



**To:** Planning Committee  
**From:** Joe Erceg  
 Manager, Development Applications  
**Re:** **Application by Kesar and Parminder Athwal for a Strata Title Conversion and Rezoning at 10811/10831 Bird Road from Single-Family Housing District, Subdivision Area B (R1/B) to Two-Family Housing District (R5)**


*To Council - Dec 8, 2003*  
*To Planning - Dec 2, 2003*  
**Date:** November 7, 2003  
 . RZ 03-244955  
 File: SC 03-244956  
 8060-20-7609

**Staff Recommendation**

1. That Bylaw No. 7609, for the rezoning of 10811/10831 Bird Road from "Single-Family Housing District, Subdivision Area B (R1/B)" to "Two-Family Housing District (R5)", be introduced and given first reading.
2. That the application by Kesar and Parminder Athwal for a strata title conversion for 10811/10831 Bird Road be approved upon fulfillment of the following conditions:
  - a. Adoption of Bylaw No. 7609, rezoning the subject property from Single-Family Housing District, Subdivision Area B (R1/B) to Two-Family Housing District (R5) and the registration of a restrictive covenant limiting the number of dwelling units to two (2);
  - b. Payment of all City property taxes up to and including the year 2004; and
  - c. Submission of appropriate plans and documents for execution by the Mayor and City Clerk within 180 days of the date of the adoption of Bylaw No. 7609.

  
 Joe Erceg  
 Manager, Development Applications

KE:blg  
Att.

<b>FOR ORIGINATING DIVISION USE ONLY</b>
<b>CONCURRENCE OF GENERAL MANAGER</b>


## Staff Report

### Origin

Kesar and Parminder Athwal have applied to the City of Richmond for permission to rezone 10811/10831 Bird Road (Attachment 1) from Single-Family Housing District, Subdivision Area B (R1/B) to Two-Family Housing District (R5) in order to strata title the existing duplex.

The subject property was rezoned in 1996 to Single-Family Housing District, Subdivision Area B (R1/B), which is permitted under Lot Size Policy 5424. However, the lot was never subdivided. Numerous single-family lots to the west have been rezoned and subdivided to Single-Family Housing District, Subdivision Area B (R1/B) in the neighbourhood.

Subsequently, houses to the west of the subject site are newer. Single-family houses and duplexes within the immediate vicinity of the subject site are primarily older in nature.

### Findings of Fact

Item	Existing	Proposed
Owner	Kesar and Parminder Athwal	To be determined
Applicant	Kesar and Parminder Athwal	No change
Site Size	1234 m <sup>2</sup> (13282.67 ft <sup>2</sup> )	1234 m <sup>2</sup> (13282.67 ft <sup>2</sup> )
Land Uses	One duplex lot	One strata-titled duplex
OCP Designation	Neighbourhood Residential	No change
East Cambie Area Plan Designation	Single-family residential only	No change
702 Policy Designation	R1/B	No change
Zoning	R1/B	R5

### Related Policies & Studies

The East Cambie Area Plan regulates housing around the subject site to single-family residential development only. However, numerous existing duplexes are located on this block of Bird Road and no increase in dwelling units will result from the rezoning and strata title conversion.

The applicants submitted a site plan (Attachment 2) of the subject property to show that it complies with all required setbacks, lot coverage, density and height regulations stated in Two-Family Housing District (R5) of the Richmond Zoning and Development Bylaw 5300. Also of note is that this zoning district allows for a 'Two-Family Dwelling' which is classified in the Zoning and Development Bylaw as such:

“Each dwelling unit consisting of two-storeys only, the upper storey not containing a kitchen; not set upon another storey or upon a basement.”

The intent of this classification is to ensure that the existing duplex does not have any illegal suites. The applicant has indicated that kitchens in this duplex are located on the ground level, thus conforming to the above mentioned definition.

### **Staff Comments**

A covenant limiting the subject property to a maximum of two (2) dwelling units needs to be registered.

### **Analysis**

The City does not have a strata title conversion policy for duplexes (like it does for commercial/industrial and multiple-family residential developments). However, staff consider the following questions in processing this type of application:

***Is the duplex appropriately zoned and does it comply with all of the provisions of that zone?***

The applicant has submitted a rezoning application to Two-Family Housing District (R5) in conjunction with a strata title conversion application. The existing duplex meets the floor area ratio (F.A.R.), lot coverage, setback, height and lot size requirements of this zone.

***Are staff satisfied that the duplex contains a maximum of two (2) dwellings?***

The applicant has submitted a letter stating that the existing duplex is used as a two-family dwelling and does not contain any additional suites (Attachment 3). Furthermore, a covenant limiting the duplex to a maximum of two (2) dwelling units is a required condition of the rezoning and strata title application.

***What is the age and condition of the existing duplex and are any repairs or improvements being undertaken or contemplated to extend the life expectancy of the building?***

No repairs, renovations or general upgrades are currently planned for the existing duplex. However, the duplex is in reasonably good condition for a 30-35 year old building.

***Are any off-site improvements required to bring the site up to City standards?***

No off-site improvements are required.

***What is going to happen to the tenants that are being displaced by the strata title conversion?***

The applicant's are the owners of the subject property and occupy one (1) of the duplexes dwelling units. They are planning to sell the property to two (2) separate parties and move to another residence. The tenant in the remaining dwelling unit is aware of the applicant's intention to sell the property and of the proposed rezoning and strata title conversion.

***Are there special conditions relevant to the subject applications?***

No special conditions or requirements are evident as this is a fairly straight forward application.

### **Financial Impact**

None.

**Conclusion**

The applications are to rezone 10811/10831 Bird Road to Two-Family Housing District (R5) in order to permit a strata title conversion for the subject property. A condition of the rezoning will be to register a restrictive covenant limiting the subject property to a maximum of two (2) dwelling units. The proposed rezoning will make zoning for the subject site consistent with the existing duplex and neither the rezoning or strata title conversion will increase the number of dwelling units for the neighbourhood. As such, staff support the proposed rezoning and strata title conversion.



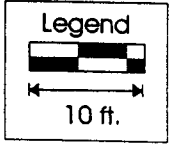
Kevin Eng  
Planning Technician – Design  
(604) 276-4000 (Local 3205)

KE:blg

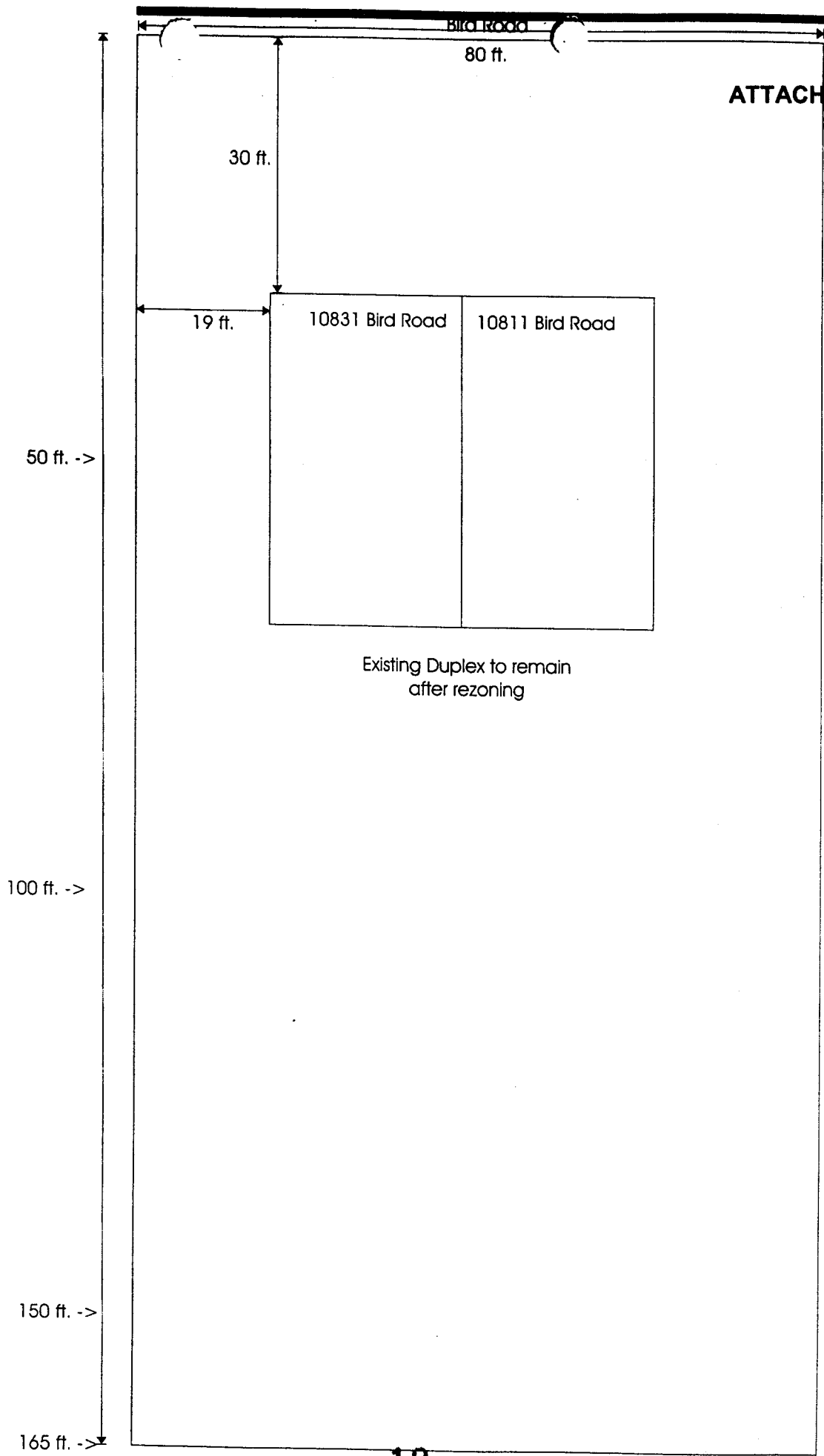
The following requirements must be met prior to final adoption of the rezoning:

- Registration of a Restrictive Covenant limiting the subject property to a maximum of two (2) dwelling units.
- Ministry of Transportation approval.

10811/ 10831  
Bird Road  
**Site Plan**



**ATTACHMENT 2**



## ATTACHMENT 3

Kesar & Parminder Athwal  
10811 Bird Road  
Richmond, BC  
V6X 1N4

Kevin Eng  
Development Applications - City of Richmond  
6911 No. 3 Road  
Richmond, BC  
V6Y 2C1 Canada

October 9, 2003

Reference File: RZ 03-244955; SC 03-244965  
RE: 10811/10831 Bird Road, Rezoning and Strata Title Conversion Applications

Dear Kevin:

This letter serves as a confirmation of the number of dwelling units in the existing duplex at 10811/10831 Bird Road. The existing duplex located on the subject property is used as a two-family dwelling and does not contain any additional suites. The existing duplex is not being used as a 'fourplex'. As the applicant, I understand that a restrictive covenant on the property that limits the use of the site to a two-family dwelling is to be registered on the legal title of the property prior to final adoption of the rezoning.

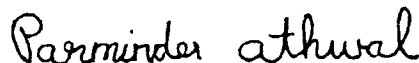
Additionally, we are applying for the conversion to sell the properties to two separate parties. The current tenant at 10831 is aware that we have applied for the strata title conversion.

If you require further information, please contact Taranjeet Athwal at 604-715-6666.

Sincerely,



Kesar Athwal



Parminder Athwal



**Richmond Zoning and Development Bylaw 5300  
Amendment Bylaw 7609 (RZ 03-244955)  
10811/10831 BIRD ROAD**

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 and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **TWO-FAMILY HOUSING DISTRICT (R5)**.

P.I.D. 003-735-478

Lot 54 Block "B" Section 26 Block 5 North Range 6 West New Westminster District Plan 14105

2. This Bylaw may be cited as **"Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7609"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

DEC 8 2009

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CITY OF RICHMOND
APPROVED for content by originating dept.
<i>HB</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK