



City of Richmond
Planning and Development Department

Report to Committee

To: Planning Committee
From: Brian J. Jackson, MCIP
Director of Development
Date: April 27, 2011
File: SC 10-557884
Re: Application by May May Wo Chan for a Strata Title Conversion at
7311/7331 Lindsay Road

Staff Recommendation

1. That the application for a Strata Title Conversion by May May Wo Chan for the property located at 7311/7331 Lindsay Road be approved on fulfilment of the following conditions:
 - (a) Payment of all City utility charges and property taxes up to and including the year 2011;
 - (b) Registration of a flood indemnity covenant on Title; and
 - (c) Submission of appropriate plans and documents for execution by the Approving Officer within 180 days of the date of this resolution.
2. That the City, as the Approving Authority, delegate to the Approving Officer, the authority to execute the strata conversion plan on behalf of the City, as the Approving Authority, on the basis that the conditions set out in Recommendation 1 have been satisfied.

Brian J. Jackson, MCIP
Director of Development

CL:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY

CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

May May Wo Chan has applied to Strata-Title the existing duplex at 7311/7331 Lindsay Road, zoned "Two-Unit Dwellings (RD1)" (**Attachment 1**). The applicant is one of four property owners and currently resides in the south half of the duplex at 7331 Lindsay Road, along with a second property owner, Spencer Fook Yu Yeung. The north half of the duplex at 7311 Lindsay Road is occupied by the two remaining property owners, Kenneth Kin Wo Chan and Donna Ching Yee Chan. The applicant is acting on behalf of all four property owners and wishes to Strata-Title the duplex in order to be able to sell each half of the duplex in the future.

Findings of Fact

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

Surrounding Development

The subject site is located on the west side of Lindsay Road in the Blundell Planning Area. The area surrounding the site is an established residential neighbourhood consisting primarily of single-detached dwellings on medium to large-sized lots. There is also a low-density low-rise apartment complex to the northeast of the site.

Existing development immediately surrounding the site is as follows:

- To the north and south, are older character dwellings on large lots zoned "Single Detached (RS1/E)";
- To the east, immediately across Lindsay Road, is an older character dwelling on a large lot zoned "Single Detached (RS1/E)", which is currently the subject of a Rezoning Application to enable subdivision to a smaller lot size (RZ 10-546023, Bylaw 8732 received Third Reading on April 18, 2010); and
- To the west, is a newer character dwelling on a large lot zoned "Single Detached (RS1/E)", fronting Railway Avenue.

Related Policies & Studies

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

- Rezoning applications to "Two-Unit Dwellings (RD1)" involving existing strata-titled duplexes (Policy 5007);
- Rezoning applications to "Two-Unit Dwellings (RD1)" 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, none of the above Council policies specifically apply in this case. Nonetheless, portions of the requirements of Council Policy 5042 were used in reviewing the subject application (**Attachment 3**).

Official Community Plan (OCP) Designation

The subject site is located in the Blundell Planning Area. The OCP's Generalized Land Use Map designation for this site is "Neighbourhood Residential", and the Specific Land Use Map designation is "Low-Density Residential". This application is consistent with these designations.

Lot Size Policy 5463

The subject site is located within the area covered by Lot Size Policy 5463, adopted by Council in 1996 (**Attachment 4**). The Lot Size Policy permits duplex properties and other properties generally fronting Lindsay Road to rezone and subdivide in accordance with "Single Detached (RS2/B)", which means each new lot created must have a minimum width of 12 m (39.4 ft), depth of 24 m (78.4 ft), and area of 360 m² (3875 ft²). Consistent with the Lot Size Policy, the subject site has rezoning and subdivision potential.

Flood Management

Registration of a flood indemnity covenant on Title is required prior to this application being approved.

Staff Comments

The applicant is requesting approval to Strata-Title the existing duplex in order to facilitate selling each unit separately in the future. The applicant and all current owners intend to retain ownership and occupancy of the existing duplex; no new buildings or structures are proposed. Staff has no concerns related to tree preservation, vehicle access, and site servicing.

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, has been submitted by the applicant showing the location, dimensions, and setbacks of all buildings and structures presently on the property for the purpose of verifying compliance with zoning (**Attachment 5**).
- A written statement provided by the applicant indicates (**Attachment 6**):
 - That the duplex is approximately 35 years old, is in liveable condition, is structurally sound, and with no unsafe conditions identified;
 - That the present owners have been the sole owners and occupants of the duplex for 21 years, and that cosmetic renovations have been made to the duplex during that time (e.g. new roof, new flooring, and new kitchen counter-tops and cupboards); and
 - That no further interior or exterior alterations are proposed at this time.
- A covenant currently exists on Title, which restricts the use of the duplex to a maximum of two (2) dwelling units.
- There are no outstanding utility charges or property taxes owing from prior years. The City's Tax division has confirmed that the 2011 utilities have been paid in full and the

2011 property taxes have not yet been billed. The applicant will be required to confirm payment of 2011 property taxes prior to approval of this application.

- On April 8th, 2011, Community Bylaws staff conducted an inspection of the existing duplex and confirmed that the structure contains a maximum of two (2) dwelling units.
- On April 21, 2011, Planning staff conducted a site inspection to assess the character of the duplex, which appears to be in liveable condition and is generally consistent with that of existing older dwellings in the neighbourhood. Each unit has a garage with individual driveways leading to Lindsay Road, and the required parking can easily be accommodated on-site. The remainder of the yard is landscaped with lawn, trees, and shrubs.
- On April 28th, 2011, Building Approvals staff confirmed that there are no outstanding Permit requirements at this site (i.e. all permits on file have passed final inspection).
- No off-site improvements are required to bring the site up to City standards.
- The subject application does not affect the site's future subdivision potential, consistent with Lot Size Policy 5463.

Financial Impact

None.

Conclusion

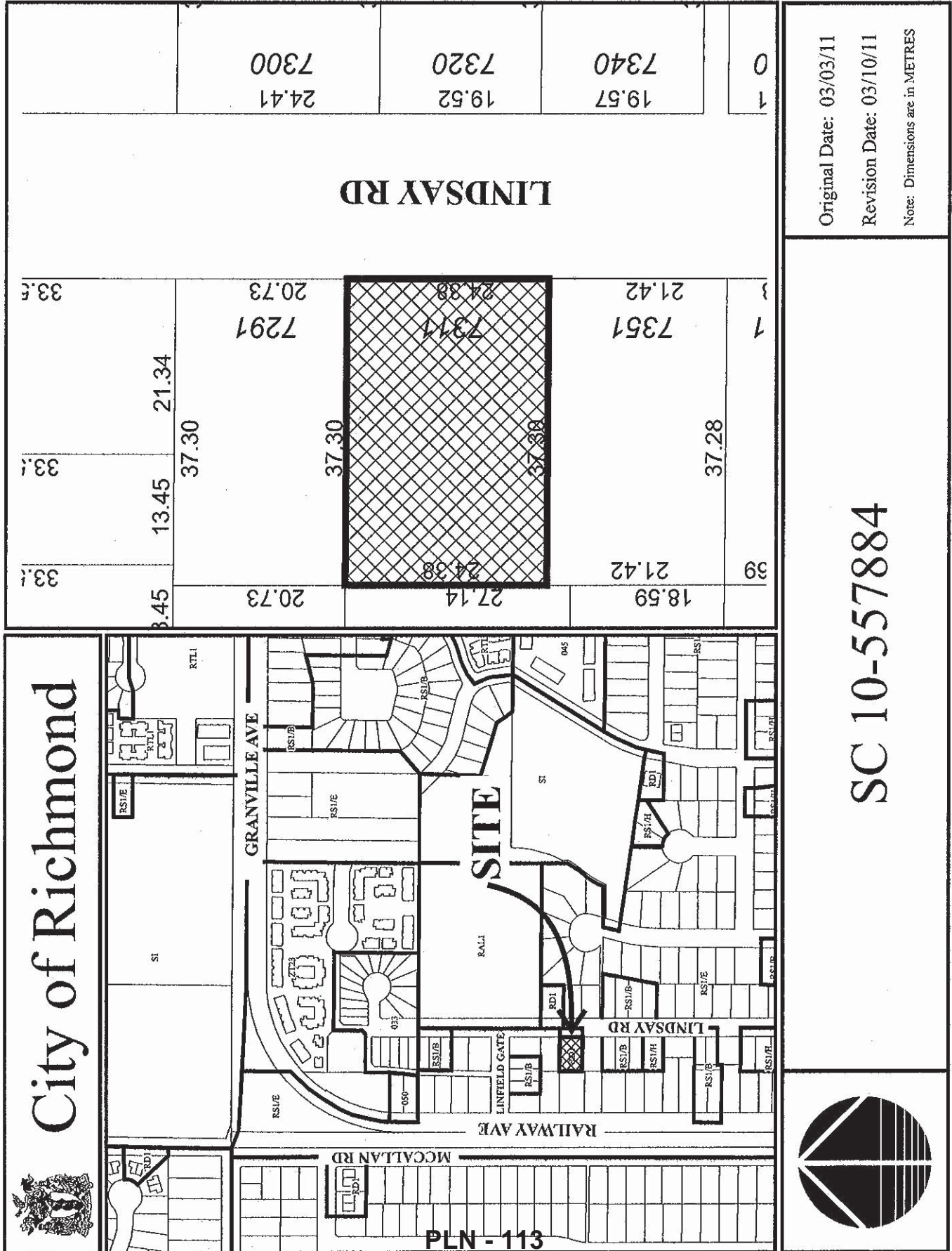
This proposal is consistent with all applicable land use designations and has been reviewed in accordance with Council Policy 5042. On this basis, staff recommend support for this application for Strata-Title Conversion.

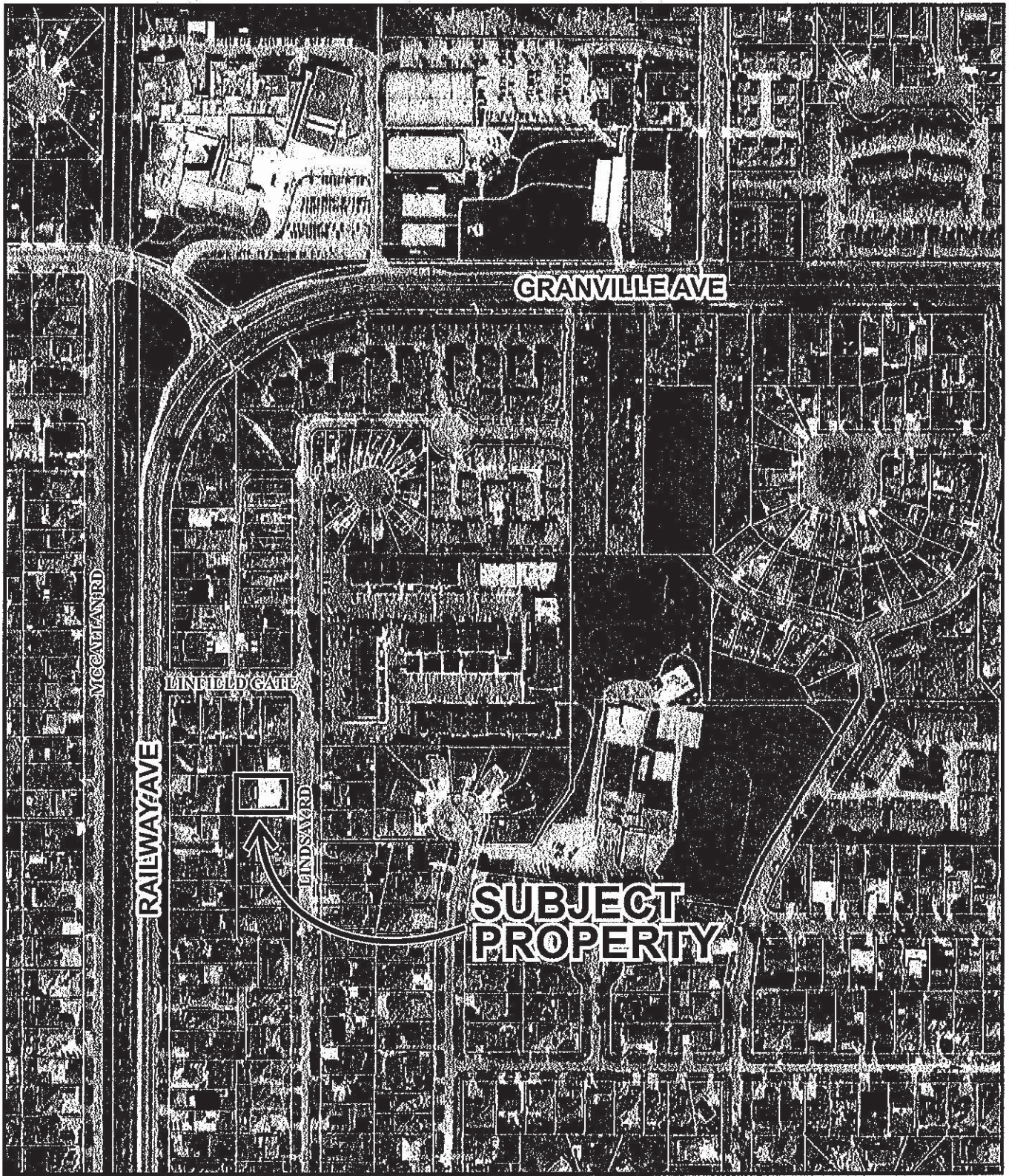


Cynthia Lussier
Planning Technician
(604-276-4108)

CL:blg

Attachment 1: Location Map/Aerial Photo
Attachment 2: Development Application Data Sheet
Attachment 3: Council Policy 5042
Attachment 4: Lot Size Policy 5463
Attachment 5: Survey Certificate
Attachment 6: Applicant's written statement





SC 10-557884
PLN - 114

Original Date: 03/10/11

Revision 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 10-557884

Attachment 2

Address: 7311/7331 Lindsay Rd

Applicant: May May Wo Chan

Planning Area(s): Blundell

	Existing	Proposed
Owner:	May May Wo Chan Spencer Fook Yu Yeung Kenneth Kin Wo Chan Donna Ching Yee Chan	No change
Site Size (m ²):	909.6 m ² (9,791 ft ²)	No change
Land Uses:	One (1) two-family dwelling	No change
OCP Designation:	- OCP's Generalized Land Use Map designation – "Neighbourhood Residential" - OCP's Specific Land Use Map designation – "Low-Density Residential"	No change
702 Policy Designation:	Lot Size Policy 5463 permits duplex properties and other properties generally fronting Lindsay Road to rezone and subdivide in accordance with "Single Detached (RS2/B)".	No change
Zoning:	Two-Unit Dwellings (RD1)	No change
Number of Units:	2	No change

**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.



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: February 19, 1996

POLICY 5463

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 13-4-7

POLICY 5463:

The following policy establishes lot sizes for properties within the area generally bounded by **Railway Avenue, Blundell Road and No. 2 Road**, in a portion of Section 13-4-7 as shown on the attached map:

That properties within the area generally bounded by Railway Avenue, Blundell Road and No. 2 Road, in a portion of Section 13-4-7, be permitted to rezone in accordance with the provisions of Single-Family Housing District, Subdivision Area H (R1/H) in Zoning and Development Bylaw 5300, with the exception that:

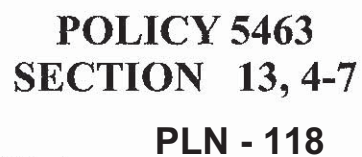
1. Single-Family Housing District, Subdivision Area E (R1/E) applies to lots with frontage on No. 2 Road and Blundell Road that do not have a lane or internal road access;
2. Single-Family Housing District, Subdivision Area B (R1/B) applies to properties with duplexes on them with the exception that Single-Family Housing District, Subdivision Area E (R1/E) applies to those properties with frontage on No. 2 Road and Blundell Road that do not have lane or internal road access;
3. Single-Family Housing District, Subdivision Area B (R1/B) applies to properties generally fronting Lindsay Road and Linfield Gate in the western portion of Section 13-4-7; and

That this policy be used to determine the disposition of future single-family rezoning applications in this area, for a period of not less than five years, unless amended according to Bylaw No. 5300.

This is a detailed zoning map of a portion of Granville, Ohio. The map shows a grid of streets including Granville Ave at the top, Railway Ave on the left, Lindsay Rd running vertically, Lancing Rd running horizontally, and Blundell Rd at the bottom. A large area in the center and left is shaded with diagonal hatching. Various zoning districts are labeled throughout the map, including R1/E, R1/B, R7, SPU, R5, R4/B, R4/H, R3, R2, and C2. A specific parcel is labeled 045. The map also shows a railway line on the left and a large area labeled 'GRANVILLE' at the top.

Subdivision permitted as per **R1/H** with the exception that **R1/B** applies to existing duplexes and **R1/E** applies to lots facing No. 2 Road and Blundell Road that do not have a lane or internal road access.

Subdivision permitted as per **R1/B** with the exception that **R1/E** applies to lots facing Railway Avenue that do not have a lane or internal road access.



Amended Date:

**B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDING
AS CONSTRUCTED ON LOT 200 SECTION 13 BLOCK 4 NORTH
RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN 44714**

#7311 & 7331 LINDSAY ROAD
RICHMOND, B.C.
P.I.D. 004-926-455



This document is not
valid unless originally
signed and sealed.

Notes: This plan is not
to be used for the
purpose of establishing
property lines.

PLAN - 119

© copyright
J. C. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 4012
Drawn By: MY

DWG No. 4012-NEC

SCALE: 1:250



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED

ZONING: RD1

MINIMUM ZONING REQUIREMENTS

Front yard: 6.00 m
N. side yard: 1.20 m
S. side yard: 1.20 m
Rear yard: 6.00 m

FIELD MEASUREMENTS

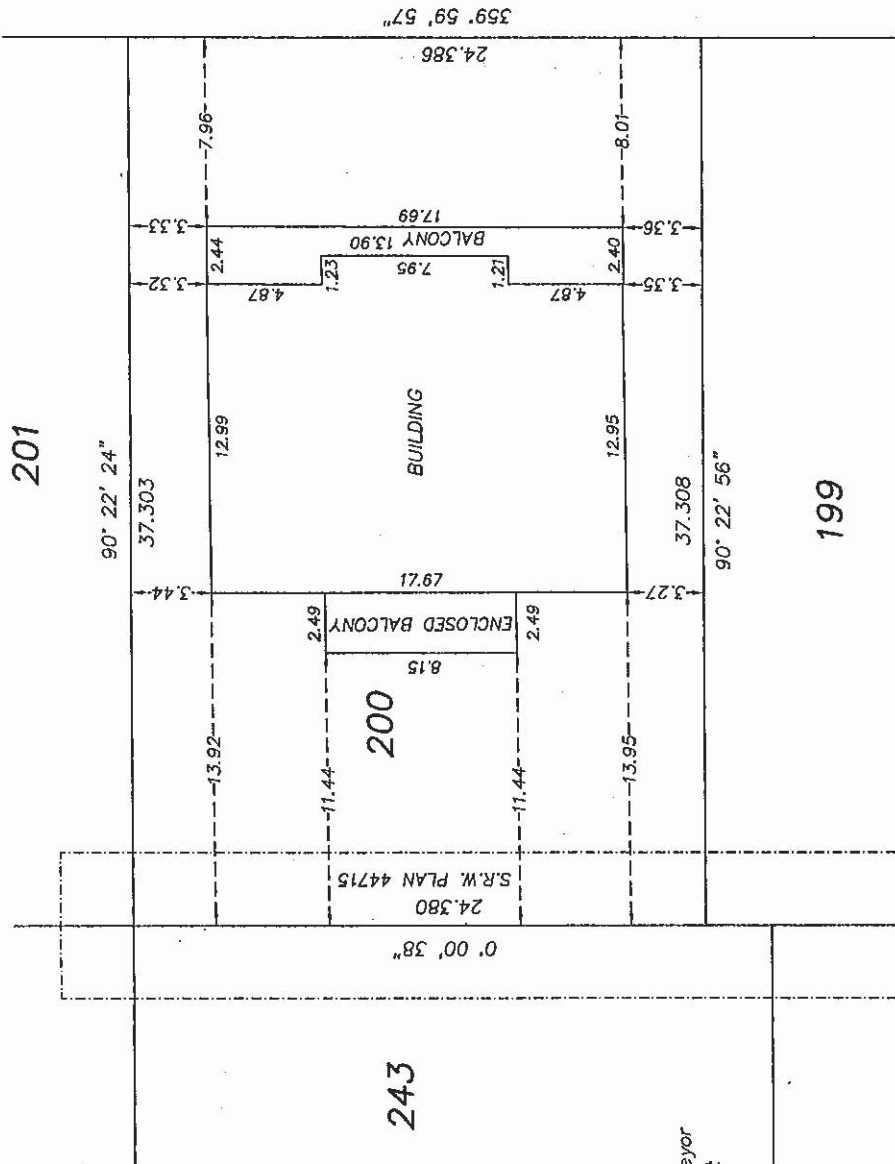
Front yard: 7.96
N. side yard: 3.32
S. side yard: 3.27
Rear yard: 11.44

Lot Area: 909.6 m²
Building Area: 247.2 m²
Ground Floor: 234.9 m²
Second Floor: 482.1 m²
Total Area:

**CERTIFIED CORRECT FOR
MORTGAGE PURPOSE ONLY:**

[Signature]
JOHNSON C. TAM, B.C.L.S., C.L.S.

MARCH 15th, 2011.



March 16, 2011
File: SC 10-557884

Cynthia Lussier
Planning Technician
Planning and Development Department
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Dear Ms. Lussier,

**Re: Application for a Strata Title Conversion for Property located at
7311/7331 Lindsay Road, Richmond, BC**

This refers to your letter dated March 10, 2011. The following are the additional information required as part of the application review process:

1. a. The purpose of the strata-title conversion application is to allow for selling half of the property when required to.
- b. The duplex is 35 years of age, is liveable. The duplex is structural sound with no unsafe condition identified.
- c. Since we purchased the duplex in 1989, there were cosmetic renovations to the duplex. We have lived here for 21 years and during our time, we have changed carpet, wooden floor, replaced kitchen counter-tops, kitchen cupboards and tiles.

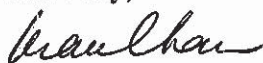
The roof of the duplex was replaced in 2006.

There are no proposed interior or exterior renovations proposed to upgrade or alter the appearance of the duplex.

- d. We are the current residents since 1989, occupied by two single families and there are no tenants living in the duplex.

2. Enclosed is a copy of the Survey Certificate by J.C. Tam & Associates, the Land Surveyor.

Yours truly,



May May-Wo Chan
Owner of 7311/7331 Lindsay Road
Richmond, BC