



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

To Council - Nov 25, 2002
To Planning Committee - Nov 18, 2002
Date: November 4, 2002

File: RZ 02-213387
8060-20-7449
8060-20-7450

Re: APPLICATION BY PATRICK COTTER ARCHITECT INC. FOR AN OFFICIAL COMMUNITY PLAN AMENDMENT (HAMILTON AREA PLAN – DUPLEX RESIDENTIAL ONLY DESIGNATION) AND REZONING AT 22111, 22171, 22191 WESTMINSTER HIGHWAY FROM AGRICULTURAL DISTRICT (AG1) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD/61) AND SINGLE FAMILY HOUSING DISTRICT, SUBDIVISION AREA A (R1/A)

Staff Recommendation

1. That Official Community Plan Amendment Bylaw No. 7449, which amends the Lower Westminster Sub-Area Map of Schedule 2.14 (Hamilton Area Plan) of Official Community Plan Bylaw No. 7100, to redesignate the lands designated as "Duplex Residential Only" to "Single-Family Residential and/or Duplex Residential Only", be introduced and given first reading.
2. That Bylaw No. 7449, having been considered in conjunction with:
 - the City's Financial Plan and Capital Program;
 - the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;
 is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.
3. That Bylaw No. 7449, having been considered in accordance with the City Policy on Consultation During OCP Development, is hereby deemed not to require further consultation.
4. That Bylaw No. 7450, for the rezoning of 22111, 22171, 22191 Westminster Highway from "Agricultural District (AG1)" to "Comprehensive Development District (CD/61)" and "Single-Family Housing District, Subdivision Area A (R1/A)", be introduced and given first reading.

Joe Erceg
Joe Erceg
Manager, Development Applications

JE:jl
Att. 3

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER
<i>J. K. Bous (for D. McEllen)</i>

Staff Report

Origin

Patrick Cotter Architect Inc. has submitted an application, on behalf of J.A.B. Enterprises Ltd., to rezone 22111, 22171 and 22191 Westminster Highway from "Agricultural District (AG1)" to "Comprehensive Development District (CD/61)" and "Single-Family Housing District, Subdivision Area A (R1/A)" (see **Attachment 1**). The purpose of the rezoning is to permit the development of 54 compact single-family lots.

The properties are not located within the Agricultural Land Reserve. They are within the Lower Westminster Sub-Area of the Hamilton Area Plan, which is an area identified for residential redevelopment.

Findings of Fact

Item	Existing	Proposed
Owners	<ul style="list-style-type: none"> 22111 Westminster Highway: Tsang Wing Wai & Kin Chuen Wai 22171 Westminster Highway: Vincent Tin & Winnie Tin 22191 Westminster Highway: Vincent Tin Luk Tin & Winnie Mee Wan Tin 	J.A.B. Enterprises Ltd.
Applicant	Patrick Cotter Architect Inc.	No change
Site Size	2.4 ha (6.0 acres)	2.0 ha (4.9 acres) after road dedication
Land Uses	<ul style="list-style-type: none"> 22111 & 22171 Westminster Highway: Vacant 22191 Westminster Highway: Single-family dwelling and accessory equipment shed 	54 single-family lots
OCP Designation	Neighbourhood Residential	No change
Sub-Area Plan Designation	<ul style="list-style-type: none"> <i>North of Sharpe Avenue:</i> Duplex Residential only <i>South of Sharpe Avenue:</i> Small and Large Lot Single-Family Residential; Two Family Residential; Townhouse Residential; and Institutional 	<ul style="list-style-type: none"> <i>North of Sharpe Avenue:</i> Single-Family Residential and/or Duplex Residential only <i>South of Sharpe Avenue:</i> No change
Zoning	AG1	CD/61 and R1/A

Site Context

The site context is as follows:

North:	Single-family lot subdivision (zoned R1/B)
West and East:	Townhouses (zoned CD/7 and CD/27)
South:	Highway 91

Project Description:

The proposal is to create a 54-lot compact single-family lot subdivision under a CD/61 zone and R1/A zone. Lots would range in size from 271 m² (2,917.1 ft²) to 388 m² (4,176.5 ft²). The proposed site plan is included as **Attachment 2**.

As a result of this development, Sharpe Avenue would be extended further east from an existing section that was built as part of the neighbouring townhouse complex. The west side of Muir Drive, which is now partially built, would also be completed. In addition to extension of the overall road network, a new public road would be created to provide access to some of the single-family lots in the middle of the site.

All lots, except for 12 lots on the north side of Sharpe Avenue, would be serviced by a lane. This would enable most houses to have rear lane vehicle access to garages. The lots on the north side of Sharpe Avenue would have front garage access.

Related Policies & Studies

The properties are located within the Lower Westminster Sub-Area in the Hamilton Area Plan. The land use designation permits different types of housing, ranging from small and large lot single-family residential to townhouses. The area north of Sharpe Avenue is designated for "Duplex Residential Only".

The density of the Lower Westminster Sub-Area is permitted to range from 11 to 25 units per acre up to a maximum of 700 dwelling units.

Consultation

The City's Consultation Policy No. 5039 (adopted April 22, 2002) was created in order to meet the requirements of the *Local Government Act* that for the preparation or amendment of any OCP, local governments must provide one or more opportunities (as deemed appropriate) for consultation with persons, organizations and agencies that are deemed to be affected.

The OCP amendment proposed in this application would require a statutory Public Hearing. The Consultation Policy provides for additional consultation (prior to First Reading of an amending bylaw) with other affected groups, including adjacent municipalities, the regional district, school boards, Provincial or Federal agencies, or First Nations.

Staff have reviewed the list of agencies that could be consulted and have determined that the immediate neighbours of the subject property are the only external organizations that should be consulted as the proposed change is minor and does not result in a significant change from current development policies.

The School District has been consulted in the past on school capacities in the Hamilton Area. Due to an addition to the elementary school in the neighbourhood and changes to the catchment areas of secondary schools, there is sufficient capacity to accommodate any new residential development in the Hamilton Area.

The statutory Public Hearing is deemed as satisfactory for obtaining public input on the proposed development from neighbouring properties. Therefore, no further consultation was carried out prior to the preparation of this report.

Staff Comments

Policy Planning

1. The proposal is generally consistent with the desired land uses outlined in the Official Community Plan (OCP) and the Hamilton Area Plan.
2. A minor amendment to the Lower Westminster Sub-Area map of the Hamilton Area Plan is required to accommodate single-family residential lots on the north side of Sharpe Avenue, as the land is currently designated as "Duplex Residential Only".
3. Single-family lots on the north side of Sharpe Avenue should have shared driveways in order to reduce the number of driveway openings onto the street from 12 accesses to 6 accesses.
4. The developer should implement design guidelines or an internal design review process (no City involvement) in order to ensure consistent and compatible housing design throughout the neighbourhood.
5. Filling of the land for floodproofing purposes may be problematic due to soft and peaty soils in the area. Developer should have a geotechnical engineer involved during the development phase to ensure that appropriate methods of fill or other forms of floodproofing are possible.

Transportation

1. The Transportation Department supports the use of lanes throughout the development to service the single-family lots. It notes that road dedication will be required for Sharpe Avenue, Muir Drive, and the new east-west public street.
2. No land dedication is required along Westminster Highway.
3. New public roadways and lanes are to be designed to current City design standards. Public roadways are to have sidewalks on both sides.

4. Traffic calming measures (likely curb extensions) are required on Sharpe Avenue and south end of Muir Drive. The type and details of the calming measures can be resolved during the preparation of Servicing Agreement drawings.
5. It is noted that the residential subdivision is located close to Highway 91. The applicant should consider noise attenuation in the design of dwelling units.
6. The following requests from the Transportation Department have been met in the applicant's design submission:
 - Provide adequate corner cuts at lanes and streets.
 - Lane entrances are to have concrete driveway letdowns, not curb returns.
 - No lane access permitted onto Westminster Highway.

Fire Department

The Fire Department does not have any concerns with the proposed development.

Engineering Works and Services

1. Prior to final adoption of the rezoning bylaw, the developer will be required to:
 - Dedicate an additional 10 m of Muir Drive complete with a 4 m x 4 m corner cut at Westminster Highway; and
 - Dedicate 20 m for Sharpe Avenue across the site, complete with a 3 m x 3 m corner cut at Muir Drive.
2. The three parcels will need to be consolidated into one parcel to facilitate road dedication.
3. The developer will also be required to enter into a Servicing Agreement for:
 - The design and construction of Sharpe Avenue to the same standards of the existing Sharpe Avenue east of Muir Drive;
 - The design and construction of Muir Drive to City standards;
 - Full frontage improvements across the entire frontage of Westminster Highway; and
 - Traffic calming measures on Sharpe Avenue and the south end of Muir Drive.

Analysis

Land Use

The proposed single-family lots would be consistent with the types of uses that are permitted in the Hamilton Area Plan. These lots are located within the Lower Westminster Sub-Area, which permits a range of housing types from Large and Small Lot Single-Family Residential uses to Townhouse Residential uses.

The subject site is adjacent to an existing townhouse development on the west and another townhouse development, currently under construction, to the east. The form of housing proposed (compact lots) would be compatible with existing forms of townhouses. The high standard of landscaping and street treatment characteristic of townhouses, which require Development Permits, could be maintained in the public street realm (e.g. street trees, treed boulevards, sidewalks, etc.).

South of Sharpe Avenue

The lots south of Sharpe Avenue are proposed to be rezoned to CD/61, a single-family zone for small lots having rear lane access. The CD/61 zone differs from the standard R1 single-family zoning in that it allows for living space above a rear garage, allows for sideyard setback encroachments up to 0.6 m (2.0 ft.), has a higher floor area ratio (0.6) and has a smaller front yard setback requirement (4.3 m/14.1 ft.).

North of Sharpe Avenue

As the lots north of Sharpe Avenue would not be serviced with a lane, it is proposed that these lots be zoned to R1/A, which is a standard single-family zone for lots with a minimum width of 9 m (29.5 ft) and minimum lot area of 270 m² (2,906.3 ft²).

The R1/A zone specifies front yard setbacks of 6 m (19.7 ft.) and sideyards of 1.2 m (3.9 ft.) with no allowable encroachments. The CD/61 zone has reduced front yard setbacks of 4.3 m (14.1 ft.) and allows for encroachments of up to 0.6 m (2.0 ft.) into sideyards. The applicant has indicated that he would like to achieve similar siting and volume of development on the R1/A lots as that permitted in the CD/61 zone. A Development Variance Permit for the 12 R1/A lots can be applied for at a future time to accommodate the applicant's request.

Staff support the rezoning of the subject properties to single-family residential use as the compact lots will introduce a new housing option into this neighbourhood.

Dwelling Unit Capacity

The maximum number of dwelling units in the Lower Westminster Sub-Area is identified as 700 dwelling units. Staff have calculated that 330 new units have been developed in the area since 1993. There is remaining capacity for 370 more dwelling units. Therefore, there is adequate capacity to accommodate the proposed development of 54 dwelling units.

OCP Amendment

The current designation of the area north of Sharpe Avenue is "Duplex Residential only". Discussions with Planning Staff who were involved in the preparation of the Hamilton Area Plan in 1996 indicated that the duplex designation was viewed as a transition use between single-family residential uses to the north and potential new townhouse development to the south. This is reasonable if townhouses are proposed south of Sharpe Avenue.

The Lower Westminster Sub-Area, however, allows for a range of uses, including small and large lot single-family residential, two-family residential and townhouses. In the case of this application, the proposed land use is single-family lots throughout the site. Therefore, there is no apparent need to "buffer" existing single-family development from higher density land uses with an intermediate form of housing.

Staff deem the proposed single-family housing development as a compatible neighbour to the existing single-family housing development to the north. It is recommended that the OCP amendment be supported to allow for either single-family or duplex residential uses to be built north of Sharpe Avenue.

Building Design

As the proposed development is a single-family subdivision, no Development Permit application is required after rezoning. Other adjacent townhouse developments had to undergo Development Permit processes after rezoning in order to ensure a high level of design detail and landscaping.

The applicant has been requested to implement their own design regulations or internal design review process in order to ensure consistent and compatible building design throughout the proposed subdivision. This process has been requested in recent single-family rezoning applications in the Trites Road area and has been successfully implemented in Terra Nova single-family subdivisions.

As outlined in the applicant's letter of October 31, 2002 (**Attachment 3**), the applicant proposes to provide a set of design guidelines to lot purchasers. A design consultant would be retained to review the design of houses prior to application for Building Permits. Purchasers would also be required to pay a bond or deposit to the applicant to ensure compliance with design guidelines. The City would not be involved in enforcement of this design review process.

Traffic and Circulation

Roads

The proposed development would extend existing or partially built roads in the area, such as Sharpe Avenue and Muir Drive. A new public local road, accessed from Muir Drive, would also be created to provide access to some of the proposed lots.

The neighbouring townhouse development to the east at 5900 Muir Drive (currently under construction) was responsible to the complete construction of Muir Drive and its portion of Sharpe Avenue. The developer failed to complete the construction of the northerly section of Muir Drive and all of Sharpe Avenue. The City cashed letters of credit in order to complete the outstanding work. These works may be completed by the end of 2002 and once completed, the site can be serviced with all the relevant utilities.

Lanes

A network of lanes is also proposed to provide rear access to the 42 lots that would be zoned CD/61. Staff support the use of these lanes because garages would be located at the rear instead of the front. The streets could then be developed with landscaped front yard, street trees and sidewalks for a pedestrian-oriented streetscape.

For the 12 lots that are proposed north of Sharpe Avenue, garage access will be from the front as there is insufficient depth to accommodate a lane. The applicant has agreed that the lots will have shared driveways in order to reduce the number of driveway accesses onto Sharpe Avenue from 12 accesses to 6 accesses. This would enable more landscaping along the street.

Floodproofing

The houses in the proposed subdivision would have to be floodproofed to proper elevations. The neighbouring townhouse developments achieved floodproofing by using the ground floor as the parking garage and locating habitable areas in floors above the ground floor.

The single-family subdivision to the north used hog fuel fill to raise the level of the land to the appropriate level for floodproofing. Past experience with the subdivision to the north determined that the land in this area is very soft and therefore, difficult to fill.

The applicant was advised of these concerns on the issue of filling for single-family residential use. As outlined in the applicant's letter (**Attachment 3**), geotechnical engineers have been retained by the applicant to examine soil conditions. Several strategies are being considered, including replacement of peat with structural fill or elevation of the main floor of houses with crawl spaces.

Public Art

As the proposed development exceeds 20 dwelling units, the applicant was asked whether public art would be incorporated into the proposal. The applicant has indicated that no public art is contemplated at this time (see **Attachment 3**).


Financial Impact

None.

Conclusion

This application would permit the development of a small-lot, single-family subdivision in an area that has developed recently with townhouses and single-family uses. The proposed use and density are compatible with surrounding existing developments.

The proposal would extend some partially completed roads in the area, improve vehicle circulation, offer more housing options, and create pedestrian-oriented streets in the neighbourhood. It is therefore recommended that this application be supported.



Janet Lee
Planner 2

JL:cas

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

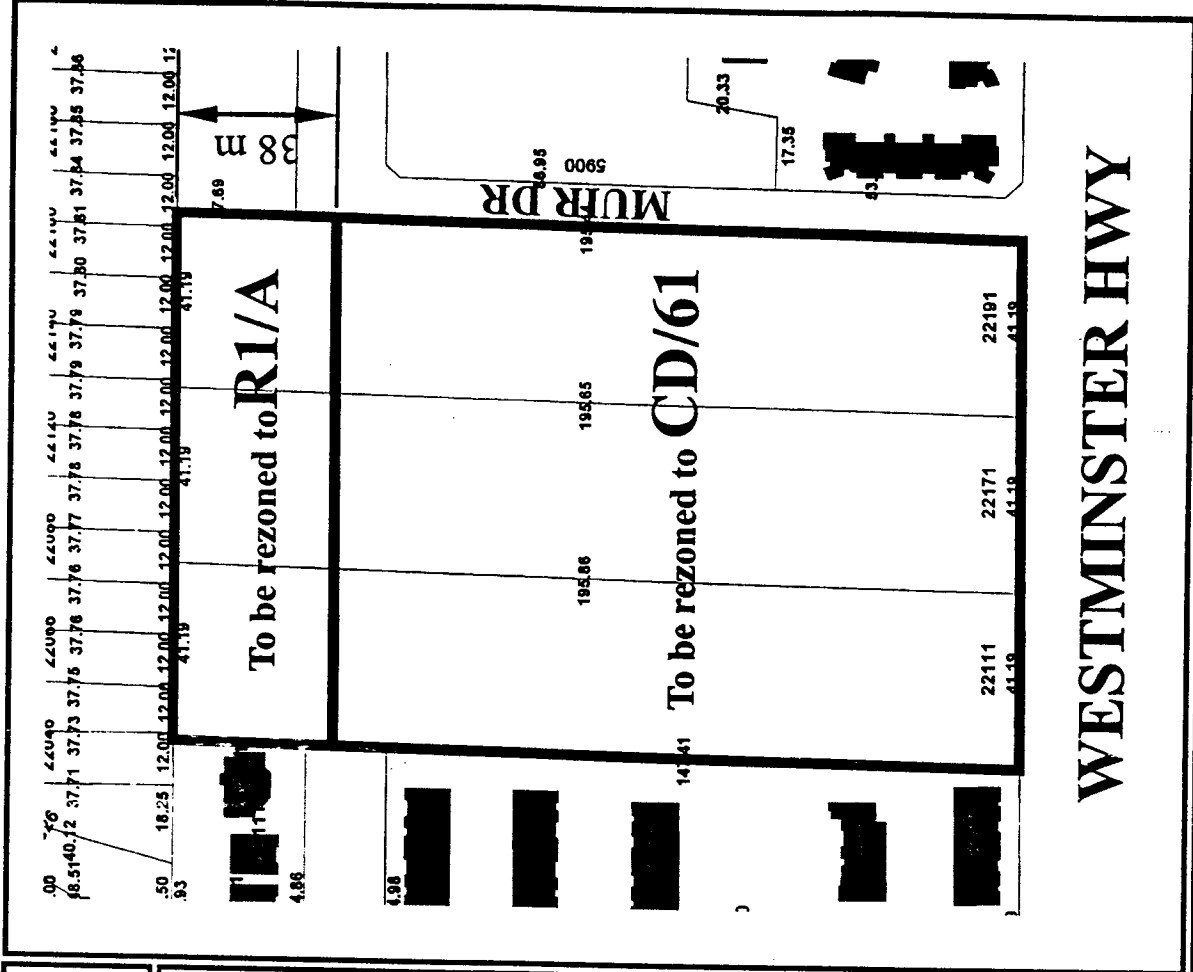
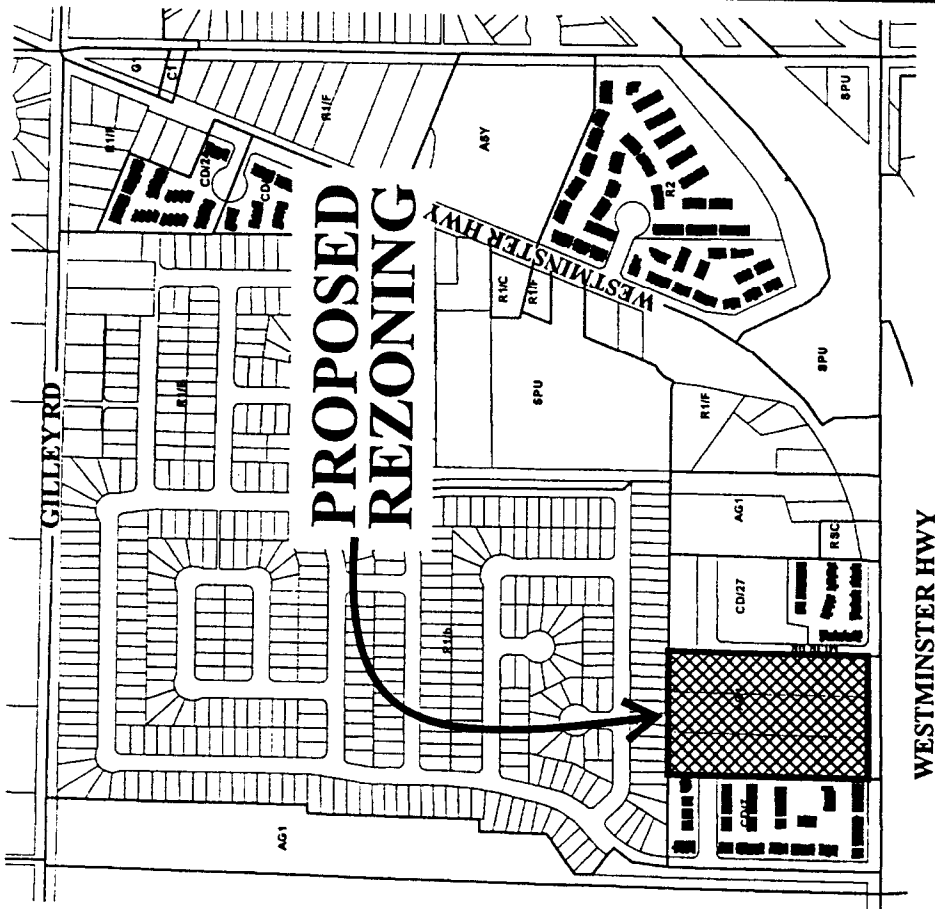
Legal requirements:

1. Dedicate an additional 10 m of Muir Drive complete with a 4 m x 4 m corner cut at Westminster Highway; and
2. Dedicate 20 m for Sharpe Avenue across the site, complete with a 3 m x 3 m corner cut at Muir Drive.

Development requirements, specifically:

1. Ministry of Transportation approval; and
2. Consolidation of subject properties into one lot.

City of Richmond

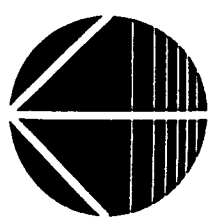


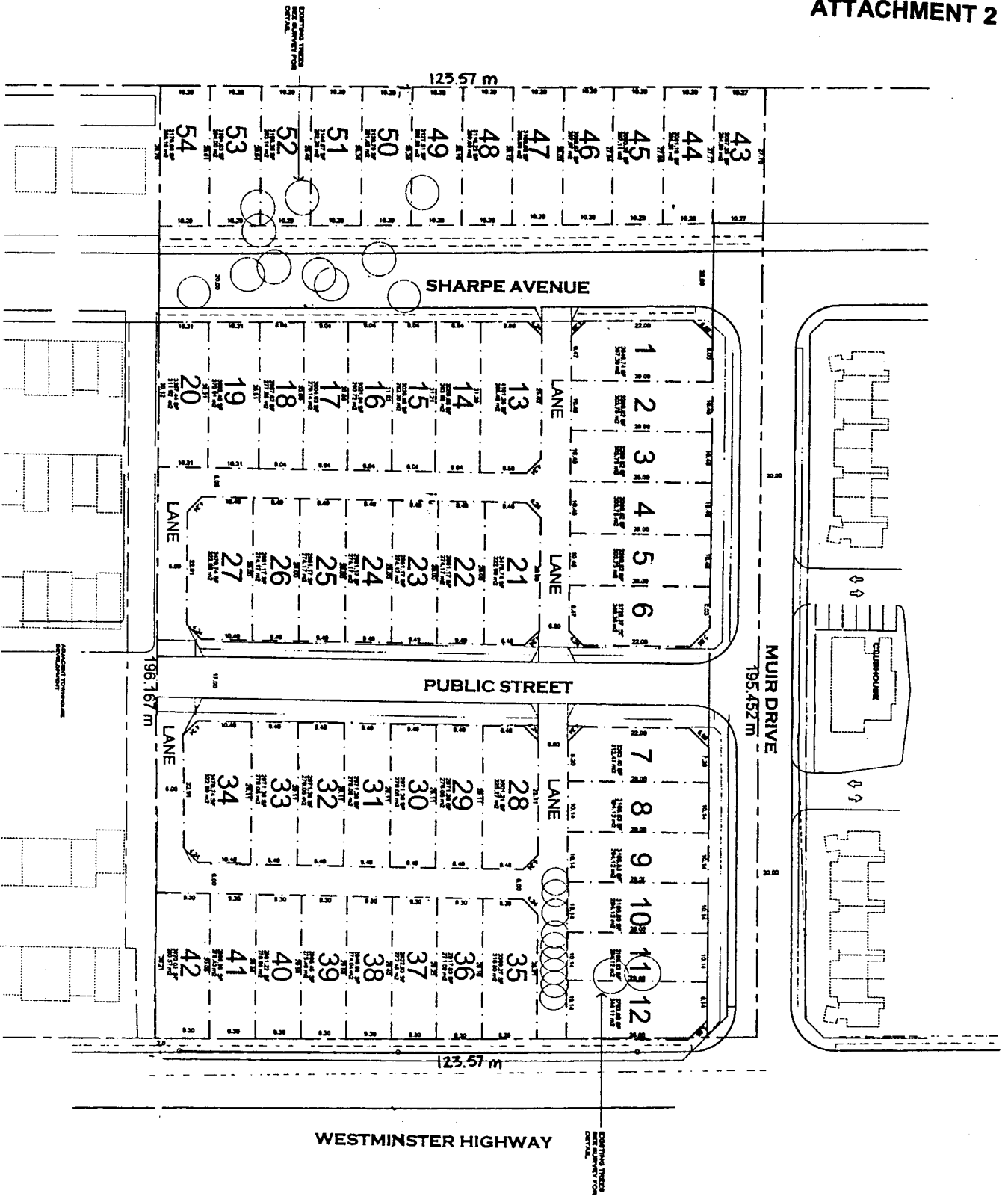
RZ 02-213387

Original Date: 08/23/02

Revision Date:

Note: Dimensions are in METRES





NOTES:

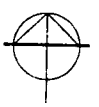
PROPOSED CD-61
RESIDENTIAL DEVELOPMENT
2511 - 2519 Westminister Hwy
Richmond, British Columbia

JAB ENTERPRISES LTD.
1580

PATRICK COTTER
ARCHITECT INC.

SUBDIVISION PLAN

A-1 A



ATTACHMENT 3

RE: 22111 WESTMINSTER HIGHWAY

TO: Janet Lee, Planning Department, City of Richmond
FROM: Amar Sandhu, JAB Enterprises Ltd. (Owner)
DATE: October 16, 2002

The following items are in response to your Letter of August 27, 2002 and additional comments sent via email on October 23, 2002.

1. **GEOTECHNICAL SITE CONDITIONS** – This is to confirm that the Applicant has taken reasonable measures to ascertain the site conditions in respect of soils, geotechnical, and servicing issues. The Applicant commissioned a soils report which was issued on September 17, 2002 by Thurber Engineering Ltd. which identified the subsurface conditions and made recommendations for site preparation which included pre-loading as a procedure for preparing the site for "conventional wood frame houses or townhouses, light traffic roadways, driveways and other similar uses."

In addition to this information obtained by the Applicant, GeoPacific Consultants Ltd. were retained by a third party to provide similar information. Their initial findings supported those of Thurber Engineering Ltd.. They proposed a variety of strategies for site preparation which included removing the peat layer over the southern portion of the site and replacing it with structural fill, and on the northern portion of the site proposed a minimum fill level with settlement period, and preloading for building footprints and roadways. The minimum floodplain elevation for the buildings will be achieved by means of an elevated main floor / crawlspace rather than filling the site in order to reduce the weight of fill and impact on long term settlement.

With respect to servicing, a third party has also retained HY Engineering to develop a servicing strategy for the site which they are currently working on and should be in a position to report on by the week of November 4, 2002.

2. **DESIGN GUIDELINES** – This is to confirm that the Applicant will provide a set of Design Guidelines intended to control the form and character of the buildings in this subdivision. These will include a mandatory design review and approval process for conformity to the Design Guidelines required of the purchaser and/or builder of any of the lots to be performed by the Applicant and/or Developer's Consultant. This review will be required as part of a condition of sale, and will precede application for permits to the City of Richmond. The Applicant and/or Developer will require the payment of a bond or deposit which would be released upon completion and approval by the Consultant. While it may be the Applicant and/or Developer's intention to commission a range of prototype designs for the development, individual lot purchasers or builders may also have the option of commissioning their own building design, but it would be subject to the Design Guidelines and require approval under its prescribed design review process.
3. **PUBLIC ART** – Due to the fact that this is a Rezoning & Subdivision application of fee simple lots and does not involve any design at this time, the Applicant will not be providing public art.

end.



**Richmond Official Community Plan Bylaw 7100
Amendment Bylaw No. 7449 (RZ 02-213387)
22111, 22171 & 22191 Westminster Highway**

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

1. Richmond Official Community Plan Bylaw 7100, Hamilton Area Plan Schedule 2.14 is amended by repealing the "Duplex Residential only" land use designation in the Lower Westminster Sub-Area map, and by designating the area shown hatched on "Schedule A attached to and forming part of Bylaw No. 7449", as "Single Family Residential and/or Duplex Residential only".
2. This Bylaw may be cited as "Richmond Official Community Plan Bylaw 7100, Amendment Bylaw No. 7449".

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

NOV 25 2002

CITY OF RICHMOND
APPROVED for content by originating dept.
UB
APPROVED for legality by [signature]

MAYOR

CITY CLERK

Permitted Uses:



Small and Large lot Single Family Residential; Two Family Residential; Townhouse Residential; & Institutional.



Single Family Residential and/or Duplex Residential only.

Permitted Density:

A range of 11 to 25 units per acre to a maximum of 700 dwelling units in the sub-area.

Development Permit Guidelines:

1. Developers seeking development permits will need to consult and adhere to the Development Permit Guidelines contained in Section 4.0 of the Hamilton Official Community Plan.
2. Any exterior stairway must be limited to no more than four steps.
3. Where possible open space provided on a property should be visually connected to open spaces on adjacent properties.



Original Adoption: March 15 1990





**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw No. 7450 (RZ 02-213387)
22111, 22171 & 22191 WESTMINSTER 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 **COMPREHENSIVE DEVELOPMENT DISTRICT (CD/61)** and **SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA A (R1/A)**:

That area shown cross-hatched on "Schedule A attached to and forming part of Bylaw No. 7450."

2. This Bylaw may be cited as "Richmond Zoning and Development Bylaw 5300, Amendment Bylaw No. 7450".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

OTHER REQUIREMENTS SATISFIED

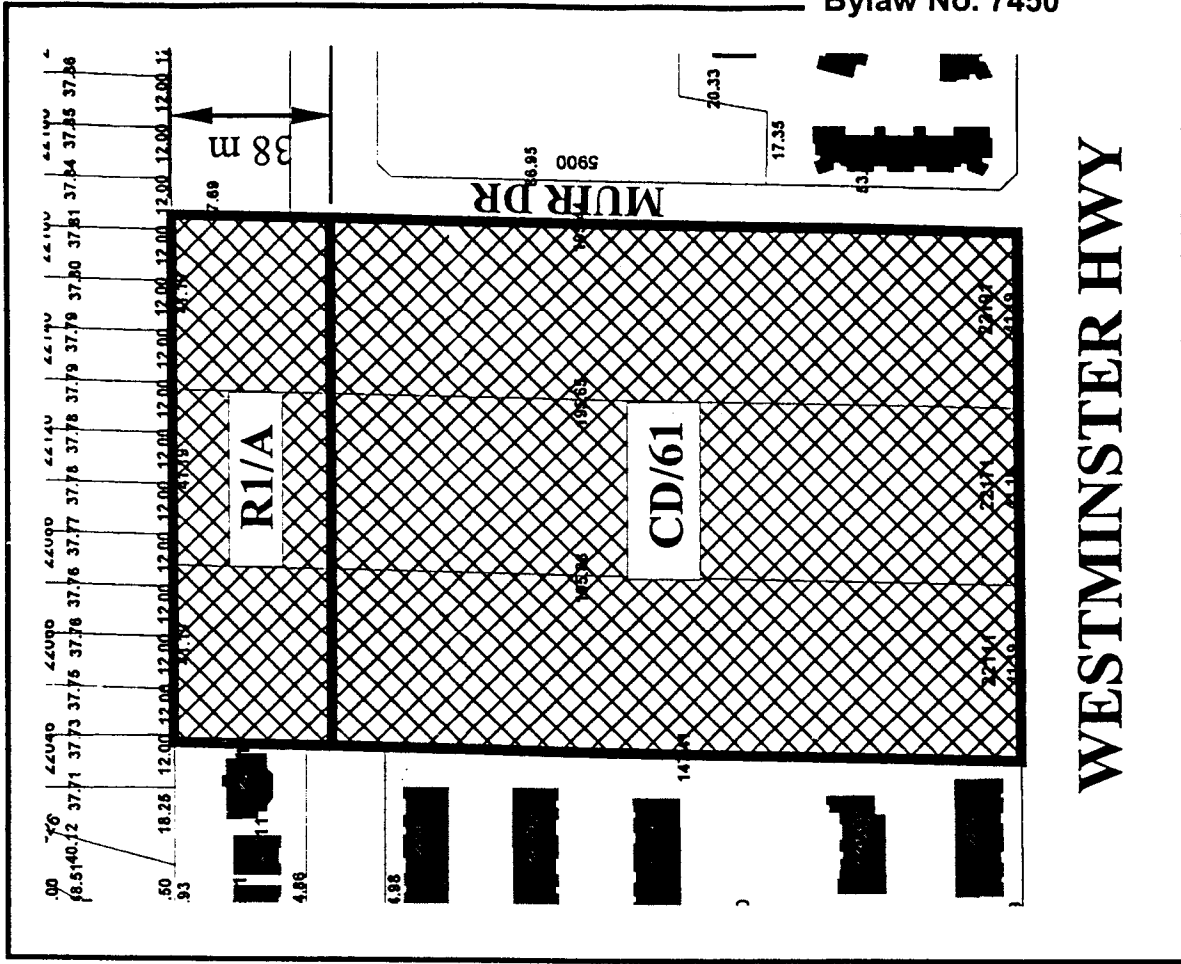
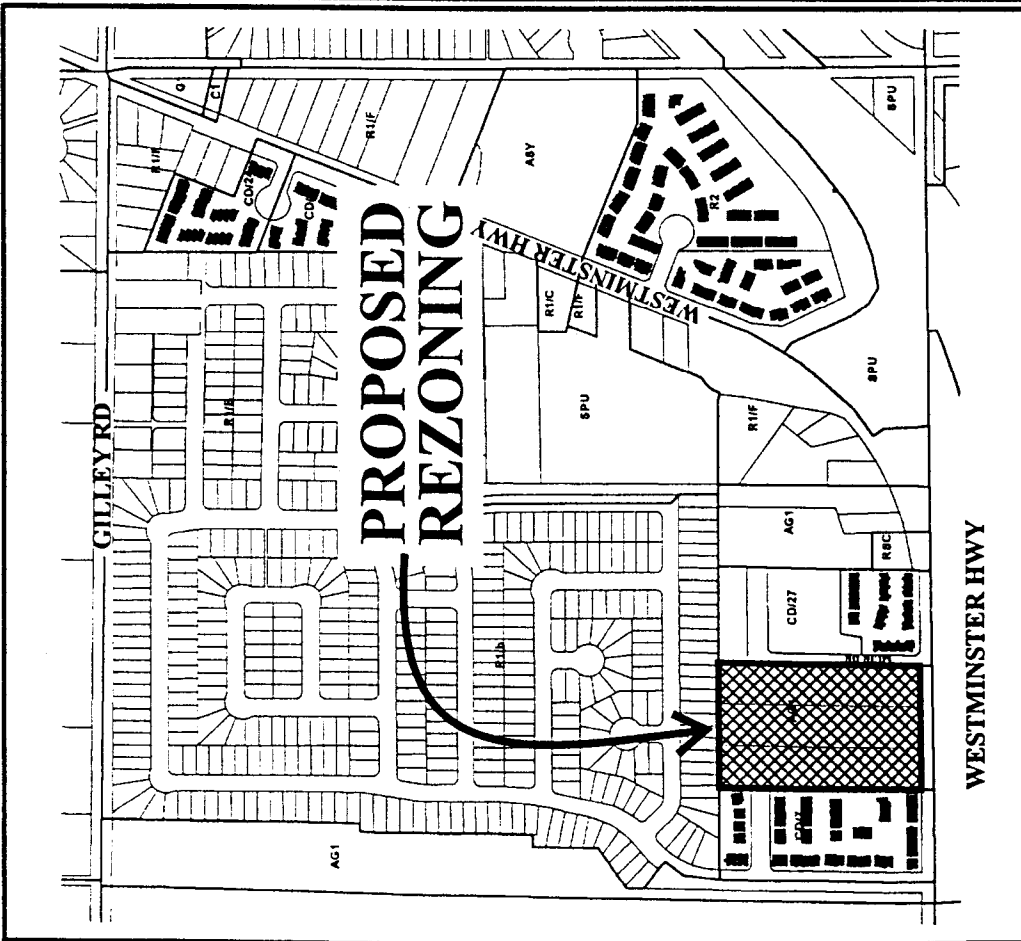
ADOPTED

NOV 25 2002

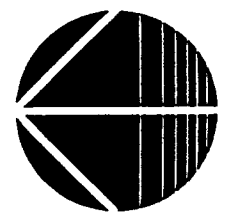
CITY OF RICHMOND
APPROVED for content by originating dept.
MB
APPROVED for legality by solicitor
<i>[Signature]</i>

MAYOR

CITY CLERK



WESTMINSTER HWY



RZ 02-213387

Original Date: 08/23/02

Revision Date:

Note: Dimensions are in METRES