



City of Richmond

Report to Committee Planning and Development Department

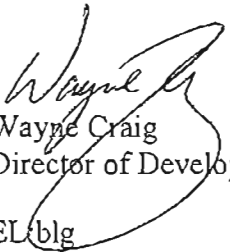
TO PLN - SEP. 4, 2013
To Council - Sep 9, 2013
Date: August 23, 2013
File: RZ 12-603352
12-8060-20-9048


To: Planning Committee
From: Wayne Craig
Director of Development

Re: Application by Sukhvir Dosanjh for Rezoning at 7311/7331 Lindsay Road from Two-Unit Dwellings (RD1) to Single Detached (RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9048, for the rezoning of 7311/7331 Lindsay Road from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", be introduced and given first reading.


Wayne Craig
Director of Development
EL:blg
Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	 FOR JE

Staff Report

Origin

Sukhvir Dosanjh has applied to the City of Richmond for permission to rezone 7311/7331 Lindsay Road (**Attachment 1**) from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)” in order to permit the properties to be subdivided into two (2) single-family lots. The developer intends to demolish the existing duplex on site and construct two (2) new single-family dwellings.

Findings of Fact

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

Surrounding Development

The subject site is located in an established residential neighbourhood consisting of single-detached dwellings on large-sized lots (RS1/E), duplexes on large lots (RD1), and some newer homes on medium-sized lots (RS1/B). Development immediately surrounding the subject site is as follows:

- To the North: An existing single-family dwelling on lot zoned “Single Detached (RS1/E)” fronting Lindsay Road, and then a mix of older single-family dwellings on lots zoned “Single Detached (RS1/E)” and newer homes on lots zoned “Single Detached (RS1/B)” fronting Linfield Gate;
- To the East: Across Lindsay Road, one (1) duplex on a lot zoned “Two-Unit Dwellings (RD1)” and existing single-family dwellings on lots zoned “Single Detached (RS1/E)”;
- To the South: An existing single-family dwelling on lot zoned “Single Detached (RS1/E)” and three (3) newer single-family dwellings on lots zoned “Single Detached (RS1/B)”;
- and
- To the West: A mix of newer and older single-family dwelling on lot zoned “Single Detached (RS1/E)” fronting Railway Avenue.

Related Policies & Studies

Lot Size Policy 5463

The subject site is located within the area covered by Lot Size Policy 5463 (adopted by Council February 19, 1996) (**Attachment 3**). This Policy permits rezoning and subdivision of lots on Lindsay Road in accordance with “Single Detached (RS2/B)”. This redevelopment proposal would enable the site to be subdivided into a two (2) lots; each approximately 12.19 m wide and approximately 455 m² in area (see **Attachment 4**), which is consistent with the Lot Size Policy.

Affordable Housing

The Richmond Affordable Housing Strategy requires a suite on at least 50% of new lots, or a cash-in-lieu contribution of \$1.00 per square foot of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant is proposing to provide a legal secondary suite on at least one (1) of the two (2) proposed lots. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection is to 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. This agreement will be discharged from the Land Title Record on the one (1) lot where a secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied, at the initiation of the applicant.

Should the developers' 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 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 detached developments (i.e. \$5,386.00).

Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required. A covenant to this effect has been registered on title as part of a previous strata conversion application (SC 10-557884).

Public Input

The applicant has forwarded confirmation that a development sign was posted on the site on July 13, 2013. There has been no concern expressed by the public about the development proposal in response to the placement of the rezoning sign on the site.

Staff Comments

Tree Preservation

A Tree Survey (**Attachment 4**) and a Certified Arborist's report were submitted in support of the application. The City's Tree Preservation staff have reviewed the Arborist Report and confirmed that:

- Five (5) trees (tag# 606, 607, 609, A, and B) located on neighbouring properties to the north, west, and south, must be protected as per City of Richmond Tree Protection Information Bulletin Tree-03.

