



To: Planning Committee **Date:** September 23, 2009
From: Brian J. Jackson, MCIP **File:** RZ 08-432190
 Director of Development
Re: **Application by Swarn Panesar for Rezoning at 2451 and 2471 McLeod Avenue from Single-Family Housing District, Subdivision Area D (R1/D) to Single-Family Housing District, Subdivision Area B (R1/B)**

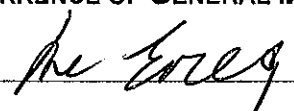
Staff Recommendation

That Bylaw No. 8429, for the rezoning of 2451 and 2471 McLeod Avenue from "Single-Family Housing District, Subdivision Area D (R1/D)" to "Single-Family Housing District, Subdivision Area B (R1/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
Real Estate Services.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Swarn Panesar has applied to the City of Richmond for permission to rezone 2451 and 2471 McLeod Avenue from “Single-Family Housing District, Subdivision Area D (R1/D)” to “Single-Family Housing District, Subdivision Area B (R1/B)” in order to permit a subdivision to create three (3) 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 properties are located on the west side of McLeod Avenue, just north of Bridgeport Road, in an established residential neighbourhood consisting primarily of older dwellings on lots zoned Single-Family Housing District, Subdivision Area D (R1/D) or Single-Family Housing District, Subdivision Area B (R1/B).

- To the north, are older dwellings on lots zoned Single-Family Housing District, Subdivision Area D (R1/D);
- To the east, are newer dwellings on lots zoned Single-Family Housing District, Subdivision Area B (R1/B) and Single-Family Housing District, Subdivision Area D (R1/D);
- To the south, are newer dwellings on lots zoned Single-Family Housing District, Subdivision Area B (R1/B); and
- To the west, are older dwellings fronting Craig Court on lots zoned Single-Family Housing District, Subdivision Area D (R1/D).

Related Policies & Studies

Official Community Plan

The Official Community Plan’s (OCP) Generalized Land Use Map designation for this property is “Neighbourhood Residential”, and the Bridgeport Area Plan’s Land Use Map designation is “Residential (Single-Family)”. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5448

The subject properties are located within the area covered by Single-Family Lot Size Policy 5448 (adopted by Council in 1991) (**Attachment 3**). This Policy permits rezoning and subdivision of lots along McLeod Avenue to Single-Family Housing District, Subdivision Area B (R1/B). This redevelopment proposal would allow for the creation of three (3) lots, each approximately 13.41 m wide, which is consistent with the Lot Size Policy.

Aircraft Noise Sensitive Development Policy

The Aircraft Noise Sensitive Development (ANSD) Policy applies to the subject site, which is located within the High Aircraft Noise Area (Area 2). In accordance with this Policy, rezonings from one (1) Single-Family Housing District (R1) Subdivision Area to another may be considered if it is supported by a Lot Size Policy. This redevelopment proposal is consistent with the ANSD Policy as Lot Size Policy 5448 permits rezoning and subdivision to Single-Family Housing District, Subdivision Area B (R1/B). As a condition of rezoning, the applicant is required to register a restrictive covenant on Title to address aircraft noise mitigation and public awareness.

Staff Comments

Background

This neighbourhood has undergone some redevelopment through rezoning and subdivision to smaller lot sizes in recent years. Smaller lots were created to the east and south of the subject site within the last decade. This redevelopment proposal is consistent with the pattern of redevelopment established in the neighbourhood.

Tree Preservation

A survey submitted by the applicant shows the location of:

- Two (2) bylaw-sized trees at 2451 McLeod Avenue;
- One (1) undersize tree on City property in the boulevard in front of 2451 McLeod Avenue; and
- One (1) bylaw-sized tree on City property in the boulevard in front of 2471 McLeod Avenue.

A Certified Arborist’s Report and Tree Retention Plan (**Attachment 4**) submitted by the applicant identifies tree species, assesses tree health and condition, and provides recommendations on tree retention and removal relative to the development proposal. The report recommends the removal of all trees on-site and on City property on the basis of health, condition, and conflict with proposed development.

The City’s Tree Preservation Coordinator and the City’s Parks’ Arborist have reviewed the Arborist’s Report and concur with these recommendations.

Based on the Official Community Plan’s (OCP) tree replacement ratio goal of 2:1, and the size requirements for replacement trees in the City’s Tree Protection Bylaw, a total of four (4) replacement trees are required to be planted on the future lots, with the following minimum calliper sizes/heights (to compensate for future on-site tree removal):

# Trees to be removed	dbh	# trees to be replaced	Min. calliper of deciduous tree	or	Min. height of coniferous tree
1	20-30 cm	2	6 cm		
1	> 60 cm	2	11 cm		4 m

To address compensation for future removal of trees located on City property in the boulevard fronting the subject site (at the developer's cost), the Parks Department has advised that:

- \$500 compensation is required to the Tree Compensation Fund for the Birch Tree; and,
- No compensation is required for the Sitka Spruce, as it is in an advance state of decline.

Formal written permission for City tree removal must be obtained by the applicant directly from the Parks Department prior to final adoption of the rezoning bylaw.

To ensure that the four (4) required replacement trees are planted and maintained on the future new lots, 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.

Affordable Housing

City Council adopted an Interim Affordable Housing Strategy for Single-Family Developments on April 28, 2008. This Interim Strategy applies to in-stream single-family rezoning applications received after July 1, 2007, until a revised Richmond Affordable Housing Strategy related to single-family rezoning applications is approved. The Interim 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.

In order to help meet the City's targets for rental housing, the applicant has agreed to provide a legal secondary suite on two (2) out of three (3) of the future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Interim Strategy, the developer is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suites are constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. The legal agreement is a condition of rezoning adoption. This agreement will be discharged from Title (at the initiation of the applicant) on the lot without the secondary suite after the requirements are satisfied.

Site Servicing and Vehicle Access

A Servicing Capacity Analysis was submitted by the applicant. The City's Engineering Department has reviewed and identified that there are no servicing concerns or requirements with rezoning. An upgrade to the storm sewer will be required as part of the Servicing Agreement at future subdivision stage.

As the subject property is located within 800 m of an intersection between a Provincial Limited Access Highway and a City road, Ministry of Transportation approval is required as a condition of rezoning.

Vehicular access to the site at future development stage will be from McLeod Avenue.

Subdivision

At future Subdivision stage, the developer will be required to:

- Enter into a Servicing Agreement for the design and construction of off-site improvements along the entire frontage of McLeod Avenue. Improvements are to include storm sewer, curb and gutter, sand/gravel base, asphalt pavement, street lighting, and street trees. Note: design is to include water, storm and sanitary connections for each lot;
- Arrange for all three (3) lots to be serviced by underground Hydro, Telus, and Cable; and
- Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees. Note: servicing costs to be determined via the Servicing Agreement.

Flood Management

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

Analysis

This development proposal is consistent with Lot Size Policy 5448 and is located within an established residential neighbourhood that has seen some redevelopment to smaller lot sizes through rezoning and subdivision in recent years.

Financial Impact

None.

Conclusion

This rezoning application to permit subdivision of two (2) large lots into three (3) smaller lots complies with the Bridgeport Area Plan, Single-Family Lot Size Policy 5448, and with all applicable policies and land use designations contained within the Official Community Plan (OCP). The list of rezoning conditions is included as **Attachment 5**, which has been agreed to by the applicant (signed acceptance on file).

On this basis, staff recommends support of the application.



Cynthia Lussier
Planning Assistant
(604-276-4108)

CL:blg

2496588

Attachments:

Attachment 1: Location Map

Attachment 2: Development Application Data Sheet

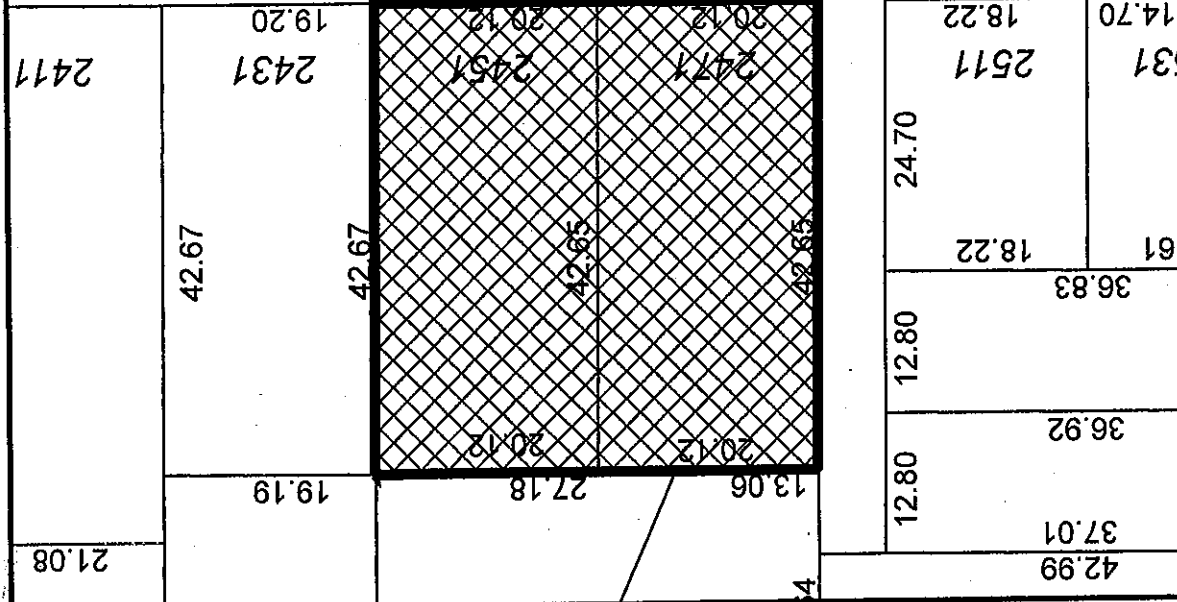
Attachment 3: Single-Family Lot Size Policy 5448

Attachment 4: Tree Retention Plan

Attachment 5: Rezoning Considerations Concurrence

28.96	13.56	20.12	14.33	2468	14.33	2428	24.3
2520	13.56	20.12	14.33	2488	14.33	2468	24.9
2500	20.12	20.12	14.33	2488	14.33	2468	24.3
2520	13.56	20.12	14.33	2488	14.33	2468	24.3
24.9	2520	20.12	14.33	2488	14.33	2468	24.3

MCLEOD AVE

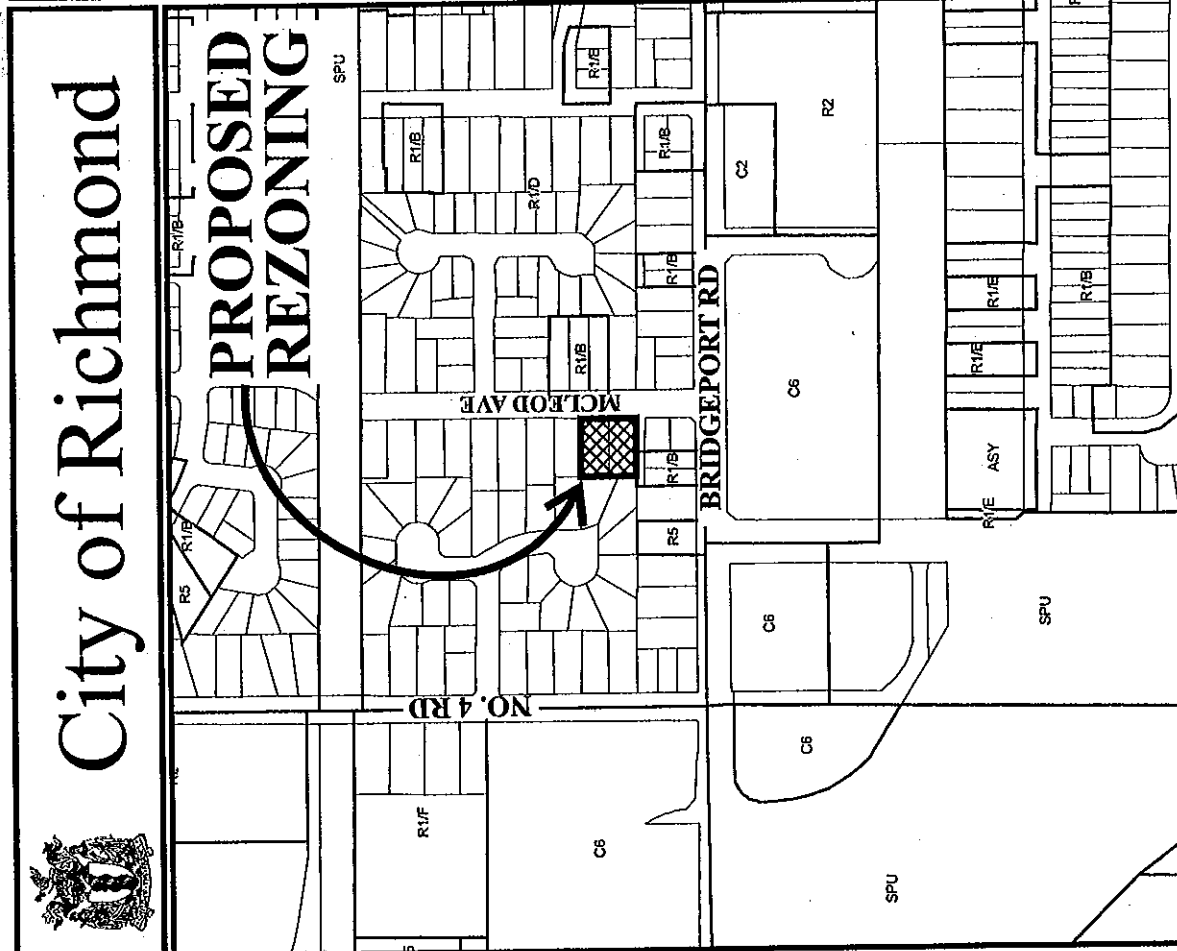
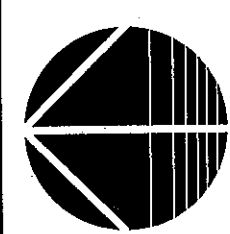


Original Date: 08/01/08

Revision Date:

Note: Dimensions are in METRES

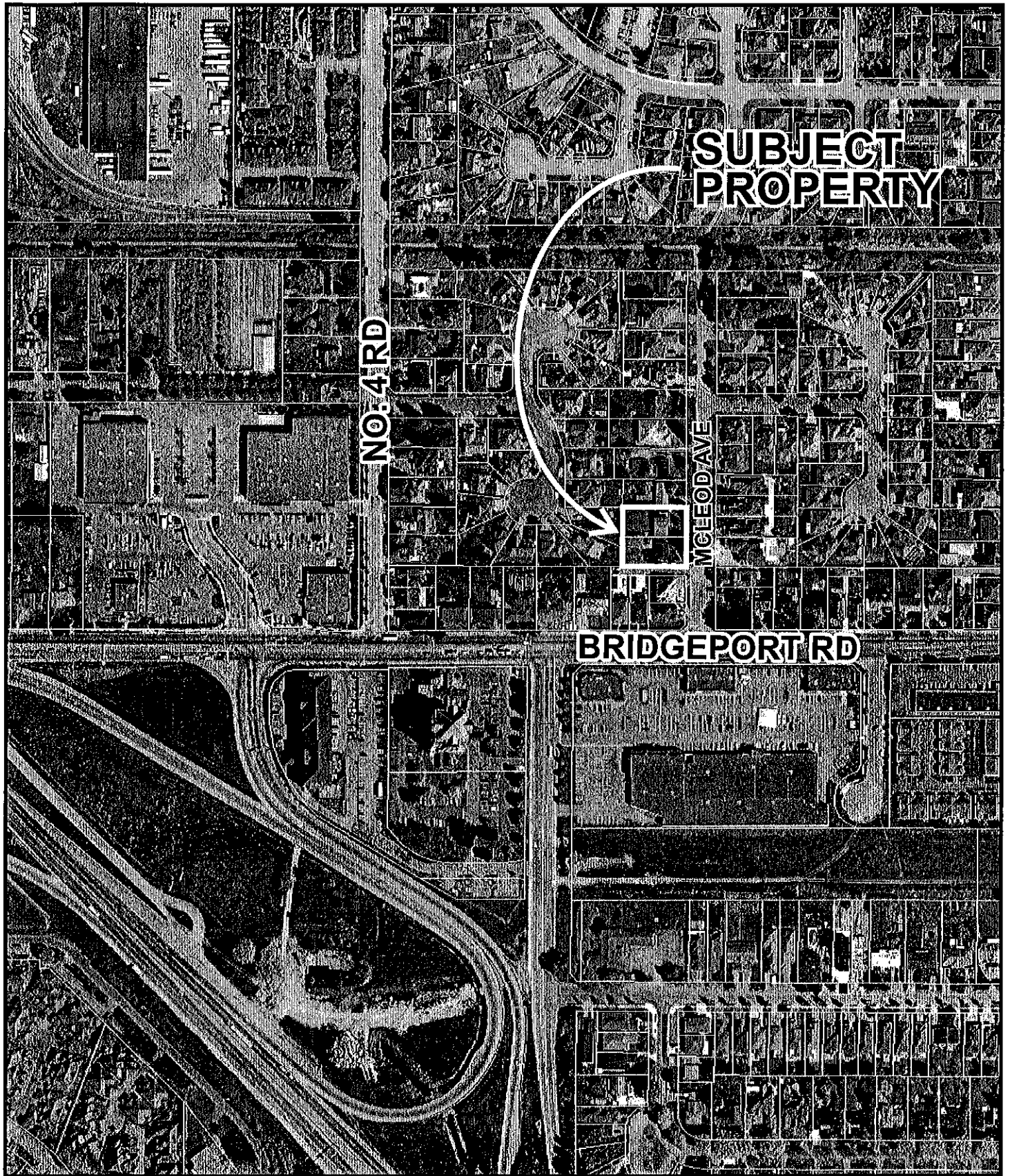
RZ 08-432190



PROPOSED REZONING

City of Richmond





**SUBJECT
PROPERTY**

NO. 4 RD

MCLEOD AVE

BRIDGEPORT RD



RZ 08-432190

Original Date: 08/01/08

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 08-432190 **Attachment 2**

Address: 2451 and 2471 McLeod Ave

Applicant: Swarn Panesar

Planning Area(s): Bridgeport

	Existing	Proposed	
Owners:	2451 McLeod Avenue - Swarn Singh Panesar & Gurbax Kaur Panesar; 2471 McLeod Avenue - Amrik & Gurvinder Barha	To be determined	
Site Size (m²):	Each Lot 858 m ² = 1,716 m ² (18,478 ft ²) total	three (3) lots – each approximately 572 m ² (6,157 ft ²)	
Land Uses:	Two (2) single-family dwellings	three (3) single-family residential lots	
OCP Designation:	• Generalized Land Use Map – Neighbourhood Residential	No change	
Area Plan Designation:	Residential (single-family)	No change	
702 Policy Designation:	Lot Size Policy 5448 permits rezoning and subdivision of the subject site to Single-Family Housing District, Subdivision Area B (R1/B) (minimum 12 m or 39.4 ft. wide).	No change	
Zoning:	Single-Family Housing District, Subdivision Area D (R1/D)	Single-Family Housing District, Subdivision Area B (R1/B)	
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 Size (min. dimensions):	360 m ²	Each Lot - 572 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: September 16, 1991

POLICY 5448

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 23-5-6

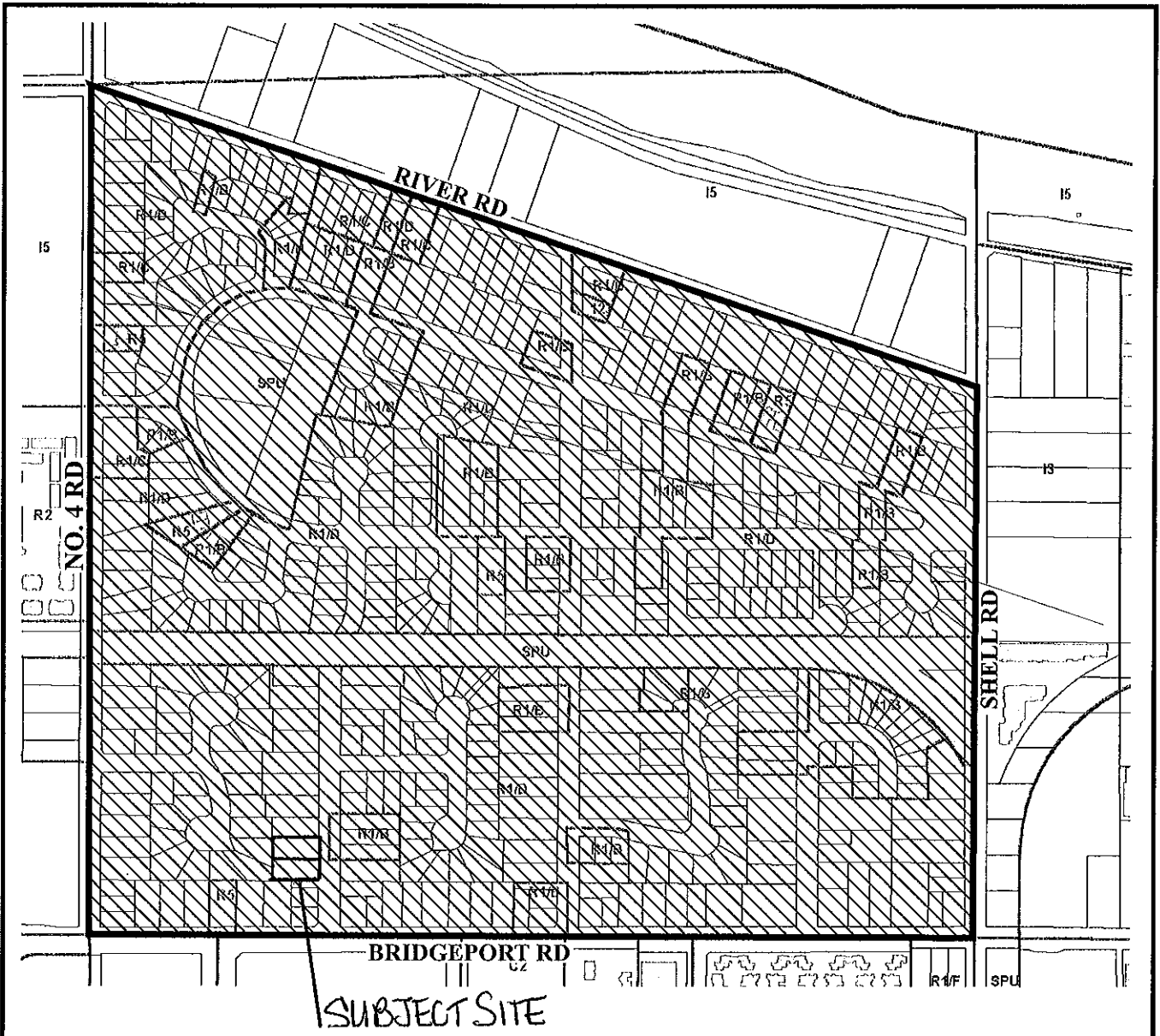
POLICY 5448:

The following policy establishes lot sizes in a portion of Section 23-5-6, bounded by the **Bridgeport Road, Shell Road, No. 4 Road and River Drive:**

That properties within the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west, in a portion of Section 23-5-6, 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) Properties along Bridgeport Road and Shell Road will be restricted to Single-Family Housing District (R1/D) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted,
- (b) Properties along No. 4 Road and River Drive will be restricted to Single-Family Housing District (R1/C) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be permitted;

and that this policy, as shown on the accompanying plan, 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 changed by the amending procedures contained in the Zoning and Development Bylaw.



Subdivision permitted as per **R1/B** except:

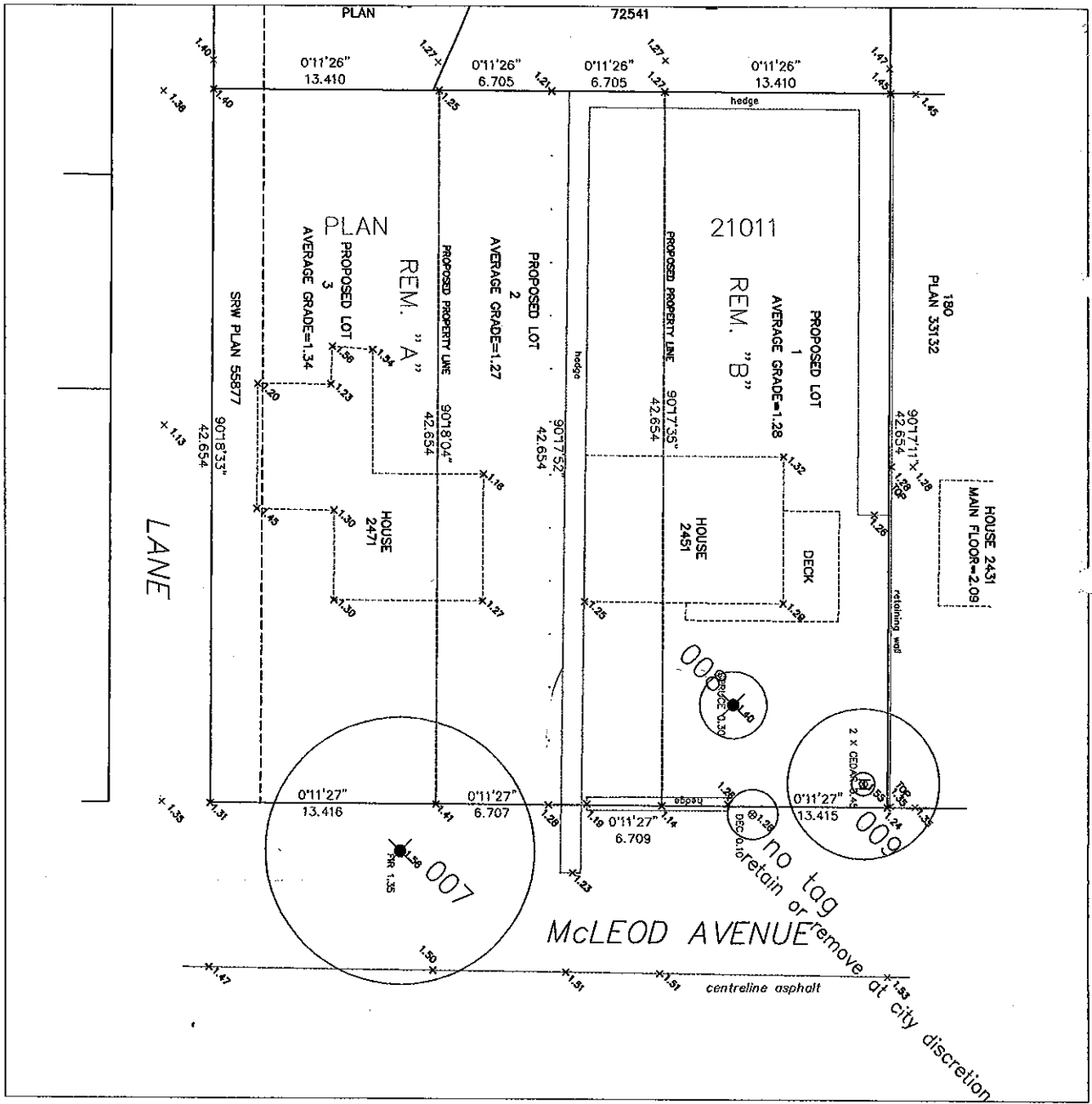
1. River Drive: **R1/C** unless there is a lane or internal road access, then **R1/B**.
2. Shell Road: **R1/D** unless there is a lane or internal road access, then **R1/B**.
3. No. 4 Road: **R1/C** unless there is a lane or internal road access then **R1/B**.
4. Bridgeport Road: **R1/D** unless there is a lane or internal road access then **R1/B**.



POLICY 5448 SECTION 23, 5-6

Adopted Date: 09/16/91

Amended Date:



LEGEND

- denotes TREE NUMBER. Refer to tree inventory for type, size and condition code.
- denotes tree to be REMOVED
- ⊙ denotes tree to be RETAINED
- ⊕ denotes TREE PROTECTION FENCE to be installed to Tree Retention Area (TRF) limits.

ARBORTECH CONSULTING LTD
 Suite 200 - 3740 Chatham Street
 Richmond, BC, Canada V7E 2Z3
 P 604 276 3484 F 604 276 9564
 email: trees@arbortech.bc.ca

TREE RETENTION PLAN

Client:	MR & MRS PANESAR
Project:	PROPOSED 3 LOT SUBDIVISION
Address:	2451/2471 McLEOD AVENUE, RICHMOND
Date:	25 AUG 2009
Our File:	09163

Muni File:	XXX
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NTS

Scale 1:250

Rezoning Considerations

2451 & 2471 McLeod Ave

RZ 08-432190

Prior to final adoption of Zoning Amendment Bylaw 8429, the following items are to be addressed:

1. Submission of a Landscaping Security to the City of Richmond in the amount of \$2,000 for the planting and maintenance of four (4) replacement trees with the following minimum calliper sizes/heights:

# trees to be replaced	Min. calliper of deciduous tree	or	Min. height of coniferous tree
2	6 cm		3.5 m
2	11 cm		4 m

2. Submission of formal written permission from the City's Parks Department for removal of the Birch tree and Spruce Tree located on City property (identified in the Tree Retention Plan attached to the Arborist's Report prepared by Arbortech Consulting Ltd), including deposit of \$500 to the City's Tree Compensation Fund for removal of the Birch Tree.
3. Registration of a legal agreement on Title to ensure that no final Building Permit inspection will be granted until secondary suites are constructed on 50% of the new lots created [i.e. two (2) of the three (3) new future lots), to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw;
4. Registration of an aircraft noise sensitive use covenant on Title.
5. Registration of a flood indemnity covenant on Title.
6. Ministry of Transportation approval of development located within 800 m of an intersection of a Provincial Limited Access Highway and a City Road [Section 52(3)(a) of the Transportation Act].

At future subdivision stage, the developer will be required to:

1. Enter into a Servicing Agreement for the design & construction of off-site improvements along the entire frontage of McLeod Avenue. Improvements are to include storm sewer, curb & gutter, sand/gravel base, asphalt pavement, street lighting, and street trees. Note: design is to include Water, Storm & Sanitary connections for each lot;
2. Arrange for all three (3) lots to be serviced by underground Hydro, Telus, and Cable; and
3. Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees. Note: servicing costs to be determined via the Servicing Agreement.

[Signed original on file]

Signed _____

Date _____



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8429 (RZ 08-432190)
2451 & 2471 MCLEOD AVENUE**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**.

P.I.D. 004-091-124

Lot "B" Except: Part Subdivided By Plan 72541; Section 23 Block 5 North Range 6 West New Westminster District Plan 21011

P.I.D. 004-742-222

Lot "A" Except: Part Subdivided By Plan 72541; Section 23 Block 5 North Range 6 West New Westminster District Plan 21011

2. This Bylaw may be cited as "**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8429**".

FIRST READING

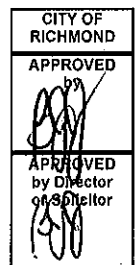
A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER