



To: Planning Committee
From: Joe Erceg
Manager, Development Applications

To Planning - September 4, 2002
Date: August 16, 2002
File: RZ 02-203809

**Re: APPLICATION BY AMAR SANDHU FOR REZONING AT 8411 STEVESTON
HIGHWAY FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E
(R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA K (R1/K)**

Staff Recommendation

That the rezoning of 8411 Steveston Highway from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area K (R1/K)" be denied.

Joe Erceg
Manager, Development Applications

JE:jmb
Att. 5

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Amar Sandhu on behalf of J.A.B. Enterprises Ltd. and Majestic Developments Ltd. has applied to the City of Richmond for permission to rezone 8411 Steveston Highway (**Attachment 1**) from Single-Family Housing District, Subdivision Area E (R1/E) (minimum width of 18m or 59 feet) to Single-Family Housing District, Subdivision Area K (R1/K) (minimum width of 10m or 32.8 ft) in order to permit a two lot subdivision (**Attachment 2 & 3**).

The subject rezoning application was reviewed at the August 15th Planning Committee at which time Committee referred the application back to staff and directed staff to clarify the applicant's intentions with regard to the requirements for the proposal and to bring forward the appropriate bylaw for consideration. This report has been modified from the original to provide the additional information. Additional or changed information has been italicized.

Findings of Fact

Item	Existing	Proposed
Owner & Applicant	Amar Sandhu	To be determined
Site Size	861.3 m ² (9,271 ft ²)	Two lots each 366 m ² (3,944 ft ²) (after lane dedication)
Land Uses	Single Family	No change
OCP Designation	Low Density Residential	No change
Zoning	R1/E	R1/K

Surrounding Development

The subject property is along Steveston Highway with single family homes to the west, north and east. The property to the west has similar potential to the subject lot and the property to the east has a relatively new home. The Agricultural Land Reserve is located to the south. There are townhouses located two properties to the west for the rest of the block.

Related Policies & Studies

Arterial Road Redevelopment Policy

The proposed rezoning is consistent with the form of development envisioned in the Arterial Road Redevelopment Policy, namely single family character housing. However, this policy is built upon the understanding that lanes will be provided in conjunction with redevelopment. As the applicant is not providing some of the requirements for establishment of a lane, this application could not be considered to be fully in conformance to the Arterial Road Redevelopment Policy.

Lane Policy

Attachment 4 shows two potential future lane alignments for this neighbourhood. As there is a relatively new home to the east of the subject lot, implementation of the lane could be quite some time in the future. However, implementation of the Lane Policy is a long term endeavour.

In order to support the subject rezoning application, it must contribute to the implementation of a future lane as detailed in the Lane Policy. As the application is not consistent with all of the components of the current Lane Policy, staff are not supportive of the application. The remainder of the staff report details the areas of concern.

Staff Comments

The requirements for the rezoning application include:

1. Dedication of a 6m lane across the entire north property line;
2. A Servicing Agreement for the design and construction of the laneworks complete with curb and gutter, post top lighting and storm sewer;
3. A 3m utilities right-of-way (to provide the lane with drainage and lighting) from Steveston Highway back to new lane;
4. A Restrictive Covenant ensuring that only one temporary, single width driveway will be provided for the use of both future properties. Once lane becomes operational, the existing access to Steveston Highway will be closed; and
5. A covenant to ensure that the garages are located at the rear of the property on the future lane so that when the lane becomes operational, it is possible for the owners to have immediate use of the garages from the lane.

At time of subdivision the applicant will be required to:

- 1 Provide a 4m cross access agreement centred on the new property line for the driveway access; and
- 2 Pay a fee for the future re-instatement of the curb and sidewalk.

The applicant has stated that he will not comply with two of the requirements, as stated in the Lane Policy. Namely:

1. The applicant is not prepared to enter into a Servicing Agreement to build the lane at the time of development. *However, they have offered to pay a Neighbourhood Improvement Charge (NIC) for the future construction of a lane. Related to this is the fact that as the applicant is not proposing to construct the lane now, there would be no need for the utility corridor at this time.*
2. The applicant is not prepared to locate the garages at the rear of the property, rather his proposal is to locate them at the front of the property.

As the applicant does not wish to comply with these requirement, staff is not supportive of the application.

Analysis

The applicant's proposal results in the following issues:

Construction of Lane

The applicant will not construct the lane but rather has offered to pay for the future construction of the lane through a NIC fee. This is not consistent with the Lane Policy or with the City's requirement's of past applicants' along arterial roads. Of the approximately 30 lots that have been created (since the Lane and Arterial Road Policies have been adopted) along arterial roads with no lane currently, all will be providing new lanes as part of their development of the properties.

