



To: Planning Committee
From: Raul Allueva
Director of Development

To Planning - Apr 20, 2004
Date: March 19, 2004
RZ 04-010768
File: 8060-20-7700 / 7702

**Re: APPLICATION BY JAN W. KNAP FOR FOR A REZONING AT 10420 AND 10440
ODLIN ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION
AREA F (R1/F) TO TWO-FAMILY HOUSING DISTRICT (R5) AND SINGLE-
FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**

Staff Recommendation

1. That Bylaw No. 7700, to amend the minimum lot size in Section 604.1 for areas zoned R5 from 1,100 m² (11,840.69 ft²) to 864 m² (9,300.02 ft²) in area, be introduced and given first reading.
2. That Bylaw No. 7702, for the rezoning of 10420/10440 Odlin Road from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Two-Family Housing District (R5)" on Odlin Road in order to legalize the existing duplex on the site and to "Single-Family Housing District, Subdivision Area B (R1/B)" on Shepherd Drive, be introduced and given first reading.

Raul Allueva
Director of Development

RV:ef
Att. 2

FOR ORIGINATING DIVISION USE ONLY

CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Jan W. Knap has applied to rezone 10420 and 10440 Odlin Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area F (R1/F) to Two-Family Housing District (R5) on Odlin Road in order to legalize the existing duplex on the site and to Single-Family Housing District, Subdivision Area B (R1/B) on Shepherd Drive in order to create two single-family residential lots, for a total of three lots (**Attachment 2**).

On November 5, 2002, at Planning Committee, a previous application by the owner for an amendment to the West Cambie Area Plan from Residential (Single Family Only) to Residential and for the rezoning of 10420 and 10440 Odlin Road from Single-Family Housing District, Subdivision Area F (R1/F) to Two-Family Housing District (R5) and Comprehensive Development District (CD/28) was denied. The proposal involved the retention of the existing duplex on Odlin Road, and the creation of two new lots on Shepherd Drive, each with two (2) dwelling units (6 units total). The total density was considered excessive for this location.

At the time, the owner was asked to consider the alternative development options identified in the staff report, which included one option to rezone for four (4) single-family lots and a second option to retain the existing duplex on Odlin Road and subdivide to create two (2) single-family lots on Shepherd Drive, but he declined. The owner has since re-considered these options and has submitted a new application to rezone in order to retain the existing duplex and to create two (2) single-family lots.

Findings of Fact

Item	Existing	Proposed
Owner	10420 Odlin Road – Jan Knap and Krystyna Dittmer-Knap 10440 Odlin Road – Rafal Knap	No change
Applicant	Jan Knap	No change
Site Size (by applicant)	One lot - 1944.92 m ² (20,935.56 ft ²) (Gross)	One R5 lot – 874.82 m ² (9,416.79 ft ²) & Two R1/B lots - 636.52 m ² (6,851.67 ft ²) and 435.52 m ² (4,688.05ft ²) (Gross)
Land Uses	Legal, non-conforming duplex	Legal duplex and two new single family properties with one dwelling unit on each property
OCP Generalized Land Use Designation	Neighbourhood Residential	No change
West Cambie Area Plan Designation	Residential (Single Family Only)	No change
Zoning	R1/F	R5 & R1/B
NEF	Yes	No change

Staff Comments***Policy Planning***

The site is one of three large lots remaining on Odlin Rd, near the recent Odlinwood development. The Johrei Fellowship occupies the adjacent property to the west at 10380 Odlin Road, zoned Assembly. The large lot across the street at 10391 Odlin Road is zoned R1/B.

The applicant proposes to use R1/B for the two lots fronting Shepherd Drive. Under this zone, the applicant could build one dwelling unit on each of the two new lots. R1/B is consistent with the zoning of the surrounding single-family residential properties. Staff support the creation of two (2) single-family lots with frontage on Shepherd Drive.

The applicant proposes to rezone the north portion of the site fronting Odlin Road to R5 to allow for the retention of the existing duplex. An amendment to the West Cambie area plan is not required, as the proposal will recognize the existing duplex and create two (2) new residential lots that comply with the Residential (Single-Family only) designation in the area plan..

The proposed duplex lot on Odlin Road to be subdivided from the existing parcel and zoned R5 is proposed to be 874.82 m² (9,416.79 ft²) in area. This area exceeds the minimum permitted lot size in the R5 District Schedule, 864 m² (9,300.02 ft²), however it is less than the minimum area permitted for subdivision of land, 1,100 m² (11,840.69 ft²). A Bylaw amendment to reduce the minimum area permitted for subdivision is proposed to achieve compliance.

