



Public Notice is hereby given of a Regular Council Meeting for Public Hearings being held on:

**Monday, October 18, 2021 – 7 p.m.**

**Council Chambers, 1<sup>st</sup> Floor  
Richmond City Hall  
6911 No. 3 Road  
Richmond, BC V6Y 2C1**

## OPENING STATEMENT

Page

1. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10287**  
(File Ref. No. RZ 20-906575) (REDMS No. 6722488)

PH-3

[See Page PH-3 for full report](#)

**Location:** 9631 Patterson Road

**Applicant:** Paul Atwal

**Purpose:** To create the “Single Detached (ZS30) – Patterson Road” zone and to rezone the subject property from the “Single Detached (RS1/E)” zone to the new site specific “Single Detached (ZS30) – Patterson Road” zone to permit the property to be subdivided to create two single-family lots with vehicle access from Patterson Road.

**First Reading:** September 13, 2021

**Order of Business:**

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Page

**Council Consideration:**

1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 10287.

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2. **TEMPORARY COMMERCIAL USE PERMIT (TU 20-890760)**

(File Ref. No. 20-890760) (REDMS No. 6736411)

PH-30

See Page PH-30 for full report

**Location:** 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165, and 2170 - 8766 McKim Way

**Applicant:** City Vancouver Academy Inc.

**Purpose:** To permit a Temporary Commercial Use Permit extension for 9 units at 8766 McKim Way to allow “education” (limited to an independent school offering grades 10 to 12) as a permitted use be considered until September 8, 2022.

**Order of Business:**

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

**Council Consideration:**

1. To permit a Temporary Commercial Use Permit extension for 9 units at 8766 McKim Way to allow “education” (limited to an independent school offering grades 10 to 12) as a permitted use be considered until September 8, 2022.

☐

ADJOURNMENT

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# City of Richmond

## Report to Committee

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

**Date:** August 23, 2021  
**File:** RZ 20-906575

**Re:** Application by Paul Atwal for Rezoning at 9631 Patterson Road from Single Detached (RS1/E) to Site Specific Single Detached (ZS30) - Patterson Road

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10287 to create the "Single Detached (ZS30) – Patterson Road" zone, and to rezone 9631 Patterson Road from the "Single Detached (RS1/E)" zone to the "Single Detached (ZS30) - Patterson Road" zone, be introduced and given first reading.

Wayne Craig  
Director, Development  
(604-247-4625)

WC:na  
Att. 7

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	

## **Staff Report**

### **Origin**

Paul Atwal has applied to the City of Richmond for permission to rezone 9631 Patterson Road from the “Single Detached (RS1/E)” zone to a new site specific “Single Detached (ZS30) – Patterson Road” zone in order to permit the property to be subdivided into two single-family residential lots each with access from Patterson Road. A location map and aerial photo are provided in Attachment 1. A survey showing the proposed subdivision and conceptual development plans are provided in Attachment 2.

### **Findings of Fact**

#### Background

A new single-family dwelling was recently built on the western half of the subject site (BP 19-870258). The eastern portion of the site is currently vacant. The existing house and the proposed subdivision layout conform to all zoning requirements under the proposed ZS30 zone including floor area ratio, lot coverage and setbacks.

A new site specific “Single Detached (ZS30) – Patterson Road” zone is proposed in response to the abutting provincial roadways on two sides of the property. The proposed zone includes setback requirements specified by the Ministry of Transportation and Infrastructure applicable to the rear and side yards adjacent to Highway 99 but is otherwise modeled on the City’s existing “Single Detached (RS2/B)” zone.

A Development Application Data Sheet providing details about the development proposal is provided in Attachment 3.

#### Subject Site Existing Housing Profile

There is an existing single detached home with a secondary suite on the west side of the property, which would be retained on the proposed Lot 1.

### **Surrounding Development**

To the north: On-ramp to Highway 99.

To the east: Vacant land that forms part of the Highway 99 right of way. The highway on-ramp is approximate 60 m to the east of the subject site.

To the south: Across Patterson Road, existing non-conforming duplex and single-family dwellings on lots zoned “Single Detached (RS1/E and RS2/B).”

To the west: A duplex on a property zoned “Two-unit Dwellings (RD1).”

**Related Policies & Studies**Official Community Plan/West Cambie Area Plan

The 2041 OCP Land Use Map designation for the subject site is “Neighbourhood Residential” and the West Cambie Area Plan land use designation for the subject site is “Residential (Single Family)”. This redevelopment proposal is consistent with these designations.

Lot Size Policy 5446

The subject site is located within the area covered by Lot Size Policy 5446 (adopted by Council September 16, 1991, amended June 21, 1999) (Attachment 4). This Policy permits rezoning and subdivision of lots on the north side of Patterson Road in accordance with “Single Detached (RS2/B)”. This redevelopment proposal would enable the property to be subdivided into a maximum of two lots.

The proposed ZS30 zone maintains the same subdivision provisions/minimum lot size requirements as the “Single Detached (RS2/B)” zone and is therefore consistent with Lot Size Policy 5546. The applicant is proposing to create one larger lot on the west side with a 17.442 m frontage (665 m<sup>2</sup> in area) and a smaller lot on the east side with a 12.0 m frontage (444 m<sup>2</sup> in area).

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.

OCP Aircraft Noise Sensitive Development (ANSD) Policy and Highway Noise

The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area within a designation that permits new single-family development that is supported by an existing Lot Size Policy. Prior to final adoption of the rezoning bylaw the applicant is required to register a covenant on title to address public awareness and ensure noise mitigation is incorporated into the design and construction of buildings and additions, as required.

In addition to aircraft noise and given the subject site’s proximity to Highway 99, staff have expressed potential noise concerns from highway traffic. Accordingly, the developer will be required to register a legal agreement prior to final adoption of the rezoning bylaw to ensure that future construction incorporates noise mitigation measures to achieve the applicable standards for indoor noise quality. An acoustical report from a certified professional would be required at Building Permit stage.

**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 1<sup>st</sup> 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. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

## Analysis

### Site Specific “Single Detached (ZS30) – Patterson Road” Zone

The proposed “Single Detached (ZS30) – Patterson Road” zone is based on the City’s existing “Single Detached (RS2/B)” zone with the same subdivision standards of each new lot requiring a minimum 12.0 m width, 24.0 m depth, and 360 m<sup>2</sup> lot area. A site specific zone is proposed in order to ensure redevelopment reflects specific side and rear yard setbacks applicable to the site due to the Hwy 99 adjacency.

### Tree Retention and Replacement

The applicant has submitted a Certified Arborist’s Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses one bylaw-sized tree on the subject property and two bylaw-sized trees on the neighbouring property to the west. Staff note that since the time of the original tree assessment and Arborist’s Report, the applicant has planted four new trees on Lot 1.

The City’s Tree Preservation Coordinator has reviewed the Arborist’s Report and supports the Arborist’s findings, with the following comments:

- One multi-stem tree (tag# 400 (89 cm caliper Persian Silk tree)) is in poor condition due to damaged trunk and is recommended to be removed and replaced.
- Two trees (tag# os1 (25 cm caliper Smaragd cedar) and tag# os2 (20 cm caliper Smaragd cedar)) located on adjacent neighbouring property at 9611 Patterson Road are identified to be retained and protected. Provide tree protection as per City of Richmond Tree Protection Information Bulletin Tree-03.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

### *Tree Replacement*

The applicant wishes to remove one on-site tree (Tree tag# 400). The 2:1 replacement ratio would require a total of two replacement trees. The applicant has agreed to plant two replacement trees on proposed Lot 2. The required replacement trees are to be of the following minimum sizes, based on Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	8 cm	4 m

In addition to the two replacement trees, the applicant has agreed to plant three trees on proposed Lot 2 as part of a landscape buffer along the north property line. Additionally, four new trees

have already been planted on proposed Lot 1 as part of the landscaping for the recently constructed dwelling.

Prior to final adoption of the rezoning bylaw, the applicant is required to provide a \$1,500 Landscape Security to ensure that the two replacement trees are provided on proposed Lot 2.

#### *Tree Protection*

Two trees (tag# os1 and os2) on neighbouring property at 9611 Patterson Road are to be retained and protected. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 5). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

#### Landscape Plan and Buffer

The applicant has agreed to install a landscape buffer along the north property line of the subject site to provide noise dampening and an aesthetically pleasing edge along the Sea Island Way on-ramp to Highway 99 (Attachment 6). The buffer would be 1.5 m wide and includes a 1.8 m high solid cedar fence, three Maple trees, and a continuous hedge supplemented with additional shrub planting. The combination of the fencing and layered planting will screen the view of the highway from the proposed lots and partially mitigate noise generated by nearby traffic. Registration of a restrictive covenant to identify the entire 1.5 m rear yard space as a landscape buffer area is required to prevent the removal of the buffer landscaping.

A landscape buffer along the east property line of Lot 2 is not requested as tree planting in this area, would conflict with a required Statutory Right-of-Way for the existing City forcemain located to the east. The applicant is aware that no new trees are to be planted within the required 1.5 m wide SRW along the east property line.

A Landscape Security in the amount of \$8,871.50 is required prior to final adoption of the rezoning bylaw to ensure that the agreed upon landscape buffer to Highway 99 is installed.

### Ministry of Transportation and Infrastructure (MOTI) Approval

MOTI approval is a condition of final adoption of the rezoning bylaw. Preliminary Approval has been granted by MOTI for one year. No direct access to Highway 99 or the off-ramp is permitted.

### Transportation and Site Access

Vehicle access is proposed from separate driveway crossings to each new lot. Frontage improvements are not required, however the applicant is required to provide a cash-in-lieu contribution for the City to construct frontage improvements in the future. The cash-in-lieu contribution is required prior to subdivision approval.

### Site Servicing and Subdivision

Prior to final adoption of the rezoning bylaw, the applicant is required to register a 1.5 m wide Statutory Right-of-Way along the entire east property line of the site for the existing City sanitary sewer.

At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), Engineering Improvement Charges for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs. Site servicing works are to be completed through a City work order, and are described in Attachment 7.

### Affordable Housing Strategy

The Affordable Housing Strategy for single-family rezoning applications requires a secondary suite on 100% of new lots created; a secondary suite on 50% of new lots created together with a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund of \$4.00/ft<sup>2</sup> of the total buildable area of the remaining lots; or, where a secondary suite cannot be accommodated in the development, a cash-in-lieu contribution to the Affordable Housing Reserve Fund of \$4.00/ft<sup>2</sup> of the total buildable area of the development.

The applicant proposes to construct a secondary suite on each of the new lots. The existing dwelling on proposed Lot 1 has a 1-bedroom, 41.5 m<sup>2</sup> (447 ft<sup>2</sup>) secondary suite and the dwelling on proposed Lot 2 will provide a minimum 1-bedroom, 43.4 m<sup>2</sup> (468 ft<sup>2</sup>) secondary suite. To ensure that the secondary suites are built to the satisfaction of the City in accordance with the Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection on the proposed Lot 2 is to be granted until the secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw. This legal agreement is a condition of rezoning.

### **Financial Impact**

None.



**Conclusion**

The purpose of this application is to rezone 9631 Patterson Road from the “Single Detached (RS1/E)” zone to a new site specific zone to permit the property to be subdivided to create two single detached lots. The proposal is consistent with Single-Family Lot Size Policy 5446 and all applicable policies and land use designations contained within the Official Community Plan (OCP). The proposal is consistent with the direction of redevelopment in the surrounding area.

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

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10287 be introduced and given first reading.

  
(for)

Nathan Andrews  
Planning Technician  
(604-247-4911)

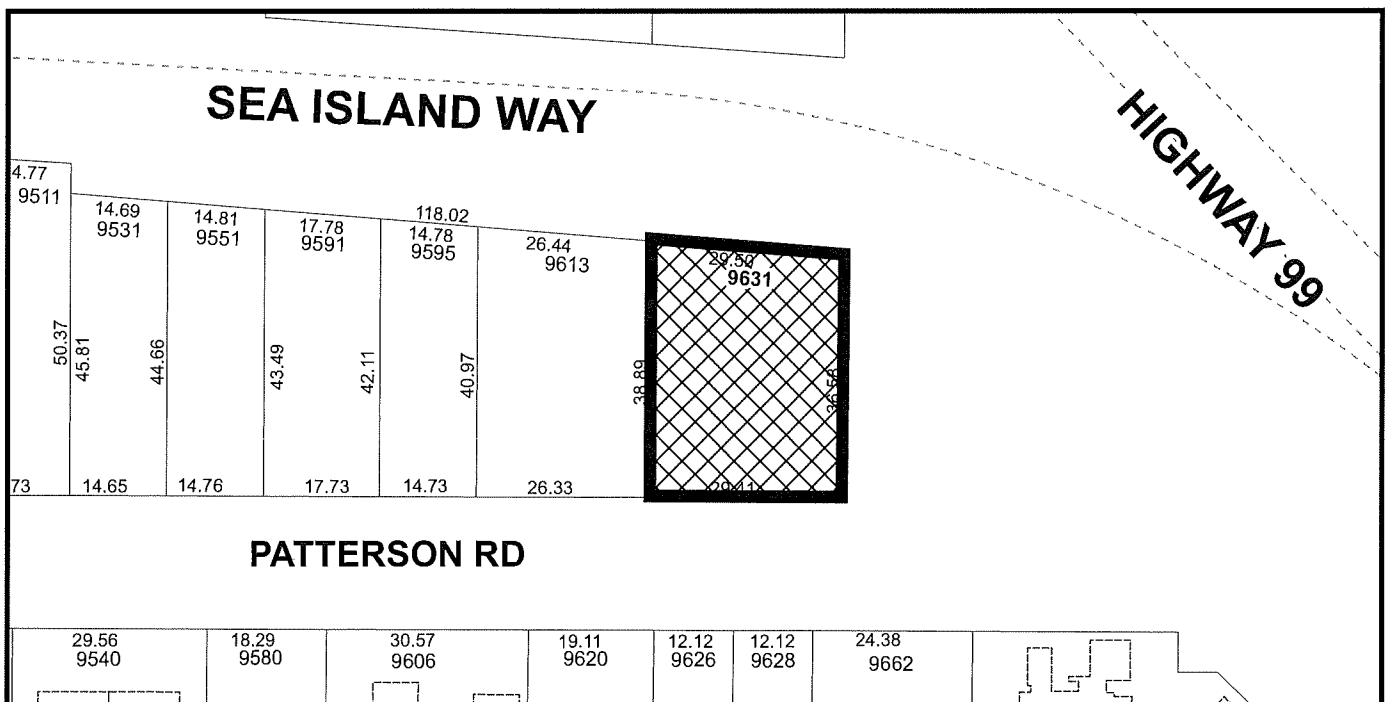
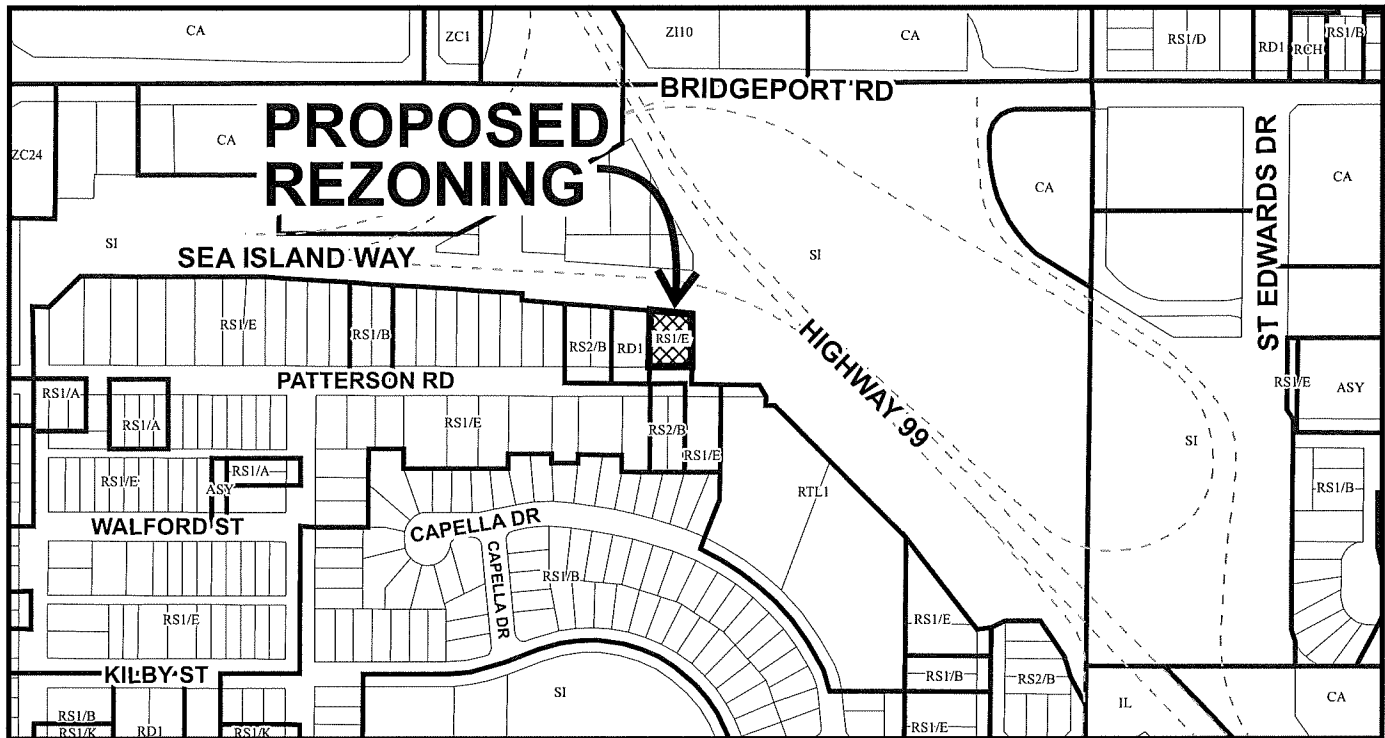
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**Attachments**

Attachment 1: Location Map  
Attachment 2: Survey and Subdivision Plan  
Attachment 3: Development Application Data Sheet  
Attachment 4: Lot Size Policy 5446  
Attachment 5: Tree Retention Plan  
Attachment 6: Preliminary Landscape Plan  
Attachment 7: Rezoning Considerations



# City of Richmond



## RZ 20-906575

Original Date: 11/05/20

Revision Date:

Note: Dimensions are in METRES



# City of Richmond



**RZ 20-906575**

Original Date: 11/05/20

Revision Date:

Note: Dimensions are in METRES





#9631 PATTERSON ROAD,  
RICHMOND, B.C.  
P.I.D. 004-194-454

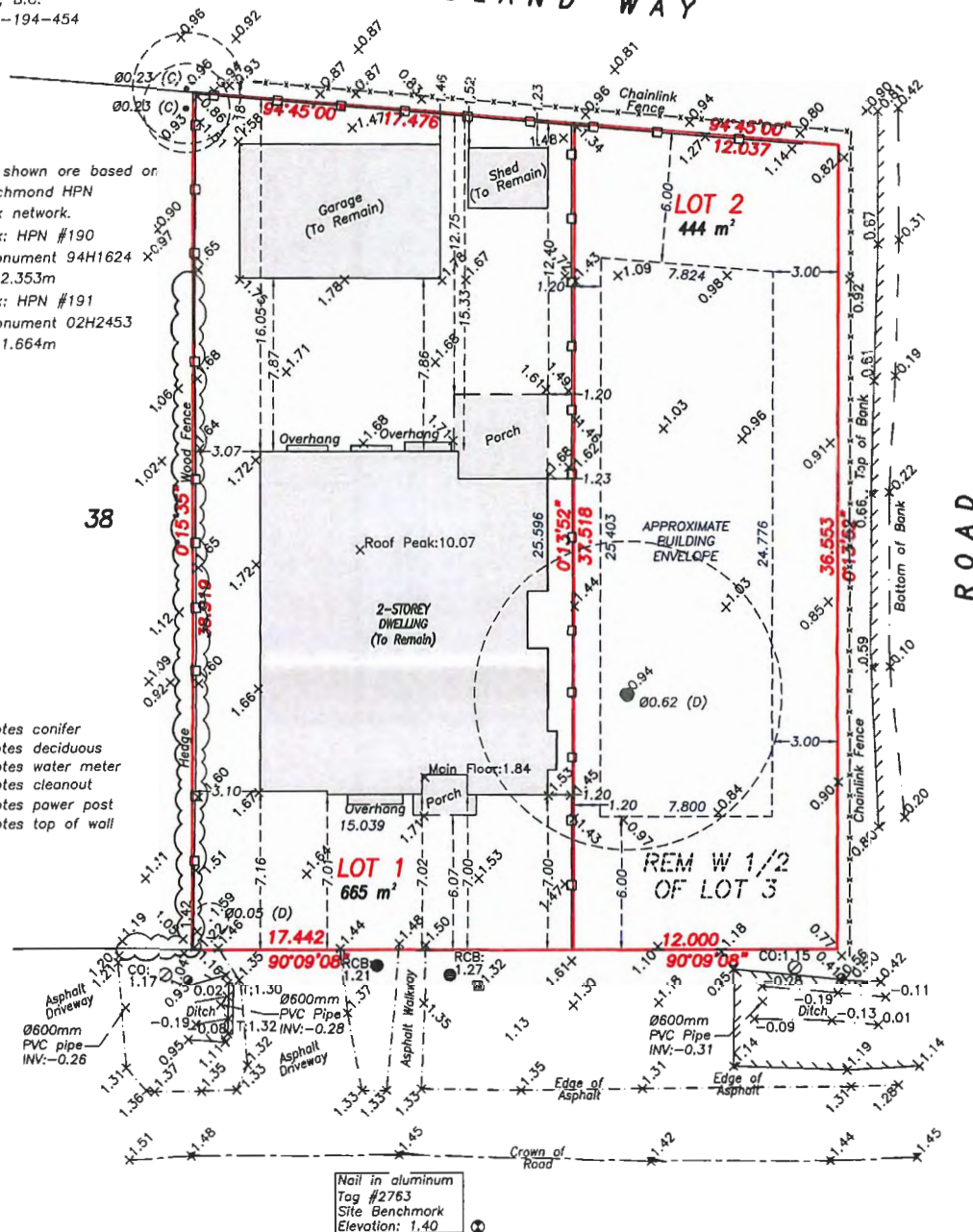
SEA ISLAND WAY

NOTE:

Elevations shown are based on:  
City of Richmond HPN  
Benchmark network.  
Benchmark: HPN #190  
Control Monument 94H1624  
Elevation: 2.353m  
Benchmark: HPN #191  
Control Monument 02H2453  
Elevation: 1.664m

LEGEND:

(c) denotes conifer  
(d) denotes deciduous  
M denotes water meter  
⊙ denotes cleanout  
● denotes power post  
T: denotes top of wall



© copyright  
J. C. Tam and Associates  
Canada and B.C. Land Surveyor  
115 - 8833 Odlin Crescent  
Richmond, B.C. V6X 3Z7  
Telephone: (604) 214-8928  
Fax: (604) 214-8929

PATTERSON ROAD

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS  
THEREOF UNLESS OTHERWISE INDICATED

**NOTE:**

NOTE:  
Use site Benchmark Tag #2763 for  
construction elevation control.

**CERTIFIED CORRECT:**  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.

Johnson  
Tam U8|4B9

Digitally signed by Johnson Tam U8489  
DN: cn=JA, c=malaysia, o=Johnson Tam U8489, ou=CA  
Land Surveyor, email=jt@ltd.net  
www.juricert.com/JPUP/JohnJA-U8489  
Date: 2020.06.25 14:01:52 +0700

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

JUNE 11th, 2020

CIVIC ADDRESS:  
9631 - Patterson Road, Richmond BC  
PID: 004-194-454

LEGAL DESCRIPTION:

CALCULATIONS:  
ZONE RS2/B

### Lot 1

PER IMPERMEABLE COVERAGE = 70% OF 7158.0 S.F. ( 665.0 m<sup>2</sup> )  
= 5010.60 S.F. ( 465.484 m<sup>2</sup> )

PROPOSED IMPERMEABLE COVERAGE = 4784.00 S.F. ( 444.43 m<sup>2</sup> )

PER LANDSCAPE SURFACE = 30% OF 7158.0 S.F. ( 665.0 m<sup>2</sup> )  
= 2147.40 S.F. ( 199.49 m<sup>2</sup> )

PROPOSED LANDSCAPE SURFACE = 2374.00 SF ( 220.54 m<sup>2</sup> )

PER SITE COVERAGE = 45% OF 7158.0 S.F. ( 665.0 m<sup>2</sup> )  
= 3221.10 S.F. ( 299.24 m<sup>2</sup> )

PROPOSED SITE COVERAGE = 2911.0 S.F. ( 270.43 m<sup>2</sup> )

### Lot 2

PER IMPERMEABLE COVERAGE = 70% OF 4779.0 S.F. ( 444.0 m<sup>2</sup> )  
= 3345.00 S.F. ( 310.75 m<sup>2</sup> )

PROPOSED IMPERMEABLE COVERAGE = 2386.00 S.F. ( 221.66 m<sup>2</sup> )

PER LANDSCAPE SURFACE = 30% OF 4779.0 S.F. ( 444.0 m<sup>2</sup> )  
= 1434.0 S.F. ( 133.22 m<sup>2</sup> )

PROPOSED LANDSCAPE SURFACE = 1636.0 SF ( 151.98 m<sup>2</sup> )

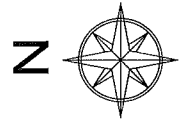
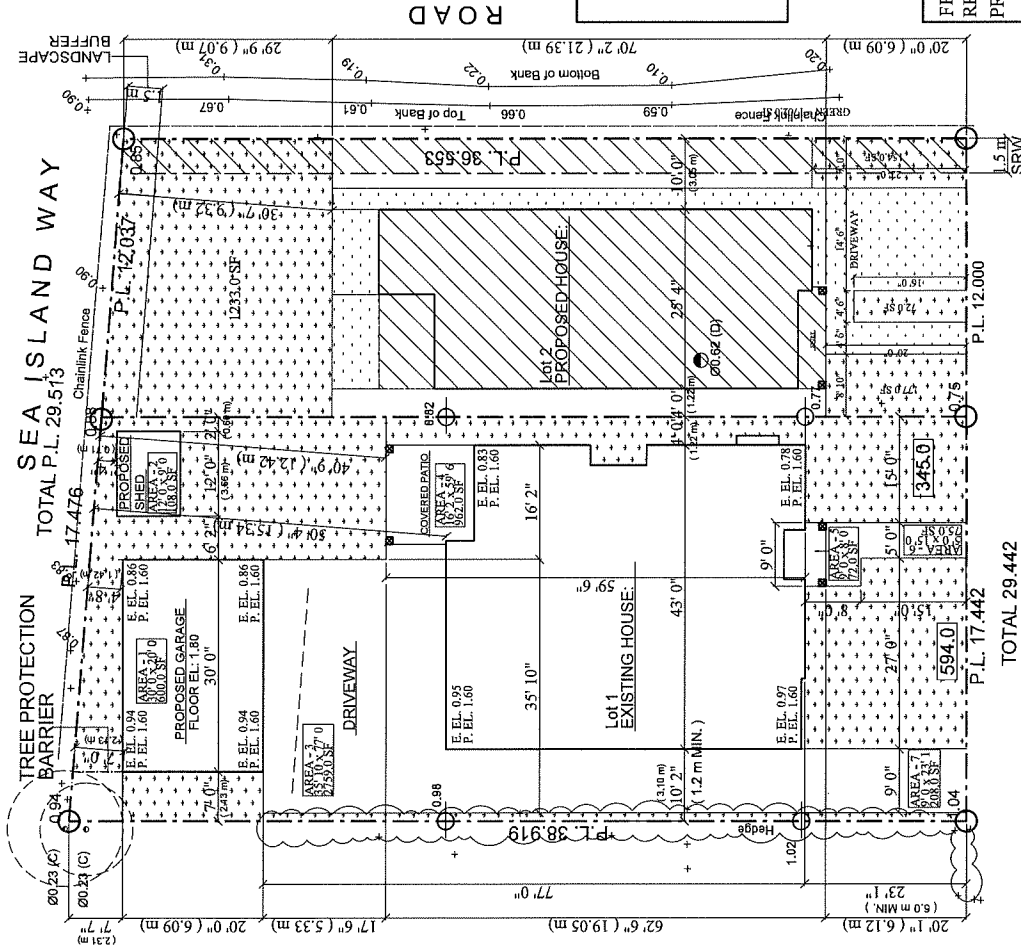
PER SITE COVERAGE = 45% OF 4779.0 S.F. ( 444.0 m<sup>2</sup> )  
= 2150.55 S.F. ( 199.79 m<sup>2</sup> )

PROPOSED SITE COVERAGE = 1667.0 S.F. ( 154.86 m<sup>2</sup> )

FRONT YARD = 774.0 SF ( 71.90 m<sup>2</sup> )

REQUIRED FRONT YARD LANDSCAPE SURFACE = 50% = 387.0 SF ( 35.95 m<sup>2</sup> )

PROPOSED FRONT YARD LANDSCAPE SURFACE = 177.0 + 72.0 + 154.0 = 403.0 SF ( 37.44 m<sup>2</sup> )



PATTERSON ROAD

## SITE PLAN

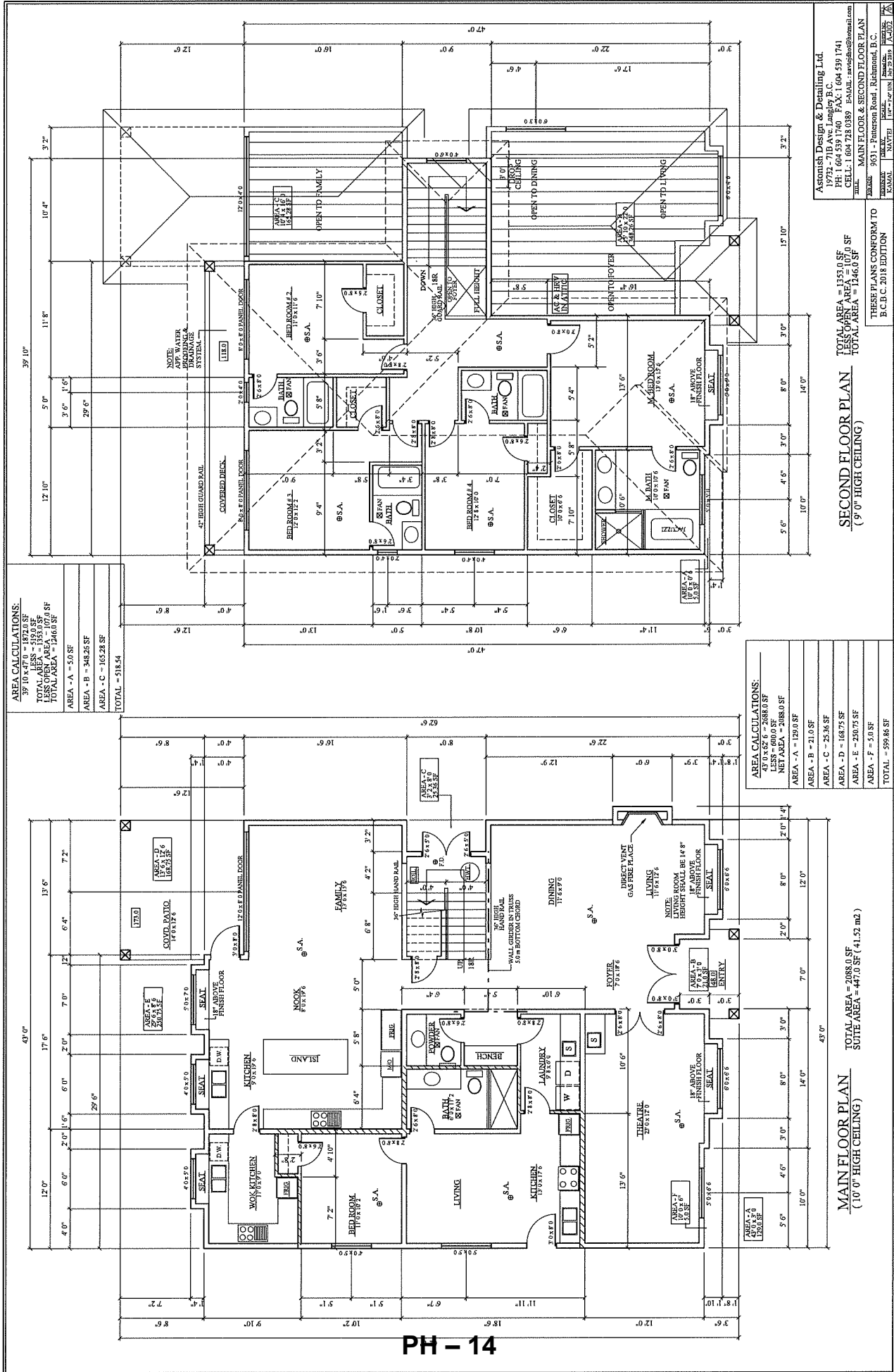
LEGEND:  
E.E.L. = EXISTING ELEVATION  
P.E.L. = PROPOSED ELEVATION

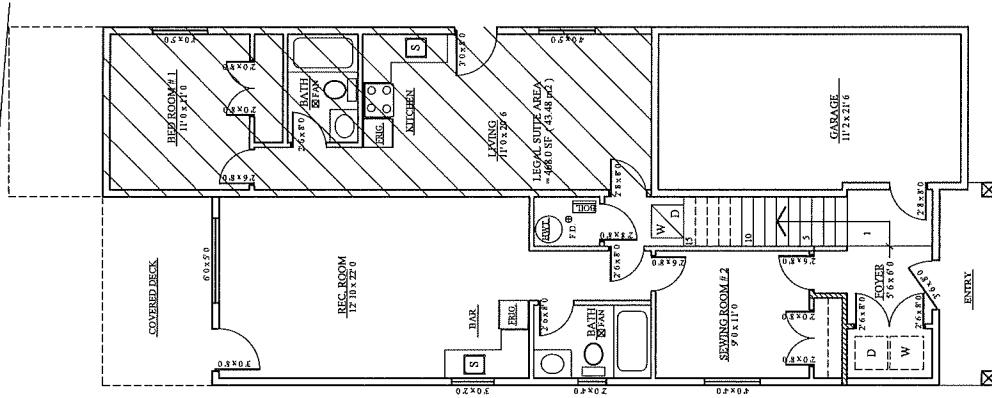
Astonish Design & Drafting Ltd.  
19732-7189 Ave. Langley B.C.  
PH: 1 604 539 1740 FAX: 1 604 539 1741  
CELL: 1 604 728 0389 EMAIL: astondesign@hotmail.com

SITE PLAN

DATE: 9/31/2018  
DRAWN BY: J. L. L. L.  
CHECKED BY: J. L. L. L.  
APPROVED BY: J. L. L. L.

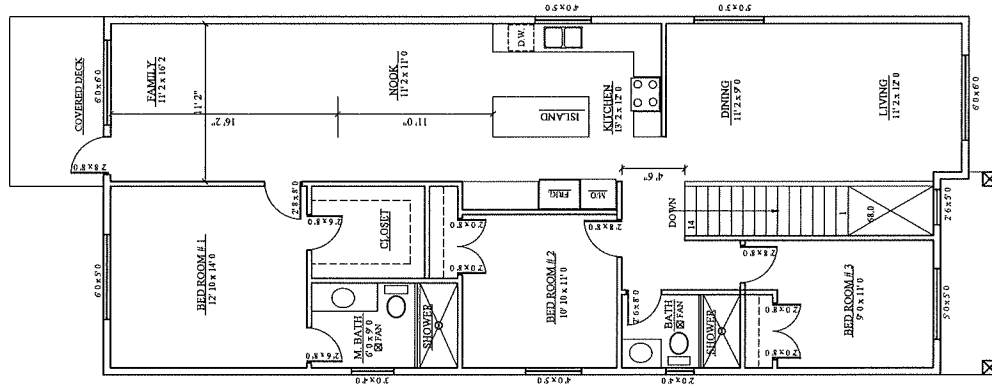
THESE PLANS CONFORM TO  
B.C.B.C. 2018 EDITION





MAIN FLOOR PLAN

TOTAL AREA = 1160.0 SF



SECOND FLOOR PLAN

AREA = 1530 - 68 = 1462.0

July 16 2021

Astronish Design & Drafting Ltd.  
19732 - 7118 Ave. Lancelot B.C.  
PH: 1 604 539 1740 FAX: 1 604 539 1741  
CELL: 1 604 728 0389 E-MAIL: [naveed@astronish.com](mailto:naveed@astronish.com)

FLOOR PLANS

PROJECT	5631 - Pullerson Road, Richmond, B.C.
DATE	14-07-2021
BY	14-07-2021
CHECKED	14-07-2021
APPROVED	14-07-2021

THESE PLANS CONFORM TO  
B.C.C. 2018 EDITION



**RZ 20-906575**

**Attachment 3**

Address: 9631 Patterson Road

Applicant: Paul Atwal

Planning Area(s): West Cambie Area

	Existing	Proposed
<b>Owner:</b>	Amritpal Atwal Lakhwinder Atwal	No change
<b>Site Size (m<sup>2</sup>):</b>	1109 m <sup>2</sup>	Lot 1: 665 m <sup>2</sup> Lot 2: 444 m <sup>2</sup>
<b>Land Uses:</b>	One (1) single-family dwelling	Two (2) single-family dwellings
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Area Plan Designation:</b>	Residential (Single Family only)	No change
<b>702 Policy Designation:</b>	Policy 5446 permits subdivision to "Single Detached (RS2/B)"	No change
<b>Zoning:</b>	Single Detached (RS1/E)	Single Detached (ZS30) – Patterson Road (modelled after RS2/B zoning)
<b>Number of Units:</b>	1	2
<b>Other Designations:</b>	N/A	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	none
Buildable Floor Area (m <sup>2</sup> ):*	Lot 1: Max. 315.6 m <sup>2</sup> (3,397 ft <sup>2</sup> ) Lot 2: Max. 244.2 m <sup>2</sup> (2,628 ft <sup>2</sup> )	Lot 1: Max. 315.6 m <sup>2</sup> (3,397 ft <sup>2</sup> ) Lot 2: Max. 244.2 m <sup>2</sup> (2,628 ft <sup>2</sup> )	none
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70% Live Landscaping: Min. 25%	Lot 1: Building: Max. 41% Non-porous Surfaces: Max. 67% Live Landscaping: Min. 30%  Lot 2: Building: Max. 35% Non-porous Surfaces: Max. 50% Live Landscaping: Min. 34%	none
Lot Size:	Min. 360 m <sup>2</sup>	Lot 1: 665 m <sup>2</sup> Lot 2: 444 m <sup>2</sup>	none



On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Lot Width (m):	Min. Width: 12.0 m	Lot 1: 17.5 m Lot 2: 12.0 m	none
Lot Depth (m):	Min. Depth: 24.0 m	Lot 1: 38.2 m Lot 2: 37.0 m	none
Setback Front (m):	Min. 6.0 m	Min. 6.0 m	none
Setback Rear (m):	The greater of 6.0 m or 20% of the total lot depth, for a maximum width of 60% of the rear wall of the first storey; and 25% of the total lot depth, for the remaining 40% of the rear wall of the first storey and any second storey, or half (½) storey above, up to maximum required setback of 10.7m.	The greater of 6.0 m or 20% of the total lot depth, for a maximum width of 60% of the rear wall of the first storey; and 25% of the total lot depth, for the remaining 40% of the rear wall of the first storey and any second storey, or half (½) storey above, up to maximum required setback of 10.7 m.	none
Setback Side(m):	Min. 1.2 m	Min. 1.2 m	none
Setback Exterior Side (m):	Min. 3.0 m	Min. 3.0 m	none
Height (m):	Max. 2 storeys or 9.0 m	Max. 2 storeys or 9.0 m	none

Other: Tree replacement compensation required for loss of bylaw tree.

\* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.



# City of Richmond

# Policy Manual

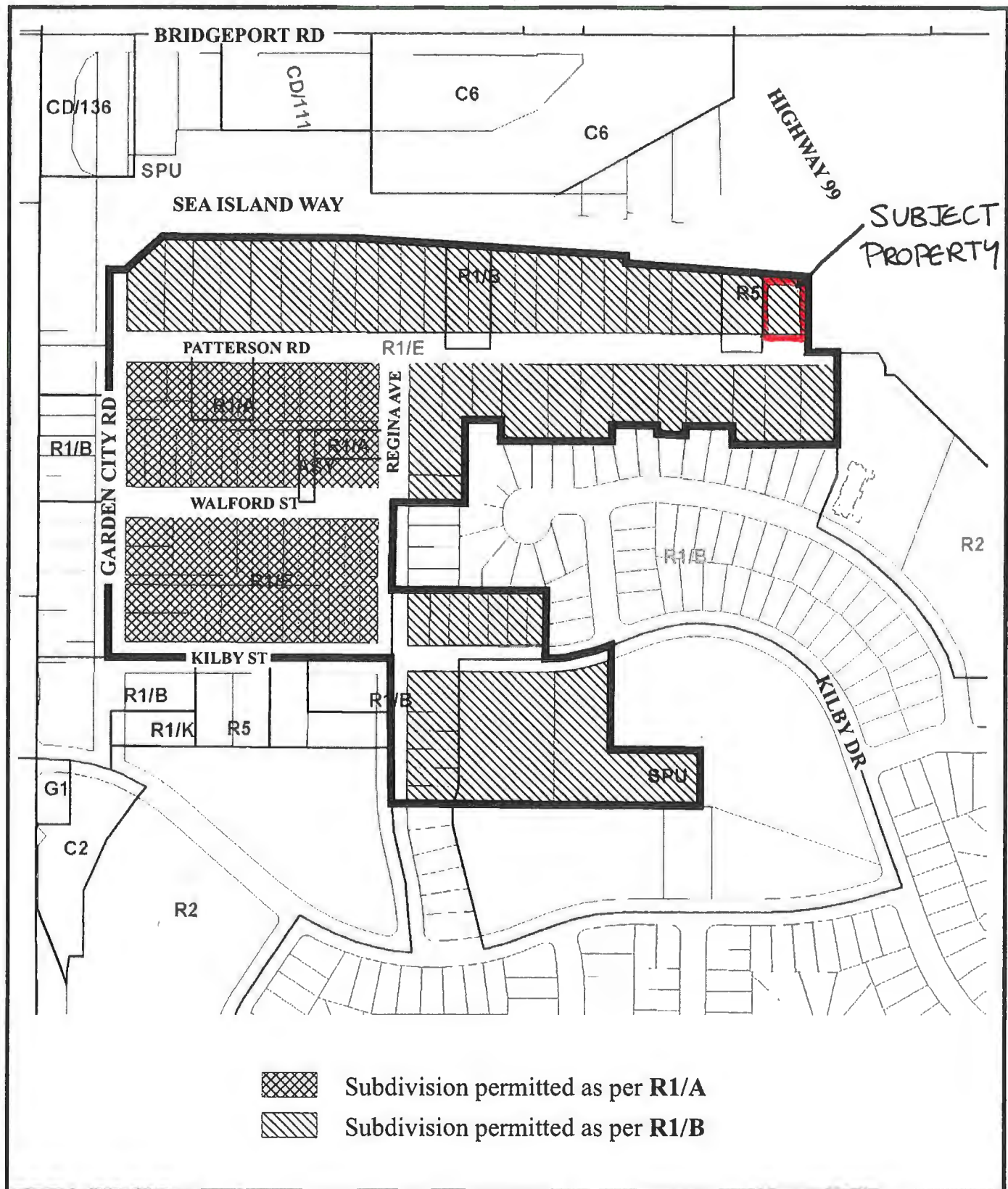
Page 1 of 2	Adopted by Council: September 16, 1991 Amended by Council: June 21, 1999	<b>POLICY 5446</b>
File Ref: 4430-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 27-5-6	

## **POLICY 5446:**

The following policy establishes lot sizes in a portion of Section 27-5-6, bounded by **Sea Island Way, Highway 99, east side of Garden City Road, east side of Regina Avenue and north side of Kilby Street:**

That properties within the area bounded by Sea Island Way, Highway 99 and the east side of Regina Avenue, in a portion of Section 27-5-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) and further that properties within the area bounded by the east side of Garden City Road, the south side of Patterson Road, the west side of Regina Avenue and the north side of Kilby Street be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area A (R1/A) in Zoning and Development Bylaw 5300.

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.

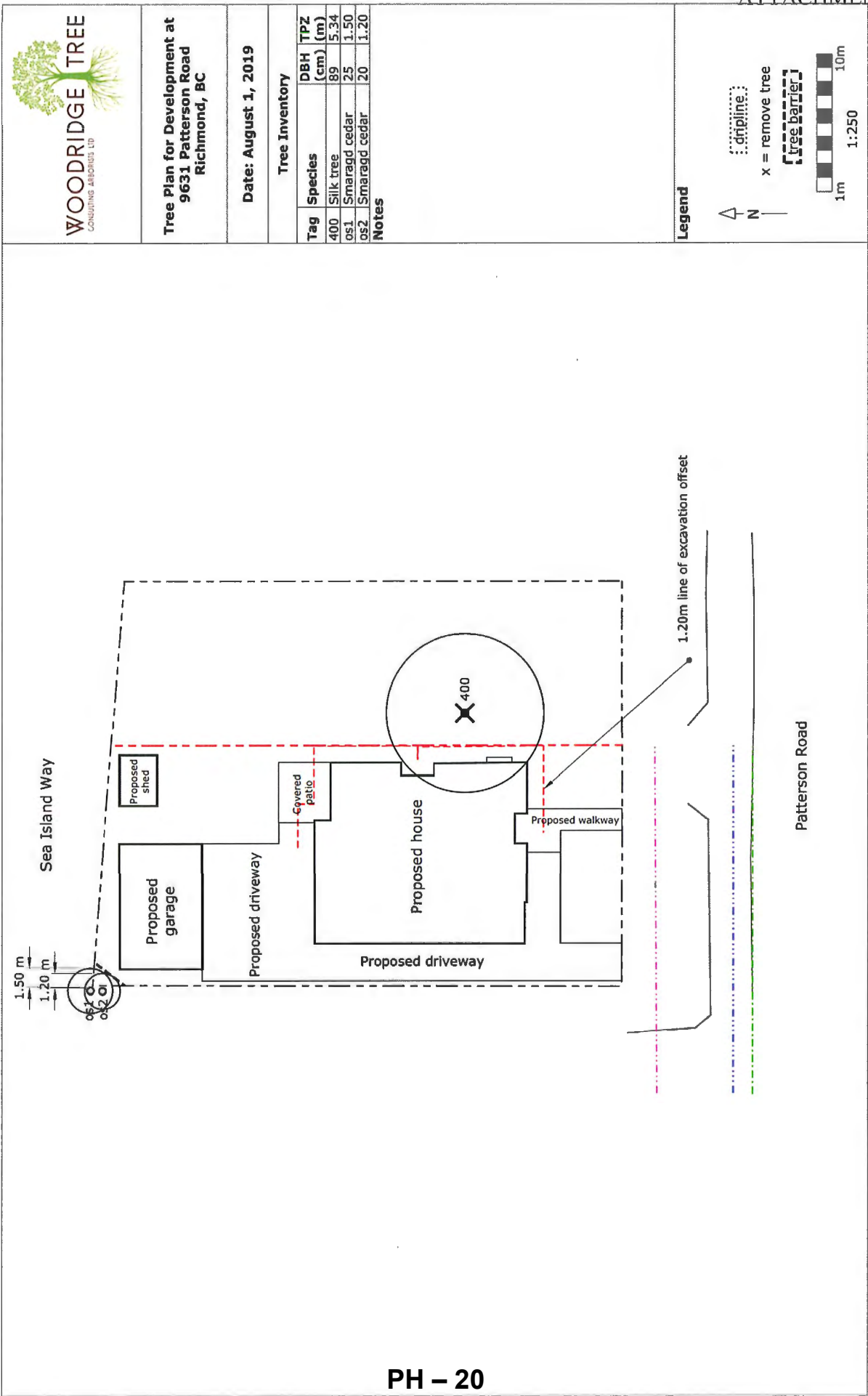


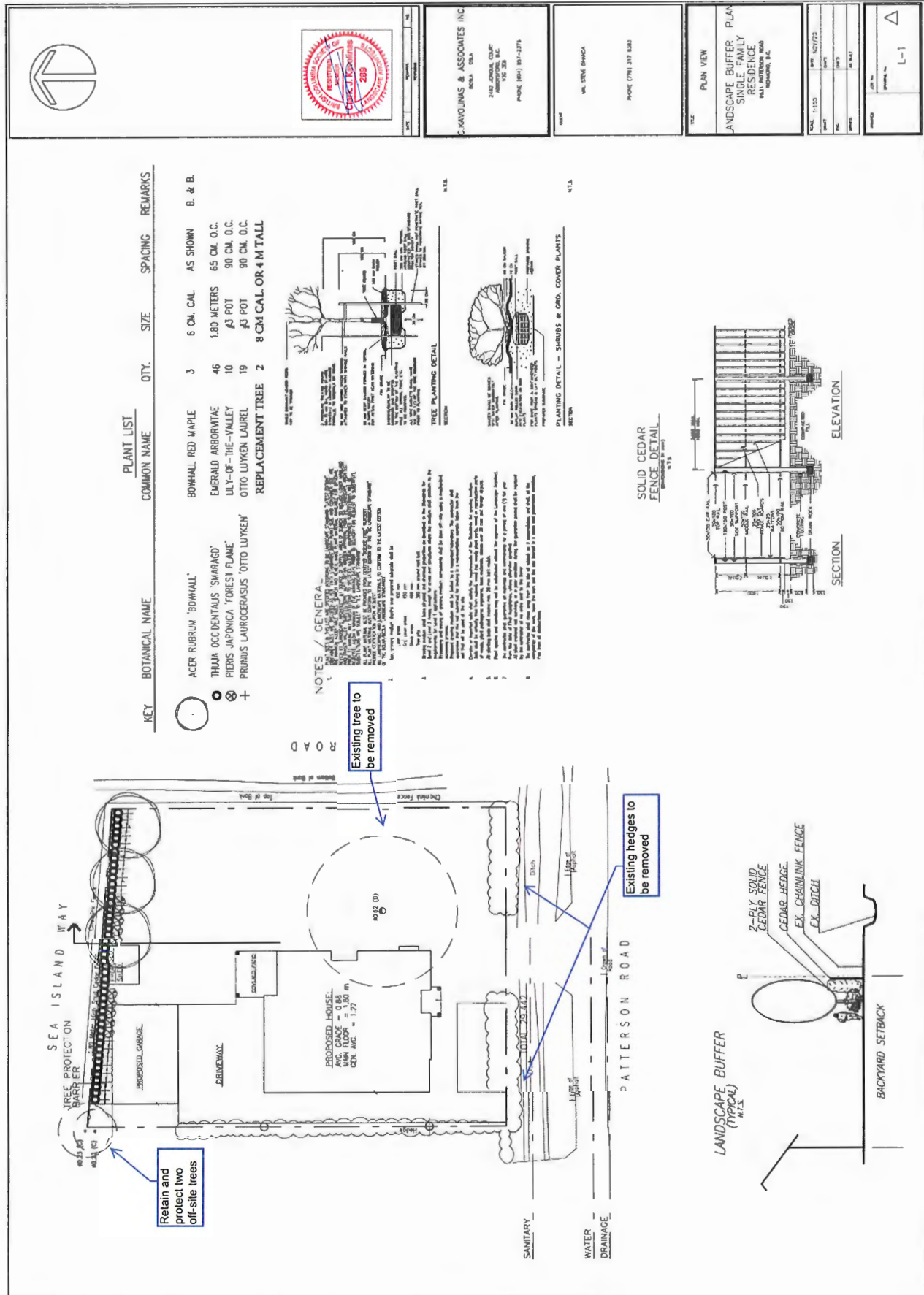
## Policy 5446 Section 27-5-6

Adopted Date: 09/16/91

Amended Date: 06/21/99

Note: Dimensions are in METRES

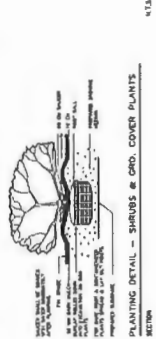
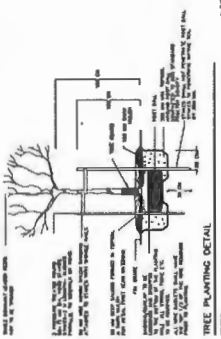




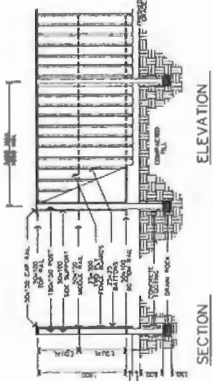
KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	SPACING	REMARKS
○	ACER RUBRUM 'BOHNAAL'	BOHNAAL RED MAPLE	3	6 CM. CAL.	AS SHOWN	B. & B.
●	THUJA OCCIDENTALIS 'SHARAGO'	EMERALD ARBORVITAE	46	1.80 METERS	65 CM. O.C.	
⊗	ULY-OF-THE-VALLEY	ULY-OF-THE-VALLEY	10	AS POT	90 CM. O.C.	
+	PRUNUS LAUROCEASUS 'OTTO LUYKEN'	OTTO LUYKEN LAUREL	19	AS POT	90 CM. O.C.	
		REPLACEMENT TREE	2	8 CM CAL OR 4 M TALL		

NOTES / GENERAL

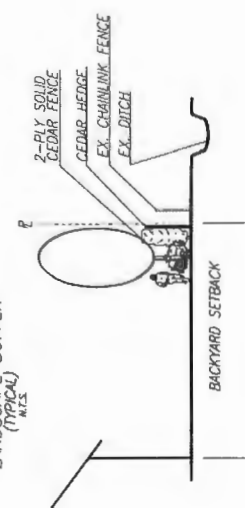
1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:



SOLID CEDAR FENCE DETAIL



ELEVATION



CAROLINAS & ASSOCIATES INC.  
1402 JORDAN COURT  
FARMINGTON, CT 06030  
PHONE (860) 871-0375

DATE: 06/27/22  
PROJECT: 219 217 000

PLAN VIEW  
LANDSCAPE BUFFER, PLAN  
SINGLE FAMILY  
RESIDENCE  
1402 JORDAN COURT  
FARMINGTON, CT

DATE: 06/27/22  
PROJECT: 219 217 000  
SHEET: 1 OF 2  
SCALE: 1/8" = 1'-0"



**Address:** 9631 Patterson Road

**File No.:** RZ 20-906575

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10287, the developer is required to complete the following:**

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Registration of an aircraft noise sensitive use covenant on title (ANSD Area 4).
3. Registration of a flood indemnity covenant on title (Area A).
4. Registration of a legal agreement on title to identify the entire 1.5 m rear yard space as a buffer area and to ensure that landscaping planted within this buffer is maintained and will not be abandoned or removed. Buffer is conceptually shown in the landscape plan prepared by C.Kavolinas & Associates Inc., dated November 2020.
5. Registration of a legal agreement on title for a new 1.5 m-wide Statutory Right-of-Way along the east property line of the site, for the purpose of providing access to the existing City forcemain.
6. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a 1-bedroom secondary suite of minimum 41.5 m<sup>2</sup> (447 ft<sup>2</sup>) in size is constructed on Lot 1 and a 1-bedroom secondary suite of minimum 43.4 m<sup>2</sup> (468 ft<sup>2</sup>) in size is constructed on Lot 2, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
7. Registration of a legal agreement on title to ensure that future construction is designed to achieve the applicable standards for indoor noise quality based on location in an Aircraft Noise Sensitive Use area and proximity to the highway. Maximum interior noise levels (decibels) within the dwelling units must achieve CMHC standards as follows:

Portions of Dwelling Units	Noise Levels (decibels)
Bedrooms	35 decibels
Living, dining, recreation rooms	40 decibels
Kitchen, bathrooms, hallways, and utility rooms	45 decibels

8. Submission of a Landscaping Security to the City of Richmond in the amount of \$10,371.50 to ensure that the agreed upon landscaping works are completed. This Security includes \$1,500 for the planting of two replacement trees on proposed Lot 2, and \$8,871.50 for the landscaping buffer works as per the landscape plan prepared by C.Kavolinas & Associates Inc., dated November 2020.

**At Subdivision\* stage, the developer must complete the following requirements:**

1. At future Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), Engineering Improvement Charges for future road improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.
2. Enter into a City Work Order for the construction of engineering infrastructure improvements. Works include, but may not be limited to:

**Water Works:**

- a) Using the OCP Model, there is 104 L/s of water available at a 20 psi residual at the Patterson Road frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- b) At Developer's cost, the Developer is required to:
  - i) Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage building designs.

- c) At Developer's cost, the City will:
  - i) Retain the existing water connection to serve the proposed western lot.
  - ii) Install a new service connection for the proposed eastern lot, complete with water meter.

**Storm Sewer Works:**

- d) At Developer's cost, the Developer is required to:
  - i) Apply for a Watercourse Crossing Permit for any proposed crossing or infilling of the ditch along the south property line.
- e) At Developer's cost, the City will:
  - i) Install a new storm connection complete with inspection chamber for each lot.

**Sanitary Sewer Works:**

- f) At Developer's cost, the Developer is required to:
  - i) Provide a new 1.5 m-wide SRW along the east property line of the site, for the purpose of providing access to the existing City forcemain.
- g) At Developer's cost, the City will:
  - i) Cap and remove the existing sanitary connection.
  - ii) Install a new sanitary connection complete with inspection chamber and dual service leads.

**Frontage Improvements:**

- h) At Developer's cost, the Developer is required to:
  - i) Coordinate with BC Hydro, Telus and other private communication service providers:
    - (1) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
    - (2) To locate all above ground utility cabinets and kiosks required to service the proposed development within the development site.
  - ii) Pay, in keeping with the Subdivision and Development Bylaw No. 8751, a cash-in-lieu contribution for the design and construction of frontage improvements as set out below, with 2020 rates provided as reference:

Asphalt/Pavement Widening (EP.0643)	\$14,132 (2020 rate)
Storm Sewer (EP.0640)	\$47,107 (2020 rate)
Concrete Curb and Gutter (EP.0641)	\$7,066 (2020 rate)
Roadway Lighting (EP.0644)	\$4,858 (2020 rate)
Concrete Sidewalk (EP.0642)	\$7,066 (2020 rate)
Boulevard Landscape/Trees (EP.0647)	\$4,416 (2020 rate)

Note: Cash-in-lieu rates are updated yearly to adjust for inflation and fluctuations in actual construction costs. The City will re-assess the required contribution when the cash-in-lieu is paid, based on the cash-in-lieu rate that is in effect at that time.

- iii) Complete other frontage improvements as per Transportation requirements.

**General Items:**

- i) At Developer's cost, the Developer is required to:
  - i) Not encroach into City rights-of-ways with any proposed trees, retaining walls, or other non-removable structures. Retaining walls proposed to encroach into rights-of-ways must be reviewed by the City's Engineering Department.
  - ii) Enter into, if required, 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, 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.

**Prior to Building Permit Issuance, the developer must complete the following requirements:**

1. Submission of an acoustical report to confirm that the house on Lot 2 has been designed to achieve the applicable standards for indoor noise quality as part of this rezoning and at the time of building permit.
2. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
3. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

**Note:**

- \* This requires a separate application.
- 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.

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Signed

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Date





**Richmond Zoning Bylaw 8500  
Amendment Bylaw 10287  
(Single Detached (ZS30) – Patterson Road)**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended at Section 5.15 [Affordable Housing] by inserting the following into the table contained in Section 5.15.1(c) regarding Affordable Housing density bonusing provisions after the line ZMU40:

<b>Zone</b>	<b>Sum Per Buildable Square Foot of Permitted <b>Principal Building</b></b>
“ZS30	\$4.00”

2. Inserting the following into Section 15 (Site Specific Residential (Single Detached) Zones), in numerical order:

**15.30 Single Detached (ZS30) – Patterson Road**

**15.30.1 Purpose**

The **zone** provides for **single detached housing**.

**15.30.2 Permitted Uses**

- **housing, single detached**

**15.30.3 Secondary Uses**

- **boarding and lodging**
- **community care facility, minor**
- **home business**
- **secondary suite**
- **bed and breakfast**

**15.30.4 Permitted Density**

1. The maximum **density** is one **principal dwelling unit** per **lot**.
2. The maximum **floor area ratio** is 0.40 applied to a maximum of 464.5 m<sup>2</sup> of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m<sup>2</sup>
3. Notwithstanding Section 15.30.4.2, the reference to “0.4” is increased to a higher **density** of “0.55” if:
  - a) the **building** contains a **secondary suite**; or

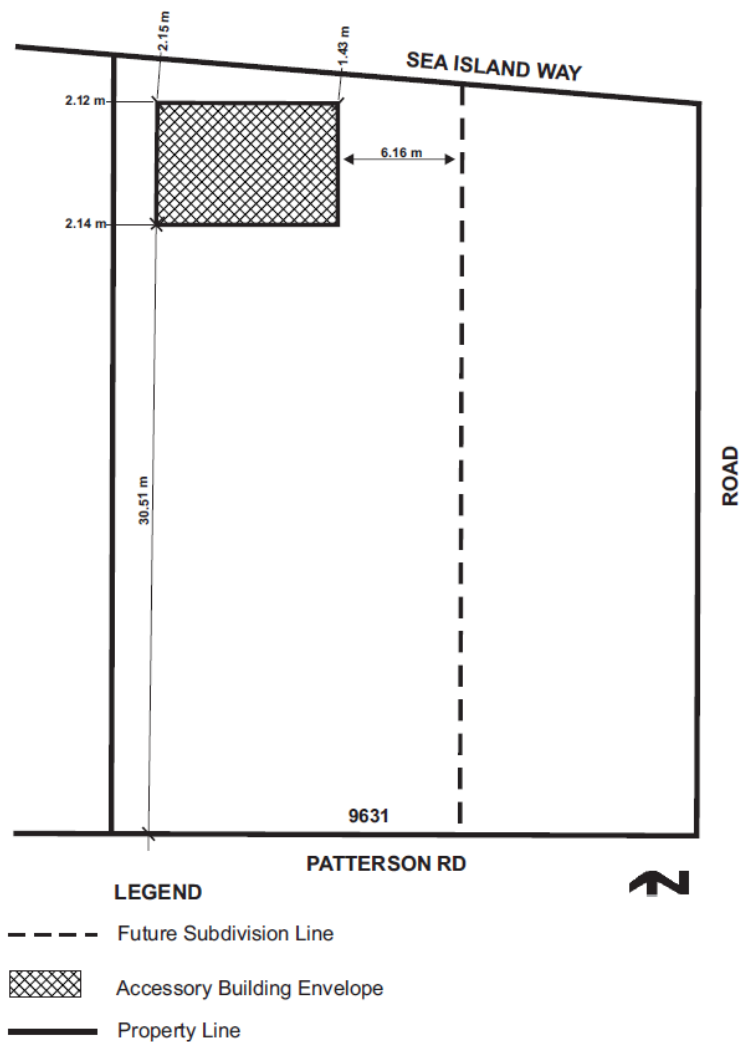
- b) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the ZS30 **zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw.

#### 15.30.5 Permitted Lot Coverage

1. The maximum **lot coverage** is 45% for **buildings**.
2. No more than 70% of a **lot** may be occupied by **buildings, structures** and **non-porous surface**.
3. A minimum of 25% of the **lot area** is restricted to **landscaping** with live plant material.
4. Any **side yard** area is excluded from the calculation of percentages of the **lot area** which is restricted to **landscaping** with live plant material.

#### 15.30.6 Yards & Setbacks

1. The minimum **front yard** is 6.0 m.
2. The minimum **interior side yard** is 1.2 m.
3. The minimum **exterior side yard** is 3.0 m.
4. The minimum **rear yard** is the greater of 6.0 m or 20% of the total **lot depth**, for a maximum width of 60% of the rear wall of the **first storey**; and 25% of the total **lot depth**, for the remaining 40% of the rear wall of the **first storey** and any second **storey**, or **half (½) storey** above, up to maximum required **setback** of 10.7 m.
5. A detached **accessory building** of more than 10.0 m<sup>2</sup> used exclusively as a **garage** for on-site parking purposes may be located in the **rear yard** as per "Accessory Building Envelope" in Diagram 1, Section 15.30.6.6.
6. Diagram 1



15.30.7 Permitted Heights

1. The maximum **height** for **principal buildings** is 2 **storeys**, but it shall not exceed the **residential vertical lot width envelope** and the **residential vertical lot depth envelope**. For a **principal building** with a flat roof, the maximum **height** is 7.5 m.
2. The maximum **height** for **accessory structures** is 9.0 m.

15.30.8 Subdivision Provisions/Minimum Lot Size

1. The minimum **lot** dimensions and areas are as follows, except that **corner lots** are required to have an additional 2.0 m of **lot width**.

Minimum frontage	Minimum lot width	Minimum lot depth	Minimum lot area
6.0 m	12.0 m	24.0 m	360.0 m <sup>2</sup>

**15.30.9 Landscaping & Screening**

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0, except that in the ZS30 zone:
  - a) **fences**, when located within 6.0 m of a **front lot line abutting** a public **road**, shall not exceed 1.2 m in **height**; and
  - b) **fences**, when located elsewhere within a required **yard**, shall not exceed 1.8 m in **height**.
2. A private outdoor space with a minimum area of 20.0 m<sup>2</sup> and a minimum width and depth of 3.0 m shall be provided on the **lot**, outside of the **front yard** unoccupied and unobstructed by any **buildings, structures**, projections and on-site parking, except for **cantilevered roofs** and **balconies** which may project into the private outdoor space for a distance of not more than 0.6 m.

**15.30.10 On-Site Parking and Loading**

1. On-site **vehicle** parking shall be provided according to the standards set out in Section 7.0.

**15.30.11 Other Regulations**

1. No **single detached housing dwelling unit** shall have an exterior wall oriented to an **interior side yard** with a maximum length of **continuous wall** greater than 55% of the total **lot depth**.
2. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and Specific Use Regulations in Section 5.0 apply.
3. 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 a "SINGLE DETACHED (ZS30) – PATTERSON ROAD" site specific zone.

P.I.D. 004-194-454

West Half Lot 3 Except: Firstly: Part on Statutory Right of Way Plan 17236 Secondly: Part on Statutory Right of Way Plan LMP133, Section 27 Block 5 North Range 6 West New Westminster District Plan 6112

4. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw 10287**".



FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

SEP 13 2021

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\_\_\_\_\_  
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CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

THIRD READING

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OTHER CONDITIONS SATISFIED (MOTI)

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LEGAL REQUIREMENTS SATISFIED

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ADOPTED

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MAYOR

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CORPORATE OFFICER



# City of Richmond

## Report to Committee

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**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development  
**Date:** September 7, 2021  
**File:** TU 20-890760  
**Re:** **Application by City Vancouver Academy Inc. for an extension to a Temporary Commercial Use Permit at Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165, and 2170 - 8766 McKim Way**

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### Staff Recommendation

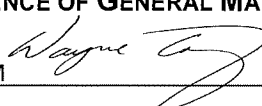
1. That the application by City Vancouver Academy Inc. for an extension to Temporary Commercial Use Permit (TU 20-890760) for the property at Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165 and 2170 - 8766 McKim Way to permit education use (limited to an independent school offering grades 10 to 12) be considered until September 8, 2022.
2. That this application be forwarded to the October 18, 2021 Public Hearing at 7:00 p.m. in the Council Chambers of Richmond City Hall.



for

Wayne Craig  
Director, Development  
(604-247-4625)

WC:na  
Att. 5

<b>REPORT CONCURRENCE</b>
<b>CONCURRENCE OF GENERAL MANAGER</b>
Acting GM 

## **Staff Report**

### **Origin**

City Vancouver Academy Inc. has applied to the City of Richmond for a one year extension to an existing Temporary Commercial Use Permit (TCUP) to allow education use (limited to an independent school offering grades 10 to 12) to be permitted at Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165 and 2170 - 8766 McKim Way (Attachment 1). A Development Application Data Sheet providing details about the proposal is attached (Attachment 2). The subject units at 8766 McKim Way are located in the eastern building (Attachment 3).

On September 8, 2020, Council issued a TCUP to enable the school to operate from the site for a one-year term while the school looked for an appropriately zoned permanent location. If the current extension is approved the permit would be valid for an additional one year period from the original TCUP approval resulting in this TCUP expiring on September 8, 2022.

### **Background**

Richmond Zoning Bylaw 8500 permits “Education” use, including accredited secondary schools, in specific zones (e.g., SI, CDT1, and ASY). The subject sites’ zoning, the “Industrial Limited Retail (ZI2) – Aberdeen Village (City Centre)” zone, does not permit “Education”.

In January 2020, the Ministry of Education performed an inspection of accredited facilities to ensure the school is compliant with all Municipal and Provincial standards before renewing their licence. The school was determined to be operating without appropriate zoning. They subsequently submitted a TCUP application to allow them to operate from the site for one year while they looked to secure a permanent location with appropriate zoning that permits “Education” use. On September 8, 2020, Council issued a TCUP to allow the school to operate from the current location for one year.

The applicant has advised staff that negotiations for an alternative location were underway at the time of the original report but the negotiations fell through. An alternative site has been identified by the applicant, at 5900 No.3 Road, and the applicant has requested an extension to the TCUP in order to allow them to complete required renovations to the building at the new location (Attachment 4).

### **Findings of Fact**

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

### **Surrounding Development**

The subject site is located in the City Centre planning area. Development immediately surrounding the subject site is as follows:

- To the North: Across McKim Way, commercial office complex on a property zoned “Industrial Limited Retail (ZI2) – Aberdeen Village (City Centre)”.

- To the South: Property zoned “Industrial Business Park and Religious Assembly (ZI5) – Aberdeen Village (City Centre)” for a place of worship and “Industrial Limited Retail (ZI2) – Aberdeen Village (City Centre)” for a light industrial, retail trade and services building.
- To the East: Office and commercial units on a property zoned “Industrial Limited Retail (ZI2) – Aberdeen Village (City Centre)”.
- To the West: Office and commercial units on a property zoned “Industrial Limited Retail (ZI2) – Aberdeen Village (City Centre)”.

### **Related Policies & Studies**

#### Official Community Plan/Aberdeen Village

The Official Community Plan (OCP) land use designation for the subject site is “Mixed Employment”. The Aberdeen Village (2031) Specific Land Use Map within the City Centre Area Plan designates the subject site as “General Urban T4 (25 m),” which allows for low to medium density of light industrial, office, and retail services. The OCP allows commercial educational uses (i.e., tutoring schools) but specifically discourages schools offering Kindergarten to grade 12 (K-12) curriculums due to the fact that K-12 programs are aircraft noise sensitive uses.

The OCP allows TCUPs in areas designated “Industrial”, “Mixed Employment”, “Commercial”, “Neighbourhood Service Centre”, “Mixed Use”, “Limited Mixed Use”, and “Agricultural” (outside of the Agricultural Land Reserve), where deemed appropriate by Council and subject to conditions suitable to the proposed use and surrounding area.

The proposed temporary “Commercial” use is consistent with the land use designations and applicable policies in the OCP.

#### Aircraft Sensitive Noise Development (ASND) Policy

The subject site is located within “Area 1A – Restricted Area” of the Aircraft Noise Sensitive Development (ANSND) Policy, where new aircraft noise sensitive land uses are prohibited, including K-12 schools. This Policy exists to prevent exposure to aircraft noise throughout the range of typical activities offered in K-12 schools, such as outdoor play. While the proposed use is temporary, the school’s activities on the site will be exclusively indoors.

Further information regarding how outdoor play will be accommodated is addressed in the outdoor play space and physical education section of this report.

Building Code issues for the use were addressed through a Tenant Improvement Permit (BP 20-890506) to allow for increased occupant load and other school related requirements for the subject site and associated units. The applicant also provided an acoustical report performed by a professional engineer prior to the issuance of the original TCUP, indicating that the measured indoor sound levels meet the noise criteria set out in the OCP for “living, dining, and



recreation rooms”. Any required upgrades outlined in the Building Permit were also to be completed in order to obtain their Business Licence and secure their accreditation as a school.

#### Local Government Act

The *Local Government Act* states that TCUPs are valid until the date the Permit expires or a maximum of three years. A TCUP may be granted one extension after which a new TCUP application would be required.

Staff recommend the Permit be extended for one year, as this is a temporary accommodation while the applicant searches for an appropriately zoned site.

#### **Public Consultation**

A sign has been installed on the site to advise of the proposal. Should Council endorse the staff recommendation, the application will be forwarded to a future Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Richmond School District No. 38 has been made aware of the Temporary Use Permit application at the subject site. No comments or concerns have been communicated back to staff.

#### **Analysis**

The subject units at 8766 McKim Way are located in the eastern building (Attachment 3). The strata management company for the subject site has provided a letter expressing no concerns regarding the extended stay and is aware of the school’s plans for relocation (Attachment 5).

The applicant advises that they have been actively searching for a new location for the school throughout the last year after the first alternative location fell through. They are committed to moving to another facility within one year of the date of issuance of the TCUP. The applicant has provided a letter indicating they have entered into an offer to lease space at 5900 No. 3 Road (Attachment 4). A Building Permit application submission package for tenant improvements at the site is currently being finalized by the applicant and an application made shortly.

#### Outdoor Play Space and Physical Education

BC Ministry of Education does not have an outdoor play space requirement and there is no such requirement in the *Independent School Act*. However, all BC students are required to take a Physical Education course in grade 10. As the school does not have play space or a gymnasium, the applicant has indicated that arrangements have been made to conduct the school’s physical education requirements at multiple off-site locations. This includes the nearby King George Park at No. 5 Road and Cambie Road, the Olympic Oval, and the Richmond Pro Badminton Center at 5800 Minoru Boulevard. All off-site Physical Education activities organized by the school will have staff supervision.

#### Parking

Vehicle parking for the “Education” use for secondary schools is required at a rate of one parking space per staff member, plus one parking space for every 10 students.

As per Richmond Zoning Bylaw 8500, the proposed use would require 11 vehicle parking stalls for six staff members and 50 students. 11 vehicle parking stalls are assigned on-site to the school, resulting in compliance with the vehicle parking regulation.

Two Class 1 bicycle parking spaces are required (one space for every three staff members), and 15 Class 2 bicycle parking spaces are required (three spaces for every 10 students). A total of 18 Class 1 bicycle parking spaces are provided to satisfy the Class 1 and Class 2 requirements. The applicant has located the required bicycle parking spaces in a secured room dedicated to the school at the south end of the east building on the subject site.

### **Financial Impact**

None.

### **Conclusion**

City Vancouver Academy Inc. has applied to the City of Richmond for an extension to a Temporary Commercial Use Permit to allow "Education" use in units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165 and 2170 – 8766 McKim Way, which is zoned "Industrial Limited Retail (ZI2) – Aberdeen Village (City Centre)". This would permit an education facility (limited to an independent school offering grades 10 to 12) to continue to operate on site until September 8, 2022 while a replacement location is being secured.

The proposed use at the subject property is acceptable to staff on the basis that it is temporary in nature and does not negatively impact current business operations at 8766 McKim Way. Staff recommend that this Temporary Commercial Use Permit (TU 20-890760) extension be issued.



Nathan Andrews  
Planning Technician  
604-247-4911

NA:blg

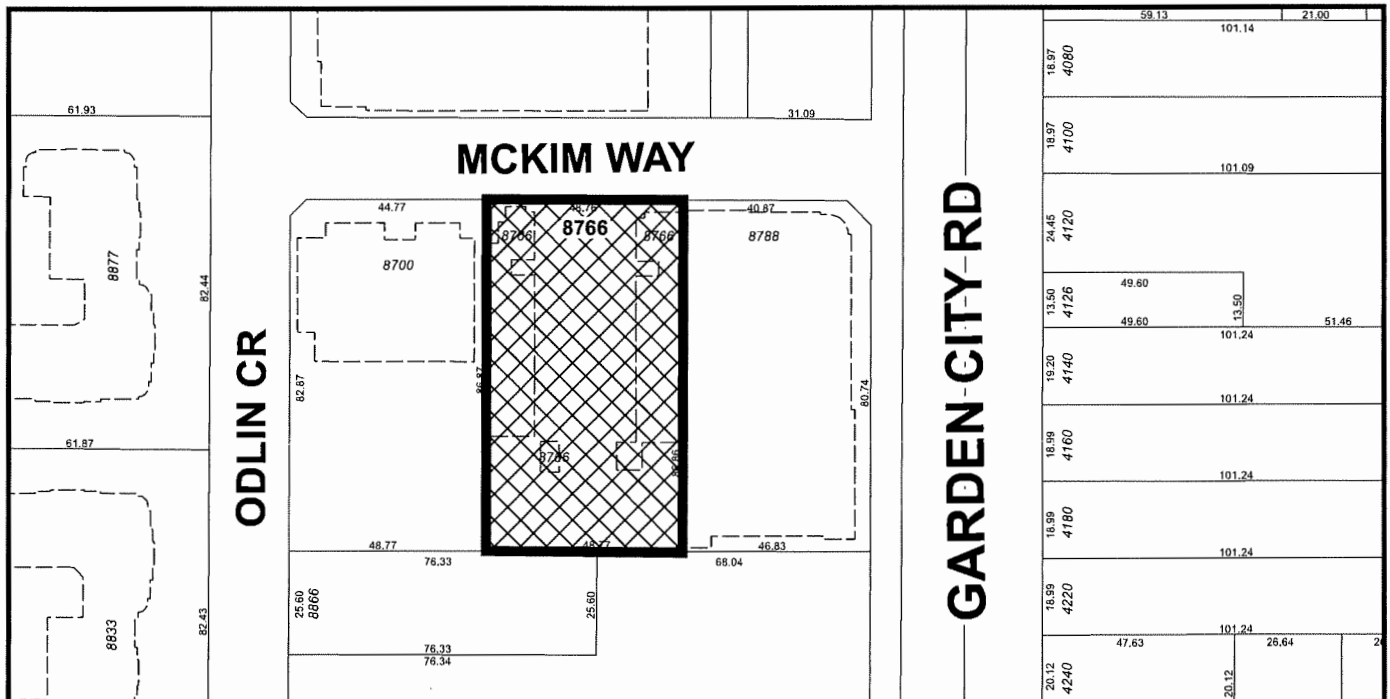
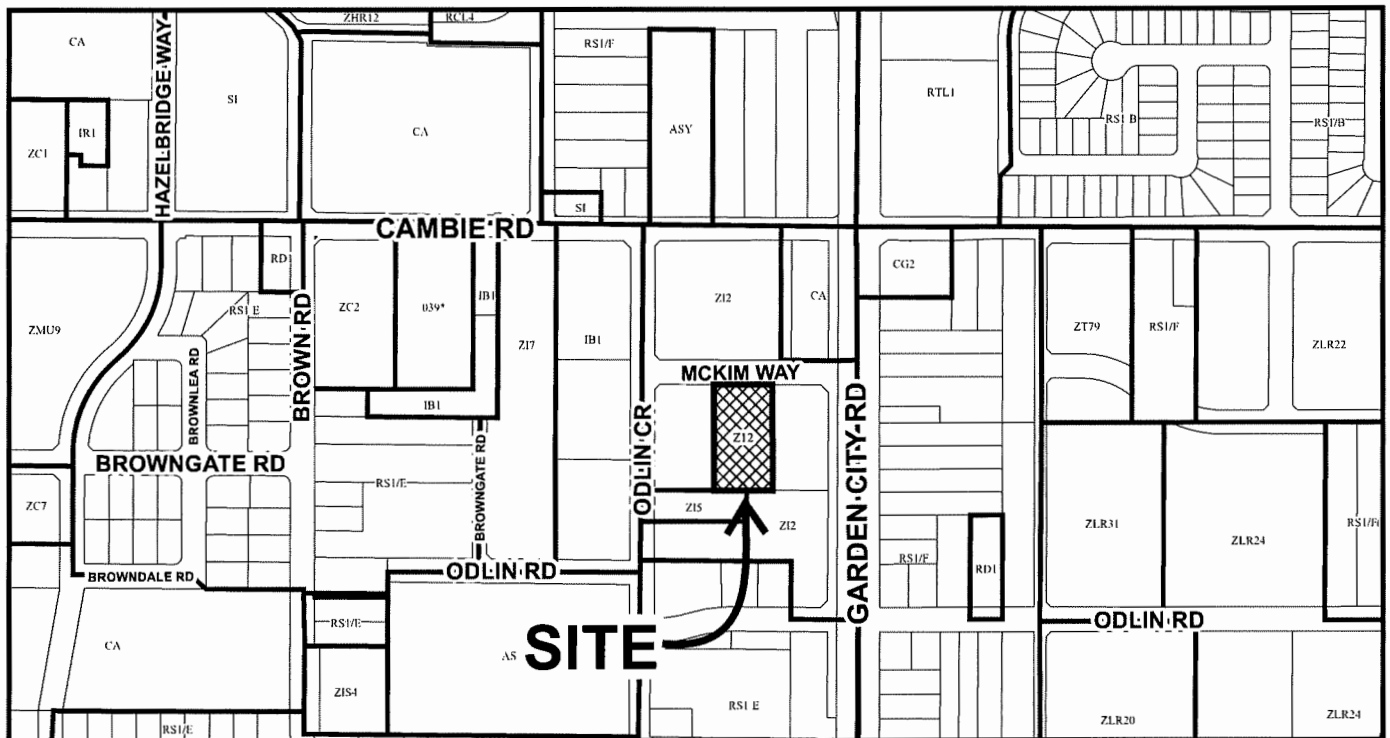
### Attachments:

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Site Plan and Parking Plan
- Attachment 4: Updated Letter from the Applicant
- Attachment 5: Updated Letter from Strata Management Company



# City of Richmond

ATTACHMENT 1



**TU 20-890760**  
(Unit 2165) main office

Original Date: 01/17/20

Revision Date:

Note: Dimensions are in METRES

**PH - 35**

Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165, 2170 - 8766 McKim Way



City of  
Richmond



**TU 20-890760**  
(Unit 2165) main office

Original Date: 01/17/20

Revision Date:

Note: Dimensions are in METRES

**PH - 36**

Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165, 2170 - 8766 McKim Way





**TU 20-890760**

**Attachment 2**

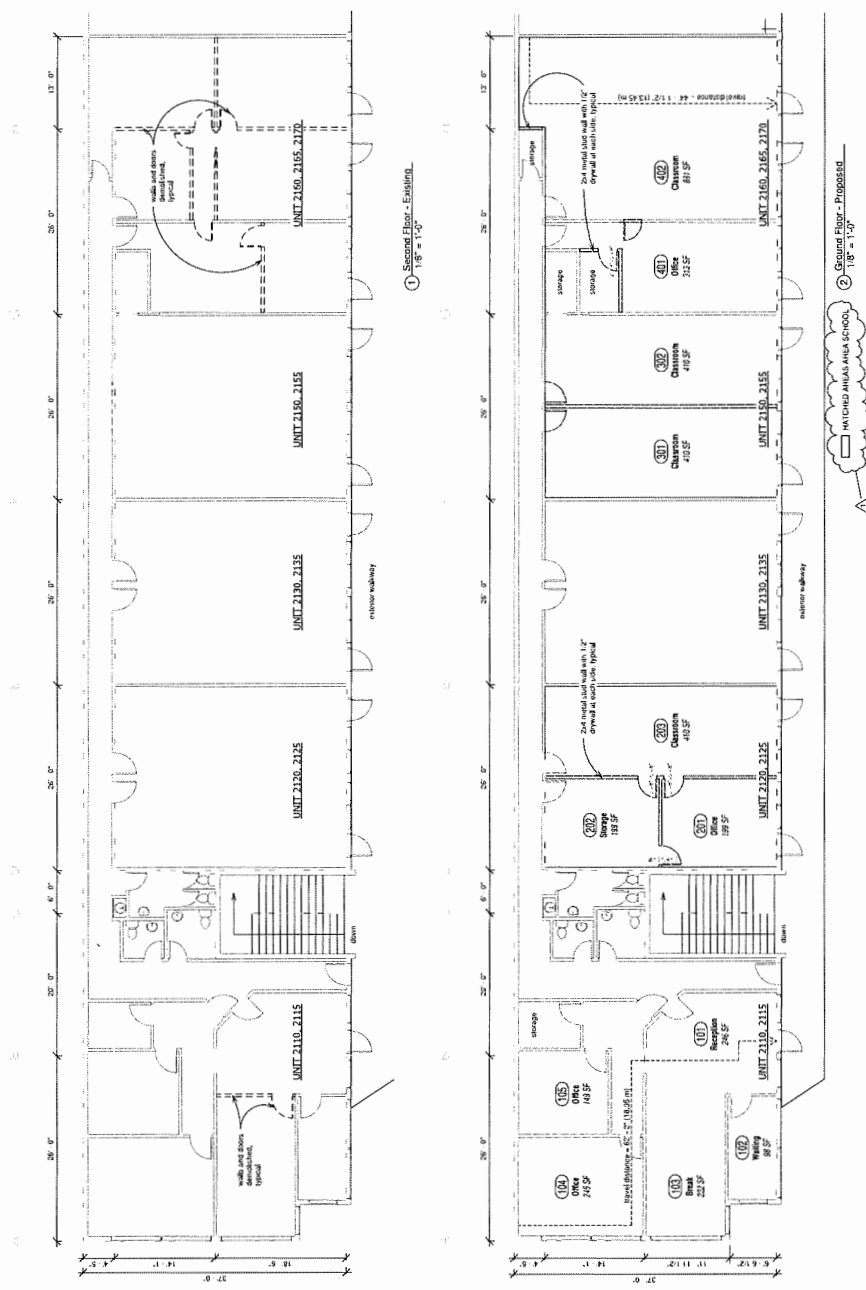
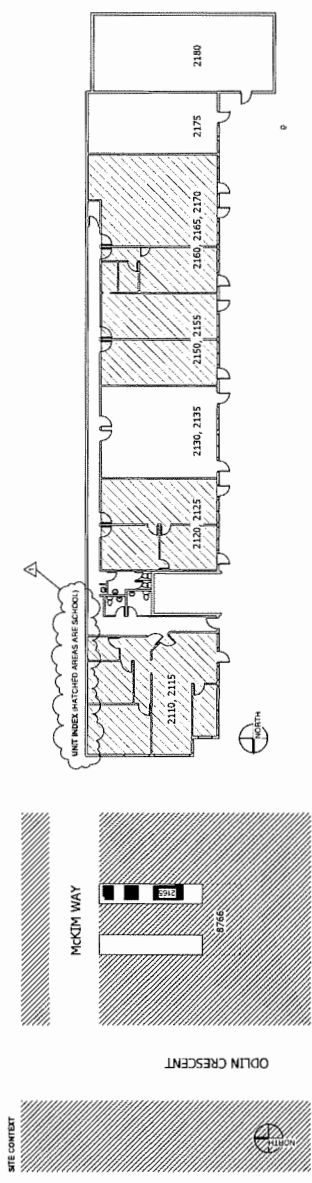
Address: Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165, and 2170 – 8766 McKim Way

Applicant: City Vancouver Academy Inc.

Planning Area(s): City Centre – Aberdeen Village

	Existing	Proposed
<b>Owner:</b>	Bauhinia Learning Centre Ltd.	No change
<b>Combined Unit Size (m<sup>2</sup>):</b>	348.5 m <sup>2</sup>	No change
<b>Land Uses:</b>	Education, Commercial	Education
<b>OCP Designation:</b>	Mixed Employment	No change
<b>CCAP Designation:</b>	General Urban T4 (25m)	No change
<b>Zoning:</b>	Industrial Limited Retail (Z12) – Aberdeen Village (City Centre)	No change

On Development Site	Bylaw Requirement	Proposed	Variance
On-site Vehicle Parking:	11	11	None
On-site Bicycle Parking:	Class 1: 2 Class 2: 15	Class 1: 18 Class 2: 0	None

[illegible][illegible][illegible]





CITY VANCOUVER ACADEMY  
*move the world*

#2165-8766 Mckim Way  
Richmond, BC, Canada V6X 4G4  
**604.278.6811**

August 25<sup>th</sup>, 2021

Dear City of Richmond,

My name is Leo Wang, general manager of City Vancouver Academy Inc. We are an independent high school doing business at 2165-8766 Mckim Way, Richmond, holding a Temporary Commercial Use Permit **TU20-890760**. The expiration date for this permit is September 9<sup>th</sup>, 2021.

At the time when we applied for this TCUP, we were in process signing a commercial lease agreement with landlord of 8191 Westminster Hwy, Richmond. We were very confident that we would be able to secure that lease by then. But unfortunately, the landlord eventually refused us indicating they had no confidence that our business could survive the Covid-19 pandemic and they did not want to take any risk that we might be unable to pay the rent on time.

We immediately started over looking for another alternative location. We've reached out to landlords / owners of unit 120- 8171 Ackroyd Road, unit N600- 5811 Cooney Road, unit 800- 5951 No.3 Road, unit 1500- 6081 No.3 Road, ect. And after numerous negotiations back and forth, we finally signed an *Offer to Lease* with the landlord of unit 300- 5900 No.3 Road (the Vancity Building).

Our architect is working on drawings and building permit applications. The landlord will sign the final lease agreement with us once our application was approved by the City, we sincerely hope this can be done by the end of October. The landlord will then issue the 2-month notice to vacate letter to current tenants. Fixturing period for our school will be from January to April 2022, which means our school's official move-in date will be May 2022.

Therefore, I am writing this letter, hoping to renew our TUP for another year. Our school's operating condition all remain the same as last year. We successfully maintained all positions and working hours for our teachers and staff. Since B.C. is gradually recovering from the pandemic, I believe our school's future is also promising.

The City's consideration and support to small businesses like our school is greatly appreciated.

Sincerely,

Leo Wang

City Vancouver Academy Inc.





**STRATA APPROVAL LETTER (LMS4572)**

August 26<sup>th</sup>, 2021

Dear Sirs / Madam,

**RE: TU 20-890760, A Temporary Use Permit renewal application from tenant City Vancouver Academy Inc.**

We acknowledge that current tenant of Unit 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165 and 2170 - 8766 Mckim Way, Richmond, BC V6X 4G4 is trying to renew their temporary commercial use permit with the City of Richmond to allow them to continue doing business as a school for another year.

The owner of above units is Bauhinia Learning Centre Ltd. The tenant's main contact person regarding this matter is Mr. Leo Wang, [leo.wang@cityvanacademy.ca](mailto:leo.wang@cityvanacademy.ca), 604-278-6811.

The Strata discussed this matter and reviewed the Offer to Lease document provided by Leo Wang, between City Vancouver Academy Inc. and 1212406 B.C. Ltd.

The Strata has NO particular concern or comment on City Vancouver Academy's renewal application and their plan to stay for another year.

Please feel free to contact me if you have any questions or concern.

Yours truly,

A handwritten signature in black ink, appearing to read "Eric Chung", is written over a light blue horizontal line.

Eric Chung  
Property Manager

**CITYBASE MANAGEMENT LTD**

#400 - 1200 W 73rd Avenue, Vancouver, BC V6P 6G5

Tel: 604-708-8998 Fax: 604-708-9982

Website: [www.citybase.ca](http://www.citybase.ca) Email: [ericchung@citybase.ca](mailto:ericchung@citybase.ca)



# City of Richmond

## Temporary Commercial Use Permit

No. TU 20-890760

To the Holder: CITY VANCOUVER ACADEMY INC.

Property Address: UNITS 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165 AND  
2170 – 8766 MCKIM WAY

Address: C/O LEO WANG  
CITY VANCOUVER ACADEMY INC.  
2115 – 8766 MCKIM WAY  
RICHMOND, BC V6X 4G4

1. This Temporary Commercial Use Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Temporary Commercial Use Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and to the portion of the building shown cross-hatched on the attached Schedule "B".
3. The subject property may be used for the following temporary Commercial uses:  
Education (limited to an independent school offering grades 10 to 12)
4. This Permit is valid until September 8, 2022.

AUTHORIZING RESOLUTION NO.  
DAY OF , .

ISSUED BY THE COUNCIL THE

DELIVERED THIS DAY OF , .

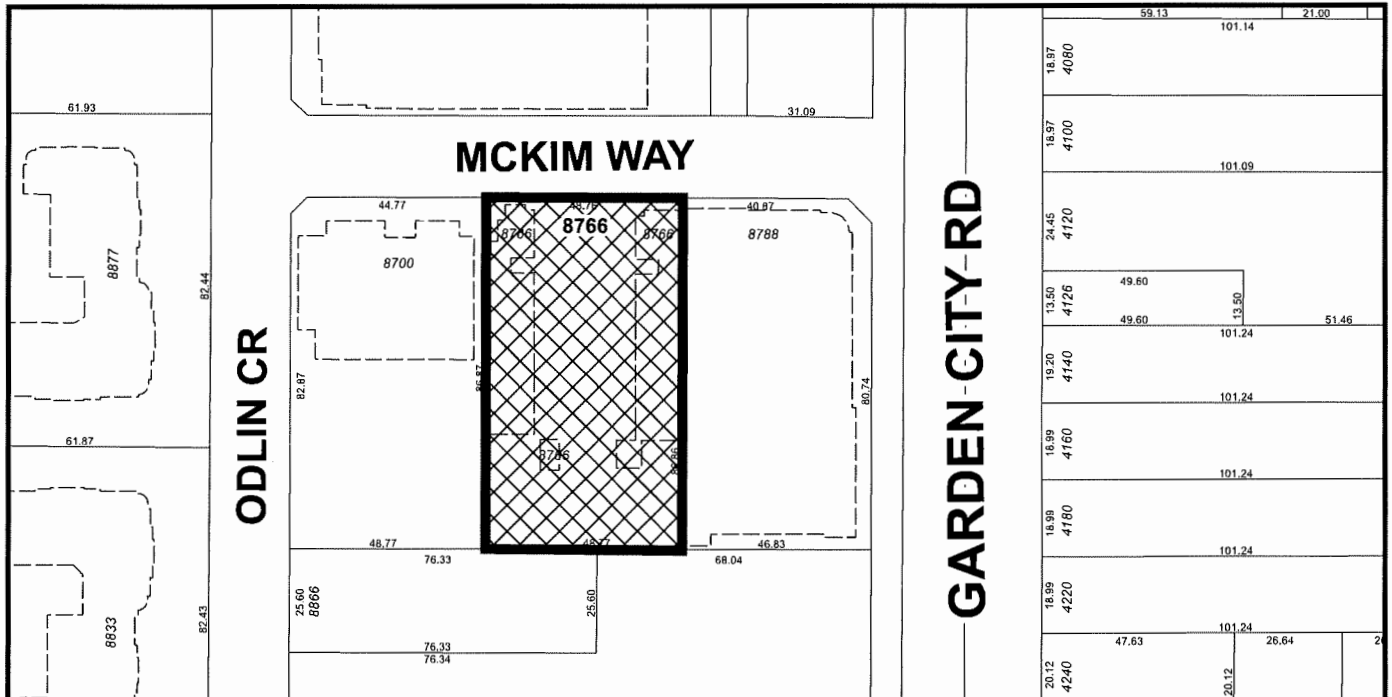
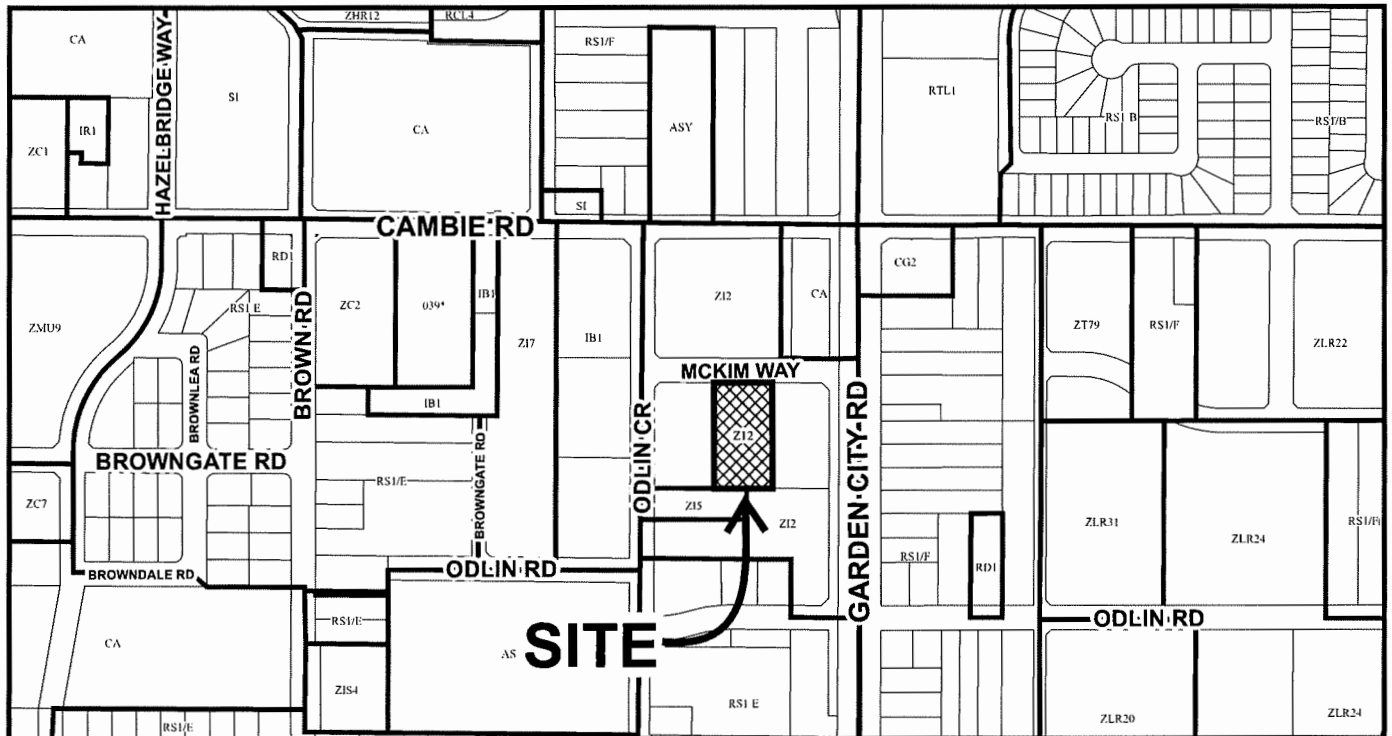
\_\_\_\_\_  
MAYOR

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



# City of Richmond

SCHEDULE "A"



**TU 20-890760**  
(Unit 2165) main office

Original Date: 01/17/20

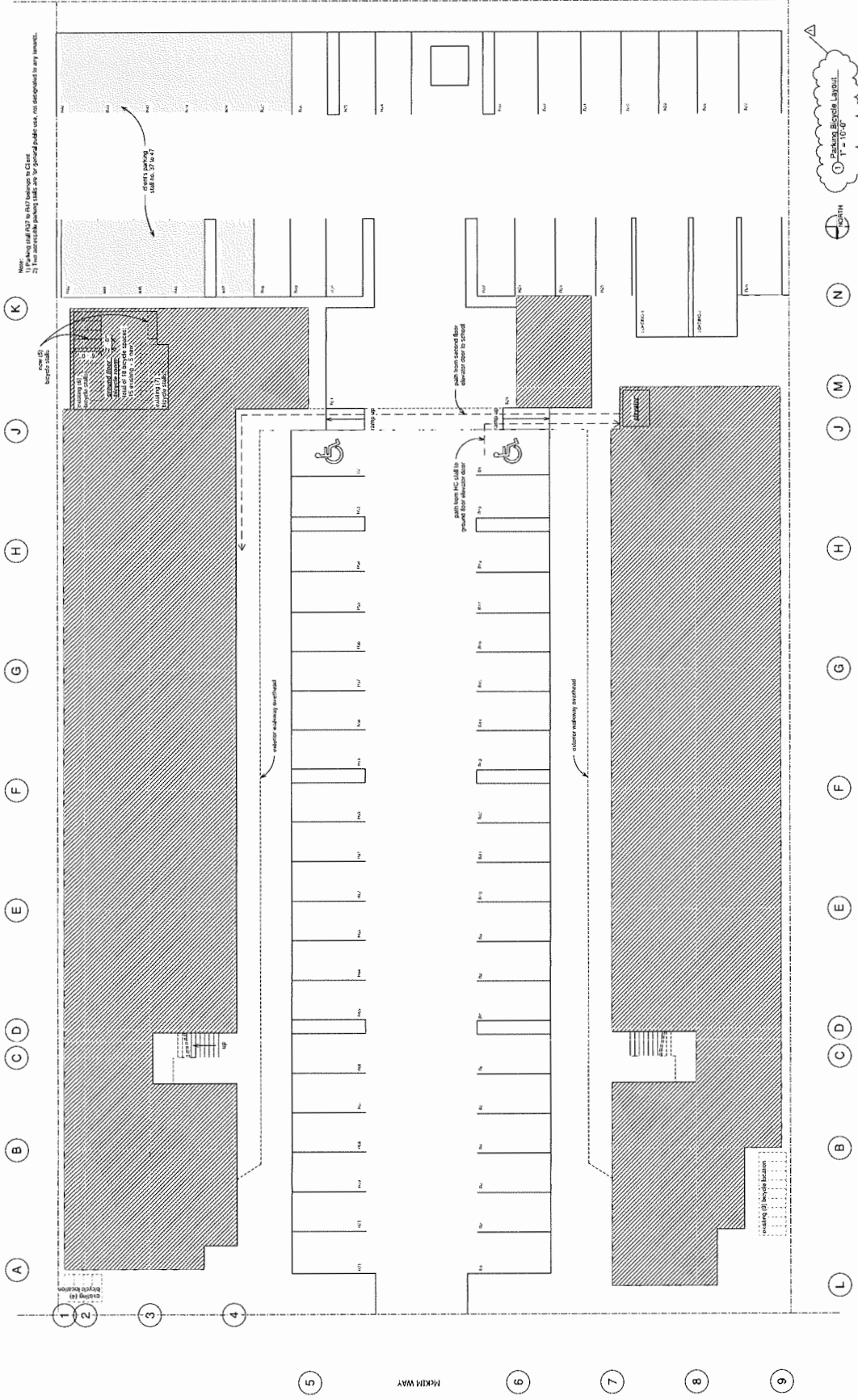
Revision Date:

Note: Dimensions are in METRES

PH - 43

Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165, 2170 - 8766 McKim Way





SCHEDULE "B"

project no.  
5743191  
A102

drawing title  
PARKING AND BICYCLE LAYOUT  
ADDRESS: 2165-8766 MCKIM WAY, RICHMOND, VA

project title  
ARCHITECT 57 INC. 2165-8766 MCKIM FLOOR PLAN  
UPDATE AND OCCUPANT LOAD  
CLIENT: MCKIM LEARNING CENTRE

architect  
ARCHITECT 57 INC.  
2165-8766 MCKIM WAY, RICHMOND, VA 23220  
DATE: 03/04/19  
DRAWN BY: J. H. HARRIS  
CHECKED BY: J. H. HARRIS

consultant  
Ilya & Associates  
Date: 03/04/19

issued for  
description  
1. bidding permit  
Date: 03/04/19

revisions  
no. description  
1. occupant load and parking stalls  
Date: 03/04/19

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all errors and omissions discovered must be reported immediately to architect 57 inc.