The philosophy behind the Lane and Arterial Road Policies is "build the lane and then allow redevelopment" not "allow redevelopment and then build the lane". Redevelopment of properties along arterial roads, prior to the Lane Policy, was not permitted, unless there was already an alternative access in place. The reason why the City's transportation department will now permit temporary driveways in these redevelopment situations, is that their long term objective of limiting access to the arterial roads will be achieved as applicants provide land for and build the future lane. Rather than acting as a disincentive, as the applicant has suggested, the Lane Policy has enabled mid block properties to redevelop now in conjunction with lane development.

Finally, staff always prefer and ensure that if works are able to be constructed now, they are, rather than putting money into the NIC account. Contributions to this account are not targeted for specific works and it is uncertain as to when the funds will be available for certain projects. Additionally, the neighbourhood is expectant of a certain amount of disruption with the development of a lot. Once the new home is constructed, they assume that the disruption to the neighbourhood is over. By not building the lane now and introducing it into the neighbourhood later, there may be a certain amount of concern and anxiety expressed by the neighbours.

Location of Garages

By locating the garages at the front of the property there are two main concerns.

Ease of Transition to Use of the Lane

In the future, when the lane becomes operational, if the transition to use of the lane for vehicular access isn't relatively simple, it is quite conceivable that it may not occur at all. If the garages are constructed at the front of the property now, the property owners would need to either reconstruct the garages at the rear of the property or pave their formerly green side yard in order to create a driveway to access the garages once the lane is functional. What would happen if the property owners didn't have the funds available to do this work? The fact that the owners will have enjoyed the larger area of green space and will now have to pave some of it over for the driveway will make the transition difficult. The City would not have the ability to require these works on private property and the likely result, even though there is a covenant in place, would be the continued use of the driveway to Steveston Highway.

The preferred approach is to ensure that the garages are located at the rear of the property next to the lane so that it becomes very easy to re-orient the vehicular access to the site from lane and close the access to Steveston Highway. It would then be up to the property owners as to when they would remove the unnecessary driveway from Steveston Highway.

Attractive Streetscapes

One of the fundamental principles of the Arterial Road Redevelopment Policy is the creation of a more attractive streetscape through the relocation of the garages to the rear of the property, thereby increasing the attractiveness of the dwelling and increasing the front yard green space.

Given that the house will only be a maximum 7m (24 ft) wide and the garages are 6m (20 ft) in width, only 1.3m (4ft) of the actual house will be visible from the street. One of the most important factors in contributing to an attractive streetscape is the presence of human scale elements such as a front door, windows, porches, roof lines, and the like. It is very difficult to provide this character and locate the garage at the front of the property.

The applicant has offered a design which attempts to provide some of these pedestrian scale elements, however, in the case of a single family dwelling, there is no design review, therefore, there is no uncomplicated way to ensure that if the garages are located at the front, that these elements are incorporated into the design.

Another important factor is the presence of green space. By locating the garages in the front of the property, the amount of green space along the street is reduced because much of the surface needs to be paved in order to ensure that vehicles are able to turn around on site. Additionally, in the long term if a lane becomes operational, most of the site will be paved rather than offering green space for the residents and along the street. Finally, a visual connection to the street from the house increases opportunities for surveillance which has an effect of reducing crime.

The applicants rationale is attached (**Attachment 5**).

Options

Option 1: Support the Application & Recommend That Staff Amend the Lane Policy

The benefits of supporting the proposal as is, may be that:

- Given that the lane system will not be in place for some time, this option provides for the use of the entire back yard until such time as the lane connects through. While this option might seem to suggest that there is a trade-off between providing an attractive streetscape and a useable back yard, it is still possible to achieve a back yard and locate the garages at the rear of the property; and
- the garages can act as a buffer between the street and the home. The reverse of this argument is that the placement of the house further back on the property decreases the opportunities for passive surveillance on and from the street and decreases social interaction among neighbours both of which contribute to stronger and more vibrant community.

The difficulties with this option are:

- ensuring that the site would be able to transition to the use of the lane in the future given that works would be required on private property and the City would have no authority to ensure that these works were carried out. *It would be likely that the properties will continue to use the access to the arterial road because of the difficulty of losing green space they have enjoyed and paying for a new driveway;*

- *the long term implementation of the lane becomes more difficult due to the need to access funds from the NIC account and because of the future disruption to the neighbours;*
- *that this application and future applications that are permitted to locate their garages along the arterial roads will not add, but rather detract, from the attractiveness of the streetscapes; and*
- *that the proposal is inconsistent with the Lane Policy, therefore, the following changes to the Policy would be required if Council were to support the application:*
 - 1) *A NIC fee could be paid to the City rather than the current practice of entering into a Servicing Agreement for constructing the lane. This approach could work as long as the applicant constructs the garages in such a way that as soon as the lane is built and is operational, the owners can switch very easily from the front to the back access.*
 - 2) *At staff's and Council's discretion, on a case by case basis, an applicant may be permitted to locate the garages at the front of a property in cases where it is deemed to be a significant amount of time before a lane will be operational. This change to the policy would mean that the location of the garages will be debated for most applications.*

If Council wanted to pursue this option the final reading requirements for the bylaw are listed as follows. A Bylaw is attached to the report.

1. *Dedication of a 6m lane across the entire north property line;*
2. *A Neighbourhood Improvement Charge for the future design and construction of the laneworks complete with curb and gutter, post top lighting and storm sewer;*
3. *A Restrictive Covenant ensuring that only one temporary, single width driveway will be provided for the use of both future properties. Once the lane becomes operational, the existing access to Steveston Highway will be closed.*

Option 2: Recommended Option - Deny the Application

The proposal is not consistent with the Lane Policy as the applicant is unwilling to construct the lane, or to locate the garages on the future lane. The main implications of approving this application are related to the location of the garages at the front of the property. This will create a precedent whereby the lane would be constructed at some point in the future, however, it will be problematic ensuring that the new homes will re-orient their access to this lane. Therefore, there could continue to be driveways along the major roads. Additionally, the debate for the location of the garages will then need to be heard by staff and Council for each application.

Financial Impact

None.

Conclusion

1. The application is to rezone the subject site along Steveston Highway in order that it be subdivided into two smaller lots.
2. The applicants' proposal is not consistent with the Lane Policy nor with requirements for similar rezoning applications along other arterial roads. Therefore, staff is not supportive of the application.

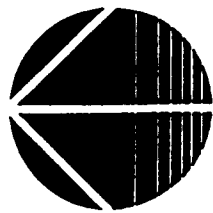
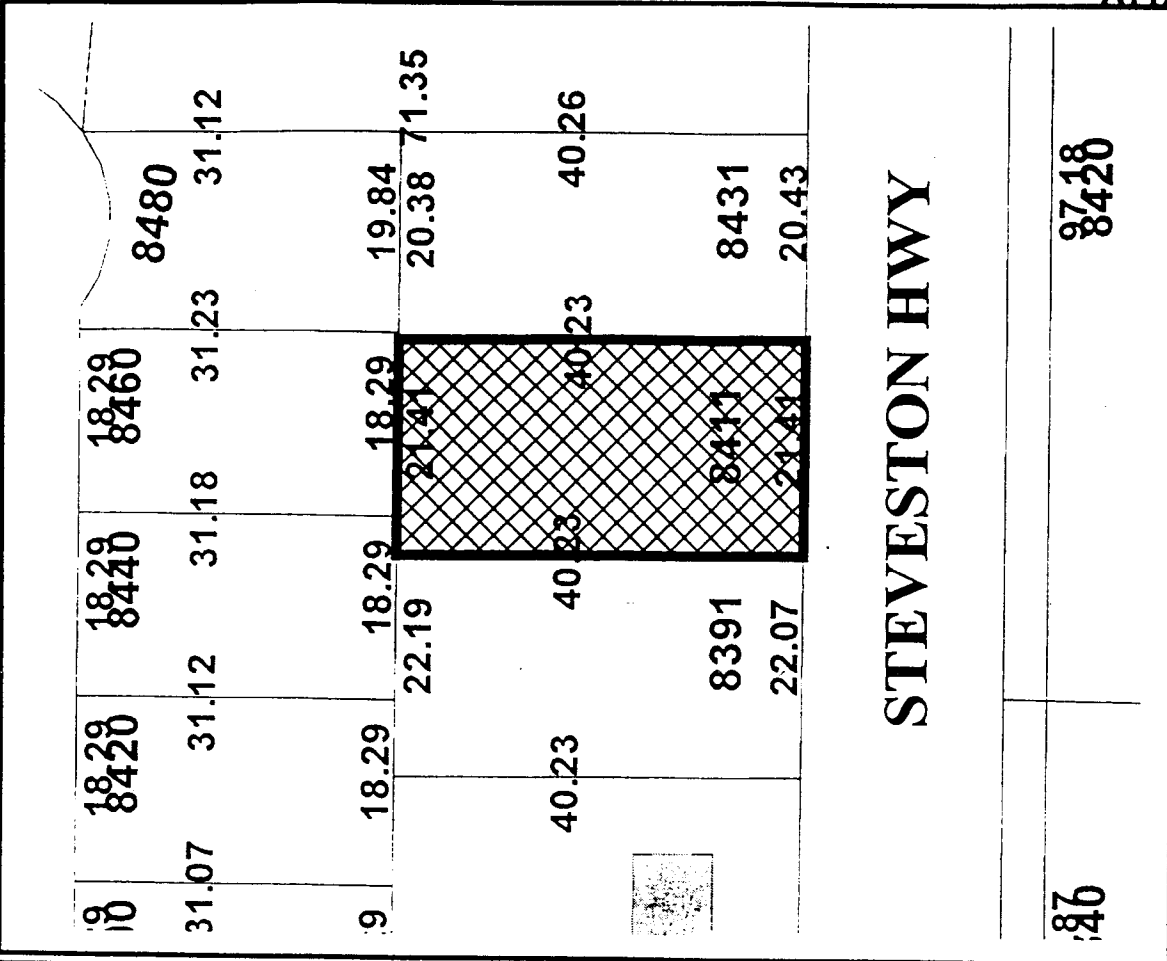
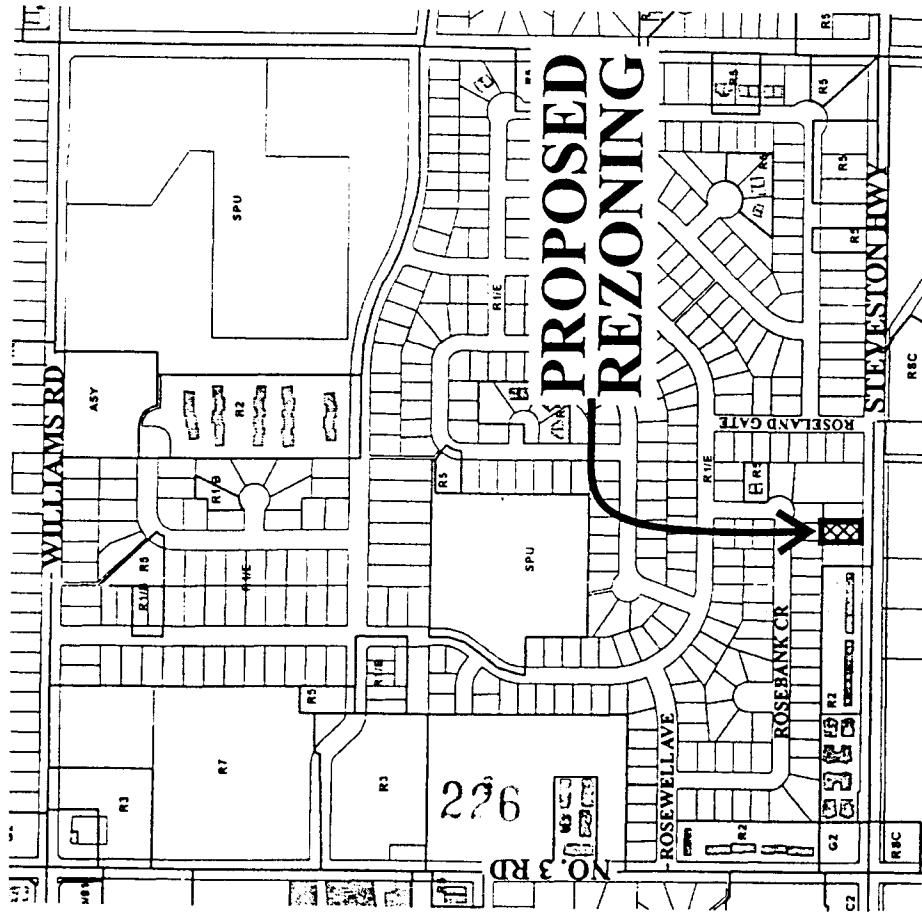


Jenny Beran, MCIP
Planner, Urban Development

JMB:cas



City of Richmond



RZ 02-203809

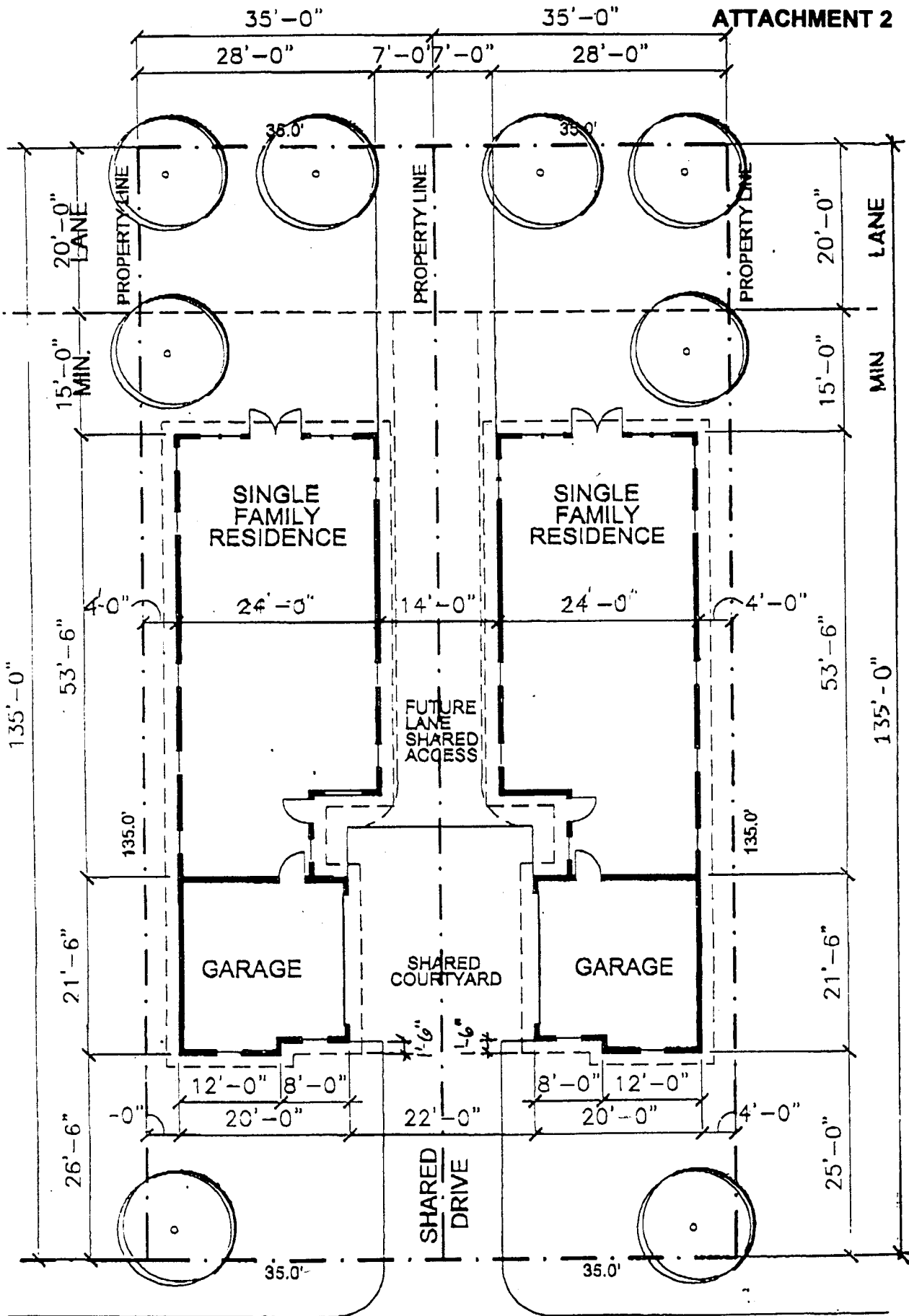
Original Date: 05/02/02

Revision Date:

Note: Dimensions are in METRES



ATTACHMENT 2



Patrick Cotter Architect Inc.

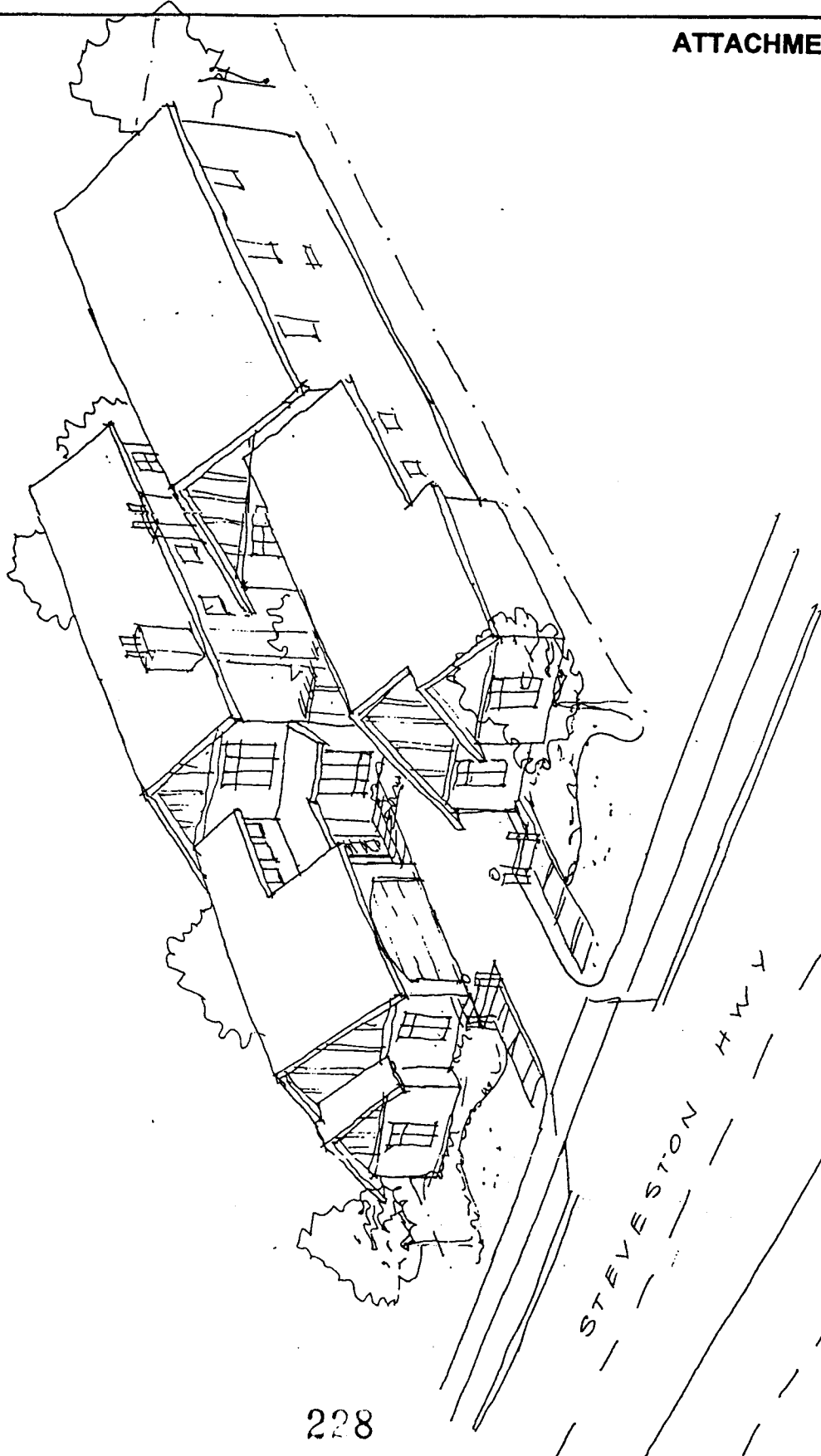
5735 Ferguson Court
Delta, British Columbia
V4L 2J4
TEL: 604-943-1151 Fax: 604-943-1152

8411 STEVESTON HIGHWAY

7/2/02
SKI

SITE PLAN

ATTACHMENT 8



228

NOTES

NO.	DATE	REVISION

DIKAKOS & COTTER
ARCHITECTS

228 STEVENSON RD. STEVENSON, ONT. L4W 2E9
Tel: (416) 491-3333 Fax: (416) 491-3334
E: dyc@dkc.com Web: www.dkc.com

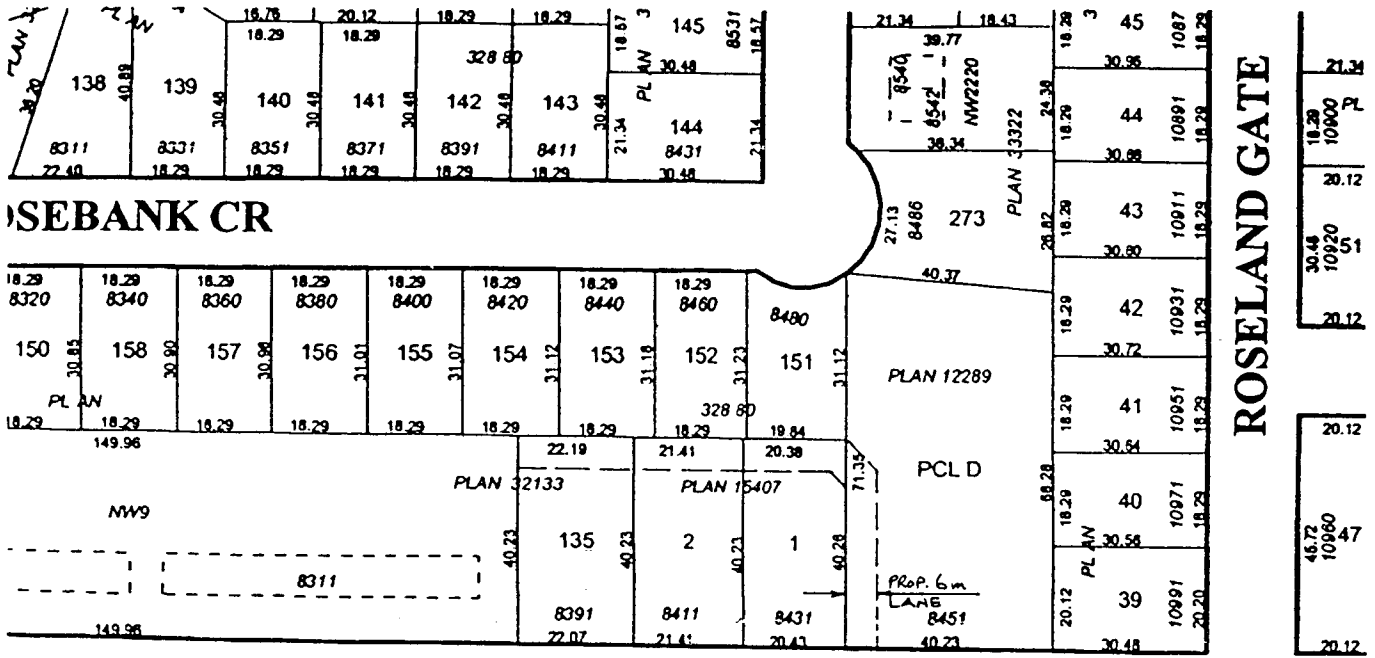
RICHMOND
SINGLE FAMILY
RESIDENCE

J.A.B. ENTERPRISES LTD.

DATE: 02/07/14
SCALE: AS SHOWN
DRAWN: JAC/2014
CHECKED: JAC/2014
DATE: 02/07/14

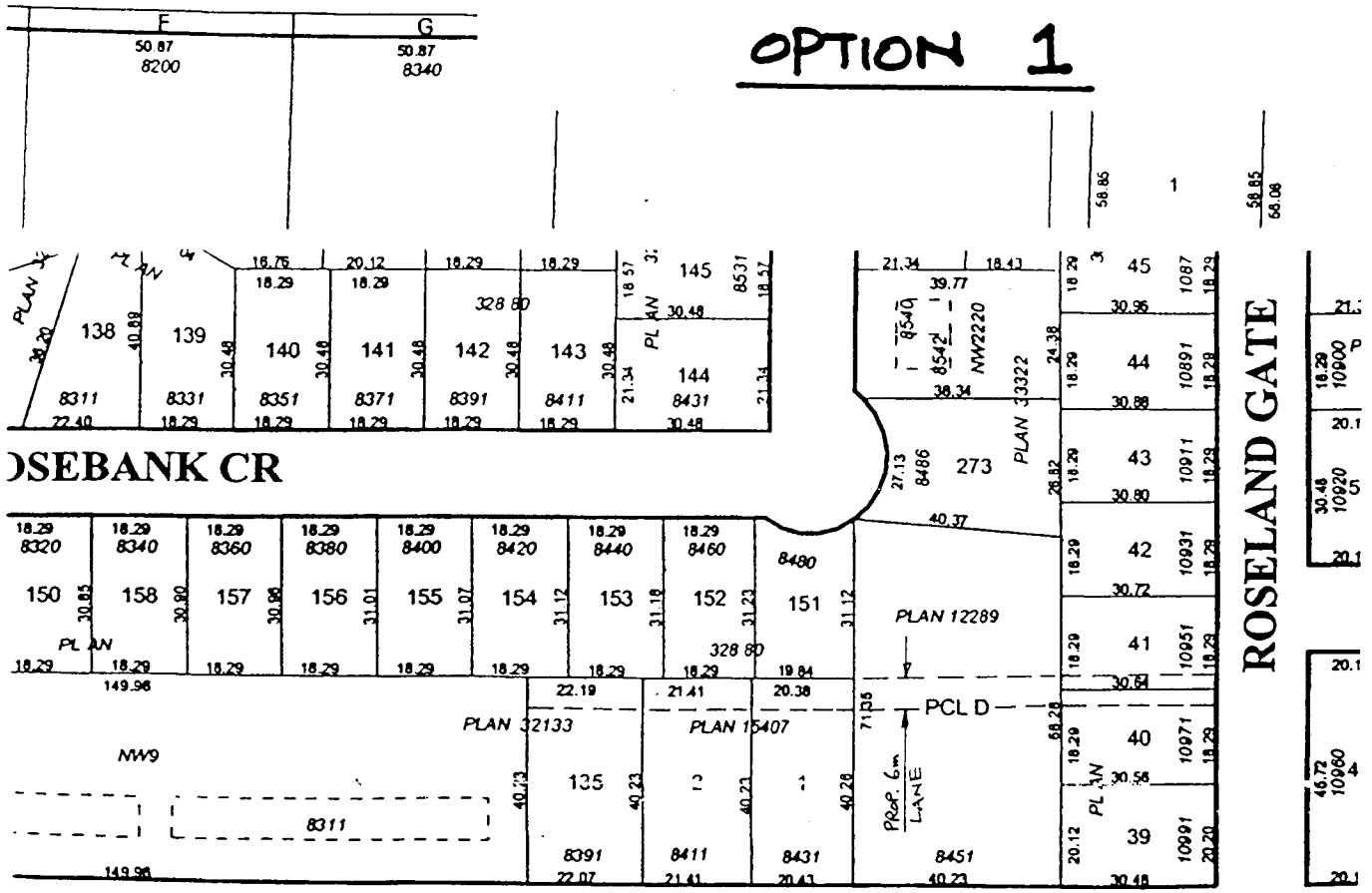
SITE PLAN
DIRECT FUTURE
LANE ACCESS

DATE: 02/07/14		SCALE: AS SHOWN
NO.	DATE	
A-2		A



PROPOSED LANE ALIGNMENT

OPTION 1



PROPOSED LANE ALIGNMENT

OPTION 2

212-3989 Henning Drive
 Burnaby, British Columbia
 V5C 6N5
 Tel: 604-291-2660 Fax: 604-291-2667

Patrick Cotter Architect Inc.

memo

To: City of Richmond	From: Patrick Cotter
Attr: Jenny Beran, Planner	Date: June 6, 2002
Fax: 604-276-4177	Pages: 6
Phone: 604-276-4000	CC: Amar Sandhu 604-322-5686
Project: 8411 Steveston Highway	
Re: Right of Way	

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

Dear Jenny:

Thank you for meeting with us on May 16, 2002 and subsequently on May 21, 2002 to discuss our current application for subdivision and re-zoning for the above noted property.

As requested, please find attached for your consideration, a copy of a schematic site plan which indicates the subdivision, and provisions for accommodating a possible future rear lane and access.

THE CONDITION

The subject property carries the Neighbourhood Residential Land Use Designation, and faces an arterial road mid-block. Redevelopment of the property other than outright use for the existing zoning is pursuant to *Policy No. 7017: Arterial Road Redevelopment* which encourages the proposed small lot single family development, as well as *Policy No.5038: Lane Establishment* which requires the establishment of a lane at the rear of the property.

The existing single family zoning designation would permit the construction of a large single family residence with one arterial road driveway access to a forecourt and garage located facing the street.

The application for subdivision of the property into two small lot single family residences proposes the same single arterial road driveway access to a forecourt and garages located facing the street.

The comments received from staff have requested that a dedication be made for a lane at the rear of the property to be implemented at some point in the future when access and connections of the

laneway become feasible through redevelopment of the surrounding properties and block. In addition, staff have suggested that the garages be located at the rear of the property with a shared access lane running the length of the common property line to provide access to these garages.

The property in question, as is typical of most neighbourhood residential arterial properties, is surrounded with significant and recent large lot single family redevelopment which diminishes the likelihood that the laneways along with their critical connections to side streets will be physically implemented anytime soon. The time horizon for this is more likely in the 40 year range.

The requirement to place the garages in the rear yard and construct a shared access lane has a negative impact on the viability of the development and the livability for residents, all for the purpose of accommodating a *possible* future lane.

THE PROPOSAL:

The Applicant has requested of staff to reverse the order in which the lane requirements and redevelopment occur to relieve the hardship created on the applicant and subsequent residents during the interim period prior to construction of the lane, and to remove the inherent disincentive to redevelopment.

We are proposing

1. That the property be subdivided into 2 small lot single family residential lots.
2. That the dedication or right of way be provided for the future lane at the rear of the property.
3. That the garages be located at the front of the properties as is currently permitted
4. That the properties share one driveway access from the arterial street as is currently permitted
5. That a right of way be registered on the properties for the *future* implementation of a shared driveway to connect the garages to the future lane when access to the arterial road is removed with the construction of the lane at some point in the future.

This proposal is reflected on the attached drawings for your reference.

THE LANE POLICY PURPOSE

According to staff the two primary reasons for the lane policy were: first, to decrease the number of single driveways onto arterial streets, and second, beautification. It was suggested that beautification would be achieved by maintaining a sense of pedestrian scale at the street through architectural elements such as porches, doorways and awnings ; the maintenance of a front yard, and the open green space it represents and the impact on the streetscape.

It is our contention that these issues have been satisfactorily addressed in the Applicant's proposal. First, in the period prior to completion of lane access, the increase in density will not result in an increase in the number of access driveways over what exists or is permitted under the current zoning. The two lots will share one common driveway. Second, for properties facing busy arterial streets, the suitability of street-oriented residences may not be desirable. The location of garages and forecourt between the residence and the street acts as a buffer from the business of the arterial street. The garages would of necessity be perpendicular to the street due to the shared access drive and forecourt. Having the garage doors in this orientation improves the impact of the building on the streetscape, and offers opportunities through the design of the building to retain the desired pedestrian scale, form and character. Finally, the front yard is retained as identified by staff, and could possibly be a better long-term outcome for the quality of the development and its livability. With the houses facing busy streets,

June 6, 2002

and ultimately only lane access, the use of the house will naturally be oriented away from the busy arterial street. Coming and going from the house will happen from the rear off of the lane, and the useable open space created by not placing the garage at the rear, will ultimately result in a safe, private and useable yard for residents.

SUMMARY

The proposed application supports the ultimate goal of achieving lane access for properties facing arterial streets, but seeks a compromise to the location of the garage and the timing of the construction of the shared access drive. This compromise will increase the viability of the redevelopment which is required for lanes to be implemented, and the livability for residents both in the interim and the longterm with appropriate building placement, screening, and quality open space.

We request you support of this proposal in order to ensure that the City of Richmond continues its excellent record of improving its urban environment through thoughtful planning and ongoing commitment to make Richmond a desirable place to live, work, and do business.

Respectfully,



Patrick Cotter, B.A., B.Arch., MAIBC
Patrick Cotter Architect Inc.

cc. Amar Sandhu, J.A.B. Enterprises Ltd.



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7418 (RZ 02-203809)
8411 Steveston Highway**

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 K (R1/K)**

P.I.D. 018-513-395

Lot 2 Section 33 Block 4 North Range 6 West New Westminster District Plan LMP12834

2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7418”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

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

MAYOR

CITY CLERK