



**City of Richmond**  
Planning and Development Department

**Report to Committee**

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**To:** Planning Committee **Date:** May 31, 2010  
**From:** Brian J. Jackson, MCIP **File:** RZ 10-515821  
Director of Development  
**Re:** **Application by Sherman Peng for Rezoning at 8120 Heather Street from Single Detached (RS1/E) to Single Detached (RS2/A)**

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**Staff Recommendation**

That Bylaw No. 8622, for the rezoning of 8120 Heather Street from "Single Detached (RS1/E)" 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		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

## Staff Report

### Origin

Sherman Peng has applied to the City of Richmond for permission to rezone 8120 Heather Street from "Single Detached (RS1/E)" to "Single Detached (RS2/A)" to permit the property to be subdivided into two (2) lots with vehicle access from Heather Street (**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 east side of Heather Street, just north of Dixon Avenue. The surrounding area contains a mix of land uses including older and newer character single detached dwellings and townhouses, as well as commercial and assembly uses.

- To the north, is an older dwelling on a lot zoned "Single Detached (RS1/E)";
- To the east, is a townhouse complex constructed in the early 1990's on a lot zoned "Low Density Townhouses (RTL1)";
- To the south, is an older dwelling on a lot zoned "Single Detached (RS1/E)", which is currently the subject of a rezoning application to "Single Detached (RS2/A)" (RZ 08-438376 pending final adoption of Bylaw No. 8558); and
- To the west, directly across Heather Street, is the Garden City Shopping Centre on a lot zoned "Community Commercial (CC)".

### Related Policies & Studies

#### Official Community Plan (OCP) Designation

The subject property is located in the Broadmoor Planning Area. The Official Community Plan's Generalized Land Use Map designation for this property is "Neighbourhood Residential". The Ash Street Sub-Area Plan's Land Use Map 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.

### 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 in recent years in accordance with the Sub-Area Plan. Currently, there are four (4) other active development applications along Heather Street in this neighbourhood to create smaller lots.

### Trees & Landscaping

A Certified Arborist's Report was submitted by the applicant, which identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The Report identifies and assesses:

- five (5) bylaw-sized trees on-site (one of which straddles the west property line and is co-owned by the City);
- one (1) bylaw-sized tree on City property within the boulevard along Heather Street;
- one (1) bylaw-sized tree on the adjacent site to the north (8100 Heather Street); and
- eight (8) trees on the adjacent site to the south (8140 Heather Street, RZ 07-401012).

The City's Tree Preservation Coordinator and the City's Parks Arborist both reviewed the Arborist's Report and conducted Visual Tree Assessments. The overall result of recommended tree retention and removal at this site is as follows:

- the bylaw-sized Pine tree on City property within the boulevard along Heather Street should be removed on the basis of poor condition and structure (Tree # 1). It has been previously topped for overhead hydro line clearance and there is a lot of dead wood throughout the canopy. As compensation for its removal, the applicant is required to submit a contribution to the City's Tree Compensation Fund prior to final adoption of the rezoning bylaw in the amount of \$1,000 for off-site planting (to reflect the required 2:1 replacement ratio at \$500/tree). At future development stage, the applicant must obtain formal written authorization directly from the City's Parks department for removal of the tree from City property.
- two (2) bylaw-sized trees on-site should be retained on the basis of good condition (Tree # 2 and # 4).
- three (3) bylaw-sized trees on-site should be removed on the basis of: a) conflict with the proposed development (Tree # 8); b) CPTED concerns resulting in limited visibility into the property (Tree # 3); and c) poor condition and structure (Tree # 9).
- nine (9) bylaw-sized trees on adjacent sites to the south and north should be retained with protective fencing around the driplines that encroach into the subject site (Tree # 5, 6, 7, 10, 11, 12, 13, 14, 15).

Tree protection fencing must be installed to City standard prior to demolition of the existing dwelling on-site and must remain in place until construction and landscaping on the future lots is completed.

The Final Tree Retention Plan, which reflects the final outcome of tree protection and removal, is included as **Attachment 3**.

To ensure survival of the two (2) trees proposed to be retained on-site (Tree # 2 and # 4), the applicant must submit the following items as a condition of rezoning:

- A Contract with a Certified Arborist for supervision of any works to be conducted within the tree protection zones. The Contract must include the proposed number of site monitoring inspections (including stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review; and,
- A Survival Security to the City in the amount of \$2,000 (reflects the 2:1 replacement ratio at \$500/tree).

Based on the 2:1 tree replacement ratio goal in the Official Community Plan (OCP), and the size requirements for replacement trees in the City’s Tree Protection Bylaw, a total of six (6) 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	8 cm		4 m
4	6 cm		3.5 m

Considering the effort to be taken by the applicant to retain the two (2) bylaw-sized trees in the front yard (Tree # 2 and # 4), and the limited space in the future yards, staff recommend only four (4) replacement trees be required (the lots will require a modified design and creative lot grading to address tree retention and flood plain construction level requirements.

To ensure that the four (4) replacement trees are planted and maintained on the future lots, 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.

Affordable Housing

The Richmond Affordable Housing 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 Fund for single-family rezoning applications.

The applicant proposes to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is 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 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 (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 suite 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/ft<sup>2</sup> of total building area of the single detached dwellings (i.e. \$4,898).

#### Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

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

#### Subdivision

At 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.

#### Flood Management

Registration of a Flood Indemnity Covenant on Title is required prior to final adoption of the rezoning bylaw.

#### **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**

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.



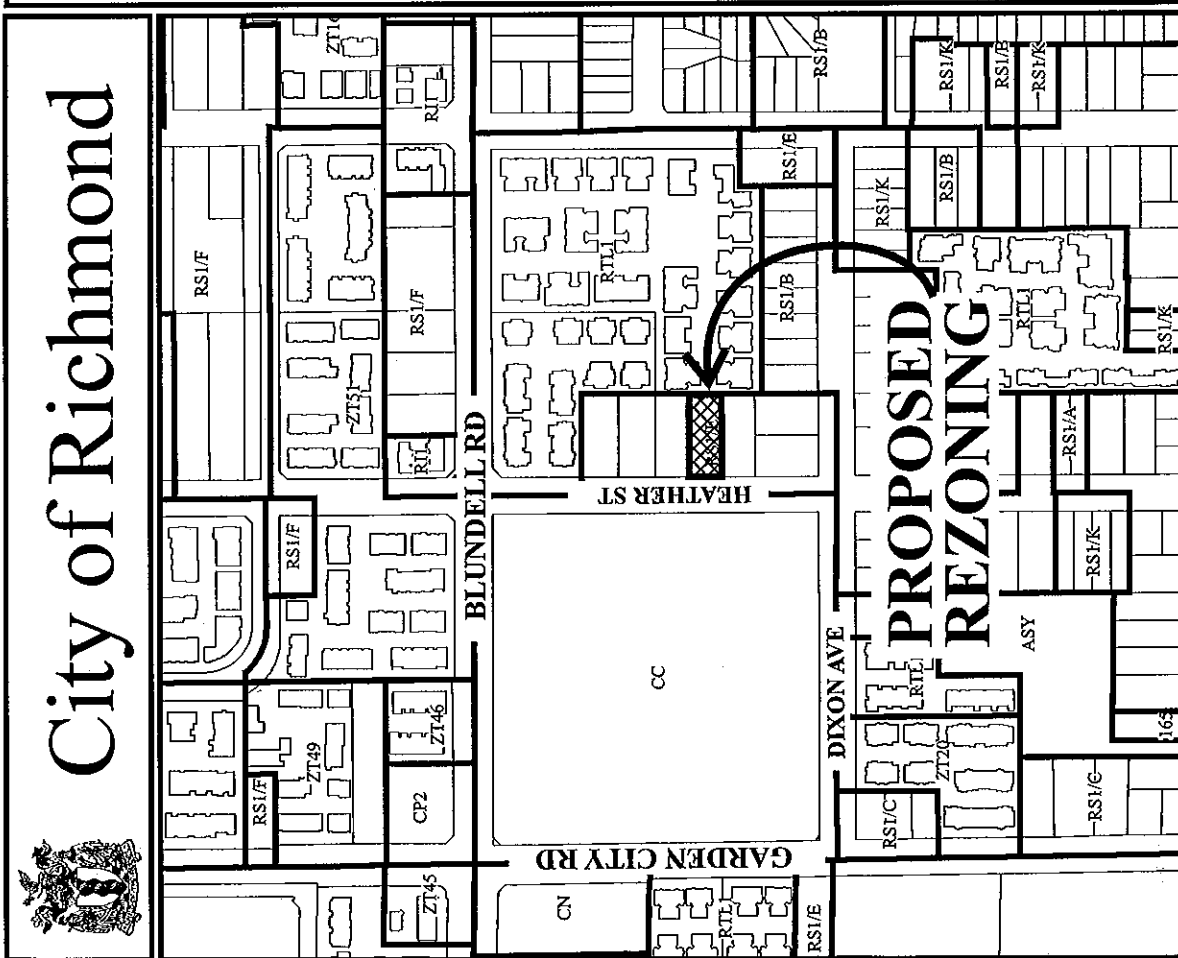
Cynthia Lussier  
Planning Technician  
(Local 4108)

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

45.27	45.27	45.27	45.27	45.27	15.94	40.23	8000
8080	8100	8120	8140	8180	34.62	34.55	34.58
20.12	18.29	18.29	18.29	22.40	22.89	18.29	34.62
45.27	45.27	45.27	45.29	22.40	22.89	18.29	34.62
20.12	18.29	18.29	18.29	22.40	22.89	18.29	34.62
40.23	178.85	58.93	34.62	34.55	15.94	34.62	34.58

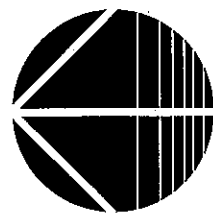
HEATHER ST



City of Richmond



RZ 10-515821



Original Date: 03/01/10

Revision Date:

Note: Dimensions are in METRES



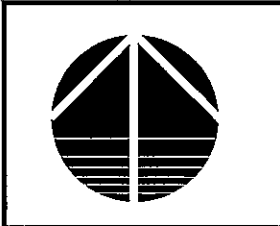
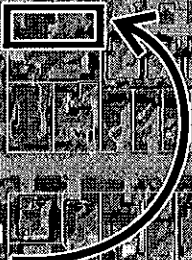
GARDEN CITY RD

BLUNDELL RD

HEATHER ST

DIXON AVE

**SUBJECT  
PROPERTY**



RZ 10-515821

Original Date: 03/01/10

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 10-515821**

**Attachment 2**

Address: 8120 Heather Street

Applicant: Sherman Peng

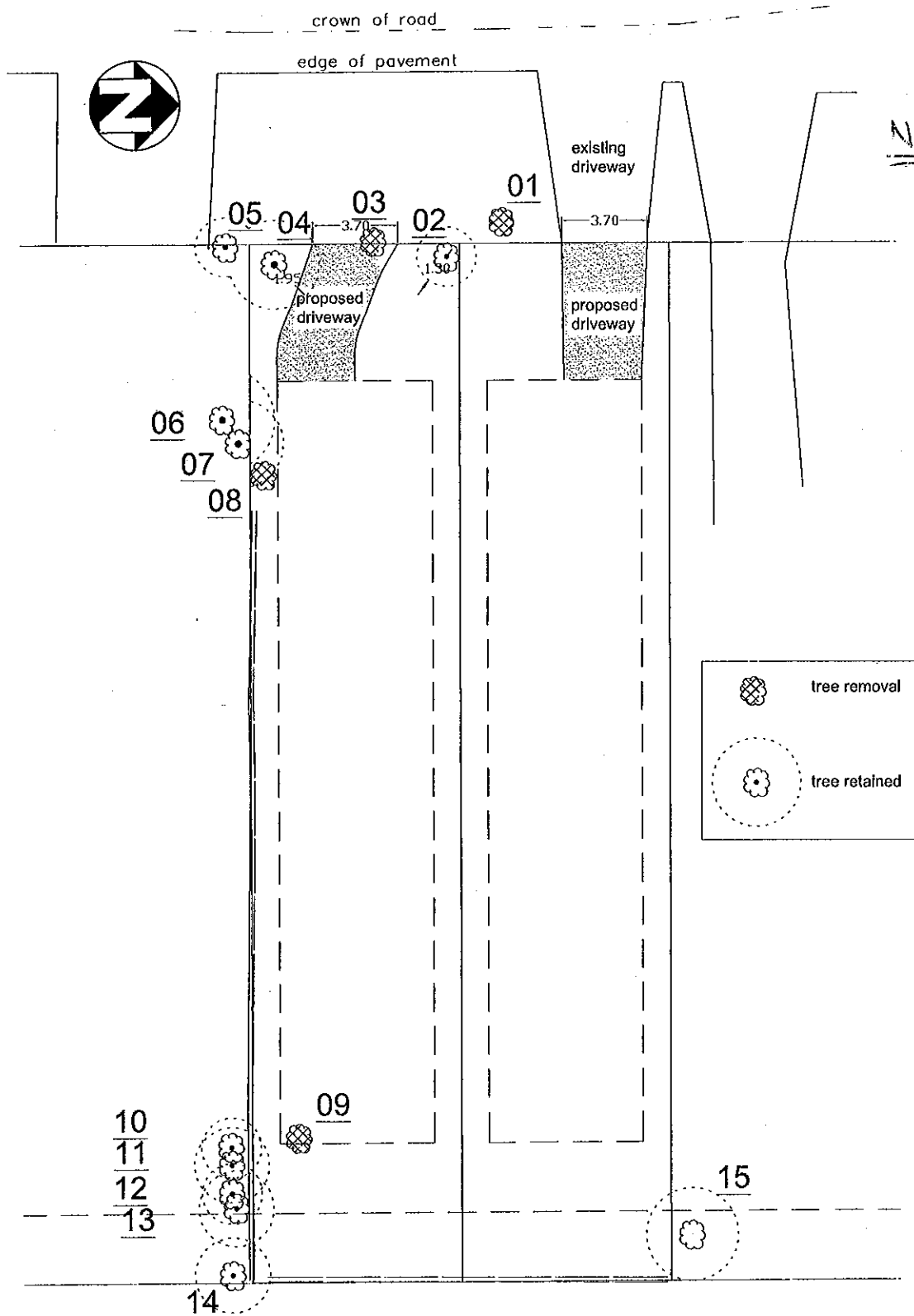
Planning Area(s): Broadmoor

	Existing	Proposed
<b>Owner:</b>	Chao-Horng Wei Jen-Yen Wei	To be determined
<b>Site Size (m<sup>2</sup>):</b>	827 m <sup>2</sup> (8,902 ft <sup>2</sup> )	Two lots – each approx. 413.7 m <sup>2</sup> (4,453 ft <sup>2</sup> )
<b>Land Uses:</b>	One (1) single detached dwellings	Two (2) single detached dwellings
<b>OCP Designation:</b>	Generalized Land Use Map – “Neighbourhood Residential”	No change
<b>Area Plan Designation:</b>	Low Density Residential	No change
<b>702 Policy Designation:</b>	N/A	No change
<b>Zoning:</b>	Single Detached (RS1/E)	Single Detached (RS2/A)
<b>Number of Units:</b>	One (1)	Two (2)



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 <sup>2</sup>	413.7 m <sup>2</sup>	none
Setback – Front & 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 m	none

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

# HEATHER STREET



Note: Driveway width & layout to be approved at development stage per City.

	tree removal
	tree retained

10  
11  
12  
13

project address:  
8120 Heather Street

NTS

## Rezoning Considerations

8120 Heather Street

RZ 10-515821

Prior to final adoption of Zoning Amendment Bylaw 8622, the applicant is required to complete the following:

1. Submission of a contribution to the City's Tree Compensation Fund in the amount of \$1,000 as compensation for removal of the Pine tree (Tree # 1) from City property (to reflect the required 2:1 replacement ratio at \$500/tree).
2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any works to be conducted within the tree protection zones of the two (2) retained trees on-site (Tree # 2 and # 4). The Contract must include the scope of work to be undertaken, the proposed number of site monitoring inspections (incl. stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
3. Submission of a Survival Security to the City in the amount of \$2,000 for the two (2) retained trees on-site (to reflect the 2:1 replacement ratio at \$500/tree).
4. Submission of a Landscaping Security to the City in the amount of \$2,000 (\$500/tree) for the planting and maintenance of four (4) replacement trees [two (2) per future lot], with the following minimum calliper sizes/heights:

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

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 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.

Note: Should the applicant change their mind prior to final adoption of the rezoning bylaw about the affordable housing option selected, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single detached dwellings (i.e. \$4,898) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

6. Registration of a flood indemnity covenant on Title.

Prior to demolition stage, the applicant is required to:

- install Tree Protection Fencing around all trees to be retained on-site (Tree # 2 and 4), and around the driplines of off-site trees that encroach into the subject site (Tree # 5, 6, 7, 10, 11, 12, 13, 14, and 15).

Prior to removal of the Pine tree on City property (Tree # 1), the applicant is required to:

- obtain formal written authorization directly from the City's Parks department [one (1) week prior], to enable Tree Removal signage to be posted by the City at the subject site at least 48 hours prior to removal.

At Subdivision stage, the applicant 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]

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Signed

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Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 8622 (RZ 10-515821)
8120 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. 004-322-061
Lot 142 Section 22 Block 4 North Range 6 West New Westminster District Plan 38843

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8622".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Approval signature lines for Mayor and Corporate Officer

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER