



**City of Richmond**  
Planning and Development Department

**Report to Committee**

*To Council - May 25, 2007*  
*To Planning - May 23, 2007*

**To:** Planning Committee  
**From:** Jean Lamontagne  
Director of Development

**Date:** May 3, 2007

RZ 05-303370

**Re:** **Application by Eric Hoegler for a Rezoning at 3491 No. 5 Road from Single-Family Housing District, Subdivision Area E and Roadside Stand (Class C) District (RSC) to Single-Family Housing District, Subdivision Area B (R1/B)**

*File: 12-8060-20-8225*

*Xr: 08-4430-00*

**Staff Recommendation**

1. That the following recommendations be forwarded to Public Hearing:

That Single-Family Lot Size Policy 5440 for the area bounded by the rear boundaries of the properties on the south side of Bird Road, No. 5 Road, Cambie Road and the west side of Bargaen Drive be amended to permit rezoning and subdivision of 3491 No. 5 Road to Single-Family Housing District (R1/B) provided there is no vehicle access to No. 5 Road.

2. That Bylaw No. 8225, for the rezoning of 3491 No. 5 Road from "Single-Family Housing District, Subdivision Area E (R1/E)" and "Roadside Stand (Class C) District (RSC)" to "Single-Family Housing District, Subdivision Area B (R1/B) ", be introduced and given first reading.

Jean Lamontagne  
Director of Development

JL:dcb  
Att. (5)

|                                            |
|--------------------------------------------|
| <b>FOR ORIGINATING DEPARTMENT USE ONLY</b> |
| <b>CONCURRENCE OF GENERAL MANAGER</b>      |
| <i>pe Hoegler</i>                          |

## Staff Report

### Origin

Eric Hoegler has applied to rezone a 4018.2 m<sup>2</sup> (43,252.96 ft<sup>2</sup>) site consisting of a single lot located at 3491 No. 5 Road from Single-Family Housing District, Subdivision Area E (R1/E) and Roadside Stand (Class C) District (RSC) to Single-Family Housing District, Subdivision Area B (R1/B) for the purpose of creating eight (8) single-family lots ranging in area from 360.8 m<sup>2</sup> to 501.7 m<sup>2</sup>. Road dedications along Mellis Drive and Scratchley Crescent are included in the proposal but will not be required until subdivision stage.

The subject property lies within an area affected by Single Family Lot Size Policy 5440. Single-Family Lot Size Policy 5440 must be amended prior to being able to consider the rezoning for 3491 No. 5 Road.

**Attachment 1** shows the location of the subject application and the area affected by the proposed Single-Family Lot Size Policy amendment. The current and proposed amended Single-Family Lot Size Policies are provided in **Attachments A and B**.

### Findings of Fact

Approximately 40m of the 99.08m deep lot are being used as a Road Side Stand with the remainder of the lot being vacant. The subject lot is the last remaining largely undeveloped lot in the immediate area.

#### Surrounding Development

- The immediate development to the north, south and east is large lot single-family residential zoned R1/E.
- Across No. 5 Rd. are multiple-family developments zoned Townhouse District (R2).

### Related Policies & Studies

#### Single Family Lot Size Policy 5440

The subject property lies within an area affected by Single Family Lot Size Policy 5440 which currently permits subdivision only as per R1/E except for duplexes which may subdivide to any appropriate single-family district.

Single-Family Lot Size Policy No 5440, was last re-adopted by Council September 15, 1997, and last amended on September 22, 1997.

The proposed amendment to Lot Size Policy 5440 would permit subdivision to Single-Family Housing District Subdivision Area B (R1/B) for only the subject property. With the subsequent subdivision, dedication of land will be required to permit the widening of both Scratchley Crescent and Mellis Drive. Scratchley Crescent would be widened by approximately 11m and Mellis Drive would be widened by approximately 0.79m.

### Lane Establishment and Arterial Road Redevelopment Policies

The subject property is not within an area governed by the City's Lane Establishment and Arterial Road Redevelopment Policies however, the existing vehicle access to No. 5 Road will be closed upon subdivision approval. This will be regulated through the City's Residential Lot (Vehicular) Access Regulation Bylaw No. 7222.

### **Consultation**

#### Community Notice

As part of the process of excluding properties from an existing lot size policy, a notification letter (**Attachment 2** plus **Attachments A, B & C**) was sent to all those properties within Lot Size Policy 5440 in Section 25-5-6. To the date of this staff report, staff have received two calls from nearby residents regarding the notification letter. Their enquiries were primarily on the implications for their properties associated with the Single Family Lot Size Policy. Neither indicated concerns with the proposed subdivision of the subject lot. No written correspondence has been received to the date of this staff report.

### **Staff Comments on the Rezoning Application**

No significant concerns have been identified through the technical review. Modifications to the storm, sanitary and water services provided for through the redevelopment and associated developer contributions will allow the future subdivision to be accommodated. The applicant will be required to provide Development Cost Charges (DCCs), Greater Vancouver Sewerage & Drainage DCCs, School Site Acquisition Charge, address assignment fees and servicing costs at subdivision stage.

### **Analysis**

The subject application for rezoning of 3491 No. 5 Road from Single-Family Housing District E (R1/E) to Single-Family Housing District B (R1/B) will allow subdivision of the property into eight (8) single-family lots averaging 12m in width or better. All the lots will have vehicle access through either Scratchley Crescent or Mellis Drive. This application is supportable from a technical perspective.

#### Trees and Landscaping

There are no trees of bylaw size on the subject property. One tree on an adjacent lot has been assessed by an arborist's report (see **Attachment 5**). Based upon the Arborist's report the owner has been asked to either install a tree protection zone or work with the tree's owner to have the overhang pruned by a Certified Arborist as indicated in the report.

The applicant has been asked to provide at least 2 trees per lot as per the Universal Tree Planting Policy No. 5032. Securities in the amount of \$8,000.00 for these trees will be provided prior to final adoption of the Rezoning Bylaw.

A landscaping plan and securities have also been required for the rear yards of the lots adjacent to No. 5 Road to ensure an appropriate appearance along No. 5 Road.

Aircraft Noise

A restrictive covenant is required as per the City's Aircraft Noise Policy prior to Rezoning adoption.

Servicing Capacity

On the basis of a servicing analysis review, the applicant has been asked for payment contributions totalling \$60,365.84 for the following utility upgrades:

- Water: \$6,144.88
- Storm: \$35,684.64 and
- Sanitary \$18,536.32.

The applicant will be required to enter into a Servicing Agreement at Subdivision stage for storm utility upgrades along No. 5 Road and Mellis Drive frontages and install a new sanitary sewer along Scratchley that ties into the existing sanitary system on Mellis Drive..

Flood Indemnity Covenant

In accordance with the City's Interim Flood Management Strategy, registration of a Flood Indemnity Covenant is required prior to adoption of the Rezoning Bylaw.

**Options**

Two options are appropriate:

- Option 1: Approve the proposed amendments to Single-Family Lot Size Policy No. 5440 and approve the application for the rezoning of 3491 No. 5 Road to Single-Family Housing District, Subdivision Area B (R1/B). (**Recommended**).
- Option 2: Reject the application for rezoning and retain the Single-Family Lot Size Policy No. 5440 as it currently exists.

The Planning and Development Department supports **Option 1** which would permit subdivision to eight (8) single-family lots as illustrated on **Attachment C** for the following reasons:

1. This allows the last largely undeveloped property to redevelop to a higher use.
2. The community will benefit from the completion of Scratchley Crescent and Mellis Road.
3. Storm utility upgrades will be undertaken along the No. 5 Road and Mellis Drive frontages and beyond.

**Financial Impact**

None.

## Conclusions

Staff have reviewed the application for rezoning of 3491 No. 5 Road to R1/B. Based upon the technical review and the limited community response to the notification letter, staff are supportive of the rezoning application.



David Brownlee  
Planner 2

DCB:cas

**Attachment 1:** Location Map

**Attachment 2:** Notification Letter with:

**Attachment A:** Existing Single-Family Lot Size Policy No. 5440

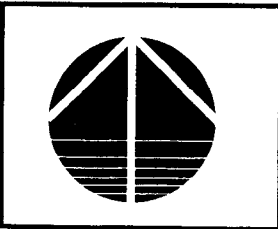
**Attachment B:** Proposed Amended Single-Family Lot Size Policy

**Attachment C:** Proposed Subdivision Layout

**Attachment 3:** Development Application Data Sheet

**Attachment 4:** Rezoning Considerations Concurrence

**Attachment 5:** Arborist's Report



RZ 05-303370

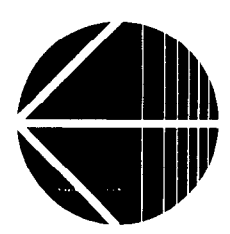
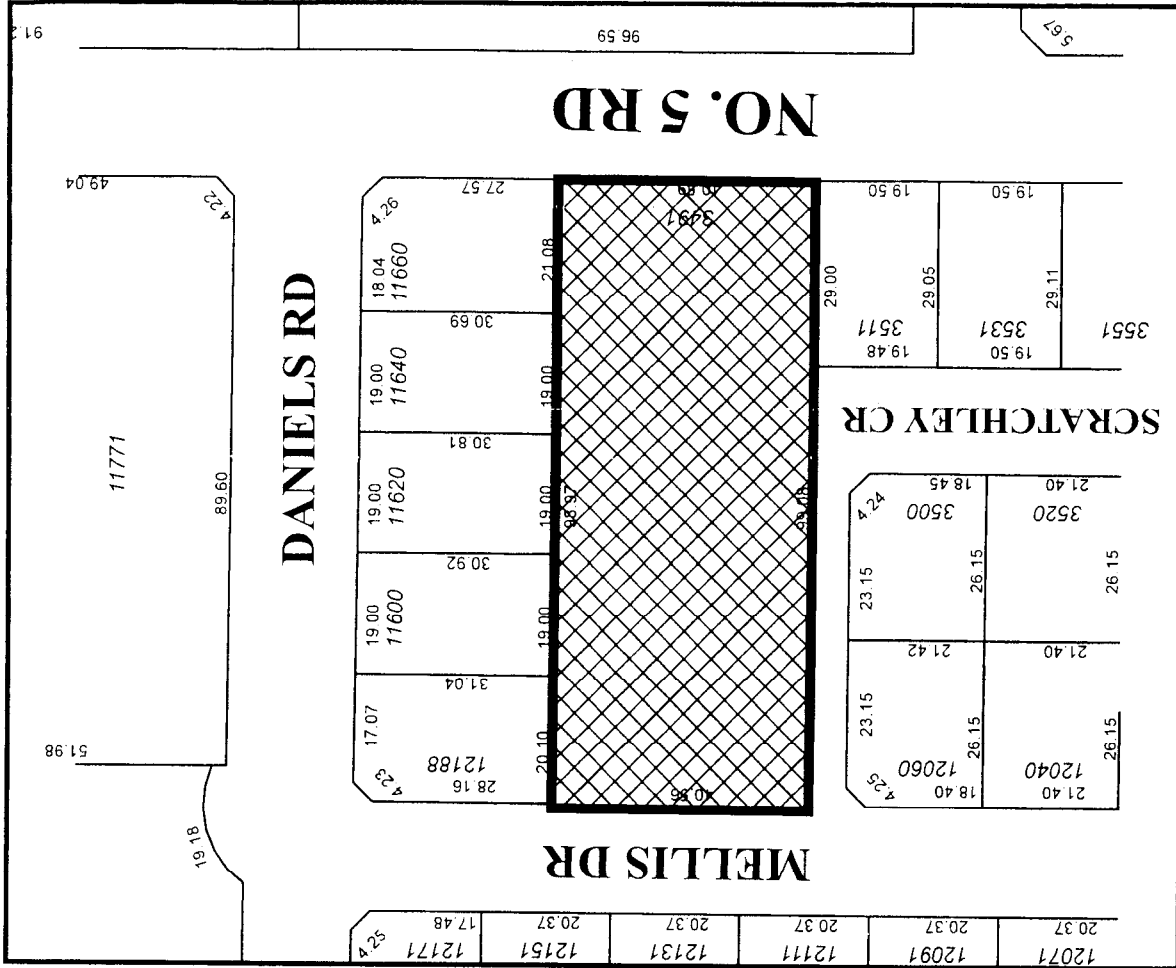
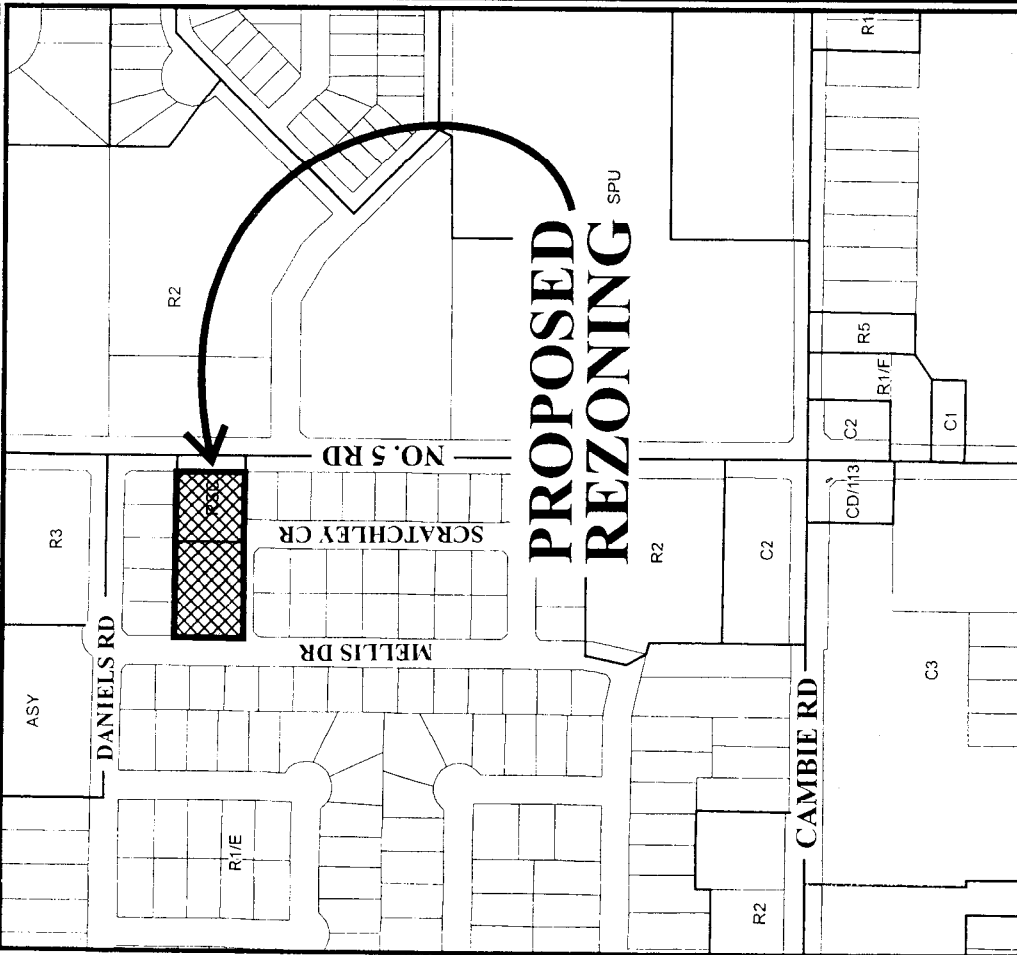
Original Date: 03/21/07

Amended Date:

Note: Dimensions are in METRES



# City of Richmond



## RZ 05-303370

Original Date: 06/08/05

Revision Date:

Note: Dimensions are in METRES

April 16, 2007  
File: RZ 05-303370

Planning and Development Department  
Fax: 604-276-4052

Dear Resident:

**Re: Proposed Amendment to Single-Family Lot Size Policy 5440  
to Permit 3491 No. 5 Rd. to Subdivide to Single-Family Housing District Subdivision Area B  
(R1/B) (12m wide) Lots**

The purpose of this letter is to inform you of a proposed amendment to the Single-Family Lot Size Policy 5440 for your area and a rezoning application for 3491 No. 5 Road under consideration by the City.

**Rezoning Application for 3491 No. 5 Road**

Eric Hoegler has applied to the City of Richmond for permission to rezone 3491 No. 5 Road from “Single-Family Housing District, Subdivision Area E (R1/E)” and “Roadside Stand (Class C) District (RSC)” to “Single-Family Housing District, Subdivision Area B (R1/B)” in order to permit a subdivision to create eight (8) single-family lots along an extension of Scratchley Crescent. This application is being processed under City file No. RZ 05-303370.

**Single Family Lot Size Policy 5440**

In 1990, City Council adopted Lot Size Policy 5440 (see **Attachment A**). This Policy currently restricts subdivision of single-family lots in your area to Single-Family Housing District, Subdivision Area E (R1/E) which means lots that are a minimum of 18m wide, 24m deep and 550 m<sup>2</sup> in area. The policy also supports subdivision of duplex lots to any other appropriate single-family lot size.

**Proposed Amendment**

An amendment has been proposed to Policy 5440 for Council’s consideration that would allow 3491 No. 5 Rd. to rezone and subdivide in accordance with Single-Family Housing District, Subdivision Area B (R1/B) which means lots that are a minimum of 12m wide, 24m deep and 360 m<sup>2</sup> in area. The proposed amended Policy is shown in **Attachment B**. This amendment is being proposed in order to accommodate an application for rezoning by the owner of 3491 No. 5 Rd. that would permit that lot to be subdivided into eight (8) single family lots ranging in area from 360.8 m<sup>2</sup> to 501.7 m<sup>2</sup> (see **Attachment C**).

The future subdivision will result in community benefits through the widening of Scratchley Crescent to a full 17 m right of way with road improvements and the installation of curbs and gutters. A smaller additional road dedication will also be taken to widen the right of way along Mellis Drive.

The proposed Single Family Lot Size Policy amendment targets only 3491 No. 5 Rd. as it is the last remaining, largely undeveloped, lot in this area.

**Request**

Please review the accompanying materials. If you have any questions or concerns with either the proposed amendment to Single Family Lot Size Policy 5440, or the proposed rezoning of 3491 No. 5 Rd. from Single-



Family Housing District E (R1/E) to Single-Family Housing District B (R1/B), please contact me at (604) 276-4200 or in writing at the address above before May 2, 2007.

Yours truly,



David Brownlee  
*Planner 2*

DCB:cas

- Attachment A: Existing Single-Family Lot Size Policy 5440
- Attachment B: Proposed Amended Single-Family Lot Size Policy
- Attachment C: Rezoning Location Map and Subdivision Plan for 3491 No. 5 Road



## City of Richmond

## Policy Manual

Page 1 of 2

Adopted by Council: July 16, 1990  
 Amended by Council: May 21, 1996, September 15, 1997  
 Rescinded by Council: September 15, 1997  
 Readopted by Council: September 15, 1997  
 Amended by Council: September 22, 1997

POLICY 5440

File  
4045-00

Ref:

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 25-5-6

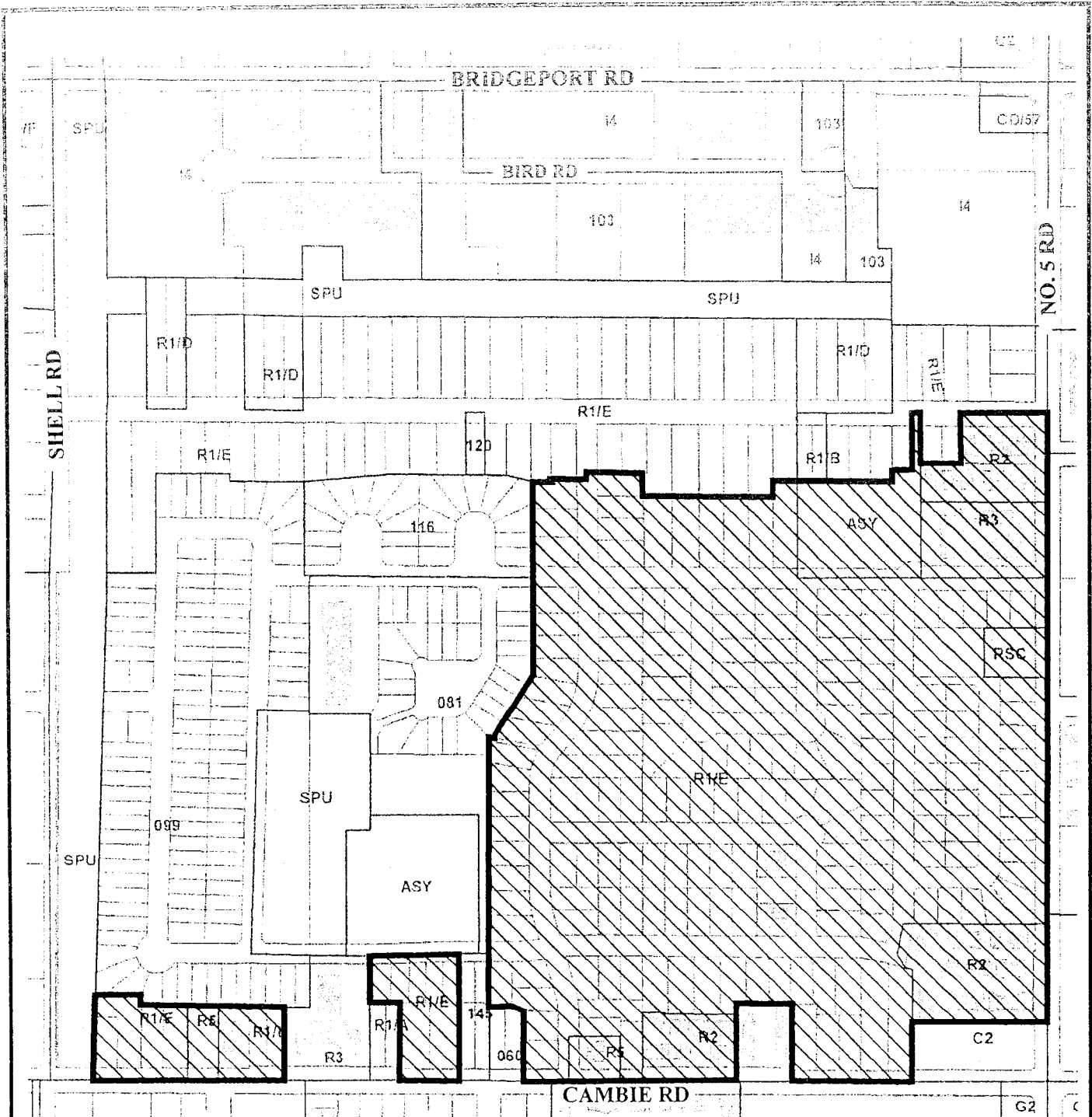
**POLICY 5440:**

The following policy establishes lot sizes within the area bounded by the rear boundaries of the properties on the south side of Bird Road, No. 5 Road, Cambie Road and the west side of Borgen Drive (Section 25-5-6):

That properties within the area bounded by the rear boundaries of the properties on the south side of Bird Road, No. 5 Road, Cambie Road and the west side of Borgen Drive, in a portion of Section 25-5-6, be permitted to subdivide as follows:

- (a) That the properties within the study area, as shown on the accompanying plan, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/E) zoning regulations; and
- (b) That properties with existing duplexes be permitted to subdivide; 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/E except:  
 Properties with existing duplexes be permitted to subdivide.



# Policy 5440

## Section 25-5-6

Adopted Date: 07/16/90  
 Adopted Dates: 05/21/96  
 09/15/97  
 Readopted Date: 09/22/97  
 Note: Dimensions are in METRES



# City of Richmond

# Policy Manual

|                 |                                                              |             |
|-----------------|--------------------------------------------------------------|-------------|
| Page 1 of 2     | Proposed Amended Single Family Lot Size Policy 5440          | POLICY 5440 |
| File<br>4045-00 | Ref: SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 25-5-6 |             |

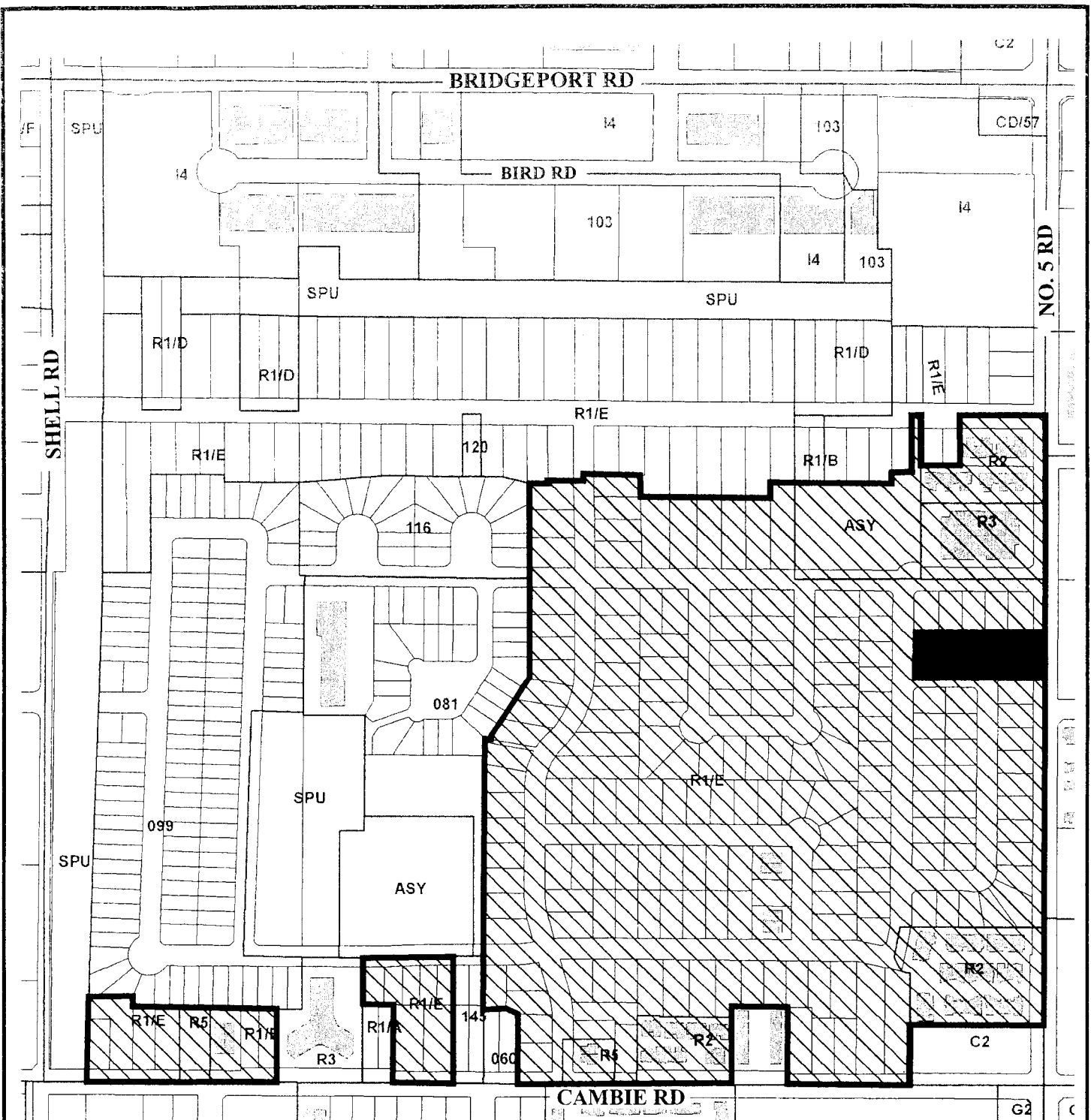
## POLICY 5440:

The following policy establishes lot sizes within the area bounded by the **rear boundaries of the properties on the south side of Bird Road, No. 5 Road, Cambie Road and the west side of Barga Drive** (Section 25-5-6):

That properties within the area bounded by the rear boundaries of the properties on the south side of Bird Road, No. 5 Road, Cambie Road and the west side of Barga Drive, in a portion of Section 25-5-6, be permitted to subdivide as follows:

- (a) That the properties within the study area, as shown on the accompanying plan, be permitted to subdivide in accordance with the provisions of Single-Family Housing District E (R1/E) zoning regulations except that 3491 No. 5 Rd. be permitted to subdivide in accordance with the provisions of Single-Family Housing District B (R1/B); and
- (b) That properties with existing duplexes be permitted to subdivide; 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/E except:  
Properties with existing duplexes be permitted to subdivide.



Subdivision permitted as per R1/B



# Proposed Amendment to Policy 5440 Section 25-5-6

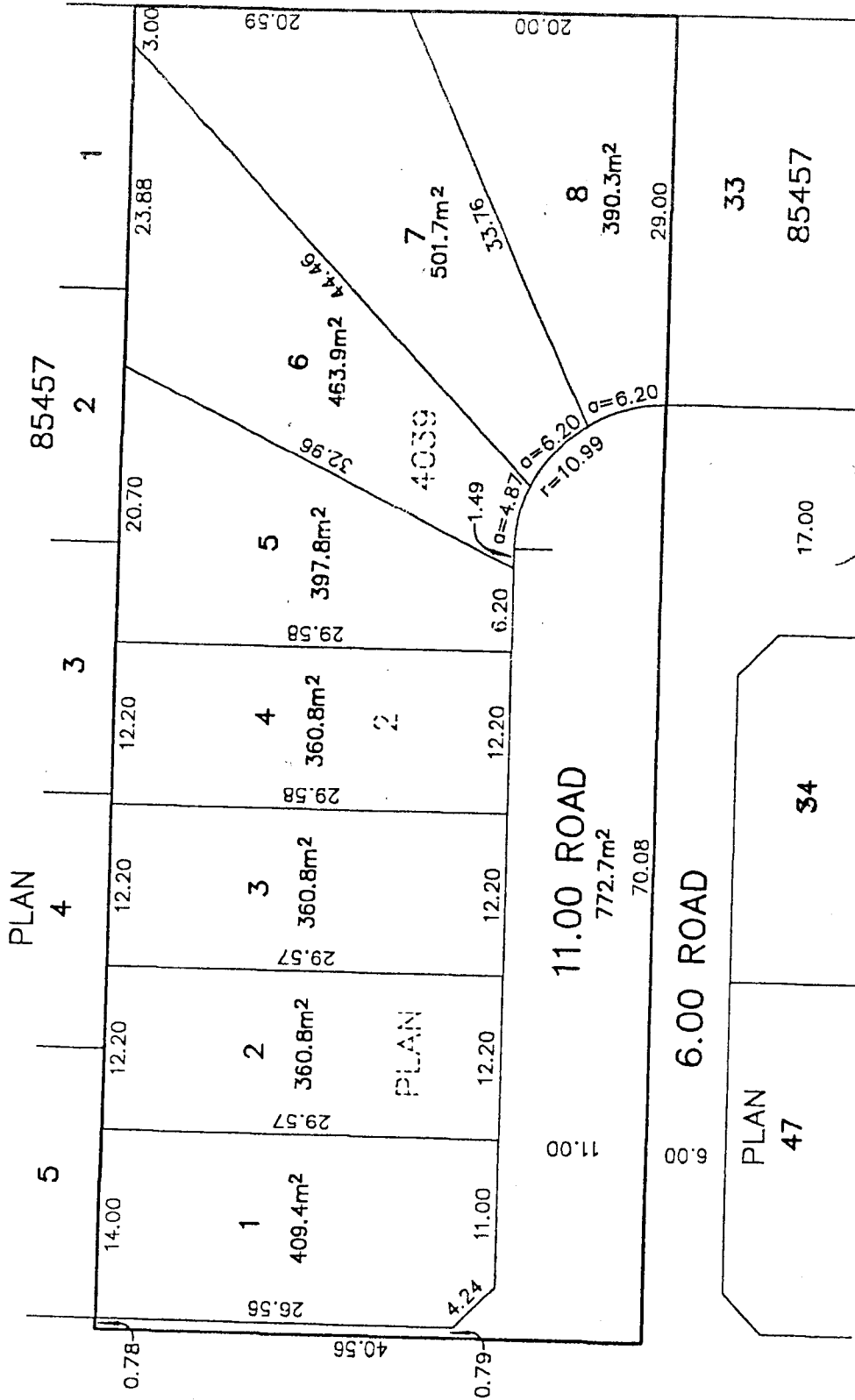
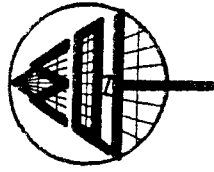
Adopted Date: 07/16/90  
 Adopted Dates: 05/21/96  
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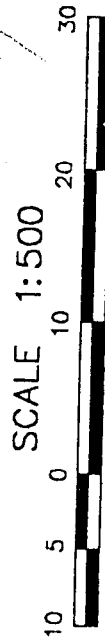
**PROPOSED SUBDIVISION PLAN OF LOT 2 SECTION 25  
BLOCK 5 NORTH RANGE 6 WEST N.W.D.  
PLAN 4039**

JANUARY 14, 2004

R-04-14174-PROPOSAL-1



**LEGEND**



DISTANCES AND AREAS ARE TENTATIVE  
SUBJECT TO FIELD SURVEY

**MATSON PECK & TOPLISS**  
SURVEYORS & ENGINEERS  
#210 - 8171 COOK ROAD  
RICHMOND, B.C.  
V6Y 3T8  
PH: 604-270-9331  
FAX: 604-270-4137

CADFILE: 14174-PROPOSAL-1.FLX

R-04-14174-PROPOSAL-1

MELLIS DR  
SCRATCHLEY CRISPIN



## City of Richmond

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

## Development Application Data Sheet

**RZ 05-303370**

Address: 3491 No. 5 Road

Applicant: Eric Hoegler

Planning Area(s): East Cambie (Sch. 2.11b)

|                                   | Existing                                                                       | Proposed                                                                                                    |
|-----------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| <b>Owner:</b>                     | Eric Hoegler                                                                   | Same                                                                                                        |
| <b>Site Size (m<sup>2</sup>):</b> | 4018.2 m <sup>2</sup>                                                          | 3245.5 m <sup>2</sup> after a road dedication of 772.7 m <sup>2</sup> which will be required at subdivision |
| <b>Land Uses:</b>                 | Road Side Stand and vacant                                                     | Single-Family Residential                                                                                   |
| <b>OCP Designation:</b>           | Neighbourhood Residential                                                      | same                                                                                                        |
| <b>Area Plan Designation:</b>     | Residential                                                                    | same                                                                                                        |
| <b>702 Policy Designation:</b>    | Subdivision to R1/E                                                            | Subdivision to R1/B                                                                                         |
| <b>Zoning:</b>                    | R1/E (18m wide lots) and RSC                                                   | R1/B (12m wide lots)                                                                                        |
| <b>Number of Units:</b>           | 0                                                                              | 8 single-family residential lots                                                                            |
| <b>Other Designations:</b>        | NEF Noise Management Bylaw 7794<br>– Area 4: Aircraft Noise Notification Area. | same                                                                                                        |

| On Future Subdivided Lots        | Bylaw Requirement                                                                               | Proposed                        | Variance       |
|----------------------------------|-------------------------------------------------------------------------------------------------|---------------------------------|----------------|
| Density (units/acre):            | N/A                                                                                             | 9.98 upa                        | none permitted |
| Floor Area Ratio:                | Max. .55                                                                                        | .55                             | none permitted |
| Lot Coverage – Building:         | R1/E: Max. 45% for buildings only<br>RSC – no maximum                                           | Max. 45% for buildings only     | none           |
| Lot Size (min. dimensions):      | R1/E: 550 m <sup>2</sup><br>RSC: none                                                           | 360 m <sup>2</sup>              | none           |
| Setback – Front Yard (m):        | Min. 6 m                                                                                        | 6 m Min.                        | none           |
| Setback – Side & Rear Yards (m): | R1/E: Min. 1.2 m<br>RSC: none                                                                   | Min. 1.2 m                      | none           |
| Height (m):                      | R1/E: 2.5 storeys & vertical envelope<br>RSC: 10.5m                                             | 2.5 storeys & vertical envelope | none           |
| Off-street Parking Spaces:       | R1/E: 2 per unit<br>RSC: 6 space per 100m <sup>2</sup> of gross leasable floor area of building | 2 per unit                      | none           |



## Rezoning Considerations

3491 No. 5 Road

RZ 05-303370

Prior to final adoption of Zoning Amendment Bylaw 8225, the developer is required to complete the following:

1. Registration of an aircraft noise sensitive use covenant on title.
2. Registration of a flood indemnity covenant on title (min. 0.9m geodetic).
3. Submission of a landscaping plan for lots 7 and 8 completed to a level deemed acceptable by the Director of Development. A landscaping security equal to the cost of the landscaping and installation on these lots will also be required.
4. Receipt of a landscaping security in the amount of \$8,000.00 corresponding to the installation of two trees per lot.
5. Prior to final adoption of the rezoning bylaw or any construction activities, including building demolition, occurring onsite either install appropriate tree protection fencing to protect the tree at the south east corner of 11660 Daniels Road or provide documentation that the pruning recommended in the Arborist's report has been done to avoid damage to the tree limbs, prior to demo/construction activity.
6. Provide payment for City identified upgrades of \$6,144.88 (water), \$35,684.64 (storm) and \$18,536.32 (sanitary). Total = \$60,365.84.

**With Subdivision the developer is required to complete the following:**

1. Enter the City's standard Servicing Agreement. Works include, but may not be limited to:
  - Design and construct the completion of Scratchley Crescent.
  - In the total 17m ROW, works include but are not limited to, constructing a 8.5m road complete with curb and gutter on both sides, extension/looping of storm. water and street lighting systems, a 1.5m sidewalk along the north edge of Scratchley, with a 4m grass and treed blvd on the north side (2.7m on the south from the property line to the curb and gutter), with trees and street lighting at about a 1m offset from the curb, leaving plenty of room for hydro/tel.
  - A new 200mm sanitary sewer system is also required to service all 8 lots along the new road edge (cannot use existing sanitary across north edge).
  - The existing driveway accesses to No 5 are to be closed via the Servicing Agreement, but no need for sidewalk upgrades along No 5, as this is the last site to develop in this area.
  - Per storm analysis, developer also agrees to upgrade storm to a minimum 600mm along both No 5 Rd. and Mellis Rd.; No 5 Rd. from the manhole opposite site, south to the manhole at the south edge of 3511 No 5 Rd.; and Mellis from the manhole at Mellis Rd./Scratchley Cr., North to the manhole at Mellis Rd./Daniels Rd.
2. All works are at the developers' sole cost - no credits.

May 3, 2007

- 8 -

RZ 05-303370

**Prior to Building Permit Issuance the following is required:**

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.

[Signed original on file]

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Signed



**ARBORTECH  
CONSULTING  
LTD**

Suite 200 - 3740 Chatham Street  
Richmond, BC Canada V7E 2Z3

**MEMORANDUM:**

April 5, 2007

Attn.: Eric Hoegler

9420 Patterson Road  
Richmond BC V6X 1R1

File: 07154

cc: Jazz Singh  
Project: City Re-Zoning RZ 05-303370  
3491 Number 5 Road Richmond  
Re: Assessment of Neighbouring Tree for Construction Impacts

Dear Mr. Hoegler,

As requested by your agent, Mr. Singh, I have undertaken a detailed review of a tree located on 11660 Daniels Road. This assessment is to satisfy the city requirements. Following is a summary of my findings.

The subject tree is a 30cm dbh Austrian pine (*Pinus nigra*) located 1.0m north of and 5.7m west of the northeast corner of the subject site, with the trunk fully within the neighbouring property. The crown overhangs the subject site by approximately 1.5m. A retaining wall erected at the base that supports a grade change of 0.5m higher than the subject site precedes the tree being planted, therefore the root system does not extend into the subject site. The tree condition is rated poor due to heading cuts causing permanent damage to its structure.

The proposed construction will not have a negative impact on the health of the tree. The site can be excavated and/or filled to match grades without causing any significant root loss. The overhanging crown can be managed in two ways. The machinery operating in the vicinity of the tree should take care not to strike the foliage or limbs, and the tree can be pruned to reduce the overhang to allow for more space to work. The pruning can be done without impact to the health and may even improve its structure. The pruning will need to be undertaken by an ISA Certified Arborist.

Thank you for choosing Arbortech for your tree assessment needs. If you require any further information, please call me directly at 604 275 3484 to discuss.

Regards,

Norman Hol,  
Consulting Arborist  
ISA Certified Arborist, Certified Tree Risk Assessor, Qualified Wildlife and Danger Tree Assessor  
Enclosures; Photographs

**PHOTOGRAPHS:**



Photo showing the tree crown being stout and compact due to past heading cuts and inferior growth habit resulting from the pruning.



Photo showing the tree overhanging the fence into the subject property.



**Richmond Zoning and Development Bylaw 5300  
Amendment Bylaw 8225 (RZ 05-303370)  
3491 NO. 5 ROAD**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. 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. 011-031-204

Lot 2 Section 25 Block 5 North Range 6 West New Westminster District Plan 4039.

2. This Bylaw may be cited as "**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8225**".

FIRST READING

MAY 28 2007

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

|                                   |
|-----------------------------------|
| CITY OF RICHMOND                  |
| APPROVED by                       |
| <i>il</i>                         |
| APPROVED by Director or Solicitor |
| <i>il</i>                         |

\_\_\_\_\_  
MAYOR

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