



**City of Richmond**  
Planning and Development Department

**Report to Committee**

To Planning - Nov 18, 2008  
To Council - Nov 24, 2008

To: Planning Committee

Date: October 27, 2008

From: Brian J. Jackson, MCIP  
Director of Development

RZ 08-434629

File: 12-8060-20-8430

Re: Application by Ajit Thaliwal for Rezoning at 3651/3671 Lockhart Road from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B)

**Staff Recommendation**

That Bylaw No.8430, for the rezoning of 3651/3671 Lockhart Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area B (R1/B)", be introduced and given first reading.

Brian J. Jackson, MCIP  
Director of Development

ES: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

Ajit Thaliwal has applied to the City of Richmond for permission to rezone 3651/3671 (duplex) Lockhart Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area B (R1/B) in order to permit the site to be subdivided into (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, Subdivision Area B (R1/B) or Subdivision Area E (R1/E), and a number of older duplex lots that are either non-conforming or zoned Two-Family Housing District (R5).

- To the north, there are two (2) newer homes fronting Granville Street on lots zoned Single-Family Housing District, Subdivision Area B (R1/B);
- To the east, there are two (2) newer dwellings on lots zoned Single-Family Housing District, Subdivision Area B (R1/B);
- To the south, across Lockhart Road, there is an older duplex on a lot zoned Two-Family Housing District (R5) which is currently under application to rezone to Single-Family Housing District, Subdivision Area B (R1/B); and
- To the west, there is an older duplex on a lot zoned Single-Family Housing District, Subdivision Area E (R1/E).

### Related Policies & Studies

#### OCP Designation

There is no Area Plan for this area. The Official Community Plan's (OCP) Generalized Land Use Map designation for this property is *Neighbourhood Residential*, and the Specific Lands Use Map designation is *Low-Density Residential*. This redevelopment proposal is consistent with these designations.

#### Lot Size Policy 5447

The subject property is located within the area covered by Single-Family Lot Size Policy 5447 (adopted by Council in 1991, and amended in 1998) (**Attachment 3**). This Policy permits rezoning and subdivision of lots along Lockhart Road to Single-Family Housing District, Subdivision Area B (R1/B). This redevelopment proposal would allow for the creation of two (2) lots, each approximately 12.189 m wide, which is consistent with the Lot Size Policy.

## Staff Comments

### Background

Since the early 1990's, numerous similar applications to rezone and subdivide nearby properties along Lockhart Road to Single-family Housing District, Subdivision Area B (R1/B) have either been approved or are the subject of active applications.

### Tree Preservation

A Tree Survey submitted by the applicant (**Attachment 4**) indicates the location of:

- three (3) bylaw-sized trees located on the subject property;
- two (2) multi-stemmed bylaw-sized Laurel shrubs located on the subject property;
- one (1) bylaw-sized Western Red Cedar tree located on the property to the northeast (3440 Granville Avenue);
- a Cedar Hedge located on the adjacent properties to the north (3400 and 3408 Granville Avenue) which is encroaching into the subject property by approximately 3 m; and
- an undersize Magnolia tree located on the subject property adjacent to the front property line.

A Certified Arborist Report has been submitted by the applicant. The report identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the proposed development. The report recommends:

- removal of the three (3) bylaw-sized trees and the two (2) multi-stemmed bylaw-sized Laurel shrubs from the subject property due to poor condition;
- that tree protection fencing be installed around the drip line of the Western Red Cedar tree located on the adjacent property to the northeast; and
- that the south side of the Cedar hedge be professionally pruned by a qualified contractor to reduce the encroachment on the subject site and that adequate protection is provided during construction.

The City's Tree Preservation Coordinator has reviewed the Arborist Report and:

- concurs with the removal of three (3) bylaw-sized trees and two (2) Laurel shrubs from the subject property; but,
- recommends that the undersize Magnolia be retained and protected because it is in excellent condition, is in a highly visible location along the street frontage, and is located outside the building envelope. However, this tree will be impacted by the development proposal which includes a fence that will run along the property line between the two (2) new properties. As a result, the applicant has agreed to relocate this tree on site.

Tree protection fencing must be installed around trees to be retained, as follows:

- at a minimum of 2.7 m (8.9 ft.) from the base of the Western Red Cedar (Tree A);
- at a minimum of 1.2 m (3.9 ft.) from the base of the Magnolia (Tree C); and
- at a minimum of 2 m (6.6 ft.) from the drip line of the Cedar hedge (Tree B).

Tree protection fencing must be installed prior to any construction activity occurring, to City standards, 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 the relocation of the Magnolia tree.

Based on the Official Community Plan's (OCP) tree replacement goal of 2:1, a total of six (6) trees are required to be planted and maintained. Based on the size requirements for replacement trees in the City's Tree Protection Bylaw, the replacement trees must have the following minimum calliper sizes/heights:

# Replacement Trees	Min. Calliper of Deciduous Tree	or	Min. Height of Coniferous Tree
4	6 cm		3.5 m
2	8 cm		4 m

To ensure that the replacement trees are planted and maintained and that the Magnolia tree is relocated successfully and is not negatively impacted during and following proposed future development, the applicant is required to submit a Landscaping Security to the City in the amount of \$3,000 (\$500/replacement tree) prior to final adoption of the rezoning bylaw.

Affordable Housing

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 (1) of the two (2) 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 Affordable Housing Strategy, the developer 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 adoption. This agreement will be discharged from Title after the requirements are satisfied, at the initiation of the applicant.

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 (NICs) (for future road improvements and existing Storm sewer improvements paid via NIC funding), and Servicing costs.

**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 area.

**Financial Impact or Economic Impact**

None.

**Conclusion**

This rezoning application to permit subdivision of an existing large duplex lot into two (2) smaller lots complies with Single-Family Lot Size Policy 5447, complies with all applicable policies and land use designations contained within the Official Community Plan (OCP), and is consistent with the established subdivision pattern in the surrounding area. On this basis, staff support the application.

