



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee
From: Wayne Craig
Director of Development

Date: June 6, 2014
File: RZ 13-650616

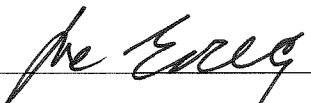
Re: Application by Barbara Stylianou for Rezoning at 5280/5300 Moncton Street from Two-Unit Dwellings (RD1) to Single Detached (RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9157, for the rezoning of 5280/5300 Moncton Street from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", 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

Barbara Stylianou has applied to the City of Richmond for permission to rezone the property at 5280/5300 Moncton Street from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)”, to permit the property to be subdivided to create two (2) lots, each approximately 12.5 m wide and 532 m² in area (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, immediately across Moncton Street, are dwellings on large lots zoned “Single Detached (RS1/B)” and “Single Detached (RS1/E)”.
- To the east, is a dwelling on a large lot zoned “Single Detached (RS1/B)”.
- To the south, are dwellings on medium lots zoned “Single Detached (RS1/B)”, which front Imperial Drive.
- To the west, is a dwelling on a large lot zoned “Single Detached (RS1/E)”.

Related Policies & Studies

Official Community Plan (OCP) & Steveston Area Plan Designations

The OCP land use designation for the subject site is “Neighbourhood Residential”. The Steveston Area Plan land use designation for the subject site is “Single-Family”. The proposed rezoning and subdivision is consistent with these designations.

Lot Size Policy 5429

The subject property is located within the area governed by Lot Size Policy 5429, adopted by City Council in 1990, and amended in 2005 (Attachment 4). The Lot Size Policy permits properties on portions of Moncton Street to rezone and subdivide in accordance with the “Single Detached (RS1-2/C)” zone where there is no lane or internal road access.

The subject site contains a 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.

Potential exists for other large 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/ft² of total building area towards the City's Affordable Housing Reserve Fund.

The applicant proposes to provide a contribution of \$1.00 per buildable square foot of the single-detached dwellings (i.e. \$5,941.00) to the City's Affordable Housing Reserve Fund in-lieu of providing a legal secondary suite in a dwelling on one (1) of the two (2) lots proposed at the subject site. The cash-in-lieu contribution must be submitted prior to final adoption of the rezoning 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 proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.

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 south side of Moncton Street, between Railway Avenue and Trites Road in an area that contains a mix of older and newer single-detached homes and duplexes.

Trees & Landscaping

A Tree Survey and Certified Arborist's Report have been submitted by the applicant. The survey and report identify five (5) bylaw-sized trees on the subject property and one (1) bylaw-sized on the neighbouring property to the east at 5320 Moncton Street. The Arborist's Report identifies tree species, assesses the condition of the trees, 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 all five (5) of the on-site trees due to very poor condition from previous topping and Tortrix Borer infestation (Trees # 1, 2, 3, 5 and 6), and to protect the Pine tree on the neighbouring site to the east at 5320 Moncton Street (Tree # 4).

To ensure protection of the Pine tree on the neighbouring site to the east at 5320 Moncton Street (Tree # 4), the applicant is required to submit a contract entered into between the applicant and a Certified Arborist for supervision of any works conducted within close proximity to the Tree Protection Zone.

Tree protection fencing must be installed on-site to City standard around the dripline of Tree #4 in accordance with the City's Tree Protection Bulletin (Tree-03). Tree protection fencing must be installed prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the proposed lots is completed.

Consistent with the tree replacement ratio of 2:1 in the City's Official Community Plan, the applicant proposes to plant and maintain 10 replacement trees on the proposed lots.

To ensure that the replacement trees are planted and maintained, and that the front yards of the proposed lots are enhanced, the applicant is required to submit a Landscape Plan, Cost Estimate, and Landscaping Security prior to final adoption of the rezoning bylaw. The Landscape Plan must be prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and the Landscape Security must be based on 100% of the cost estimate provided by the Landscape Architect (including trees, fencing, paving surfaces, and installation costs).

Suitable tree species for replacement trees on the proposed lots, as recommended by the project Arborist and the City's Tree Protection division staff, include: Golden Cedar (*Cedrus deodara* 'Aurea'), Dove Tree (*Davidia involucrata*), Purple Fountain European Beech (*Fagus sylvatica* 'Purple Fountain'), Japanese Tree Lilac 'Ivory Silk' (*Syringa reticulata* 'Ivory Silk'), and Japanese Maple (*Acer palmatum* sp.). The final selection of replacement tree species will be confirmed in the Landscape Plan required prior to final adoption of the rezoning bylaw.

Existing Covenant

There is an existing covenant registered on Title of the subject lot, which restricts the use of the property to a duplex (i.e., AC310347), which must be discharged from Title 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 flood construction level is a minimum of 0.3 m above the highest elevation of the crown of the road adjacent to the subject site (i.e., Moncton Street).

Site Servicing & Vehicle Access

There are no servicing concerns with the proposed rezoning.

Vehicle access to the proposed lots is to be from Moncton Street via the two (2) existing driveway crossings.

Subdivision and Building Permit Stage

At subdivision stage, the applicant is required to pay servicing costs.

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

- The existing storm services are to be abandoned; a new connection complete with inspection chamber is required along the new common property line within the City boulevard on Moncton Street to service the proposed lots.
- The existing sanitary service is to be abandoned; a new connection complete with inspection chamber is required along the new common property line within the existing utility right-of-way at the south end of the subject site to service the proposed lots.
- The existing water service is to be removed/abandoned; two (2) new connections complete with meter boxes are required to service the proposed subdivided lots.

Analysis

This development proposal is consistent with the land use designation contained within the OCP and 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 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) lots complies with the 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 6, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9157 be introduced and given first reading.



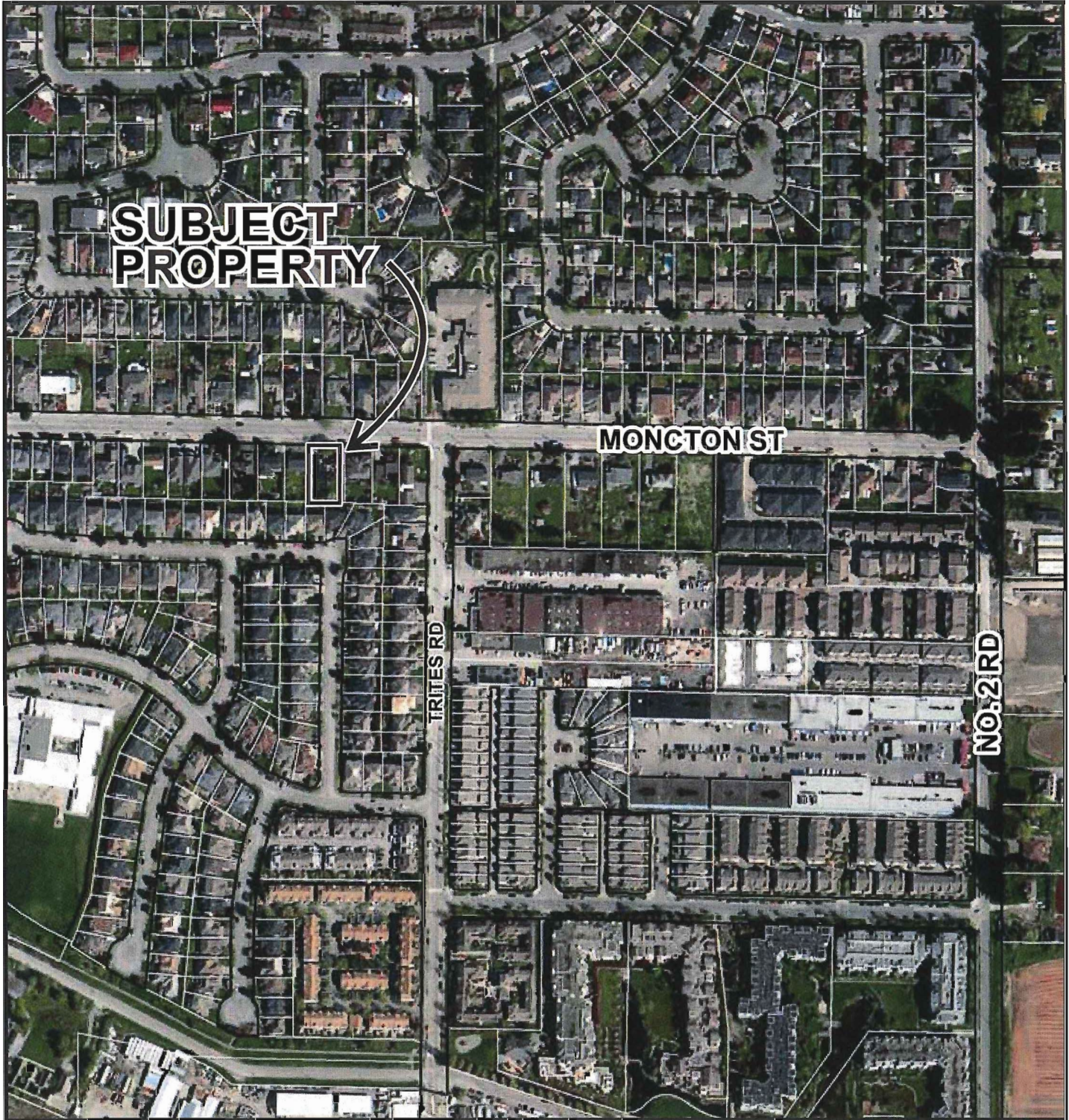
Cynthia Lussier
Planning Technician
CL:blg

Attachments:

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Preliminary subdivision plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Lot Size Policy 5429
- Attachment 5: Proposed Tree Retention Plan
- Attachment 6: Rezoning Considerations



City of
Richmond



RZ 13-650616

Original Date: 12/02/13

Revision Date:

Note: Dimensions are in METRES

SURVEY OF STRATA PLAN NW3126 SECTION 12 BLOCK 3 NORTH RANGE 7 WEST NWD

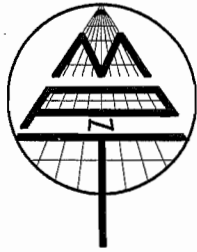
CIVIC ADDRESS

#5280/#5300 MONCTON STREET
RICHMOND, B.C.

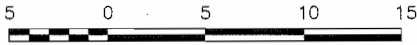
CURRENT ZONING: RD-1

FOR CITY OF RICHMOND
APPLICATION PURPOSES

MONCTON STREET

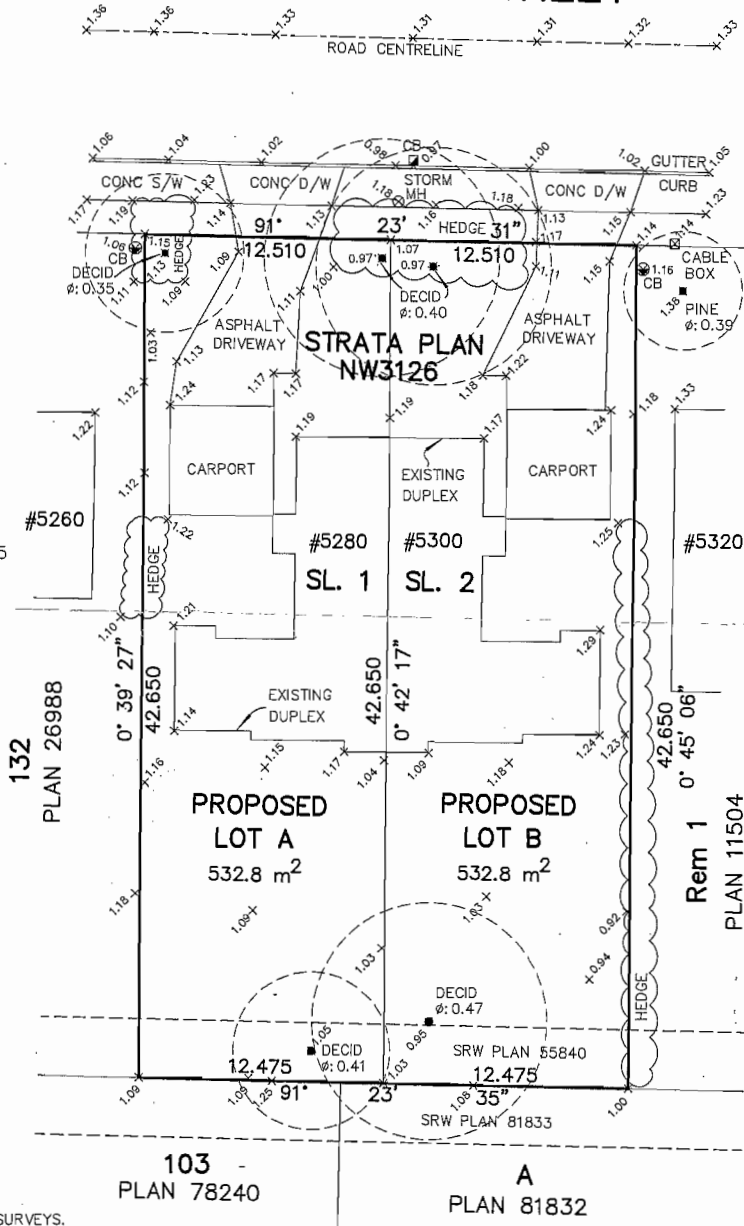


LEGEND
SCALE 1:250



ALL DISTANCES ARE IN METRES.

- +1.15 INDICATES SPOT ELEVATION
- CB INDICATES CATCH BASIN
- MH INDICATES MANHOLE
- CONC INDICATES CONCRETE
- D/W INDICATES DRIVEWAY
- DECID INDICATES DECIDUOUS
- S/W INDICATES SIDEWALK
- SL. INDICATES STRATA LOT



NOTES:

- PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS AND LEGAL FIELD SURVEYS.
- ELEVATIONS ARE IN METRES AND ARE DERIVED FROM CITY OF RICHMOND HPN MONUMENT #205 (77H4827) ELEVATION=1.044 METRES.
- ALL DESIGNATED TREES AS DEFINED BY CITY OF RICHMOND BYLAW No. 8057, ARE SHOWN HEREON.

MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS

#320 - 11120 HORSESHOE WAY
RICHMOND, B.C., V7A 5H7
PH: 604-270-9331
FAX: 604-270-4137

CADFILE: 17397-001-TPG-000.DWG

CERTIFIED CORRECT
THIS 9TH DAY OF OCTOBER, 2013

B.C.L.S.



RZ 13-650616

Attachment 3

Address: 5280/5300 Moncton Street

Applicant: Barbara Stylianou

Planning Area(s): Steveston

	Existing	Proposed
Owner:	Stelios Andreas Stylianou Barbara Monika Stylianou	To be determined
Site Size (m²):	1,065 m ² (11,470 ft ²)	Two (2) lots – each approximately 532.8 m ² (5,735 ft ²)
Land Uses:	One (1) two-unit dwelling	Two (2) single detached dwellings
OCP Designation:	Neighbourhood Residential	No change
Area Plan Designation:	Single-Family	No change
Zoning:	Two-Unit Dwellings (RD1)	Single Detached (RS2/B)

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 – Buildings, Structures, and Non-Porous Surfaces	Max. 70%	Max. 70%	none
Lot Coverage – Live Plant Material	Min. 25%	Min. 25%	none
Lot Size (min. dimensions):	360 m ²	532.8 m ²	none
Setback – Front & Rear Yard (m):	Min. 6 m	Min. 6 m	none
Setback – Interior Side Yard (m):	Min. 1.2 m	Min. 1.2 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: January 15, 1990

POLICY 5429Area Boundary Amended: January 17th, 2005

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 11-3-7/12-3-7

POLICY 5429:

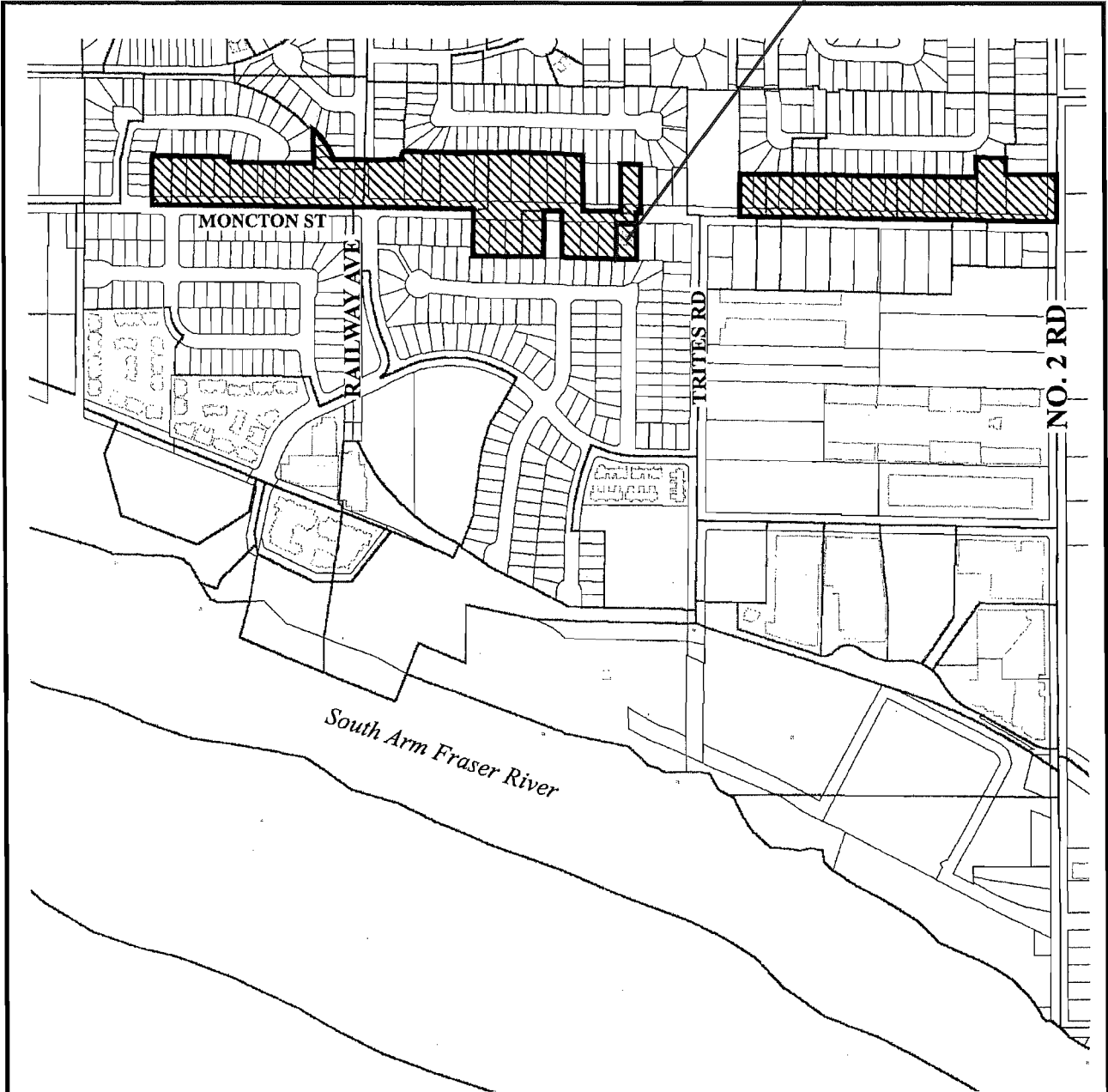
The following policy establishes lot sizes in a portion of Sections 11-3-7/12-3-7 located on **Moncton Street generally bounded by No. 2 Road and Hayashi Court:**


That properties within the area bounded by Moncton Street and Hayashi Court, in a portion of Sections 11-3-7/12-3-7, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300 with the following provisions:

- a) if there is no lane or internal road access then properties along Moncton Street will be restricted to Single-Housing District (R1/C); and
- b) if there is no lane or internal road access then properties along Railway Avenue and No. 2 Road will be restricted to Single-Family Housing District (R1/E); and

that this policy, as shown on the accompanying plan, 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/B** Except

1. Moncton St.: **R1/C** unless there is a lane or internal road access, then **R1/B**.
2. Railway Ave. and No. 2 Rd.: **R1/E** unless there is a lane or internal road access, then **R1/B**.

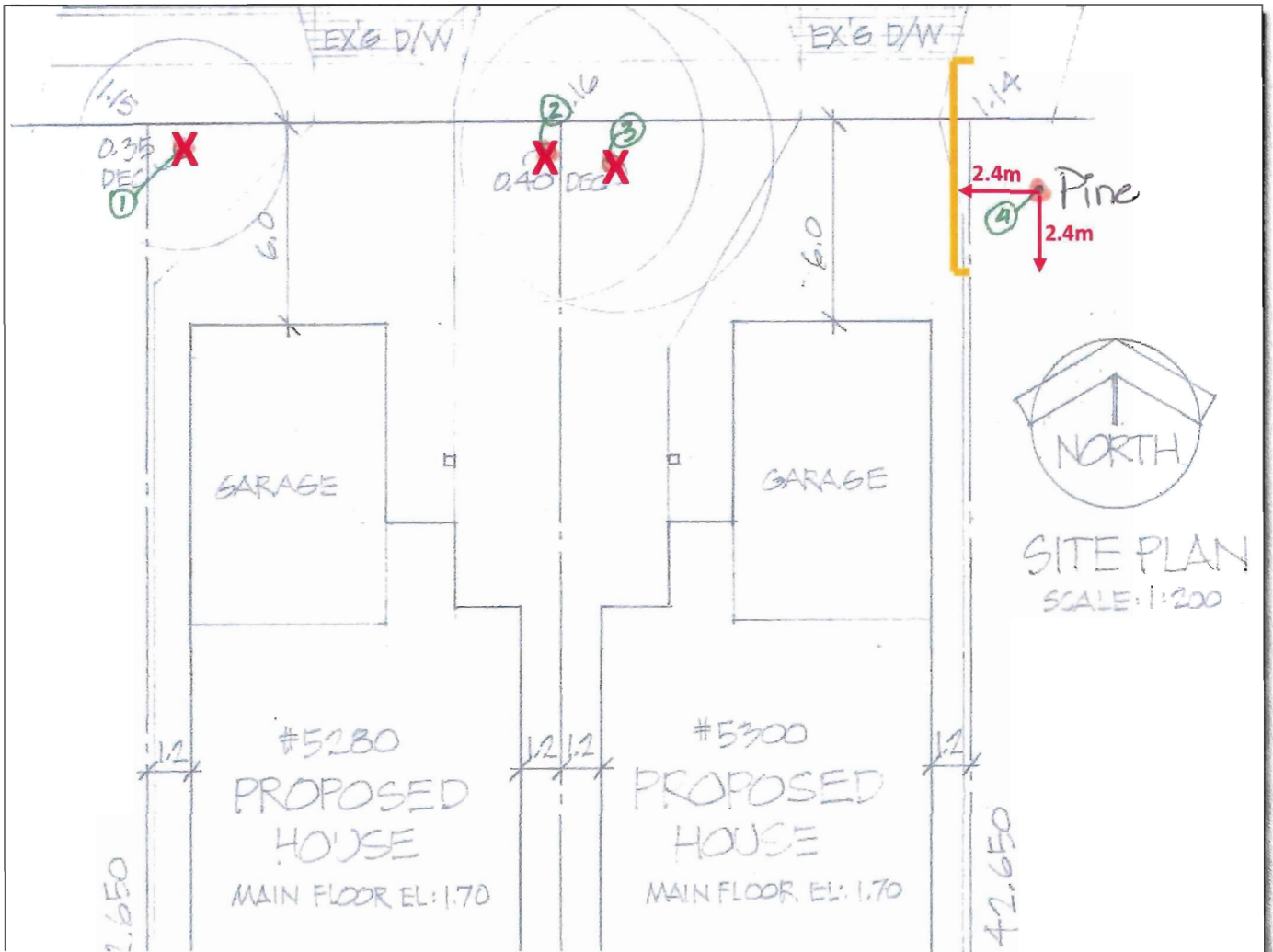


Policy 5429

Section 11 & 12, 3-7

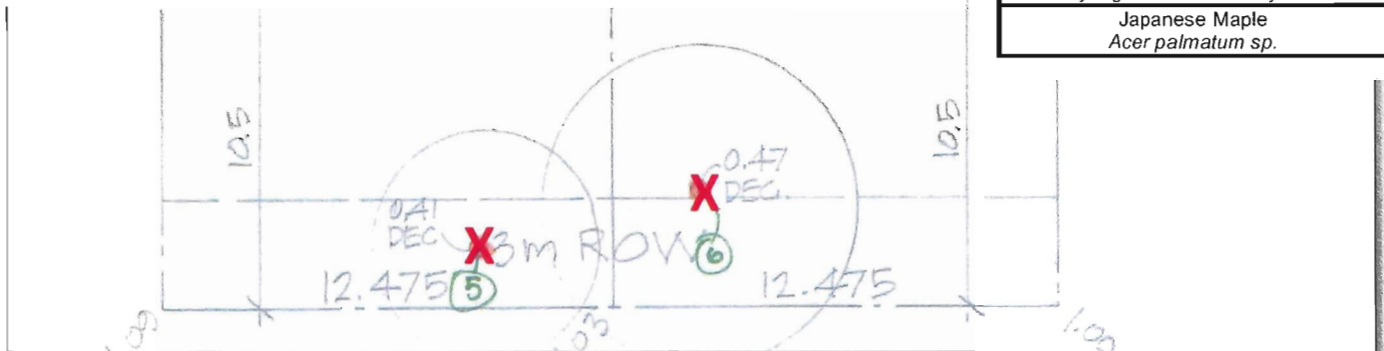
Adopted Date: 01/15/90
Amended Date: 01/17/05

Tree Retention & Removal Plan, Scale 1:200



TREE #	TREE SPECIES (on site) (Botanical name)	DBH (cm)	SPREAD (m) Radius
1	Maple (<i>Acer sp.</i>)	35	3
2	Maple (<i>Acer sp.</i>)	40	4
3	Maple (<i>Acer sp.</i>)	40	4
5	Cherry (<i>Prunus sp.</i>)	43	3
6	Cherry (<i>Prunus sp.</i>)	63	3.5

SUITABLE REPLACEMENT TREES (Botanical name)
Golden Cedar <i>Cedrus deodara 'Aurea'</i>
Dove Tree <i>Davidia involucreta</i>
Purple Fountain European Beech <i>Fagus sylvatica 'Purple Fountain'</i>
Japanese Tree Lilac 'Ivory Silk' <i>Syringa reticulata 'Ivory Silk'</i>
Japanese Maple <i>Acer palmatum sp.</i>





Rezoning Considerations

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

Address: 5280/5300 Moncton Street

File No.: RZ 13-650616

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9157, the following items must be completed:

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect (to the satisfaction of the Director of Development), and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect (including trees, fencing, hard surfaces, and installation costs). The Landscape Plan must:
 - Include a mix of coniferous and deciduous trees;
 - Not include continuous hedges within the front yard;
 - Include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
 - Include the 10 required replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
2	11 cm		6 m
2	9 cm		5 m
6	8 cm		4 m

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.

2. 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 Pine tree on the neighbouring site to the east at 5320 Moncton Street (Tree # 4). 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.
3. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments to the City's Affordable Housing Reserve Fund (i.e. \$5,941.00).

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 proposal to build a secondary suite on one (1) of the two (2) future lots at the subject site to the satisfaction of the City in accordance with the Affordable Housing Strategy. In such a case, the applicant is required to enter into a legal agreement registered on Title prior to rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.
4. Registration of a flood indemnity covenant on title.
5. Discharge of the existing covenant registered on Title of the subject lot (i.e., AC310347), which restricts the use of the property to a duplex.

At Demolition* stage, the following items must be completed:

- Tree protection fencing must be installed on-site to City standard around the dripline of the Pine tree on the neighbouring site to the east at 5320 Moncton Street (Tree #4) in accordance with the City's Tree Protection Bulletin (Tree-03). Tree protection fencing must be installed prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the proposed lots is completed.

At Subdivision* and Building Permit* stage, the following items must be completed:

- Payment of servicing costs.
- The existing storm services are to be abandoned; a new connection complete with inspection chamber is required along the new common property line within the City boulevard on Moncton Street to service the proposed lots.
- The existing sanitary service is to be abandoned; a new connection complete with inspection chamber is required along the new common property line within the existing utility right-of-way at the south end of the subject site to service the proposed lots.
- The existing water service is to be removed/abandoned; two (2) new connections complete with meter boxes are required to service the proposed subdivided lots.
- Submission of a Construction Parking and Traffic Management Plan to the Transportation Division (if applicable). The Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- 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.

(signed original on file)

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9157 (RZ 13-650616)
5280/5300 Moncton 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/B)".

P.I.D. 029-302-714

Lot A Section 12 Block 3 North Range 7 West New Westminster District Plan EPP37394

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9157".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Horizontal lines for recording readings and requirements.

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

MAYOR

CORPORATE OFFICER