



# City of Richmond

## Report to Committee Planning and Development Department

**To:** Planning Committee

**Date:** March 24, 2014

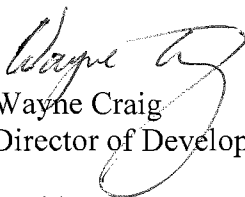
**From:** Wayne Craig  
Director of Development

**File:** RZ 13-650094


**Re:** Application by Kulwant K. Bhullar for Rezoning at 11440 and 11460 Seabrook Crescent from Two-Unit Dwellings (RD1) to Single Detached (RS2/C)

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9133, for the rezoning of 11440 and 11460 Seabrook Crescent from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/C)", be introduced and given first reading.

  
Wayne Craig  
Director of Development

CL:blg  
Att.

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

## Staff Report

### Origin

Kulwant K. Bhullar has applied to the City of Richmond for permission to rezone the property at 11440 and 11460 Seabrook Crescent from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/C)”, to permit the property to be subdivided to create two (2) lots (**Attachment 1**). There is currently a duplex on the property, which will be demolished. A preliminary subdivision plan associated with this development proposal is included in **Attachment 2**.

### Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 3**).

### Surrounding Development

Existing development immediately surrounding the subject site is as follows:

- To the north and west, immediately across Seabrook Crescent, are dwellings on large lots zoned “Single Detached (RS1/E)”.
- To the east and south, are dwellings on large lots zoned “Single Detached (RS1/E)”.

### Related Policies & Studies

#### 2041 OCP Designation

There is no Area Plan for this neighbourhood. The 2041 OCP land use designation for the subject site is “Neighbourhood Residential”. The proposed rezoning and subdivision is redevelopment is consistent with this designation.

#### Lot Size Policy 5434

The subject property is located within the area governed by Lot Size Policy 5434, adopted by City Council in 1990, and amended in 1991 and 2006 (**Attachment 4**). The Lot Size Policy permits properties on specific sections of Williams Road, No. 5 Road, and Steveston Highway to rezone and subdivide to compact lots, and permits the majority of lots within the Policy area to subdivide in accordance with the “Single Detached (RS1/E)” zone.

The subject site contains duplex. The zoning amendment provisions of Richmond Zoning Bylaw 8500 indicate that the Lot Size Policy does not apply to a rezoning application on a site that contains a duplex and that is intended to be subdivided into no more than two (2) lots.

This redevelopment proposal would result in a subdivision to create two (2) lots; each approximately 18 m wide and between 435 m<sup>2</sup> to 453 m<sup>2</sup> in area.

Potential exists for other large-sized lots in the area that contain a duplex to redevelop in a similar manner.

### Affordable Housing Strategy

For single-family rezoning applications, Richmond's Affordable Housing Strategy requires a secondary suite within a dwelling on 50% of new lots created through rezoning and subdivision, or a cash-in-lieu contribution of \$1.00/ft<sup>2</sup> of total building area towards the City's Affordable Housing Reserve Fund.

The applicant proposes to provide a legal secondary suite in the dwelling on one (1) of the two (2) lots proposed 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. Registration of the legal agreement is required prior to final adoption of the rezoning bylaw. 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 to be constructed (i.e., \$5,257).

### **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

The subject property is located on the east side of Seabrook Crescent, between Seabay Road and Williams Road. This proposal is to rezone the subject property to enable the creation of two (2) medium-sized lots from an existing large lot containing a duplex, with the resulting lots being similar in width to other lots in the immediate surrounding area.

#### Trees & Landscaping

A Tree Survey and Certified Arborist's Report have been submitted by the applicant. The Survey and Report identify one (1) bylaw-sized Plum tree on the subject property. The report identifies tree species, assesses the condition of the tree, and provides recommendations on tree retention and removal relative to the development proposal. The proposed Tree Retention Plan is shown in **Attachment 5**.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted an on-site visual tree assessment, and concurs with the Arborist's recommendations to remove the bylaw-sized Plum tree (Tree # 1) on the subject property due to very poor condition, extensive decay, and signs of failure.

Consistent with Council policies, the applicant has agreed to plant and maintain two (2) trees on each of the proposed lots, for a total of four (4) trees (minimum 6 cm deciduous caliper or 3 m high conifer). Suitable native and non-native tree species for planting on the proposed lots include Cornelian Cherry (*Cornus mas*), Weeping Nootka Cypress (*Chamaecyparis nootkatensis pendula*), Pacific Dogwood (*Cornus nuttalli*), and Paper Birch (*Betula papyrifera*), as recommended by the project arborist and the City's Tree Protection division staff.

To ensure that two (2) trees are planted and maintained on the proposed south lot, the applicant is required to submit a landscaping security in the amount of \$1,000 (\$500/tree) prior to final adoption of the rezoning bylaw. Further information on the landscaping security for the (2) trees to be planted and maintained on the proposed corner lot (north lot) is described below.

#### Preliminary Architectural Elevation Plans & Landscape Plan

To illustrate how the future corner lot interface will be treated, the applicants have submitted preliminary architectural plans of the proposed building elevations (**Attachment 6**). Prior to final adoption of the rezoning bylaw, the applicant is required to register a legal agreement on Title to ensure that the building design for the proposed corner lot is generally consistent with the attached architectural elevation plans. Future Building Permit plans must comply with all City regulations, and staff will ensure that the plans are generally consistent with the registered legal agreement for building design.

To ensure that two (2) trees proposed by the applicant are planted, and that the front and exterior side yards of the proposed corner lot are enhanced, the applicant must submit the following prior to final adoption of the rezoning bylaw:

- A Landscape Plan and cost estimate, prepared by a registered Landscape Architect, to the satisfaction of the Director of Development.
- A Landscaping Security in the amount of 100% of the cost estimate (including trees, fencing, paving surfaces, and installation costs).

The Landscape Plan must address the following items:

- Include the two (2) trees proposed by the applicant.
- All front yard and exterior side yard areas must be planted with a variety of suitable native and non-native species and a combination of lawn, flower beds, flowering shrubs and ground cover to provide seasonal interest and water permeability (note: continuous hedges are not permitted in the front yard or exterior side yard).
- If individual shrubs are proposed in the front and exterior side yards, they must be of a low height that will not exceed 1.2 m at maturity, and must be located behind any fencing that is proposed.
- If fencing is proposed in the front and exterior side yards, it must be limited to a maximum height of 1.2 m (4 ft.), must be picket, wicket or post-rail rather than solid panel, and should be setback from the front and exterior lot lines if possible. If fencing is proposed, it should incorporate flower beds, flowering shrubs and other low-lying landscaping to provide improved articulation.

### Existing Covenants

There is an existing covenant registered on title of the subject lot, which restricts the use of the property to a duplex (i.e., BE036856), which must be discharged from title by the applicant prior to final adoption of the rezoning bylaw.

### Flood Management

Prior to final adoption of the rezoning bylaw, the applicant is required to register a flood indemnity covenant on title. The minimum flood construction level is a minimum of 0.3 m above the highest elevation of the crown of Seabrook Crescent.

### Existing Utility Right-of-Way

There is an existing 3 m wide utility right-of-way (ROW) registered on Title that runs east-west along the south property line of the subject property. The applicant has been advised that no encroachment into the ROW is permitted. This includes no building construction, planting of trees, placement of fill and non-cast-in-place retaining walls above 0.9 m in height.

### Site Servicing & Vehicle Access

There are no servicing concerns with the proposed rezoning.

Vehicle access to the proposed south lot is to be from Seabrook Crescent to the west. Vehicle access to the proposed corner lot (north lot) must be located to comply with the Residential Lot (Vehicular) Access Regulation Bylaw No. 7222 (i.e. 12 m to 15 m from the curb at the corner).

### Subdivision and Building Permit Stage

At subdivision stage, the applicant is required to pay servicing costs and pre-payment of the current year's property taxes.

At Building Permit stage, the applicant will be required to complete the following service connection works:

- Construct a sanitary sewer connection complete with an inspection chamber within the City boulevard along the west side of the subject site, from the common property line of the proposed lots to the south property line, and connect to the existing sanitary sewer.

### **Analysis**

The subject site is located in an established residential area consisting mainly of single detached housing.

This development proposal is consistent with the zoning amendment provisions of Richmond Zoning Bylaw 8500, which permit a rezoning application on a site that contains a duplex and that is intended to be subdivided into no more than two (2) lots.

Potential exists for other large-sized lots in the area that contain a duplex to redevelop in a similar manner.

**Financial Impact**

None.

**Conclusion**

This rezoning application to permit subdivision of an existing large lot containing a duplex into two (2) medium-sized lots complies with applicable policies and land use designations contained within the OCP, and with Richmond Zoning Bylaw 8500.

The list of rezoning considerations is included in **Attachment 7**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommends support for the application. It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9133 be introduced and given first reading.



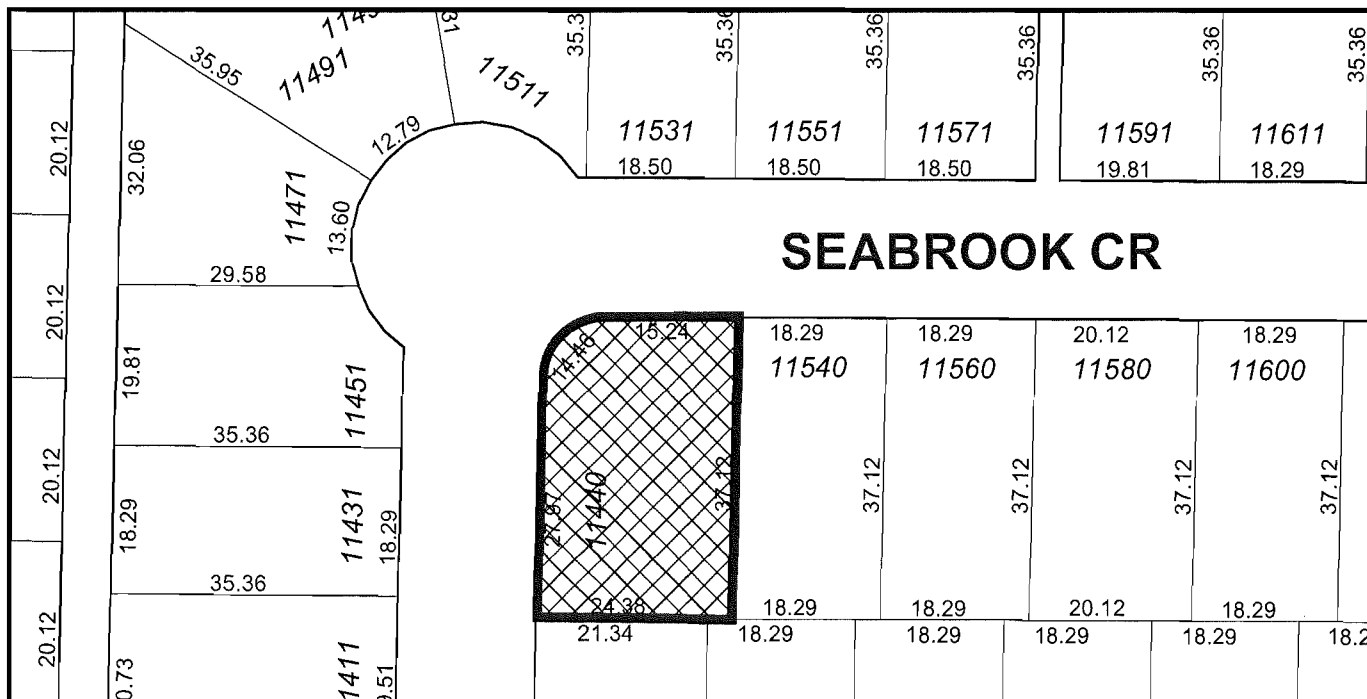
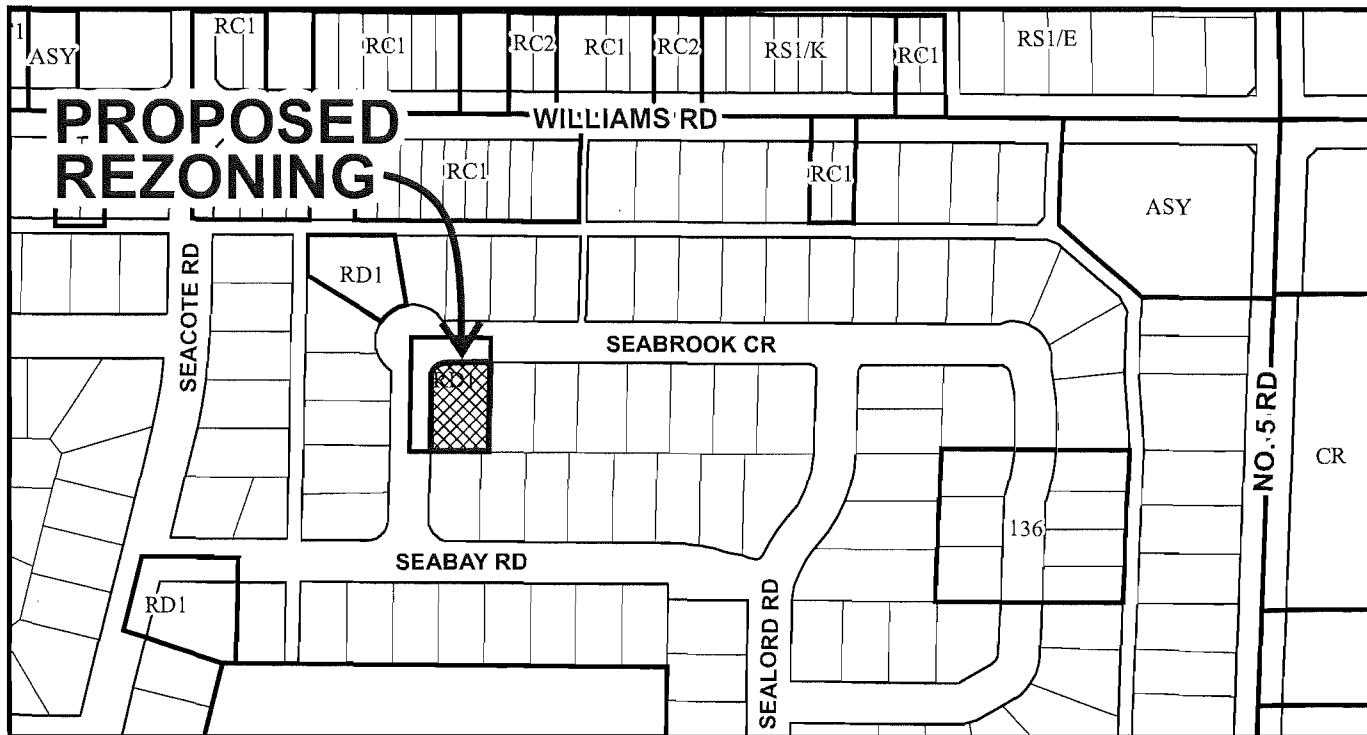
Cynthia Lussier  
Planning Technician  
(604-276-4108)

CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Preliminary Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Lot Size Policy 5434
- Attachment 5: Proposed Tree Retention Plan
- Attachment 6: Preliminary Architectural Elevation Plans
- Attachment 7: Rezoning Considerations Concurrence



City of  
Richmond



**RZ 13-650094**

**PLN - 88**

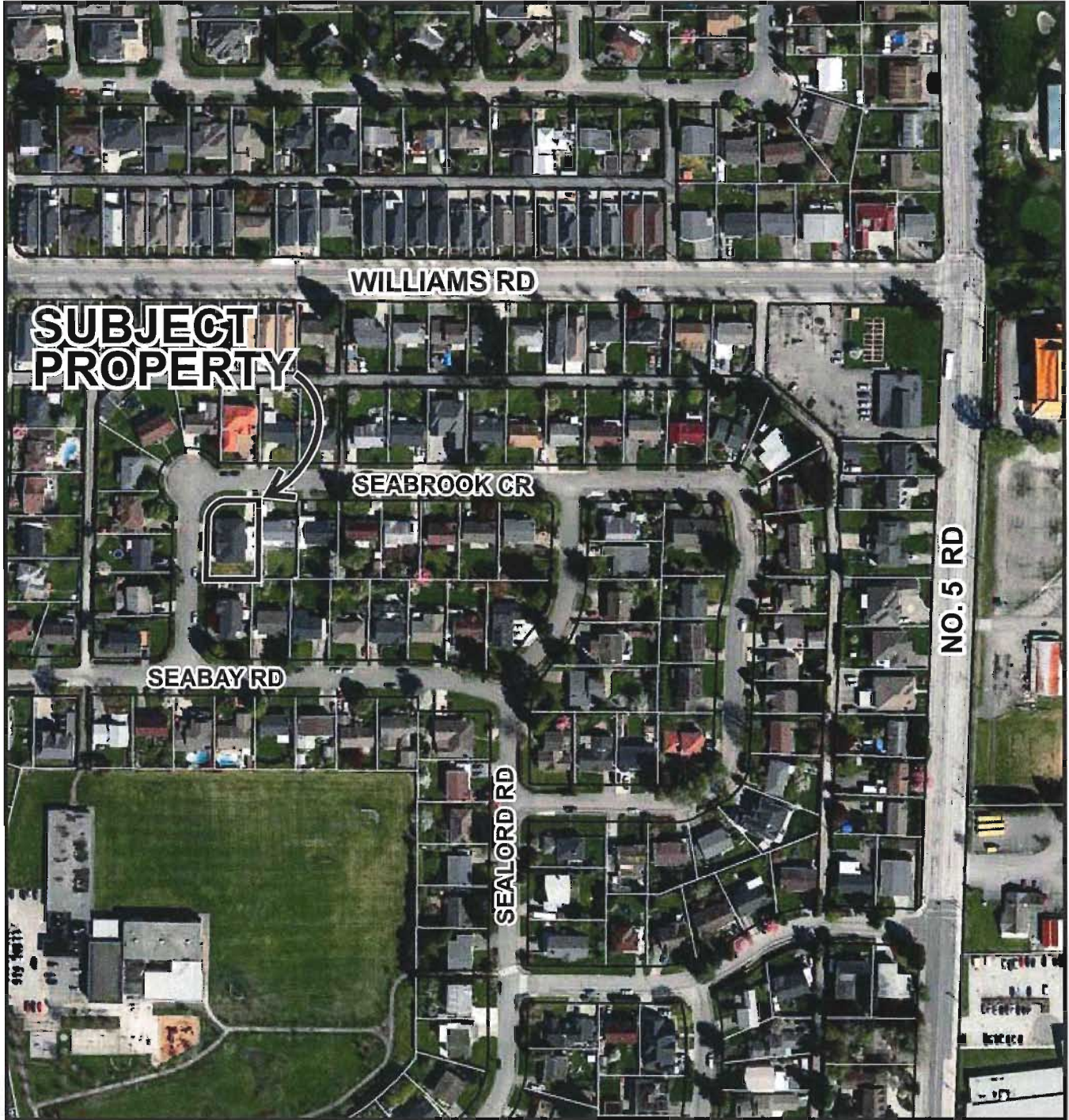
Original Date: 03/24/14

Revision Date:

Note: Dimensions are in METRES



City of  
Richmond



RZ 13-650094

Original Date: 03/24/14

Revision Date:

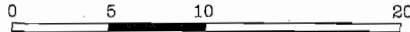
Note: Dimensions are in METRES



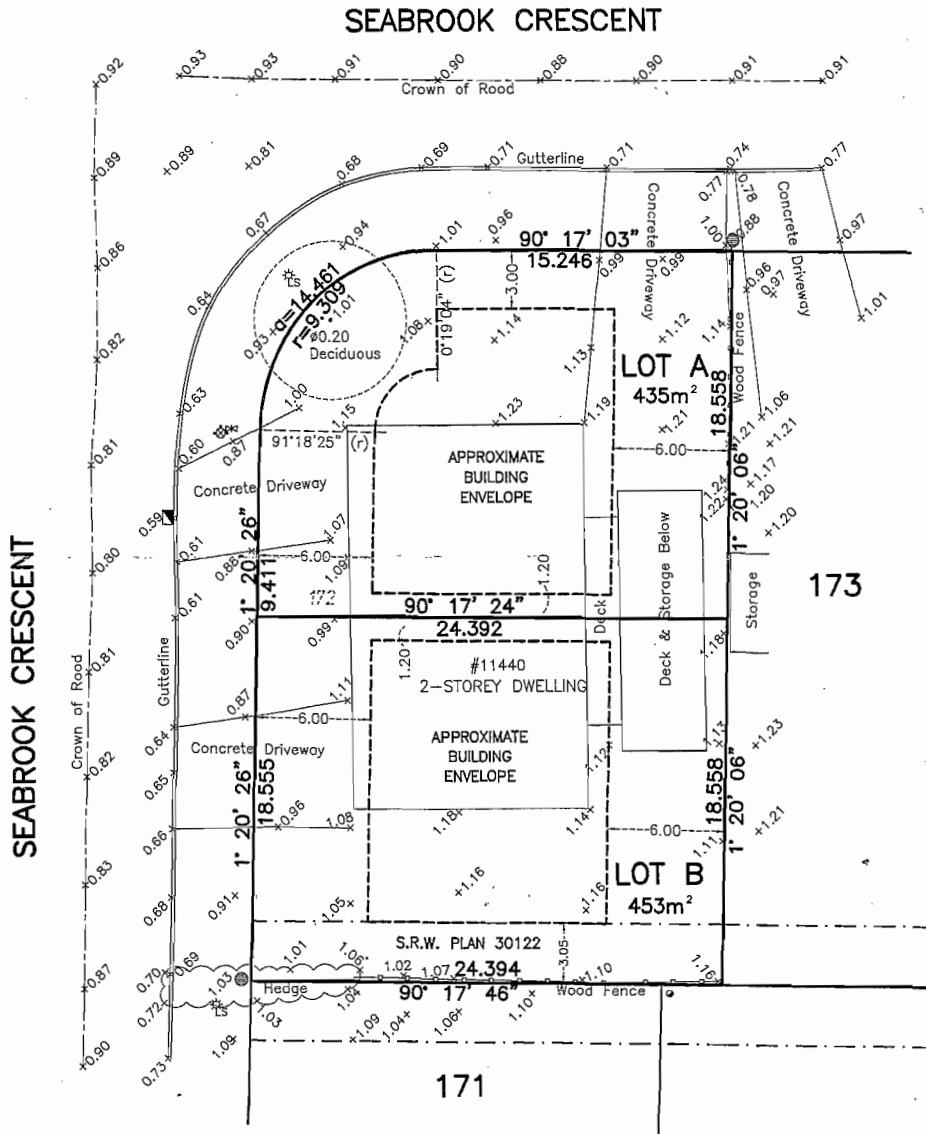
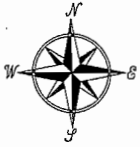
**TOPOGRAPHIC SURVEY OF LOT 172 SECTION 36 BLOCK 4 NORTH  
RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 30121**

#11440 SEABROOK CRESCENT,  
RICHMOND, B.C.  
P.I.D 002-524-503

SCALE: 1:250



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED



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J. C. Tam and Associates  
Canada and B.C. Land Surveyor  
115 - 8833 Odlin Crescent  
Richmond, B.C. V6X 3Z7  
Telephone: 214-8928  
Fax: 214-8929  
E-mail: office@jctam.com  
Website: www.jctam.com  
Job No. 5305  
FB-236 P48  
Drawn By: TH

- LEGEND:**
- denotes power pole
  - ⊙ denotes round catch basin
  - denotes catch basin
  - ⊕ denotes water valve
  - ⊕ denotes fire hydrant
  - LS denotes lamp standard

**NOTE:**  
Elevations shown are based on City  
of Richmond HPN Benchmark network.  
Benchmark: HPN #191,  
Control Monument 02H2453  
Located at S edge traffic island  
⊙ Riverside & Seabrook Way  
Elevation = 1.664 metres

**CERTIFIED CORRECT:**  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.

*Johnson C. Tam*  
JOHNSON C. TAM, B.C.L.S.



**RZ 13-650094**

**Attachment 3**

Address: 11440/11460 Seabrook Crescent

Applicant: Kulwant K. Bhullar

Planning Area(s): Shellmont

	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	Kulwant Kaur Bhullar	To be determined
<b>Site Size (m<sup>2</sup>):</b>	888 m <sup>2</sup> (9,558 ft <sup>2</sup> )	Proposed north lot – 435 m <sup>2</sup> (4,682 ft <sup>2</sup> ) Proposed south lot – 453 m <sup>2</sup> (4,876 ft <sup>2</sup> )
<b>Land Uses:</b>	One (1) two-unit dwelling	Two (2) single detached dwellings
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Zoning:</b>	"Two-Unit Dwellings (RD1)"	"Single Detached (RS2/C)"

<b>On Future Subdivided Lots</b>	<b>Bylaw Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	360 m <sup>2</sup>	435 m <sup>2</sup> to 453 m <sup>2</sup>	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 m	Min. 3 m	none
Height (m):	2 ½ storeys	2 ½ storeys	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, 1990  
 Amended by Council: November 18, 1991  
 Amended by Council: October 16, 2006

POLICY 5434

File Ref:

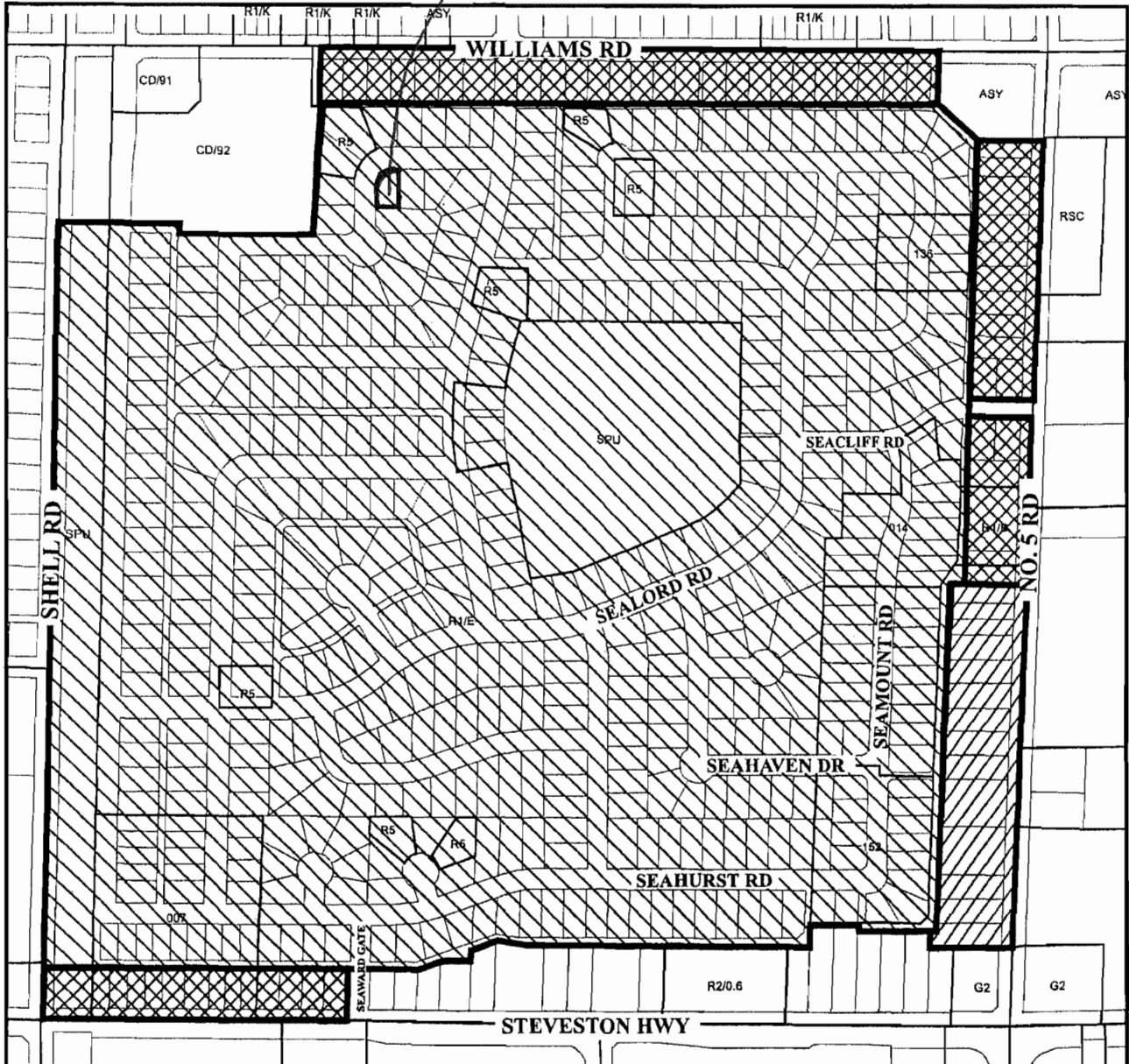
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 36-4-6

## POLICY 5434:

The following policy establishes lot sizes in a portion of Section 36-4-6, within the area bounded by **Steveston Highway, Shell Road, No. 5 Road, and Williams Road**:

1. That properties within the area bounded by Shell Road, Williams Road, No. 5 Road, and Steveston Highway, in a portion of Section 36-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/E), with the exception that:
  - a) Properties fronting on Williams Road from Shell Road to No. 5 Road, properties fronting on Steveston Highway from Seaward Gate to Shell Road, and properties fronting on No. 5 Road from Williams Road to approximately 135 m south of Seacliff Road to rezone and subdivide in accordance with the provisions of Single-Family Housing District (R1-0.6) or Coach House District (R/9) provided that vehicle accesses are to the existing rear laneway only. Multiple-family residential development shall not be permitted in these areas.
  - b) Properties fronting on No. 5 Road from Steveston Highway to approximately 135 m south of Seacliff Road be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) provided that vehicle accesses are to the existing rear laneway only.
2. 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.

SUBJECT SITE



Subdivision permitted as per **R1/E** (18 m wide lots)



Subdivision permitted as per **R1-0.6 or R/9**  
(access to lane only) (No Multiple-family residential development is permitted.)



Subdivision permitted as per **R1/B**



## Policy 5434 Section 36-4-6

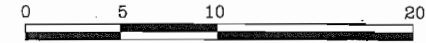
Adopted Date: 02/19/1990

Amended Date: 11/18/1991  
10/16/2006

**TOPOGRAPHIC SURVEY OF LOT 172 SECTION 36 BLOCK 4 NORTH  
RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 30121**

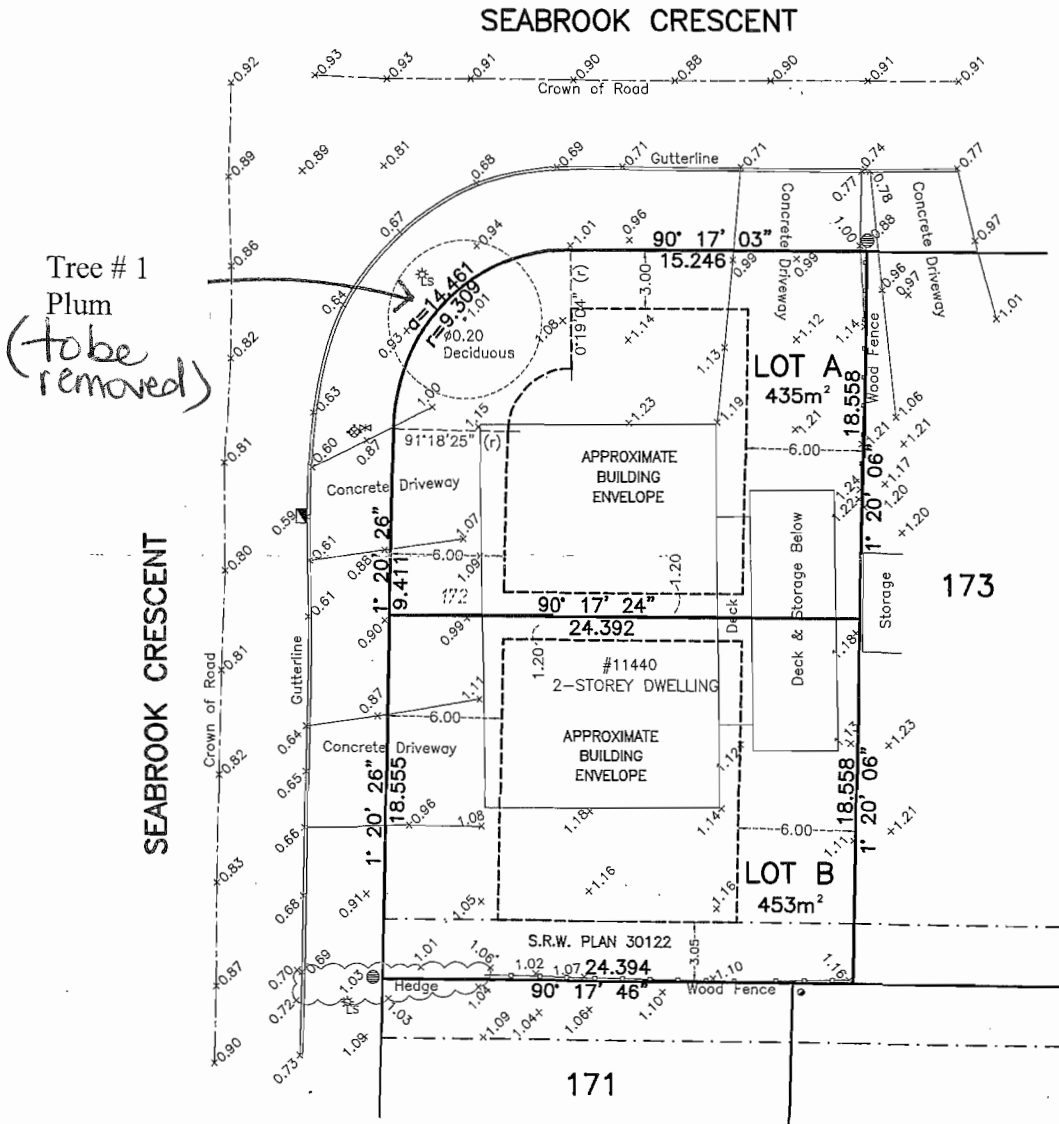
#11440 SEABROOK CRESCENT,  
RICHMOND, B.C.  
P.I.D 002-524-503

SCALE: 1:250



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED

*Proposed  
Tree Retention  
Plan*



**Suitable Replacement Trees**

- Cornelian Cherry (*Cornus mas*)
- Weeping Nootka Cypress (*Chamaecyparis nootkatensis pendula*)
- Pacific Dogwood (*Cornus nuttalli*)
- Paper Birch (*Betula papyrifera*)

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E-mail: office@jctam.com  
Website: www.jctam.com  
Job No. 5305  
FB-236 P48  
Drawn By: TH

**LEGEND:**

- denotes power pole
- ⊙ denotes round catch basin
- ⊞ denotes catch basin
- ⊞ denotes water valve
- ⊞ denotes fire hydrant
- LS denotes lamp standard

**NOTE:**

Elevations shown are based on City  
of Richmond HPN Benchmark network.  
Benchmark: HPN #191,  
Control Monument 02H2453  
Located at S edge traffic island  
© Riverside Dr & Featherstone Way  
Elevation = 1.6 metres

**CERTIFIED CORRECT:**  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.

*[Signature]*  
JOHNSON C. TAM, B.C.L.S.

*NTS*

Preliminary  
Elevation Plans  
- Corner Lot -



WEST ELEVATION

PLN - 95

Note: all plans  
at Building Permit  
stage must comply  
with City Regulations



NORTH ELEVATION



## Rezoning Considerations

Development Applications Division  
6911 No. 3 Road, Richmond, BC V6Y 2C1

**Address:** 11440/11460 Seabrook Crescent

**File No.:** RZ 13-650094

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9133, the applicant is required to complete the following:**

1. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
2. Submission of a Landscape Plan for the proposed corner lot prepared by a Registered Landscape Architect (to the satisfaction of the Director of Development), along with a Landscape Security based on 100% of the cost estimate prepared by the Registered Landscape Architect (including trees, any fencing, paving surfaces, and installation costs). The Landscape Plan must address the following items:
  - Include two (2) trees proposed by the applicant (minimum 6 cm calliper or 3.5 m high conifer);
  - All front yard and exterior side yard areas must be planted with a variety of suitable native and non-native species and a combination of lawn, flower beds, flowering shrubs and ground cover to provide seasonal interest and water permeability. Suitable trees include Cornelian Cherry (*Cornus mas*), Weeping Nootka Cypress (*Chamaecyparis nootkatensis pendula*), Pacific Dogwood (*Cornus nuttalli*), and Paper Birch (*Betula papyrifera*). (Note: continuous hedges are not permitted in the front and exterior side yards)
  - If individual shrubs are proposed in the front and exterior side yards, they must be of a low height that will not exceed 1.2 m at maturity, and must be located behind any fencing that is proposed.
  - If fencing is proposed in the front and exterior side yards, it must be limited to a maximum height of 1.2 m (4 ft.), must be picket, wicket or post-rail rather than solid panel, and should be setback from the front and exterior lot lines if possible. If fencing is proposed, it should incorporate flower beds, flowering shrubs and other low-lying landscaping to provide improved articulation.
3. Submission of a Landscaping Security in the amount of \$1,000 (\$500/tree) to ensure that two (2) trees are planted and maintained on the proposed south lot (minimum 6 cm calliper or 3.5 m high conifer).
4. Discharge of the existing covenant registered on title of the subject lot, which restricts the use of the property to a duplex (i.e., BE036856).
5. Registration of a flood indemnity covenant on title of the subject lot.
6. Registration of a legal agreement on title to ensure that the building design for the proposed corner lot at future development stage is generally consistent with the preliminary architectural plans of the proposed building elevations included as **Attachment 6** to this report.
7. Registration of a legal agreement on title of the subject lot 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. \$5,257) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.



**At Subdivision\* and Building Permit\* stage, the applicant must complete the following:**

- Payment of servicing costs and pre-payment of the current year's property taxes;
- Construction of a sanitary sewer connection complete with an inspection chamber within the City boulevard along the west side of the subject site, from the common property line of the proposed lots to the south property line, and connect to the existing sanitary sewer.
- Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

**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.

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Signed

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Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9133 (RZ 13-650094)
11440/11460 Seabrook Crescent

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/C)".

P.I.D. 002-524-503

Lot 172 Section 36 Block 4 North Range 6 West New Westminster District Plan 30121

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9133".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Series of horizontal lines for signature or date entry.

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

MAYOR

CORPORATE OFFICER