#### **Report to Committee**

To:

Planning Committee

Date:

August 24, 2009

From:

Brian J. Jackson, MCIP

Director of Development

File:

RZ 06-348080

Re:

Application by Charan Sethi for Rezoning at 8200 St. Albans Road from

Single-Family Housing District, Subdivision Area E (R1/E) to Two-Family

**Housing District (R5)** 

#### **Staff Recommendation**

That Bylaw No. 8436, for the rezoning of 8200 St. Albans Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Two-Family Housing District (R5)", be introduced and given first reading.

Brian J. Jackson, MCIP Director of Development

CL:blg Att.

FOR ORIGINATING DEPARTMENT USE ONLY

CONCURRENCE OF GENERAL MANAGER

#### Staff Report

#### Origin

Charan Sethi has applied to the City of Richmond for permission to rezone 8200 St. Albans Road from Single-Family Housing District, Subdivision Area E (R1/E) to Two-Family Housing District (R5) in order to permit the construction of a duplex on the subject property (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 St. Albans Road, between Blundell Road and Francis Road, in an established residential neighbourhood consisting of a mix of old and newer single-family dwellings, duplexes, as well as public and private schools.

- To the north and east, are the Palmer and Garden City School Parks, zoned "School & Public Use District (SPU)". The St. Albans Road vehicle access to the school/park, parking lot and baseball field is immediately adjacent to the subject property;
- To the south, is a newer strata-titled duplex, zoned "Two-Family Housing District (R5)" (RZ 02-203607); and
- To the west, across St. Albans Road, is St. Paul's Church and School, zoned "Assembly District (ASY)," as well as Central Montessori Child Care zoned "Comprehensive Development District (CD/151)".

#### **Related Policies & Studies**

#### Official Community Plan (OCP) Designation

The OCP's Generalized Land Use Map designation for this property is *Neighbourhood Residential*, and the Specific Land Use Map designation is *Low-Density Residential*. This redevelopment proposal is consistent with these designations.

#### Lot Size Policy 5423

The subject property is located within the area covered by Single-Family Lot Size Policy 5423 (adopted by Council in 1989, and amended in 2003 and 2004) (Attachment 3). This Policy establishes sizes for new lots created through subdivision. This development proposal is consistent with this Policy as it does not result in the subdivision of the lot. There is no policy to address the introduction of duplexes into specific neighbourhoods in the City. In the absence of such a policy, this rezoning application has been reviewed on its own merit and in the context of the surrounding neighbourhood.

This rezoning will secure legal agreements on Title to a) prohibit future subdivision of the lot in the future, and b) limit the property to a two-family dwelling on the site, with no secondary suite.

2340480 PLN - 5

#### **Staff Comments**

#### **Background**

Initially submitted in 2006, this rezoning application involved a proposal to permit a two-storey duplex, with two (2) detached single-level "granny flats" in the rear yard of the site. Concerns identified by staff related to the proposed building design were never resolved and the neighbourhood expressed opposition to the development proposal in the form of a petition to staff advocating to keep the existing zoning or to consider a zoning that permits a duplex instead (Attachment 4).

In the Fall of 2007, the proposal was revised to seek permission to rezone to Two-Family Housing District (R5) to permit the construction of a duplex on the subject property. The application review process was then delayed by unresolved issues related to tree retention on and off-site, combined with the slow-down caused by the change in housing market conditions over the last year.

#### Conceptual Development Plans

A site plan and conceptual design of the development proposal is included in **Attachment 5**. The site plan demonstrates that the development proposal complies with the proposed zoning in terms of setbacks. At future development stage, a Building Permit must be obtained by the applicant and the final building design must comply with all City regulations.

#### Tree Preservation & Landscaping

A Tree Survey submitted by the Applicant (on file) indicates the location of six (6) bylaw-sized trees:

- two (2) of which are located in the rear yard on the subject property; and
- four (4) of which are located on the adjacent school/park property to the east.

A Certified Arborist's Report has also been submitted by the applicant and is on file. In addition to the six (6) bylaw-sized trees shown on the Tree Survey, a seventh (7<sup>th</sup>) bylaw-sized Hazelnut tree was identified by the Arborist in the rear yard and has been included in the Arborist's Report. The Arborist's Report identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and/or removal relative to the proposed development. The Report recommends that the existing grade of the rear yard be maintained to enable the retention of the three (3) bylaw-sized trees on-site and the four (4) bylaw-sized trees on the adjacent site. The City's Tree Preservation Coordinator concurs with the Arborist's recommendations.

A Landscape Plan submitted by the applicant illustrates (Attachment 6):

- the location of existing trees to be protected;
- how the lot will be enhanced with new trees and other vegetation;
- specifies the location and minimum dimensions for the new shared driveway and for tree protection fencing; and
- provides details on proposed retaining walls designed to address grade changes.

Tree protection fencing must be installed, to City standards, prior to obtaining a Demolition Permit to remove the existing dwelling and must remain in place until construction of the proposed duplex is complete.

To ensure that the proposed Landscape Plan is adhered to, the applicant will be required to submit a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect prior to final adoption of the rezoning bylaw.

To ensure the survival of the on-site and off-site trees to be retained, the applicant must submit the following items prior to final adoption of the rezoning bylaw:

- a contract with a Certified Arborist for supervision of any works to be conducted within the tree protection zone of on-site and off-site trees. The contract must include provisions 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 \$1,500 (\$500/on-site tree).

#### Affordable Housing

The City's Affordable Housing Strategy applies to in-stream development applications received after July 1, 2007. This rezoning application was received prior to July 1, 2007, and is therefore exempt from the Affordable Housing Strategy.

#### Site Servicing & Vehicle Access

There are no servicing concerns or requirements with rezoning. The existing frontage was upgraded in the 1990's to include a grassed boulevard complete with street trees, so no off-site works are required.

At future Building Permit stage, the developer is required to pay Servicing costs, School Site Acquisition Charge, Address Assignment Fee and GVS& DD Development Cost Charges.

As a condition of rezoning, a Restrictive Covenant must be registered on Title, ensuring that vehicular access to the site at future development stage is to be via a single shared driveway crossing.

At future Building Permit stage, the developer is required to submit a Construction Traffic and Parking Management Plan to the satisfaction of the City's Transportation Division. In addition, the removal of the existing driveway letdown and re-installation of the new driveway letdown (shared on centre) is to be done via Work Order.

#### Flood Management

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

#### **Analysis**

In the absence of a policy to guide the introduction of duplexes into existing neighbourhoods, this rezoning application has been reviewed on its own merit and in the context of the surrounding area.

When the adjacent property to the south rezoned to "Two-Family Housing District (R5)" in 2002, the following issues were considered:

- the appropriateness of introducing a new two-family dwelling in the neighbourhood;
- the implications for further similar development in the neighbourhood; and
- the impact of such development in the existing neighbourhood.

It was determined that the area was suited to accommodate new duplexes with limited potential impacts to the neighbourhood (i.e. increased traffic, activity and larger building form). Since then, there have not been any additional applications to create new duplexes in the surrounding neighbourhood.

The same merits of the neighbouring development proposal apply now to the subject property:

- St. Albans Road is a local road with a very urban feel due to the presence of the schools and church, and it carries a substantial amount of traffic leading into the City Centre. Approximately 200 m further north, past Blundell Road, St. Alban's Road becomes a Minor City Centre Arterial road. A two-family dwelling is supportable on this type of road;
- The location of the subject property between the School Park and the road, and having a shared property line with another duplex-zoned lot to the south creates a favourable situation in terms of adjacency issues; and,
- potential impacts on the neighbourhood would be limited.

At the time of report preparation, no public concerns or objections have been received by staff since the posting of the rezoning sign on the property.

To address concerns about the potential for the proposed duplex to be converted to include illegal suites, the registration of a Restrictive Covenant on Title limiting the property to a maximum of two (2) dwelling units will be required as a condition of rezoning.

To address the fact that Lot Size Policy 5423 allows properties with duplexes to subdivide into Two (2) single-family lots, the registration of a legal agreement on Title, prohibiting further rezoning and subdivision will be required as a condition of rezoning.

#### **Financial Impact**

None.

#### Conclusion

This rezoning application to permit the development of a duplex on St. Albans Road complies with all applicable policies and land use designations contained within the Official Community Plan (OCP). The list of rezoning conditions is included as **Attachment** 7, which has been agreed to by the applicant (signed acceptance on file). On this basis, staff support the application.

Cynthia Lussier Planning Assistant (604-276-4108)

CL:blg

Attachment 1: Location Map/Aerial Photo

Attachment 2: Development Application Data Sheet

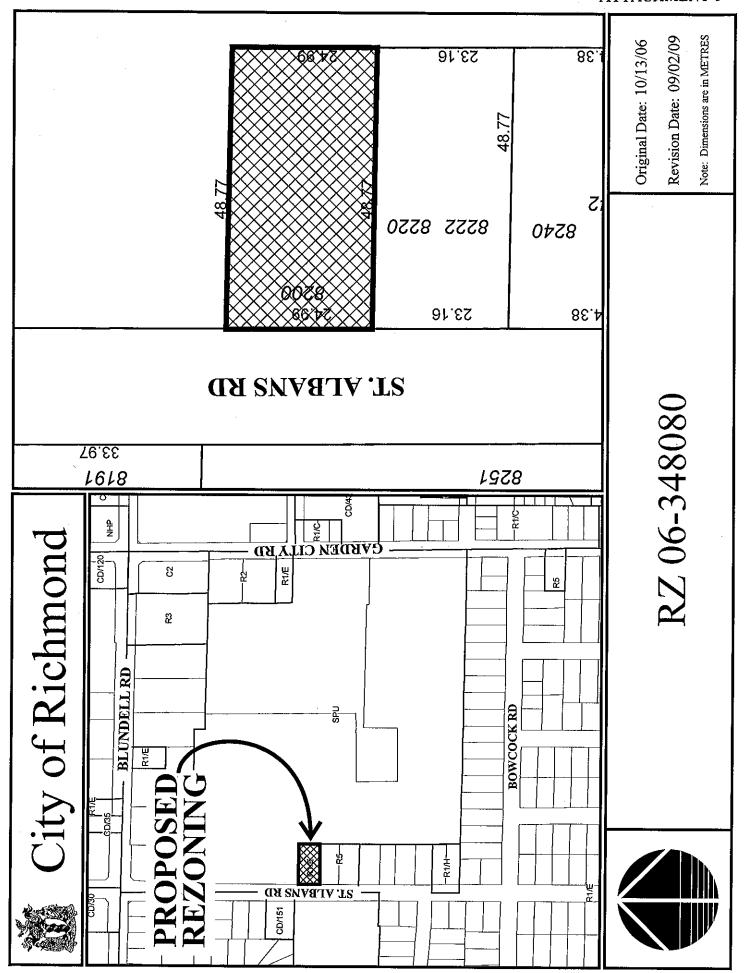
Attachment 3: Lot Size Policy 5423

Attachment 4: Petition

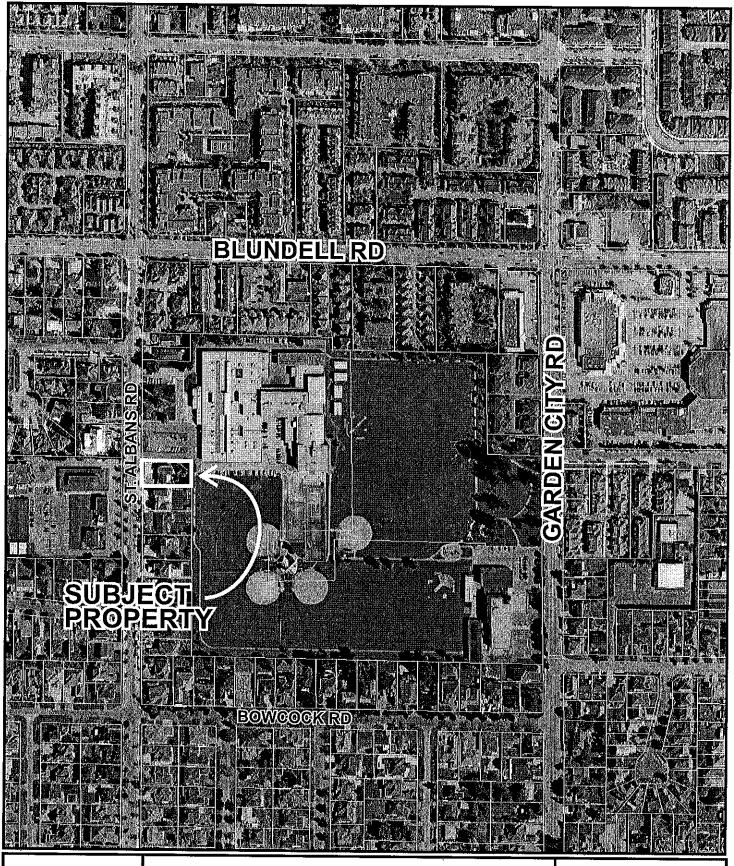
Attachment 5: Conceptual Development Plans

Attachment 6: Landscape Plan

Attachment 7: Rezoning Considerations



**PLN - 10** 





RZ 06-348080

Original Date: 10/13/06

Amended Date: 09/02/09

Note: Dimensions are in METRES



# Development Application Data Sheet

RZ 06-348080 Attachment 2

Address: 8200 St. Albans Road

Applicant: Charan Sethi

Planning Area(s): Broadmoor

	Existing	Proposed	
Owner:	CK Development Ltd	To be determined	
Site Size (m²):	1, 220 m² (13, 135 ft²)	No change	
Land Uses:	One (1) single-family dwelling	One (1) two-family dwelling	
OCP Designation:	<ul> <li>Generalized Land Use Map Designation – Neighbourhood Residential</li> <li>Specific Land Use Map Designation – Low-Density Residential</li> </ul>	No change	
Area Plan Designation:	None	No change	
702 Policy Designation:	Policy 5423 permits subdivision of duplexes into Single-Family Housing District, Subdivision Area B (R1/B) or Subdivision Area C (R1/C), and subdivision of select properties into Single-Family Housing District, Subdivision Area H (R1/H)	This development proposal is consistent with the Lot Size Policy as it does not result in the subdivision of the lot.	
Zoning:	Single-Family Housing District, Subdivision Area E (R1/E)	Two-Family Housing District (R5)	
Number of Units:	1	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):	864 m² (9, 300.02 ft²)	1, 220 m² (13, 135 ft²)	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
Off-street Parking Spaces	2	2	none



### City of Richmond

## **Policy Manual**

Page 1 of 2	Adopted by Council: November 20, 1989	POLICY 5423
Page 1 012	Amended by Council: November 17 <sup>th</sup> , 2003	
	Amended by Council: March 15 <sup>th</sup> , 2004	
File Ref: 4045-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SEC	TION 21-4-6

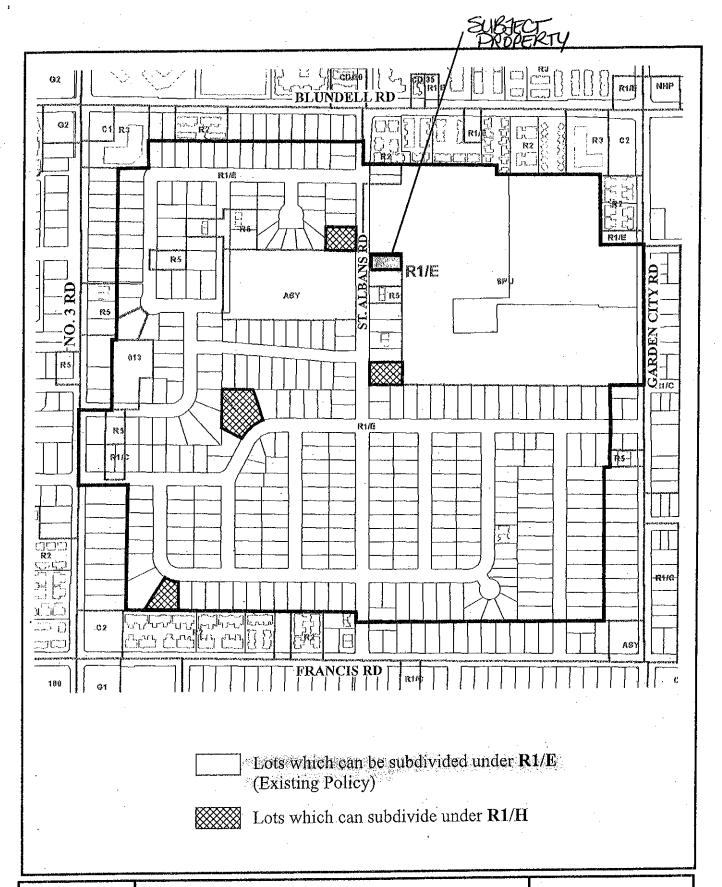
#### **POLICY 5423:**

The following policy establishes lot sizes within the area generally bounded by **Blundell Road**, **No. 3 Road**, **Francis Road and Garden City Road** (in a portion of Section 21-4-6):

That properties within the area generally bounded by Blundell Road, No. 3 Road, Francis Road and Garden City Road, in a portion of Section 21-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area E (R1/E) in Zoning and Development Bylaw 5300, with the exception that:

- a) properties with duplexes be permitted to subdivide into two equal halves, provided that each lot created meets the requirements of the Single-Family Housing District (R1/B) or (R1/C).
- b) five properties highlighted on the map be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area H (R1/H) in Zoning and Development Bylaw 5300.

This policy, as shown on the accompanying plan, is to be used to determine the disposition of future 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.



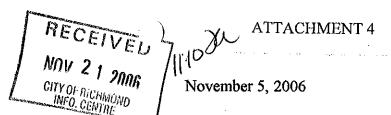


Policy 5423 Section 21, 4-6

Adopted Date: 11/20/89

Amended Date: 03/15/04

FILE NO. 06-348080



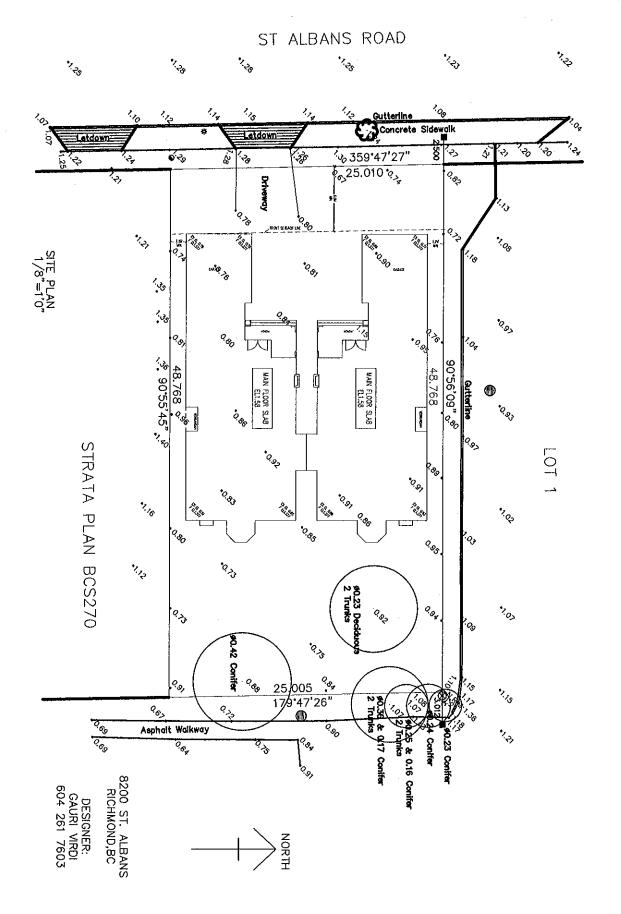
#### Petition of the Zoning of 8200 St. Albans Road

The following petition is sign by we, the residents along St. Albans Road, its surrounding neighbourhood and the People of Richmond. We oppose and are against the rezoning of 8200 St. Albans Road from a Single Family Housing District subdivision area E (R1/E) to a Comprehensive Development District (CD) in order to develop 2 two-storey duplexes and 2 single level granny flats at the rear. We hope that City Hall will understand the strong opposition of the surrounding neighbours along St. Albans Road and the People of Richmond for the rezoning of this property. We suggest 1 single house or 1 duplex with car parking at the front of the house.

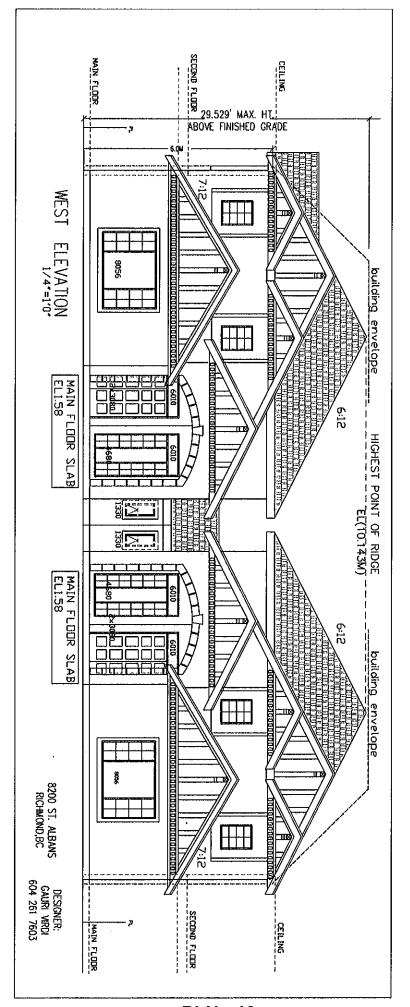
Name of Signee	Address	Signature
A Principle	8220 ST. ALBANS	A Punerly
Asy Fry Lawrence	8222 St, 19/bansAd.	Mark
mel & ducy som	8280 St. ALBANS PL	, miles &
Frank 7581	8260st BIRINS RP	Ker
J. TRIMBLE	82425T, ALBANS.	V. Trimble
Ilio ganaceto	8671 DEMORESTO	& The Coralle
CHARLES SZE	805-7080 St ALBAN	160
Rich Rozario	Lobos AWAREER	
S'.T. LEONG	11771 SERLORD RD	Strong
A KHOPEROS	GZEO VENEVEZ DR.	1 physical
K. NG	WISO SPENDER CR	Jan )
DSS. LAV	9711 BAKERUIZW DIR	Seelan
PAT. ROONEY	6100 NASINE CRES	
OME SAMONTE	4411 TRIMHERON DR.	Homelle.
ONI MOLINA	8211 NO.4 RO. HUD AC	Crowling
Salone Inger	3751 Meresby Quive	nonew
Leven	8328 LUCELNE RO.	Len.
5 Chang Form	8327 Lucerno Rd	S. Chmor
LARRY + GRACE CHIU	T 100 7	No.
CORA /ADELA KINLAG		my hor
ANTONIO DE LAS ALAS	9643 THOMAS DR.	(fileness. & for Con.

Name of Signee	Address	Signature
Pereita & fax alan	9673 Thomas Dr.	Percito de las alas
Fidela Suarez	#801-8460 Granville Ave.	Huarz
DIVINA HIBALCO	6513 PIMLICO My RMD	Theren
	1400 Landowne Rd. Sute 1041	
Lourdes Q'. dela Cons	9-8700 Plundell Rel Puh	
gess i Cora fa	# 319- 7800 St Alba	with Jones &c
Clery Captilla	203-6000 Jusuell	Museue-
Ad Voise	7800- Talbrus Rd	Ind drie
Posie GUNZALOS	23-607/Anupl	V
Done Custodio	19-8551 Gen Curi fo	1 spentodie
100 GARCEA	8-4933 MUHER DE (	
EDGAR GRS4A	11546	Lagar Meser
PRISCILLA URSUA	) SEATHURST ROA	b pisalle high
GREGORIO P. VINZIN	9260 PATTERON RD, RMI)	
J. LIANG	9531, MOSSETT PE ROWS	FSC
Phul LAn	4520 DALLYS CD _	
PERCY CHEUNG	10 5820 DOLBRUNOS	
ANIC Hontein	121,60 Blund Rot	THEST
Manuel Gomes	6833 Hamben ST.	Man
	54 7995 Westminster He	uy numera
JOSE 195W	10371 CAMBLE 120.	Julson
MARUA SUCAN MARUAN	O 2560 PATTERSON PD	Julian
Agdia Do	8820 Rosedine Cu	Ψ//
I she iiv	10/80 Dearard Rd.	Manro 7
EDWIN SJ. MENDOLA	8561 CITATION DIEL RICHMAN	OB. Santy Multi
ROBERT GUANZON	8511 GEN. CWEMERD.	Duanzin
CAROLINE SORIANO	10951 ANGLESEA DRIV	El CASerian
Teresita Provido	210-7151 Noffatt Rd	Johnsond
AMERICO SILVA	7371 /75H ST R.D.	Their Mila
TONY PROJENTEL	853/GKINFIRCD	
PATON 19 DON AOU	#7-26 90 STUUESTON Hay	The state of the s
JACK M'CAFFRISI	4331 Colless (D)	Kli Coffe
Jo John Koop.	2151 Ash st.	John Kolps
U	•	

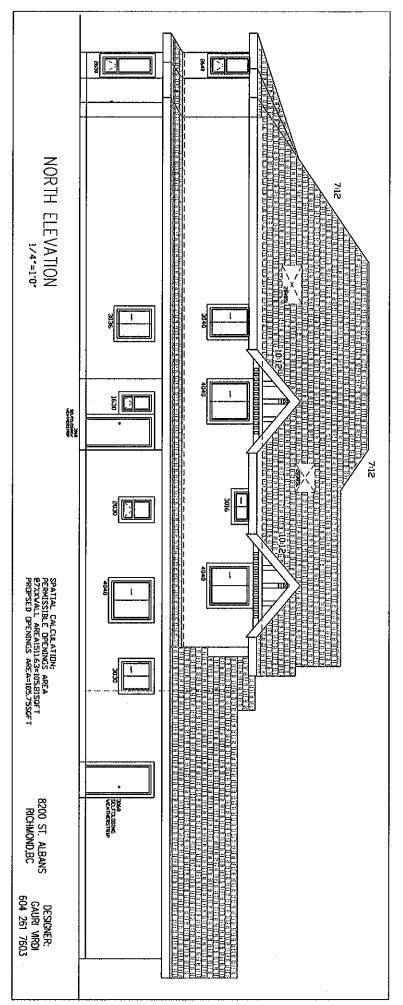
Name of Signee	Address	Signature
A. Quilmy	#4-8311 Steveston Huly Fy	P Storet
F. PAUNN	302 - MORTEHUR	7
J. GALO	103-7751 MINORU BUT	But.
& Carear	24-9331 FRANCES	Larries
S.DA SINA	18460 ROCHDAZE DR. RICHA	one dativo
		,
		, .
	,	
	_	



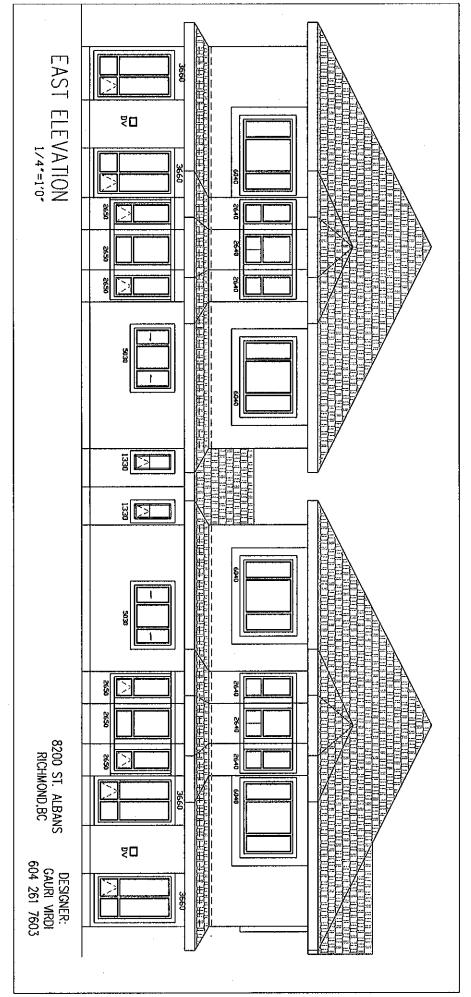
**PLN - 18** 



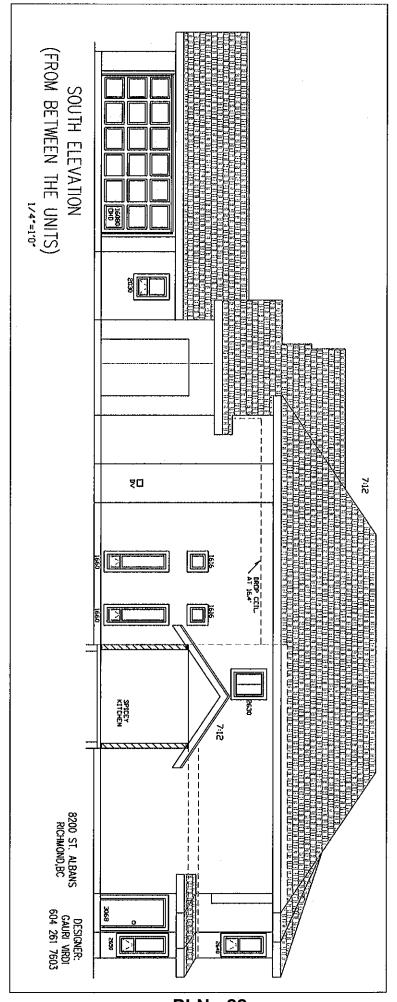
**PLN - 19** 



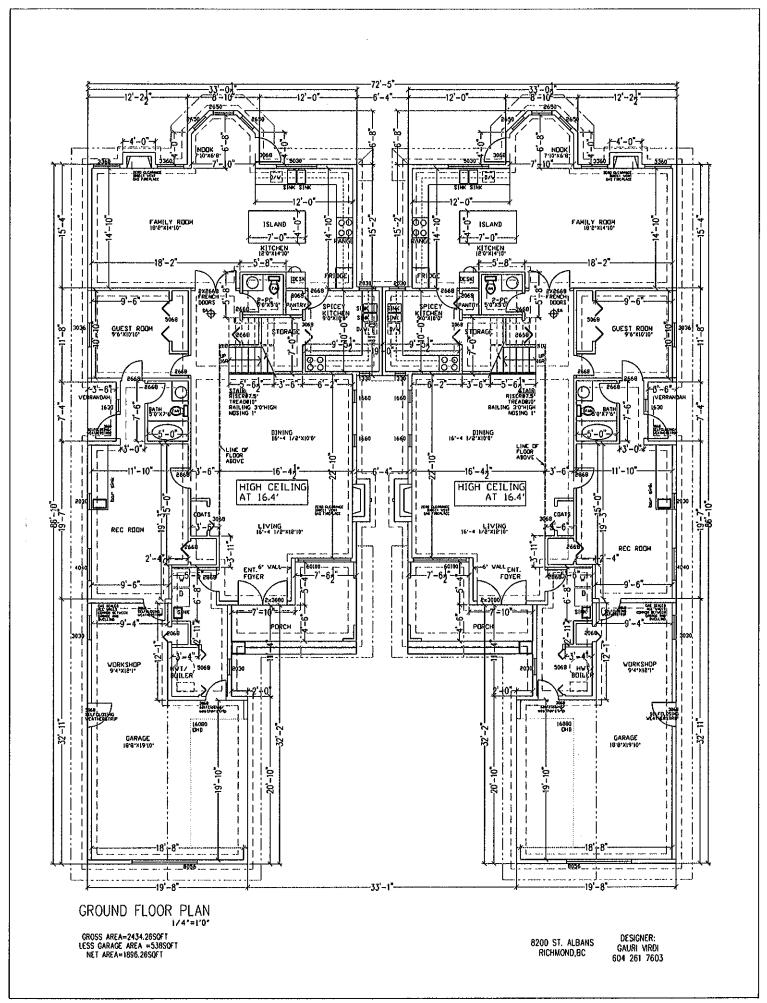
PLN - 20

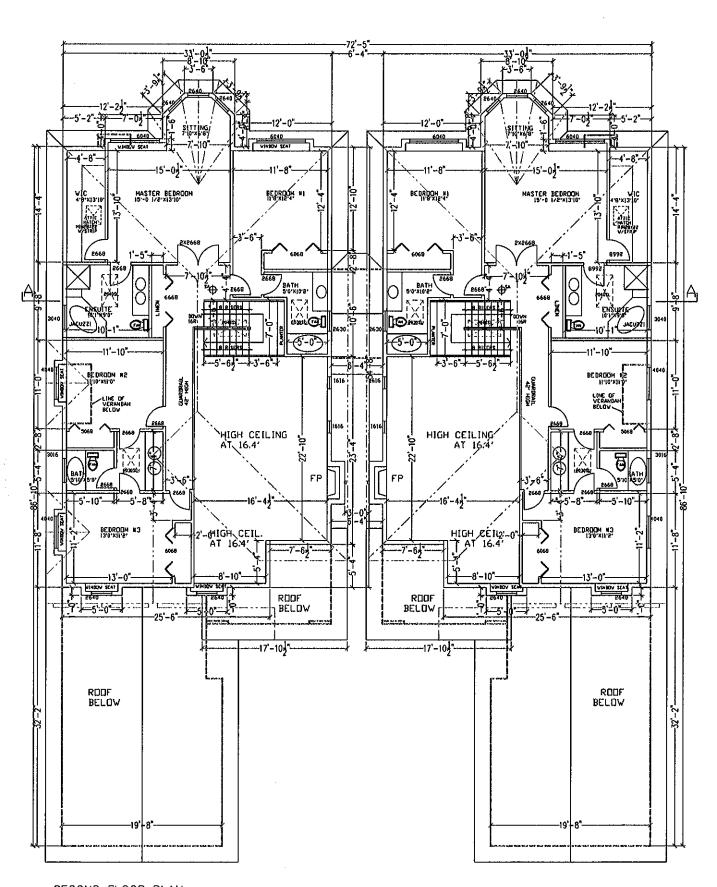


PLN - 21



PLN - 22

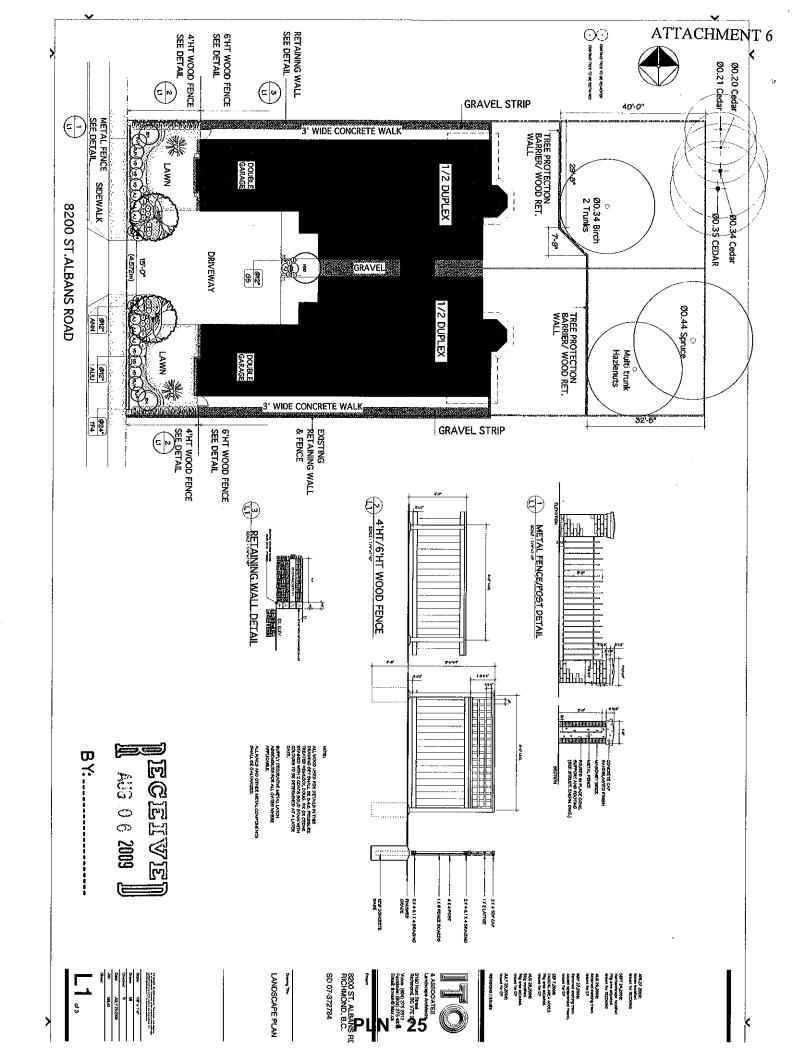


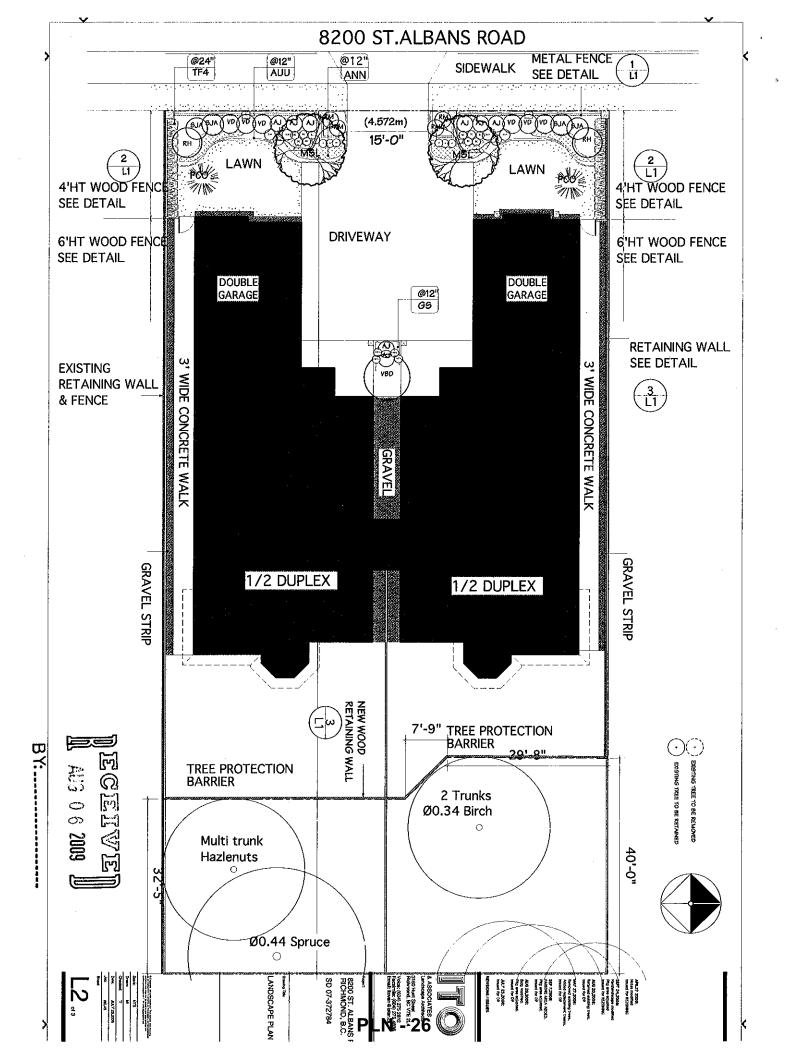


SECOND FLOOR PLAN

GROSS AREA=1816.46SQFT STAIR EXEMPTION=70.29sqft LESS HIGH CEILING(16.4")=424SQFT NET AREA=1322.17SQFT

8200 ST. ALBANS RICHMOND, BC DESIGNER: GAURI VIRDI 604 261 7603





# PLANT LIST

PROJECT ADDRESS 8200 ST. ALBANS

TREES Σ KEY QTY BOTANICAL NAME 2 MAGNOLIA SOULANGIANA 'RLPURPLE SAUCER MAGN5.0cm Cai. B&B
2 PICEA OMORIKA SERBIAN SPRUCE 2.0m HT. B&B PICEA OMORIKA COMMON NAME SIZE

## SHRUBS

철 용

18 THUJA OCCIDENTALIS 'FASTI(PYRAMIDAL CEDAR

1.25m HT.

S S 쯈 꽃 곺 온 1 VIBURNUM X BODNANTENSE 'DAWN VIBURNUM VIBURNUM DAVIDII SPIRAEA JAPONICA 'ANTHON'ANTHONY WATERER SI#2 POT ROSA MEIDILAND RHODODENDRON \*\* AZALEA JAPONICA \*\* JAPANESE AZALEA RHODODENDRON MEIDILAND ROSE DAVID'S VIBURNUM #2 POT #5 POT #1 POT

# GROUND COVERS

೪ ≧ 25 ARCTOSTAPHYLOS UVA URSI KINNIKINNICK S GAULTHERIA SHALLON SALAL #SP3 POT #SP3 POT

**VINES** 

# PERENNIALS/ANNUALS/FERNS/GRASSES/AQUATIC PLANTS

품 프 CA R 10 BERGENIA CRASSIFOLIA HEMEROCALLIS 'STELLA D'ORGOLD DAY LILY CAREX MORROWII 'AUREO-VAICAREX HEARTLEAF BERGENIA #1 POT # # # POT POT

ANN 60 ANNUALS \*\* 4 HOSTA FORTUNEI 'AUREAO M.PLANTAIN LILY

#SP3 POT

NOTES

\*\* DENOTES SPECIES AND VARIETY TO BE APPROVED BY THE LANDSCAPE ARCHITECT

BRITISH COLUMBIA LANDSCAPE STANDARDS. ALL MATERIALS AND EXECUTION SHALL BE IN ACCORDANCE TO THE MOST RECENT

FOR NURSERY STOCK AND THE BCLNA STANDARDS FOR CONTAINER GROWN PLANTS PLANTS IN THIS PLANT LIST ARE SPECIFIED ACCORDING TO THE CNTA STANDARDS

MAY 27,2008; Removed cessing trees.
Added replacement free from the control of the Desire of the Des

AUG 20,200a: Retained existing these resued for OP

APRILET ZOOT:
Notes modified
broad for SEZONENG
SOFT Z4,ZOOR:
Hardinnthcape modif
Pity area sejected
Pity area sejected

ALL PLANT QUANTITY DISCREPANCIES BETWEEN PLAN AND PLANT LIST SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT FOR CLARIFICATION PRIOR TO SUBMITTING

OF THE LANDSCAPE ARCHITECT. SHALL OCCUR WHEN 95% OF THE CONTRACT HAS BEEN COMPLETED TO THE SATISF ALL MATERIALS AND WORKMANSHIP SHALL BE GUARANTEED FOR ONE FULL YEAR AFTER THE DATE OF SUBSTANTIAL PERFORMANCE. SUBSTANTIAL PERFORMAN

STANDARDS UNTIL THE WORK IS TURNED OVER TO THE OWNER. THE CONTRACTOR SHALL MAINTAIN ACCORDANCE TO THE LANDSCAPE

8200 ST, ALBANS RICHMOND, B.C. SD 07-372784 190 Hunt Street Hetimond, BC V/TE

Drawing Tribe

PLANT LIST

BY:----

ECEIVE

0 6 2009

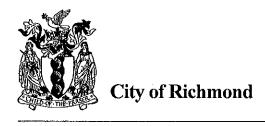
#### Rezoning Considerations 8200 St. Albans Road RZ 06-348080

Prior to final adoption of Zoning Amendment Bylaw 8436, the developer is required to complete the following:

- 1. Submission of a contract with a Certified Arborist for supervision of any works to be conducted within the tree protection zones of on-site and off-site trees, the scope of which is to include the proposed number of site monitoring inspections as well as the preparation and submission of a post-construction impact assessment report to the City for review.
- 2. Submission of a Tree Survival Security to the City in the amount of \$1,500 (\$500/on-site tree).
- 3. Deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect to ensure adherence to the Landscape Plan attached to this Report.
- 4. Registration of a Restrictive Covenant on Title ensuring that vehicular access to the site is to be via a single shared driveway crossing.
- 5. Registration of a Restrictive Covenant on Title limiting the property to a maximum of two (2) dwelling units, with no secondary suites permitted.
- 6. Registration of a Flood Indemnity Covenant on Title.
- 7. Registration of a legal agreement on Title prohibiting further rezoning and subdivision into lots less than 1220 m<sup>2</sup> (13,135 ft<sup>2</sup>).

At future Building Permit stage, the developer is required to submit a Construction Traffic and Parking Management Plan to the satisfaction of the City's Transportation Division (<a href="http://www.richmond.ca/services/ttp/special.htm">http://www.richmond.ca/services/ttp/special.htm</a>). In addition, the removal of the existing driveway letdown and re-installation of the new driveway letdown (shared on centre) is to be done via Work Order.

[Śigned original on file]		
Signed	Date	



#### Richmond Zoning and Development Bylaw 5300 Amendment Bylaw 8436 (RZ 06-348080) 8200 ST. ALBANS 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 "TWO-FAMILY HOUSING DISTRICT (R5)".

P.I.D. 004-036-506 Lot "A" Except:

Firstly: the North 68 Feet

Secondly: Part on Reference Plan 16727,

Section 21 Block 4 North Range 6 West New Westminster District Plan 7344

2. This Bylaw may be cited as "Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8436".

FIRST READING	CITY OF RICHMON
A PUBLIC HEARING WAS HELD ON	APPROVE
SECOND READING	APPROVE by Directo
THIRD READING	
OTHER REQUIREMENTS SATISFIED	<del>-1√/-</del>
ADOPTED	
MAYOR	CORPORATE OFFICER