



City of Richmond
Urban Development Division

Report to Committee

To: Planning Committee

From: Raul Allueva
Director of Development

Re: **APPLICATION BY PATRICK COTTER ARCHITECT FOR REZONING AT
10351 LEONARD ROAD FROM SINGLE-FAMILY HOUSING DISTRICT,
SUBDIVISION AREA E (R1/E) TO COMPREHENSIVE DEVELOPMENT DISTRICT
(CD/148)**

*To Council - July 26, 2004
to Planning - Jul 20, 2004.
Date: July 07, 2004*

RZ 03-247345

File: 12-8000-20-7778.

Staff Recommendation

1. That Bylaw No. 7778, to amend Richmond Zoning and Development Bylaw 5300 by creating a new two-family residential zone, "Comprehensive Development District (CD/148)", and for the rezoning of 10351 Leonard Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Comprehensive Development District (CD/148)", be introduced and given first reading; and
2. That appropriate amendments to Bylaw No. 7222 [Residential Lot (Vehicular) Access Regulation] be brought forward for Council consideration.

Raul Allueva
Raul Allueva
Director of Development

RA:jmb
Att.

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CONCURRENCE OF GENERAL MANAGER
<i>Joe Eves</i>

Staff Report

Origin

Patrick Cotter Architect Inc. has applied to the City of Richmond for permission to rezone 10351 Leonard Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area E (R1/E) to a Comprehensive Development District (CD) zone in order to permit the property to be developed with two dwellings (**Attachment 2**).

The applicant previously proposed to develop the site with a four unit townhouse project. Staff recommended denial of the project due to the magnitude of the development and expected impact on the neighbourhood. A staff report was considered by Planning Committee on April 6, 2004 (**Attachment 4**). The application was referred to staff to: "...work with the applicant to provide an appropriate development which was more suitable to the neighbourhood."

Staff Comments

The applicant has agreed to the legal and development requirements associated with the application (**Attachment 3**).

Redevelopment Options

Based on the referral back to staff, several redevelopment options may be considered:

1. Coach House Development

The applicant was concerned about the rear unit being less desirable and the associated issues of ownership and rental. Furthermore, development of a residential unit at the rear of the lot raises further adjacency issues.

2. Proposed Duplex Development (Recommended)

Staff considers the development of a carefully considered duplex at the same floor area ratio (F.A.R.) as single-family homes an appropriate use for this site due to direction from Planning Committee, the uniqueness of the site and proximity to existing apartment building development.

Appropriate amendments to Bylaw No. 7222 [Residential Lot (Vehicular) Access Regulation] would be required to allow two (2) driveways on a site with a width less than 25 m. In this case, the second driveway will be a single-car width, and is proposed with special paving treatment for integration into the landscaping. Design of the overall site, landscaping, and architectural form and character of the building will be controlled through a building scheme registered on title to ensure the implementation of the proposed design which is considered to be suitable to the neighbourhood.

3. Revised Proposal with a Single Driveway Crossing

A revised proposal with a single driveway crossing has been investigated, and could be further developed. This may be considered more in keeping with the single-family character of the neighbourhood. However, this option was not deemed desirable, as it generated no significant benefit in terms of adjacency issues or overall design and resulted in ambiguity of

the entrances to the two units, potential irregular unit layouts, and decreased rear yard open space.

Analysis

Staff has consistently been willing to look at possible redevelopment of the site as it is wide, exceptionally large, deep and adjacent to apartment development in the rear. With the direction from Planning Committee to explore redevelopment possibilities, staff and the applicant looked into a duplex form of development which emulated a single-family home.

The intent is to maintain the single-family character of the street and neighbourhood while allowing limited densification in terms of an addition dwelling unit given the uniqueness of the site. It is not the intention of staff to generally encourage duplexes in residential neighbourhoods; however, it is noted that staff will be exploring the conditions where such developments may be appropriate, where they contribute to the overall quality of the neighbourhood. Conditions where such developments may be considered appropriate would be:

- very large lots which do not have subdivision potential due to frontage limitations;
- appropriate adjacency conditions (including community facilities or multi-family development);
- appearance which mimics a single-family dwelling (including corner lots and creative site layouts); and
- design controls (including simple building schemes).

Further review will be undertaken to explore the potential for similar types of residential duplex developments in the future. Nevertheless, the subject development can be considered on its merits.

On balance, the proposed duplex is supported by staff on the following basis:

- the uniqueness of this lot due to it's size (two to three times the size of a single-family lot) and adjacency (to apartment building development);
- a design which emulates a single-family home in massing, density, setbacks, and architectural character with one predominant entry and garage visible from the street and asymmetrical design;
- the applicant's assurances to make reasonable efforts to retain existing trees in the rear yard and the significant tree in the northeast corner of the front yard;
- retention of the majority of the rear yard as open space, thereby providing a sensitive interface with adjoining single-family liveable rear yards;
- an additional single driveway crossing sited at the edge of the lot with special paving treatment to minimize its visual impact and leading to a second garage hidden from view behind the building;
- the ability to control the design of the site, landscaping and architectural form and character of the building through a building scheme registered on title; and
- the registration of a restrictive covenant to notify all future owners that secondary suites are not permitted.

Amendments to Bylaw No. 7222 [Residential Lot (Vehicular) Access Regulation]

Staff note that the current proposal includes two driveway crossings, which requires appropriate amendments to Bylaw No. 7222. As discussed, through the building scheme registered on title,

the city can maintain control over the form and character of the development including site planning, landscaping and architectural design. No Development Permit would be required as this Multi-Family development does not exceed two dwelling units. It is noted that a preliminary design is presented and that further refinement will occur in the preparation of the building scheme.

Financial Impact

None.

Conclusion

The proposal is to rezone the subject property to Comprehensive Development District (CD/148) to permit the construction of a carefully considered and asymmetrical duplex which has the appearance of a single-family home on a site which is in a single-family neighbourhood and borders onto single-family lots to the sides and an apartment building development to the rear. On this basis, staff are supportive of the current proposal.



Sara Badyal, M.Arch.
Planner 1

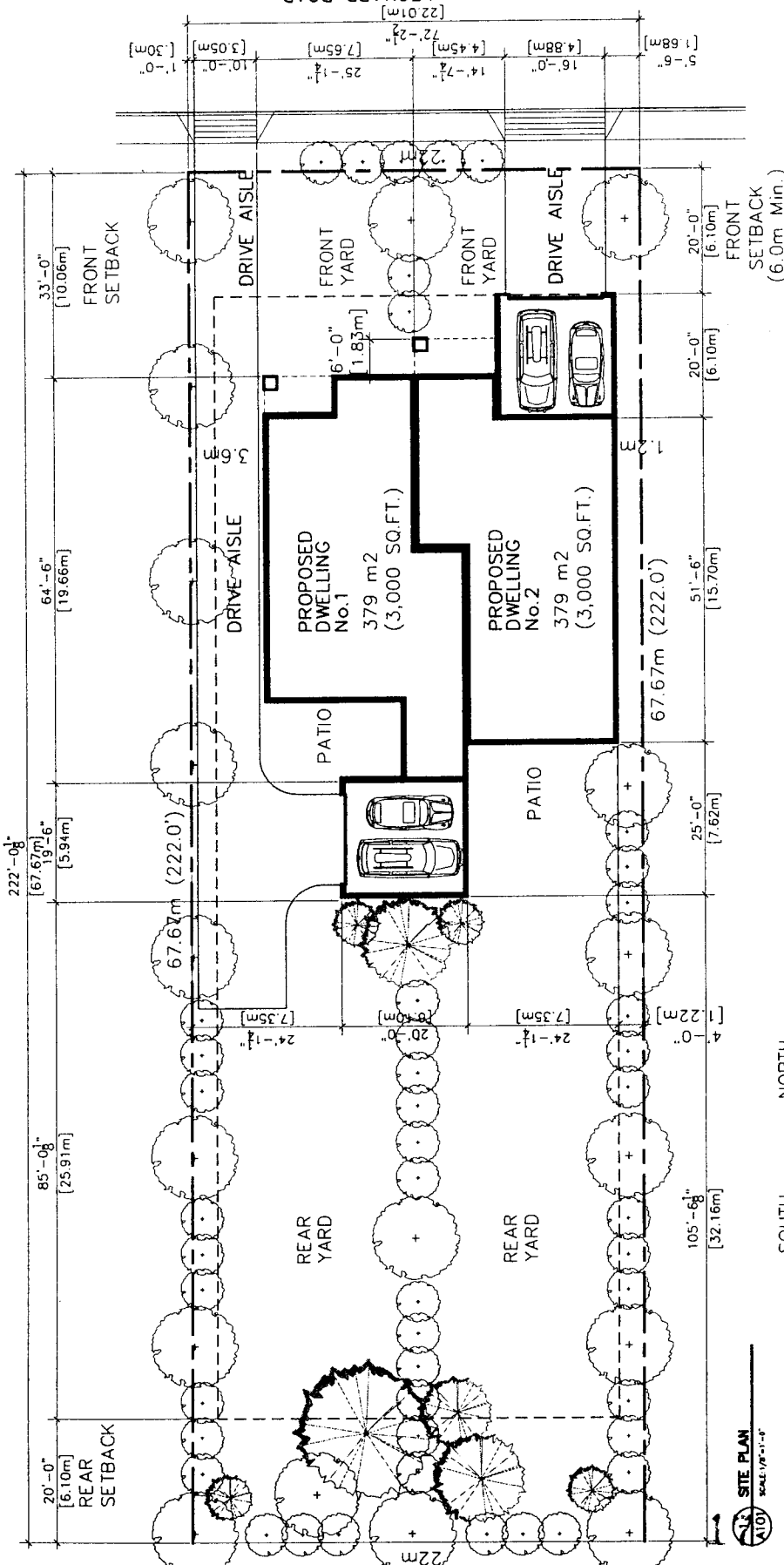
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Prior to final adoption of the Zoning Amendment Bylaw, completion of the following legal and development conditions is required:

1. Developer to prepare and register a restrictive covenant prohibiting secondary suites;
2. Developer to prepare and register a building scheme covenant; and
3. City to finalize appropriate amendments to Bylaw No. 7222 [Residential Lot (Vehicular) Access Regulation] to permit two (2) driveways on the subject site.

List of Attachments

- | | |
|--------------|--|
| Attachment 1 | Location Map |
| Attachment 2 | Preliminary Architectural Drawings (Site plan and elevation) |
| Attachment 3 | Conditional Rezoning Requirements |
| Attachment 4 | Staff Report on Previous Scheme |



LEONARD ROAD

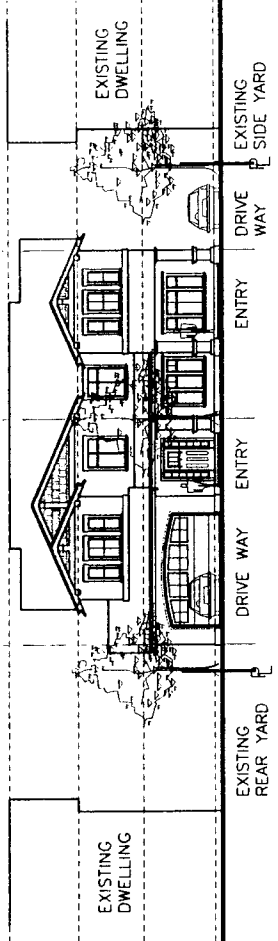
PATRICK COTTER
ARCHITECT INC.
10081 Leonard Road
Rahway, N.J.

10081 Leonard Road
Rahway, N.J.

DEVELOPMENT CRITERIA:

LOT SIZE:	16,005 SF:
DENSITY:	5,000 SF X .55 = 2,750 SQ.FT. 11,005 SF X .30 = 3,301 SQ.FT.
TOTAL:	6,052 SQ.FT. (MAXIMUM)
SITE COVERAGE:	6,052 SQ.FT. (PROPOSED)
16,005 SF X .45 =	7,203 SQ.FT. (MAXIMUM)
4,000 SQ.FT. (PROPOSED)	

SOUTH DWELLING NORTH DWELLING

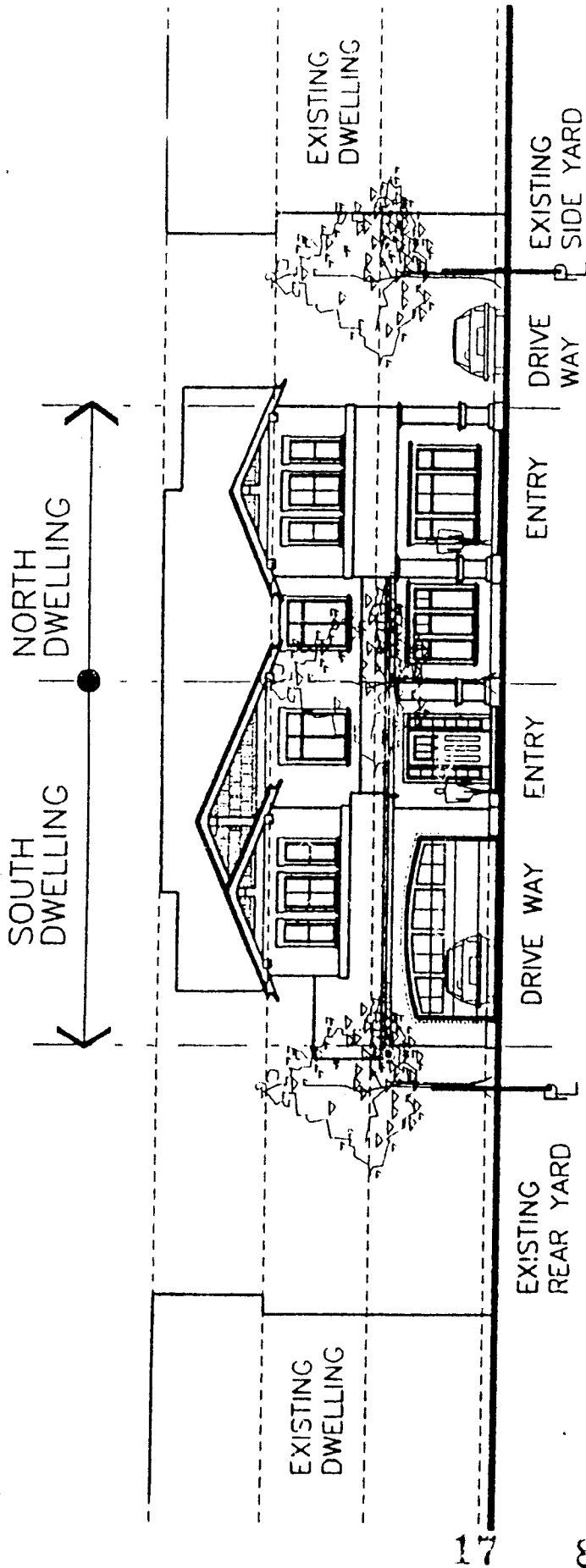


SITE PLAN
SCALE: 1/8" = 1'-0"

STREETSCAPE ELEVATION
SCALE: 1/8" = 1'-0"

SITE PLAN,
STREETSCAPE ELEV.,
DEVELOPMENT DATA

A-101



STREETSCAPE ELEVATION
SCALE: 1/8" = 1'-0"

Conditional Rezoning Requirements

10351 Leonard Road RZ 03-247345

Prior to final adoption of the Zoning Amendment Bylaw, completion of the following legal and development conditions is required:

1. Developer to prepare and register a restrictive covenant prohibiting secondary suites;
2. Developer to prepare and register a building scheme covenant; and
3. City to finalize appropriate amendments to Bylaw No. 7222 [Residential Lot (Vehicular) Access Regulation] to permit two (2) driveways on the subject site.



City of Richmond
Urban Development Division

Report to Committee

To: Planning Committee Date: March 18, 2004
From: Raul Allueva File: RZ 03-247345
Director of Development
Re: **APPLICATION BY PATRICK COTTER ARCHITECT FOR REZONING AT
10351 LEONARD ROAD FROM SINGLE-FAMILY HOUSING DISTRICT,
SUBDIVISION AREA E (R1/E) TO A COMPREHENSIVE DEVELOPMENT
DISTRICT**

Staff Recommendation

That the application for the rezoning of 10351 Leonard Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to a "Comprehensive Development District" be denied.

Raul Allueva
Director of Development

RA:jmb
Att.

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<i>[Handwritten signature]</i>

Staff Report

Origin

Patrick Cotter Architect Inc. has applied to the City of Richmond for permission to rezone 10351 Leonard Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area E (R1/E) to a Comprehensive Development District (CD) zone in order to permit the property to be developed with four detached dwellings (**Attachments 2 & 3**).

Findings of Fact

Item	Existing	Proposed
Owner	Balvir Bains	To be determined
Applicant	Patrick Cotter Architect	No change
Site Size	1487 m2 (16,006 ft2)	No change
Land Uses	Large Lot Single Family	Multi-family
OCP Designation	Low Density Residential	No change
702 Policy Designation	R1/B	No change
Zoning	R1/E	CD

Surrounding Development

The subject lot, while it backs onto a multi-family area, is part of a grouping of lots in a distinctly single family neighbourhood. There are single family lots to the north and south, some recently redeveloped under the R1/B lot size policy. There are also some lots to the east along Ryan Road (8300 Ryan Road) that were recently approved for townhouses because they back onto the Bridge school park site and will provide public access and visual openness to the park.

Public Consultation

The applicant conducted their own small survey of the neighbourhood. The results (a map and petition - **Attachment 4**) indicate that only one neighbour to the south is opposed to the development, although several neighbours indicated no opinion. Of note is the fact that there were some residents in the neighbourhood that did not support the townhouse proposal around the corner (8300 Ryan Road).

Related Policies & Studies

Lot Size Policy

A Lot Size Policy was recently adopted (2002) for this neighbourhood which permits lots to subdivide to R1/B or 40 foot wide lots. While the subject proposal does not require subdivision, and therefore the Lot Size Policy does not apply to the application, the fact that the residents voted for an R1/B policy rather than an R1/K policy which would permit 33 foot wide lots, is an indication that the neighbourhood did not wish to see much change.

Options

There were a number of options that were considered for the site:

Subdivision into Four Single Family Lots

The applicant explored the possibility of subdivision, however the property is not large enough to achieve the required lot depth or accommodate a municipal road, and may result in rendering existing adjacent lots in a double-fronting situation.

New Granny Flat Zone – Staff Recommendation

Staff volunteered to work with the applicant to develop a new Granny Flat Zone, whereby a separate one-storey structure would be permitted in single family neighbourhoods for very large lots. **Attachment 5** illustrates the location of lots in excess of 15,000 ft². There are approximately 200 such lots that may be able to utilize such a zone in Richmond. The applicant was not interested in pursuing this option.

Townhouses - Proposed

The applicant has proposed to build four detached dwellings on a single strata lot, which would be accommodated under a townhouse type of zoning. There are no current townhouse or Comprehensive Development zones that could be utilized to accommodate the proposal, therefore a new Comprehensive Development Zone would have to be prepared.

Advantages to the proposal are:

- the ability to achieve greater side yards to the adjacent sites; and
- that it would have to go through a Development Permit process which would allow for design review that would not be required with a single family proposal.

The disadvantages to the proposal are:

- the single family neighbours would have to contend with four separate families living on one site, when they would have expected only one family;
- the development site is fully surrounded by six existing, active rear yard spaces, and will generate a significant amount of disruption, including increased noise, traffic, activity and overlooking onto the adjacent properties; and
- that it sets a precedent in terms of permitting townhouse zoning within a single family neighbourhood without some overlying reason or objective.

In other cases where townhouses have been permitted in a single family neighbourhood it is because:

- the property is along an arterial road;
- the property is part of a group of properties that could be redeveloped comprehensively, without impacting surrounding properties (eg, Seafair Ice Rink, BC Packers, Trites); or
- the property backs onto a school or park site where the proposal can provide some park openness (eg, 8300 Ryan Road).

Should Council support this option, the application should be referred back to staff to prepare and bring back the appropriate zoning amendment bylaw.

Analysis

Overall, there is a fundamental issue with the proposal in that the applicant is proposing a multi-family development intrusion into a single family neighbourhood, resulting in significant conflict to immediately adjacent sites, including additional activity, traffic and privacy impacts. In other cases where townhouses are proposed for single family neighbourhoods, there is some other objective that is being satisfied (eg, park openness) or there is a comprehensive plan for a collection of lots that will be able to redevelop together without much impact on the adjacent

neighbours. This application does not meet these objectives, and cannot be integrated into the neighbourhood without significant impact on adjacent properties.

Staff is willing to look at a Granny Flat option for this lot as it is exceptionally large and deep. A granny flat zone would have permitted a one storey structure in the rear of the lot, thereby permitting two residential dwellings on one very large lot. Such a zone could potentially be applied to approximately 200 large lots in Richmond. This option would require further study, however the applicant did not wish to pursue it.

Financial Impact

None.

Conclusion

The proposal is to rezone the subject property to a Comprehensive Development District zone to permit the construction of four detached dwellings. Various options for the development of the site were explored however the applicant was intent on the development of four dwellings on the site. The proposed development would result in significant impact on surrounding lots, and set a precedent. Staff is willing to explore a scenario with two dwellings on the site (Granny Flat arrangement) however, the applicant did not wish to pursue this option. On this basis, staff is not supportive of the current proposal.



Jenny Beran, MCIP
Planner, Urban Development

JMB:cas



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7778 (RZ 03-247345)
10351 LEONARD ROAD**

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

1. Richmond Zoning and Development Bylaw 5300 is amended by inserting Section 291.148 thereof the following:

“291.148 COMPREHENSIVE DEVELOPMENT DISTRICT (CD/148)

The intent of this zoning district is to accommodate a Two-Family Dwelling at 10351 Leonard Road only.

291.148.1 PERMITTED USES

RESIDENTIAL, limited to **One-Family Dwelling** and **Two-Family Dwelling**;
BOARDING & LODGING, limited to two persons per **dwelling unit**;
HOME OCCUPATION;
ACCESSORY USES, but excluding **secondary suites**.

291.148.2 PERMITTED DENSITY

.01 Maximum Floor Area Ratio:

0.55 applied to a maximum of 464.5 m² (5,000 ft²) of the lot area, together with 0.30 applied to the balance of the lot area in excess of 464.5 m² (5,000 ft²). In addition, 50 m² (538.21 ft²) per **dwelling unit** which may be **used** only for **accessory buildings** and off-street parking; plus

10% of the floor area total calculated above for the **lot** in question, which area must be **used** exclusively for covered areas of the principal **building** which are open on one or more sides; together with

50 m² (538.21 ft²) which may be **used** only for **accessory buildings** and off-street parking;

PROVIDED THAT any portion of floor area which exceeds 5 m (16.404 ft.) in height, save and except an area of up to 10 m² (107.64 ft²) in a **dwelling unit used** exclusively for entrance and staircase purposes, shall be considered to comprise two floors and shall be measured as such;

AND FURTHER PROVIDED THAT **floor area ratio** limitations shall not be deemed to be applicable to one **accessory building** which does not exceed 10 m² (107.64 ft²) in area.

291.148.3 MAXIMUM LOT COVERAGE:

- .01 45% for **buildings** only; 70% for **buildings** and any non-porous surfaces or **structures** inclusive; and the remainder of the lot area restricted to landscaping with live plant material.

291.148.4 MINIMUM AND MAXIMUM SETBACKS FROM PROPERTY LINES

- .01 **Front Yard:** 9m (29.528 ft.);

PROVIDED THAT portions of the principal **building** used exclusively for enclosed off-street parking and occupying no more than 36% of the total building width, may project 3 m (9.843 ft.) into the **front yard** setback;

and FURTHER PROVIDED THAT portions of the principal **building** which are open on those sides which face a **public road** may project to a maximum of 2.5 m (8.202 ft.) and bay windows may project to a maximum of 1 m (3.281 ft.) into the **front yard** setback.

- .02 **Side Yards:** 2.0 m (6.562 ft.);

PROVIDED THAT portions of the principal **building** which do not exceed 5 m (16.404 ft.) in height (chimneys excepted) may project into the required **side yard**, but in no event closer to a **side property line** than 1.2 m (3.937 ft.);

and FURTHER PROVIDED THAT where the **side property line** abuts a **public road**, the minimum **side yard** to that property line shall be 3 m (9.843 ft.).

- .03 **Rear Yard:** 6 m (19.685 ft.).

Portions of the principal **building** which are less than 2 m (6.562 ft.) in height, and **accessory buildings** of more than 10 m² (107.64 ft²) in area may be located within the **rear yard** setback area but no closer than:

- (i) 3.0 m (9.843 ft.) to a property line which abuts a **public road**,
or

- (ii) 1.2 m (3.937 ft.) to any other property line.

There is no property line setback requirement for any **accessory building** which has an area of 10 m² (107.64 ft²) or less.

- .04 **Maximum Setback:** 30 m (98.425 ft.)

PROVIDED THAT portions of the principal **building used** for off-street parking purposes and breezeways are exempt.

(See Interpretation Section 201.04 for explanation)

291.148.5 **MAXIMUM HEIGHTS**

- .01 **Buildings:** 2½ storeys, but in no case above the **residential vertical envelope (lot width)** or the **residential vertical envelope (lot depth)**.

EXCEPT THAT building projections, in the form of dormers with a minimum clear distance of 4 m above grade, and occupying no more than 50% of total building width, may project outside of both vertical envelopes to a maximum distance of 1 m (3.281 ft.), measured from the base of the projection.

- .02 **Accessory Buildings:** 5 m (16.404 ft.)

291.148.6 **MINIMUM LOT SIZE**

- .01 A dwelling shall not be constructed on a **lot** of less than 864 m² (9,300.02 ft²) in area.

291.148.7 **MINIMUM BUILDING SEPARATION SPACE**

- .01 1.2 m (3.937 ft.).

291.148.8 **MINIMUM LENGTH OF PARTY WALL**

- .01 The minimum length of the party wall between the two units shall be no less than 20% of the total length of the exterior wall of the **building**, excluding off-street parking structures, indentations and projections, measured at the ground floor level.

291.148.9 **SCREENING AND LANDSCAPING**

- .01 Screening and landscaping shall be provided in accordance with requirements for residential zoning districts in Division 500 of this Bylaw;

EXCEPT THAT, when located within 6 m (19.685 ft.) of a property line that abuts a **public road**, **fences** shall not exceed 1 m (3.281 ft.) in height.

291.148.10 **OFF-STREET PARKING**

- .01 Off-street parking shall be provided in accordance with Division 400 of this Bylaw;

EXCEPT THAT portions of the principal **building** and **accessory buildings** of more than 10 m² (107.64 ft²) in area **used** for off-street parking purposes and located within 20 m of a **front property line** shall be limited to two parking spaces.”

- 2. 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 **COMPREHENSIVE DEVELOPMENT DISTRICT (CD/148)**.

P.I.D. 003-687-589

Lot 20 Section 33 Block 4 North Range 6 West New Westminster District Plan 15569

- 3. This Bylaw may be cited as “**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7778**”.

FIRST READING

PUBLIC HEARING

SECOND READING

OTHER REQUIREMENTS SATISFIED

THIRD READING

ADOPTED

JUL 26 2004

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>REA</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

MAYOR

CITY CLERK