- One (1) tree on site identified as tag# 605 (twin-stemmed Japanese Maple) located on the development site is in fair condition but will fall within the building envelope when the site is re-developed. This tree will need to be removed and replaced.
- One (1) tree identified as tag# 608 (twin-stemmed Cherry) located on the development site is in poor condition as a result of previous topping and canopy suppression from adjacent trees. This tree should be removed and replaced.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) and the size requirements for replacement trees in the Tree Protection Bylaw No. 8057, four (4) replacement trees in a mix of minimum 6 cm calliper deciduous trees and a 3.5 m high coniferous trees are required. 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 \$2,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

The applicant is also proposing to remove one (1) boulevard tree along the Lindsay Road frontage due to poor health of the tree. Parks Operations staff have assessed the tree condition and agreed to the proposed tree removal. A cash compensation to the Tree Replacement Fund for the street tree removal in the amount of \$1,300 has been specified by Parks staff.

Existing Covenant

There is currently a covenant registered on the Title of the subject properties, restricting the use of the site to a two-family dwelling only (charge #RD210583). This covenant must be discharged by the applicant as a condition of rezoning.

Site Servicing and Subdivision

No Servicing concerns.

At future Subdivision stage, the applicant will be required to pay servicing costs and provide underground Hydro, Telephone and Cable service connections. There are existing underground Hydro and Telephone ducts in the immediate area.

Analysis

This is a relatively straightforward redevelopment proposal. This development proposal is consistent with Lot Size Policy 5463 and is located within an established residential neighbourhood that has a strong presence of Single Detached (RS1/B) lots. Numerous similar applications to rezone and subdivide properties to the proposed "Single Detached (RS2/B)" zone have been approved within this block of Lindsay since the mid 1990's.

All the relevant technical issues have been addressed. The list of rezoning considerations is included as Attachment 5, which has been agreed to by the applicants (signed concurrence on file).

Financial Impact or Economic Impact

None.

Conclusion

This rezoning application to permit subdivision of one (1) existing large lot into two (2) medium-sized lots complies with Lot Size Policy 5463 and all applicable policies and land use designations contained within the Official Community Plan (OCP). The proposal is consistent with the direction of re-development in the surrounding area. On this basis, staff recommend support of the application.

It is recommended that Richmond Zoning Bylaw 8500 Amendment Bylaw 9048 be introduced and given first reading.



Edwin Lee
Planning Technician – Design
(604-276-4121)

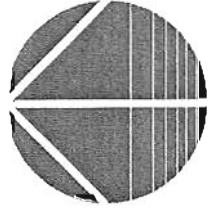
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- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5463
- Attachment 4: Tree Survey
- Attachment 5: Rezoning Considerations Concurrence

City of Richmond

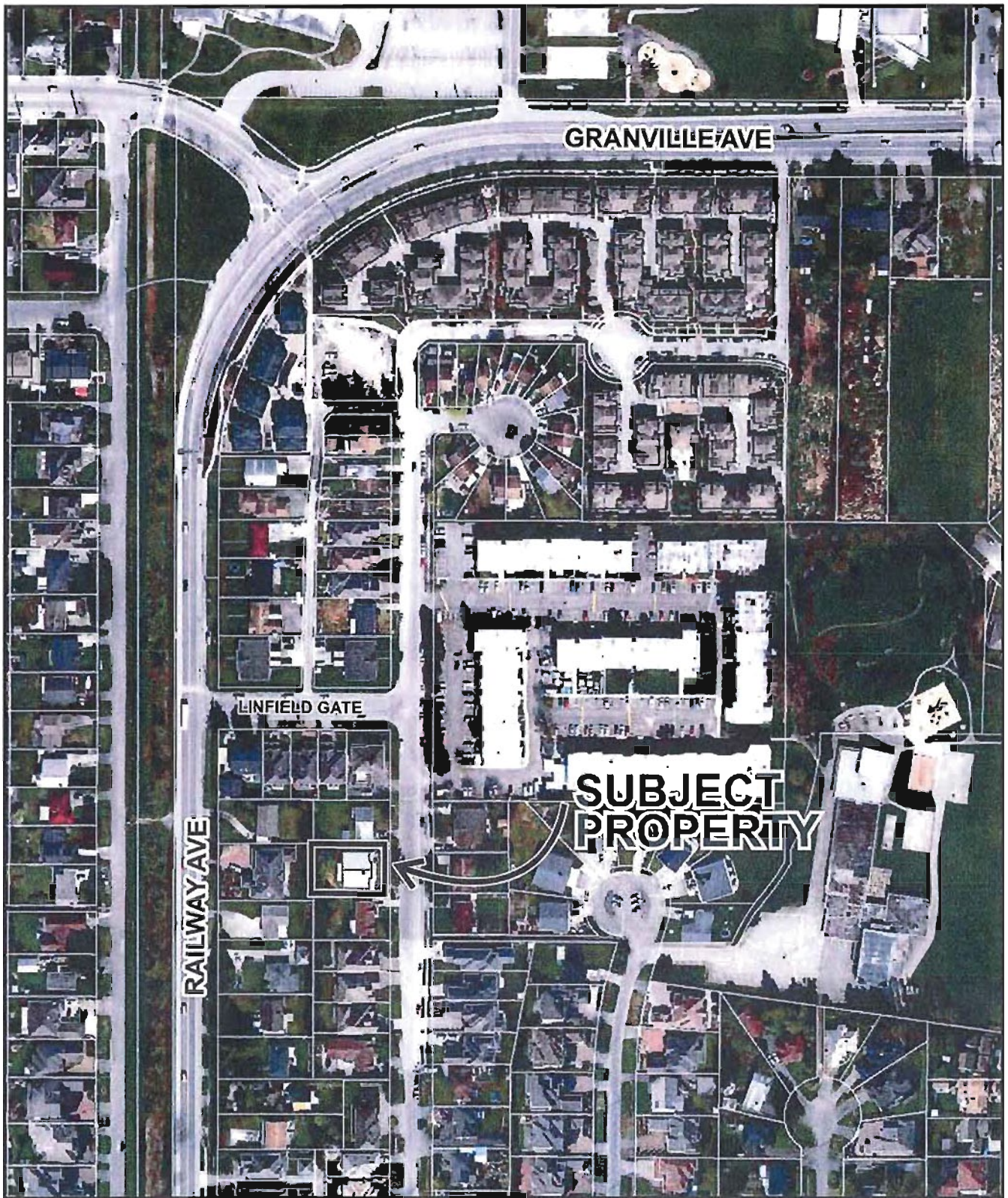


3.45	13.45	21.34	7360	14.01	19.57	7340	19.52	7320	24.41	7300
20.73	37.30	7291	14.68	7371	21.42	7351	21.42	7331	24.39	7311
5.82	14.69	37.29	18.59	21.42	37.28	37.30	27.14	24.38	37.31	37.31



RZ 12-603352

Original Date: 03/27/12
 Revision Date:
 Note: Dimensions are in METRES



RZ 12-603352

Original Date: 03/28/12

Amended Date:

Note: Dimensions are in METRES



RZ 12-603352

Attachment 2

Address: 7311/7331 Lindsay Road

Applicant: Sukhvir Dosanjh

Planning Area: Blundell

	Existing	Proposed
Owner:	Buta Singh Dosanjh and Gurwinder Kaur Dosanjh	To be determined
Site Size (m ²):	910 m ²	Approx. 455 m ² each
Land Uses:	Two-family dwelling	Two (2) single-family dwellings
OCP Designation:	2041 OCP Land Use Map designation – "Neighbourhood Residential"	No change
Area Plan Designation:	N/A	No change
702 Policy Designation:	Policy 5463 permits subdivision to "Single Detached (RS2/B)"	No change
Zoning:	Two-Unit Dwellings (RD1)	Single Detached (RS2/B)
Number of Units:	2	2
Other Designations:	N/A	No Change

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 Coverage – Non-porous:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping:	Min. 25%	Min. 25%	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yard (m):	Min. 1.2 m	Min. 1.2 m	none
Setback – Exterior Side Yard (m):	Min. 3.0 m	Min. 3.0 m	none
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none
Lot Size (min. dimensions):	360 m ²	455 m ²	none

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



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: February 19, 1996

POLICY 5463

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 13-4-7

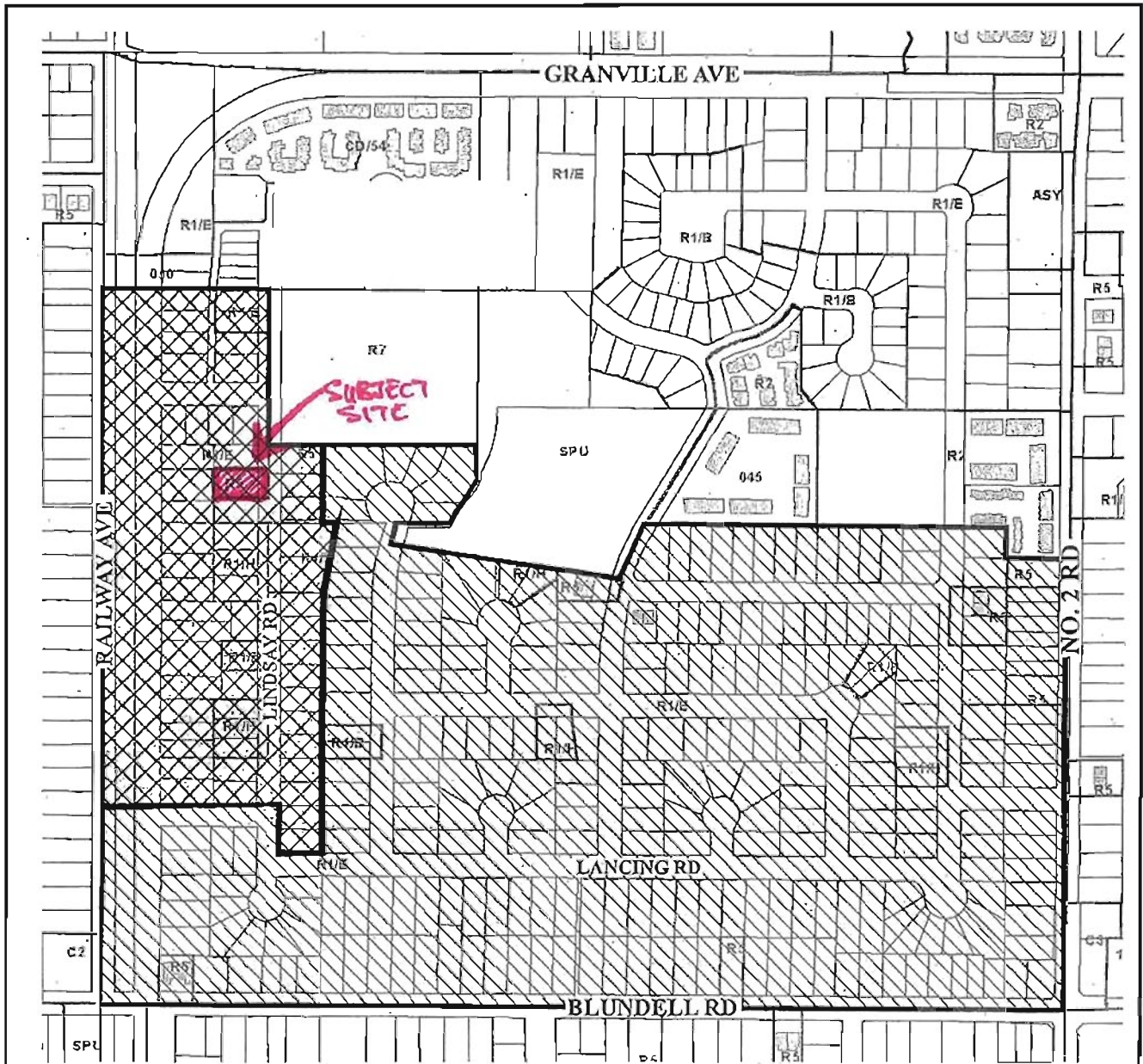
POLICY 5463:

The following policy establishes lot sizes for properties within the area generally bounded by **Railway Avenue, Blundell Road and No. 2 Road**, in a portion of Section 13-4-7 as shown on the attached map:

That properties within the area generally bounded by Railway Avenue, Blundell Road and No. 2 Road, in a portion of Section 13-4-7, be permitted to rezone in accordance with the provisions of Single-Family Housing District, Subdivision Area H (R1/H) in Zoning and Development Bylaw 5300, with the exception that:

1. Single-Family Housing District, Subdivision Area E (R1/E) applies to lots with frontage on No. 2 Road and Blundell Road that do not have a lane or internal road access;
2. Single-Family Housing District, Subdivision Area B (R1/B) applies to properties with duplexes on them with the exception that Single-Family Housing District, Subdivision Area E (R1/E) applies to those properties with frontage on No. 2 Road and Blundell Road that do not have lane or internal road access;
3. Single-Family Housing District, Subdivision Area B (R1/B) applies to properties generally fronting Lindsay Road and Linfield Gate in the western portion of Section 13-4-7; and

That this policy 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 amended according to Bylaw No. 5300.



Subdivision permitted as per R1/E with the exception that R1/B applies to existing duplexes and R1/E applies to lots facing No. 2 Road and Blundell Road that do not have a lane or internal road access.



Subdivision permitted as per R1/B with the exception that R1/E applies to lots facing Railway Avenue that do not have a lane or internal road access.



POLICY 5463
SECTION 13, 4-7

Adopted Date: 02/19/96

Amended Date:

SCALE: 1:250



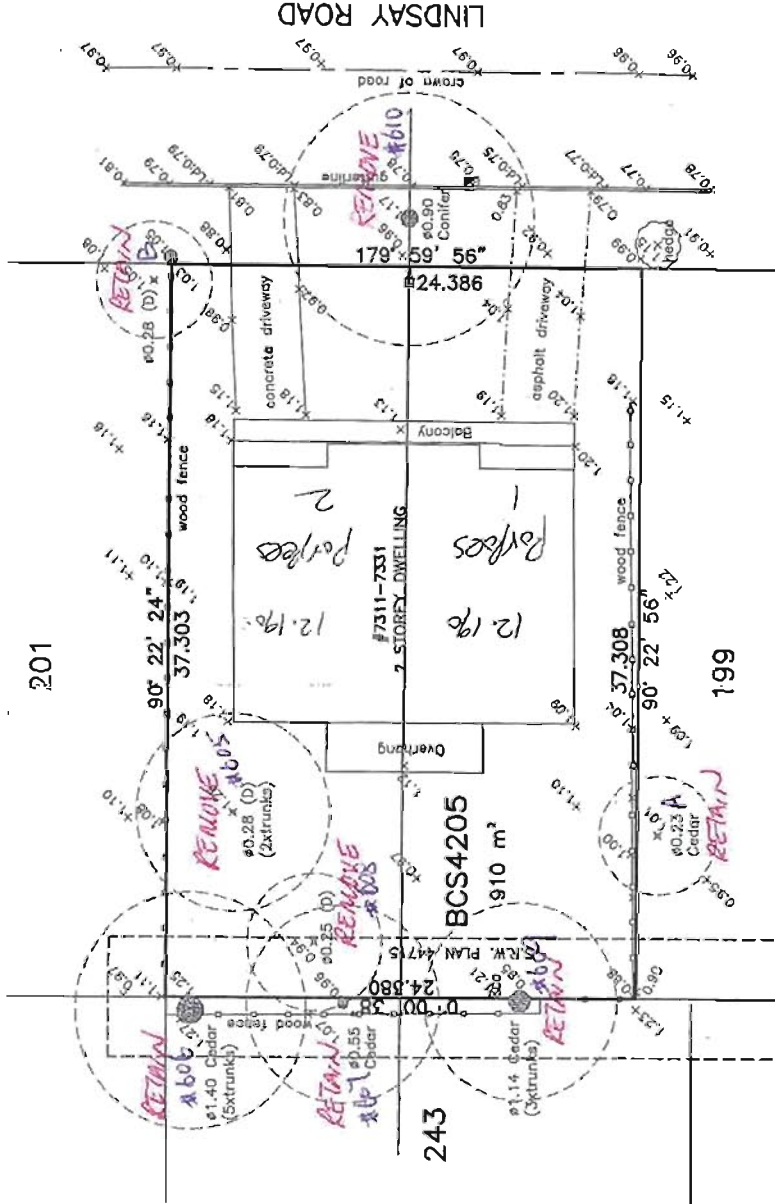
- #605 - Acer japonica (Japanese Maple)
- #606 - Thuja plicata (Red Cedar)
- #607 - Thuja plicata (Red Cedar)
- #608 - Prunus sp. (Cherry)
- #609 - Thuja plicata (Red Cedar)
- #610 - Pinus sylvestris (Scots pine)
- A - Thuja plicata (Red Cedar)
- B - Betula pendula 'Youngii' (Youngii Weeping Birch)

201

PH - 68

#7331 & 7331 LINDSAY ROAD,
RICHMOND, B.C.
P.I.D 028-665-155 (STRATA LOT 1)
P.I.D 028-665-163 (STRATA LOT 2)

NOTE:
Elevations shown are based on City of
Richmond HPN Benchmark network.
Benchmark: HPN #234,
Control Monument 77H46891
Located at CL Gibbons Dr & Gamba Dr. E
side of grass median
Elevation = 1.125 metres



- LEGEND:**
- (D) denotes deciduous
 - denotes round catch basin
 - ⊙ denotes catch basin
 - denotes water meter
 - ⊞ denotes water valve
 - CO denotes cleanout

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J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3J7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 4784
FB-204, P23-24
Drawn By: TH

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

[Signature]
JOHNSON C. TAM, B.C.L.S.
MARCH 2nd, 2012



Address: 7311/7331 Lindsay Road

File No.: RZ 12-603352

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9048, the developer is required to complete the following:

- 1. 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) future lots, 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. \$5,386.00) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

- 2. 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 (in a mix of coniferous and deciduous trees) with the following minimum sizes:

Table with 4 columns: No. of Replacement Trees, Minimum Caliper of Deciduous Tree, Or, Minimum Height of Coniferous Trees. Row 1: 4, 6 cm, Or, 3.5 m

Note: If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

Should the applicant wish to begin site preparation work after Third Reading of the rezoning bylaw, but prior to Final Adoption of the rezoning bylaw, the applicant will be required to obtain a Tree Permit, install tree protection around trees to be retained, and submit a landscape security (i.e. \$2,000) to ensure the replacement planting will be provided.

- 3. City acceptance of the developer's offer to voluntarily contribute \$1,300 to Parks Division's Tree Compensation Fund for the removal of a Scots Pine tree located on the city boulevard in front of the site.

Note: Developer/contractor must contact the Parks Division (604-244-1208 ext. 1342) four (4) business days prior to the removal to allow proper signage to be posted. All costs of removal and compensation are the responsibility borne by the applicant.

- 4. Confirmation to the City that Strata Plan BCS4205 has been cancelled.
5. Discharge of existing covenant on title restricting the use of the property to a two-family dwelling only (charge #RD210583).

At Subdivision* stage, the applicants must complete the following:

- 1. Pay Servicing Costs.
2. Provide underground Hydro, Tel. & Cable service connections.

Note:
* This requires a separate application.
• Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

[signed copy on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9048 (RZ 12-603352)
7311/7331 Lindsay 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 Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it SINGLE DETACHED (RS2/B):

P.I.D. 028-665-155

Strata Lot 1 Section 13 Block 4 North Range 7 West New Westminster District Strata Plan BCS4205 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V

and

P.I.D. 028-665-163

Strata Lot 2 Section 13 Block 4 North Range 7 West New Westminster District Strata Plan BCS4205 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V.

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9048".

FIRST READING

SEP 09 2013

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Approval stamp: CITY OF RICHMOND, APPROVED by [Signature], APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER