

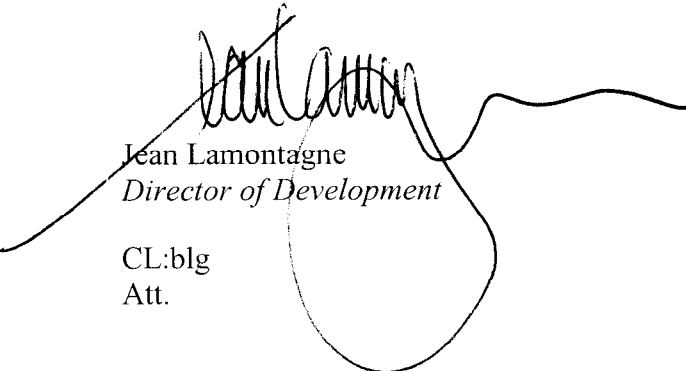


To: Planning Committee
From: Jean Lamontagne
Director of Development
Date: June 11, 2007
File: SC 07-367841
Re: **Application by John Hall and Wei Chang for a Strata-Title Conversion at 8800/8820 Rosedene Court**

Staff Recommendation

That the application for a strata-title conversion by John Hall and Wei Chang for the property located at 8800/8820 Rosedene Court be approved on fulfilment of the following conditions:

1. Final inspection approval of Building Permit B7 07-377734 for past enclosure of the carport without a permit at 8800 Rosedene Court;
2. Registration of a flood indemnity covenant on title;
3. Payment of all City utility charges and property taxes up to and including the year 2007; and
4. Submission of appropriate plans and documents for execution by the Mayor and City Clerk within 180 days of the date of this resolution.

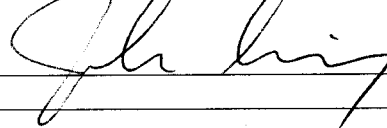


Jean Lamontagne
Director of Development

CL:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY

CONCURRENCE OF GENERAL MANAGER



Staff Report

Origin

John Hall and Wei Chang have applied to Strata-Title the existing duplex at 8800/8820 Rosedene Court, zoned “Two-Family Housing District (R5)” (**Attachment 1**). The applicants currently reside in the east half of the duplex at 8800 Rosedene Court, and are the sole occupants and owners of the duplex. The applicants wish to Strata-Title this duplex in order to sell 8820 Rosedene Court (the west half) to a future owner.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

The subject property is located in an established residential neighbourhood consisting predominantly of older character dwellings on lots zoned Single-Family Housing District, Subdivision Area E (R1/E). There is also some presence in the surrounding area of duplexes on lots zoned Two-Family Housing District (R5). Specifically, development immediately surrounding the site is as follows:

- To the west, north, and east are older single-family dwellings on lots zoned Single-Family Housing District, Subdivision Area E (R1/E) that front on to Rosedene Crescent and Rosecroft Crescent; and
- To the south are three (3) remaining properties on Rosedene Court, all of which are strata-titled conforming duplexes on lots zoned Two-Family Housing District (R5).

Related Policies & Studies

Council policies exist to provide direction to staff in the review of:

- Rezoning applications to Two-Family Housing District (R5) involving existing strata-titled duplexes (Policy 5007);
- Rezoning applications to Two-Family Housing District (R5) involving non-conforming duplexes (Policy 5042); and
- Residential strata-title conversion applications involving three (3) or more units (Policy 5012).

The subject application is for a Strata-Title Conversion of an existing duplex involving less than three (3) units, with no rezoning application required. Therefore, neither of the above Council policies specifically apply in this case. Nonetheless, portions of the requirements of Council Policy 5042 were used for the purpose of reviewing the subject application (**Attachment 3**).

Staff Comments

The applicants are seeking approval to Strata-Title the existing duplex in order to facilitate the sale of one (1) of the future strata lots. The applicants intend to retain ownership of one (1) of the future strata lots to continue residing there.

A covenant currently exists on title, which restricts the use of the building to occupancy by not more than two families.

Analysis

The following information is offered as analysis of whether the subject application meets the requirements for Strata-Title Conversion:

- A survey certificate, prepared by a registered BC Land Surveyor, was submitted by the applicants showing the location, dimensions, and setbacks of all buildings and structures presently on the property for the purpose of verifying compliance with the Two-Family Housing District (R5) (**Attachment 4**). The existing building complies with all zoning provisions of the R5 zoning district.
- On May 17, 2007, Community Bylaws staff conducted an inspection of the existing duplex and confirmed that the structure contains a maximum of two (2) dwelling units. Community Bylaws staff indicated the presence of an enclosed carport at 8800 Rosedene Court, which may have been constructed in the past without a Building Permit.
- A written statement provided by the applicants indicates that the home is 38 years old, is in fair condition, and that the applicants have conducted cosmetic updating to the interior (**Attachment 5**). The applicants indicate that they have not undertaken any renovations requiring a Building Permit, nor are any proposed at this time. Staff conducted a site visit to confirm the condition of the building, which is generally in character with the existing neighbourhood.
- On June 11, 2007, Building Approvals staff confirmed that no City records exist of a Building Permit application to enclose a carport at 8800 Rosedene Court. The applicants have applied for a building permit (reference file # B7 07-377734), which must receive final inspection approval as a condition of this application being approved.
- No off-site improvements are required to bring the site up the City standards.
- There is no Lot Size Policy for this area; therefore the subject application does not affect the site's future subdivision potential.

Financial Impact

None.

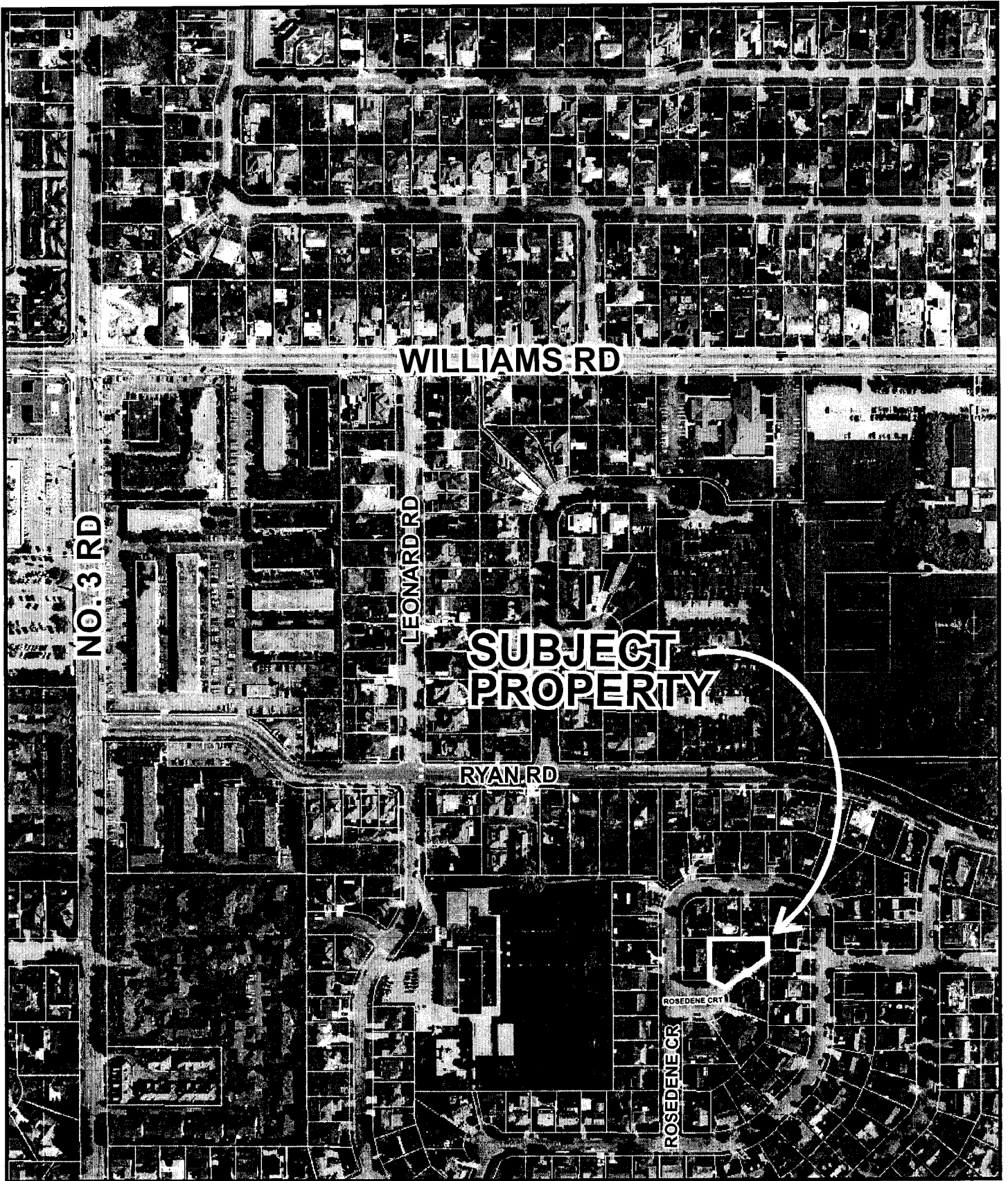
Conclusion

The proposal is consistent with all applicable land use designations and has been processed in accordance with Council Policy 5042. On this basis, staff support this application for Strata-Title Conversion.



Cynthia Lussier
Planning Assistant
(Local 4108)

CL:blg



SC 07-367841

Original Date: 05/15/07

Amended Date:

Note: Dimensions are in METRES



City of Richmond

6911 No. 3 Road
Richmond, BC V6Y 2C1
www.richmond.ca
604-276-4000

Development Application Data Sheet

SC 07-367841

Attachment 2

Address: 8800/8820 Rosedene Court

Applicant: John Hall and Wei Chang

Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	John Hall and Wei Chang	8800 Rosedene Court – John Hall and Wei Chang 8820 Rosedene Court – To be determined
Site Size (m²):	1,145 m ² (12,325 ft ²)	No change
Land Uses:	Existing conforming duplex	No change
OCP Designation:	<ul style="list-style-type: none">• Generalized Land Use Map – Neighbourhood Residential• Specific Land Use Map – Low-Density Residential	No change
Area Plan Designation:	None	No change
702 Policy Designation:	None	No change
Zoning:	Two-Family Housing District (R5)	No change



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Adopted by Council: March 29th, 2005

Policy 5042

File Ref:

Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-conforming Two-family Dwellings

Policy 5042:

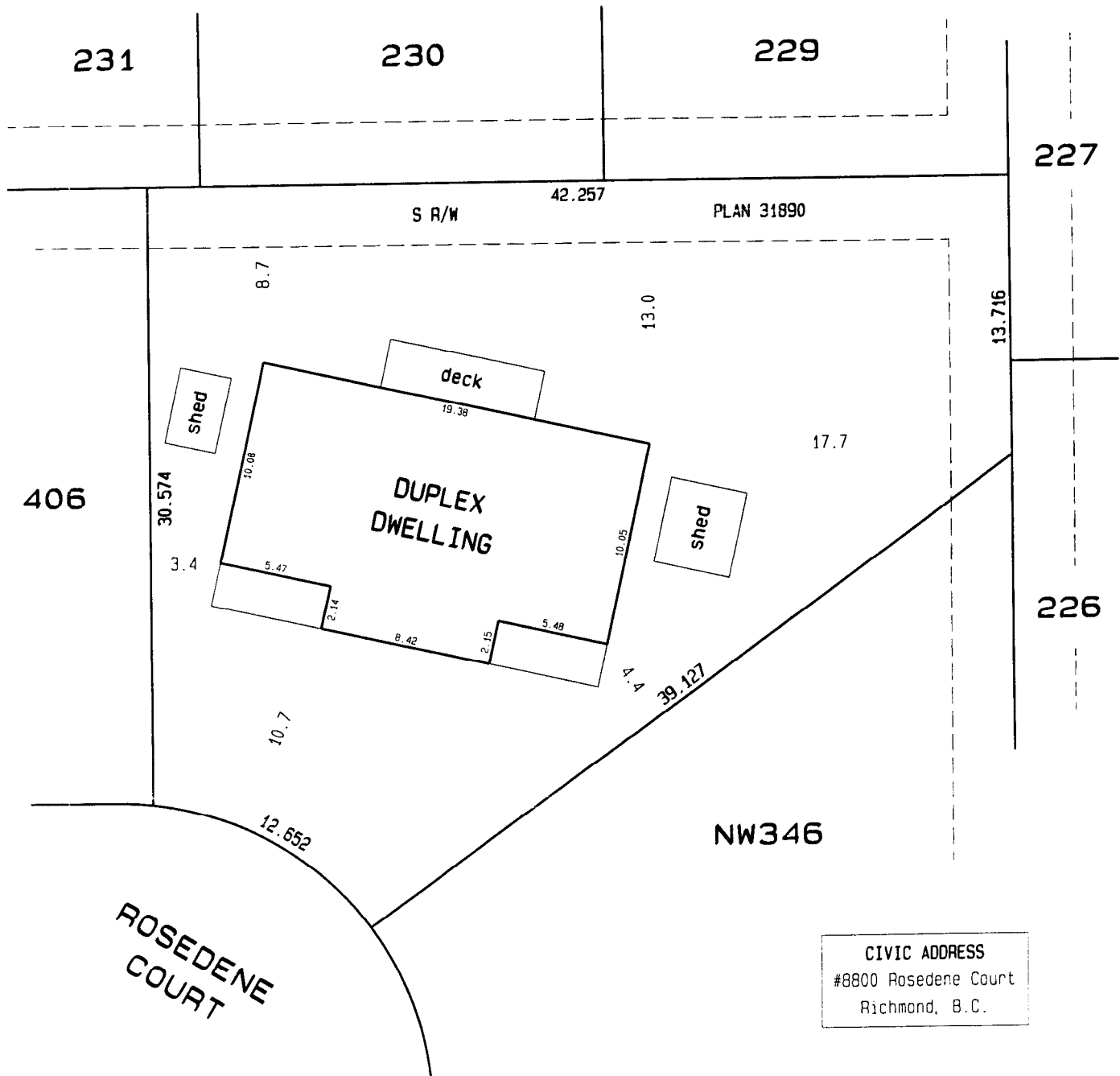
It is Council policy that:

Rezoning applications seeking a rezoning to "Two-Family Housing District (R5)", involving existing non-conforming two-family dwellings, must be supported with adequate information to assist Council assess all potential impacts arising from the rezoning application in the following areas:

1. A certificate prepared by a registered B.C. Land Surveyor showing the location, dimensions, and setbacks of all buildings and structures presently on the property, together with a floor area ratio calculation is required to verify Zoning Bylaw compliance.
2. An inspection of the existing structure by City Staff is required to confirm the building contains a maximum of two dwelling units. A Restrictive Covenant limiting the property to a maximum of two dwelling units is required as a condition of final adoption of a rezoning bylaw.
3. The property owner shall provide a written statement on the following items:
 - a. The building's age, quality, general conditions and any measures proposed to upgrade or alter the buildings appearance; and
 - b. The occupancy of the existing structure and what impact the proposed rezoning may have on the existing residents of the two-family dwelling.
4. Where as a result of the normal rezoning process, the public has raised concerns over the design of an existing structure or construction of a new two-family dwelling on the subject site, staff will present to Council a summary of the public concerns along with options available to address the concerns.
5. Each application shall be reviewed to determine if there are any off-site improvements required to bring the site up to City standards. Should any off-site improvements be required, such improvements are required as a condition of final adoption of a rezoning bylaw.
6. Where a Council approved 702 Single Family Lot Size Policy would permit the subject site to be subdivided, Council will be advised of the site's future subdivision potential.
7. Rezoning applications intended to facilitate a strata title conversion of the existing structure shall be accompanied by a Strata Title Conversion Application and such application forwarded to Council concurrently with the rezoning proposal.

**PLAN SHOWING THE LOCATION OF IMPROVEMENTS SITUATED UPON
LOT 405, SECTION 33, B4N, R6W, PLAN 34834,
NEW WESTMINSTER DISTRICT.**

SCALE 1: 300 (METRIC)



CERTIFIED CORRECT AS TO LOCATION
AND DIMENSION OF IMPROVEMENTS

D. Prokopetz, ASCT, RSIS

DATED THIS 19th DAY OF JANUARY, 2007.

NOTE: The location of features certified by this plan has been determined from existing survey monumentation and does not purport to be a location certified in relation to a boundary of land. We accept no responsibility for the unauthorized use or for any use of a copy not bearing an original embossed seal. Property line dimensions are according to Land Title Office records. This plan is not to be used for the re-establishment of property lines.

Westcoast Surveys Ltd.
16264 80th Avenue
Surrey, B.C. V4N 0X3
tel 604-543-8665 fax 604-543-8610
Our File: 1-73-07
Your File: Hall/Chang

April 27, 2007

Attention: Cynthia Lussier
~~Planning Assistant~~ - City of Richmond

This information is to form part of the application for a strata title conversion on 8800/8820 Rosedene Crt., reference number SC 07-367841.

There are no current floor plans available, however pictures can be forwarded by email for your records. We have included the MLS sheet, which was available when we bought the house in January. This sheet includes the room dimensions. Included on the MLS form and on the bank appraisal is the age of the home, which is 38 years old. The home is in fair condition and we are in the process of updating the interior. There have been no renovations requiring a building permit to the building and we are not proposing any at this time.

Currently our family is the sole occupant and owner of the duplex. Our plan is to make improvements on the duplex and then sell 8820. We have a signed covenant with the city stating that each side must be occupied by a single family.

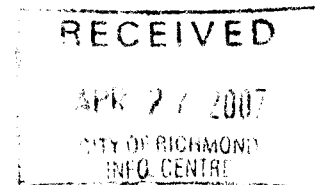
Accompanying this letter is:


- MLS listing
- Bank appraisal
- Land survey
- Subdivision layout

If you have any questions please contact me at 604-277-5657

Thank you,


John Hall




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