



To: Planning Committee
From: Wayne Craig
Director, Development

Date: April 27, 2016
File: RZ 16-723542
SC 15-713515

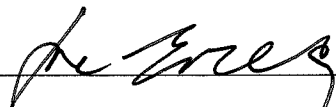
Re: **Application by Madan L. & Chalinder K. Aheer and Khial Chand & Harbakhas Aheer for Rezoning at 10726/10728 River Drive from Single Detached (RS1/D) to Two-Unit Dwellings (RD1)**

Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9538, for the rezoning of 10726/10728 River Drive from “Single Detached (RS1/D)” to “Two-Unit Dwellings (RD1)”, be introduced and given first reading.
2. That the application for a Strata Title Conversion by Madan L. & Chalinder K. Aheer and Khial Chand & Harbakhas Aheer for the property located at 10726/10728 River Drive be approved on fulfillment of the following conditions:
 - a) Adoption of Bylaw No. 9538, rezoning subject property from “Single Detached (RS1/D)” to “Two-Unit Dwellings (RD1)”.
 - b) Payment of all City utility charges and property taxes up to and including the year 2016.
 - c) Submission of appropriate plans and documents for execution by the Approving Officer within 180 days of the date of this resolution.
3. That the City, as the Approving Authority, delegate 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 2 have been satisfied.


Wayne Craig
Director, Development

SDS:blg
Att.

REPORT CONCURRENCE
CONCURRENCE OF GENERAL MANAGER


Staff Report

Origin

Madan L. & Chalinder K. Aheer and Khial Chand & Harbakhas Aheer have applied to the City of Richmond for permission to rezone the properties at 10726/10728 River Drive from the "Single Detached (RS1/D)" zone to the "Two-Unit Dwellings (RD1)" zone, in order to facilitate a Strata Title Conversion of an existing duplex on-site (Attachment 1). A site survey, showing the existing duplex is included in Attachment 2. A Strata Title Conversion application for the existing two-family dwelling has also been submitted.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the subject site is as follows:

To the North: Across River Drive, an automotive repair service on a lot zoned "Industrial Storage (IS)"; currently under rezoning application (RZ 15-708599) to rezone to a site-specific zone in order to construct a multi-family residential development.

To the South: Single-family dwellings on lots zoned "Single Detached (RS1/D)" fronting Gilmore Crescent.

To the East: Single-family dwellings on lots zoned "Single Detached (RS1/D)" fronting River Drive.

To the West: Single-family dwellings on lots zoned "Single Detached (RS1/D)" fronting River Drive.

Related Policies & Studies

Official Community Plan/Bridgeport Area Plan

The Official Community Plan (OCP) land use designation for the subject site is "Neighbourhood Residential". This development proposal is consistent with this designation.

The Bridgeport Area Plan land use designation for the subject site is "Residential (Single Family)". This redevelopment proposal is consistent with this designation.

Lot Size Policy 5448

The subject site is located within the area governed by Single-Family Lot Size Policy 5448 (adopted by Council September 16, 1991 and amended in 2012) (Attachment 4). The Policy permits properties to be subdivided in accordance with “Single Detached (RS1/B)” or “Single Detached (RS1/C)”. The development proposal is consistent with this Policy, as it does not result in the subdivision of the lot. As discussed further in the Analysis section, the proposed rezoning and Strata Title Conversion does not preclude future subdivision potential.

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

On March 29, 2005, Council adopted Policy #5042 for Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings. A copy of the Policy is contained in Attachment 5, which establishes a protocol to guide staff in the review of applications of this nature. A summary of the review is provided in the Analysis section of this report.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Aircraft Noise Sensitive Development Policy

The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area 2. Registration of an aircraft noise sensitive use covenant on Title is required prior to final adoption of the rezoning bylaw.

Public Consultation

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 placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing; where any area resident or interested party will have an opportunity to comment.

Analysis**Proposed Rezoning**

The applicants are requesting to rezone the subject property from “Single Detached (RS1/D)” to “Two-Unit Dwellings (RD1)” in order to facilitate a Strata Title Conversion of the existing non-conforming duplex: no new building or structure is proposed. Staff have no concerns related to tree preservation, vehicle access, or site servicing.

The application has been reviewed in accordance with the adopted Council Policy for “Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings” (Attachment 5). Based on this review, the following information is offered as analysis:

- The applicants submitted a legal survey plan (Attachment 2) indicating that the existing duplex complies with all regulations of the proposed zone.
- On February 11, 2016, staff from the Building Approvals Division conducted an inspection of the existing duplex and found no alterations or plumbing issues. The interior and exterior of the duplex appeared to be in original condition.
- Registration of a restrictive covenant, limiting the property to a maximum of two (2) dwelling units, is required as a condition of final adoption of the rezoning bylaw, in accordance with Policy #5042.
- A written statement provided by the applicants indicates that the duplex is 28 years old and is in good, clean and livable condition.
- The existing duplex on the subject site is owner occupied and not rental housing at this time. The owners applying for the Strata Title Conversion live in the dwelling and plan to continue to do so should the conversion be approved. The proposed conversion does not impact the availability of rental units.
- The purpose of the Strata Title application is to give the owners separate ownership for the subject property and allow each owner to have their own mortgage.
- The external building condition of the duplex is generally consistent with the neighbouring dwellings.
- No off-site engineering or servicing improvements have been identified.
- Lot Size Policy 5448 permits subdivision in accordance with “Single Detached (RS1/B)” or “Single Detached (RS1/C)”. However, the subject site could be subdivided into two (2) single-family residential lots (minimum 13 m wide) in accordance with Section 2.3.7 of the Richmond Zoning Bylaw, which allows existing duplex sites to be subdivided into no more than two (2) single-family residential lots. The proposed rezoning and Strata Title Conversion of the existing duplex would not preclude future subdivision potential.
- The applicants have submitted a preliminary strata plan (Attachment 6). The proposed plan would meet City requirements, and is in a form acceptable to the City’s Approving Officer.
- The applicants are aware that Council’s endorsement of the Strata Title Conversion will lapse in 180 days, and have committed to meet all requirements within this time period.

Financial Impact or Economic Impact

None.

Conclusion

The purpose of this rezoning application is to rezone the property at 10726/10728 River Drive from the "Single Detached (RS1/D)" zone to the "Two-Unit Dwellings (RD1)" zone, to facilitate Strata Title Conversion of an existing duplex.

This rezoning application complies with the land use designations and applicable policies contained within the Official Community Plan (OCP) and Bridgeport Area Plan for the subject site.

The list of rezoning considerations is included in Attachment 7, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9538 be introduced and given first reading.



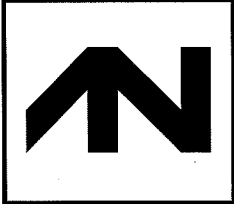
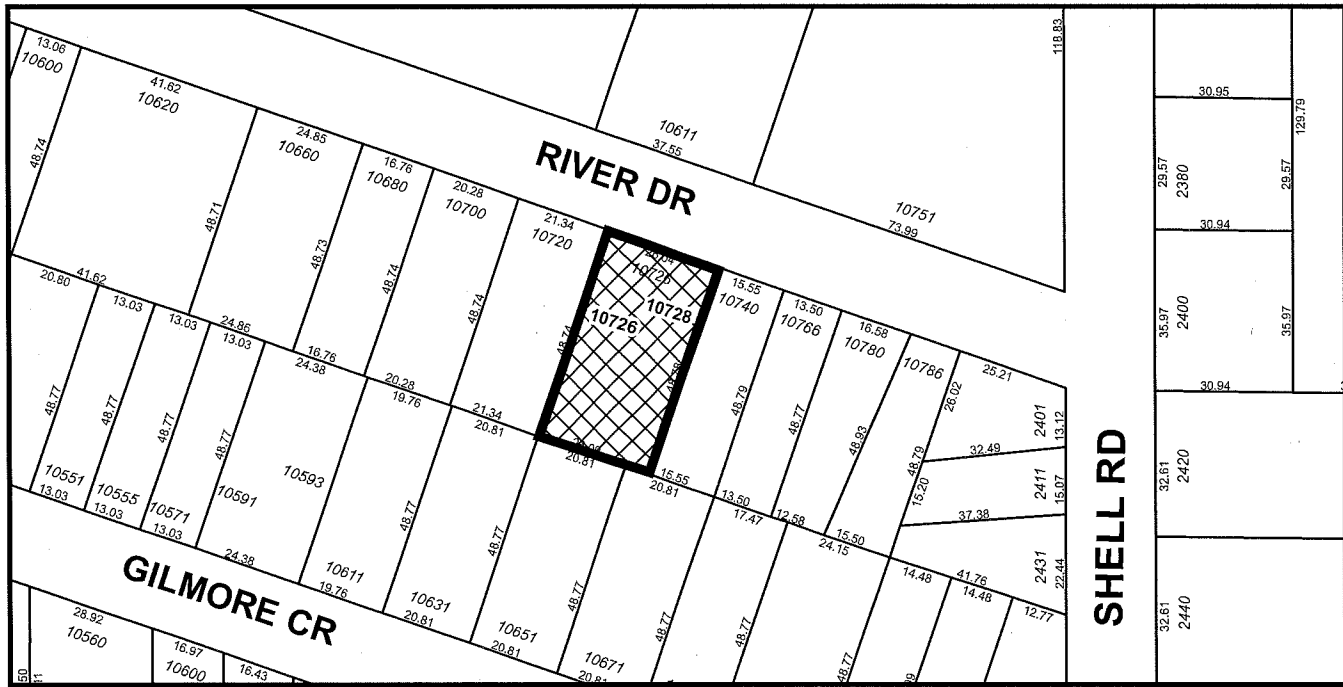
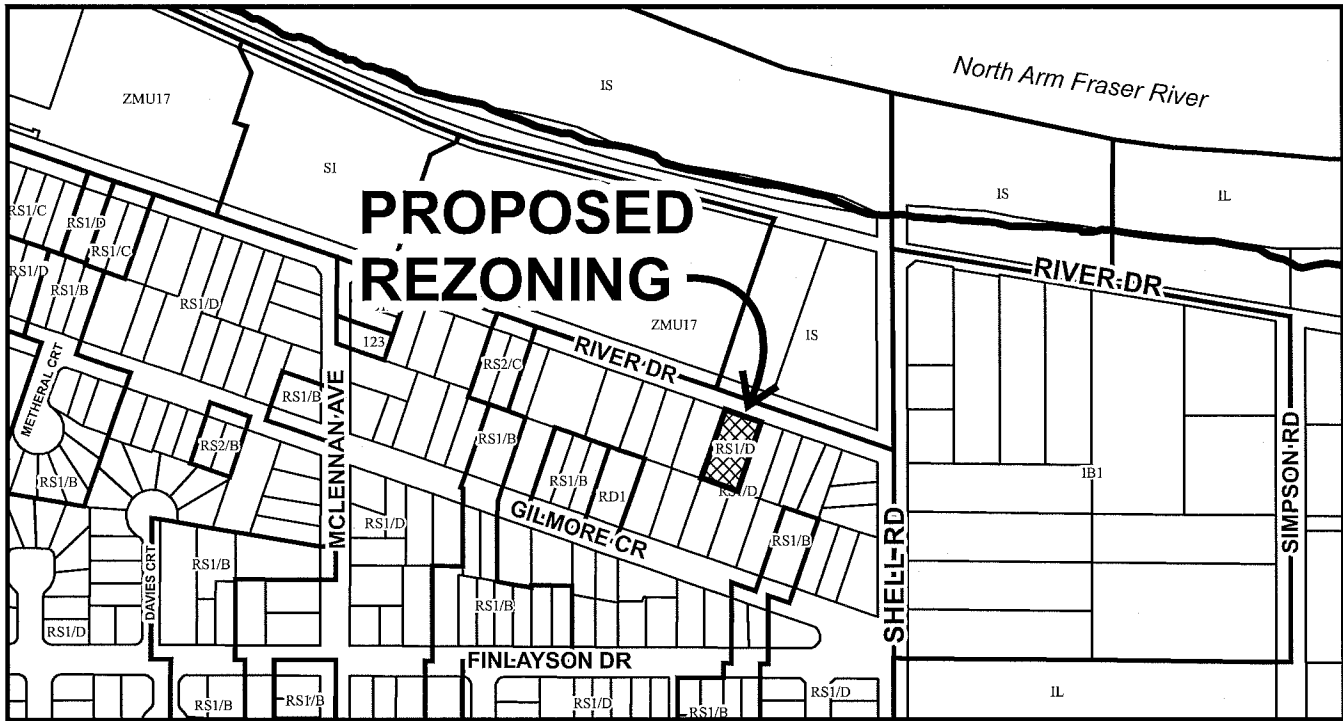
Steven De Sousa
Planning Technician
(604-276-8529)

SDS:blg

- Attachment 1: Location Map
- Attachment 2: Site Survey Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Lot Size Policy 5448
- Attachment 5: Council Policy 5042
- Attachment 6: Preliminary Strata Plan
- Attachment 7: Rezoning Considerations



City of Richmond



RZ 16-723542

Original Date: 02/05/16

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 16-723542

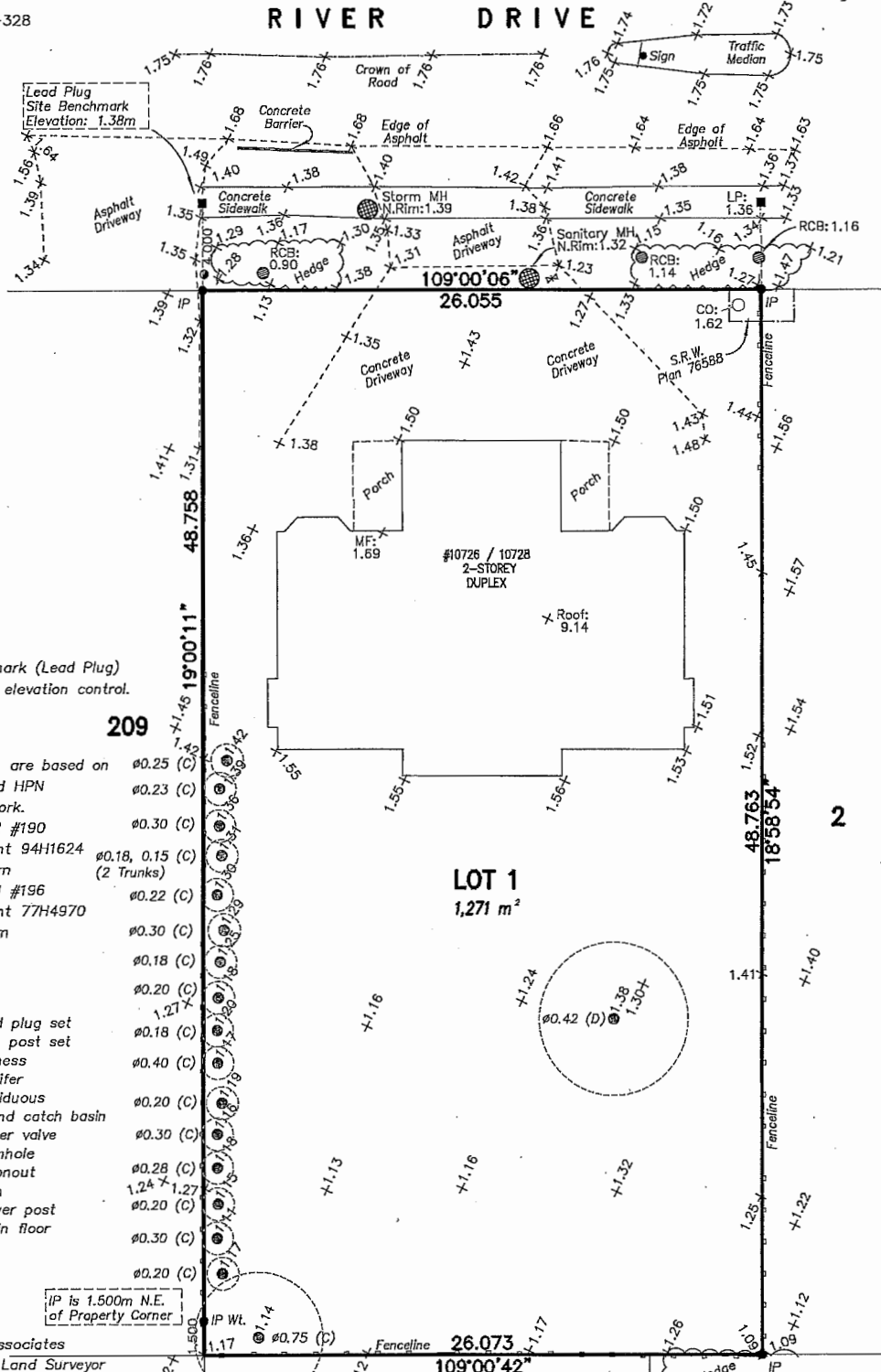
Original Date: 02/05/16

Revision Date:

Note: Dimensions are in METRES

TOPOGRAPHIC SURVEY OF LOT 1
SECTION 23 BLOCK 5 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT PLAN 76587

#10726 RIVER DRIVE,
 RICHMOND, B.C.
 P.I.D. 009-354-328



NOTE:
 Use site Benchmark (Lead Plug)
 for construction elevation control.

NOTE:
 Elevations shown are based on
 City of Richmond HPN
 Benchmark network.
 Benchmark: HPN #190 $\emptyset 0.30$ (C)
 Control Monument 94H1624 $\emptyset 0.18, 0.15$ (C)
 Elevation: 2.353m
 Benchmark: HPN #196 $\emptyset 0.22$ (C)
 Control Monument 77H4970
 Elevation: 1.793m

LEGEND:
 LP ■ denotes lead plug set
 IP ● denotes iron post set
 Wt. denotes witness
 (c) denotes conifer
 (d) denotes deciduous
 ● denotes round catch basin
 ● denotes water valve
 ● denotes manhole
 ○ denotes cleanout
 ■ denotes sign
 ● denotes power post
 MF denotes main floor

© copyright
 J. 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. 6439
 FB-301 P69-72
 Drawn By: IO

CERTIFIED CORRECT:
 LOT DIMENSION ACCORDING TO
 FIELD SURVEY.

Johnson C. Tam
 JOHNSON C. TAM, B.C.L.S.

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS
 THEREOF UNLESS OTHERWISE INDICATED

MARCH 4th, 2016.

DWG No. 6439-Topo

CNCL-122



RZ 16-723542

Attachment 3

Address: 10726/10728 River Drive

Applicant: Madan L & Chalinder K Aheer and Khial Chand & Harbakhas Aheer

Planning Area(s): Bridgeport

	Existing	Proposed
Owner:	Madan Aheer, Chalinder Aheer, Khial Aheer & Harbakhas Aheer	No change
Site Size (m²):	1,271 m ² (13,681 ft ²)	No change
Land Uses:	One (1) legal non-conforming two-family dwelling	One (1) two-family dwelling
OCP Designation:	Neighbourhood Residential	No change
702 Policy Designation:	Lot Size Policy 5448 permits RS1/B	No change
Zoning:	Single Detached (RS1/D)	Two-Unit Dwelling (RD1)
Number of Units:	Two (2)	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	0.32	none permitted
Lot Coverage – Building:	Max. 45%	18%	none
Lot Size (min. dimensions):	864 m ²	1,271 m ²	none
Setback – Front Yard (m):	Min. 6 m	7 m	none
Setback – Side & Rear Yards (m):	Min. 1.2 m	3 m	none
Height (m):	2.5 storeys	2 storeys	none

Other: N/A



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: September 16, 1991

POLICY 5448

Amended By Council: February 20, 2012

File Ref: 4045-00

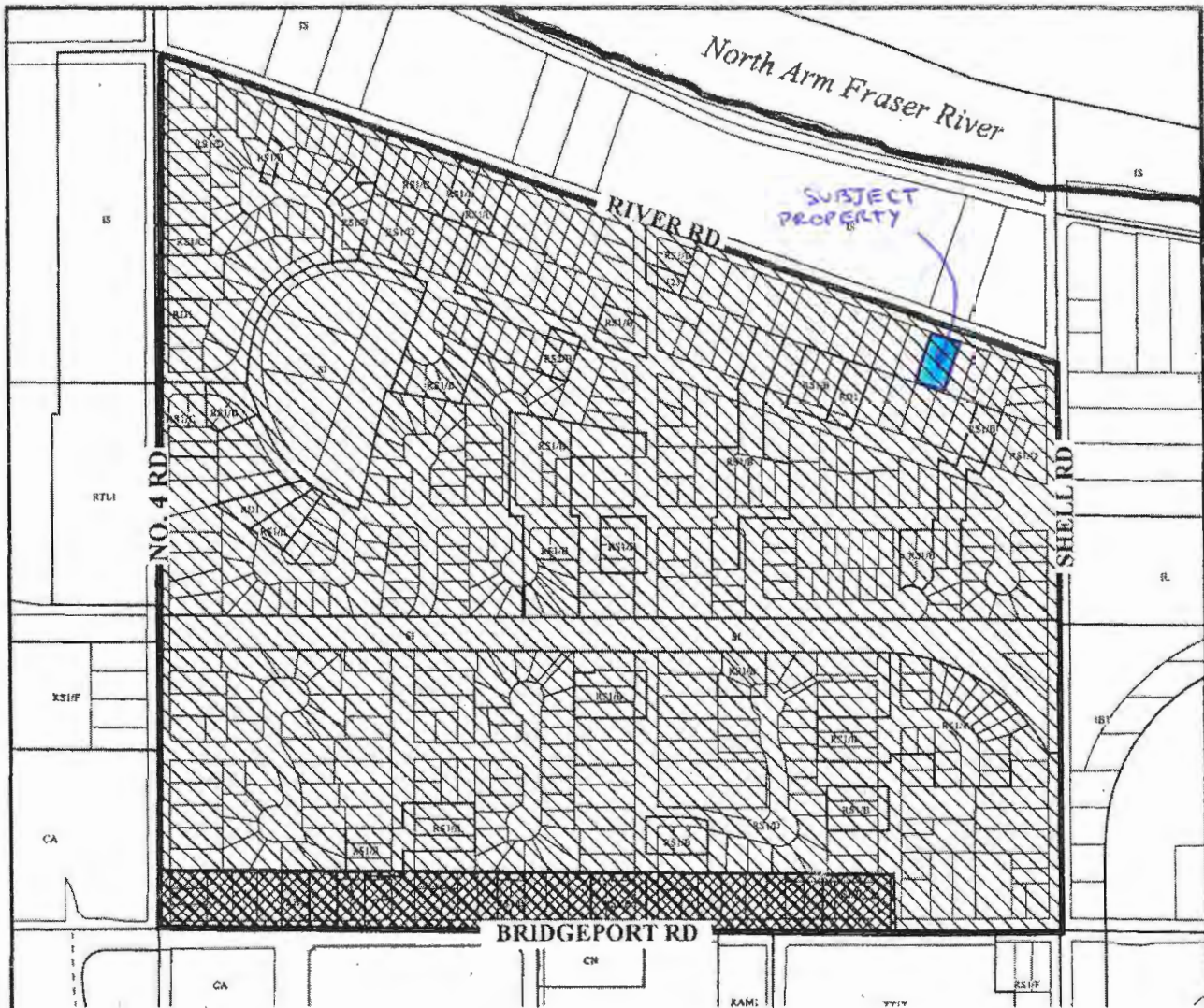
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 23-5-6**POLICY 5448:**

The following policy establishes lot sizes in a portion of Section 23-5-6, bounded by the **Bridgeport Road, Shell Road, No. 4 Road and River Drive:**

That properties within the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west, in a portion of Section 23-5-6, be permitted to rezone and subdivide in accordance with the provisions of Single Detached (RS1/B) in Zoning and Development Bylaw 8500, with the following provisions:

- (a) Properties along Bridgeport Road (between McKessock Avenue and Shell Road) and along Shell Road will be restricted to Single Detached (RS1/D) unless there is lane or internal road access in which case Single Detached (RS1/B) will be permitted;
- (b) Properties along Bridgeport Road between No. 4 Road and McKessock Avenue will be restricted to Single Detached (RS1/D) unless there is lane access in which case Compact Single Detached (RC2) and Coach Houses (RCH) will be permitted;
- (c) Properties along No. 4 Road and River Drive will be restricted to Single Detached (RS1/C) unless there is lane or internal road access in which case Single Detached (RS1/B) will be permitted;

and that this policy, as shown on the accompanying plan, 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 changed by the amending procedures contained in the Zoning and Development Bylaw.



Rezoning and subdivision permitted as per **RS1/B** except:

1. River Drive: **RS1/C** unless there is a lane or internal road access, then **RS1/B**.
2. Shell Road: **RS1/D** unless there is a lane or internal road access, then **RS1/B**.
3. No. 4 Road: **RS1/C** unless there is a lane or internal road access then **RS1/B**.
4. Bridgeport Road: **RS1/D** unless there is a lane or internal road access then **RS1/B**.



Rezoning and subdivision permitted as per **RS1/B** unless there is a lane access then **RC2** or **RCH**.



Policy 5448 Section 23, 5-6

Adopted Date: 09/16/91

Amended Date: 02/20/12



Page 1 of 1	Adopted by Council: March 29 th , 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.

**STRATA PLAN OF LOT 1 SECTION 23
BLOCK 5 NORTH RANGE 6 WEST NEW
WESTMINSTER DISTRICT PLAN 76587**

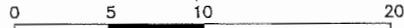
SHEET 1 OF 4 SHEETS
**FIRST SHEET
STRATA PLAN EPS**

BCGS 92G.015
CITY OF RICHMOND

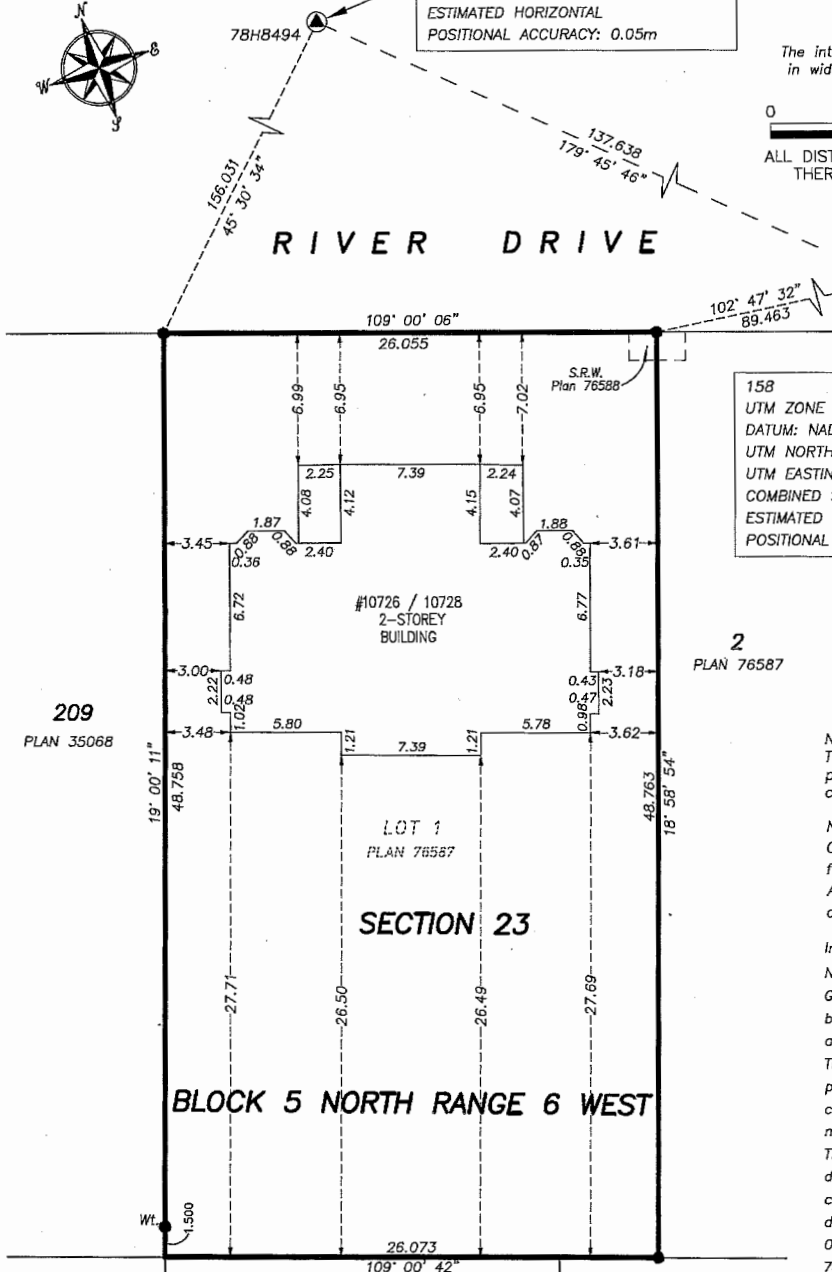
#10726 RIVER DRIVE, (STRATA LOT 1)
#10728 RIVER DRIVE, (STRATA LOT 2)
RICHMOND, B.C.
P.I.D 009-354-328

78H8494
UTM ZONE 10 Coordinates
DATUM: NAD83 (CSRS) 4.0.0.BC.1.GVRD
UTM NORTHING: 5449455.50 m
UTM EASTING: 492518.11 m
COMBINED SCALE FACTOR: 0.9996035
ESTIMATED HORIZONTAL
POSITIONAL ACCURACY: 0.05m

The intended plot size of this plan is 280mm
in width by 432mm in height (B size) when
plotted at a scale of 1 : 250



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



158
UTM ZONE 10 Coordinates
DATUM: NAD83 (CSRS) 4.0.0.BC.1.GVRD
UTM NORTHING: 5449317.91 m
UTM EASTING: 492518.67 m
COMBINED SCALE FACTOR: 0.9996034
ESTIMATED HORIZONTAL
POSITIONAL ACCURACY: 0.05m

Note:
This plan shows one or more witness
posts which are not set on the true
corners.

NOTE:
Offsets shown are to exterior of
foundation wall unless otherwise noted.
All angles deflect by multiples of 45
degrees unless otherwise indicated.

Integrated Survey Area No. 18 (RICHMOND),
NAD83(CSRS) 4.0.0.BC.1.GVRD.
Grid bearings are derived from observations
between geodetic control monuments 78H8494
and 158.

The UTM coordinates and estimated horizontal
positional accuracy are derived from
conventional survey ties to geodetic control
monuments 78H8494 and 158.

This plan shows horizontal ground level
distance except where otherwise noted. To
compute grid distance, multiply ground-level
distance by the combined factor of
0.99960345 which has been derived from
78H8494 and 158.

This plan lies within the City of Richmond.

This plan lies within the Greater Vancouver
Regional District.

The buildings included in this strata plan have
not been previously occupied.

The buildings shown hereon are within the
external boundaries of the land that is the
subject of the strata plan.

The field survey represented by this plan was
completed on the 28th day of March, 2016.
Johnson C. Tam, B.C.L.S 711.

W. 1/2 OF 118 E. 1/2 OF 118
PLAN 25167

J. 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
File: 6439-FS

LEGEND:

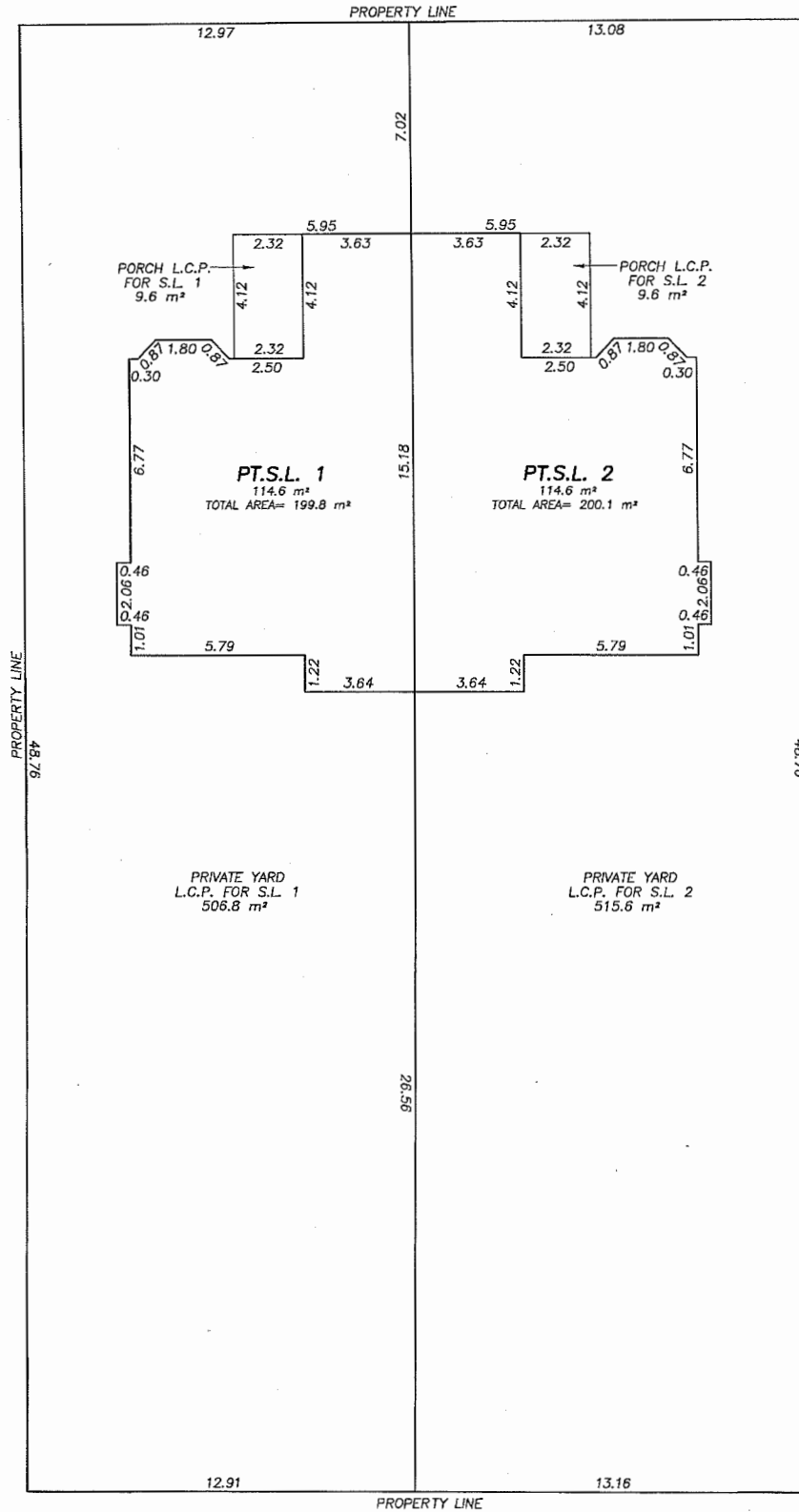
- ▲ Control Monument Found
- Iron post Found
- L.C.P. denotes limited common property
- S.L. denotes strata lot
- P.T.S.L. denotes part strata lot
- Wt. denotes witness

GROUND FLOOR

STRATA PLAN EPS

PART STRATA LOTS 1 AND 2

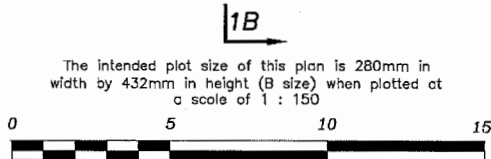
1B



1A

1A

J. 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
 File: 6439-FS



ALL DISTANCES ARE IN METRES AND DECIMALS
 THEREOF UNLESS OTHERWISE NOTED

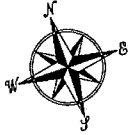
NOTE:
 Dimensions are shown to centreline of all walls except where otherwise noted.
 Section arrows on this plan point in the direction of view.

JOHNSON C. TAM, B.C.L.S.
 March 28th, 2016.

SECOND FLOOR

STRATA PLAN EPS

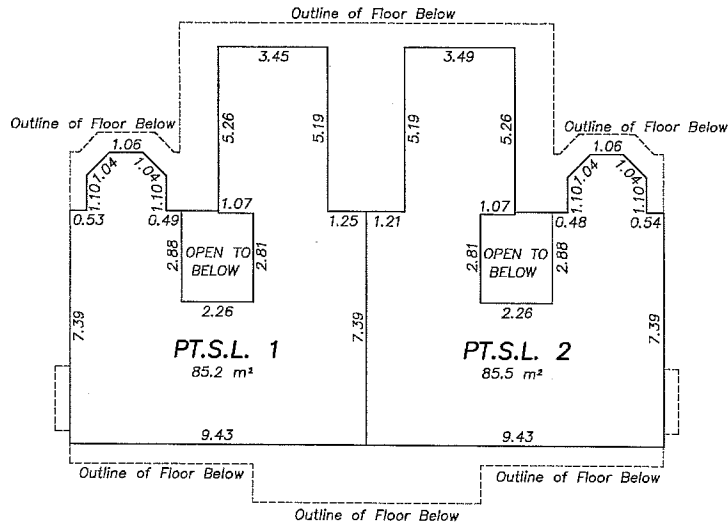
PART STRATA LOTS 1 AND 2



1B

1A

1A



1B

J. 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
 File: 6439-FS

The intended plot size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1 : 150



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE INDICATED

NOTE:
 Dimensions are shown to centreline of all walls except where otherwise noted.

Section arrows on this plan point in the direction of view.

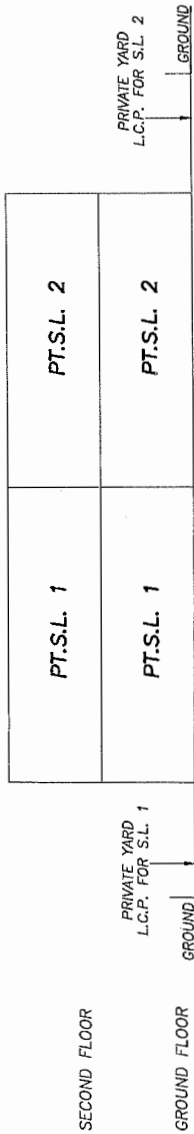
JOHNSON C. TAM, B.C.L.S.

March 28th, 2016.

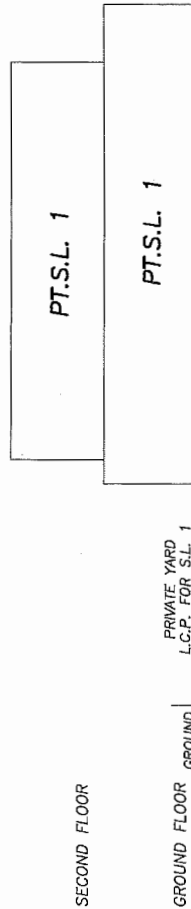
CNCL - 129

BUILDING SECTIONS

STRATA PLAN EPS



SECTION 1A - 1A



SECTION 1B - 1B

The intended plot size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1 : 150



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE INDICATED

J. C. Tam and Associates
 Canada and B.C. Land Surveyor
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 Telephone: 214-8928
 Fax: 214-8929
 E-mail: office@jctam.com
 Website: www.jctam.com
 File: 6439-FS



City of Richmond

Rezoning Considerations

Development Applications Department
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 10726/10728 River Drive

File No.: RZ 16-723542

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9538, the developer is required to complete the following:

1. Registration of an aircraft noise sensitive use covenant on title.
2. Registration of a flood indemnity covenant on title.
3. Registration of a restrictive covenant limiting the property to a maximum of two (2) dwelling units.

Prior to approval of Strata Title Conversion, the developer is required to complete the following:

1. Adoption of Bylaw No. 9538, rezoning the subject property from "Single Detached (RS1/D)" to "Two-Unit Dwellings (RD1)";
2. Payment of all City utility charges and property taxes up to and including the year 2016;
3. Submission of appropriate plans and documents for execution by the Approving Officer within 180 days of the date of this resolution.

Note:

- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

[signed copy on file]

Signed _____

Date _____



Richmond Zoning Bylaw 8500
Amendment Bylaw 9538 (16-723542)
10726/10728 River Drive

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

- 1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "TWO-UNIT DWELLINGS (RD1)".

P.I.D. 009-354-328
Lot 1 Section 23 Block 5 North Range 6 West New Westminster District Plan 76587

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9538".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Series of horizontal lines for signature or date entry.

CITY OF RICHMOND
APPROVED by BK
APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER