



To: Planning Committee **Date:** March 31, 2011
From: Brian J. Jackson, MCIP **File:** RZ 10-540854
Director of Development
Re: Application by 440363 BC Ltd. for Rezoning at 10040 and 10060 Lassam Road
from Single Detached (RS1/E) to Single Detached (RS2/B)

Staff Recommendation

That Bylaw No. 8698, for the rezoning of 10040 and 10060 Lassam Road from "Single Detached (RS1/E)" 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

440363 BC Ltd. has applied to the City of Richmond for permission to rezone 10040 and 10060 Lassam Road from “Single Detached (RS1/E)” to “Single Detached (RS2/B)”, to permit the property to be subdivided to create three (3) lots fronting Lassam Road (**Attachment 1**).

Findings of Fact

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

Surrounding Development

The subject site is located on the east side of Lassam Road, just south of Williams Road. The surrounding area consists of a mix of residential lot sizes ranging from a minimum of 12 m to 18 m wide.

- To the north of the subject site, is a vacant lot zoned “Single Detached (RS1/E)” at the corner of Williams Road, on which a new single detached dwelling is proposed to be constructed (10028 Lassam Rd);
- To the east, is an older dwelling fronting Williams Road on a lot zoned “Single Detached (RS1/E)” and older dwellings fronting Lawson Drive on lots under Land Use Contract 149;
- To the south, is a newer dwelling (1993) fronting Lassam Road on a lot zoned “Single Detached (RS1/E)”; and
- To the west, immediately across Lassam Road are newer dwellings (mid 1990’s) on lots zoned “Single Detached (RS1/B)” and “Single Detached (RS1/C)”.

Related Policies & Studies

Official Community Plan

The subject site is located in the Steveston Planning Area. The OCP’s Generalized Land Use Map designation for the site is “Neighbourhood Residential”. The Steveston Area Plan’s Land Use Map designation for the site is “Single-Family”. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5420

The subject site is located within the area covered by Single-Family Lot Size Policy 5420 (**Attachment 3**). This Policy permits rezoning and subdivision of the subject lots in accordance with “Single Detached (RS2/B)”. This redevelopment proposal would allow for the creation of three (3) lots (each approximately 13 m wide), which is consistent with the Lot Size Policy.

Affordable Housing

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 toward the City's Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant proposes to provide a legal secondary suite on two (2) of the three (3) future lots at the subject site. To ensure that the secondary suites are 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 suites are 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 suites 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. \$8,448).

Flood Management

Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

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 mid 1990's. This proposal is consistent with the pattern of redevelopment established in the neighbourhood.

Trees & Landscaping

A Certified Arborist's Report and supplementary comments were submitted by the applicant to address proposed tree retention and removal. The information provided identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The following was identified and assessed:

- One (1) bylaw-sized tree on the subject site;
- Four (4) bylaw-sized trees on the adjacent lot to the east at 5500 Williams Road PH - 189

- A hedgerow consisting of 19 bylaw-sized conifers on the adjacent lot to the east at 10133 Lawson Drive; and
- Three (3) undersized street trees and one (1) bylaw-sized street tree in the boulevard on City-owned property on Lassam Road.

All off-site trees are recommended for retention (Trees #OS1 to #OS9) with tree protection fencing on-site as described in the Arborist's Report, and one (1) bylaw-sized tree (Tree # 6756) is recommended for removal from the subject property due to poor condition and structure as well as conflict with the proposed building envelope.

With this development proposal, new service connections and an extension to the existing sanitary sewer along the east property line of the subject site are required to service the future lots, potentially impacting the viability of the trees and hedgerow on neighbouring properties (Trees # OS5 to #OS9).

The applicant has proposed an alternative preliminary concept for the sewer extension along with on-site monitoring and mitigation techniques by the applicant's Arborist during construction to enable the off-site trees and hedgerow to be retained and still meet the required servicing objectives. The actual design of the new service connections and sanitary sewer extension will be reviewed and approved at Subdivision stage.

The City's Tree Preservation Coordinator has reviewed the Arborist's recommendations, conducted a Visual Tree Assessment, and concurs with the recommendations on the basis of good condition of off-site trees (Trees #OS1 to #OS9) and poor condition and structure of the one (1) bylaw-sized tree on-site (Tree #6756). The proposed preliminary concept for the sewer extension and mitigation techniques (i.e. hydro-vac and root pruning) within the dripline of off-site trees is acceptable as a common best practice to mitigate potential impacts to trees resulting from the required works.

A Tree Retention Plan that reflects the final outcome of tree retention and removal is attached (**Attachment 4**).

To ensure the off-site trees are protected, the applicant is required to submit a Contract with a Certified Arborist prior to rezoning adoption for supervision of:

- Grading in the rear yards to slope down towards the east property line or installation of a retaining wall, as recommended in the Certified Arborist's Report prepared by VanArbor Vegetation Consulting Ltd (dated November 22, 2010), to maintain existing grade within the drip line of off-site trees (#OS5 to # OS9); and,
- Any required on-site works to be conducted within the tree protection zone of off-site trees to be retained (#OS1 to #OS9)(e.g. hydro-vac, root pruning, perimeter drainage, service connection installation, driveway crossing installation etc.).

The Contract should include the scope of work to be undertaken, the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.

Based on the 2:1 replacement ratio goal in the OCP, and the size requirements for replacement trees in the City's Tree Protection Bylaw, a total of two (2) replacement trees are required to be planted and maintained on the future lots (minimum 10 cm calliper deciduous or 5.5 m **High- 190**

conifer). Council Policy 5032 also encourages property owners to plant a minimum of two (2) trees per lot in recognition of the benefits of urban trees (minimum 6 cm calliper deciduous or 3 m high conifer). The applicant has agreed to plant and maintain a total of six (6) trees on the future lots [two (2) per future lot]. Prior to rezoning adoption, the applicant must submit a security in the amount of \$3,000 (\$500/tree) to ensure the replacement trees are planted and maintained on-site.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicular access to the site at development stage is to be from Lassam Road. The applicant is required to install an additional driveway crossing for the proposed northerly lot, which is to be paid via City Work Order at Subdivision stage.

Subdivision

At Subdivision stage, the applicant will be required to:

- Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and Servicing Costs;
- Grant a statutory utility right-of-way along the east property line of the subject site to extend the sanitary sewer to the proposed southerly lot (the dimensions of the right-of-way will be determined at Subdivision stage); and
- Pay for the installation of a driveway crossing for the proposed northerly lot at future development stage, via a City Work Order.

Analysis

This redevelopment proposal is consistent with Lot Size Policy 5420 and is located within an established residential neighbourhood that has seen redevelopment to smaller lot sizes in recent years. This proposal will enable a subdivision to create three (3) lots, each approximately 13 m in width and 483 m² in area.

Financial Impact

None.

Conclusion

This rezoning application to permit subdivision of two (2) existing large lots into three (3) smaller lots complies with the Lot Size Policy and applicable policies and land use designations contained within the OCP. This application is consistent with the pattern of redevelopment in the neighbourhood.

The list of rezoning considerations is included in **Attachment 5**, which has been agreed to by the applicant (signed concurrence on file).

March 31, 2011

- 6 -

RZ 10-540854

On this basis, staff recommends support for the application.

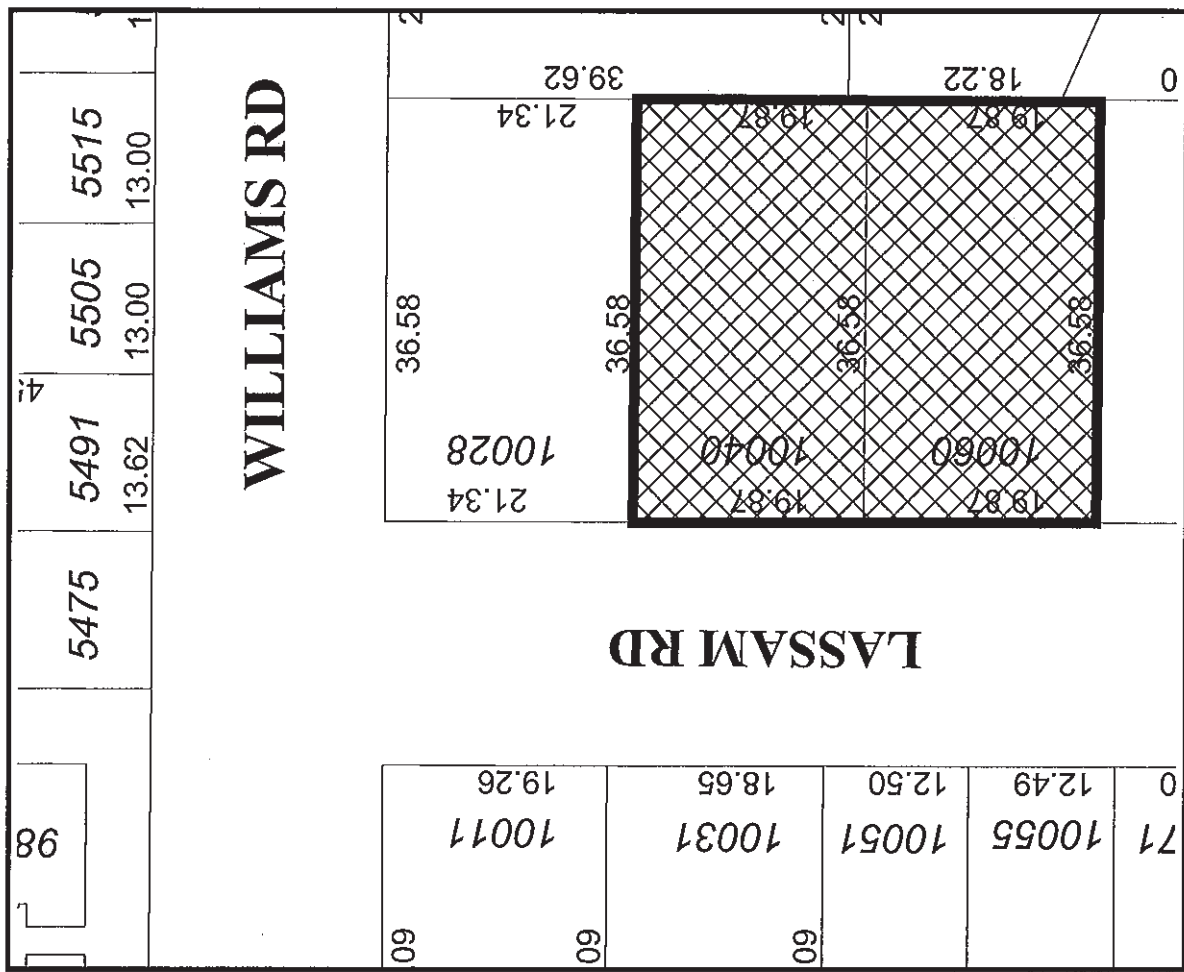


Cynthia Lussier
Planning Technician
(604-276-4108)

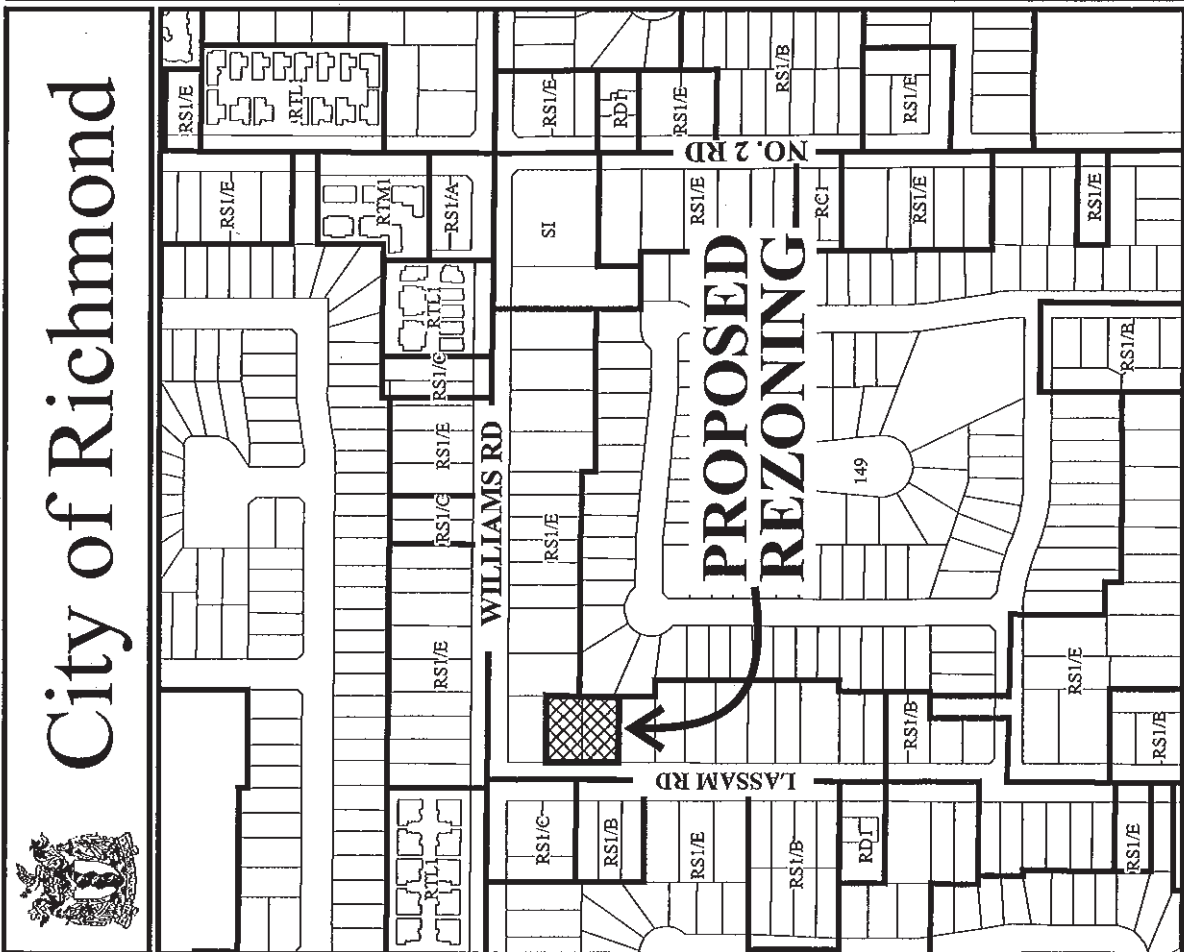
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Attachments:

- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5420
- Attachment 4: Tree Retention Plan
- Attachment 5: Rezoning Considerations



Original Date: 08/18/10
 Revision Date:
 Note: Dimensions are in METRES

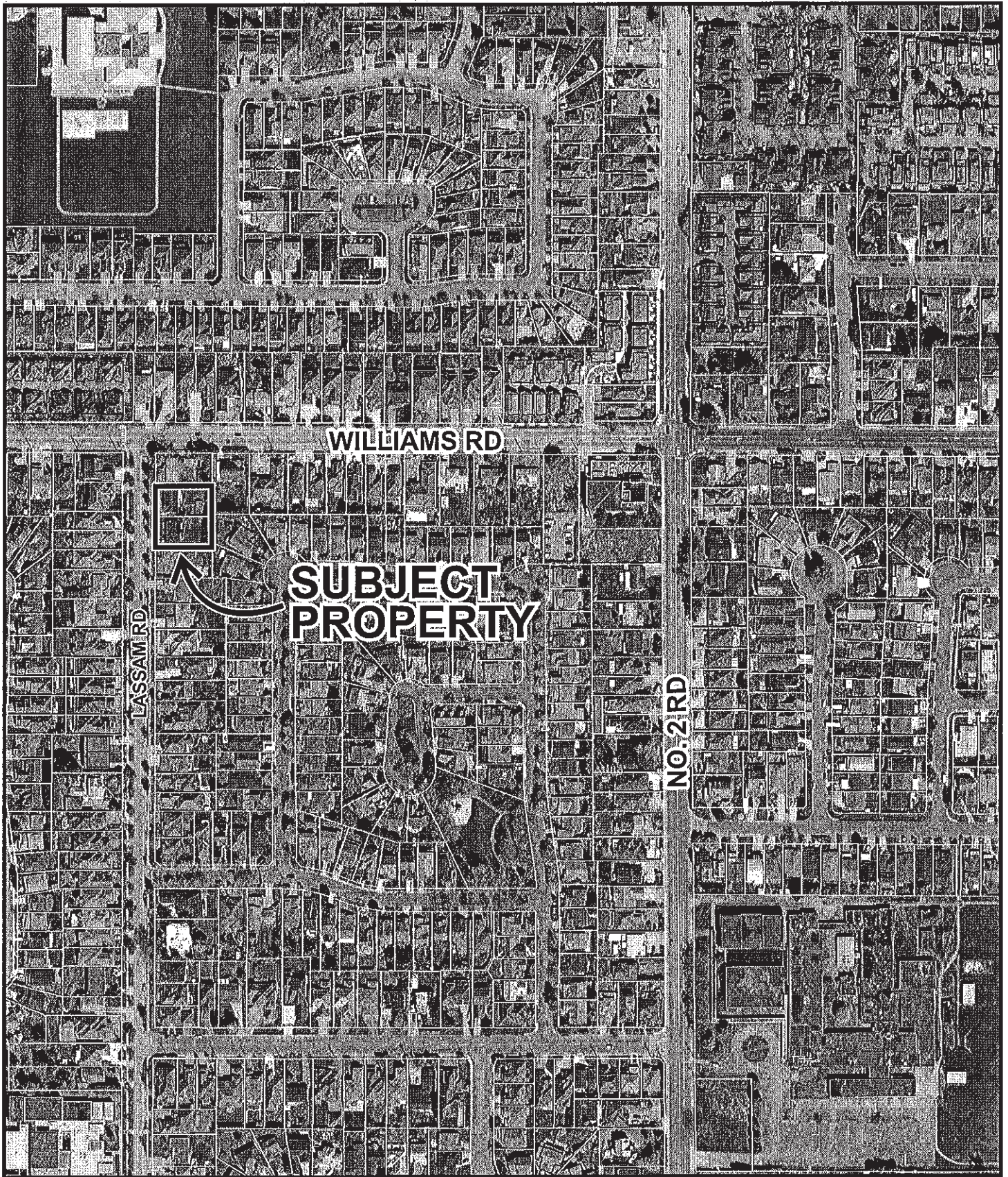


RZ 10-540854



City of Richmond





WILLIAMS RD

**SUBJECT
PROPERTY**

LASSAM RD

NO. 2 RD



RZ 10-540854

Original Date: 08/18/10

Amended Date:

Note: Dimensions are in METRES

PH 194



City of Richmond

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

**Development Application
 Data Sheet**

RZ 10-540854

Attachment 2

Address: 10040 and 10060 Lassam Road

Applicant: 440363 BC Ltd.

Planning Area(s): Steveston

	Existing	Proposed
Owner:	440363 BC Ltd.	To be determined
Site Size (m²):	Two (2) lots totalling 1,455 m ² (15,662 ft ²)	Three (3) lots – each approximately 485 m ² (5,220 ft ²)
Land Uses:	Two (2) single detached dwellings	Three (3) single detached dwellings
OCP Designation:	Generalized Land Use Map Designation – "Neighbourhood Residential"	No change
Area Plan Designation:	Single-Family	No change
702 Policy Designation:	Lot Size Policy 5420 permits rezoning and subdivision of the subject site to "Single Detached (RS2/B)"	No change
Zoning:	Single Detached (RS1/E)	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 Coverage – Non-Porous Surfaces:	Max. 70%	Max. 70%	
Lot Coverage – Live Landscaping:	Min. 25%	Min. 25%	
Lot Size (min. dimensions):	360 m ²	Three (3) lots – each approx 485 m ²	none
Setback – Front & 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 m	none

Other: Tree replacement compensation required for loss of bylaw-sized trees.



City of Richmond

Policy Manual

Page 1 of 2	Adopted by Council: October 16, 1989 Amended by Council: August 17, 1992 Lassam Rd. Adopted by Council: August 21, 1995	POLICY 5420
File Ref: 4045-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 36-4-7	

POLICY 5420:

The following policy establishes lot sizes for the area, bounded by **Steveston Highway, Railway Avenue, Williams Road and the rear of the properties located along No. 2 Rd.** in Section 36-4-7:

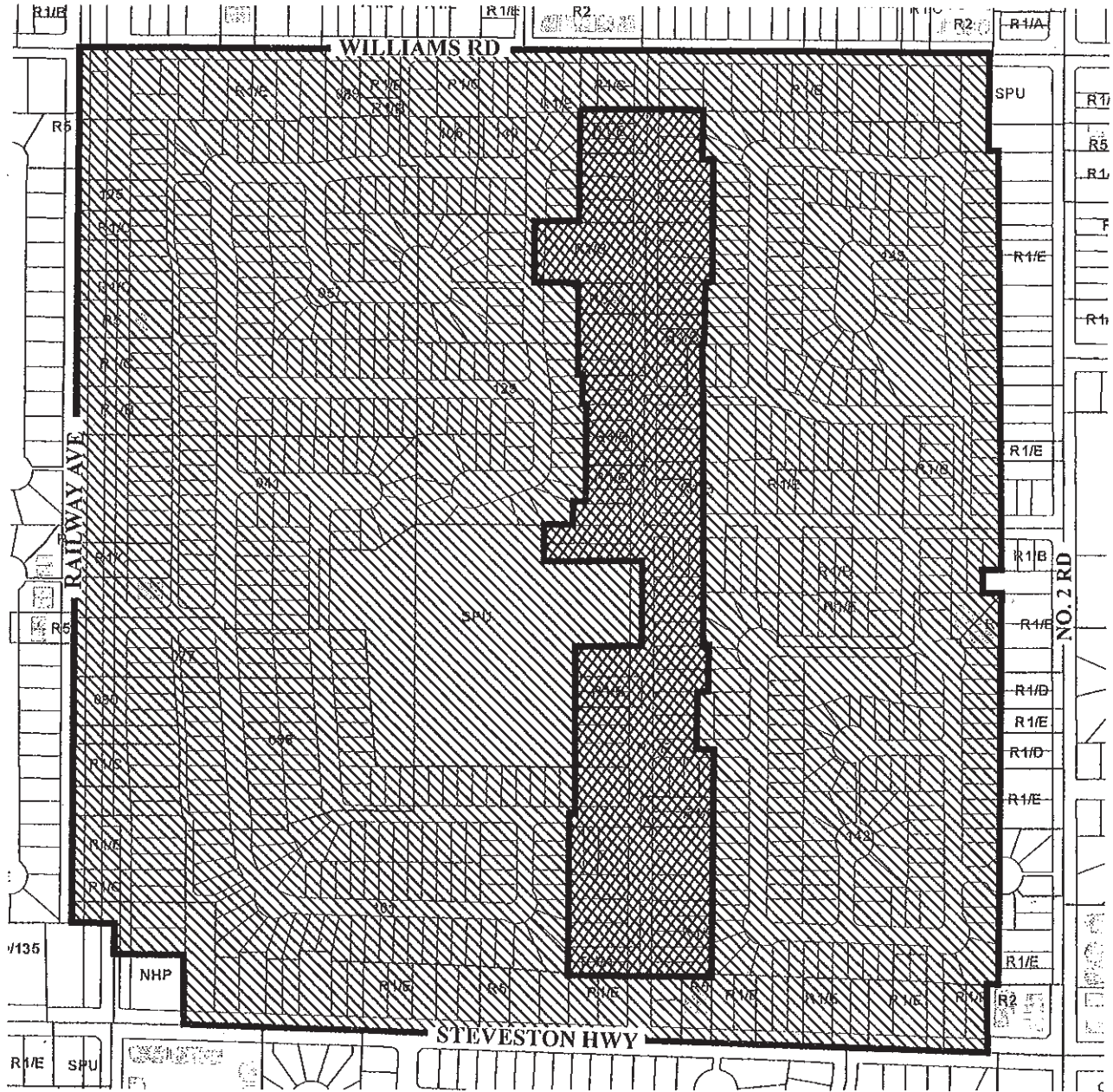
That properties within the area bounded by Steveston Highway, Railway Avenue, Williams Road and the rear property lines of the properties located along No. 2 Rd. (Section 36-4-7), be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300, with the following provisions:

- (a) If there is no lane or internal road access, then properties along Railway Avenue and Steveston Highway will be restricted to Single-Family Housing District (R1/E);
- (b) Properties along Williams Road will be permitted 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 allowed;
- (c) The Policy for the properties along Lassam Rd. (as cross-hatched on the attached map) was adopted on August 21, 1995;

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.

Note: Council adopted the above noted Single-Family Lot Size Policy, with an amendment clarifying that the western boundary of the policy area is the middle of Railway Avenue.

Note: There are two adoption dates for two separate portions of Policy 5420.



Subdivision permitted as per R1/B (date of adoption 08/21/95).



Subdivision permitted as per R1/B (date of adoption 10/16/89).

1. Williams Road - R1/C unless there is a lane or internal access then R1/B
2. Railway Avenue & Steveston Highway - R1/E unless there is lane or internal access then R1/B.



Policy 5420

Section 36-4-7

Adopted Date: 10/16/89
 Amended Date: 08/17/92
 Lassam Rd.
 Adopted Date: 08/21/95
 Note: Dimensions are in METRES

**TOPOGRAPHIC AND PROPOSED SUBDIVISION PLAN OF
LOTS 93 AND 94 BOTH OF SECTION 36
BLOCK 4 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT PLAN 31420**

#10040 LASSAM ROAD (LOT 93)
RICHMOND, B.C.
P.I.D. 006-586-384

#10060 LASSAM ROAD (LOT 94)
RICHMOND, B.C.
P.I.D. 000-598-763



SCALE: 1:200

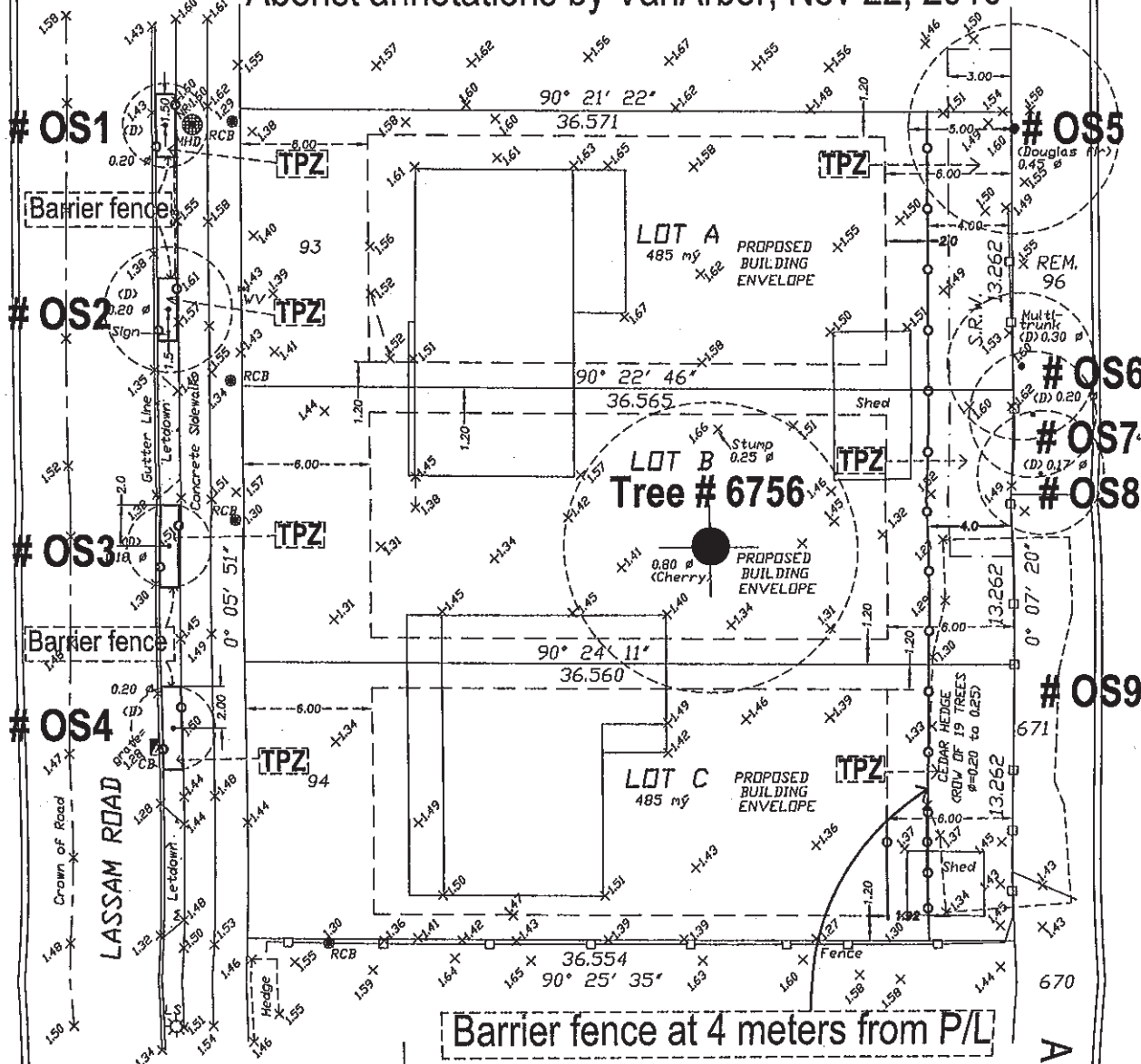


ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED

LEGEND:

- CB denotes catch basin.
- (D) denotes deciduous tree.
- (C) denotes coniferous tree.
- MHD denotes storm manhole.
- NR denotes north r/m.
- WV denotes water valve.
- RCB denotes round catch basin.
- LS denotes lamp standard.

Aborist annotations by VanArbor, Nov 22, 2010



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J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Dalin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Job No. 4089
FB-160 P78-81
Drawn By: BM

- Tree removal symbol; remove tree # 6756
- Barrier fence

NOTE:
Elevations shown are based upon
the City of Richmond HPN Benchmark Network.
Benchmark: HPN Tag #27
Located at mag nail in turn lane.
B.M. elevation = 1.474 metres.

CERTIFIED CORRECT:
JOHNSON C. TAM, B.C.L.S., C.L.S.

JULY 19th, 2010.

DWG No. 4089-TOPO

Appendix 1

Rezoning Considerations
10040 and 10060 Lassam Road
RZ 10-540854

Prior to final adoption of Zoning Amendment Bylaw 8698, the applicant is required to complete the following:

2. Submission of a Landscape Security to the City in the amount of \$3,000 (\$500/tree) for the planting and maintenance of six (6) trees on-site with the following minimum sizes:

No. of Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
2	10 cm		5.5 m
4	6 cm		3 m

3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of:
- Grading in the rear yards to slope down towards the east property line or installation of a retaining wall, as recommended in the Certified Arborist's Report prepared by VanArbor Vegetation Consulting Ltd (dated November 22, 2010), to maintain existing grade within the drip line of off-site trees (#OS5 to # OS9); and,
 - Any required on-site works to be conducted within the tree protection zone of off-site trees to be retained (#OS1 to #OS9)(e.g. hydro-vac, root pruning, perimeter drainage, service connection installation, driveway crossing installation etc.).

The Contract should include the scope of work to be undertaken, the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.

4. Registration of a flood indemnity covenant on title.
5. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on two (2) of the three (3) 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. \$8,448) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure the secondary suites.

Prior to Demolition stage, the applicant will be required to:

- Install tree protection fencing around the drip lines of off-site trees to be retained (#OS1 to #OS9), as recommended in the Certified Arborist's Report prepared by VanArbor Vegetation Consulting Ltd (dated November 22, 2010). Specifically, around Trees #OS1 to #OS4 at a minimum of 1.5 m to 2.0 m from the base of the tree, and 4 m from the east property line around Trees #OS5 to #OS9. Tree protection fencing must be installed to City standard prior to demolition of the existing dwellings 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 Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and Servicing Costs;
- Grant a statutory utility right-of-way along the east property line of the subject site to extend the sanitary sewer to the proposed southerly lot (the dimensions of the right-of-way will be determined at Subdivision stage); and
- Pay for the installation of a driveway crossing for the proposed northerly lot at future development stage, via a City Work Order.

[Signed original on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 8698 (RZ 10-540854)
10040 AND 10060 LASSAM 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/B).

P.I.D. 006-586-384

Lot 93 Section 36 Block 4 North Range 7 West New Westminster District Plan 31420

P.I.D. 000-598-763

Lot 94 Section 36 Block 4 North Range 7 West New Westminster District Plan 31420

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8698".

FIRST READING

APR 26 2011

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER