



To Planning Committee

From Raul Allueva  
Director of Development

Re **Application by Huguette Beauchesne for Rezoning at 11780 Seaton Road from Single-Family Housing District, Subdivision Area B (R1/B) to Two-Family Housing District (R5)**

*To Council - Apr 25, 2005*  
*To Planning Apr 19, 2005*  
Date April 4, 2005

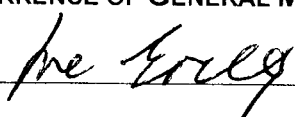
RZ 04-278153  
XR SC 05-292729  
File 8060 20-7936

**Staff Recommendation**

- 1 That Bylaw No 7936, for the rezoning of 11780 Seaton Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Two-Family Housing District (R5)", be introduced and given first reading
- 2 That the application by Huguette Beauchesne for a Strata Title Conversion for 11780 Seaton Road be approved upon fulfillment of the following conditions
  - a) Adoption of Bylaw No 7936, rezoning the subject property from "Single-Family Housing District, Subdivision Area B (R1/B)" to "Two-Family Housing District (R5)" and the registration of a restrictive covenant limiting the property to a maximum of two (2) dwelling units,
  - b) Payment of City property taxes up to and including the year 2005, and
  - c) Submission of the appropriate plans and documents for execution by the Mayor and City Clerk within 180 days of the date of adoption of Bylaw 7936

  
Raul Allueva  
Director of Development

KE blg  
Att

|                                                                                      |
|--------------------------------------------------------------------------------------|
| <b>FOR ORIGINATING DIVISION USE ONLY</b>                                             |
| <b>CONCURRENCE OF GENERAL MANAGER</b>                                                |
|  |

## Staff Report

### Origin

Huguette Beauchesne has applied to the City of Richmond for permission to rezone 11780 Scaton Road (**Attachment 1**) from “Single-Family Housing District, Subdivision Area B (R1/B)” to “Two-Family Housing District (R5)” in order to permit a two-family dwelling. A Strata Title Conversion application was submitted concurrently with the rezoning application.

### Findings of Fact

A Development Application Data Sheet providing details about the development proposal is in **Attachment 2**.

### Surrounding Development

This neighbourhood contains a mix of new and old housing types on a variety of lot sizes. A majority of the lots in the neighbourhood are zoned Single-Family Housing District, Subdivision Area E (R1/E). There are a number of legally zoned and non-conforming duplexes located throughout the neighbourhood.

To the north: Older character single-family dwellings,  
To the east: Older residential dwellings fronting No. 5 Road,  
To the south: Older residential dwellings fronting Williams Road, and  
To the west: Older character single-family dwellings.

### Related Policies & Studies

#### Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings

On March 29, 2005, Council adopted a Policy for Processing Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings. A copy of the Policy is contained in **Attachment 3**, which establishes a protocol to guide staff in the review of applications of this nature.

#### Lot Size Policy 5409

Lot Size Policy 5409 (**Attachment 4**), adopted by Council in 1989 and amended in 2001, permits existing duplexes to be subdivided to Single-Family Housing District, Subdivision Area B (R1/B). The existing site was rezoned to R1/B in 1993, however, the subdivision application was not carried through by the property owner at the time. Lot Size Policy 5409 does not restrict the application to rezone the property back to Two-Family Housing District (R5) in order to legalize the existing structure.

**Staff Comments**

The applicant is requesting to rezone the existing duplex in order to implement the proper zoning and strata title the structure, which would facilitate the future sale of the strata lots. The applicant intends to retain ownership of one (1) of the strata lots. A restrictive covenant limiting the property to a maximum of two (2) dwelling units must be registered prior to final adoption of the zoning bylaw.

**Analysis**

The application has been reviewed in accordance with the adopted Council Policy for “Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings” (refer to **Attachment 3**). Based on this review, the following information is offered as analysis:

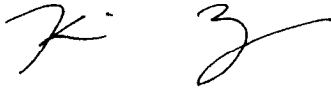
- A legal survey plan (**Attachment 5**) was submitted by the applicant indicating that the existing duplex complies with all regulations of the zone.
- On December 24, 2004, the Community Bylaws Department conducted an inspection of the existing duplex, confirming that the structure contains a maximum of two (2) dwelling units.
- Registration of a restrictive covenant limiting the property to a maximum of two (2) dwelling units is a requirement of this rezoning.
- Existing tenants are aware of the application to rezone and strata title the duplex. The applicant has indicated that they will retain ownership of one (1) of the strata lots along with the existing tenant and sell the remaining strata lot.
- The applicant has indicated that the remaining tenants are aware of the proposal to rezone, strata title and sell the other strata title lot.
- A written statement provided by the applicant indicates that extensive renovations to the interior and general maintenance to the exterior of the building (painted trim and doors, new roof) were completed in 2004. Staff conducted a site visit to confirm the condition of the building, which is generally in character with the existing neighbourhood.
- At the time of report preparation, no public concerns or objections had been received by staff since the posting of the rezoning sign on the property.
- No off-site improvements have been identified.
- Lot Size Policy 5409 permits existing duplexes (legal and non-conforming) to rezone and subdivide to Single-Family Housing District, Subdivision Area B (R1/B). The subject site’s existing zoning (R1/B) would permit subdivision of the property. However, at this current time, the applicant/owner wishes to rezone and strata title to legalize the existing duplex. This proposal would not preclude subdivision potential, as the current Lot Size Policy would still allow further redevelopment in the future.
- The surrounding neighbourhood contains a number of duplexes (legal and non-conforming), which are dispersed throughout the quarter section. Implementing the proper zoning would not change or be out of character with the make-up of the area.

**Financial Impact or Economic Impact**

None anticipated

## Conclusion

The proposal is consistent with applicable land use designations and has been processed in accordance with the Council Policy dealing with "Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings" On this basis, staff support the rezoning and Strata Title Conversion application



Kevin Eng  
Planning Technician – Design  
(Local 4626)

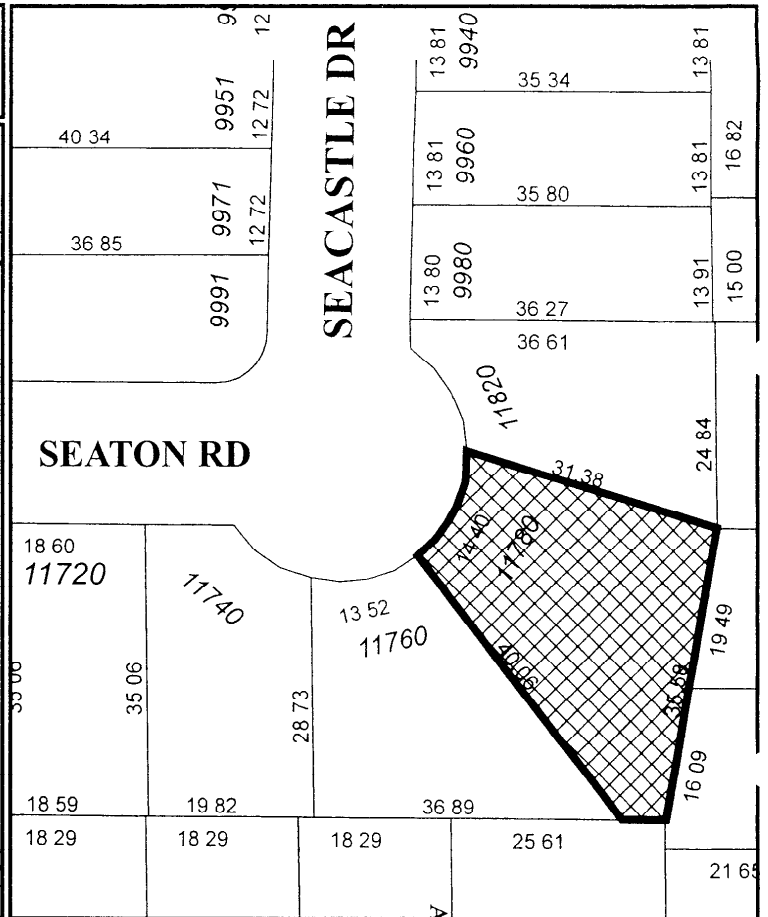
KE blg

Prior to final adoption of the Zoning Bylaw, the following is required

- 1 Registration of a restrictive covenant limiting the property to a maximum of two (2) dwelling units
- 2 Ministry of Transportation approval



# City of Richmond



## RZ 04-278153

ATTACHMENT 1

Original Date 10/01/04  
 Revision Date  
 Note: Dimensions are in METRES



## City of Richmond

6911 No 3 Road  
Richmond, BC V6Y 2C1  
(604) 276-4000

## Development Application Data Sheet

RZ 04-278153

Attachment 2

Address 11780 Seaton Road

Applicant Huguette Beauchesne

|                                  | Existing                                                                  | Proposed                              |
|----------------------------------|---------------------------------------------------------------------------|---------------------------------------|
| <b>Owner</b>                     | Huguette Beauchesne                                                       | To be determined                      |
| <b>Site Size (m<sup>2</sup>)</b> | 900 m <sup>2</sup>                                                        | No change                             |
| <b>Land Uses</b>                 | Existing non-conforming duplex                                            | Legal two-family dwelling             |
| <b>OCP Designation</b>           | General – Neighbourhood Residential<br>Specific – Low Density Residential | No change – Complies with designation |
| <b>702 Policy Designation</b>    | Lot Size Policy 5409 – Permits subdivision of existing duplexes           | Future subdivision potential          |
| <b>Zoning</b>                    | R1/B                                                                      | R5                                    |



Page 1 of 1

Adopted by Council March 29<sup>th</sup>, 2005

Policy 5042

File Ref

Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-conforming Two-family Dwellings

**Policy 5042**

It is Council policy that

Rezoning applications seeking a rezoning to “Two-Family Housing District (R5)”, involving existing non-conforming two-family dwellings, must be supported with adequate information to assist Council assess all potential impacts arising from the rezoning application in the following areas

- 1 A certificate prepared by a registered B C Land Surveyor showing the location, dimensions, and setbacks of all buildings and structures presently on the property, together with a floor area ratio calculation is required to verify Zoning Bylaw compliance
- 2 An inspection of the existing structure by City Staff is required to confirm the building contains a maximum of two dwelling units A Restrictive Covenant limiting the property to a maximum of two dwelling units is required as a condition of final adoption of a rezoning bylaw
- 3 The property owner shall provide a written statement on the following items
  - a The building’s age, quality, general conditions and any measures proposed to upgrade or alter the buildings appearance, and
  - b The occupancy of the existing structure and what impact the proposed rezoning may have on the existing residents of the two-family dwelling
- 4 Where as a result of the normal rezoning process, the public has raised concerns over the design of an existing structure or construction of a new two-family dwelling on the subject site, staff will present to Council a summary of the public concerns along with options available to address the concerns
- 5 Each application shall be reviewed to determine if there are any off-site improvements required to bring the site up to City standards Should any off-site improvements be required, such improvements are required as a condition of final adoption of a rezoning bylaw
- 6 Where a Council approved 702 Single Family Lot Size Policy would permit the subject site to be subdivided, Council will be advised of the site’s future subdivision potential
- 7 Rezoning applications intended to facilitate a strata title conversion of the existing structure shall be accompanied by a Strata Title Conversion Application and such application forwarded to Council concurrently with the rezoning proposal



## City of Richmond

## Policy Manual

|                  |                                                                                                                            |                    |
|------------------|----------------------------------------------------------------------------------------------------------------------------|--------------------|
| Page 1 of 2      | Adopted by Council April 10, 1989<br>Amended & Adopted by Council October 16, 1995<br>Area Boundary Amended July 16, 2001* | <b>POLICY 5409</b> |
| File Ref 4045-00 | SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 25-4-6                                                                    |                    |

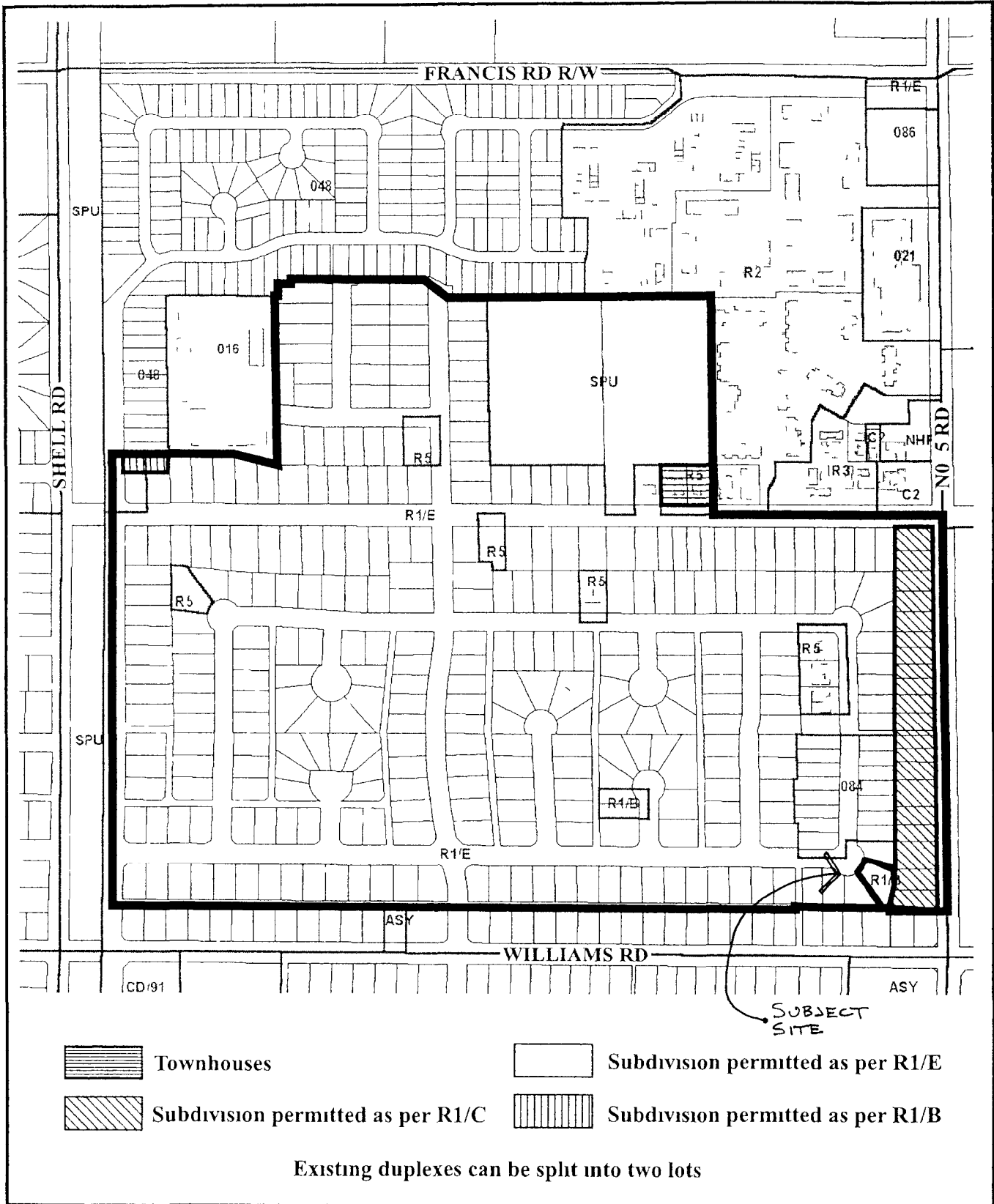
**POLICY 5409**

The following policy establishes lot sizes for the area generally bounded by **Shell Road, King Road, No 5 Road and Williams Road**, in a portion of Section 25-4-6

- 1 Properties within the area be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area E (R1/E) in Zoning and Development Bylaw 5300, with the following exceptions
  - (a) properties with duplexes may be subdivided into two lots, provided those that have access to No 5 Road or Williams Road meet the requirements of Single-Family Housing District, Subdivision Area C (R1/C) and all others meet the requirements of Single-Family Housing District, Subdivision Area B (R1/B),
  - (b) properties with frontage on No 5 Road may be subdivided as per Single-Family Housing District, Subdivision Area C (R1/C),
  - (c) the three easternmost lots on Williams Road (11771, 11811 and 11831) may be subdivided as per Single-Family Housing District, Subdivision Area C (R1/C),
  - (d) the rear portions of 11031 and 11051 King Road may be subdivided to create a lot meeting the requirements of Single-Family Housing District, Subdivision Area B (R1/B), and
  - (e) two lots on the north side of King Road (11691 and 11711 King Road) may be developed with townhouses, and
  
- 2 This policy, as shown on the accompanying plan, be used to determine the disposition of future single-family and townhouse 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 5300

\* Original Adoption Date in Effect





**Policy 5409**  
**Section 25,4-6**

Adopted Date 04/10/89

Amended Date 07/16/01





**Richmond Zoning and Development Bylaw 5300  
Amendment Bylaw 7936 (RZ 04-278153)  
11780 SEATON 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 and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **TWO-FAMILY HOUSING DISTRICT (R5)**

P I D 002-027-771

Lot 355 Section 25 Block 4 North Range 6 West New Westminster District Plan 44475

- 2 This Bylaw may be cited as “**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7936**”.

FIRST READING

APR 25 2005

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

|                                   |
|-----------------------------------|
| CITY OF RICHMOND                  |
| APPROVED by                       |
| HB                                |
| APPROVED by Director or Solicitor |
| <i>[Signature]</i>                |

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK