



City of Richmond
Planning and Development Department

Report to Committee

To: Planning Committee **Date:** October 26, 2009
From: Brian J. Jackson, MCIP **File:** RZ 08-438376
 Director of Development
Re: **Application by NKS Enterprises for Rezoning at 8571 Heather Street from Single Detached (RS1/B) to Single Detached (RS2/A)**

Staff Recommendation

That Bylaw No. 8435, for the rezoning of 8571 Heather Street from "Single Detached (RS1/B)" to "Single Detached (RS2/A)", 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

NKS Enterprises has applied to the City of Richmond for permission to rezone 8571 Heather Street from “Single Detached (RS1/B)” to “Single Detached (RS2/A)” to permit the property to be subdivided into two (2) single-family residential lots (**Attachment 1**).

Findings of Fact

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

Surrounding Development

The subject property is located on the west side of Heather Street, south of Dayton Avenue. The surrounding area is an established residential neighbourhood consisting of a mix of older and newer character single-detached dwellings on small and medium-sized lots. Other land uses also exist nearby in the neighbourhood (i.e. public open space, assembly, townhouses).

- To the north, is an older dwelling fronting Heather Street, and beyond that are three (3) older dwellings fronting Dayton Avenue, all of which are on lots zoned “Single Detached (RS1/B)”;
- To the east, directly across Heather Street, is an older dwelling on a lot zoned “Single Detached (RS1/B)”, as well as four (4) newer dwellings on lots zoned “Single Detached (RS1/K)”;
- To the south, are two (2) dwellings built in the mid 1990’s on lots zoned “Single Detached (RS1/B)”;
- To the west, are dwellings fronting Myron Court built in the mid 1980’s on lots zoned “Single Detached (RS1/B)”.

Related Policies & Studies

Official Community Plan (OCP) Designation

The subject property is located in the Broadmoor Planning Area. The Official Community Plan’s (OCP) Generalized Land Use Map designation for this property is *Neighbourhood Residential*. The Ash Street Sub-Area Plan’s land use designation for this property is *Low Density Residential*. This redevelopment proposal is consistent with these designations.

Lot Size Policy

There is no Single-Family Lot Size Policy for this area.

Staff Comments

Background

This neighbourhood has undergone some redevelopment through rezoning and subdivision to smaller lot sizes in recent years in accordance with the Sub-Area Plan. Currently, there are five (5) other active development applications along Heather Street to create smaller lots.

Tree Preservation

An Arborist's Report, submitted by the applicant, identifies tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses:

- one (1) bylaw-sized tree on the subject property; and
- four (4) undersized and bylaw-sized trees on adjacent property to the north at 8551 Heather Street.

The Report recommends:

- removal of the bylaw-sized Beaked Hazelnut (Tree #1) and an undersized coniferous hedge from the subject property due to poor structure and condition; and
- retention of the Western White Pine (Tree # 2) and the Walnut trees (Trees # 3-5) located on adjacent property to the north at 8551 Heather Street, which will require root pruning on the subject property at future development stage to mitigate potential impacts.

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

- an additional bylaw-sized conifer was identified on the subject property during a site inspection, and is recommended for removal due to poor structure;
- concurrence with the Arborist Report recommendations with respect to the proposed removal of the bylaw-sized Beaked Hazelnut (Tree # 1); and
- recommends that a tree protection barrier be installed a minimum of 1.2 m from the base of the Western White Pine (Tree # 2) within the subject site. Tree protection fencing must be installed to City standards prior to demolition of the existing dwelling on the subject site, and must remain in place until construction and landscaping on the future lots is completed.

A Tree Retention Plan, which reflects the final decisions regarding tree retention, is attached (**Attachment 3**).

In addition, as a condition of rezoning, the applicant is required to submit a contract with a Certified Arborist to supervise any work to be conducted within the tree protection zone of the Western White Pine (Tree # 2). The contract must include the proposed mitigation efforts to protect the tree (i.e. root pruning), the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.

Based on the Official Community Plan’s (OCP) tree replacement goal of 2:1, and the size requirements for replacement trees in the City’s Tree Protection Bylaw, a total of four (4) replacement trees are required to be planted and maintained on the future lots, with the following minimum calliper sizes/heights:

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

To ensure that replacement trees are planted and maintained, the applicant is required to submit a Landscaping Security to the City in the amount of \$2,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

Site Servicing & Vehicle Access

There are no servicing concerns or requirements with rezoning.

Vehicular access to the site at future development stage will be from Heather Street.

Affordable Housing

City 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/ft² of total building area toward the Affordable Housing Reserve Fund.

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 secondary suite is built to 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 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 is 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.

Flood Management

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 Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charges for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Analysis

This development proposal is consistent with the Area Plan's land use designation for the subject site, which is located within an established residential neighbourhood that has seen redevelopment to smaller lot sizes in recent years. There is potential for other properties along this block of Heather Street to rezone and subdivide consistent with the direction provided by the Area Plan.

Financial Impact or Economic Impact

None.

Conclusion

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with applicable policies and land use designations contained within the Official Community Plan (OCP), and is consistent with the direction of redevelopment in the surrounding area.

The list of rezoning conditions is included as **Attachment 4**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommends support of the application.



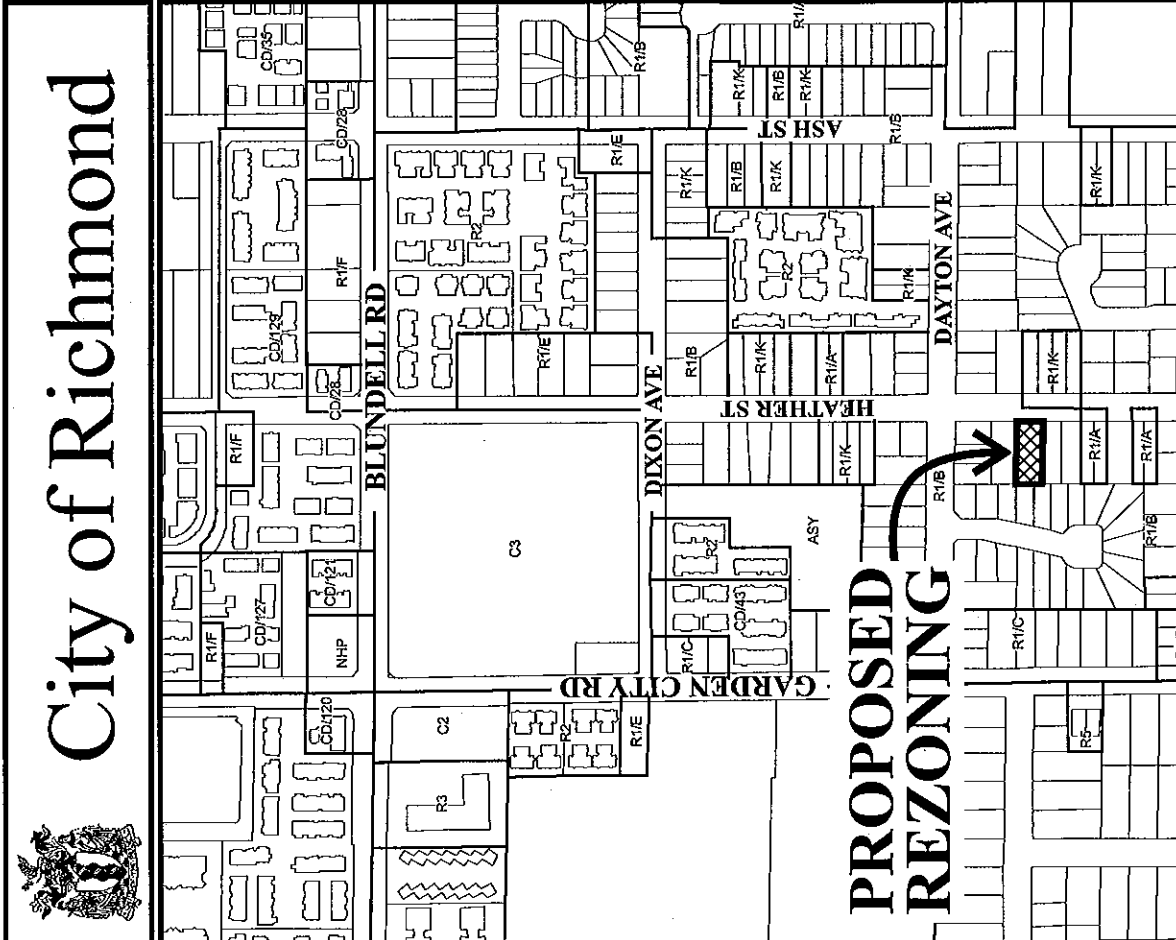
Cynthia Lussier
Planning Assistant
(604-276-4108)

CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Final Tree Retention Plan
- Attachment 4: Rezoning Considerations Concurrence

15.3	15.37	14.50	26.22	14.50	26.22	14.50	26.22	16.28	8531	26.22	10.06	10.06	10.06	10.67	10.67	18.29	29.60
9.14	12.00	13.81	13.81	9.14	13.43	13.43	9.14	613	8591	13.43	12.00	12.00	12.00	12.25	13.75	18.29	
12.00	12.00	13.81	13.81	12.00	13.43	13.43	12.00	8611	8591	13.43	12.00	12.00	12.00	12.25	13.75	18.29	
9.14	12.00	13.81	13.81	9.14	13.43	13.43	9.14	8613	8571	13.43	12.00	12.00	12.00	12.25	13.75	18.29	
12.00	12.00	13.81	13.81	12.00	13.43	13.43	12.00	8571	8551	13.43	12.00	12.00	12.00	12.25	13.75	18.29	
9.14	12.00	13.81	13.81	9.14	13.43	13.43	9.14	8551	8531	13.43	12.00	12.00	12.00	12.25	13.75	18.29	
12.00	12.00	13.81	13.81	12.00	13.43	13.43	12.00	8531		13.43	12.00	12.00	12.00	12.25	13.75	18.29	
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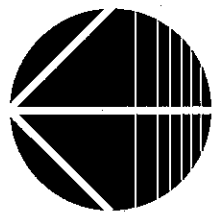
HEATHER ST



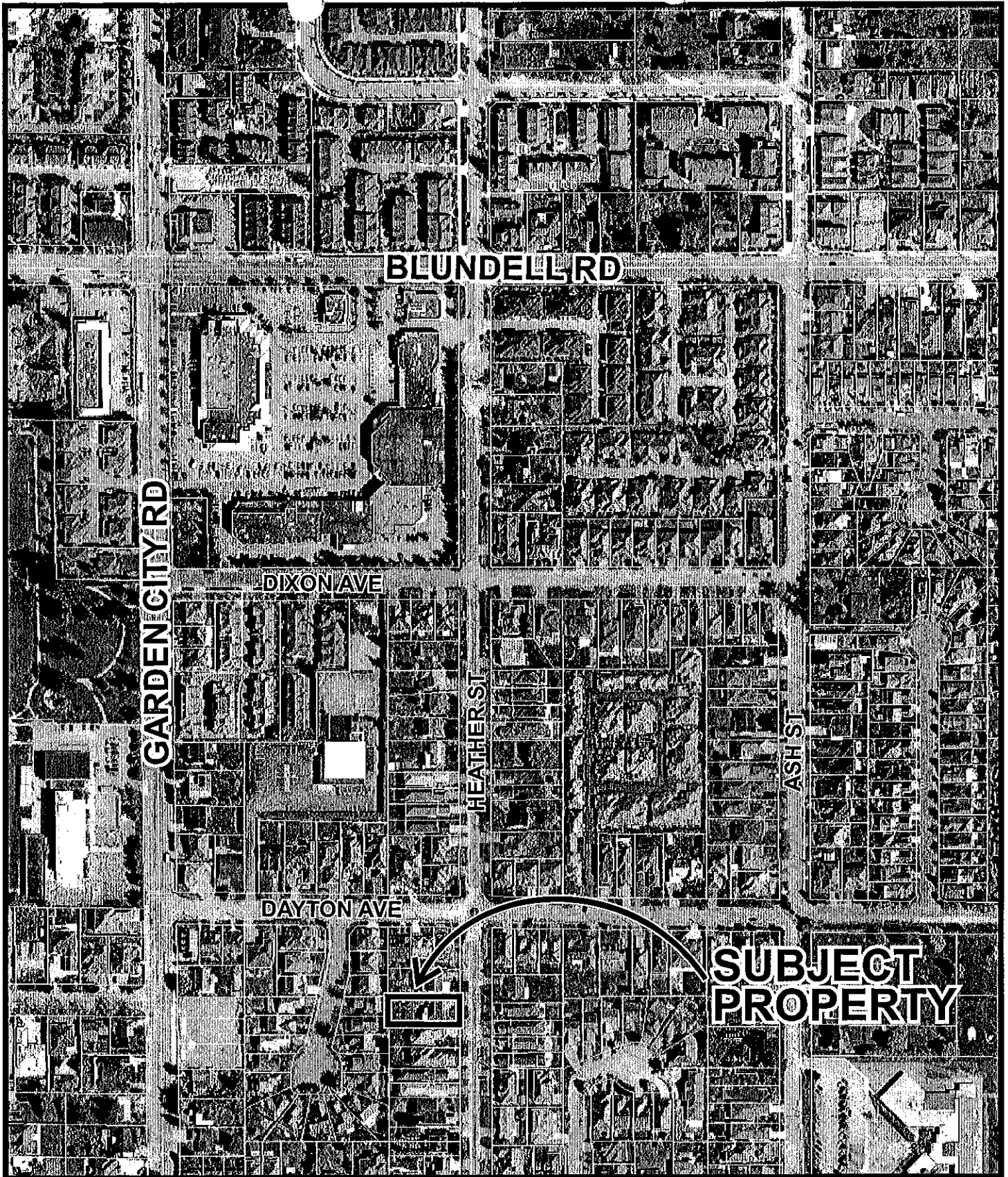
PROPOSED REZONING

Original Date: 09/08/08
 Revision Date:
 Note: Dimensions are in METRES

RZ 08-438376



City of Richmond



BLUNDELL RD

GARDEN CITY RD

DIXON AVE

HEATHER ST

ASH ST

DAYTON AVE

**SUBJECT
PROPERTY**



RZ 08-438376

Original Date: 09/08/08

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 08-438376 **Attachment 2**

Address: 8571 Heather Street

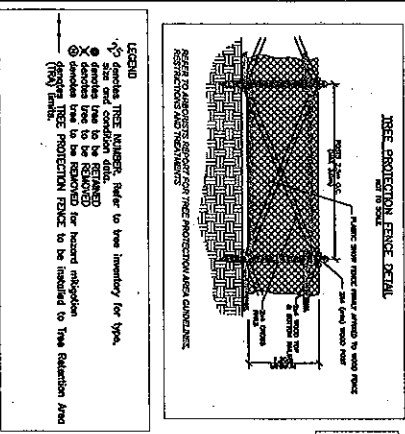
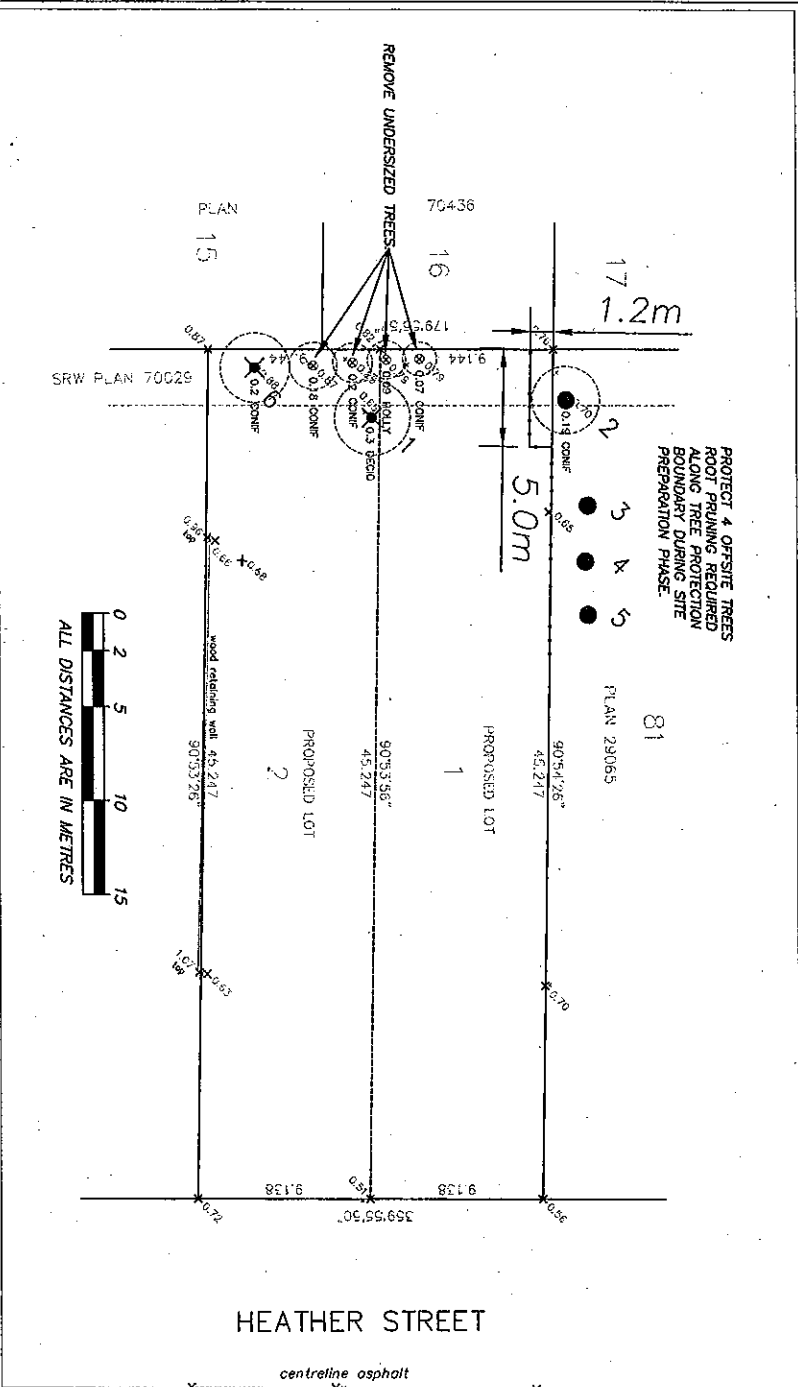
Applicant: NKS Enterprises

