



To: Planning Committee
From: Joe Erceg
Manager, Development Applications
Date: August 27, 2003
File: RZ 03-235503
Re: **APPLICATION BY LES COHEN AND AZIM BHIMANI FOR REZONING AT 9400 DOLPIN COURT FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA K (R1/K)**

Staff Recommendation

That Bylaw No. 7589, for the rezoning of 9400 Dolphin Court from “Single-Family Housing District, Subdivision Area B (R1/B)” to “Single-Family Housing District, Subdivision Area K (R1/K)”, be introduced and given first reading.

Joe Erceg
Manager, Development Applications

JE:jmb
Att.

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Les Cohen & Azim Bhimani have applied to the City of Richmond for permission to rezone 9400 Dolphin Avenue (**Attachment 1**) from Single-Family Housing District, Subdivision Area B (R1/B) (12m or 39 feet minimum width) to Single-Family Housing District, Subdivision Area K (R1/K) (10m or 33 feet minimum width) in order to permit the property to be subdivided into two single-family residential lots.

Findings of Fact

Item	Existing	Proposed
Owner	Feng Hui Liu and Tien Pen Chen	To be determined
Applicant	Les Cohen and Azim Bhimani	No change
Site Size	1034 m ² (11130 ft ²)	517m ² (5565 ft ²)
Land Uses	Single Family	No change
OCP Designation	Neighbourhood Residential	No change
Ash Street Sub Area Plan Designation	Low Density Residential	No change
Zoning	R1/B	R1/K

Surrounding Development

The Ash Street area is a mix of small and medium sized single family lots and townhouses. The housing stock is a mix of newer and older homes and there are ditches still lining some of the streets. The homes surrounding the subject properties are generally older homes and some lots have similar development potential to the subject applications.

Neighbourhood Input

Staff have talked to the neighbour to the east (9440 Dolphin) on a number of occasions as there is concern about the length of the new home and about the rear yard setback. A letter is attached (**Attachment 2**). The applicant has also spoken with the neighbour. At the time of writing of this report, staff was not aware of any arrangement that is being made between the two parties.

Related Policies & Studies

Ash Street Sub Area Plan

There is no Lot Size Policy in this area that provides a guide for single-family subdivision. However, the quarter section is governed by the Ash Street Sub-Area Plan which was written primarily to guide the development of specified infill sites throughout the quarter section. The Sub-Area Plan provides only the following direction with regard to the subject applications:

“Permit the use and development of lands outside of the “infill” sites shown on the Land Use Map to be governed by the City’s normal development application process”.

Staff Comments

There are no requirements for this rezoning.

Analysis

The proposed subdivision is consistent with a number of other similar applications (14) that have already received approval to subdivide to R1/K in this neighbourhood. Additionally, there are five lots in the immediate vicinity of the subject lot (three on the south side of Dolphin and two on the north side) that also have similar development potential.

Overall there are an 38 lots that have the potential to subdivide to Single-Family Housing District, Subdivision Area K (R1/K) lots in this area. There are also 21 lots which have the potential to subdivide to Single-Family Housing District, Subdivision Area A (R1/A). While these potential rezoning and subdivisions represents less than a quarter of the lots in the area, it will result in some change to the character of the neighbourhood. Additionally, the neighbours will be impacted by construction activity.

While there are some awkward consequences that change and construction will bring to the neighbourhood, it is difficult to respond to the particular concerns of the neighbour to the east (size of house, distance of rear yard setback), given that their property has the same density and setback provisions as what is being proposed under the R1 zone on the subject site.

Financial Impact

None.

Conclusion

The application is to rezone 9400 Dolphin Court to Single-Family Housing District, Subdivision Area K (R1/K) and permit two (2) single-family houses on this property. Staff are supportive of the proposal as the application is consistent with residential development already undertaken in the area.



Jenny Beran, MCIP
Planner, Urban Development
(4212)

JMB:cas

August 29/03

Attention: Jenny Baron.

My name is Joan Larden. I live at 9440 Dolphin Ave., with my husband Darrell Larden. We have lived here for 34 yrs. following 10 yrs at 855 Garden City Rd.

These two addresses are where we started and raised our four children.

My husband and I both grew up in Richmond where our parents and grandparents lived and worked since the early 1900's.

All in all I would say we helped build the foundation of Richmond through years of paying taxes.

Our home and yard are very important to us. We have taken good care of our house and it's still very liveable for years to come.

When we moved here in 1969, the house stood on an empty lot. We personally planted every tree, shrub and flower bed that is here.

Our children and their friends were constantly playing in the back yard. Now we have ten grandchildren to add to the fun. We have many family gatherings where relatives and friends can enjoy our home and yard, as they are big enough to accommodate us all.

Of course we have seen many changes here and around Richmond over the years. Many of the changes causing a great deal of stress. One of the changes was the rezoning of the back property into smaller lots. This meant a house butted right up to our back fence. That took a lot of getting used to, but we planted the hedge and tried to put it behind us.

Now we come to the matter of the lot to the west of us. It has been requested to be rezoned into two lots.

We understand that the planners of Richmond allow houses to be built within 20 ft. from front and back of the property line and 3 ft from the sides.

We feel if this is allowed it will be ruinous to our home.

Why? Already as I have stated there is a house right at the end of the property line facing south. Now if the new homes face to the west so the full length of the lot the job of enclosure will be complete.

Blocking all afternoon sun, looking like the Berlin wall and eliminating any privacy that was left.

What we would like to see next to us is a house and yard keeping in line with what's already here. Having respect for the existing properties without jeopardizing the look and nature of the neighborhood.

Fitting in ^{and} not taking over. Consideration for existing property owners rights.

We would like to show the plans of what to expect before any building starts.

I hope this explains some of our concerns and you will grant us the right to speak to you further on the subject.

Sincerely

Jean M. Gardner



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7589 (RZ 03-235503)
9400 DOLPHIN AVE**

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. 003-838-978

Lot 538 Section 22 Block 4 North Range 6 West New Westminster District Plan 57614

- 2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7589”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. HB
APPROVED for legality by Solicitor NIC

MAYOR

CITY CLERK