The proposed Bylaw amendment to Division 600: Subdivision of Land is required to reduce the permitted minimum area for parcels of land which may be created by subdivision for areas zoned R5 from 1,100 m² (11,840.69 ft²) to 864 m² (9,300.02 ft²). This reduction is not expected to affect the application of the R5 zone to existing properties, and is in the nature of a housekeeping amendment. In effect, this text amendment will bring the minimum area permitted for subdivision in the R5 District in line with the existing minimum lot size. There are currently dozens of existing R5 lots in the City, many of which are less than 1,100 m² (11,840.69 ft²) in area. They are, however, consistent with the R5 District Schedule, which requires a minimum lot size of 864 m² (9,300.02 ft²). These lots are larger than the proposed minimum area for parcels of land which may be created by subdivision, though not large enough to create further subdivision.

Permits Review

The existing duplex meets the floor area ratio (FAR), lot coverage, setback, height and other zoning requirements of the subdivided lot to be zoned R5.

Development Applications - Engineering

There is no requirement for any frontage upgrades as this time. Frontage upgrades to Odlin Road would be required in the future with any application for subdivision and rezoning of the proposed R5 duplex lot to single-family residential.

Analysis

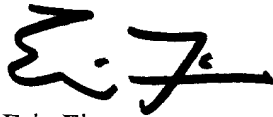
The current owners of the subject site expect that the future use of the north portion of the property will continue as a Two-family Dwelling. A Restrictive Covenant will be required to be registered on the duplex lot to limit the lot to one-family per dwelling unit. The proposed rezoning permits the current uses to become conforming uses, and would allow for the construction of two new single-family homes on the new lots on Shepherd Drive.

Financial Impact

None

Conclusion

Staff have reviewed the proposed Rezoning intended to accommodate the existing strata titled duplex on the property, and to permit creation of two single-family lots on Shepherd Drive. The proposal is consistent with the West Cambie Area Plan. On this basis, staff recommend that the proposed rezoning merits favourable consideration.

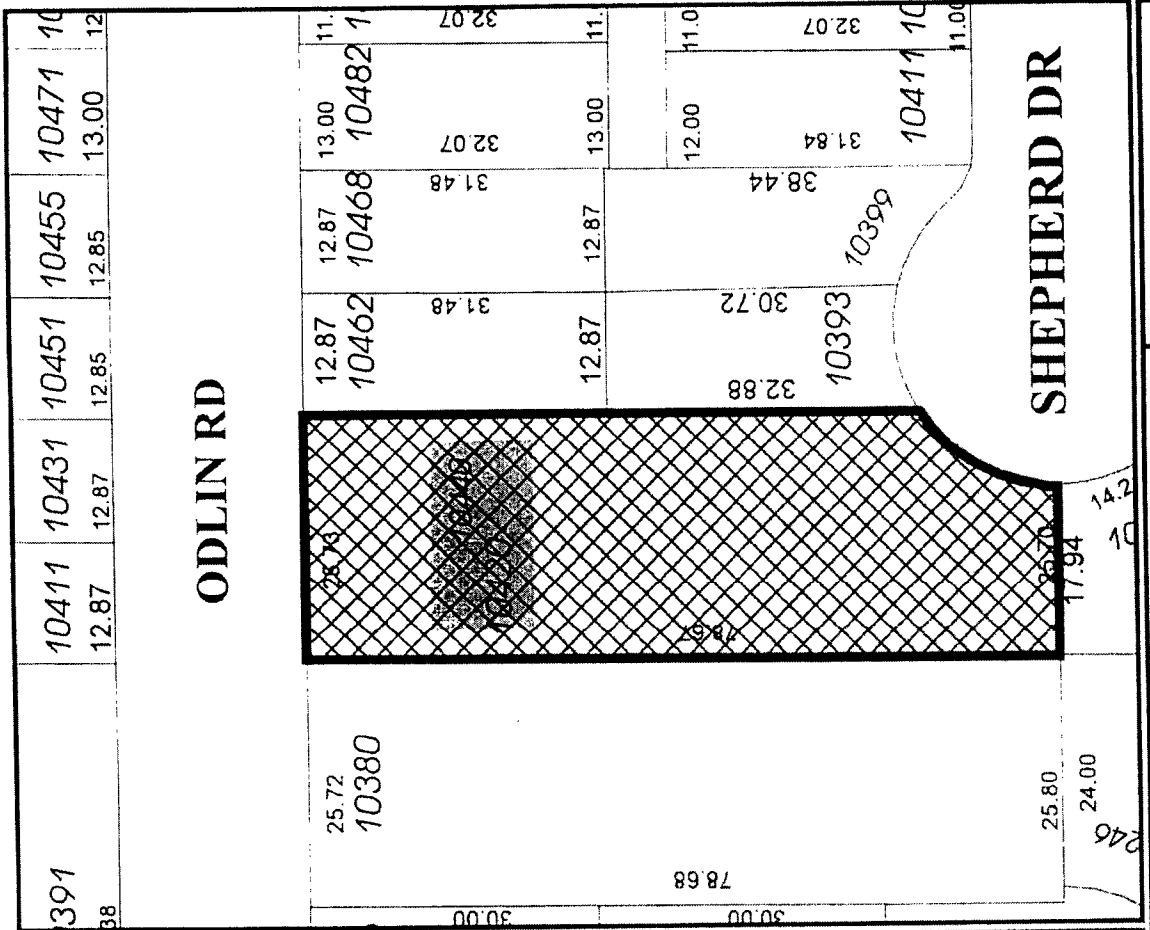
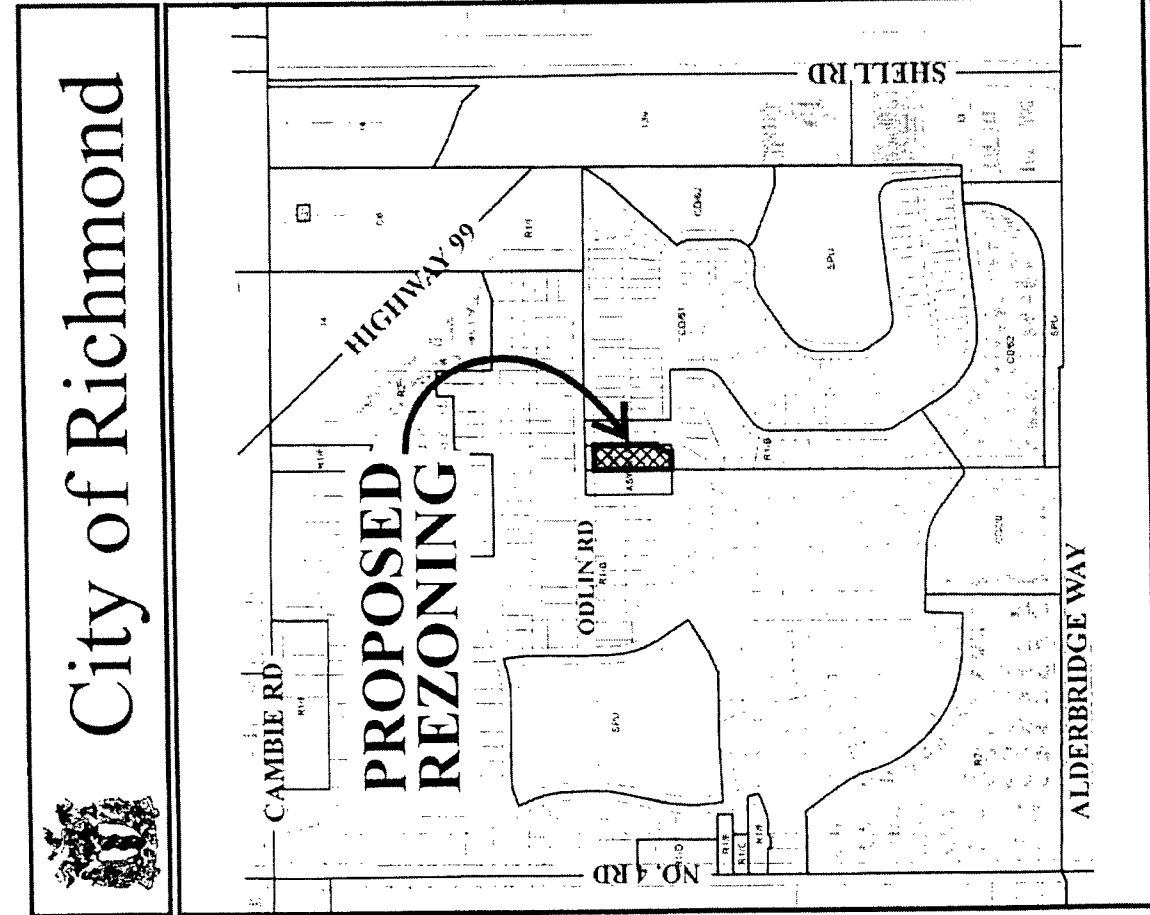
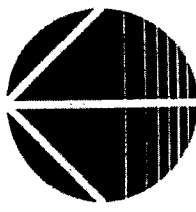


Eric Fiss
Policy Planner

EF:cas

The following requirements must be met prior to final adoption of the rezoning:

- Registration of a Restrictive Covenant limiting the uses on the duplex lot, only, to one family per dwelling unit;
- Registration of a Restrictive Covenant agreeing to have new buildings designed to incorporate adequate sound measures against aircraft noise; and
- Ministry of Transportation approval.

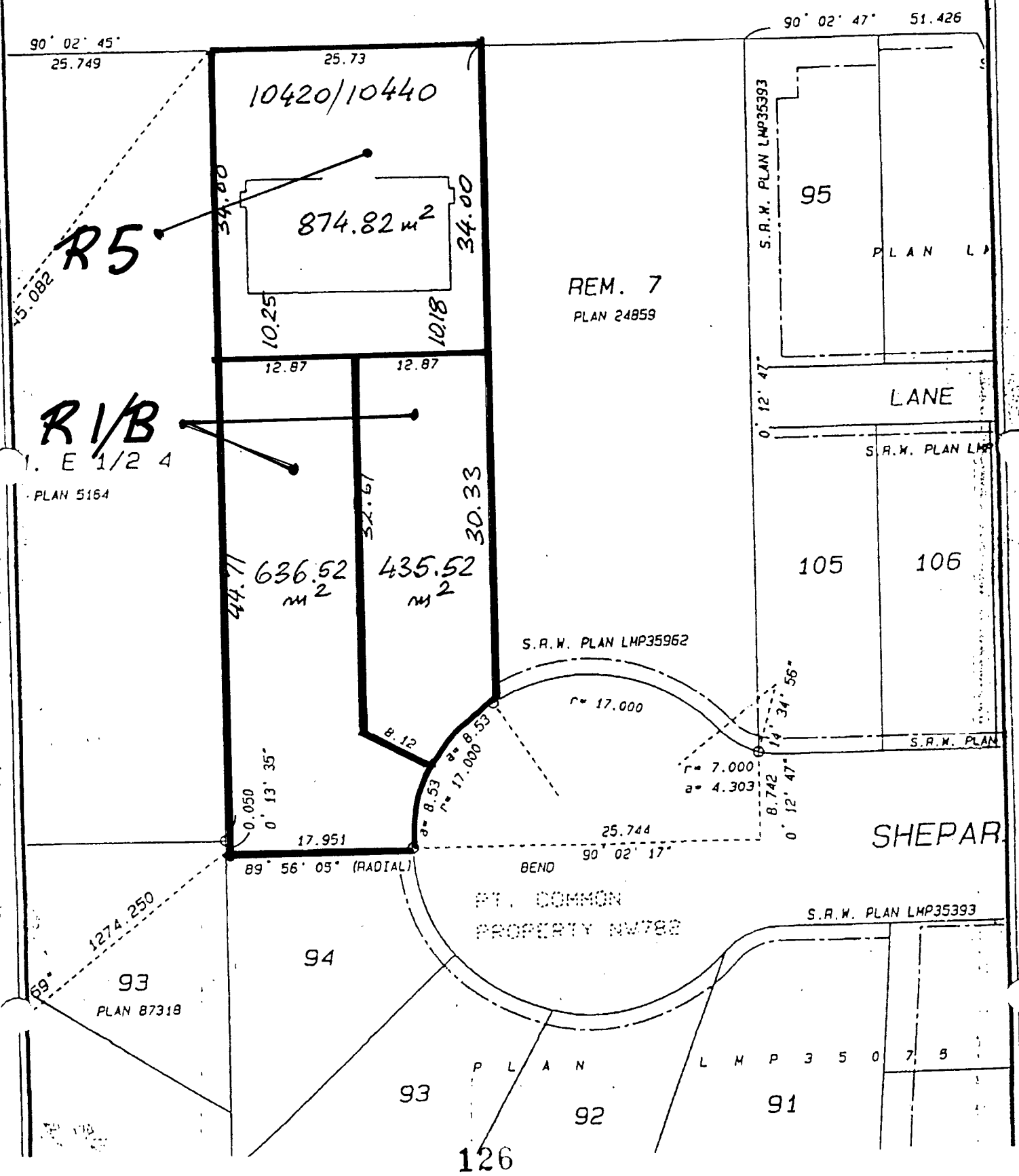
RZ 04-010768

Original Date: 01/21/04
 Revision Date:
 Note: Dimensions are in Meters

Eric J. J...
ATTACHMENT 2

RZ 04-010768
REV. JAN 15/04

ODLIN ROAD





**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7700 (RZ 04-010768)**

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 Section 604.1 and by inserting the following in its place:

“604.1 AREAS ZONED R5

The creation by subdivision of a parcel of less than 864 m² (9,300.02 ft²) in area shall not be permitted.”

2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7700”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

ADOPTED

APR 26 2004

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

MAYOR

CITY CLERK



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7702 (RZ 04-010768)
10420 AND 10440 ODLIN 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 and designating the area shown cross-hatched on "Schedule A attached to and forming part of Bylaw No. 7702." **TWO-FAMILY HOUSING DISTRICT (R5) AND SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B).**
2. This Bylaw may be cited as **"Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7702"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

LEGAL REQUIREMENTS SATISFIED

ADOPTED

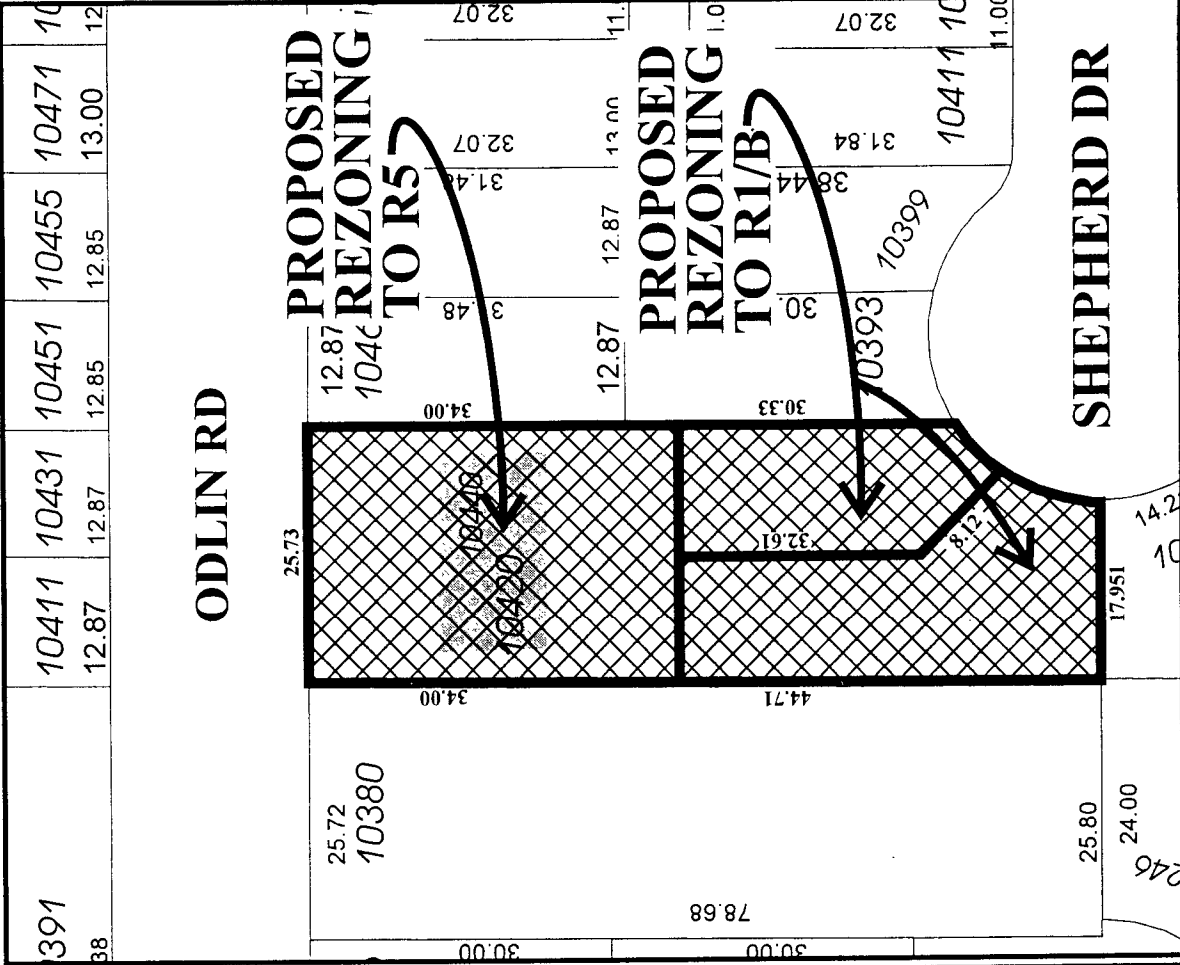
APR 26 2004

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

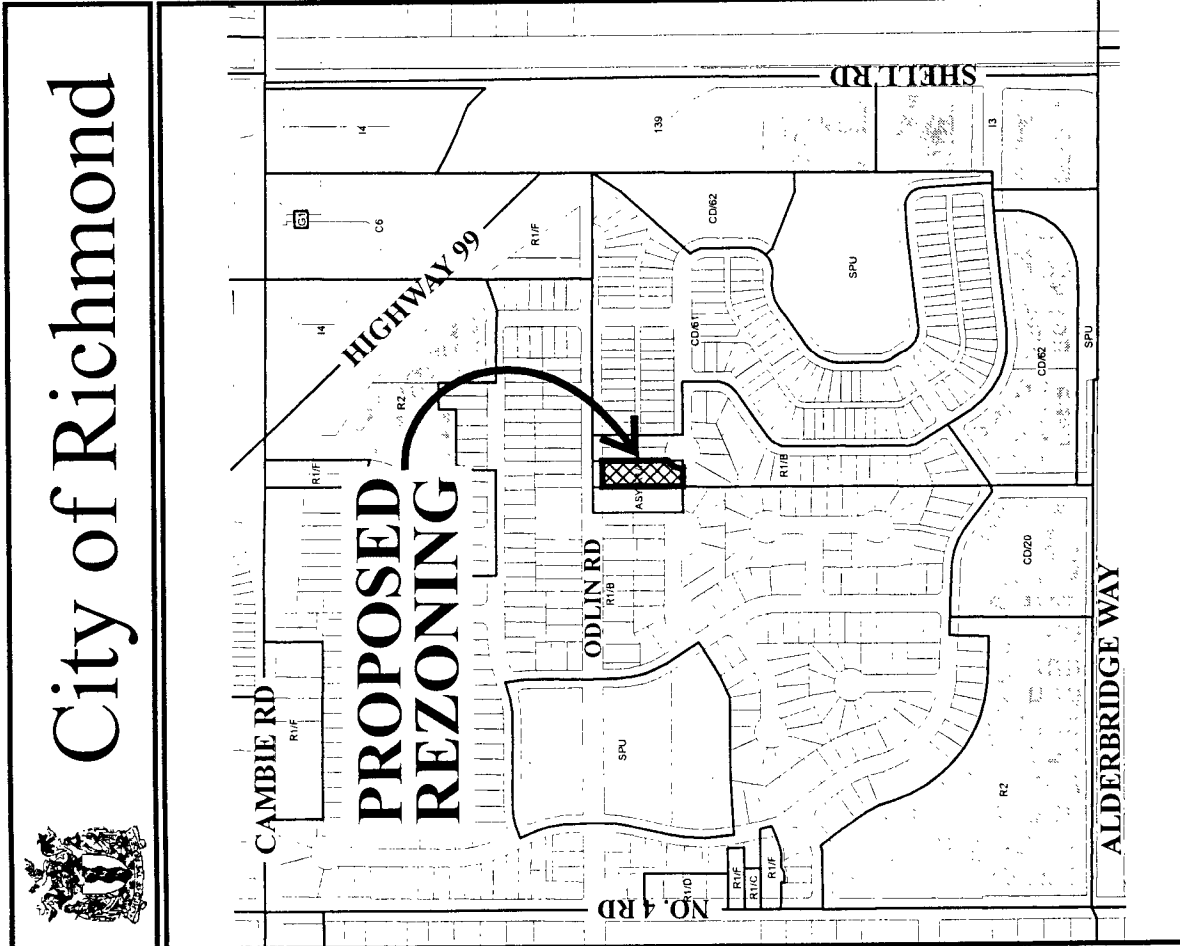
MAYOR

CITY CLERK

"Schedule A attached to and forming part of Bylaw 7702."



Original Date: 01/21/04
 Revision Date:
 Note: Dimensions are in METRES



RZ 04-010768

