



To: Planning Committee **Date:** March 8, 2010
From: Brian J. Jackson, MCIP **File:** RZ 09-499790
 Director of Development
Re: Application by Ajit Thaliwal and Raj Uppal for Rezoning at 9531 No. 1 Road from Single Detached (RS1/E) to Compact Single Detached (RC2)

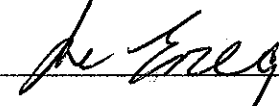
Staff Recommendation

That Bylaw No. 8593, for the rezoning of 9531 No. 1 Road from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", 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"/>	 <hr style="width: 80%; margin: 0 auto;"/>

Staff Report

Origin

Ajit Thaliwal and Raj Uppal have applied to the City of Richmond for permission to rezone 9531 No. 1 Road from “Single Detached (RS1/E)” to “Compact Single Detached (RC2)” to permit the property to be subdivided into two (2) single-family residential lots, with vehicle access from the existing rear lane (**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 on the west side of No. 1 Road, between Osmond Avenue and Desmond Avenue. In recent years, the west side of this block of No. 1 Road has undergone considerable redevelopment to smaller lots through rezoning and subdivision. There are several remaining large lots on the west side of this block with potential for redevelopment, including the subject property and one (1) other property at 9451 No. 1 Road (RZ 10-510756), which are the subject of active development applications.

- To the north, are several newer dwellings on lots zoned “Compact Single Detached (RC1)”;
- To the east, directly across No. 1 Road, are older dwellings fronting Peterson Drive on medium-sized lots under Land Use Contract 052;
- To the south, are three (3) older dwellings on lots zoned “Single Detached (RS1/E)”;
- To the west, are newer dwellings fronting Desmond Rd on lots zoned “Single Detached (RS1/E)”.

Related Policies & Studies

OCP Designation

The Official Community Plan’s (OCP) 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.

Lane Establishment & Arterial Road Redevelopment Policies

These Policies permit rezoning and subdivision along No. 1 Road where there is an existing operational rear lane. This redevelopment proposal is consistent with these Policies.

Lot Size Policy

The subject property is not located within a Lot Size Policy area.

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

Since 2002, numerous similar applications to rezone and subdivide nearby properties to smaller lots have been approved along the west side of No. 1 Road within this block. The subject application is consistent with the pattern of redevelopment already established in the neighbourhood.

Trees & Landscaping

A Certified Arborist’s Report and Tree Retention Plan (**Attachment 3**) submitted by the applicant show the location of two (2) bylaw-sized trees on the subject property, and three (3) undersized trees on the adjacent property to the south (9551 No. 1 Road). The Arborist’s Report identifies tree species, assesses the condition of trees, and provides recommendations on tree retention and removal relative to the development proposal. The report recommends removal of two (2) bylaw-sized trees from the subject property due to their poor condition, and retention of the undersized trees off-site.

The City’s Tree Preservation Coordinator has reviewed the Arborist’s Report and concurs with these recommendations.

To ensure the protection of the undersized trees on the adjacent property to the south at 9551 No.1 Road, tree protection fencing must be installed at the property line (the length of the drip line) to City standard prior to demolition of the existing dwelling on-site and must remain in place until construction and landscaping on the future lots is completed.

In addition, as a condition of rezoning, the applicant must submit a Contract with a Certified Arborist for supervision of root pruning within the tree protection zone of the off-site trees as recommended in the Arborist’s Report, as well as supervision of any other works to be conducted within the tree protection zone. The Contract must include the proposed number of site monitoring inspections and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.

Based on the 2:1 tree replacement ratio goal in the OCP; and the size requirements for replacement trees in the City’s Tree Protection Bylaw, a total of four (4) replacement trees [two (2) per future lot] are required to be planted and maintained on-site, with the following minimum calliper sizes/heights:

# Replacement Trees	Min. Calliper of Deciduous Tree	or	Min. Height of Coniferous Tree
2	8 cm		4
2	10 cm		5.5

As a condition of rezoning, the applicant must submit a Landscape Plan, prepared by a Registered Landscape Architect, along with a Landscaping Security (100% of the cost estimate provided by the Landscape Architect, including installation costs) to ensure that the replacement trees will be planted and the front yards of the future lots will be enhanced.

Site Servicing & Vehicle Access

There are no servicing concerns with rezoning.

Vehicular access to and from the subject site is not permitted in accordance with Bylaw 7222. Access to the site at future development stage is to be from the existing rear lane only.

Affordable Housing

The Richmond 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 is proposing 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 applicants 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. \$4,354).

Flood Management

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

Subdivision

At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charges (for existing lane improvements paid via Neighbourhood Improvement Charge funds), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

Analysis

This rezoning application complies with the City's Lane Establishment and Arterial Road Redevelopment Policies, since it is a single-family residential redevelopment proposal with access to an existing operational rear lane.

The future lots will have vehicle access to the existing operational rear lane, with no access being permitted to or from No. 1 Road.

Financial Impact

None.

Conclusion

This rezoning application to permit subdivision of an existing large lot into two (2) smaller lots complies with all applicable land use designations and policies contained within the OCP, and is consistent with the established pattern of redevelopment in the neighbourhood.

The list of rezoning conditions is included as **Attachment 4**, 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
(Local 4108)

CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Tree Retention Plan
- Attachment 4: Rezoning Considerations Concurrence



RZ 09-499790

Original Date: 11/26/09

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 09-499790

Attachment 2

Address: 9531 No. 1 Road

Applicant: Ajit Thaliwal & Raj Uppal

Planning Area(s): Seafair

	Existing	Proposed
Owner:	Matthew Sen Lim Yung Eric Sen Hang Yung Se-Wing Grace Cheng	To be determined
Site Size (m²):	674 m ² (7,255 ft ²)	Two lots, each approximately 337 m ² (3,627 ft ²)
Land Uses:	One (1) single detached dwelling	Two (2) single detached dwellings
OCP Designation:	<ul style="list-style-type: none"> • Generalized Land Use Map designation - <i>Neighbourhood Residential</i> • Specific Land Use Map designation - <i>Low-Density Residential</i> 	No change
Area Plan Designation:	N/A	No change
702 Policy Designation:	N/A	No change
Zoning:	Single Detached (RS1/E)	Compact Single Detached (RC2)
Other Designations:	The OCP Lane Establishment and Arterial Road Redevelopment Policies permit rezoning and subdivision along this arterial road	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.6	Max. 0.6	none permitted
Lot Coverage – Building:	Max. 50%	Max. 50%	none
Lot Size (min. dimensions):	270 m ²	Each approx. 337 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 m	2.5 storeys m	none

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

Rezoning Considerations

**9531 No. 1 Road
RZ 09-499790**

Prior to final adoption of Zoning Amendment Bylaw 8593, the applicant is required to complete the following:

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 installation costs). The landscape plan should:
 - comply with the guidelines of the OCP's Lane Establishment and Arterial Road Redevelopment Policies and should not include hedges along the front property line;
 - Include a mix of coniferous and deciduous trees; and,
 - Include the four (4) required replacement trees with the following minimum sizes:

# Replacement Trees	Min. Calliper of Deciduous Tree		Min. Height of Coniferous Tree
2	8 cm	or	4
2	10 cm		5.5

2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of root pruning within the tree protection zone of off-site trees located on the adjacent property to the south (9551 No. 1 Road) as recommended in the Arborist's Report, as well as supervision of any other works to be conducted within the tree protection zone. The Contract must include the proposed number of site monitoring inspections and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.
3. 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 options selected, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single detached dwellings (i.e. 4,354) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

4. Registration of a flood indemnity covenant on Title.

At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), Neighbourhood Improvement Charges (for existing lane improvements paid via Neighbourhood Improvement Charge funds), School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.

[Signed original on file]

Signed _____

Date _____



Richmond Zoning Bylaw 8500
Amendment Bylaw 8593 (RZ 09-499790)
9531 NO. 1 ROAD

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

- 1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it COMPACT SINGLE DETACHED (RC2).

P.I.D. 003-798-135

Lot 3 Block 8 Section 27 Block 4 North Range 7 West New Westminster District Plan 19428

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8593".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Series of horizontal lines for recording readings and requirements.

CITY OF RICHMOND APPROVED by [signature] APPROVED by Director or Spokesperson [signature]

MAYOR

CORPORATE OFFICER

