



City of Richmond
Urban Development Division

Report to Committee
Fast Track Application

To: Planning Committee

From: Raul Allueva
Director of Development

Re: **Application by Polygon Development 43 Ltd. for Rezoning at 7251 Ash Street from Single-Family Housing District, Subdivision Area F (R1/F) to Comprehensive Development District (CD/146)**

To Council - Jun 27, 2004
to Planning - Jun 22, 2004
Date: June 10, 2004

RZ 04-270156

File: 12-8060-20-357.

Staff Recommendation

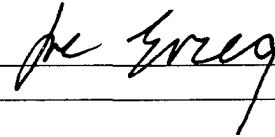
That Bylaw 7757, to amend Richmond Zoning and Development Bylaw 5300 by creating a new single-family residential zone, "Comprehensive Development District (CD/146)", and for the rezoning of 7251 Ash Street from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Comprehensive Development District (CD/146)", be introduced and given first reading.


Raul Allueva
Director of Development

KE:blg
Att.

FOR ORIGINATING DIVISION USE ONLY

CONCURRENCE OF GENERAL MANAGER



Item	Details
Application	RZ 04-270156
Location	7251 Ash Street
Owner	Gurdial Bach
Applicant	Polygon Development 43 Ltd.

Date Received	April 30, 2004
Acknowledgement Letter	May 11, 2004
Fast Track Compliance	June 4, 2004
Staff Report	June 9, 2004
Planning Committee	June 22, 2004

Site Size	<i>Existing</i> – 1,770.87 m ² (19,061.49 ft ²) <i>Proposed (after subdivision of back lands)</i> – 878.87 m ² (9,460.08 ft ²)
Land Uses	<i>Existing</i> – A single-family dwelling. <i>Proposed</i> – A single-family dwelling on the remaining lot after subdivision of the back lands has occurred.
Zoning	<i>Existing</i> – Single-Family Housing District, Subdivision Area F (R1/F) (minimum width 18 m or 59 ft.) <i>Proposed</i> – Comprehensive Development District (CD/146)
Planning Designations	McLennan South Sub Area Plan Land Use Map Designation – Single-Family; 2 ½ storeys maximum; 0.55 base floor-area-ratio (F.A.R.)
Related Policies	
Surrounding Development	<ul style="list-style-type: none"> To the north and south and across Ash Street to the east are older character single-family dwellings on existing lots zoned R1/F. The back portion of the subject lot is being rezoned and subdivided as part of a proposed townhouse project to the west involving numerous surrounding properties. The 116-unit townhouse project is in the process of completing rezoning requirements (reference file RZ 03-254676) to which this rezoning application is related.

Staff Comments	<ul style="list-style-type: none"> The purpose of this application is to rezone the portion of the property containing the existing dwelling that is not part of the proposed townhouse development to the west. Once the back portion of the property is subdivided, the existing dwelling's density will no longer conform to the density stipulated in the R1/F zoning district based on the reduced site area. Lot area after subdivision of the rear portion will be 878.87 m² (9,460.08 ft²). The existing building area measured as being part of the calculated F.A.R. is 602.75 m² (6,488 ft²). The resulting density of the remaining dwelling on the subject site will be 0.69 F.A.R. During the rezoning involving the subject site and surrounding properties for the proposed townhouse development (rezoning file RZ 03-254676), it was identified in the staff report that rezonings or Development Variance Permits would be required for any remaining single-family residential lots along Ash Street to achieve conformity, if not in compliance with the R1/F zoning district. The proposed Comprehensive Development District for the subject site is being brought forward to ensure that this rezoning requirement is completed and that the existing dwelling's density conforms to the zoning placed on the subject site.
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	<ul style="list-style-type: none"> • Comprehensive Development District (CD/146) is virtually identical to the City's existing Single-Family Housing District (R1) zone. The only difference between the two zones is permitted density. The existing R1 zone permits 0.55 F.A.R applied to a maximum of 464.5 m² (5,000 ft²) of the lot area, with 0.30 F.A.R. applied to the balance of the lot area in excess of 464.5 m² (5,000 ft²). The existing dwelling's density is 0.69 F.A.R. based on the reduced lot area. The proposed zone would permit a maximum of 0.70 F.A.R. applied to the reduced lot area after subdivision. Regulations relating to setbacks, building height and lot coverage are identical to the R1 zone. • Staff note that the dwelling's existing side yard setback of 1.2 m (4 ft.) does not conform to the 1.8 m (5.9 ft.) required in the R1/F zone. Staff are not proposing to permit the 1.2 m (4 ft.) setback in the proposed new Comprehensive Development District zone, nor provide a variance for the existing 1.8 m (5.9 ft.) non-conforming side yard setback. The reason for not including this provision is that the application is not making the non-conforming situation any worse, and it is not desirable to entrench the right for the property owner to rebuild the dwelling in the future with a reduced side yard setback. This matter of maintaining the non-conforming side yard setback has been reviewed by the City's Law Department with no objection noted.
<p>Analysis</p>	<ul style="list-style-type: none"> • The application and new zoning district is being brought forward to ensure that the dwelling's existing density on the subject site conforms with permitted density stipulated in the proposed CD zone. Permitted density in Comprehensive Development District (CD/146) is 0.70 F.A.R., which is sufficient to ensure the dwelling's existing F.A.R. conforms with the proposed zoning for the subject lot. • Staff note that the only means to ensure that the dwelling does not become non-conforming is to bring forward a rezoning application as the non-conformity involves density, which cannot be changed through a Development Variance Permit. Further to this, it is a requirement of a related rezoning application involving a proposed townhouse project occupying the subject lots subdivided back lands to ensure that remaining lots along Ash Street achieve conformity through rezoning if they are not in conformity with existing zoning for the site. On this basis, staff support the application to rezone 7251 Ash Street to the proposed Comprehensive Development District (CD/146) zone.
<p>Attachments</p>	<p>Attachment 1 – Location Map; Attachment 2 – Subdivision Plan for 7251 Ash Street; Attachment 3 – Site plan for existing dwelling</p>
<p>Recommendation</p>	<p>Approval</p>



Kevin Eng
Planning Technician – Design
(604) 276-4000 (Local 3205)



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7757 (RZ 04-270156)
7251 ASH STREET**

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

1. Richmond Zoning and Development Bylaw 5300 is amended by inserting Section 291.146 thereof the following:

“291.146 COMPREHENSIVE DEVELOPMENT DISTRICT (CD/146)

The intent of this zoning district is to accommodate single-family housing with a maximum permitted density of 0.70 **Floor Area Ratio** for the property located at 7251 Ash Street only.

291.146.1 PERMITTED USES

RESIDENTIAL, limited to **One-Family Dwelling**;
BOARDING & LODGING, limited to two persons per **dwelling unit**;
HOME OCCUPATION;
AGRICULTURE;
ACCESSORY USES, but excluding **secondary suites**.

291.146.2 PERMITTED DENSITY

.01 Maximum Number of Dwellings: One.

.02 Maximum **Floor Area Ratio**:

0.70; plus

10% of the floor area total calculated above for the **lot** in question, which area must be **used** exclusively for covered areas of the principal **building** which are open on one or more sides; together with

50 m² (538.21 ft²) which may be **used** only for **accessory buildings** and off-street parking;

PROVIDED THAT any portion of floor area which exceeds 5 m (16.404 ft.) in height, save and except an area of up to 10 m² (107.64 ft²) **used** exclusively for entry and staircase purposes, shall be considered to comprise two floors and shall be measured as such;

AND FURTHER PROVIDED THAT **floor area ratio** limitations shall not be deemed to be applicable to one **accessory building** which does not exceed 10 m² (107.64 ft²) in area.

291.146.3 MAXIMUM LOT COVERAGE

45% for **buildings** only; 80% for **buildings** and any non-porous surfaces or **structures** inclusive; and the remainder of the lot area restricted to landscaping with live plant material.

291.146.4 MINIMUM & MAXIMUM SETBACKS FROM PROPERTY LINES

.01 **Front Yard:** 6 m (19.685 ft.)

.02 **Side Yard:**

(i) for **lots** of less than 18 m (59.055 ft.) in width: 1.2 m (3.937 ft.);

(ii) for **lots** of 18 m (59.055 ft.) or more but less than 20 m (65.617 ft.) in width: 1.8 m (5.905 ft.).

PROVIDED THAT where a **lot** has a width of 18 m (59.055 ft.) or more, portions of the principal **building** which do not exceed 5 m (16.404 ft.) in height (chimneys excepted) may project into the required **side yard**, but in no event closer to a **side property line** than 1.2 m (3.937 ft.).

.03 **Rear Yard:** 6 m (19.685 ft.).

Portions of the principal **building** which are less than 2 m (6.562 ft.) in height, and **accessory buildings** of more than 10 m² (107.64 ft²) in area may be located within the **rear yard** setback area but no closer than:

(i) 3.0 m (9.843 ft.) to a property line which abuts a **public road**,
or

(ii) 1.2 m (3.937 ft.) to any other property line.

There is no property line setback requirement for an **accessory building** which has an area of 10 m² (107.64 ft²) or less.

291.146.5 MAXIMUM HEIGHTS

.01 **Buildings:** 2½ storeys, but in no case above the **residential vertical envelope (lot width)** or the **residential vertical envelope (lot depth)**;

.02 **Structures:** 20 m (65.617 ft.).

.03 **Accessory Buildings:** 5 m (16.404 ft.).

291.146.6 MINIMUM LOT SIZE

.01 A dwelling shall not be constructed on a **lot** of less than 870 m² (9,364.60 ft²) in area.”

- 2. 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/146)**.

That the area shown cross hatched on “Schedule A attached to and forming part of Bylaw No. 7757”

- 3. This Bylaw may be cited as “**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7757**”.

FIRST READING

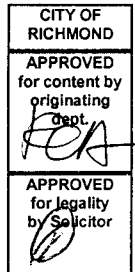
PUBLIC HEARING

SECOND READING

THIRD READING

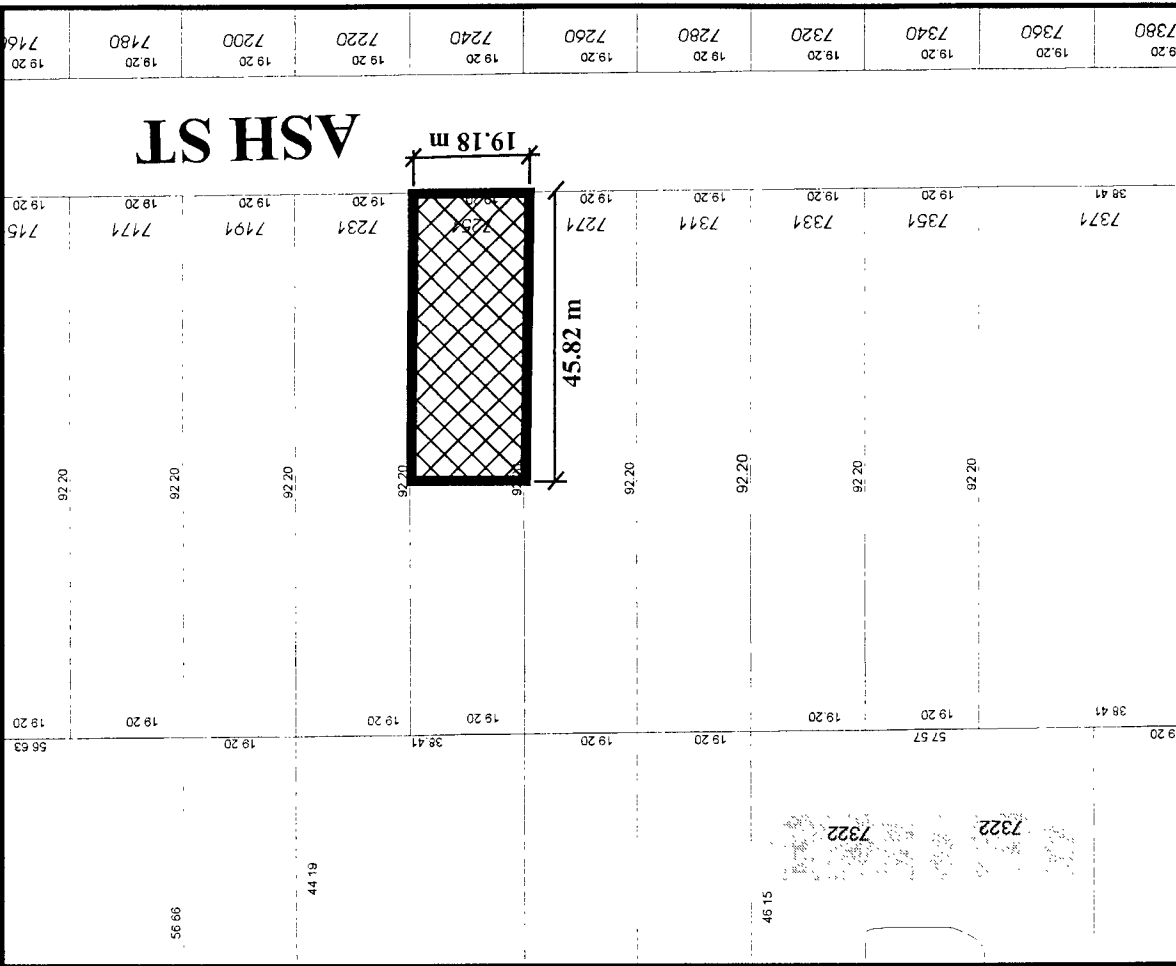
ADOPTED

JUN 29 2004



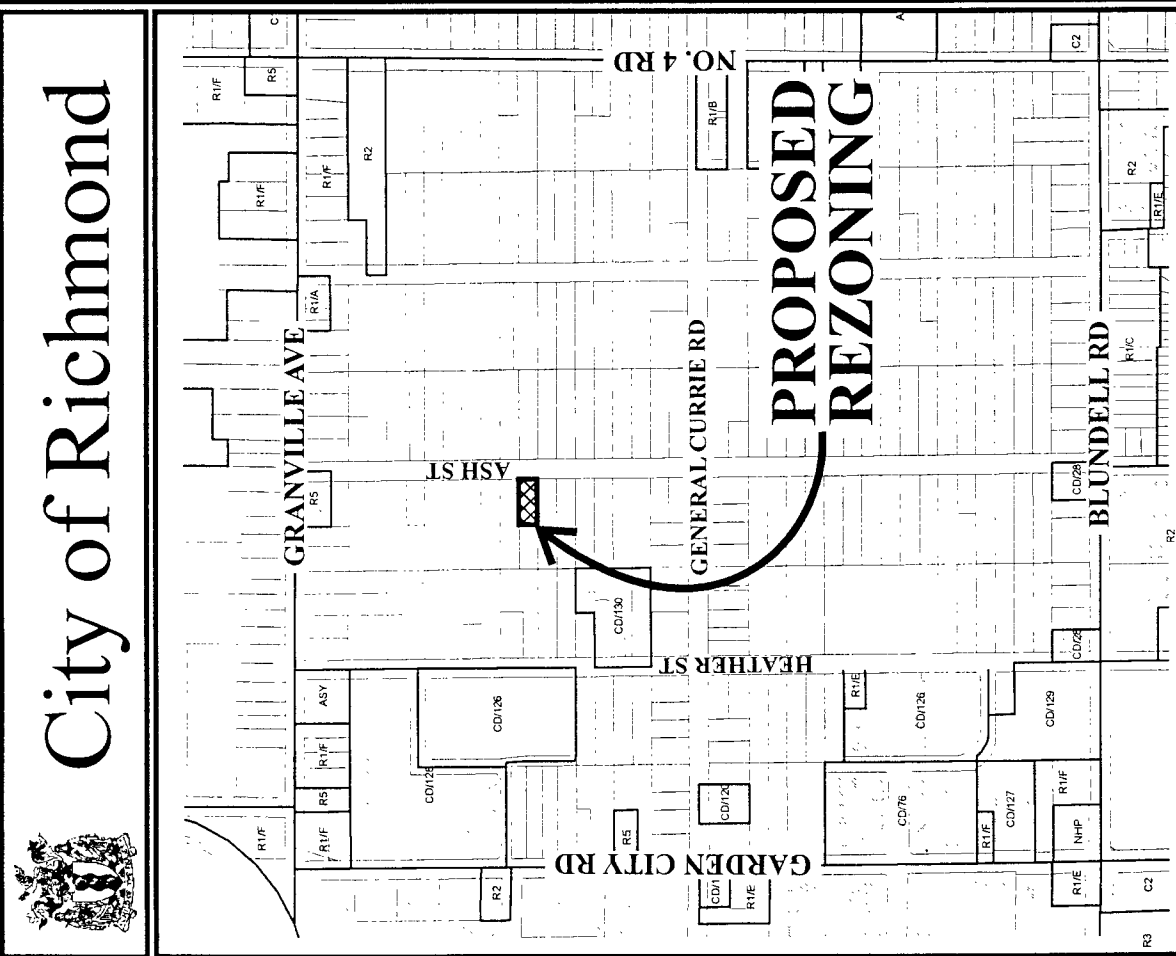
MAYOR

CITY CLERK



Original Date: 05/14/04
 Revision Date: 06/10/04
 Note: Dimensions are in METRES

RZ 04-270156



City of Richmond

