



To: Planning Committee **Date:** November 26, 2009
From: Brian J. Jackson, MCIP **File:** RZ 07-401012
Director of Development
Re: **Application by Rav Bains for Rezoning at 8140 Heather Street from Single Detached (RS1/E) to Single Detached (RS2/A)**

Staff Recommendation

That Bylaw No. 8558, for the rezoning of 8140 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		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Rav Bains has applied to the City of Richmond for permission to rezone 8140 Heather Street from "Single Detached (RS1/E)" to "Single Detached (RS2/A)" to permit the property to be subdivided into two (2) single-family residential 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, 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 fronting Heather Street 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, on the corner of Heather Street and Dixon Avenue, are two (2) older dwellings on lots zoned "Single Detached (RS1/E)"; 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 (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 in this neighbourhood to create smaller lots.

Tree Preservation

A Certified Arborist's Report has been submitted by the Applicant in support of tree removal. The Arborist's Report identifies tree species, assesses tree structure and condition, and provides recommendation on tree retention and removal relative to the proposed development. The Report assesses 15 bylaw-sized trees on the subject site and two (2) bylaw-sized trees on the adjacent site to the north at 8120 Heather Street. The Report recommends removal of all bylaw-sized trees from the subject site and Trees A & B at 8120 Heather St on the basis of poor condition and conflict with proposed development (subject to the adjacent property owner's authorization). The City's Tree Preservation Coordinator has reviewed the Arborist's Report and concurs with these recommendations.

Authorization for removal of Trees A & B at 8120 Heather St has not be obtained, therefore tree protection fencing must be installed at a minimum of 1.5 m from the base of Tree A and 3 m from the base of Tree B on 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 showing the extent of tree removal 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 Trees A and B on-site. The contract must include the proposed mitigation efforts to protect the trees, the proposed number and stages 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 30 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
26	6 cm		3.5 m
2	9 cm		5 m
2	11 cm		6 m

Due to the limited space available in the yards of the future lots, the applicant proposes to plant and maintain a total of six (6) large-sized replacement trees on the future lots and provide a contribution in the amount of \$12,000 to the City's Tree Compensation Fund in-lieu of planting the 24 remaining small-sized replacement trees (\$500/tree).

To ensure that the replacement trees are planted and maintained, the applicant is required to submit a Landscaping Security to the City in the amount of \$3,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

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

Affordable Housing

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

In order to help meet the City's targets for rental housing, the applicant is proposing 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 developer 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 on the lot without the secondary suite, at the initiation of the applicant, after the requirements are satisfied.

Should the applicant change their mind about the Affordable Housing option selected, a voluntary contribution to the City's Affordable Housing Reserve fund in-lieu of providing the legal 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 per square foot of total building area of the single-family developments (i.e. \$3,924).

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: Tree Retention Plan
- Attachment 4: Rezoning Considerations Concurrence



RZ 07-401012

Original Date: 01/15/08

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 07-401012 **Attachment 2**

Address: 8140 Heather Street

Applicant: Rav Bains

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Narinderjit S Dehal Paramjit K Dehal Anuvir S Dehal	To be determined
Site Size (m²):	828 m ² (8,913 ft ²)	414 m ² (4,456 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/E)	Single Detached (RS2/A)
Number of Units:	One	Two

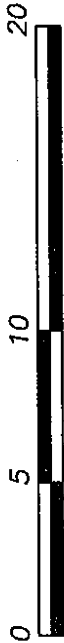
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	270 m ²	414 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

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

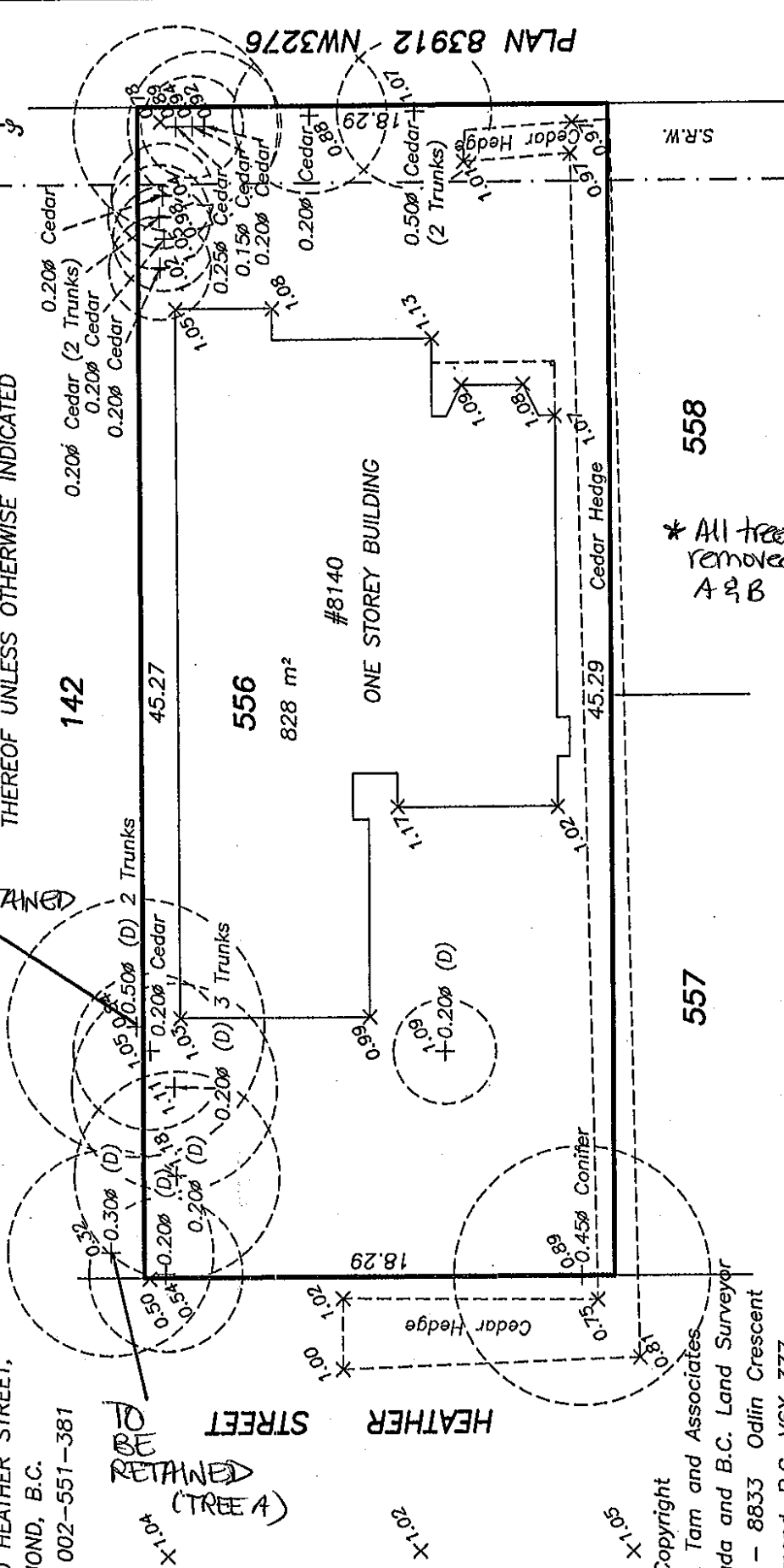
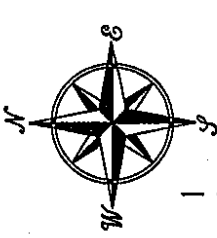
PLAN OF TREE SURVEY OF LOT 556
SECTION 22 BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT PLAN 60575

#8140 HEATHER STREET,
 RICHMOND, B.C.
 P.I.D. 002-551-381

SCALE: 1:250



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE INDICATED



PLAN 83912 NW3276

142

556

828 m²

#8140

ONE STOREY BUILDING

558

557

* All trees to be removed except A & B

LEGEND:

(D) denotes deciduous tree.

NOTE:

Elevations shown are based on Richmond City Datum.
 Bench Mark: Arrow head on hydrant located at North-east corner of Blundell Road and Heather Street.
 B.M. Elevation: 2.064 metres.

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 Canada and B.C. Land Surveyor
 115 - 8833 Odlin Crescent
 Richmond, B.C. V6X 3Z7
 Telephone: 214-8928
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 E-mail: jctam@telus.net
 Job No. 3385
 FB-115 P14-16
 Drawn By: BA

DWG No. 3385-TREE

SURVEY COMPLETED ON DECEMBER 5th, 2007.

Rezoning Considerations

**8140 Heather Street
RZ 07-401012**

Prior to final adoption of Zoning Amendment Bylaw 8558, the following items are required to be completed:

1. Submission of a contract with a Certified Arborist for supervision of any works to be conducted within the tree protection zones of Trees A & B on-site, the scope of which is to include the proposed mitigation efforts to protect the trees, the proposed number and stages of site monitoring inspections, and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
2. Submission of a Landscaping Security to the City of Richmond in the amount of \$3,000 (\$500/tree) for the planting and maintenance of six (6) replacement trees with the following minimum calliper sizes/heights:

# Replacement Trees	Min. Calliper of Deciduous Tree	or	Min. Height of Coniferous Tree
4	9 cm		5 m
2	11 cm		6 m

3. The City's acceptance of a voluntary contribution in the amount of \$12,000 (\$500/tree) to the City's Tree Compensation Fund in-lieu of planting the remaining required replacement trees.
4. 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 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. \$3,924) to the City's Affordable Housing Reserve fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

5. Registration of a Flood Indemnity Covenant on Title.

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 8558 (RZ 07-401012)
8140 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. 002-551-381

Lot 556 Section 22 Block 4 North Range 6 West New Westminster District Plan 60575

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8558".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Series of horizontal lines for recording readings and requirements.

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

MAYOR

CORPORATE OFFICER