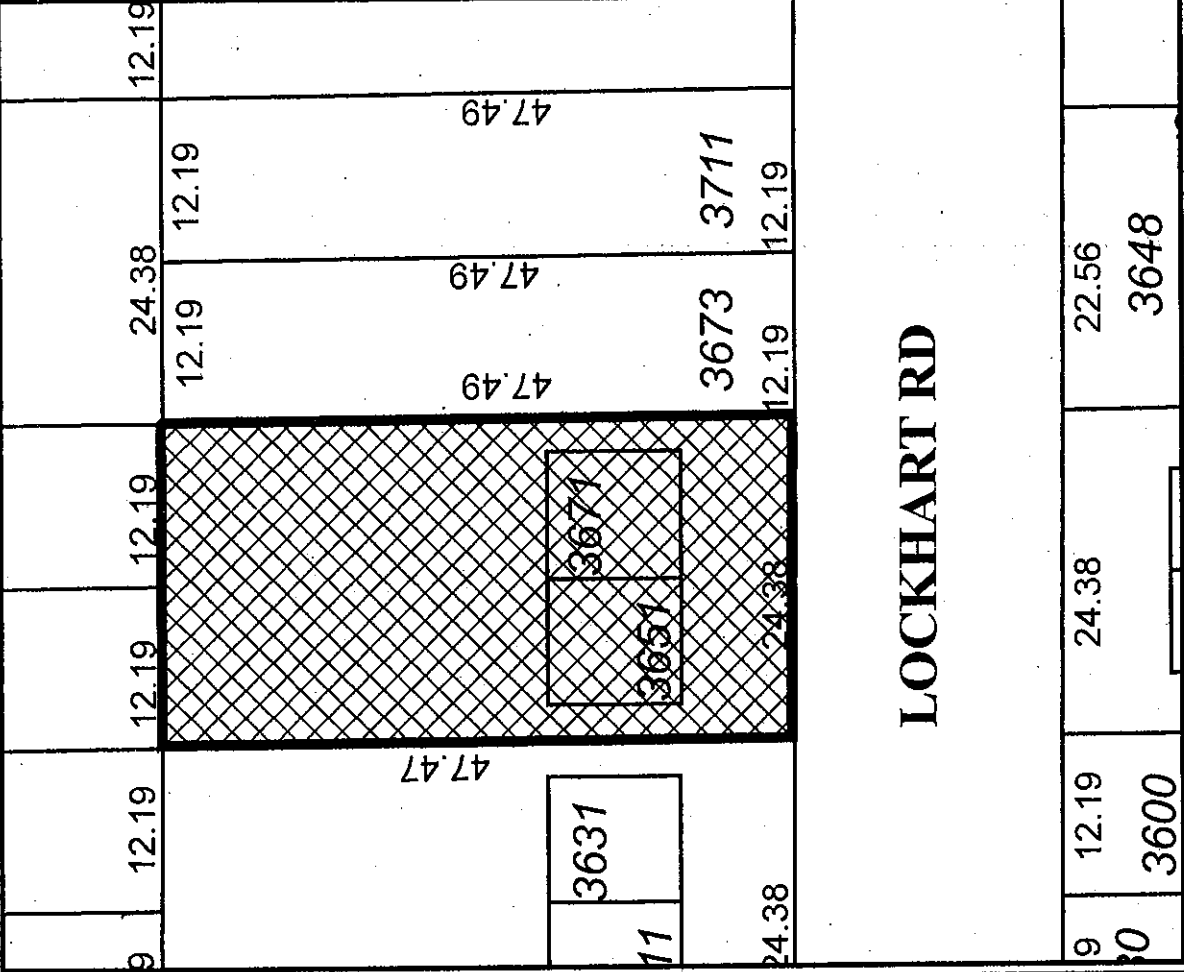
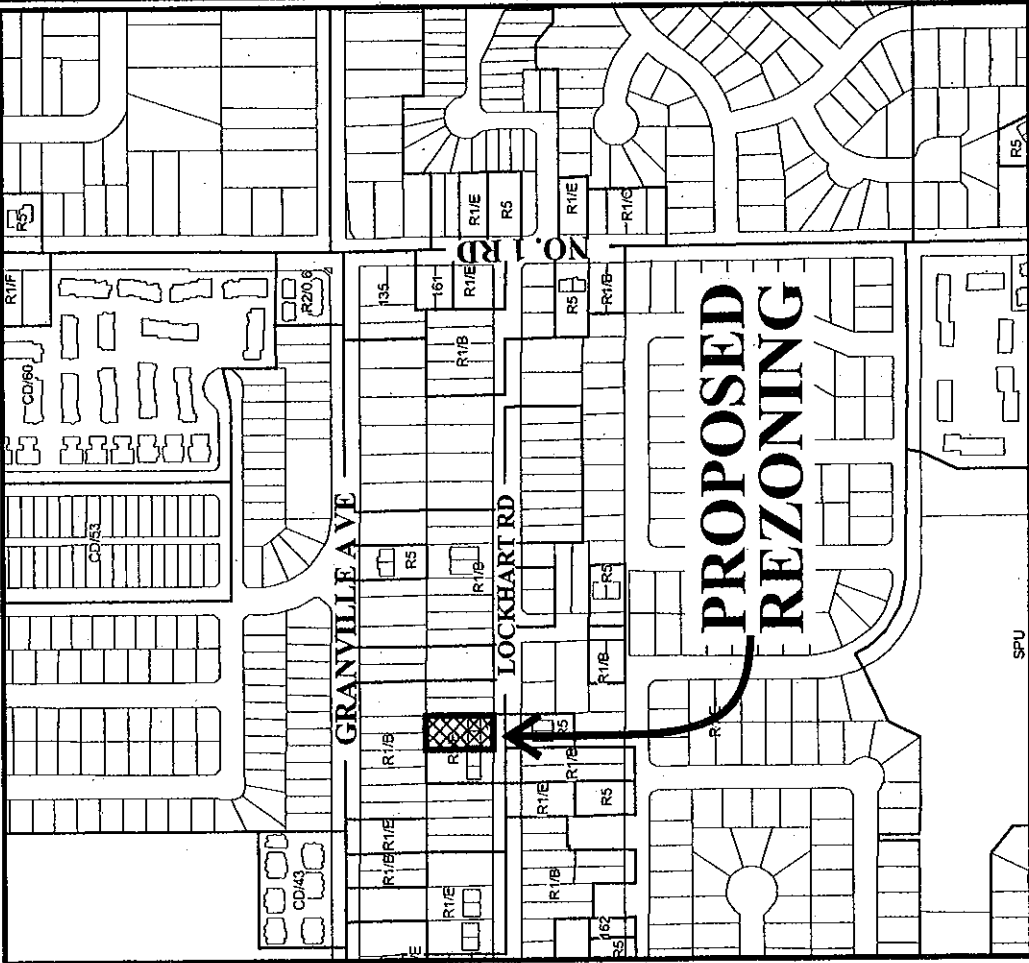


Erika Syvokas  
Planning Assistant  
(247-4674)

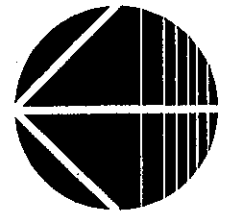
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- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Single-Family Lot Size Policy 5447
- Attachment 4: Tree Survey
- Attachment 5: Rezoning Considerations Concurrence

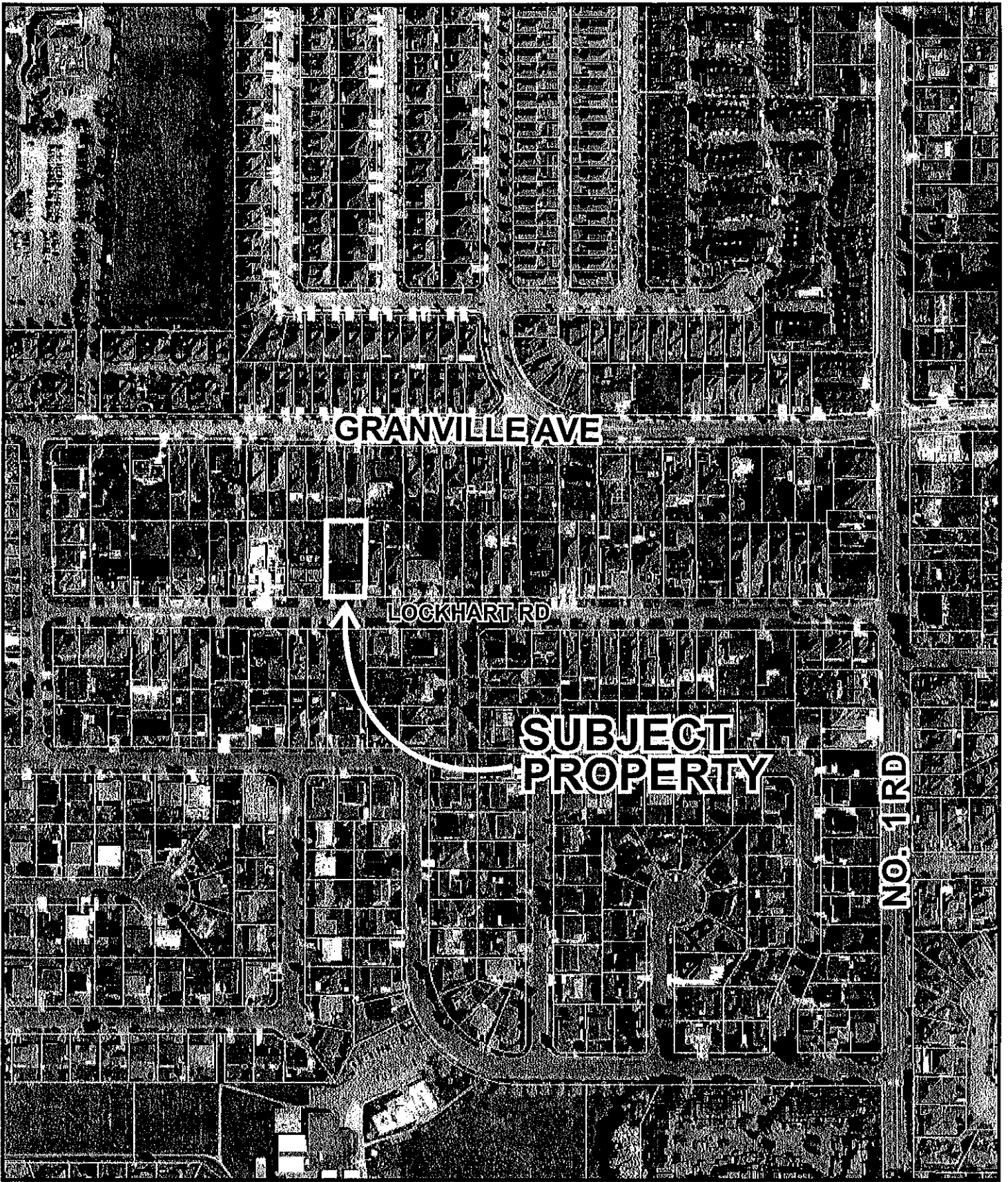
City of Richmond



RZ 08-434629



Original Date: 08/12/08  
 Revision Date:  
 Note: Dimensions are in METRES



GRANVILLE AVE

LOCKHART RD

SUBJECT  
PROPERTY

NO. 1 RD



RZ 08-434629

Original Date: 08/12/08

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 08-434629**

**Attachment 2**

Address: 3651/3671 Lockhart Road

Applicant: Ajit Thaliwal

Planning Area(s): Seafair

	Existing	Proposed
<b>Owner:</b>	Reinhold Lucke and Emilie Lucke	To be determined
<b>Site Size (m<sup>2</sup>):</b>	1,158 m <sup>2</sup> (12,464.6 ft <sup>2</sup> )	Two (2) lots – each approximately 579 m <sup>2</sup> (6232 ft <sup>2</sup> )
<b>Land Uses:</b>	One (1) two-family dwelling	Two (2) single-family dwellings & one (1) secondary suite
<b>OCP Designation:</b>	Generalized Land Use Map – Neighbourhood Residential	No change
<b>Area Plan Designation:</b>	N/A	No change
<b>702 Policy Designation:</b>	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
<b>Zoning:</b>	Single-Family Housing District, Subdivision Area E (R1/E)	Single-Family Housing District, Subdivision Area B (R1/B)
<b>Number of Units:</b>	2	3

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>	579 m <sup>2</sup>	none
Setback – Front Yard (m):	Min. 6 m	Min. 6 m	none
Setback – Side & Rear Yards (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 significant 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 20 <sup>th</sup> , 2003	POLICY 5447
File Ref: 4430-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 15-4-7	

## POLICY 5447:

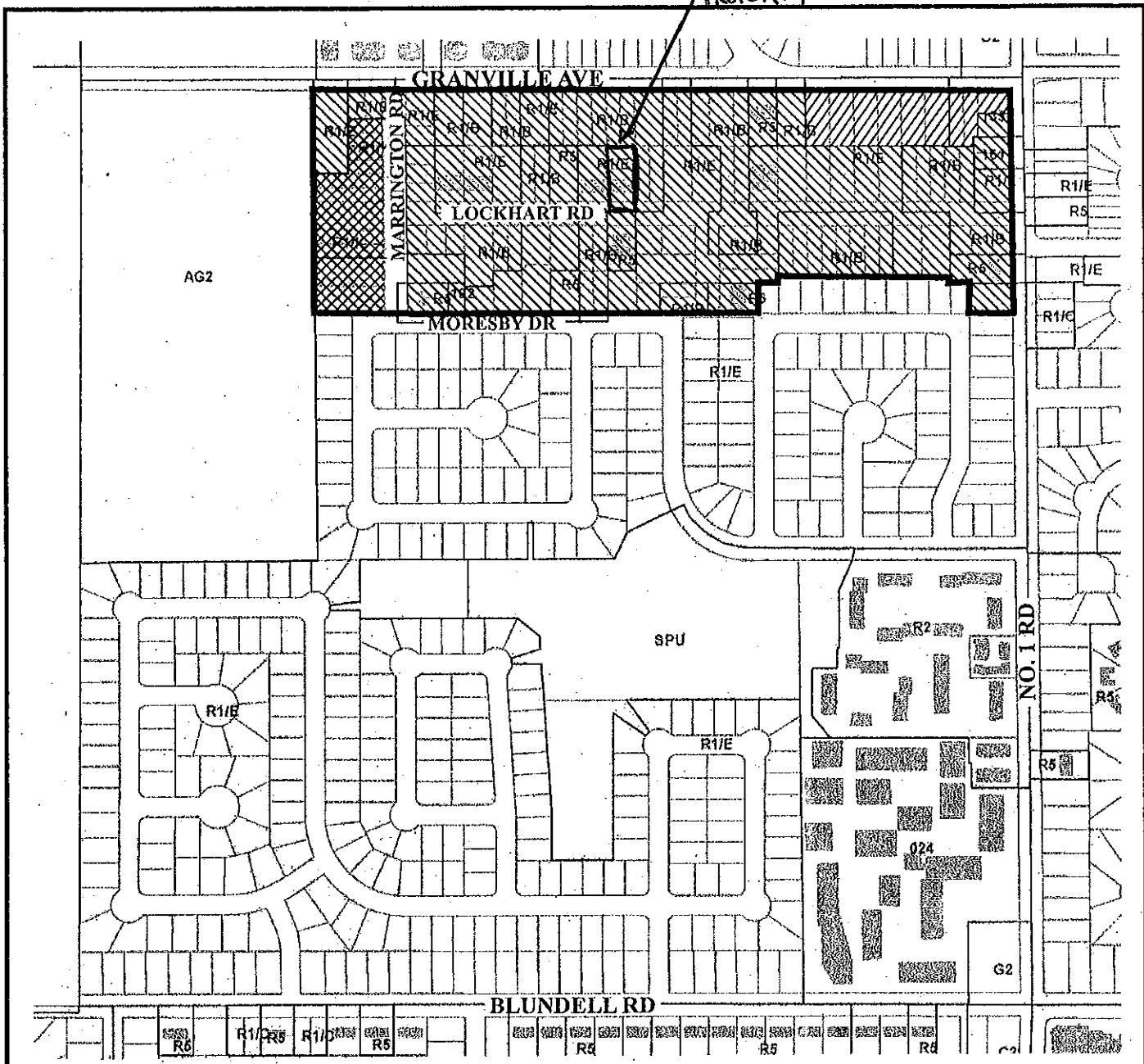
The following policy establishes lot sizes in a portion of Section 15-4-7, located generally between the **south side of Granville Avenue, the west side of Marrington Road, the north side of Moresby Drive and No. 1 Road:**




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.

SUBJECT PROPERTY

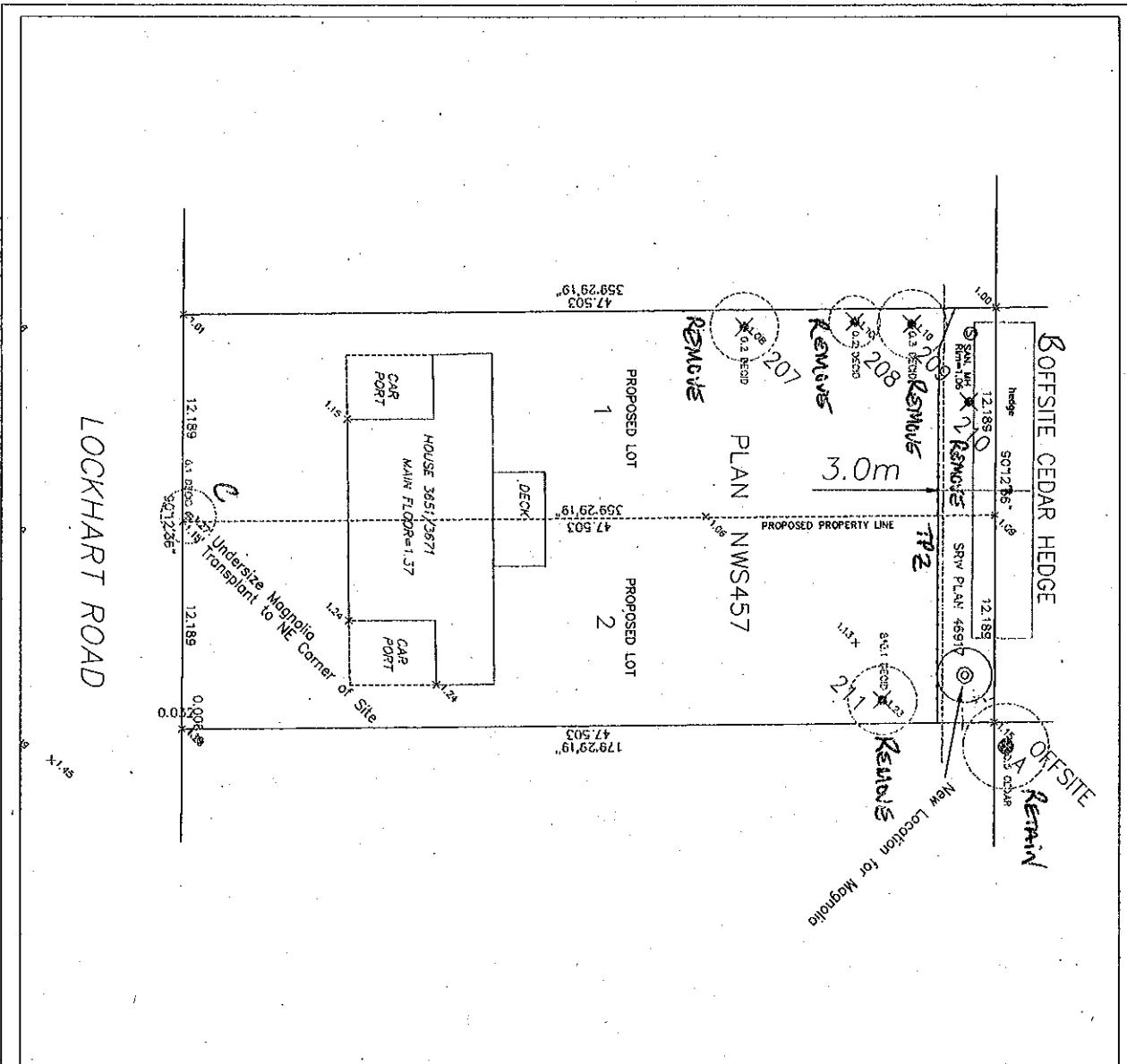


-  Subdivision permitted as per R1/B with the following provisions:
  1. No. 1 Road R1/E unless there is a lane access then R1/B.
  2. Between 3620 and 3780 Granville Avenue R1/C.
  3. Between 7151 and 7031 Marrington Road R1/K.
- 
- 

