



City of Richmond
 Planning and Development Department

Report to Committee

To: Planning Committee **Date:** August 31, 2010
From: Brian J. Jackson, MCIP **File:** RZ 10-531062
 Director of Development
Re: **Application by Garmar Holdings Ltd. for Rezoning at
 6191/6211 Bellflower Drive from Two-Unit Dwellings (RD1) to Single
 Detached (RS2/B)**

Staff Recommendation

That Bylaw No. 8646, for the rezoning of 6191/6211 Bellflower Drive from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", be introduced and given first reading.

Brian J. Jackson, MCIP
 Director of Development

CL:blg
 Att.

| FOR ORIGINATING DEPARTMENT USE ONLY | | |
|-------------------------------------|--|---------------------------------------|
| ROUTED TO: | CONCURRENCE | CONCURRENCE OF GENERAL MANAGER |
| Affordable Housing | Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | |

Staff Report

Origin

Garmar Holdings Ltd. has applied to the City of Richmond for permission to rezone 6191/6211 Bellflower Drive from “Two-Unit Dwellings (RD1)” to “Single Detached (RS2/B)”, to permit the existing duplex property to be subdivided into two (2) lots (**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 in the Thompson planning area. The surrounding area contains single detached housing and two-unit dwellings, with park and trail uses further east.

To the north and east, are older dwellings on lots zoned “Single Detached (RS1/E)” fronting Bellflower Drive;

To the south, are older dwellings on lots zoned “Single Detached (RS1/E)” fronting Larkspur Avenue; and

To the west, are older dwellings on lots zoned “Single Detached (RS1/E)” fronting Riverdale Drive.

Related Policies & Studies

Official Community Plan (OCP) Designation

There is no Area Plan for this neighbourhood. 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

The subject property is located within the area covered by Lot Size Policy 5473, adopted by City Council in 2005 (**Attachment 3**). The Lot Size Policy permits rezoning and subdivision in accordance with “Single Detached (RS1/E)” zoning, which allows for the creation of lots with a minimum frontage of 7.5 m, a minimum average lot width of 18 m wide, and 550 m² in area.

Richmond’s Zoning Bylaw 8500 (Section 2.3.7a) indicates that the Lot Size Policy provisions do not apply to land which is the site of a duplex and which is intended to be rezoned and subdivided into no more than two (2) lots (**Attachment 4**). This provision of the Zoning Bylaw was adopted by Council in 1996 (Bylaw 6584), to eliminate the need for a lot size policy study or lot size policy amendment for sites with duplexes, as there is no resulting increase in unit density.

Since the subject lot has an irregular shape, this redevelopment proposal would allow for the creation of two (2) lots, each with a frontage of approximately 6 m, a minimum average lot width of approximately 21 m, and a minimum of 530 m² in area.

Aircraft Noise Sensitive Development Policy

The Aircraft Noise Sensitive Development (ANSD) Policy applies to the subject site, which is located within the Aircraft Noise Notification Area (Area 4). In accordance with this Policy, all aircraft noise sensitive land uses may be considered. As a condition of rezoning, the applicant is required to register an aircraft noise covenant on Title to address public awareness and to ensure aircraft noise mitigation is incorporated into dwelling design and construction.

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 subject property.

Staff Comments

Background

This neighbourhood has not experienced redevelopment through rezoning and subdivision to smaller lot sizes in recent years. Currently, there is one (1) other active application in this neighbourhood to rezone a duplex-zoned lot at 6731 Coltsfoot Drive/6740 Riverdale Drive to permit a subdivision to create two (2) lots (RZ 10-531043).

Trees Protection & Landscaping

A Certified Arborist's Report was submitted by the applicant, which identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The Report identifies and assesses:

- Three (3) bylaw-sized trees and various shrubs on the subject property;
- Two (2) bylaw-sized trees on the adjacent property to the north at 6171 Bellflower Drive;
- Two (2) bylaw-sized trees and one hedgerow on the adjacent property to the east at 6231 Bellflower Drive;
- Three (3) bylaw-sized trees on the adjacent property to the south at 4591 Larkspur Avenue;
- Four (4) bylaw-sized trees on the adjacent property to the south at 4571 Larkspur Avenue; and
- One (1) hedgerow on the adjacent property to the west at 6220 Riverdale Drive.

The City’s Tree Preservation Coordinator reviewed the Arborist’s Report and conducted a Visual Tree Assessment (VTA). The City’s Tree Preservation Coordinator concurs with the Arborist’s recommendations for tree removal at the subject site on the following basis:

| Tree Type & Tag # | Recommendation | Rationale |
|-------------------------|----------------|---|
| Apple (Tree # 2) | Remove | Has been previously topped at about 3 m and the east side of the canopy has been trimmed back hard on the adjacent property. It is within close proximity to the buildable area and excavation. |
| Plum (Tree # 3) | Remove | Has structural defects due to previous topping, and displays symptoms of infestation and bacterial canker. |
| Douglas Fir (Tree # 14) | Remove | Has significant structural defects due to previous topping. |

The City’s Tree Preservation Coordinator also concurs with the Arborist’s recommendation for removal of Tree # 1 at 6231 Bellflower Drive (on the basis of poor structure due to previous topic and co-dominant stems) subject to authorization from the adjacent property owner and a Tree Removal Permit being obtained. Written authorization from the adjacent property owner for removal of Tree # 1 at future development stage has been obtained and is on file.

All remaining trees and hedges on adjacent properties (Trees # 4-13, 15, and 17) are to be retained and protected with fencing as recommended in the Arborist’s Report and as shown in the Tree Retention Plan (**Attachment 5**). Tree protection fencing must be installed to City standard prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the future lots is completed. As a condition of rezoning, a Contract is required with a Certified Arborist for supervision of any works to be conducted within the tree protection zone of off-site trees. The Contract must include the proposed number of site monitoring inspections (at which stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.

Based on the 2:1 replacement ratio goal in the OCP, and the size requirements for replacement trees in the City’s Tree Protection Bylaw, a total of six (6) replacement trees are required to be planted and maintained on the future lots, with the following minimum sizes/heights:

| # Replacement Trees | Min. Calliper of Deciduous Tree | or | Min. Height of Coniferous Tree |
|---------------------|---------------------------------|----|--------------------------------|
| 4 | 9 cm | | 5 m |
| 2 | 10 cm | | 5.5 m |

To ensure that the six (6) replacement trees are planted and maintained on the future lots, the applicant is required to submit a Landscaping Security to the City in the amount of \$3,000 (\$500/tree) prior to final adoption of the rezoning bylaw.

Affordable Housing

Richmond’s Affordable Housing Strategy requires a suite on 50% of new lots, or a cash-in-lieu contribution of \$1.00/ft² of total building area toward the Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant proposes to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the 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. This legal agreement is a condition of rezoning adoption. 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/ft² of total building area of the single detached dwellings (i.e. \$6,202).

Existing Covenant

There is currently a covenant on the Title of the strata lots restricting the use of the properties to a duplex. This covenant must be discharged by the applicant as a condition of rezoning after confirmation has been provided to the City that Strata Plan NW1123 has been cancelled.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

At development stage, options for vehicle access to the site from Bellflower include a) a double-wide driveway, b) two separate driveway crossings, or c) a shared driveway crossing (min. 6 m wide) with a cross-access easement registered on title as a condition of subdivision to allow future residents to cross over the shared property line to enter and exit the properties.

The applicant is proposing vehicle access via two separate driveway crossings to Bellflower Drive. The final design and associated costs of the driveway crossings will be determined at Subdivision stage.

Subdivision

At Subdivision stage, the applicant will be required to pay Servicing Costs and pre-payment of 2011 taxes.

Flood Management

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

Analysis

The subject site is located in an established residential area consisting of single detached housing and duplexes. This redevelopment proposal would allow for the creation of two (2) lots, each with a frontage of approximately 6 m, a minimum average lot width of approximately 21 m, and a minimum of 530 m² in area. Consistent with the Zoning Bylaw provisions regarding the rezoning and subdivision of duplexes, there is potential for other properties with duplexes in this neighbourhood to apply to rezone and subdivide.

Financial Impact

None.

Conclusion

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

The list of rezoning conditions is included as **Attachment 6**, which has been agreed to by the applicant (signed concurrence on file).

On this basis, staff recommends support for the application.



Cynthia Lussier
Planning Technician
(604-276-4108)

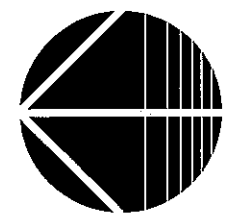
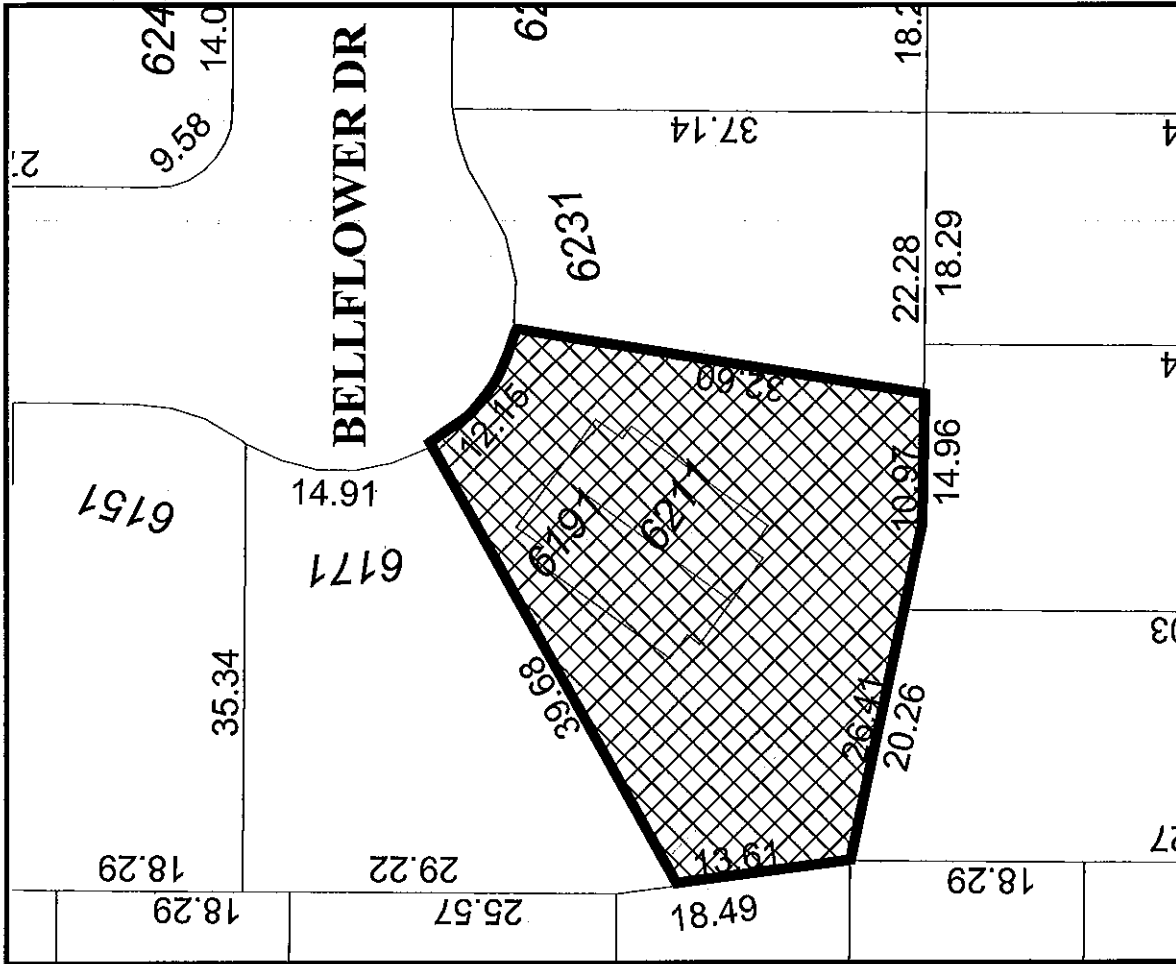
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Attachments

- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5473
- Attachment 4: Richmond Zoning Bylaw 8500 (Excerpt)
- Attachment 5: Tree Retention Plan
- Attachment 6: Rezoning Considerations Concurrence



City of Richmond



RZ 10-531062

Original Date: 06/02/10

Revision Date:

Note: Dimensions are in METRES



RZ 10-531062

Original Date: 06/02/10

Amended Date:

Note: Dimensions are in METRES



City of Richmond

6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

**Development Application
 Data Sheet**

RZ 10-531062

Attachment 2

Address: 6191/6211 Bellflower Drive

Applicant: Garmar Holdings Ltd.

Planning Area(s): Thompson

| | Existing | Proposed |
|-------------------------------------|---|---|
| Owner: | 0887569 BC Ltd. | To be determined |
| Site Size (m²): | 1,146 m ² (12,342 ft ²) | West lot - approx 616 m ² (6,630 ft ²) East Lot -- approx 530 m ² (5,705 ft ²) |
| Land Uses: | One (1) two-unit dwelling | Two (2) single detached dwellings |
| OCP Designation: | <ul style="list-style-type: none"> Generalized Land Use Map Designation – "Neighbourhood Residential" Specific Land Use Map Designation – "Low-Density Residential" | No change |
| Area Plan Designation: | N/A | N/A |
| Lot Size Policy Designation: | <ul style="list-style-type: none"> Policy 5473 permits subdivision in accordance with RS1/E, RS2/E; Richmond's Zoning Bylaw 8500 (Section 2.3.7a) indicates that the Lot Size Policy provisions do not apply to land which is the site of a duplex and which is intended to be rezoned and subdivided into no more than two lots. | No change |
| Zoning: | Two-Unit Dwellings (RD1) | Single Detached (RS2/B) |
| Number of Units: | Two (2) | Two (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): | 360 m ² | 616 m ² and 530 m ² | none |
| Setback – Front & Rear Yards(m): | Min. 6 m | Min. 6 m | none |
| Setback – Side Yard (m): | Min. 1.2 m | Min. 1.2 m | none |
| Height (m): | 2.5 storeys | 2.5 storeys | none |

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



City of Richmond

Policy Manual

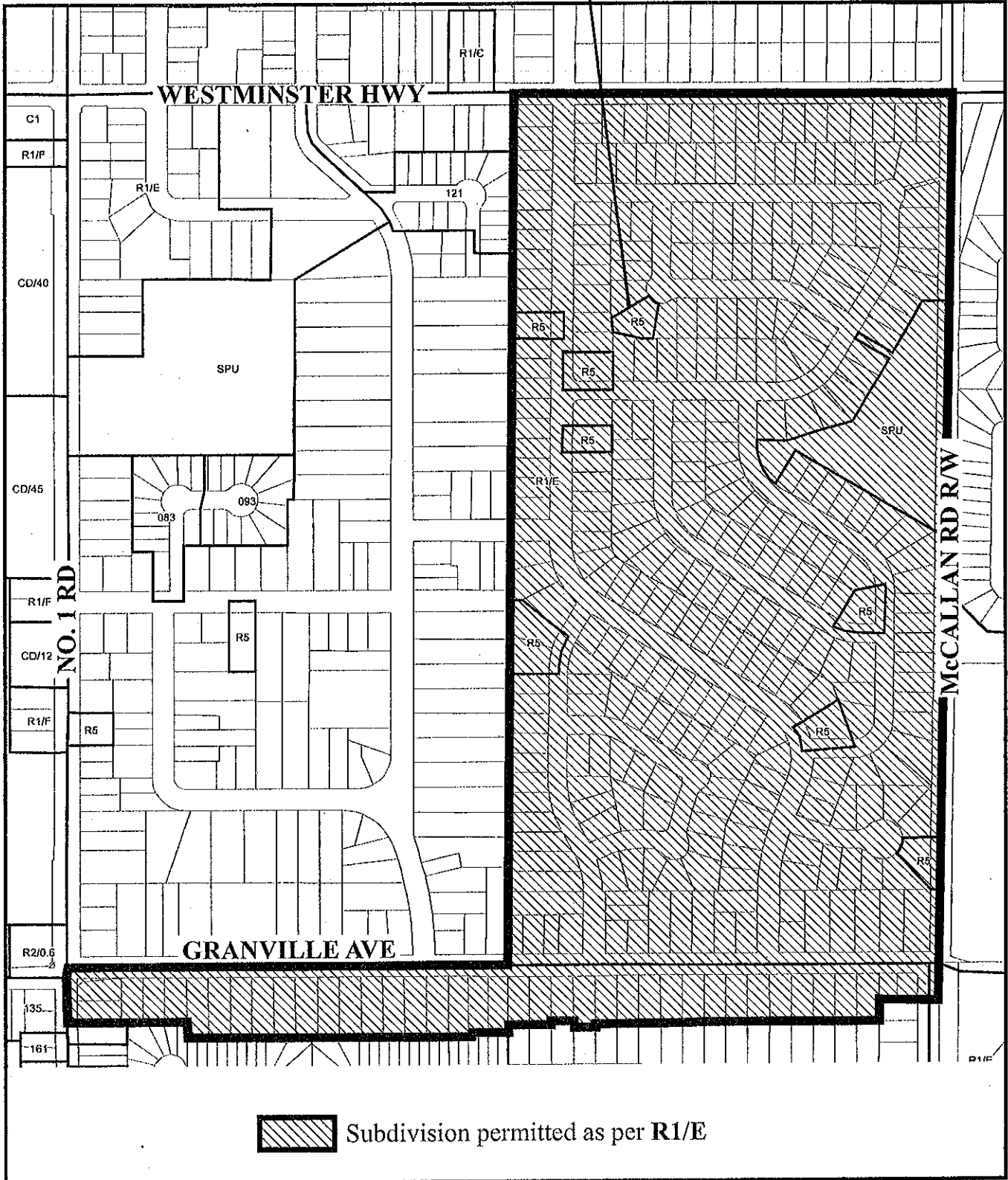
| | | |
|-------------------|--|--------------------|
| Page 1 of 2 | Adopted by Council: July 18 th , 2005 | POLICY 5473 |
| File Ref: 4045-00 | SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 11-4-7 AND 14-4-7 | |

POLICY 5473:

The following policy establishes lot sizes for that portion of Section 11-4-7, bounded by **Granville Avenue, Westminster Highway, the McCallan Road Right-of-Way, and the property line to the rear of the properties on the west side of Mayflower and Riverdale Drive, and for the lots abutting Granville Avenue between Railway Avenue and No. 1 Road** in a portion of Section 14-4-7:

1. All lots resulting from subdivision shall meet the requirements of Single-Family Housing District, Subdivision Area E (R1/E) as per the Zoning and Development Bylaw 5300.
2. This policy is to be used in determining the disposition of future applications in this area for a period of not less than five years, except as per the amending procedures in the Zoning and Development Bylaw 5300.
3. Property boundaries are outlined on the accompanying plan.
4. Multiple-family residential development shall not be permitted.

SUBJECT PROPERTY



Policy 5473
Section 11-4-7 and 14-4-7

Adopted Date: 07/18/05

Amended Date:

Note: Dimensions are in METRES

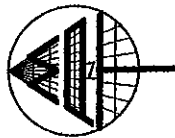
Excerpt from Richmond Zoning Bylaw 8500**2.3. Applications for R1 Subdivision Areas**

- 2.3.1. Where an **owner** of land which is zoned R1 submits a rezoning application to transfer the land from one **subdivision** area to another **subdivision** area within the **zone** (i.e., RS1/E to RS1/A), staff shall report to the appropriate standing committee, or where necessary, directly to **Council**, and recommend whether such an amendment should be more appropriately considered in the context of setting a policy respecting **lot** sizes for a larger area and, if so, staff shall recommend the boundaries of such larger area.
- 2.3.2. Subject to the provisions of the Council Procedure Bylaw, the Committee, having considered the staff report, shall make a recommendation to **Council** as appropriate.
- 2.3.3. Where **Council** determines that consideration of a larger area is appropriate, **Council** shall first consider and determine a **lot** size policy for the larger area for a period of not less than five years, prior to approval of the rezoning. All subsequent rezoning applications within that same area shall be considered in conjunction with or in the context of the policy.
- 2.3.4. Notwithstanding Section 2.3.3, where a rezoning application is contrary to a lot size policy for a larger area which has been adopted by **Council** within the preceding five years, the current rezoning application shall be submitted to **Council**, and **Council** shall either direct staff to process the application in conjunction with a reconsideration of the policy or deny the application.
- 2.3.5. Where a **lot** size policy is proposed or is being amended, the policy and proposed amending bylaw shall be submitted to a public hearing. Notice shall be given to all affected property **owners** and tenants within the **lot** size policy area.
- 2.3.6. After a **lot** size policy has been considered at a public hearing, **Council** may, without further notice, adopt, amend, rescind, reaffirm or amend and then adopt the subject policy, or deal with a policy recommendation in any other manner provided for in the Council Procedure Bylaw.
- 2.3.7. Section 2.3 does not apply to land which is the subject of the application if:
- a) the land is the **site** of a legal **two-unit housing unit** and is intended to be subdivided into no more than two **single detached housing lots**;
 - b) the land is located along an **arterial road** and not within a **lot** size policy area that has been adopted within the previous five years; or
 - c) the land is located within an Area Plan or Sub-Area Plan of the **Official Community Plan**.
- 2.3.8. For the purposes of Section 2.3, the RS1, RS2 and RS3 **zones** are deemed to be interpreted as complying with the R1/A-H or R1/J-K zones with regard to any existing or proposed **lot** size policy.
- 2.3.9. Where there is a rezoning application along an **arterial road** in an existing **lot** size policy area that has been in place over five years, **Council** will determine whether to remove all the properties in the block which front the subject **arterial road** from the applicable **lot** size policy when considering the rezoning application.

**SURVEY PLAN OF STRATA PLAN NW1123 SECTION 11
BLOCK 4 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT**

CIVIC ADDRESS
#6191 BELFLOWER DRIVE
RICHMOND, B.C.

PLAN SHOWS ONE OF NUMEROUS POSSIBLE
R1-B SUBDIVISION OPTIONS.



LEGEND
SCALE 1:200

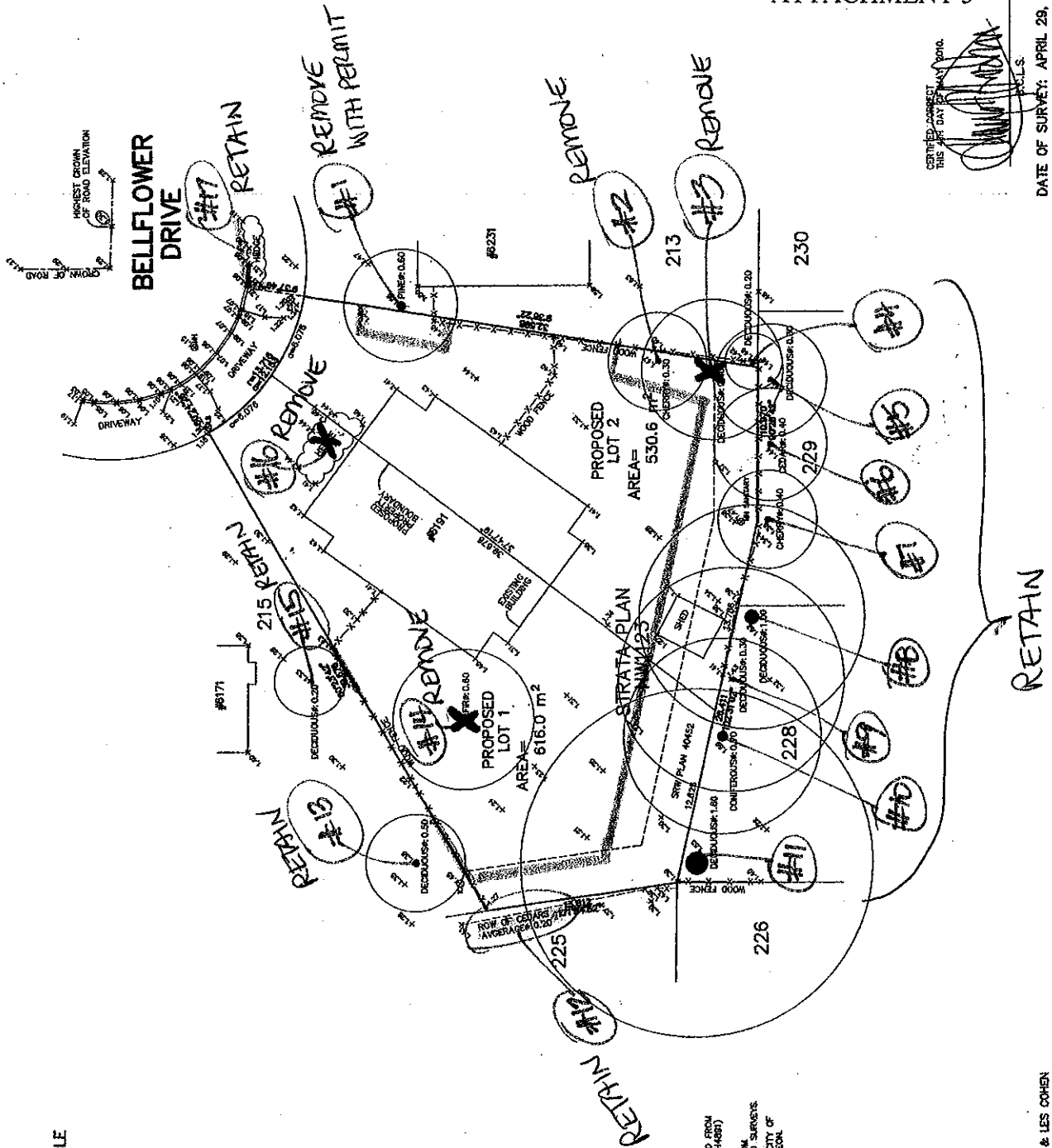
- 5 0' 5 10
- ALL DISTANCES ARE IN METRES.
- INDICATES SPOT ELEVATION
- ES INDICATES ELECTRICAL SERVICE
- IC INDICATES INSPECTION CHAMBER
- LB INDICATES LAWN BASH
- MB INDICATES MARKER

TPZ
X - General

NOTE:
- ELEVATIONS ARE IN METRES AND ARE DERIVED FROM THE CITY OF RICHMOND'S DATUM (774485)
- PROPERTY LINE DIMENSIONS ARE PER THE PLAN
- LAND TITLE OFFICE RECORDS AND LEGAL FIELD SURVEYS
- ALL DESIGNATED TREES AS DERIVED BY THE CITY OF RICHMOND BYLAW NO. 887, ARE SHOWN HEREON

© COPYRIGHT
MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
8020 - 11120 HORSeshoe WAY
RICHMOND, B.C. V7A 8H7
PH: 604-270-9331
FAX: 604-270-4137
CADFILE: 18363-001-TPG-COULING

CLIENT REF: AZIM BHIMANI & LES COHEN



DATE OF SURVEY: APRIL 29, 2010

Rezoning Considerations

6191/6211 Bellflower Drive

RZ 10-531062

Prior to final adoption of Zoning Amendment Bylaw 8646, the applicant is required to complete the following:

1. Submission of a Landscaping Security to the City in the amount of \$3,000 (\$500/tree) for the planting and maintenance of six (6) replacement trees with the following minimum sizes/heights:

| # Replacement Trees | Min. Calliper of Deciduous Tree | | Min. Height of Coniferous Tree |
|---------------------|---------------------------------|----|--------------------------------|
| 4 | 9 cm | or | 5 m |
| 2 | 10 cm | | 5.5 m |

2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any works to be conducted with the Tree Protection Zone of off-site trees (Trees # 4-13, 15, and 17). The Contract must include the scope of work to be undertaken, the proposed number of site monitoring inspections (at which stages of development), and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
3. Confirmation provided to the City that Strata Plan NW1123 has been cancelled.
4. Discharge covenant RD69218 that currently exists on Title, which restricts the use of the property to a duplex.
5. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) new lots created, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind prior to final adoption of the rezoning bylaw about the affordable housing option selected, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single detached dwellings (\$6,202) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

6. Registration of a flood indemnity covenant on Title.
7. Registration of an aircraft noise sensitive use covenant on Title to address public awareness and to ensure aircraft noise mitigation is incorporated into dwelling design and construction.

Prior to Demolition stage, the applicant will be required to:

- Install Tree Protection Fencing as recommended in the Arborist's Report and as shown in the Tree Retention Plan around the dripline of Trees # 4 to 13, 15, and 17 located on adjacent properties at 6171 Bellflower Drive, 6231 Bellflower Drive, 4591 Larkspur Avenue, 4571 Larkspur Avenue, and 6220 Riverdale Drive.

Tree protection fencing must be installed to City standard prior to demolition of the existing dwelling and must remain in place until construction and landscaping on the future lots is completed.

At Subdivision stage, the applicant will be required to:

- Pay Servicing Costs and pre-payment of 2011 taxes.

[Signed original on file]

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 8646 (RZ 10-531062)
6191/6211 BELLFLOWER DRIVE**

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. 001-653-431

STRATA LOT 1 SECTION 11 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT STRATA PLAN NW1123 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

P.I.D. 001-653-458

STRATA LOT 2 SECTION 11 BLOCK 4 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT STRATA PLAN NW1123 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 8646**".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER