



City of Richmond
Urban Development Division

Report to Committee

To: Planning Committee
From: Holger Burke
Acting Director of Development
Date: October 25, 2005
File: RZ 04-273560
Re: **Single-Family Lot Size Policy for 5428 for the south side of Francis Road between No. 2 Road and Gilbert Road in Section 30-4-6**
Application by Jasdeep Uppal for Rezoning at 6680 Francis Road from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area K (R1/K)

Staff Recommendation

That the following recommendations be forwarded to Public Hearing:

1. That Single Family Lot Size Policy 5428 in Section 30-4-6, adopted by Council on December 18, 1989 be amended to:
 - a) Remove all lots fronting onto Gilbert Road and No. 2 Road;
 - b) Restrict all properties fronting Francis Road to Single-Family Housing District Subdivision Area C (R1/C) unless there is a constructed lane access, then subdivisions may be permitted to Single-Family Housing District R1-0.6, except that 6680 Francis Road may be permitted to subdivide to Single-Family Housing District Subdivision K (R1/K) without the requirement for a lane access; and
 - c) That the existing Single-Family Housing District, Subdivision Area B (R1/B) zoning restriction be reconfirmed for all other lots.
2. That Bylaw No. 7991, for the rezoning of 6680 Francis Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District Subdivision Area K (R1/K)", be introduced and given first reading.

Holger Burke
Acting Director of Development

HB:dcb
Att. 9

FOR ORIGINATING DIVISION USE ONLY

CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Jasdeep Uppal has applied to rezone a 1041m² (11,205 ft²) site consisting of a single lot located at 6680 Francis Road from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area K (R1/K) for the purpose of creating two (2) single-family lots approximately 10.06 m (33.00 ft.) wide. The application is contrary to the existing 702 policy now in effect for over five years, which permits subdivision to R1/B or a minimum of 12 m (39.37ft.) wide lots.

The applicant is proposing to locate the garages in the front yard and has prepared an appropriate building design for both dwellings to fit into the area. The applicant is also proposing to make a contribution to the City's Affordable Housing Fund in lieu of having to dedicate land for a lane and having to pay to build this lane along the rear property line.

Attachment 1 shows the location of the subject application. The applicant has submitted both a site plan and building front elevations (**Attachment 2**) showing the proposed design.

Related Policies & Studies

Single Family Lot Size Policy 5428

In 1989, City Council established a lot size policy for this area (see **Attachment 3**) requiring that new single-family residential lots have a minimum width of 12 metres. The Policy was established after consultation with the neighbourhood and was intended to provide a level of assurance as to what type of subdivision would be permitted in the area and therefore how the character of the neighbourhood would develop over time. The Policy was set up so that it would apply for a minimum of five years after which it could be changed.

Lane Establishment Policy

In 2001, the City also adopted a Lane Establishment Policy (No. 5038) which required rear lanes for new developments fronting onto key arterial roads. It was under this Policy that the rezoning application at 6680 Francis Road was originally submitted. However, due to a number of concerns that have been raised with the implementation of the Lane Establishment Policy, Council directed staff to undertake a review of where and how the Policy should be applied. Based on this review, staff have determined that, with consolidations a lane could be developed along the south side of Francis Road, however, a preferred approach is to allow subdivisions to R1/C (13.5 m wide lots) with shared driveways. In consideration of the delays created by this review upon the subject rezoning application (which has been "in stream" since July 2004) the application is being brought forward for consideration on its own merits.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (see **Attachment 4**).

Surrounding Development

To the North: Along the north side of Francis Road, typically single family dwellings on lots zoned R1/E (min. 18 m wide lots) of varying size, plus a duplex on property zoned R5 at the corner of Francis Road and Minler Road.

To the East and the West: Single family dwellings on a mixture of lots typically zoned R1/E (18 m wide lots) or R1/C (13.5 m wide lots).

To the South: Single family dwellings on lots of varying size and zoning districts (R1/B, R1/D, R1/E).

Staff Comments

Staff Technical Review comments are attached (**Attachment 5**). No significant concerns have been identified through the technical review.

Analysis

Single Family Lot Size Policy Review

Based upon a review of the development potential and constraints along this area, **staff are recommending the following Lot Size Policy changes:**

1. That the boundaries of the Policy area be changed to remove all lots fronting onto Gilbert Road and No. 2 Road. As these properties front onto arterial roads they will be subject to the larger Lane Establishment Policy review;
2. That all properties fronting Francis Road in this Section be restricted to Single-Family Housing District, Subdivision Area C (R1/C) unless there is a constructed lane access, then subdivisions may be permitted to Single-Family Housing District R1-0.6, except that 6680 Francis Road may be permitted to subdivide to Single-Family Housing District, Subdivision K (R1/K) without the requirement for a lane access; and
3. The remaining lots within the Section continue to be permitted subdivision as per Single-Family Housing District, Subdivision Area B (R1/B) (12 m wide lots).

The proposed amended Policy is shown in **Attachment 6**.

The overall Policy would be reconfirmed for a minimum of a further five years.

The exception for 6680 Francis Road is being accommodated through this proposed Policy amendment because it is an “in stream” application that was adversely affected by the change in the Lane Establishment Policy.

Rezoning Application

From a technical perspective the rezoning proposal itself is relatively straight forward and would conform to the proposed amended lot size policy for the area. This application has been caught up for more than a year in the review of the Lane Establishment and Arterial Road

Redevelopment Policies. Staff believe that the proposed two lot split to R1/K (min 10 m wide lot) standards without a lane is a reasonable compromise.

In recognition of the fact that the applicant was originally going to dedicate land to the City for a lane and pay the City for its future construction, the applicant has also agreed to contribute **\$32,500** to the Affordable Housing Fund.

Public Consultation

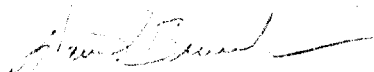
A letter was sent to all residents in the Policy area (**Attachment 7**) providing background on the Lot Size Policy and the Lane Establishment Policy and explaining the nature and implications of the Rezoning Application for 6680 Francis Road. To the time of writing this report, two written responses have been received (see **Attachment 8**), and staff have received a call from one individual who indicated his disagreement with the proposed changes and his intention to undertake a petition amongst the neighbourhood.

Financial Impact or Economic Impact

None.

Conclusion

1. Staff have reviewed the application to rezone 6680 Francis Road to Single-Family Housing District, Subdivision Area K (R1/K) for the purpose of creating two (2) single-family lots and have recommended changes to the area's Single Family Lot Size Policy that would address this application as well as reaffirm the policy for future subdivisions in the balance of the area.
2. The Urban Development Division supports the subject application because it is consistent with the recommended Single Family Lot Size Policy for the area.



David Brownlee
Planner 2

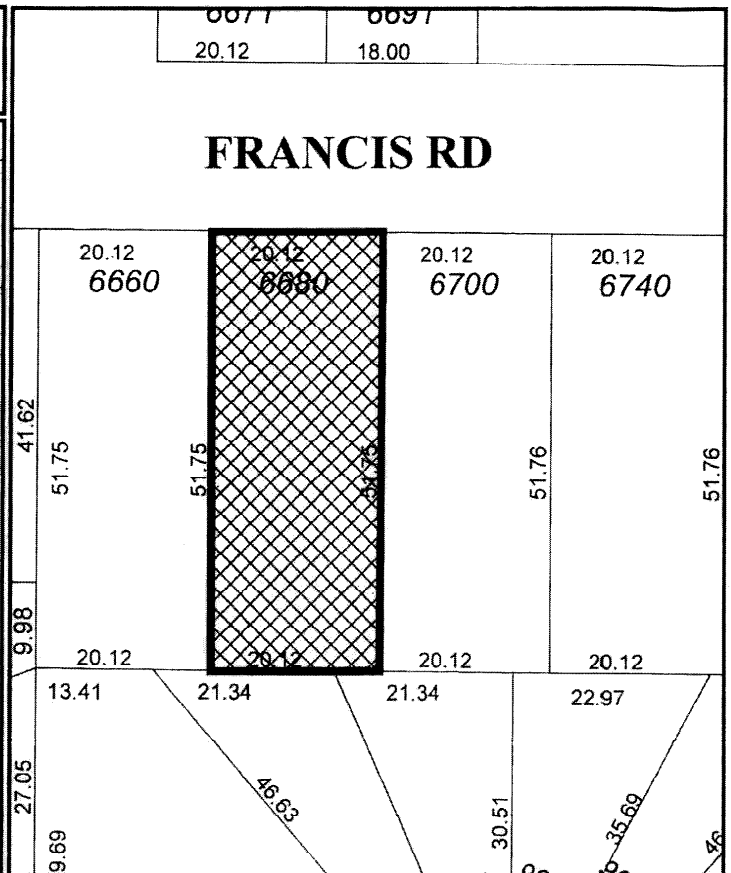
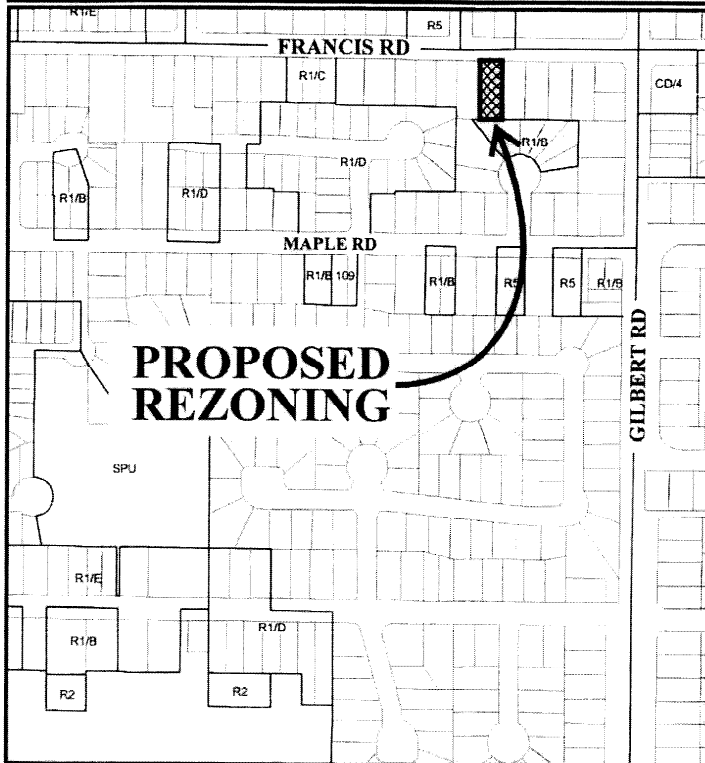
DCB:cas

There are requirements to be dealt with prior to final adoption. These are provided in **Attachment 9** – Conditional Rezoning Requirements.

- Attachment 1: Location Map
- Attachment 2: Site Plan and Elevations
- Attachment 3: Single Family Lot Size Policy 5428
- Attachment 4: Development Application Data Sheet
- Attachment 5: Staff Technical Review Comments
- Attachment 6: Recommended Amended Lot Size Policy
- Attachment 7: Letter to Residents
- Attachment 8: Response Letters from the Public
- Attachment 9: Conditional Rezoning Requirements



City of Richmond



RZ 04-273560

Original Date: 07/28/04

Revision Date:

Note: Dimensions are in METRES

RZ-04-273560
Rec'd Oct 23/05
ATTACHMENT 2

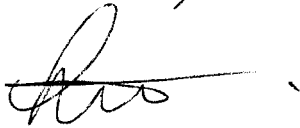
6680 Francis Rd
Richmond, B.C.
V7C 1K5

October 27, 2005

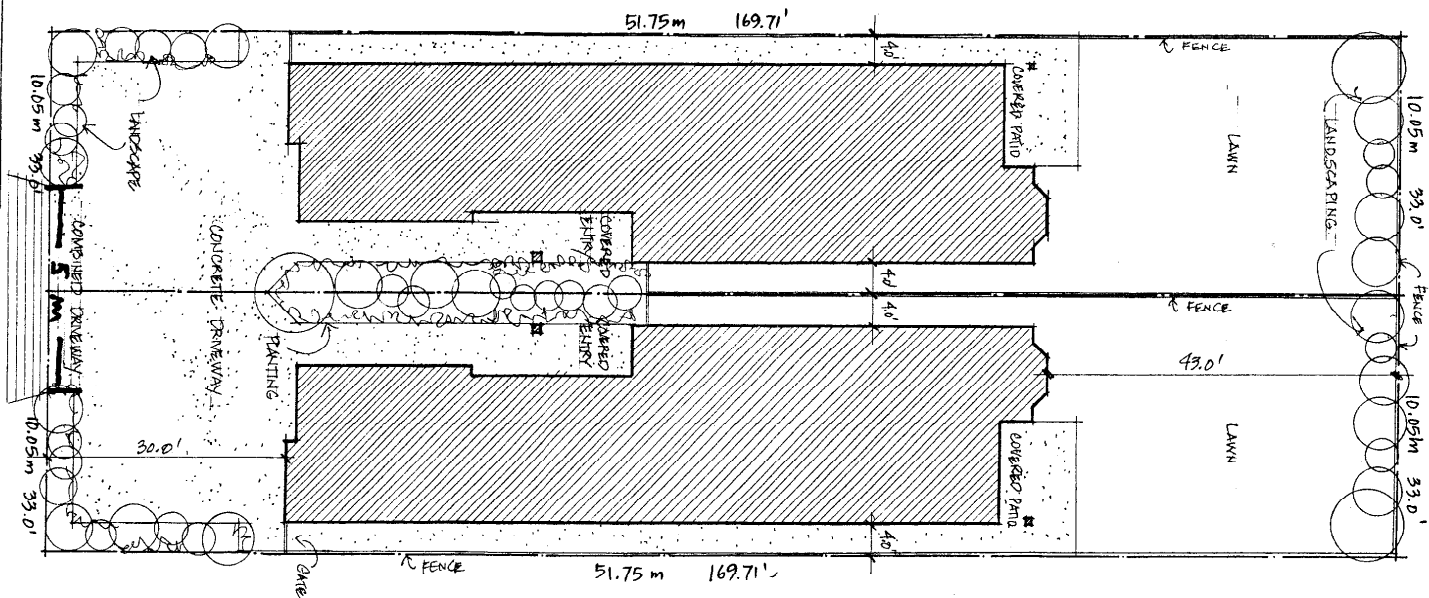
Attn: Richmond City Hall

This is to confirm that I am
Committing to the building design
we submitted for 6680 Francis
Road, Richmond, B.C.

Thanks,



Jasdeep Uppal



SITE PLAN



FRANCIS ROAD ELEVATION

6680 FRANCIS RD



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: December 18, 1989
 Amended by Council: December 18, 1995

POLICY 5428

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 30-4-6

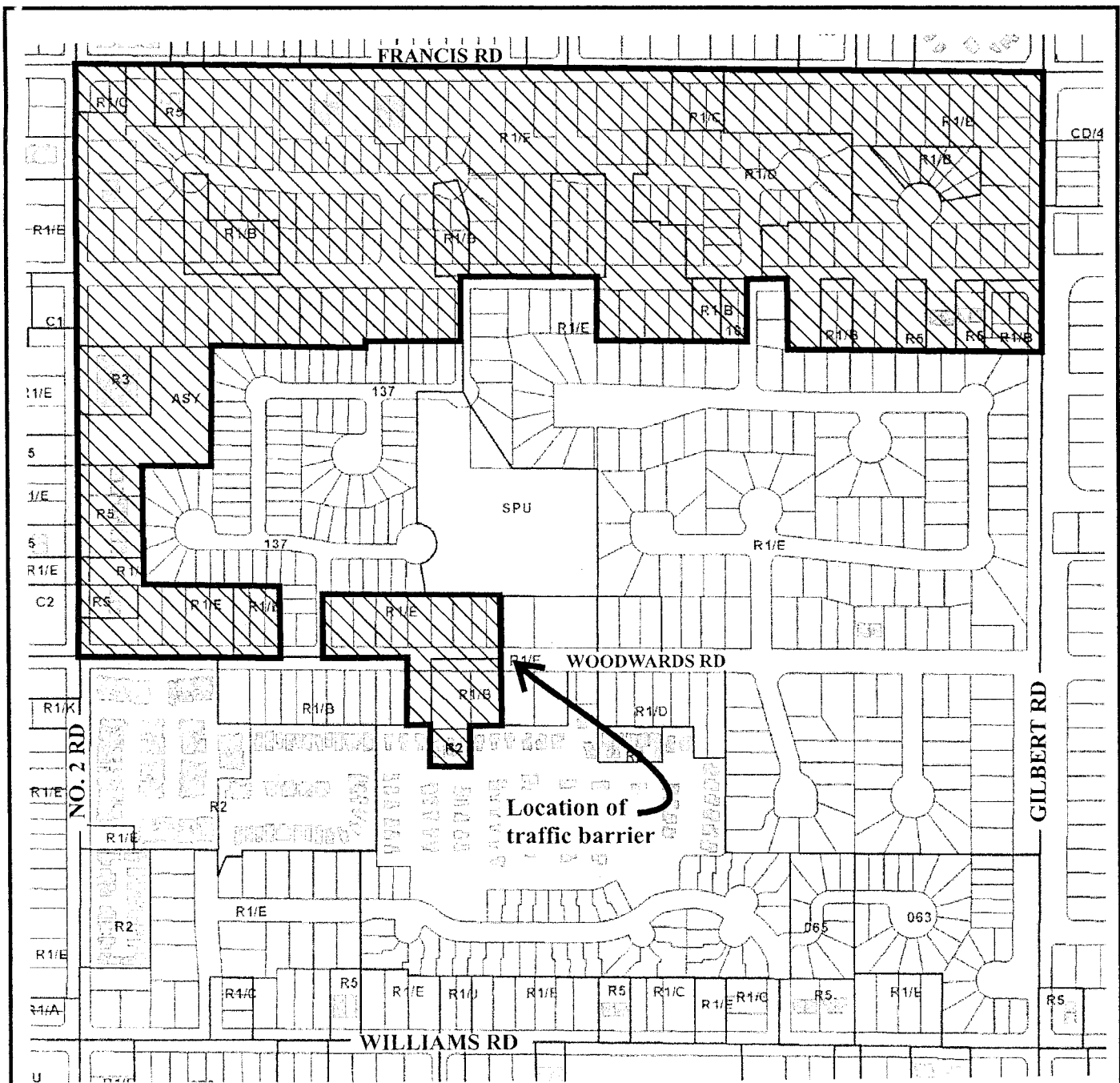
POLICY 5428:


The following policy establishes lot sizes for properties generally bounded by **No. 2 Road, Francis Road, Woodward Road and Gilbert Road**, in a portion of Section 30-4-6:

That properties generally bounded by No. 2 Road, Francis Road, Woodward Road and Gilbert Road (in a portion of Section 30-4-6), be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300, with the following exceptions and provisions:

- (a) If there is no lane or internal road access, then properties along No. 2 Road and Gilbert Road will be restricted to Single-Family Housing District (R1/E);
- (b) If there is no lane or internal road access, then properties along Francis Road will be restricted to Single-Family Housing District (R1/C).
- (c) That a Local Improvement Construction Bylaw for storm sewers, curbs, sidewalks, gutters and street lighting be established prior to rezoning and redevelopment of Maple Place or through construction agreement by applicants if required.

and that this policy, as shown on the accompanying plan, be used to determine the disposition of future 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.



 Subdivision permitted as per R1/B except:

- 1) No. 2 Road and Gilbert Road R1/E unless there is a internal road or lane access then R1/B
- 2) Francis Road R1/C unless there is a internal road or lane access then R1/B.



Policy 5428

Section 30-4-6

Adopted Date: 12/18/89

Amended Date: 12/18/95

Note: Dimensions are in METRES


City of Richmond

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

**Development Application
Data Sheet**
RZ 04-273560
Attachment 4

Address: 6680 Francis Road

Applicant: Jasdeep Uppal

Planning

Area(s): Blundell (Section 30-4-6)

	Existing	Proposed
Owner:	Jasdeep Uppal	same
Site Size (m²):	1041 m ²	Two lots approx. 520.5 m ² each
Land Uses:	Single Family	Same
OCP Designation:	Neighbourhood Residential	same
702 Policy Designation:	Policy 5428 - Subdivision as per R1/C unless existing lane then R1/B	Amended Policy Subdivision to R1/C except 6680 Francis Road which can subdivide to R1/K and R1-0.6 if lane constructed. No multi-family permitted.
Zoning:	R1/E	R1/K
Number of Units:	1	2

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Density (units/acre):	N/A	7.78 upa	none permitted
Floor Area Ratio:	Max. 0.55	0.55	none permitted
Lot Coverage – Building:	Max. 0.45%	0.45%	None
Lot Size (min. dimensions):	270 m ²	520.5 m ² per lot	None
Setback – Front Yard (m):	Min. 6 m	6 m Min.	None
Setback – Side & Rear Yards (m):	Min. 1.2 m side Min. 6 m rear	Min. 1.2 m side Min. 6 m rear	None
Height (m):	2.5 storeys	2.5 storeys	None
Off-street Parking Spaces – Total:	2.0	2.0 per lot	None
Tandem Parking Spaces:	Not permitted	None	none

Staff Technical Review Comments

Engineering Works Design:

Development Applications - Engineering support the rezoning application. It is noted that the application does NOT conform to the current Lot Size Policy #5428, adopted by Council December 18, 1989.

Prior to Council adoption of the Rezoning Bylaw, the developer shall register a Restrictive Covenant ensuring that a single vehicular access will be provided for both future properties and ensuring that the buildings are setback a minimum of 9 m from the front property line to accommodate a vehicle turn around.

At the time of Subdivision, register a Cross Access Easement ensuring that both new lots can access the other's lot for vehicular access purposes.

No other concerns or requirements.

Transportation:

1. Register cross access easement for the shared drive aisle on the titles of the two subject properties.
2. Driveway width to be 5 metres, as required by City's Bylaw No.7222. Indicate width of driveway on the development permit plan. Design driveway to meet City's Bylaw (Bylaw No. 7222) and Design Specifications requirements.

Policy Planning:

The compromise reached for this site to R1/K (10m wide lots) standards without a requirement for a rear lane is acceptable as a compromise given the delays imposed due to the Lane Establishment and Arterial Road Review. The applicant has committed to contributing to the City's Affordable Housing Fund in lieu of dedications for the laneway, as well as preparing designs that will fit into the neighbourhood. Covenants will be required to control the number of vehicle accesses to Francis Road and to ensure that the building is set back a minimum of 9m from the front property line thereby providing adequate space for a vehicle turn around.



City of Richmond

Policy Manual

Page 1 of 2

Proposed Policy

POLICY 5428

File Ref:

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 30-4-6

POLICY 5428:

The following policy establishes lot sizes for properties in Section 30-4-6 as shown on the attached map:

1. Subdivisions in the Quarter Section's interior areas as designated on the map may be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300;
2. Subdivisions along Francis Road as shown on the map will be restricted to Single-Family Housing District R1/C unless there is a constructed lane access, then subdivisions may be permitted to Single-Family Housing District R1-0.6, except that 6680 Francis Road may be permitted to subdivide to Single-Family Housing District R1-K without the requirement for a lane access; and
3. This policy is to be used to determine the disposition of future 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.



Note: Dimensions are in METRES



City of Richmond

6911 No. 3 Road, Richmond, BC V6Y 2C1

Telephone (604) 276-4000

www.city.richmond.bc.ca

October 3, 2005
File: RZ 04-273560

Urban Development Division
Fax: (604) 276-4052

Dear Home Owners and Residents:

Re: Rezoning Application for 6680 Francis Road and Re-affirmation of Area Lot Size Policies

This letter has being sent to inform you about an application for Rezoning of 6680 Francis Road (see **Attachment 1**).

Rezoning Application

The rezoning application is being requested in order to allow for the subdivision of 6680 Francis Road into two 10 metre wide lots in order to permit the development of two single-family dwellings. The applicant is proposing to locate the garages in the front yard and is preparing an appropriate building design for both dwellings so as to fit into the area. The applicant is also proposing to make a contribution to the City's Affordable Housing Fund in lieu of having to dedicate land for a lane and having to pay to build a lane along the rear property line.

Single Family Lot Size Policy No. 5428

In 1989, City Council established a lot size policy for your area (see **Attachment 2** which includes amendments made in 1995) requiring that new single-family residential lots have a minimum width of 12 metres, except along Francis Road where the minimum width is 13.5 metres unless a lane or internal road is provided. The Policy was established after consultation with the neighbourhood and was intended to provide a level of assurance as to what types of subdivisions would be permitted in the area and therefore how the character of the neighbourhood would develop over time. The Policy was set up so that they would apply for a minimum of five years after which it could be changed.

Lane Policy

In 2001, the City also established a Lane Establishment Policy (No. 5038) which required rear lanes for new developments fronting onto key arterial roads. It was under this Policy that the rezoning application at 6680 Francis Road was originally submitted. However, due to a number of concerns that have been raised with the implementation of the Lane Establishment Policy, Council directed staff to undertake a review of where and how the Policy, should be applied. Based on this review, staff have determined that a lane is difficult to implement along this section of Francis Road. On this basis, the subject rezoning application (which has been "in-stream" since July, 2004) has been revised and is proposed to be considered on its own merits.

Staff Recommendation

Having conducted a technical review of the application for 6680 Francis Road, staff will be recommending that:

1. Single Family Lot Size Policy No. 5428 be amended as follows:
 - a) The restriction limiting subdivision to R1/B (12m wide lots) be removed from properties fronting No. 2 Road and Gilbert Road;
 - b) Subdivisions along Francis Road be restricted to Single Family Housing District R1/C (13.5m wide lots) unless a lane can be constructed, then subdivision may be permitted to Single-Family Housing District R1-0.6; and
 - c) Notwithstanding point b above, 6680 Francis Road be permitted to subdivide to Single-Family Housing District R1/K without a lane or internal road access.

The proposed amended Policy is shown in **Attachment 3**.

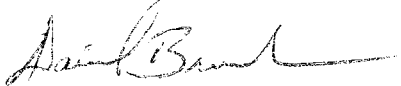
2. That the "in-stream" application for rezoning of 6680 Francis Road from Single Family Housing District Subdivision Area R1/E (18 m wide lots) to Single Family Housing District Subdivision Area R1/K (in this case 10 m wide lots) be supported subject to the condition that the garages front onto Francis Road and that a contribution is made to the affordable housing fund. Additionally, the builder is required to prepare an appropriate building design that will fit into the area.

The only reason staff are making this exception for 6680 Francis Road is because it is an "in-stream" application that was adversely affected by the change in the Lane Establishment Policy.

Request

Please forward any concerns or comments you may have on this rezoning application at 6680 Francis Road and staff's recommendation to the undersigned by Friday, October 21, 2005.

Yours truly,



David Brownlee

Planner 2

Phone: 604-276-4200

Fax: 604-276-4052

e-Mail: dbrownlee@richmond.ca

DCB:cas

Att. 3

pc: Holger Burke, Acting Director, Urban Development

Response Letters From The Public

- | | | |
|---------------------------|--|--------------------|
| 1. M. Sopel | 6660 Francis Road | Dated Oct 15, 2005 |
| 2. M. Plumb and R. Porter | 6780 Francis Road
(email provided with staff response) | Dated Oct 19, 2005 |

6660 Francis Rd.

Oct 15/05

City of Richmond,
Planner # 2
David Brownlee.

Dear Sir,

File R204-273560 re-application
of 6680 Francis Rd rezoning.

We are against the rezoning as we have
great concerns, we will be flooded when the
rains come. Our yard & under our house will
be flooded. We would need to raise our house
and foundation one and a half ($1\frac{1}{2}$) feet up, which
we cannot afford.

On the East side of us, the property 6640
is $1\frac{1}{2}$ ' higher when it was built now we
have water in our garage whenever it rains
we have to wear rubbers to get to our car.

We ask you to take our concerns into consideration

Thank you

Mike & Anne Sogal

Brownlee, David

From: Brownlee, David
Sent: Thursday, 20 October 2005 10:12 AM
To: 'Michael and Rhondda'
Cc: Mayor and Councillors; Burke, Holger; Erceg, Joe
Subject: RE: Rezoning of 6680 Francis Road

Thank you for your questions.

1. The rezoning of 6680 Francis is being considered since the Single Family Lot Size Policy No. 5428 is more than 5 years old. These policies were never intended to run forever. There are some detailed rules around this but typically after 5 years they can be reconsidered. This usually occurs with an application for rezoning as with this specific situation.

2. The intent of the Lane Policy (No. 5038) was to establish a system of laneways along key arterials. The timing of the development of these laneways would be linked to the pace of redevelopment and not by a preset time frame established by the City. In other words, on the whole the City was taking a long term perspective to the completion of the lanes. Different strategies were employed (e.g. allowance for temporary accesses until full access was established) to allow portions of the lanes to become functional in conjunction with redevelopment. Using this approach, a rear lane could eventually be established along Francis Road.

As explained in the letter, staff are recommending to Council that an exception be made for the owner of 6680 Francis Road since the application has been adversely affected by the change in the Lane Establishment Policy which effectively put the application on hold for more than 15 months. Any application received by the City typically must meet the requirements of the day. Consequently, any applications received subsequent to the Council adopted changes to the Lane Establishment Policy or to the pending Lot Size Policy would need to meet the current requirements. If Council adopts the amended Lot Size Policy, then properties along the south side of Francis Road will be permitted to subdivide as per R1/C (13.5 m wide lots) unless there is a constructed lane access then subdivision will be considered to R1-0.6. The constructed lane would typically occur with property consolidation and subdivision to create a new rear lane.

3. As part of the direction for staff to review the Lane Policy, Council adopted an Interim Lane Establishment and Arterial Road Redevelopment Policy Strategy on August 30, 2004, specifically directing staff how to handle rezoning applications pending a detailed review of these policies. Since that time staff have held a number of public consultation processes to get input on the Policy review and more specifically on addressing a number of rezoning applications. The results of these consultations and staff's recommendations were reported back to Council on September 6, 2005. One of the consequences of these reviews is the basis for the letter which was sent to you regarding this specific application at 6680 Francis Road. The application is considered "in stream" since it was received just prior to the adoption of the interim strategy.

4. It should be noted that Council has not yet reviewed the application for 6680 Francis Road and has therefore not yet given any response to it or staff's recommendations. The application is tentatively scheduled to be reviewed by Planning Committee on Nov. 8, 2005. The exact amount of the contribution has yet to be finalized but it is expected to be between \$30,000 and \$40,000.

Hopefully this has sufficiently responded to your questions however please feel free to correspond again should you have more.

David Brownlee
Policy Planning Dept.
City of Richmond
Ph 604-276-4200

10/20/2005

From: Michael and Rhondda [mailto:mp-9341-rp@uniserve.com]
Sent: Wednesday, 19 October 2005 9:09 PM
To: Brownlee, David
Cc: MayorandCouncillors
Subject: Rezoning of 6680 Francis Road

Dear Mr. Brownlee,

We have received your letter dated October 3, 2005 concerning the proposed rezoning of 6680 Francis Road. We have several questions:

1. According to your letter, the Single Family Lot Size Policy No.5428 (amended 12/18/95) establishes a minimum width of "13.5 metres unless a lane or internal road is provided". Since the width of the subdivided properties would be considerably less than the minimum required by Policy No.5428, why was the rezoning of 6680 Francis ever considered?
2. According to your letter, the Lane Policy (No.5038) was established in 2001. This policy "required rear lanes for new developments fronting onto key arterial roads." Since it is obvious that establishing a rear lane along Francis would be impossible, why is the owner of 6680 Francis being given an exemption, but all other property owners are explicitly being excluded?
3. If both policies have been in place since at least 2001, how can an application which was made in July 2004, be considered "in stream"?
4. How much money did the owner of 6680 Francis Road have to "donate" to the Affordable Housing Fund to get such a favourable response to a rezoning application that, according to your own policies, should have been turned down?

Yours truly,
Rhondda Porter
Michael Plumb
(Owners of 6780 Francis Road)

Conditional Rezoning Requirements

6680 Francis Road RZ 04-273560

Prior to final adoption of Zoning Amendment Bylaw 7991, the developer is required to complete the following requirements:

1. Register a Restrictive Covenant ensuring that a single vehicle access will be provided for both future properties and ensuring that the buildings are setback a minimum of 9 m from the front property line to accommodate a vehicle turn around.
2. Make a contribution to the affordable housing fund in the amount of \$32,500.00

At the time of subdivision, a Cross Access Easement must be registered ensuring that with future subdivision, both new lots can access the other's lot for vehicular access purposes.

Signed



Date

21 Oct 2005



City of Richmond

Bylaw 7991

**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7991 (RZ 04-273560)
6680 FRANCIS 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 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. 004-312-023

Lot 5 Section 30 Block 4 North Range 6 West New Westminster District Plan 14934

2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7991”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by <i>AB</i>
APPROVED by Director or Solicitor <i>HB</i>

MAYOR

CORPORATE OFFICER