



**CITY OF RICHMOND**

**REPORT TO COMMITTEE**

*To Council - Oct 9, 2001*  
*To Planning - Oct 2, 01*

**TO:** Planning Committee

**DATE:** September 6, 2001  
**REVISED** October 3, 2001

**FROM:** Joe Erceg  
Manager, Development Applications

**FILE:** RZ 01-191009-  
8060-20-7283

**RE:** APPLICATION BY ERICON CONTRACTING CO. LTD. FOR REZONING AT 7591  
ACHESON ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION  
AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA  
A (R1/A)

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**STAFF RECOMMENDATION**

That Bylaw No. 7283, for the rezoning of 7591 Acheson Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area A (R1/A)", be introduced and given first reading.

Joe Erceg  
Manager, Development Applications

Att. 1

**FOR ORIGINATING DIVISION USE ONLY**

**CONCURRENCE OF GENERAL MANAGER**

STAFF REPORTORIGIN

The subject site is situated in the Acheson Bennett Sub-Area of the City Centre, on the north side of Acheson Road between No. 3 Road and Minoru Boulevard. Ericon Contracting Co. Ltd., proposes to rezone the subject site from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District, Subdivision Area A (R1/A) to facilitate its subdivision into two equal sized lots.

FINDINGS OF FACT

<b>ITEM</b>	<b>EXISTING</b>	<b>PROPOSED</b>
<b>Owner</b>	Ji and Ji Sui Yao	No change
<b>Applicant</b>	Ericon Contracting Co. Ltd.	No change
<b>Site Size</b>	746.84 m <sup>2</sup> (8,039.18 ft <sup>2</sup> ) <ul style="list-style-type: none"> <li>• Width: 20.42 m (67 ft)</li> <li>• Depth: 36.58 m (120 ft)</li> </ul>	No change, but, it is intended that 2 lots be created, each measuring: <ul style="list-style-type: none"> <li>• Width: 10.21 m (33.5 ft)</li> <li>• Depth: 36.58 m (120 ft)</li> </ul>
<b>Land Uses</b>	Single-family residential	Two-lot single-family subdivision
<b>OCP Designation (City Centre Area Plan)</b>	Residential	No change
<b>Sub-Area Plan Designation (Acheson Bennett Sub-Area)</b>	Residential (Mixed Single-Family & Small Scale Multi-Family)	No change
<b>Zoning</b>	Single-Family Housing District, Subdivision Area E (R1/E) <i>Minimum Lot Dimensions:</i> <ul style="list-style-type: none"> <li>• Width: 18 m (59.06 ft)</li> <li>• Depth: 24 m (78.74 ft)</li> </ul>	Single-Family Housing District, Subdivision Area A (R1/A) <i>Minimum Lot Dimensions:</i> <ul style="list-style-type: none"> <li>• Width: 9 m (29.53 ft)</li> <li>• Depth: 24 m (78.74 ft)</li> </ul>

RELATED POLICIES & STUDIES

- In 1994, the Acheson Bennett Sub-Area Plan was adopted for a two-block area around the subject site with the intention of encouraging a mix of single-family and small-scale multiple-family housing. The plan was aimed at facilitating redevelopment of the area's 48 single-family lots to a residential mix that would enhance local livability and the sub-area's "fit" with the City Centre. To support this goal, the plan promotes the creation of a "special comprehensive development district zone" to be applied on a development-by-development basis. Comprehensive Development District (CD/28) was drafted for this purpose. It allows for single- and multiple-family development at a density of 0.55 floor area ratio (FAR) and, where a development includes one or more units of 60 m<sup>2</sup> (645.86 ft<sup>2</sup>) or less, an additional 0.1 FAR. To date, CD/28 has been applied in the creation and development of twelve small lots (e.g. six 2-lot subdivisions) at a density of 0.55 FAR. Only one application has been made with the intent to develop at a density 0.65 FAR. That application, at 7651 Acheson Road, is currently under review (RZ 01-189299).

2. Development of three or more units in the City Centre requires a Development Permit (DP), guidelines for which are contained in Schedule 2.10 and 2.10B of Bylaw No. 7100 (City Centre Area Plan and Acheson Bennett Sub-Area Plan). However, as the applicant for the pending application proposes to create only two single-family lots, no Development Permit will be required.

#### **STAFF COMMENTS**

None of the departments contacted object to this application. Comments are as follows:

##### ***Policy Planning***

Staff support the proposed application for rezoning as the creation of small single-family lots with rear lane access is consistent with the intent of the Acheson Bennett Sub-Area Plan.

The proposed zoning, R1/A, is a departure from recent practice in this area, which has seen lots intended for both single-family and multiple-family development rezoned to CD/28. The rationale behind this approach has been that, in light of the area's proximity to downtown amenities, the City should encourage the future conversion of the area's single-family homes to multiple-family dwellings by making it legal and relatively easy. The problem with this approach is that applicants who propose, at rezoning stage, to develop multiple-family dwellings, are required to submit their projects for DP review. However, lots zoned CD/28 and subdivided with the intent that single-family homes be built, may instead be developed with multiple-family dwellings and receive the benefit of the additional 0.1 FAR without a Development Permit. In effect, developers who make it known at rezoning stage that they wish to develop multiple-family dwellings are penalized, and the development of single-family homes (or the misrepresentation of projects) is encouraged.

This "loop hole" has arisen because only developments of three or more units require a DP. If a multiple-family project was to be built on a typical Acheson Bennett lot, it would likely take the form of four units in two buildings. After completion of the rezoning and the DP, the developer would have the option of creating a two-lot subdivision with a duplex development on each lot. If, on the other hand, a developer proposes to rezone a lot to CD/28 in order to subdivide it and construct two single-family homes, the two-unit project would be too small to require a DP. However, once the two-lot subdivision was complete, the developer would be fully within his/her rights to construct two units on each lot and take advantage of the additional density provided under CD/28 for that purpose, without a DP. So even though both developers might develop identical projects, only the first would be required to apply for a DP. Based on staff's review of this situation, there seems to be little alternative, but to rezone the subject site and other properties in Acheson Bennett where single-family development is proposed to a single-family zoning district.

Lastly, in order to be consistent with recent and future CD/28 development in Acheson-Bennett, it should be noted that staff support a reduction in the subject development's minimum front yard setback, as set out under R1/A, from 6 m (19.69 ft) to 4.5 m (14.76 ft); and, that a covered porch should be permitted to project from each of the proposed single-family homes into their respective front yards, but should not be closer to a front property line than 3 m (9.84 ft).

***Transportation***

Vehicle access must be provided exclusively from the rear lane, not from Acheson Road.

***Engineering Works***

Prior to final reading of the rezoning, a covenant must be in place to ensure that all vehicular access to the subject site shall be via the rear lane, not Acheson Road.

In addition, with future subdivision:

- NIC fees will apply (at the then current rate) for the upgrading of the site's Acheson Road frontage (including storm sewer), along with Development Cost Charges (DCC) and service tie-in fees as required; and
- The developer will be responsible for constructing a roll curb along the south edge of the existing lane along the entire north edge of the subject site.

**ANALYSIS**

The proposed use of the subject site is in keeping with City Centre Area Plan objectives for "the development of a broad range of housing to meet the needs of a sizeable and diverse resident population". The creation of two small lots for the development of single-family homes with rear lane access is supportive of Acheson Bennett Sub-Area policies encouraging a mix of small scale housing projects on the edge of Richmond's downtown, and is consistent with recent neighbouring development. And, the population increase resulting from the proposed use of the subject site is consistent with the City's current Official Community Plan projections.

**PLANNING COMMITTEE**

On October 2, 2001, the subject application was considered by Planning Committee. At that time, the staff report stated that the applicant must, as a condition of rezoning, pay Neighbourhood Improvement Charge (NIC) fees towards lane development in the Acheson Bennett area, even though the subject property was already serviced by a lane. In light of recent City practice elsewhere, staff reconsidered this condition and recommended verbally to Planning Committee that it be removed. Planning Committee agreed to this change, and referred the application to Council for first reading. In addition, members of Planning Committee indicated the desire that each of the developers in the Acheson Bennett area make equivalent contributions towards the area's physical improvements (i.e. lane, green space, etc.), and that a strategy for meeting this objective should be brought forward for their consideration concurrent with the area's next application for rezoning.

**FINANCIAL IMPACT**

None

**CONCLUSION**

1. This application for rezoning, to facilitate subdivision of the subject site into two lots and the subsequent construction of two single-family dwellings, is in conformance with the City Centre Area Plan and the Acheson Bennett Sub-Area Plan.
2. Rezoning of the subject site to Single-Family Housing District, Subdivision Area A (R1/A) merits favourable consideration.



Suzanne Carter-Huffman  
Senior Planner/Urban Design

SPC:cas

There are requirements to be dealt with prior to final adoption:

Legal requirement, specifically:

- Covenant restricting access to Acheson Road (e.g. all vehicular access must be from the rear lane).



CITY OF RICHMOND  
BYLAW 7283

**RICHMOND ZONING AND DEVELOPMENT BYLAW 5300  
AMENDMENT BYLAW 7283 (RZ 01-191809)  
7591 ACHESON 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 **SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA A (R1/A)**.

P.I.D. 002-290-286

Lot 3 Section 17 Block 4 North Range 6 West New Westminster District Plan 10313

2. This Bylaw may be cited as "**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7283**".

FIRST READING

OCT \_ 9 2001

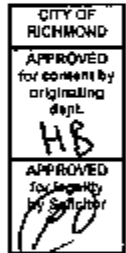
PUBLIC HEARING

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



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MAYOR

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

5. **APPLICATION BY ERICON CONTRACTING CO. LTD. FOR REZONING AT 7591 ACHESON ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA A (R1/A)**  
(RZ 01-191809 Report: September 6/01, File No.: 8060-20-7283) (REDMS No. 497684, 497616)

The Development Co-ordinator, Holger Burke, reviewed the staff report and noted there was one change to the report, namely that the requirement that the applicant pay lane improvement charges had been dropped as a condition of rezoning.

In response to a question, Suzanne Carter-Huffman, Planner, explained the "loop hole" in the CD/28 zone whereby a lot zoned CD/28 and subdivided with an intent that single-family homes be built could instead be developed for multi-family without requiring a Development Permit. Discussion then ensued on this issue which included whether the development of Bennett Road required Development Permits.

Information was provided that no precedent would be set by the lack of latecomer charges on the lane.

The owner of the subject property came forward to say that he had no desire to rezone to CD/28 at this time.



**Planning Committee**  
**Tuesday, October 2, 2001**

4.

It was moved and seconded  
That Bylaw No. 7283, for the rezoning of 7591 Acheson Road from  
"Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-  
Family Housing District, Subdivision Area A (R1/A)", be introduced and  
given first reading.

**CARRIED**



MINUTES

REGULAR COUNCIL MEETING – TUESDAY, OCTOBER 9<sup>TH</sup>, 2001

RES NO.	ITEM
	12. APPLICATION FOR REZONING - ERICON CONTRACTING CO. LTD. (RZ 01-191809 Report: September 8/01, File No.: 8060-20-7283) (REDMS No. 497664, 497616, 518550, 497662)
R01/18-12	It was moved and seconded <i>That Bylaw No. 7283, for the rezoning of 7591 Acheson Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area A (R1/A)", be introduced and given first reading.</i>
	CARRIED