



BOARD OF VARIANCE

THURSDAY, OCTOBER 13, 2016
Council Chambers, Richmond City Hall
7:00 p.m.

CALL TO ORDER

MINUTES

*Adoption of the **minutes** of the meetings of the Board of Variance held on October 6, 2016.*



1. **BOARD OF VARIANCE APPEAL – 9586 ASHWOOD DRIVE**
BVL 16-732268
(File Ref. No. BVL 16-732268) (REDMS No. 5175072)

BOV-4

See Page BOV-4 for full application

Applicant: Justin Takumi Taylor & Cynki Lau Taylor

Address: 9586 Ashwood Drive

Purpose: The registered owners of 9586 Ashwood Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024 (note: the applicant has not specified a date for their extension).

Order of Proceedings:

1. Presentation from the applicant
2. Written submissions
3. Public submissions
4. Board deliberation

Board of Variance Agenda
Thursday, October 13, 2016

Pg. # ITEM

2. **BOARD OF VARIANCE APPLICATION – 9751 ASHWOOD DRIVE**
 BVL 16-732473

(File Ref. No. BVL 16-732473) (REDMS No. 5175079)

BOV-30

See Page BOV-30 for full application

Applicant: Lan Zhou and Lin Tao

Address: 9751 Ashwood Drive

Purpose: The registered owners of 9751 Ashwood Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024.

Order of Proceedings:

1. Presentation from the applicant
2. Written submissions
3. Public submissions
4. Board deliberation

3. **BOARD OF VARIANCE APPLICATION – 4600 FORTUNE AVENUE**
 BVL 16-732508

(File Ref. No. BVL 16-732508) (REDMS No. 5175102)

BOV-56

See Page BOV-56 for full application

Applicant: Jeffrey Ryan Takashi Matsuo & Miyuki Brenda Matsuo

Address: 4600 Fortune Avenue

Purpose: The registered owners of 4600 Fortune Avenue have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 113 as it applies to their property from November 24, 2016 to June 30, 2024.

Order of Proceedings:

1. Presentation from the applicant
2. Written submissions
3. Public submissions
4. Board deliberation

Board of Variance Agenda
Thursday, October 13, 2016

Pg. #	ITEM
	4. BOARD OF VARIANCE APPLICATION – 10506 YARMISH DRIVE BVL 16-732545 (File Ref. No. BVL 16-732545) (REDMS No. 5175107)

BOV-83

See Page BOV-83 for full application

Applicant: Mou Kit Leung and Wah Chung Leung

Address: 10506 Yarmish Drive

Purpose: The registered owners of 10506 Yarmish Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024.

Order of Proceedings:

1. Presentation from the applicant
2. Written submissions
3. Public submissions
4. Board deliberation

ADJOURNMENT





To: Board of Variance **Date:** September 22, 2016
From: Cynthia Lussier **File:** BVL 16-732268
Planner 1
Re: **Board of Variance Appeal by Justin Takumi Taylor & Cynki Lau Taylor**
9586 Ashwood Drive

Purpose

The registered owners of 9586 Ashwood Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024 (note: the applicant has not specified a date for their extension). A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all land use contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.

Table 1	
Site Area:	371 m ² (3,993 ft ²)
Land Uses:	Existing two-storey single detached dwelling
OCP Designation:	Neighbourhood Residential
Underlying Zoning:	Single Detached (RS1/B)
Land Use Contract No:	LUC 088
Application Date:	May 17, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north, immediately across Ashwood Drive, is an existing two-storey single-family dwelling under LUC 088 at 9611 Ashwood Drive.
- To the south, fronting Francis Road, is an existing two-storey single-family dwelling under LUC 088 at 9597 Francis Road.
- To the east and west are existing two-storey single-family dwellings under LUC 088 at 9604 and 9580 Ashwood Drive, respectively.

Table 2 provides a comparison of some of the key regulations for a single family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments made since registration of the LUC.

Table 2¹		
Regulations	LUC 088	Single Detached (RS1/B) Zone
Floor Area Ratio (max):	N/A	0.55 to a max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for garage
Principal Dwelling Size (max.):*	445 m ² (4,792 ft ²) (including garage)	254 m ² (2,734 ft ²) (including garage)
Lot Coverage (max):	40%	45%
Front Yard Setback (min):	Dwelling - 4.25 m Carport/garage - 1.5 m	6.0 m
Interior Side Yard Setback (min):	Dwelling - 1.2 m Carport/garage - 0.9 m	1.2 m (for lots less than 18 wide)
Rear Yard Setback (min):	1 st storey - 4.25 m 2 nd storey - 6.0 m	6.0 m
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

* Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

¹ Disclaimer: This comparison summary is provided for general information only and does not form a representation by the City. Any person making a land use, building construction or financial decision should obtain independent advice regarding all applicable regulations.

Public Consultation

In accordance with the *Local Government Act* and the Board of Variance Bylaw No. 9259, a notice of the subject application has been mailed to the applicant and to all owners and residents within 50 m (164 ft) of the subject property stating the subject matter of the application and the date, time, and place of the Board of Variance meeting at which the application will be considered.

The owner of the subject property and any member of the public may be heard by the Board of Variance at the meeting prior to the Board of Variance making a decision on the subject application.

Conclusion

The registered owners of 9586 Ashwood Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024 (note: the applicant has not specified a date for their extension).

At the conclusion of the meeting of the Board of Variance, the Board may:

- grant or deny the order requested by the applicant and provide reasons for the grant or denial;
- request further information from the applicant, City staff, or any person who has made a submission to the Board in respect of the application and adjourn the meeting; or
- reserve its decision and provide a written decision at a later date.



Cynthia Lussier
Planner 1

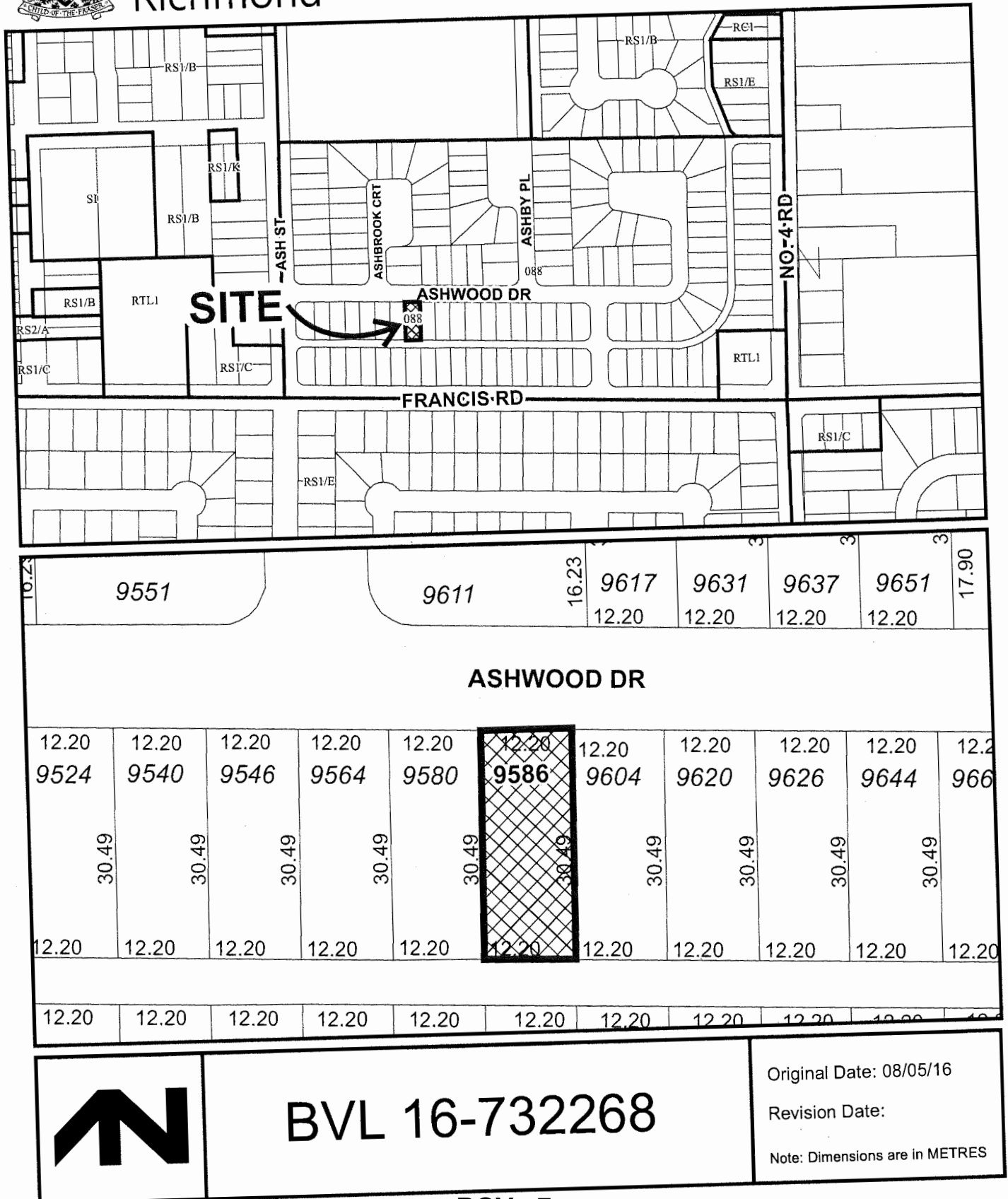
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Att. 2

Att. 1: Location Map/Aerial Photo
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



City of
Richmond





City of
Richmond



BVL 16-732268

Original Date: 08/05/16

Revision Date:

Note: Dimensions are in METRES



To: Board of Variance

Date: September 22, 2016

From: Cynthia Lussier
Planner 1

File: BVL 16-732473

Re: Board of Variance Appeal by Lan Zhou and Lin Tao
9751 Ashwood Drive

Purpose

The registered owners of 9751 Ashwood Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all land use contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.

Table 1	
Site Area:	374 m ² (4,025 ft ²)
Land Uses:	Existing two-storey single-family dwelling
OCP Designation:	Neighbourhood Residential
Underlying Zoning:	Single Detached (RS1/B)
Land Use Contract No:	LUC 088
Application Date:	May 20, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north, fronting the cul-de-sac portion of Ashwood Drive is an existing two-storey single-family dwelling on a lot under LUC 088 at 9911 Ashwood Drive.
- To the south, immediately across Ashwood Drive, is an existing two-storey single-family dwelling on a lot under LUC 088 at 9740 Ashwood Drive.
- To the east is a two-storey single-family dwelling that underwent a 2nd storey addition above the garage in 2013 under LUC 088 at 9757 Ashwood Drive.
- To the west are existing two-storey single-family dwellings on lots under LUC 088 at 9737 Ashwood Drive and 8820 Ashby Place.

Table 2 provides a comparison of some of the key regulations for a single family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments made since registration of the LUC.

Table 2¹		
Regulations	LUC 088	Single Detached (RS1/B) Zone
Floor Area Ratio (max):	N/A	0.55 to a max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for garage
Principal Dwelling Size (max.):*	448.8 m ² (4,830 ft ²) (including garage)	255.70 m ² (2,752 ft ²) (including garage)
Lot Coverage (max):	40%	45%
Front Yard Setback (min):	Dwelling – 4.25 m Carport/garage – 1.5 m	6.0 m
Interior Side Yard Setback (min):	Dwelling – 1.2 m Carport/garage – 0.9 m	1.2 m (for lots less than 18 wide)
Rear Yard Setback (min):	1 st Storey – 4.25 m 2 nd Storey – 6.0 m	6.0 m
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

* Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

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Public Consultation

In accordance with the *Local Government Act* and the Board of Variance Bylaw No. 9259, a notice of the subject application has been mailed to the applicant and to all owners and residents within 50 m (164 ft) of the subject property stating the subject matter of the application and the date, time, and place of the Board of Variance meeting at which the application will be considered.

The owner of the subject property and any member of the public may be heard by the Board of Variance at the meeting prior to the Board of Variance making a decision on the subject application.

Conclusion

The registered owners of 9751 Ashwood Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024.

At the conclusion of the meeting of the Board of Variance, the Board may:

- grant or deny the order requested by the applicant and provide reasons for the grant or denial;
- request further information from the applicant, City staff, or any person who has made a submission to the Board in respect of the application and adjourn the meeting; or
- reserve its decision and provide a written decision at a later date.



Cynthia Lussier
Planner 1

CL:cl
Att. 2

Att. 1: Location Map/Aerial Photo
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



City of
Richmond



BVL 16-732473

Original Date: 08/10/16

Revision Date:

Note: Dimensions are in METRES



To: Board of Variance
From: Cynthia Lussier
Planner 1
Date: September 22, 2016
File: BVL 16-732508
Re: Board of Variance Appeal by Jeffrey Ryan Takashi Matsuo & Miyuki Brenda Matsuo
4600 Fortune Avenue

Purpose

The registered owners of 4600 Fortune Avenue have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 113 as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all land use contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.

Table 1	
Site Area:	360 m ² (3,875 ft ²)
Land Uses:	Existing two-storey single-family dwelling
OCP Designation:	Neighbourhood Residential
Underlying Zoning:	Single Detached (RS1/B)
Land Use Contract No:	LUC 113
Application Date:	May 20, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north, immediately across Fortune Avenue are existing two-storey single-family dwellings on lots under LUC 113 at 4595 and 4611 Fortune Avenue.
- To the south, fronting Hermitage Drive, is an existing two-storey single-family dwelling on a lot under LUC 112 at 4597 Hermitage Drive.
- To the east and west are existing two-storey single-family dwellings on lots under LUC 113 at 4608 and 4586 Fortune Avenue, respectively.

Table 2 provides a comparison of some of the key regulations for a single family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments or court orders made since registration of the LUC.

Table 2¹		
Regulations	LUC 113	Single Detached (RS1/B) Zone
Floor Area Ratio (max):	N/A	0.55 to a max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for garage
Principal Dwelling Size (max.):*	432 m ² (4,650 ft ²) (including garage)	248 m ² (2,669 ft ²) (including garage)
Lot Coverage (max):	40%	45%
Front Yard Setback (min):	Dwelling – 4.5 m Carport/garage – 1.5 m	6.0 m
Interior Side Yard Setback (min):	Dwelling – 1.2 m Carport/garage – 0.9 m	1.2 m (for lots less than 18 wide)
Rear Yard Setback (min):	1 st storey – 4.5 m 2 nd storey – 6.0 m	6.0 m
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

* Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

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Public Consultation

In accordance with the *Local Government Act* and the Board of Variance Bylaw No. 9259, a notice of the subject application has been mailed to the applicant and to all owners and residents within 50 m (164 ft) of the subject property stating the subject matter of the application and the date, time, and place of the Board of Variance meeting at which the application will be considered.

The owner of the subject property and any member of the public may be heard by the Board of Variance at the meeting prior to the Board of Variance making a decision on the subject application.

Conclusion

The registered owners of 4600 Fortune Avenue have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024.

At the conclusion of the meeting of the Board of Variance, the Board may:

- grant or deny the order requested by the applicant and provide reasons for the grant or denial;
- request further information from the applicant, City staff, or any person who has made a submission to the Board in respect of the application and adjourn the meeting; or
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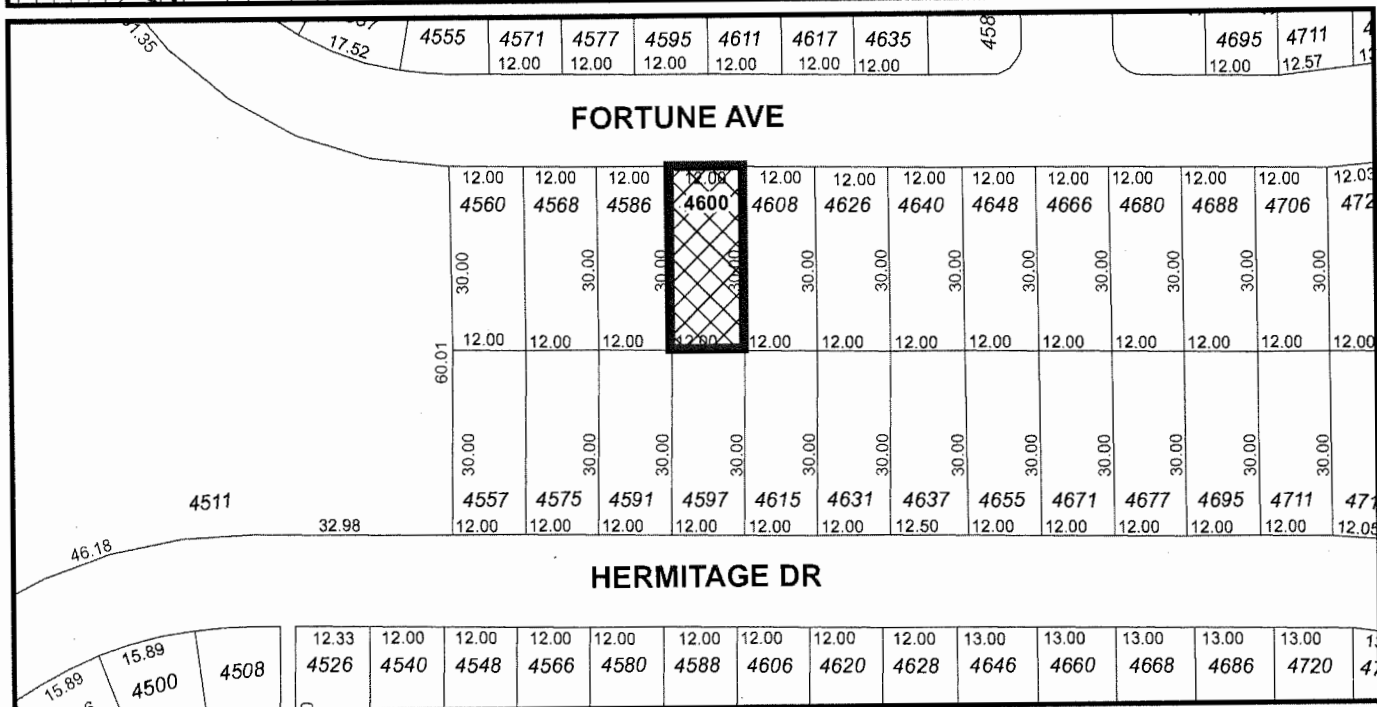
Cynthia Lussier
Planner I

CL:cl
Att. 2

Att. 1: Location Map/Aerial Photo
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development

City of
Richmond



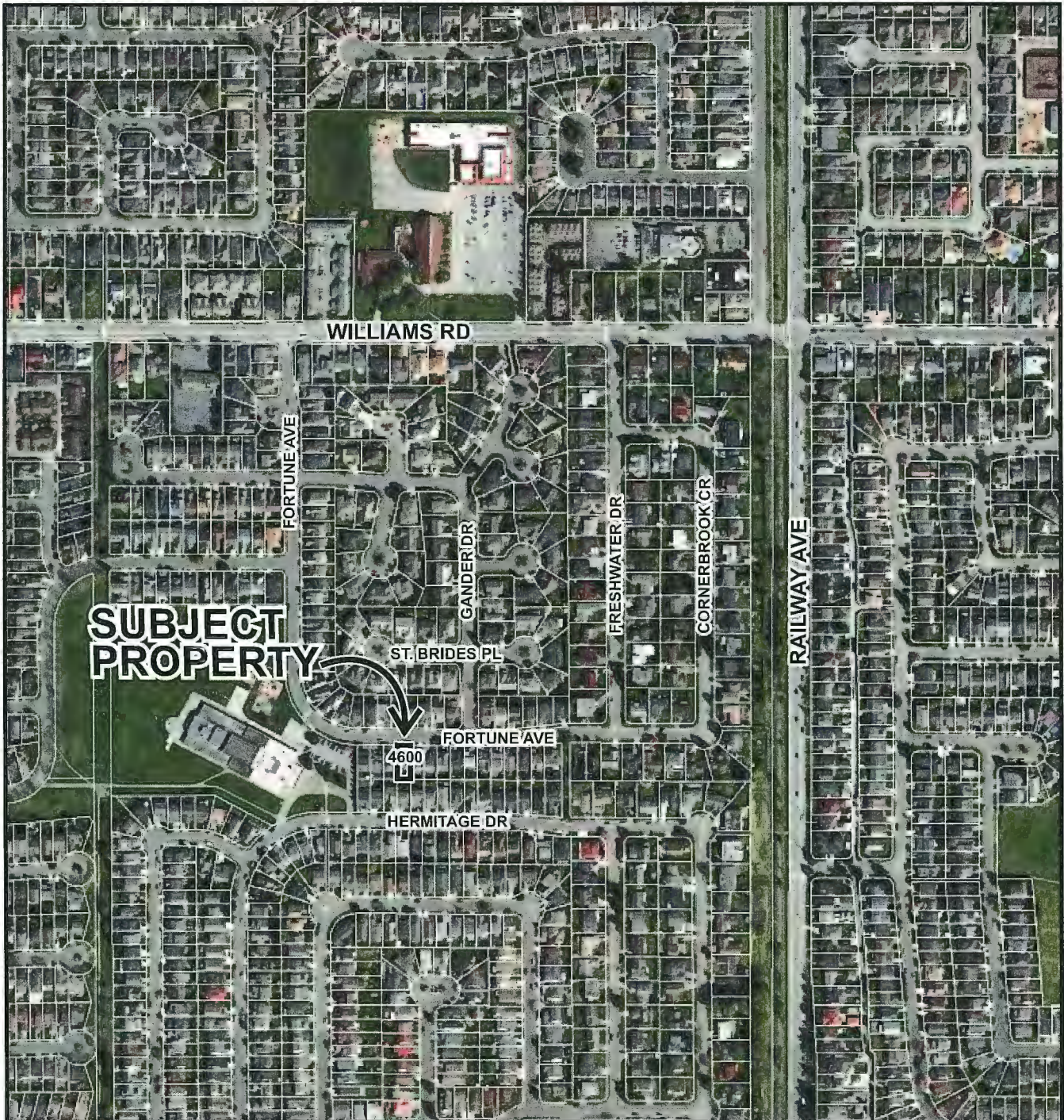
BVL 16-732508

Revision Date:

Note: Dimensions are in METRES



City of Richmond



BVL 16-732508

Original Date: 08/18/16

Revision Date:

Note: Dimensions are in METRES



To: Board of Variance
From: Cynthia Lussier
Planner 1
Date: September 26, 2016
File: BVL 16-732545
Re: Board of Variance Appeal by Mou Kit Leung and Wah Chung Leung
10506 Yarmish Drive

Purpose

The registered owners of 10506 Yarmish Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all land use contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.

Table 1	
Site Area:	366 m ² (3,939 ft ²)
Land Uses:	Existing two-storey single detached dwelling
OCP Designation:	Neighbourhood Residential
Underlying Zoning:	Single Detached (RS1/B)
Land Use Contract No:	LUC 142
Application Date:	May 24, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north and south are existing two-storey single-family dwellings under LUC 142 at 10504 and 10508 Yarmish Drive, respectively.
- To the east, fronting Stefanko Place, is an existing two-storey single-family dwelling under LUC 142 at 5500 Stefanko Place.
- To the west, immediately across the street, is an existing two-storey single-family dwelling under LUC 142 at 10497 Yarmish Drive on the corner of Yarmish Gate.

Table 2 provides a comparison of some of the key regulations for a single family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments or court orders made since registration of the LUC.

Table 2¹		
Regulations	LUC 142	Single Detached (RS1/B) Zone
Floor Area Ratio (max):	N/A	0.55 to a max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for garage
Principal Dwelling Size (max.):*	439 m ² (4,727 ft ²) (including garage)	251 m ² (2,704 ft ²) (including garage)
Lot Coverage (max):	40%	45%
Front Yard Setback (min):	Dwellings – 4.5 m Carports/garages – 1.5 m	6.0 m
Interior Side Yard Setback (min):	Dwellings – 1.2 m Carports/garages – 0.9 m	1.2 m (for lots less than 18 wide)
Rear Yard Setback (min):	1 st storey – 4.5 m 2 nd storey – 6.0 m	6.0 m
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

* Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

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Conclusion

The registered owners of 10506 Yarmish Drive has requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024.

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Cynthia Lussier
Planner 1

CL:cl
Att. 2

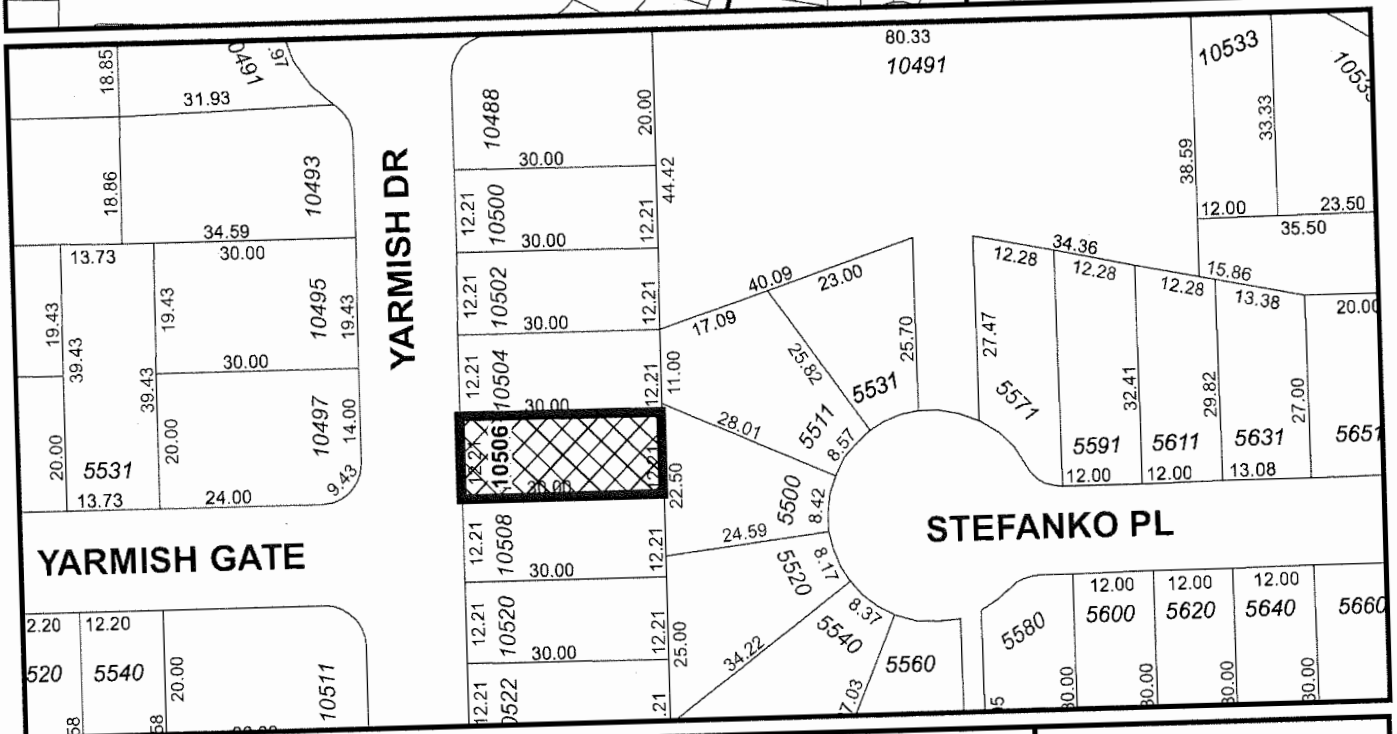
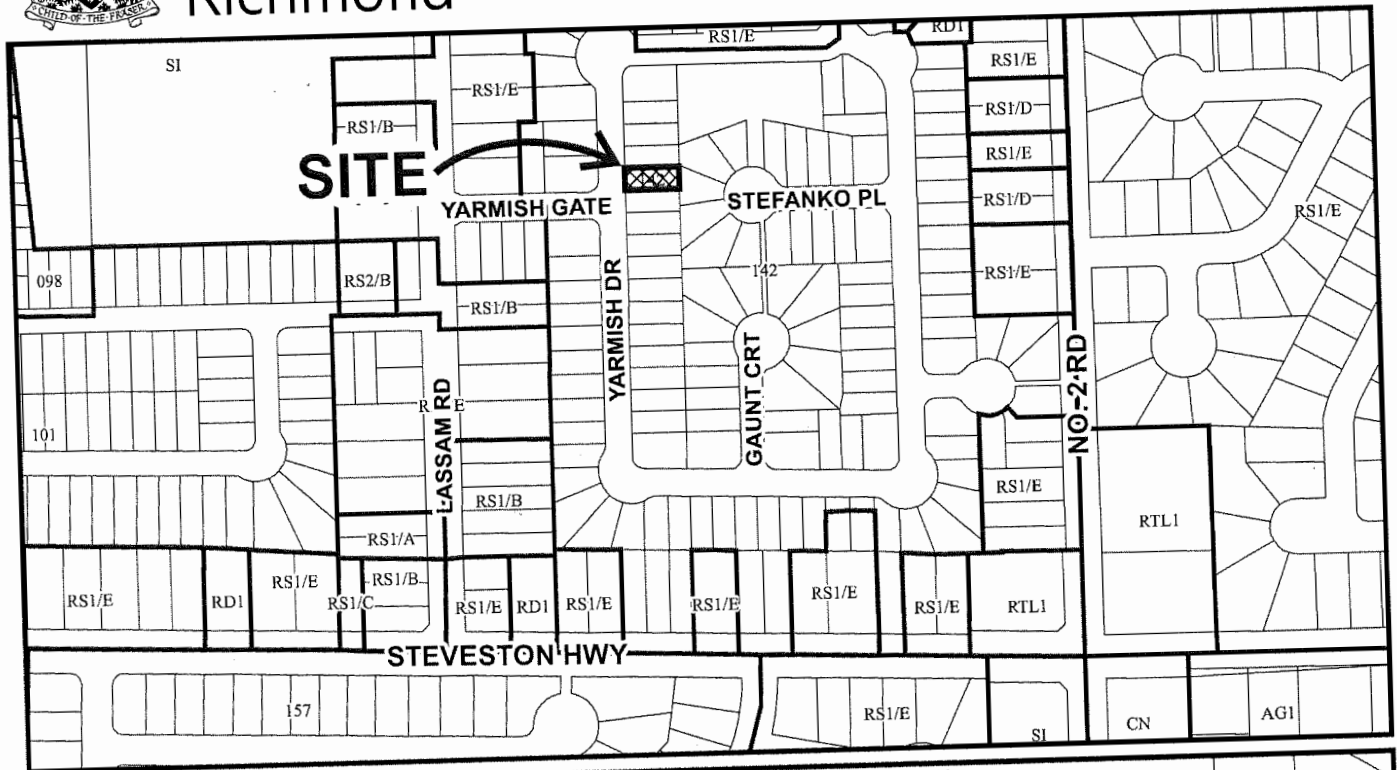
Att. 1: Location Map/Aerial Photo
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



City of Richmond

ATTACHMENT 1



BVL 16-732545

Original Date: 09/08/16

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



BVL 16-732545

Original Date: 09/08/16

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