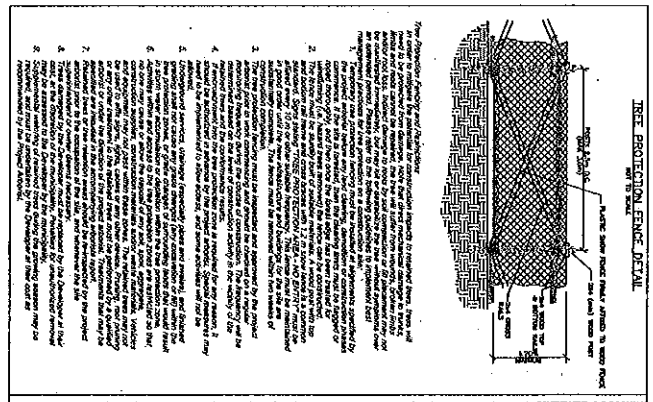


Policy 5447  
Section 15-4-7

Adopted Date: 09/16/91  
Amended Date: 07/20/98  
Note: Dimensions are in METRES



**LEGEND**  
 ○ Tree Inventory for OPA  
 ○ Tree and condition data  
 X Species to be RETAINED  
 X Species to be PROTECTED (Tree Protection Fence to be installed to Tree Retention Area)  
 (150) Initial



**ARBORTECH CONSULTING LTD**  
 Suite 200 - 3740 Chatham Street  
 Richmond, BC, Canada V7E 2Z3  
 P 604 276 3484 F 604 276 9554  
 email: trees@arbortech.bc.ca

TREE RETENTION PLAN	
Client:	AJT THALIWAL - RAMAN KOONER
Project:	PROPOSED DEVELOPMENT
Address:	3651 LOCKHART ROAD
Date:	24 OCTOBER 2008
Our File:	08202

Muni File: XXX

Scale 1:250

## Rezoning Considerations

### 3651/3671 Lockhart Road RZ 08-434629

Prior to final adoption of Zoning Amendment Bylaw 8430, the developer is required to complete the following:

1. Submission to the City of Richmond of a contract entered into between the applicant and a Certified Arborist for supervision of the relocation of the Magnolia (Tree C) on site. The contract should include provisions for completion of a post-impact assessment report (if applicable) to be reviewed by the City.
2. Submission of a Landscaping Security to the City of Richmond in the amount of \$3,000 to ensure that the Magnolia (Tree C) is successfully relocated on site and is not negatively impacted during and following proposed future development, and for the planting and maintenance of 6 (six) replacement trees, 3 (three) per future lot with the following minimum calliper sizes/heights:

# Replacement Trees	Min. Calliper of Deciduous Tree		Min. Height of Coniferous Tree
4	6 cm	or	3.5 m
2	8 cm		4 m

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) 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 must be addressed:

1. Installation of tree protection fencing, to City standards:
  - a) around the drip line of the off-site Western Red Cedar (Tree A located at 3440 Granville Avenue) at a minimum distance of 2.7 m from the base of the tree;
  - b) around the drip line of the Magnolia (Tree C) at a minimum distance of 1.2 m from the base of the tree; and
  - c) a minimum of 2 m from the drip line (edge) of the Cedar hedge (Tree B located at 3400 and 3408 Granville Avenue).

Tree protection fencing must be installed 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.

At future subdivision stage, the developer will be required to:

1. Pay Neighbourhood Improvement Charges (for future road improvements and existing storm sewer improvements paid via NIC funding), and Servicing costs.

[Signed original on file]

Signed \_\_\_\_\_

Date \_\_\_\_\_



**Richmond Zoning and Development Bylaw 5300  
Amendment Bylaw 8430 (RZ 08-434629)  
3651/3671 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. 001-347-454

Strata Lot 1 Section 15 Block 4 North Range 7 West New Westminster District Strata Plan NW457 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. 001-347-462

Strata Lot 2 Section 15 Block 4 North Range 7 West New Westminster District Strata Plan NW457 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 8430**".

FIRST READING

NOV 24 2008

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



\_\_\_\_\_  
MAYOR

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