Planning Area(s): Broadmoor (Ash Street Sub-Area)

	Existing	Proposed
Owner:	Jonathan & Shaun Samuel	To be determined
Site Size (m²):	827 m ² (8,902 ft ²)	413.5 m ² (4,451 ft ²)
Land Uses:	One (1) Single-Family Dwelling	Two (2) Single-Family Residential Lots
OCP Designation:	Generalized Land Use Map – Neighbourhood Residential	No change
Area Plan Designation:	Low Density Residential	No change
702 Policy Designation:	N/A	No change
Zoning:	Single Detached (RS1/B)	Single Detached (RS2/A)
Number of Units:	One	Two

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):	270 m ²	413.5 m ²	none
Setback – Front Yard & Rear 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	none

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



LEGEND

- Tree to be retained
- Tree to be removed
- Tree protection fence to be installed to Tree Retention Area (TRR) limits

Notes:
 The plan is based on a survey and has been checked and approved by the City of Richmond. It is intended for use as a guide only and does not constitute a contract. The user assumes all responsibility for the accuracy of the data and the results of any construction or other work based on this plan. Please refer to the applicable codes and regulations for further information.

ARBORTECH CONSULTING LTD
 Suite 200 - 3740 Chatham Street
 Richmond, BC, Canada V7E 2Z3
 P 604 276 3484 F 604 276 8554
 email: trees@arbotech.bc.ca

TREE RETENTION PLAN	
Client:	NKS ENTERPRISES
Project:	PROPOSED TWO LOT SUBDIVISION
Address:	8571 HEATHER STREET RICHMOND BC
Date:	NOVEMBER 12 2009
Our File:	08237
Muni File:	

Scale 1:250

Rezoning Considerations
8571 Heather Street
RZ 08-438376

Prior to final adoption of Zoning Amendment Bylaw 8435, the developer is required to complete the following:

1. Submission of a Landscaping Security to the City of Richmond in the amount of \$2,000 (\$500/tree) for the planting and maintenance of four (4) replacement trees (two (2) per new lot) with the following minimum calliper sizes/heights:

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

2. 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) new lots created, to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.
3. Registration of a flood indemnity covenant on Title.

Prior to demolition stage, the following item must be addressed:

- Installation of Tree Protection Fencing on-site a minimum of 1.2 m from the base of the Western White Pine (Tree # 2) located on adjacent property at 8551 Heather Street. Tree protection fencing must be installed to City standards prior to demolition of the existing dwelling on the subject site, and must remain in place until construction and landscaping on the future lots is completed.

At future subdivision stage the developer will be required to:

- Pay Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charges (for future road improvements), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

[Signed original on file]

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 8435 (RZ 08-438376)
8571 HEATHER STREET**

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/A)**.

P.I.D. 009-097-473

Lot 82 Section 22 Block 4 North Range 6 West New Westminster District Plan 29065

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 8435”**.

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