



# City of Richmond

## Report to Committee Planning and Development Division

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** March 10, 2016  
**File:** LU 16-721350


**Re:** Application by Huen Au Yeung and Kim Kwok Ching Au Yeung to Discharge  
Land Use Contract 063 at 9711 Gilbert Crescent

### Staff Recommendation

That Richmond Land Use Contract 063 Discharge Bylaw No. 9534, to discharge "Land Use Contract 063" from the title of 9711 Gilbert Crescent, be introduced and given first reading.

  
Wayne Craig  
Director, Development

WC:cl  
Att.

<b>REPORT CONCURRENCE</b>
<b>CONCURRENCE OF GENERAL MANAGER</b>
 FOR JOE ERCELA

## Staff Report

### Origin

On November 24, 2016, City Council adopted a number of bylaws that:

- Terminated 93 separate Land Use Contracts (LUCs) that affect single-family properties, which will be effective one-year from the date of adoption.
- Established new zoning designations in their place.

The 93 LUCs that are subject to the early termination bylaws will remain on land title records until November 24, 2016. The new zoning designations became operative immediately following adoption. For the one-year period, while both the Zoning Bylaw and the LUC are operative, the provisions of an LUC prevail. Where a property owner wishes to use the provisions in the underlying zoning prior to the expiry of the one-year period, formal discharge of the LUC, by a bylaw adopted by Council, is required.

Huen Au Yeung and Kim Kwok Ching Au Yeung have applied to the City of Richmond for permission to voluntarily discharge "Land Use Contract 063" from the title of 9711 Gilbert Crescent, to permit construction of an addition to an existing single-family dwelling with a maximum site coverage of 45%, consistent with the underlying "Single Detached (RS1/B)" zoning (Attachment 1).

### Findings of Fact

A Development Application Data Sheet is attached, which provides details about the proposal, along with a comparison of the LUC provisions and the underlying RS1/B zoning provisions (Attachment 2).

### Surrounding Development

Existing development immediately surrounding the subject site is as follows:

To the north and south, are existing dwellings on lots under "Land Use Contract 063", both of which front Gilbert Crescent.

To the East, immediately across the large road cross-section consisting of two (2) frontage roads, treed City boulevards, and the major arterial Gilbert Road, is a single-family dwelling at 7211 Gilhurst Crescent on a lot zoned "Single Detached (RS1/E)".

To the West, is an existing dwelling on a lot under "Land Use Contract 063", which fronts Shawnigan Place.

### Public Consultation

As this application does not involve rezoning of the subject property, a sign is not required to be posted on-site.

Should this application advance to a Public Hearing, the standard notification will be sent to all residents and property owners of land within 50 m of the subject site, with details about public participation in the process.

### **Analysis**

This application to discharge the Land Use Contract from the subject property will enable the property owners to apply for and obtain a Building Permit to build an addition to their existing single-family dwelling with a site coverage of 36%, consistent with the underlying RS1/B zone (which allows a maximum of 45% site coverage with buildings), without having to wait until the Land Use Contract termination date of November 24, 2016.

The owners are proposing: a two-storey 29 m<sup>2</sup> (306 ft<sup>2</sup>) addition onto the back of their existing dwelling (west elevation); a 12 m<sup>2</sup> (128 ft<sup>2</sup>) balcony off the master bedroom (also the west elevation); and a 2<sup>nd</sup> storey addition over their existing garage and entry at the front, facing Gilbert Crescent (east elevation). The proposed addition to the existing dwelling is shown in Attachment 3

### **Existing Legal Encumbrances**

There are existing statutory right-of-ways registered on title for the sanitary sewer along the west property line, as well as for foreign utilities (i.e. hydro, gas, telephone). Construction within the right-of-ways is not permitted.

### **Financial Impact**

None.

### **Conclusion**

The applicants are requesting permission to voluntarily discharge "Land Use Contract 063" from the title of 9711 Gilbert Crescent, to permit construction of an addition to an existing single-family dwelling with a maximum site coverage of 45%, consistent with the underlying "Single Detached (RS1/B)" zoning.

It is recommended that Richmond Land Use Contract Discharge Bylaw No. 9534 be introduced and given first reading.



Cynthia Lussier  
Planner I  
(604-276-4108)

CL:rg

Attachment 1: Location Map/Aerial Photo  
Attachment 2: Development Application Data Sheet  
Attachment 3: Proposed addition to the existing dwelling







City of  
Richmond



LU 16-721350

Original Date: 03/10/16

Revision Date:

Note: Dimensions are in METRES



**LU 16-721350**

**Attachment 2**

Address: 9711 Gilbert Crescent

Applicant: Huen Au Yeung and Kim Kwok Ching Au Yeung

Planning Area(s): Blundell

	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	Huen Au Yeung Kim Kwok Ching Au Yeung	No change
<b>Site Size (m<sup>2</sup>):</b>	Approximately 423 m <sup>2</sup> (4,555.6 ft <sup>2</sup> )	No change
<b>Land Uses:</b>	Single detached dwelling	No change
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Zoning:</b>	Land Use Contract 063 & Single Detached (RS1/B)	Single Detached (RS1/B)

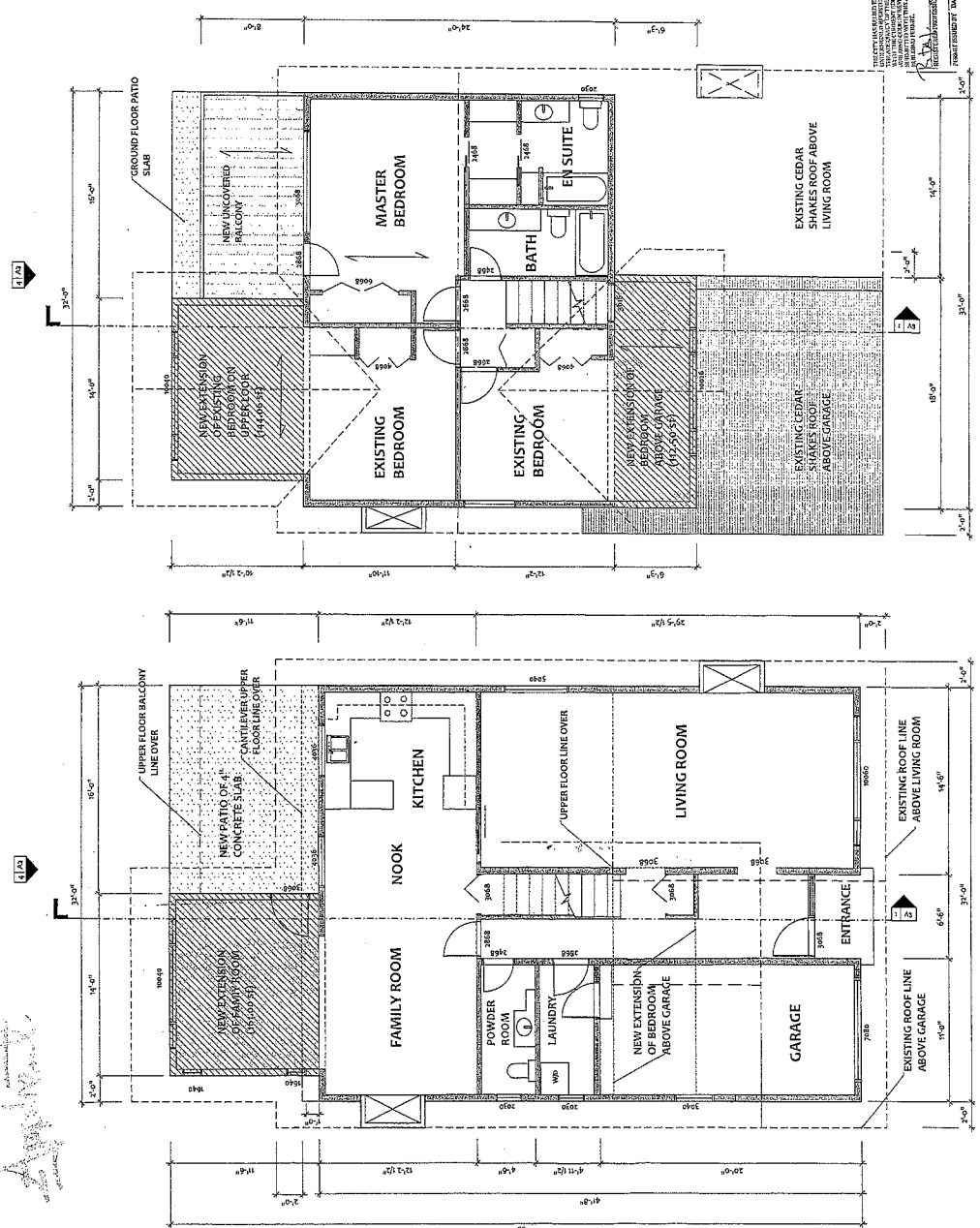
<b>Provision</b>	<b>LUC</b>	<b>RS1/B</b>	<b>Proposed</b>	<b>Variance</b>
Floor Area Ratio:	None	0.55 232.65 m <sup>2</sup> (2,505.58 ft <sup>2</sup> )	0.54 230.16 m <sup>2</sup> (2,477.43 ft <sup>2</sup> )	none permitted
Lot Coverage – Building:	Max. 33% 139.66 m <sup>2</sup> (1,504 ft <sup>2</sup> )	Max. 45% 190.45 m <sup>2</sup> (2,050.02 ft <sup>2</sup> )	36% 146.32 m <sup>2</sup> (1,575 ft <sup>2</sup> )	none
Setback – Front & Rear Yard (m):	Min. 6.0 m	Min. 6.0 m	6.0 m & 12.0 m	none
Setback – Interior Side Yard (m):	Min. 1.2 m	Min. 1.2 m	1.2 m	none
Building Height (m):	3 storeys	2 ½ storeys	2 storeys	none

DRAWING TITLE	FLOOR PLANS, SITE PLAN	
	RESIDENTIAL EXTENSION AT 9711 GILBERT ROAD, RICHMOND, ONTARIO	
PROJECT TITLE	BEN'S INTERIOR DESIGN LTD.	
	REVISION	
DATE	SEPT. 10, 2015	
SCALE	AS NOTED	
DRAWN BY	AK	
CHECKED BY	AK	
DATE	08/13/16	

**LEGAL LOT DESCRIPTION:**  
 LOT 66, BLK C SEC. 30-B4N RGW RE 52993, N.W.D.  
 LOT AREA: 4555.6 sq ft.

**FLOOR AREA RATIO:**  
 PERMITTED: 55.0%  
 Floor area permitted: 2505.58 sq ft.  
 PROPOSED: 54.38%  
 Floor area proposed: 2477.43 sq ft  
 Existing floor area above grade: 2059.87 sq ft  
 Proposed extension floor area: 417.56 sq ft

**SITE COVERAGE:**  
 PERMITTED: 2050.02 sq ft (45%)  
 PROPOSED: 1575.59 sq ft (36%)



**A :: SITE PLAN**  
 City of Richmond Building Approvals  
 Permit #: 15715409  
 Scale: 1/4" = 1'-0"  
 RECEIVED

**A :: UPPER FLOOR PLAN**  
 City of Richmond Building Approvals  
 Permit #: 15715409  
 Scale: 1/4" = 1'-0"  
 RECEIVED

**A :: GROUND FLOOR PLAN**  
 City of Richmond Building Approvals  
 Permit #: 15715409  
 Scale: 1/4" = 1'-0"  
 RECEIVED





Richmond Land Use Contract 063
Discharge Bylaw No. 9534 (LU 16-721350)
9711 Gilbert Crescent

Whereas "Land Use Contract 063", having Charge Number RD53766, including all amendments, modifications and extensions to Charge Number RD53766, charges the following land:

P.I.D. 003-723-658
Lot 664 Section 30 Block 4 North Range 6 West New Westminster District Plan 52993;

Whereas "Land Use Contract 063" was entered into with the City of Richmond as a party and filed in the Land Title Office, New Westminster, British Columbia; and,

Whereas the owners of said land which is subject to "Land Use Contract 063" have requested and agreed with the City that the "Land Use Contract 063" be discharged as against its property title;

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

- 1. That "Land Use Contract 063" having Charge Number RD53766, including all amendments, modifications and extensions to Charge Number RD53766, be discharged as against:

P.I.D. 003-723-658
Lot 664 Section 30 Block 4 North Range 6 West New Westminster District
Plan 52993.

- 2. That the Mayor and Corporate Officer are hereby authorized to execute any documents necessary to discharge "Land Use Contract 063" from said land.
3. This Bylaw may be cited as "Richmond Land Use Contract 063 Discharge Bylaw No. 9534".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

ADOPTED

Five horizontal lines for signature or date entry.

Approval stamp: CITY OF RICHMOND, APPROVED by [signature], APPROVED by Director or Solicitor [signature]

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER