acceptance of the developer's offer to voluntarily contribute \$2,000 to the City's Tree Compensation Fund in-lieu of planting four (4) replacement trees;
2. Provide a Landscape Security to the City of Richmond in the amount of \$4,000 for the planting of eight (8) replacement trees (2 trees at 11 cm calliper, 2 trees at 10 cm calliper, and 2 trees at 8 cm calliper, in a mix of coniferous and deciduous) on-site. If replacement trees could not be accommodated on-site, cash-in-lieu (\$500/tree) for off-site planting would be required;
3. Issuance of separate Tree Cutting Permits, including the submission of applications and associated compensations, for the removal of a two (2) City trees along the front property line of the subject site;
4. Installation of tree protection barriers on-site along the entire length of the hedgerow located on the two adjacent properties to the east of the subject site (3648 Lockhart Road and 7111 Beecham Road) at a minimum of 3.0 m out from the east property line prior to final adoption of the zoning amendment bylaw or demolition of the existing dwelling on the subject property, whichever occurs first. Submission of dated photographs of the tree protection barriers installed on-site is required;
5. Provide proof of contract with a Certified Arborist for supervision of on-site works conducted on the subject property within the hedgerow to be retained on the adjacent properties. The contract should include provisions for completion of a post-impact assessment report (if applicable) to be reviewed by the City;
6. Registration of a Legal Agreement on Title to ensure 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; and
7. Registration of a flood indemnity covenant on title.

Please note that prior to approval of Subdivision the developer is required to do the following:

1. Discharge of Two-Family Dwelling Covenant (Ref. RD 28248); and
2. Payment of Neighbourhood Improvement Charges for future road improvements and Servicing Costs.

[Signed original on file]

Signed _____

Date _____



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8391 (RZ 07-390593)
3620/3640 LOCKHART 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 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 B (R1/B)**.

P.I.D. 001-545-434

Strata Lot 1 Section 15 Block 4 North Range 7 West New Westminster District Strata Plan NW890 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1

and

P.I.D. 001-545-442

Strata Lot 2 Section 15 Block 4 North Range 7 West New Westminster District Strata Plan NW890 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 and Development Bylaw 5300, Amendment Bylaw 8391”**.

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