



To: Planning Committee

Date: February 3, 2025

From: Joshua Reis,
Director, Development

File: RZ 24-008451

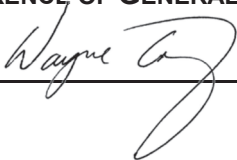
Re: **Application by Harjit Sandhu for Rezoning at 11111 Bird Road from School & Institutional Use (SI) zone to Small-Scale Multi-Unit Housing (RSM/L) zone**

Staff Recommendation

That the application to rezone the northern 30.48 m (100 ft.) of 11111 Bird Road from “School & Institutional Use (SI)” zone to “Small-Scale Multi-Unit Housing (RSM/L)” zone be denied.

Joshua Reis, MCIP, RPP, AICP
Director, Development
(604-247-4625)

JR:jsh
Att. 8

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Community Bylaws	<input checked="" type="checkbox"/>	
Parks Services	<input checked="" type="checkbox"/>	
Policy Planning	<input checked="" type="checkbox"/>	

Staff Report

Origin

Harjit Sandhu has applied on behalf of the owner, Baldis Kaur Sandhu, to the City of Richmond for permission to rezone the northern 30.48 m (100 ft.) portion of 11111 Bird Road from the “School & Institutional Use (SI)” zone to the “Small-Scale Multi-Unit Housing (RSM/L)” zone to increase the economic value of the site for refinancing purposes. This portion of the site is designated as “Park” in the City’s Official Community Plan (OCP). No new construction or development is being proposed at this time. The site is currently occupied by an existing single-family dwelling unit with a secondary suite located on the southern portion of the lot, which would remain on the parcel. A location map and aerial photo are provided in Attachment 1 and a Survey Plan is provided in Attachment 2.

Staff recommend denial of the proposed rezoning application as the proposal is inconsistent with a number of existing Council approved plans and strategies including the OCP.

Previous Development Applications

In 1993, the owner purchased the neighbouring property (11091 Bird Road) and submitted an application (RZ93-000344) to rezone the northern 30.48 m (100 ft.) of the site from School and Public Use District (SPU) to Single-Family Housing District, Area E (R1/E) with the intent to add a portion of it to the lot located at 11111 Bird Road. The consolidation and re-subdivision of 10091 and 11111 Bird Road would increase the amount of residentially-zoned land and bring the floor area ratio of 11111 Bird Road into conformity with the Richmond Zoning Bylaw No 8500 (for further details, see “Unpermitted Construction” section below). The proposal was contrary to the City’s objective to maintain a continuous buffer strip and incorporate it into the trail system and on August 23, 1994 the Planning & Development Services Committee denied the application.

In 2003 the owner applied to subdivide 11091 and 11111 Bird Road to transfer the northern 30.48 m (100 ft) from 11091 Bird Road to 11111 Bird Road. The application was approved in 2004. There was no change in zoning at this time.

In October 2010, the owner again applied to rezone the northern portion of 11111 Bird Road from its “School & Institutional Use (SI)” zoning to “Single Detached (RS1/E)”. That application is substantially similar to what is proposed under the current application. For several years City Staff and the owner worked to develop a solution that would allow the owner to gain additional floor area through rezoning to a site specific residential zone, in exchange for a Public Rights of Passage Statutory Right of Way (PROP SRW) over the north portion of the property to allow for access to the linear trail. This included the owner entering into an Option to Purchase Agreement with the City to allow the City to buy the north portion of the property at a nominal price when the City would wish to exercise the option in the future. In 2014, the owner advised City Staff that he would not agree to these terms and the file was ultimately closed.

Unpermitted Construction

Between 1989 and 2019, there have been enforcement actions related to unpermitted development on the site. The owner of 11111 Bird Road was the subject of a series of bylaw infractions and court rulings related to unpermitted development exceeding the permitted buildable area on the lot and construction of illegal suites and other unpermitted construction activity. These infractions ultimately resulted in the owner being charged under the Zoning Bylaw and Building Regulation Bylaw and found guilty under the jurisdiction of the Provincial Court in 1996, 2000, and 2019.

In February of 2021 a Building Permit was issued for one secondary suite as well as to remove non-permitted construction. A non-permit inspection was completed in June of 2021 for the sake of documenting progress of the obligations and expectations from the 2019 court order and permit conditions. The inspection identified additional non-permitted additions to the house, and an interior that did not match the Building Permit issued in February of 2021.

In February of 2023, a Building Permit was issued as a revision to the 2021 Building Permit, and all issues related to non-compliance have been resolved.

Findings of Fact

A Development Application Data Sheet providing details about the proposal is attached (Attachment 3).

Subject Site Existing Housing Profile

The existing single detached house is currently owner-occupied and contains one secondary suite.

Surrounding Development

Development immediately surrounding the site is as follows:

To the North: A parcel zoned “Industrial Retail (IR1)” containing a number of industrial and retail businesses.

To the South: Across Bird Road, two single-family lots zoned “Small-Scale Multi-Unit Housing (RSM/L)”.

To the East: Two parcels. To the northeast, a City-owned no access parcel zoned “School & Institutional Use (SI)” and designated for Park in the OCP. To the southeast, a single-family lot zoned “Small-Scale Multi-Unit Housing (RSM/L)”.

To the West: Two single-family lots, both zoned “Small-Scale Multi-Unit Housing (RSM/L)” and designated for Neighbourhood Residential uses in the OCP.

Related Policies & Studies

Official Community Plan/ East Cambie Area Plan

The 2041 OCP land use designation for the northern 30.48 m (100 ft.) of the parcel is “Park” which comprises those areas of the City where the primary use is public or private recreation, sports, public open space and natural areas, and includes City works and utilities. This designation is applicable to a 30.48 m (100 ft.) wide area of land north of Bird Road between Shell Road and No 5 Road. The OCP land use designation for the remainder of the parcel is “Neighbourhood Residential”. The OCP Land Use Map is located in Attachment 4. The underlying land use designation in the OCP have been provided for context in Attachment 5.

The East Cambie Area Plan, which predates the 2041 OCP, designates the area as “Residential (Single-Family Only)”. The East Cambie Area Plan also predates the 2010 Trail Strategy which identifies the northern portion of the property park related use. The East Cambie Area Plan Map is located in Attachment 6.

Small Scale Multi-Unit Housing

On July 24, 2024, City wide zoning changes were brought into effect in response to Provincial Housing Regulations. The subject property was rezoned from “Single Detached (RS1/E)” zone to the new “Small Scale Multi-Unit Housing (RSM/L)” zone. The new RSM/L zone provides for up to four dwelling units on the lot and additional density in excess to what was previously allowed in the prior RS1/E zone, providing an additional minimum of 23 m² (248 ft²) of floor area on the RSM/L zoned portion of the subject site should the site be developed for Small-Scale Multi-Unit Housing.

Public Consultation

In accordance with the City’s Early Public Notification Policy No. 1316, notice of the development proposal was provided to residents within 100 metres of the subject site. In addition, a rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the early public notification.

Analysis

Proposed Rezoning Application

The subject property is split-zoned, with the south portion of the property zoned “Small-Scale Multi-Unit Housing (RSM/L)” and the northern 30.48 m (100 ft.) portion zoned “School & Institutional Use (SI)”. The proposed rezoning application pertains to that portion of the site currently zoned “School & Institutional Use (SI)”.

In accordance with City of Richmond Zoning Bylaw 8500, where a property is split zoned the zoning boundary shall apply as if it were a lot line. Accordingly, all setbacks are measured from the zoning boundary and only the portion of the subject property that is zoned for residential use

may be used for the purposes of calculating density. As such, residential development on the subject property is restricted to that approximate 2,006 m² (21,592 ft²) portion of the subject site zoned RSM/L.

The majority of the northern portion of the subject property zoned “School & Institutional Use (SI)” is also encumbered by a BC Hydro right of way for overhead power lines which restricts development to the southern portion of the site. The power line right-of-way has been utilized as a buffer zone, being zoned School & Institutional Use (SI), with the intent to separate the industrial uses to the north from the residential uses to the south.

The applicant proposes to rezone the northern 30.48 m (100 ft.) of the site being 1,453 m² (15,640 ft²) in area from SI to RSM/L for refinancing purposes. This rezoning would have the effect of adding approximately 436 m² (4,693 ft²) of residential floor area above what is currently permitted on the subject site. Given the existing hydro encumbrance restricts development within the northern 30.48m (100 ft.) of the site this additional floor area would be required to be located within the remainder of the property where an existing single family dwelling is currently located.

As the applicant is not proposing any new development at this time, staff are unable to fully assess the impacts of this additional density as the applicant has not provided any plans for how this additional density would be distributed or constructed on the developable portion of the site. Staff anticipate that, if permitted, the additional floor area would likely result in a building form that is notably different from that of the adjacent properties and unlikely to be accommodated within the existing setbacks and height restrictions of the RSM/L zone.

Official Community Plan and Park

The City owns an approximate 30.48 m wide, 545 m long continuous linear strip within the power line right-of-way located to the east of the subject property. The City has been acquiring land within this buffer strip since the 1980s. Lands located west of Shell Road within this buffer area are owned by the Province. A map of City owned properties in the area is found in Attachment 7.

The proposed rezoning of the northern portion of the subject property to RSM/L for residential use is not consistent with the City’s 2041 OCP “Park” designation and associated OCP policies on the whole which envisions the northern portion of the site as part of an east west connection in the Richmond trail network connecting to Shell Road. The City cannot enact a zoning bylaw or zoning bylaw amendment that is not consistent with the OCP.

In addition, the proposed rezoning of this area for residential use would restrict the City’s ability to secure a long-term public trail network and access in the area. The City’s park and trail network seeks to improve walking, rolling and bicycle linkages within neighbourhoods to create safer, more convenient and attractive routes to multiple destinations a short distance from home. In this area, the park and trail network also acts as a buffer to provide an appropriate level of separation between the residential uses along Bird Road and the industrial uses to the north.

2010 Richmond Trail Strategy

The proposed rezoning application is not consistent with the 2010 Richmond Trail Strategy.

The northern portion of the site zoned “School & Institutional (SI)” and designated as “Park” in the OCP is listed as a “Proposed Trail/ Greenway” in the 2010 Richmond Trail Strategy for the Bridgeport Area. The Bridgeport Area Trail Map is located in Attachment 8. This strategy has an ongoing / long term goal of developing a trail behind the residential area on Bird Road which would eventually connect Bath Slough on the east side to St. Edwards Drive to the west.

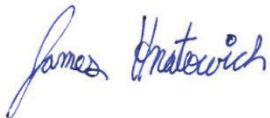
The northern portion of the subject property which is designated as “Park” in the OCP is an important future linear park component as the City already owns substantial portions of the proposed linear park in the area including the lands immediately east of the subject property. It is the City’s intention to continue to acquire lands as they become available in this area in order to complete the public park and trail network.

Conclusion

The proposed rezoning application seeks to rezone the northern 30.48 m (100 ft.) of 11111 Bird Road from “School & Institutional Use (SI)” to “Small-Scale Multi-Unit Housing (RSM/L)” to increase the economic value of the site for refinancing purposes. No development is being proposed through the rezoning; however, the application results in an increase in permitted residential floor area on the subject property.

Staff recommend rezoning application be denied as it does not comply with the City’s 2041 OCP Land Use designation of “Park” and is inconsistent with the City’s 2010 Richmond Trail Strategy.

On this basis, it is recommended that the application be denied.



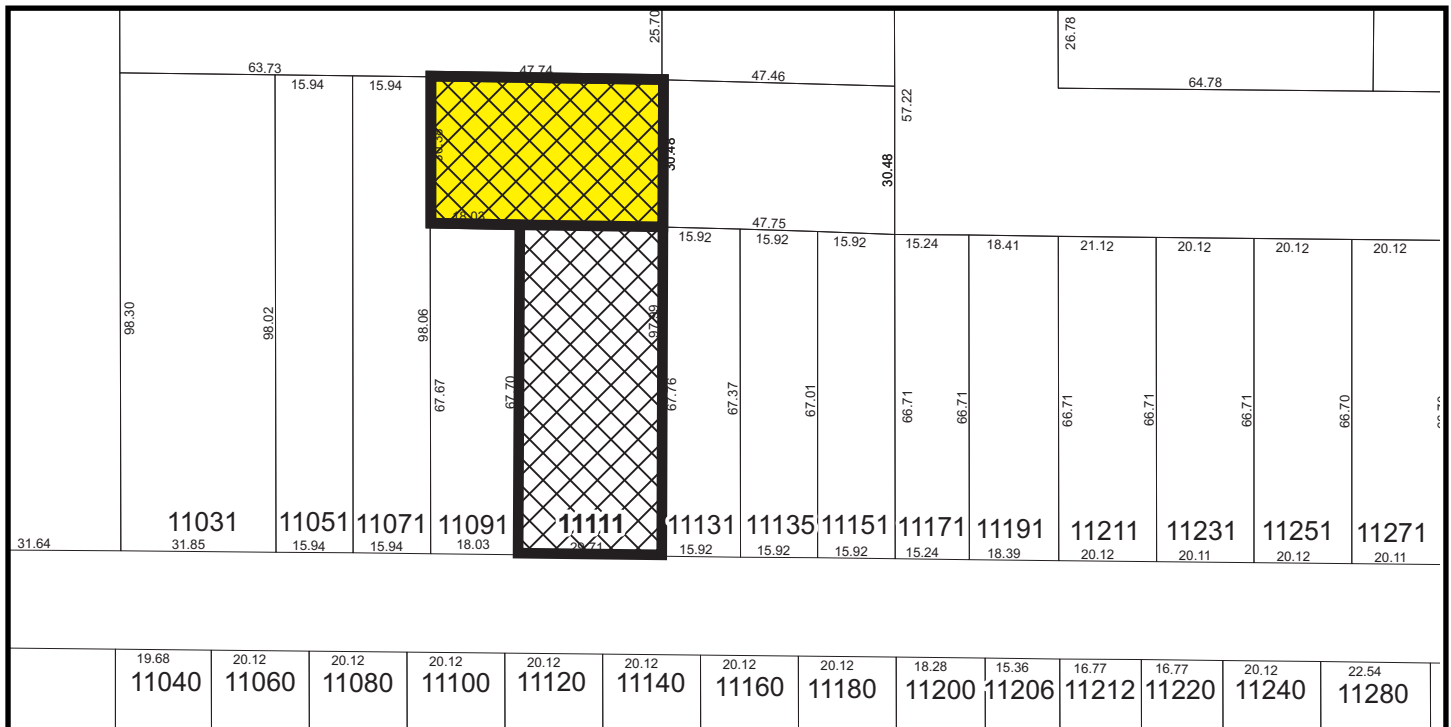
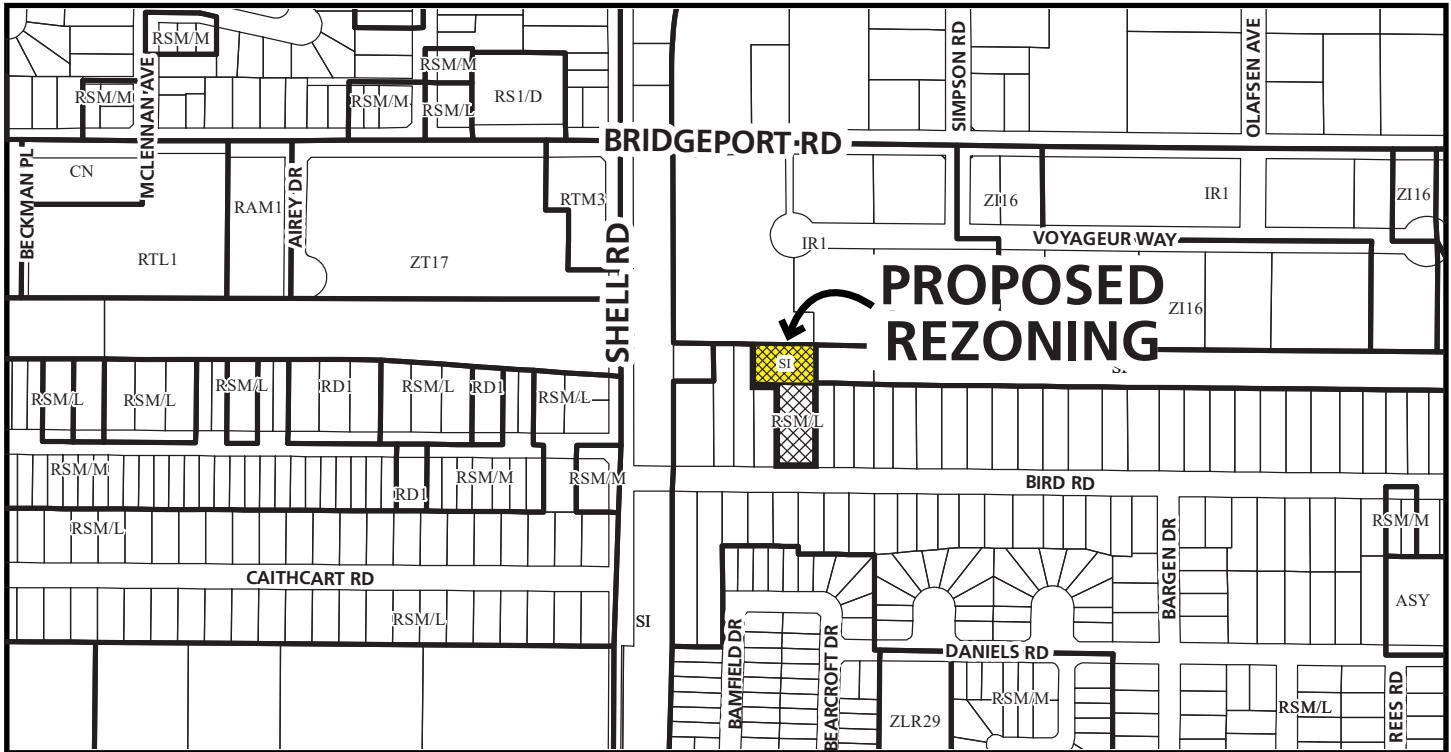
James Hnatowich
Planner 1


JSH:cas

- Attachment 1: Location Map
- Attachment 2: Survey Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Official Community Plan Map
- Attachment 5: Underlying Land Use Designations in the OCP
- Attachment 6: East Cambie Area Plan Map
- Attachment 7: City Owned Lands
- Attachment 8: Bridgeport Area Trail Map



City of Richmond





RZ 24-008451

PLN - 14

Original Date: 04/08/24

Revision Date: 12/18/24

Note: Dimensions are in METRES



City of Richmond



**SUBJECT
PROPERTY**

11111



RZ 24-008451

PLN - 15

Original Date: 04/08/24

Revision Date:

Note: Dimensions are in METRES

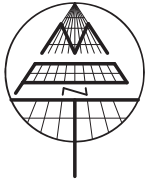
SURVEY PLAN OF LOT D SECTION 25 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN BCP15735

Attachment 2

PARCEL IDENTIFIER (PID): 026-217-490

CIVIC ADDRESS:
#11111 BIRD ROAD
RICHMOND, B.C.

SCALE 1:250



LEGEND

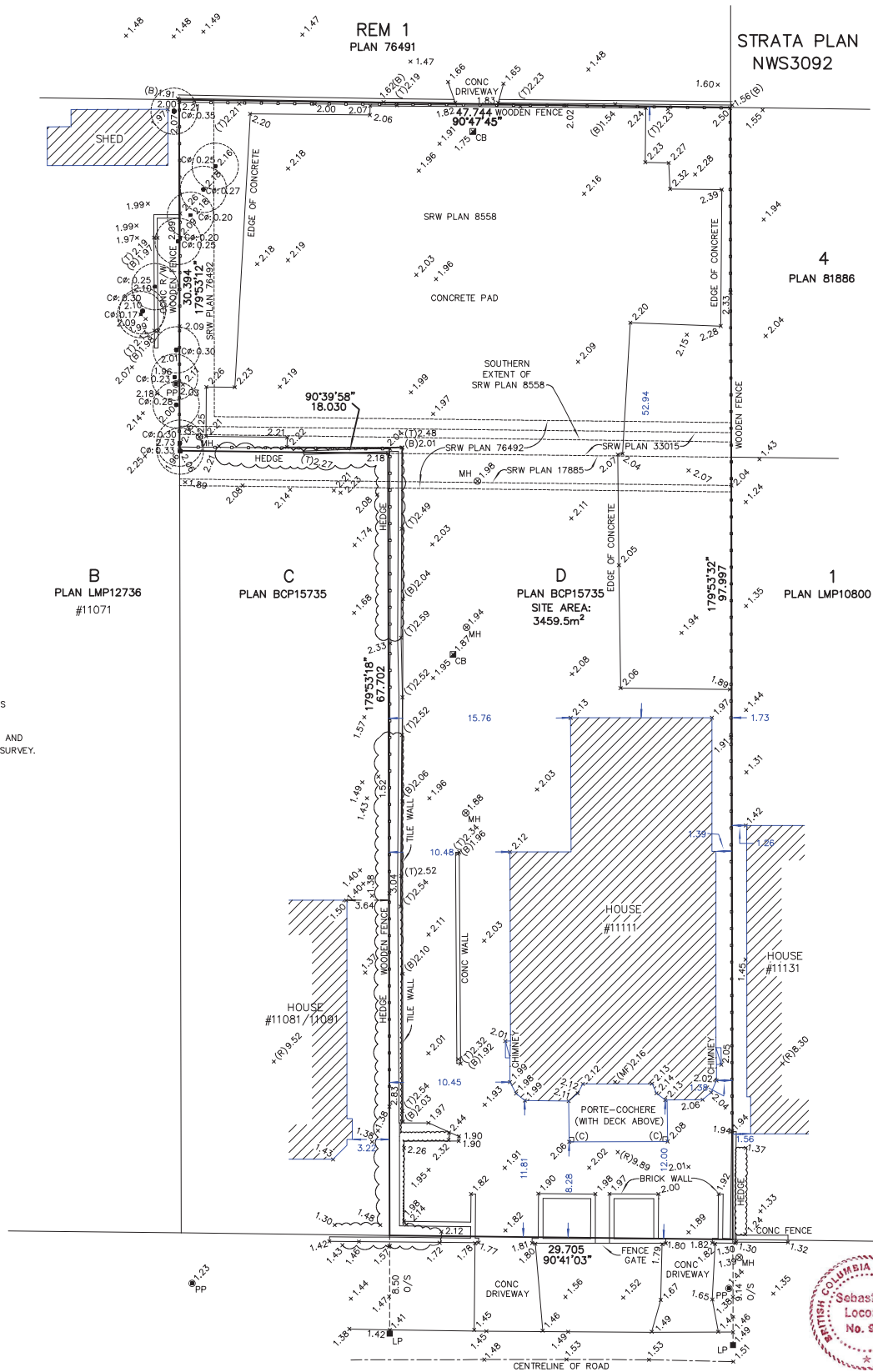
- LP INDICATES LEAD PLUG
- CB INDICATES CATCH BASIN
- MH INDICATES MANHOLE
- ⊙ PP INDICATES POWER POLE
- ⊗ WV INDICATES WATER VALVE
- (MF) INDICATES MAIN FLOOR
- (R) INDICATES ROOF ELEVATION
- (T) INDICATES ELEVATION TOP OF WALL
- (B) INDICATES ELEVATION BOTTOM OF WALL
- (C) INDICATES COLUMN
- CONC INDICATES CONCRETE
- O/S INDICATES OFFSET

TREE SYMBOLOGY

- TREE CROWN
- TREE TRUNK
- DENOTES TRUNK DIAMETER MEASURED 1.2 TO 1.5 METRES ABOVE GRADE AT BASE OF TREE
- DENOTES TREE TYPE
- C DENOTES CONIFEROUS TREE
- D DENOTES DECIDUOUS TREE

NOTES:

- ELEVATIONS ARE IN METRES AND ARE DERIVED CITY OF RICHMOND GEODETIC CONTROL MONUMENT, TABLET 92H972 WITH AN ELEVATION OF 10.392 METRES CVD28GVRO GEODETIC DATUM.
- PROPERTY LINE DIMENSIONS ARE BASED ON LAND TITLE AND SURVEY AUTHORITY OF BC RECORDS AND LEGAL FIELD SURVEY.
- ALL DESIGNATED TREES AS DEFINED BY CITY OF RICHMOND BYLAW NO. 8057, ARE SHOWN HEREON.
- BUILDING MEASUREMENTS ARE TAKEN TO EXTERIOR BUILDING WALLS.



BIRD ROAD



DATE OF SURVEY: SEPTEMBER 22, 2023
Digitally signed by Sebastiano Loconte BGM66
Date: 2023.09.22 14:31:11 -0700

© COPYRIGHT
MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
#320 - 11120 HORSESHOE WAY
RICHMOND, B.C., V7A 5H7
PH: 604-270-9331
FAX: 604-270-4137
CADFILE: 19937-002-TPG-000.DWG

PLN - 16

SEBASTIANO LOCONTE
BC LAND SURVEYOR (#945)
"THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED."



RZ 24-008451

Attachment 3

Address: 11111 Bird Road

Applicant: Harjit Sandhu

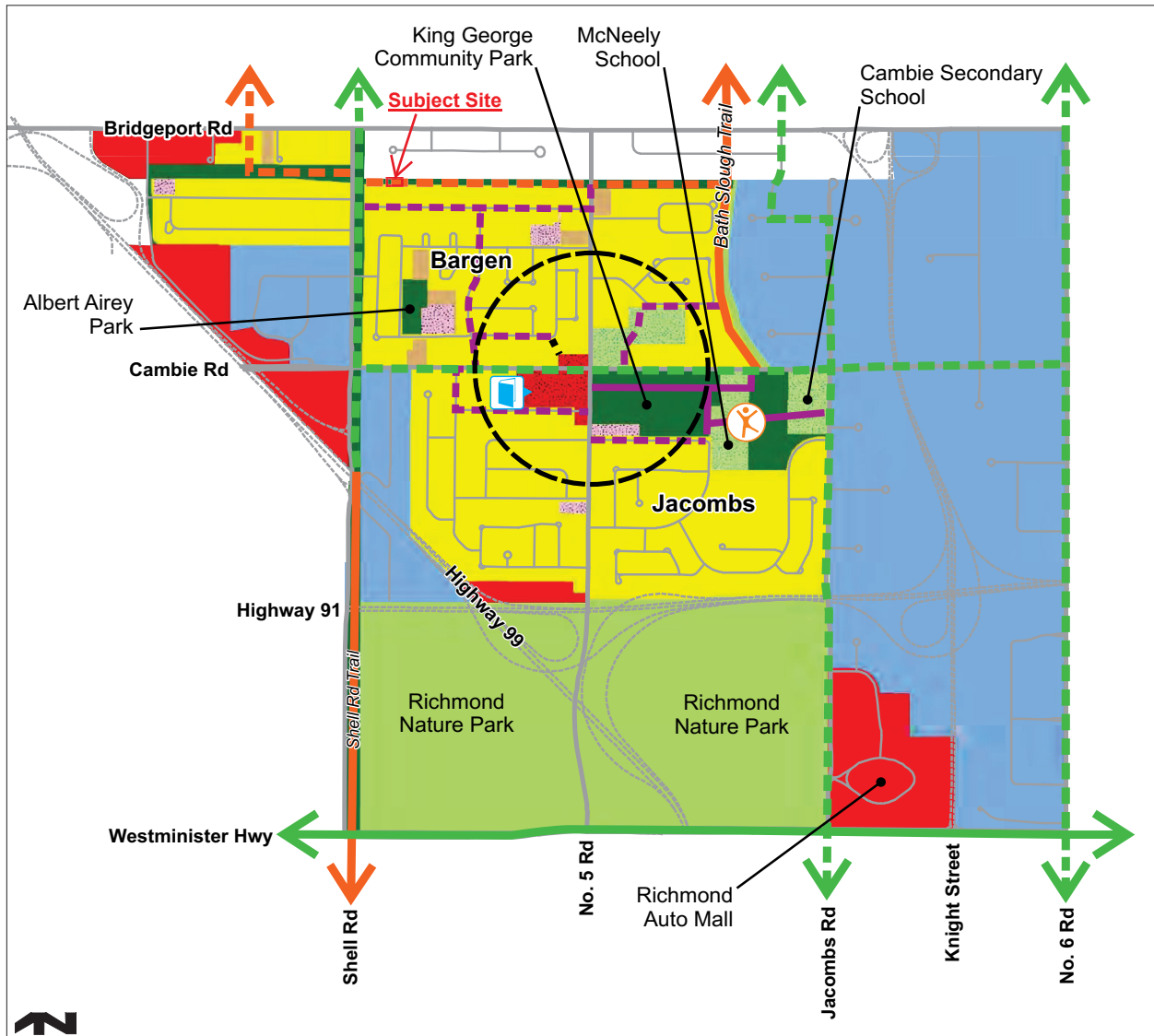
Planning Area(s): East Cambie Area Plan

	Existing	Proposed
Owner:	Baldish Sandhu	No change
Site Size (m²):	3,459 m ²	No change
Land Uses:	Single-Family	Single-Family
OCP Designation:	Neighbourhood Residential, Park	Neighbourhood Residential
Area Plan Designation:	Residential (Single-Family Only)	No change
Zoning:	School & Institutional Use (SI), Small-Scale Multi-Unit Housing (RSM/L)	Small-Scale Multi-Unit Housing (RSM/L)
Number of Units:	two	No change

	Current	Proposed	Variance
Permitted Maximum Floor Area Ratio:	718 m ² (7,728 ft ²)	1,154 m ² (12,421 ft ²)	none permitted
Size of Area Zoned "RSM/L":	2,006 m ²	3,459 m ²	none



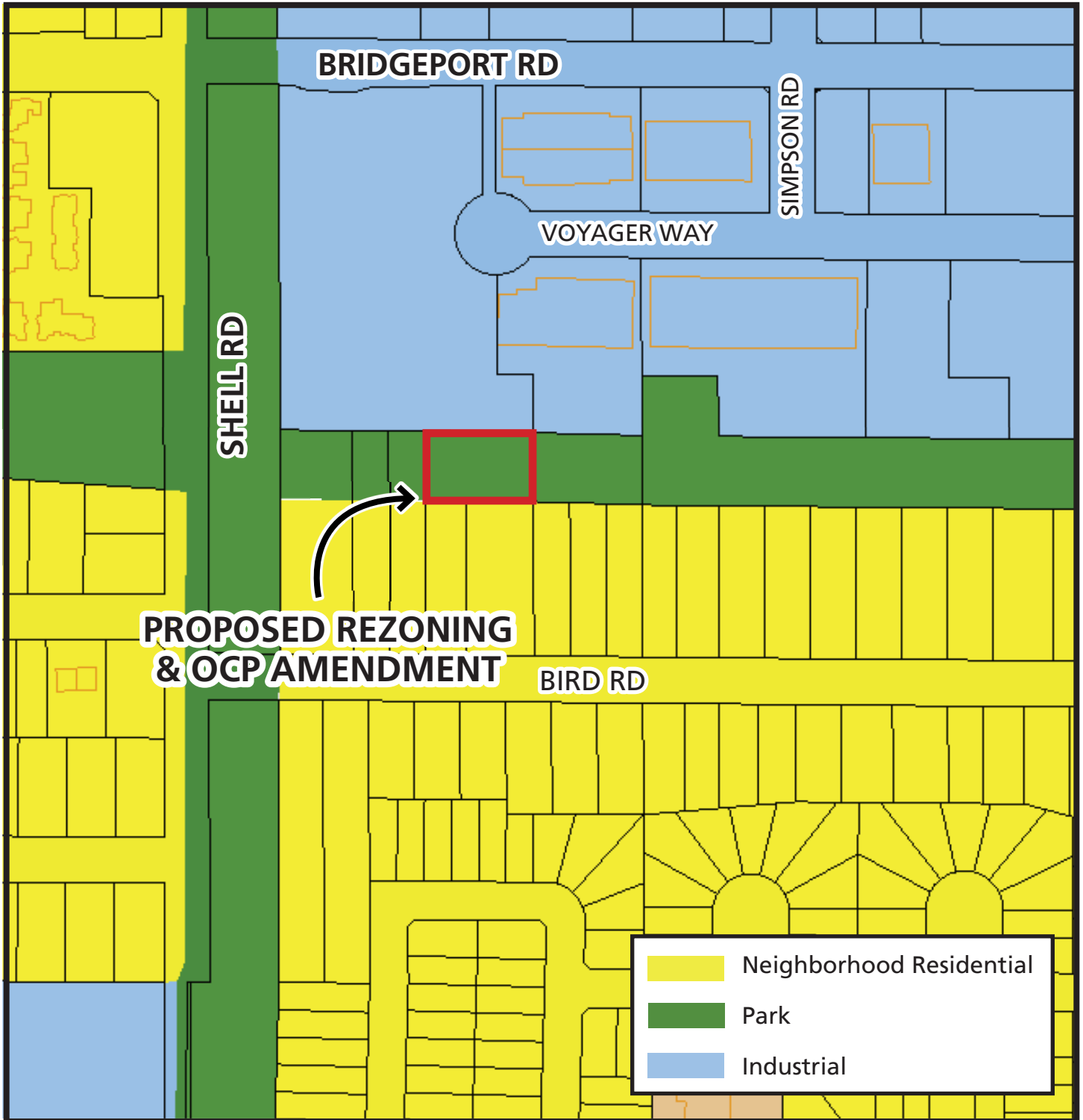
11b. East Cambie



Apartment Residential	East Cambie Neighbourhood Centre (future)	Existing Major Street Bike Route
Commercial	Cambie Community Centre	Future Major Street Bike Route
Community Institutional	Cambie Library	Existing Greenway/Trail
Conservation		Future Greenway/Trail
Mixed Employment		Existing Neighbourhood Link - enhanced
Neighbourhood Residential		Future Neighbourhood Link - unenhanced
Neighbourhood Service Centre		Future Neighbourhood Link
Park		
School		



City of
Richmond



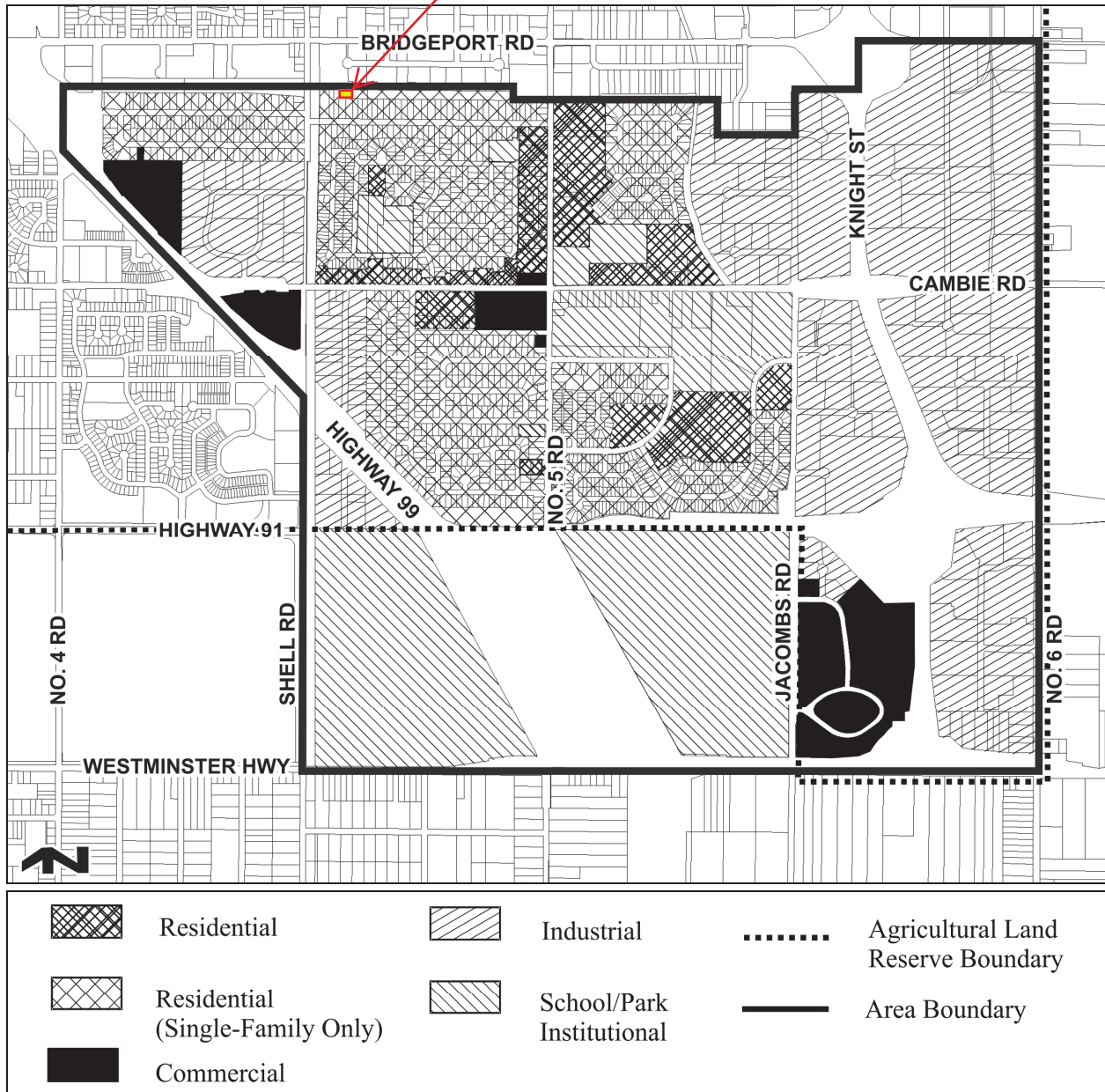
Context Land Use Map
2041 OCP Land Use Map (RZ 24-008451)
PLN - 19

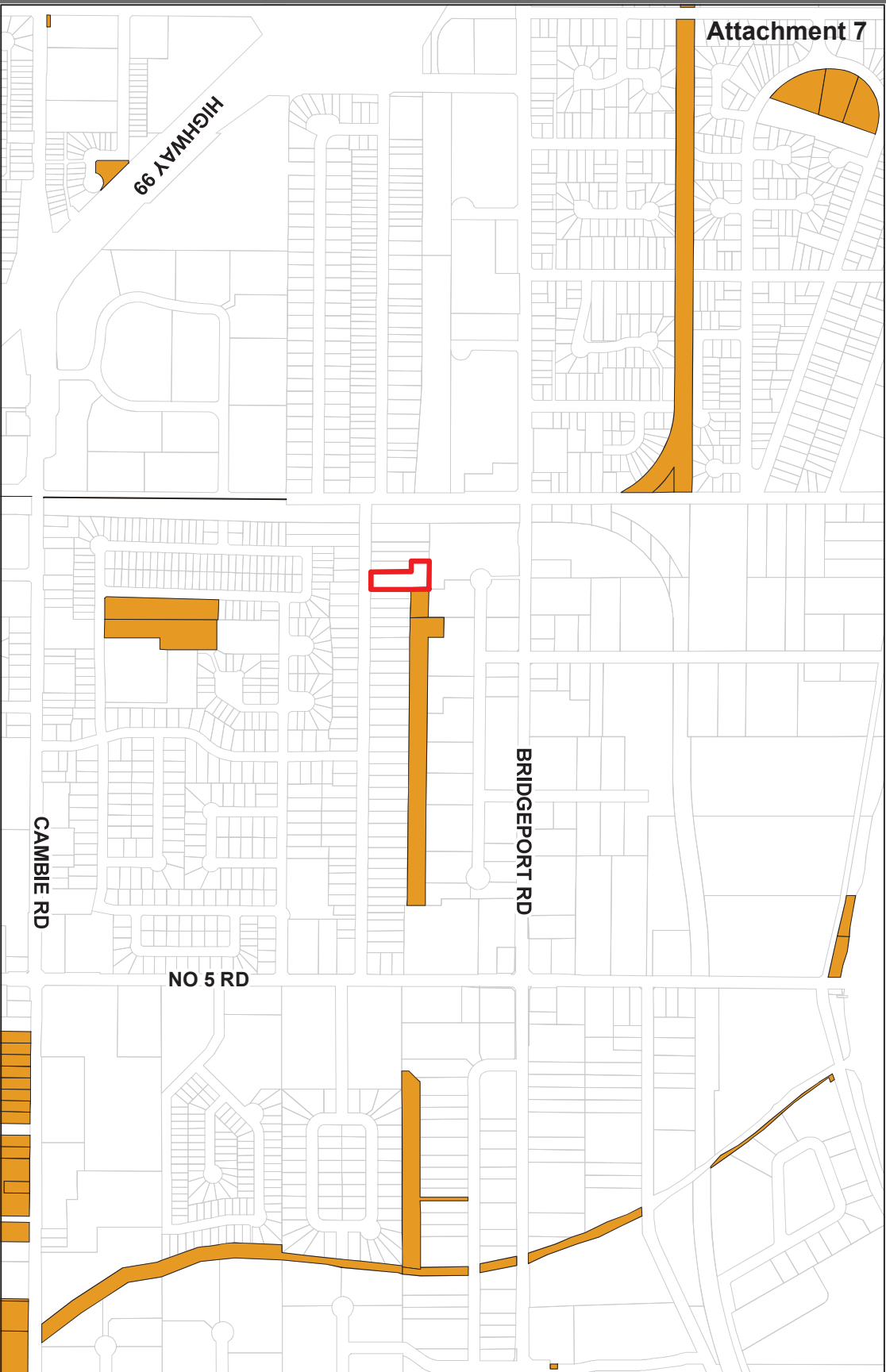
Original Date: 12/18/24
Revision Date:
Note: Dimensions are in METRES



City of Richmond

Land Use Map Bylaw 9874
2024/04/22

Subject Site





- Legend**
-  111111 Bird Rd
 -  City Owned Parcels

January 27, 2025
 Prepared by Onkar Buttar

LN - 21

Note:
 The information shown on this map is compiled from various sources and the City makes no warranties, expressed or implied, as to the accuracy, completeness, or reliability of the information. Users are advised to verify the information with the City of Richmond at the Land Title office in New Westminster. This is NOT a legal document, and is published for information and reference only. Copyright © 2025. All rights reserved. Not to be reproduced or distributed without permission.



