



**City of Richmond**  
Urban Development Division

**Report to Committee**

*To Council - Oct 25, 2004*  
*To Planning - Oct 19, 2004*

**To:** Planning Committee  
**From:** Raul Allueva  
Director of Development

**Date:** October 5, 2004  
RZ 04-271668

*File: 12-8060-20-7838*

**RE: APPLICATION BY RICHMOND ROSEDALE GARDENS LTD. FOR REZONING AT 22311 WESTMINSTER HIGHWAY FROM AGRICULTURAL DISTRICT (AG1) AND ROADSIDE STAND (CLASS C) DISTRICT (RSC) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD/156)**

**Staff Recommendation**

That Bylaw No. 7838, for the rezoning of 22311 Westminster Highway from "Agricultural District (AG1)" and "Roadside Stand (Class C) District (RSC)" to "Comprehensive Development District (CD/156)", be introduced and given first reading.

Raul Allueva  
Director of Development

RA:jl  
Att. 7

<b>FOR ORIGINATING DIVISION USE ONLY</b>
<b>CONCURRENCE OF GENERAL MANAGER</b>
<i>[Handwritten signature]</i>

## Staff Report

### Origin

Richmond Rosedale Gardens Ltd. has applied to rezone 22311 Westminster Highway from Agricultural District (AG1) and Roadside Stand (Class C) District (RSC) to Comprehensive Development District (CD/156) to permit 35 townhouses and 8 duplex dwelling units (**Attachment 1**). Although the property is currently zoned for agricultural use, it is not within the Agricultural Land Reserve (ALR).

### Project Description

This application is to develop a 43-unit multi-family project in the Hamilton Area. Sharpe Avenue, which currently ends at the subject property, would be extended through the property to provide access to the proposed development.

In the area north of Sharpe Avenue, which abuts an existing single-family neighbourhood, eight dwelling units are proposed in four buildings with direct driveway access onto Sharpe Avenue. These four buildings will be duplexes, each duplex containing two units with a shared wall, and each unit located on its own fee simple lot. The remaining 35 units are conventional townhouses on a strata lot, grouped in clusters of two to five units per building along an internal driveway with one access from Sharpe Avenue. The units are all three storeys in height, which includes two residential levels above a ground floor parking level.

The data sheet outlining the building statistics and other details of the project is provided in **Attachment 2**. The site plan of the proposed development is included as **Attachment 3**.

### Site Context

The site context is as follows:

North:	Single-family housing (zoned R1/B)
East:	Single-family housing (zoned AG1)
South:	Westminster Highway and Highway 91
West:	Townhouses (zoned CD/27)

### Related Policies & Studies

#### Hamilton Area Plan

The properties are located within the Lower Westminster Sub-Area of the Hamilton Area Plan. The land use designation south of Sharpe Avenue permits a range of housing types from small and large lot single-family residential use to townhouses.

The part of the site immediately north of Sharpe Avenue, which abuts an existing single-family subdivision, was re-designated in December 2002 for "Single-Family and/or Duplex Residential Only" to allow for single-family and/or duplex development and provide a sensitive transition to existing dwellings.

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. It is estimated that there are currently about 400 units developed or proposed in the Lower Westminster Sub-Area. Therefore, there is remaining capacity to accommodate the dwelling units proposed in this application.

### **Staff Comments**

Staff comments are contained in **Attachment 4**.

### **Analysis**

#### Land Use

The proposed townhouse use complies with the Lower Westminster Sub-Area Plan that is contained within the Hamilton Area Plan (**Attachment 5**). This area has been undergoing redevelopment to townhouse and compact single-family uses.

The area north of Sharpe Avenue is designated for “Single-Family and/or Duplex Use Only” to promote forms of housing that are compatible with the existing single-family housing to the north. The duplexes along the north side of Sharpe Avenue comply with the land use designation.

#### Density

The Lower Westminster Sub-Area permits development densities of 11 to 25 units per acre, up to a maximum of 700 dwelling units in the area. The proposed development is 21 units per acre, which is within the permitted density range. There are 400 dwelling units estimated to be either developed or proposed in the Lower Westminster Sub-Area. Therefore, there is capacity to accommodate an additional 43 units.

The overall floor area ratio of the proposed development is 0.71. The townhouses south of Sharpe Avenue have a floor area ratio of 0.70, while the duplexes have a floor area ratio of 0.74.

This floor area ratio is marginally higher than some of the developments approved in the past several years, which have a floor area ratio of approximately 0.60. As the proposed development achieves a functional layout, provides adequate private and common outdoor space, and is within the permitted units per acre density range, Staff can support the slightly higher floor area ratio. The common-wall duplex units provide a reasonable massing and scale which mirrors the adjacent single-family dwellings due to the zero-lot line condition.

To accommodate the proposed development, a new Comprehensive Development District (CD/156) was created for consideration with this application.

### Vehicle Access

Sharpe Avenue is a new road in this neighbourhood that is being created by new developments. This proposed development includes road dedication and construction to extend Sharpe Avenue through the site, where it will end until development occurs further east of the site. Sharpe Avenue will function as the main access to the development. A restrictive covenant will be registered on the property to ensure that no vehicle access is obtained from Westminster Highway. Access to the duplexes on the north side of Sharpe Avenue will be from four shared driveways to each building.

An emergency access will also be available from Westminster Highway to allow secondary emergency vehicle access into the neighbourhood. A 6.0 m wide right-of-way will be registered to secure access through the site. This right-of-way will be released when properties to the east develop and an alternate emergency access route can be secured through a future development site.

The neighbouring property at 22331 Westminster is a small property with frontage along Westminster Highway only. As the property is only 60 m (197 ft.) deep, it cannot obtain direct access from Sharpe Avenue. To preserve its redevelopment potential on its own, a cross-access easement will be registered on 22311 Westminster Highway to allow future access to 22331 Westminster Highway, if needed. If the property at 22331 Westminster Highway develops in conjunction with its neighbours further to the east, use of this cross-access easement may not be needed because access to Sharpe Avenue would likely be achieved through other properties.

### Floodproofing

The townhouses are proposed to be three storeys high, with the ground level used primarily for parking. The second and third levels of each dwelling unit would be able to achieve the minimum habitable elevation for floodproofing. A floodproofing covenant will be registered as a condition of rezoning to prevent any areas below the minimum habitable elevation to be used for habitable space.

The duplex units on the north side of Sharpe Avenue are proposed to have tandem parking. A covenant to prevent the conversion of any tandem parking space within the ground floor to storage space or habitable space will also be required as a condition of rezoning.

### Impacts from Highway 91

The site is in close proximity to Highway 91 to the south. To protect the future dwelling units from potential noise impacts, landscaping will be required along the Westminster Highway frontage to form a noise buffer and noise attenuation will be required in the dwelling units. A restrictive covenant will be registered to: (i) ensure that the landscaping buffer is maintained and not removed; and (ii) that noise attenuation is incorporated into dwelling unit design. These issues will be addressed further at the Development Permit stage.

### Relationship to Single-Family Residences

When the single-family residences to the north were built, the land was raised to achieve floodproofing requirements. Some of the rear yards of the single-family houses, however, were not raised to the same level as the house; they slope down towards their south property lines.

The proposed duplexes that abut the single-family residences will be three storey units where the ground floor is a parking level. The applicant proposes that the rear yards of the duplexes be filled to provide more direct ground level access from the main living spaces on the second level of the duplexes. The applicant intends to work with adjacent single-family residences to ensure that the grade transition is appropriate. The applicant has indicated that he can fill the rear yards of adjacent single-family properties that do not already have a filled rear yard. This would benefit the single-family residences by creating additional rear yard space and creating a smooth grade transition between the duplexes and the single-family houses. These options will be discussed with single-family residents and dealt with at the Development Permit stage.

Staff note that there is an easement registered over a portion of the rear yards of the single-family lots to permit developers of properties to the south to enter onto the single-family lots and fill the rear yards to create the profile shown in **Attachment 6**. If the developer fills the rear yards of the adjacent single-family lots, he must ensure that any fences within the single-family rear yards are removed or replaced to the shared property line.

Staff also note that there is a sanitary forcemain that is located within a 3 m easement along the north property line of 22311 Westminster Highway. Before any filling takes place, the developer should undertake a geotechnical assessment to ensure that the added fill will not damage the forcemain.

### Amenity Space

A common outdoor amenity space is provided at the centre of the townhouse development. Its size complies with the OCP guidelines for provision of outdoor amenity space in multi-family developments.

No indoor amenity space is provided in this development. Instead, the applicant will be providing \$51,000 in lieu as per Council approved policy.

### Community Amenity Contribution

The applicant has agreed to make a voluntary community amenity contribution of \$43,000, or \$1,000 per dwelling unit. The contribution will be divided evenly between the Child Care Development Fund and the Statutory Affordable Housing Reserve Fund.

### Rezoning Requirements

The list of conditional rezoning requirements is included as **Attachment 7**. The applicant has agreed to all conditions and a signed agreement is on file.

## Financial Impact

None.

## Conclusion

The subject property is located in a neighbourhood that is gradually redeveloping with new townhouses and compact single-family lots. The proposed development is compatible with surrounding existing uses. As the development will add new housing choices and continue the redevelopment of this area, it is recommended that this application be approved.



Janet Lee  
Planner 2

JL:cas

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

1. Ministry of Transportation approval required.
2. Legal requirements, specifically:
  - a. 20 m road dedication for the extension of Sharpe Avenue.
  - b. The granting of a 6 m wide right-of-way through the site from Westminster Highway to Sharpe Avenue for emergency vehicles only (the right-of-way is to be released upon redevelopment of properties to the east and an alternate right-of-way can be secured).
  - c. Registration of a restrictive covenant ensuring that the only means of access is to Sharpe Avenue and that there be no access to Westminster Highway.
  - d. Registration of a floodplain covenant.
  - e. Registration of a restrictive covenant to prevent the conversion of any ground floor tandem parking areas to storage or habitable space.
  - f. Registration of a cross access agreement allowing access to/from the future development site to the east at 22331 Westminster Highway.
  - g. Registration of a restrictive covenant to ensure noise attenuation in dwelling units and that landscaping planted along the Westminster Highway frontage for protection against highway noise is maintained and will not be abandoned or removed.
3. Development requirements, specifically:
  - a. Contribution of \$21,500 to the Child Care Development Fund and \$21,500 to the Affordable Housing Statutory Reserve Fund.
  - b. \$51,000 total cash-in-lieu of on-site indoor amenity space to go towards the Recreation Facility Reserve Fund.
  - c. The submission and processing of a Development Permit completed to a level deemed acceptable by the Director of Development.
  - d. Enter into a Servicing Agreement for the design and construction of Sharpe Avenue to the same standards west of the site and to infill the ditch on Westminster Highway with a storm sewer system, all to current City specifications.





## City of Richmond

6911 No. 3 Road  
Richmond, BC V6Y 2C1

## Development Application Data Sheet Policy Planning Department

**RZ 04-271668**

Address: 22311 Westminster Highway

Applicant: Richmond Rosedale Gardens Ltd.

Planning Area(s): Hamilton

	Existing	Proposed
<b>Owner:</b>	Chun Wei Chan and Ri Lan Huang	Richmond Rosedale Gardens Ltd.
<b>Site Size (m<sup>2</sup>):</b>	9,474 m <sup>2</sup> (2.34 acres)	8,284 m <sup>2</sup> (2.05 acres) after road dedication
<b>Land Uses</b>	Agricultural	Townhouses and Duplexes
<b>OCP Designation</b>	Neighbourhood Residential	No change
<b>Area Plan Designation</b>	<i>South side:</i> Small and Large Lot Single-Family Resid., Two-Family Resid.; Townhouse Resid. & Institutional; <i>North Side:</i> Single-Family Resid. and/or Duplex Resid. only	No change
<b>Zoning</b>	AG1/RSC	CD/156
<b>Number of Units</b>	1	43

	Bylaw Requirement	Proposed	Variance
Density (units/acre)	N/A	21 upa	none permitted
Floor Area Ratio:	Max. 0.74 F.A.R. for duplexes; Max. 0.70 for townhouses	0.74 F.A.R. for duplexes; 0.70 F.A.R. for townhouses	none permitted
Lot Coverage – Building:	Max. 45% for duplexes; Max. 38% for townhouses	44% for duplexes; 37% for townhouses	none
Lot Size (min. dimensions)	400 m <sup>2</sup>	408 m <sup>2</sup>	none
Setback – Front Yard (m):	Min 6 m from Westminster Highway; Min. 4.5 m from Sharpe Avenue	6 m from Westminster Highway; 4.5 m from Sharpe Avenue	none
Setback – Side Yards (m):	Min. 1.7 m for duplexes; Min. 3 m for townhouses	1.7 m for duplexes; 3 m for townhouses	none
Setback – Rear Yards (m)	Min. 8.7 m	8.7 m	
Height (m):	12 m	12 m	none
Off-street Parking Spaces – Regular (R) / Visitor (V):	69 (R) and 7 (V) per unit	86 (R) and 7 (V)	none
Off-street Parking Spaces – Total:	76	93	none
Tandem Parking Spaces	N/A	8	none
Amenity Space – Indoor:	Min. 100 m <sup>2</sup>	cash-in-lieu	none
Amenity Space – Outdoor:	210 m <sup>2</sup>	242 m <sup>2</sup>	none





**Staff Comments on 22311 Westminster Highway**

Policy Planning

1. The proposed development is consistent with the Hamilton Area Plan in terms of land use and density.
2. Cash in lieu of indoor amenity space is \$51,000.
3. Ministry of Transportation approval is required.
4. A covenant to prevent the conversion of tandem parking space is required.

Urban Design

1. At the Development Permit stage, applicant is to consider adjacencies between buildings as well as transitions between public, semi-private and private space.
2. Programming of outdoor amenity space and emergency access area should be clarified at the Development Permit stage.
3. The visitor parking stall at the outdoor amenity space should be relocated.
4. Provide pedestrian entries and paths throughout the site.
5. Give consideration to the ends of drive aisles and whether headlights would shine into neighbouring buildings.
6. Provide landscaping within the drive aisle areas, particularly between garages in order to soften the landscaping and provide identity.
7. Provide setbacks for mailbox and garbage/recycling structures.

Engineering Works and Services

1. The site can be serviced with all relevant utilities.
2. 20 m road dedication for the extension of Sharpe Avenue is required.
3. A floodplain covenant is required.
4. A cross-access easement is to be provided in favour of 22331 Westminster Highway.
5. A covenant restricting access to Westminster Highway and specifying that the only means of access is to Sharpe Avenue is required.
6. A covenant is required to ensure that certain standards of sound proofing are obtained, and require that a registered professional, qualified in acoustics, design the units to meet those requirements.
7. A 6 m wide right-of-way is required to be granted through the site from Westminster Highway to Sharpe Avenue for emergency vehicle access only (this right-of-way may be released upon development of properties to the east and the right-of-way is secured through those properties).
8. The developer is required to provide significant landscaping along the Westminster Highway frontage to provide additional protection against highway noise. A covenant is required to ensure that this landscaping is maintained and will not be removed.
9. Enter into a Servicing Agreement for the design and construction of Sharpe Avenue to the same standards west of the site and to infill the ditch on Westminster Highway with a storm sewer system, all to current City specifications.
10. If the rear yards of the duplexes are filled, the developer should undertake a geotechnical assessment to ensure that the weight and volume of fill to be deposited will not damage the sanitary forcemain that runs along the north property line.

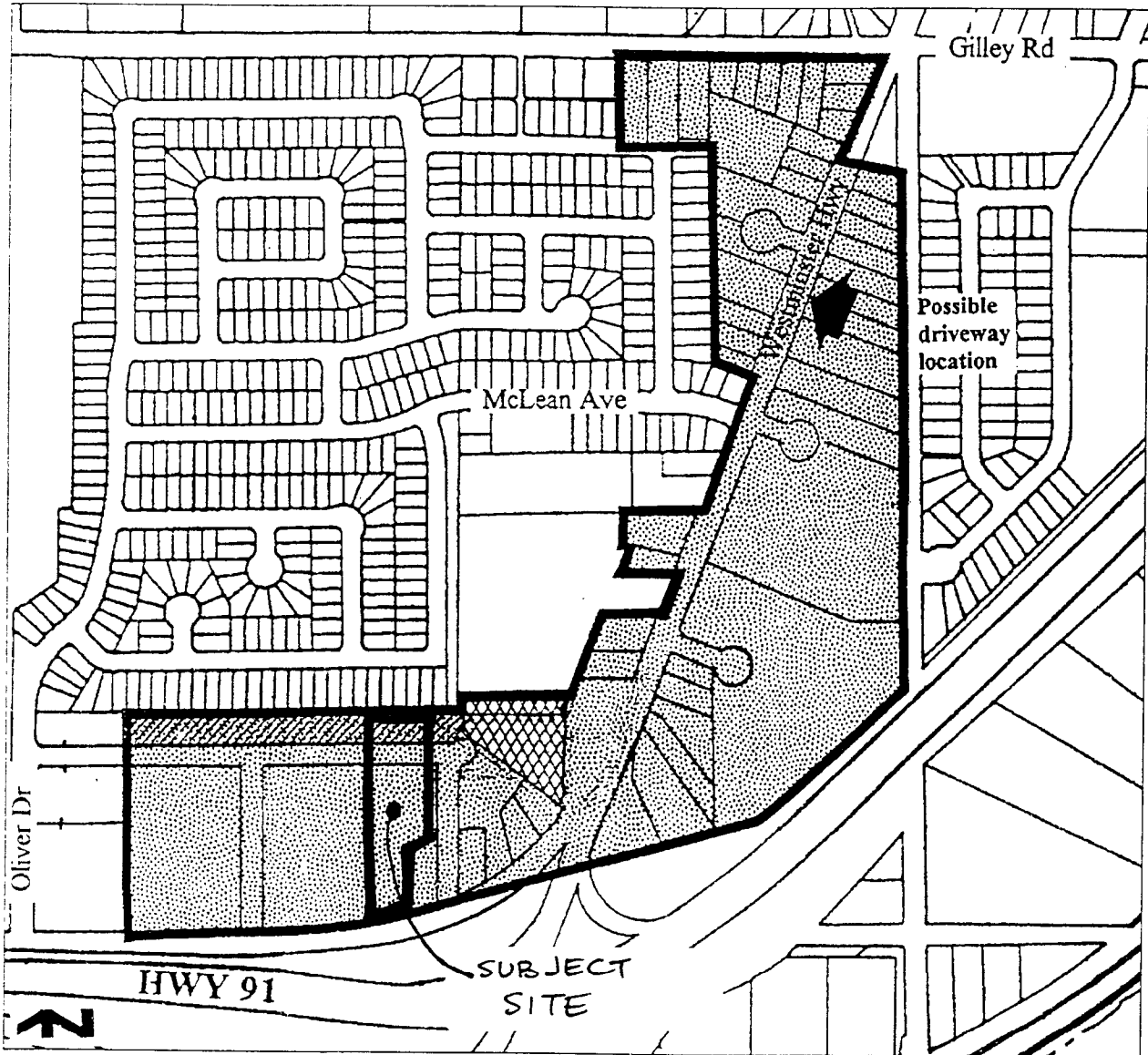
11. There is an easement on the single-family properties to the north **that** allows the developer to fill the rear yards of the single-family lots. If the rear yards of the duplexes are filled, the developer should take advantage of this easement and fill the **single**-family rear yards as well. If there are fences located within the single-family rear yards, they should be removed and relocated to the shared property line.

Transportation

1. Provide cross-access to 22331 Westminster Highway.
2. Provide emergency access to Westminster Highway.
3. No frontage improvements are required on Westminster Highway.
4. Extension and construction of Sharpe Avenue is required.
5. Trees must have adequate clearance from driveways.

City of Richmond

Lower Westminster Sub-Area Land Use Map



**Permitted Uses:**



Small and Large Lot Single Family Residential; Two Family Residential; Townhouse Residential; & Institutional



Single-Family Residential and/or Duplex Residential Only



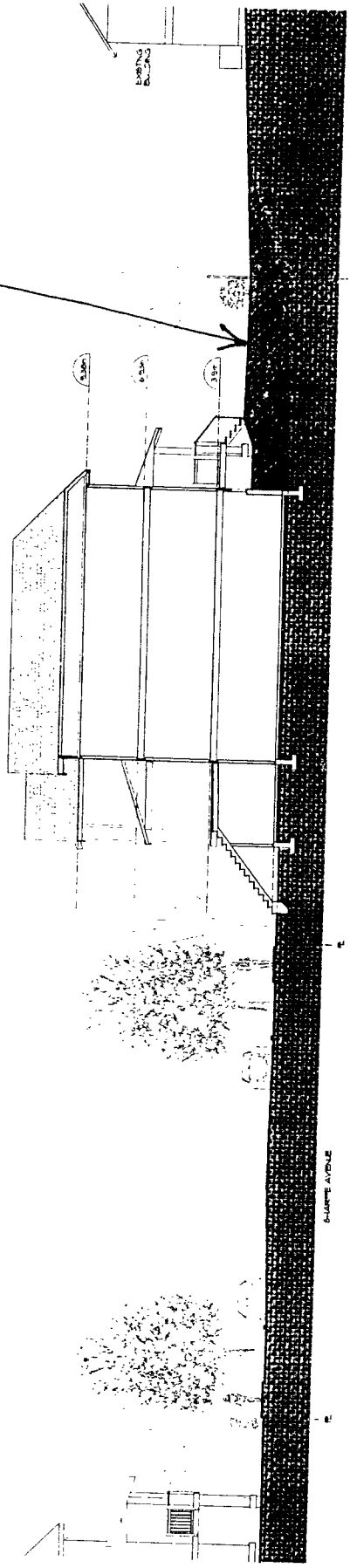
Community Facilities Use

**Permitted Density:**

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

SITE SECTION THROUGH  
PROPOSED DUPLEX SITE.

PROPOSED FILL TO RAISE  
REAR YARD GRADES



SITE SECTION  
SCALE: 1/8" = 1'-0"

PROPOSED DUPLEX

EXISTING  
SINGLE-FAMILY  
HOUSES

PROPERTY  
LINE

# Conditional Rezoning Requirements

## 22311 Westminster Highway RZ 04-271668

*Please fax this form back to Janet Lee at (604) 276-4052 by October 7, 2004.*

Prior to final adoption of Zoning Amendment Bylaw 7838, the developer is required to complete the following requirements:

1. 20 m road dedication for the extension of Sharpe Avenue.
2. The granting of a 6 m wide right-of-way through the site from Westminster Highway to Sharpe Avenue for emergency vehicles only (the right-of-way is to be released upon redevelopment of properties to the east and an alternate right-of-way can be secured).
3. Registration of a restrictive covenant ensuring that the only means of access is to Sharpe Avenue and that there be no access to Westminster Highway.
4. Registration of a floodplain covenant.
5. Registration of a restrictive covenant to prevent the conversion of any ground floor tandem parking areas to storage or habitable space.
6. Registration of a cross access agreement allowing access to/from the future development site to the east at 22331 Westminster Highway.
7. Registration of a restrictive covenant to ensure noise attenuation in dwelling units and that landscaping planted along the Westminster Highway frontage for protection against highway noise is maintained and will not be abandoned or removed.
8. Ministry of Transportation approval (The City will make the referral to the Ministry).
9. Contribution of \$21,500 to the Child Care Development Fund and \$21,500 to the Affordable Housing Statutory Reserve Fund.
10. \$51,000 total cash-in-lieu of on-site indoor amenity space to go towards the Recreation Facility Reserve Fund.
11. The submission and processing of a Development Permit\* completed to a level deemed acceptable by the Director of Development.
12. Enter into a Servicing Agreement\* for the design and construction of Sharpe Avenue to the same standards west of the site and to infill the ditch on Westminster Highway with a storm sewer system, all to current City specifications.

\* Note: This requires a separate application.

*Signed agreement on file*

Signed

Date



**Richmond Zoning and Development Bylaw 5300  
Amendment Bylaw 7838 (RZ 04-271668)  
22311 WESTMINSTER HIGHWAY**

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

1. Richmond Zoning and Development Bylaw 5300 is amended by adding the following new zone to Section 291:

**“291.156 COMPREHENSIVE DEVELOPMENT DISTRICT (CD/156)”**

The intent of this zoning district is to accommodate **two-family dwellings** and **townhouses**.

**291.156.1 PERMITTED USES**

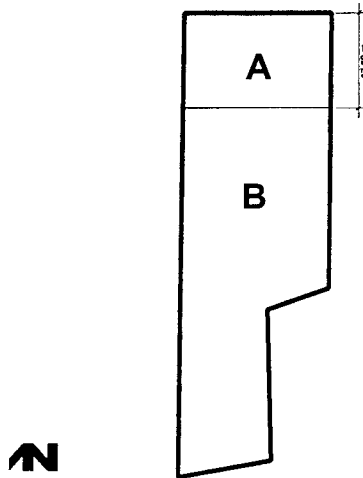
- .01 The following uses are permitted within the areas identified as “A” in Diagram 1, Section 291.156.1.03:

**RESIDENTIAL**, limited to **two-family dwelling**;  
**HOME OCCUPATION**;  
**BOARDING & LODGING**, limited to two persons per **dwelling unit**;  
**ACCESSORY USES, BUILDINGS & STRUCTURES**; but excluding **secondary suites**.

- .02 The following uses are permitted within the areas identified as “B” in Diagram 1, Section 291.156.1.03:

**RESIDENTIAL**, limited to **townhouses**;  
**HOME OCCUPATION**;  
**BOARDING & LODGING**, limited to two persons per **dwelling unit**;  
**ACCESSORY USES, BUILDINGS & STRUCTURES**; but excluding **secondary suites**.

## .03 Diagram 1



## 291.156.2 PERMITTED DENSITY

## .01 Maximum Floor Area Ratio

- (a) Area A: 0.74; together with an additional 50 m<sup>2</sup> (538.21 ft<sup>2</sup>) per **dwelling unit** for use as **accessory buildings** and off-street parking;
- (b) Area B: 0.70; together with an additional 50 m<sup>2</sup> (538.21 ft<sup>2</sup>) per **dwelling unit** for use as **accessory buildings** and off-street parking; and
- (c) An additional 10% of the total floor area calculated above for the **lot** in question, which must be **used** exclusively for covered areas of the principal **building** which are open on one or more sides.

## 291.156.3 MAXIMUM LOT COVERAGE

.01 Area A: 45%.

.02 Area B: 38%.

## 291.156.4 MINIMUM SETBACKS FROM PROPERTY LINES

## .01 Public Road Setbacks

- (a) From Westminster Highway: 6 m (19.685 ft.);
- (b) From Sharpe Avenue: 4.5 m (14.764 ft.);
- (c) Balconies, bay windows, and cantilevered roofs forming part of the principal **building** may project into the **public road** setback for a distance of not more than 1.7 m (5.577 ft.); and



- (d) Porches and entry stairs forming part of the principal **building** may project into the **public road** setback for a distance of not more than 3.5 m (11.483 ft.).

**.02 Side Yards**

- (a) Area A: 1.5 m (4.921 ft.);
- (b) Area B: 3 m (9.843 ft.); and
- (c) Balconies, bay windows, and cantilevered roofs forming part of the principal **building** may project into the **side yard** setback for a distance of not more than 0.8 m (2.625 ft.).

**.03 Rear Yards**

- (a) Area A: 8.7 m (28.543 ft.); and
- (b) Balconies, bay windows, cantilevered roofs, porches and entry stairs forming part of the principal **building** may project into the **rear yard** setback for a distance of not more than 3 m (9.843 ft.).

**291.156.5 MAXIMUM HEIGHTS**

- .01 Buildings and Structures:** 12 m (39.370 ft.).
- .02 Accessory Buildings:** 5 m (16.404 ft.).

**291.156.6 OFF-STREET PARKING**

Off-street parking shall be provided, developed and maintained in accordance with Division 400 of this Bylaw.

**291.156.7 MINIMUM LOT SIZE**

A **dwelling unit** shall not be constructed on a **lot** of less than 400 m<sup>2</sup> (4,305.71 ft<sup>2</sup>)."

- 2. The Zoning Map of the City of Richmond, which accompanies and forms part of the 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/156)**:

P.I.D. 004-863-895  
Lot 1 Section 2 Block 4 North Range 4 West New Westminster District Plan 8868

- 3. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7838”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

OCT 25 2004

CITY OF RICHMOND
APPROVED for content by originating dept <i>al</i>
APPROVED for legality by Solicitor <i>msl</i>

\_\_\_\_\_  
MAYOR

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