



Planning Committee

Date: Tuesday, January 17th, 2006
Place: Anderson Room
Richmond City Hall
Present: Councillor Harold Steves, Chair
Councillor Bill McNulty, Vice-Chair
Councillor Linda Barnes
Councillor Rob Howard
Councillor Sue Halsey-Brandt
Call to Order: The Chair called the meeting to order at 4:00 p.m. and advised that the following item would be added to the agenda as an additional item and that the agenda would be varied to deal with Item 14 first .

6140 Tranquille Place – Single Family Building Height

MINUTES

1. It was moved and seconded
That the minutes of the meeting of the Planning Committee held on Tuesday, December 20th, 2005, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

2. The next meeting of the Committee will be held on Tuesday, **February 7th, 2007**, at 4:00 p.m. in the Anderson Room.

6140 TRANQUILLE PLACE – SINGLE FAMILY - HEIGHT

Councillor Barnes advised that the Planning Committee was in receipt of a petition from a Mr. Vaughan and Mr. Wong, concerning the height of the new building being erected at 6140 Tranquille Place, the effect this would have on their properties and a possible loophole in the City's Zoning Bylaw (Letter is attached as Schedule 1 and forms a part of these minutes).

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Discussion ensued on this topic and Councillor Barnes advised that a memorandum from Mr. John Irving, Manager, Building Approvals advised that the dwelling complies with the City's Zoning Bylaw and that the application and interpretation of the zoning bylaw was consistent with the City's past practice. (Memo is attached as Schedule 2 and forms a part of these minutes)

Mr. Irving stated that he would speak with both Mr. Vaughan and Mr. Wong concerning this issue.

It was moved and seconded

That the issue of the building height of a Single Family Building be referred to staff to provide appropriate changes to the definitions in the City's Zoning Bylaw to prevent situations such as these from re-occurring".

CARRIED

PARKS, RECREATION & CULTURAL SERVICES DIVISION

14. **PROVINCIAL CHILD CARE TARGETED MAJOR CAPITAL FUNDING PROGRAM AND RICHMOND PROVIDERS' REQUESTS FOR CITY SUPPORT**

(Report: Jan. 5/06, File No.: 07-3070-03-01) (REDMS No. 1735833, 1735832, 1731509, 113633, 113634)

In response to queries from the Committee, Ms. Cathy Volkering Carlile, General Manager, Parks, Recreation and Cultural Services advised that:

- staff would identify City-owned land and/or buildings; their availability; sustainability of the program; financial impact on the City, and would bring back recommendations to the Committee;
- child care groups were specific about the areas in which they wanted to work;
- staff would identify city sites, but this did not preclude the use of other sites;
- staff would assist and help facilitate child care groups but would not be applying for funding;
- child care groups would be looking for partners and/or investments to make their applications financially viable

It was moved and seconded

(1) *That the Minister of State for Child Care be advised that the City is willing to explore providing City-owned land and/or buildings for the development of new child care spaces in Richmond as advised by the Child Care Development Board.*

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- (2) *That staff be directed to identify and analyze suitable land and/or buildings for child care development and their financial implications, and bring these selections to Council for consideration before taking any further action.*

CARRIED

ENGINEERING & PUBLIC WORKS DIVISION

3. **DISPOSAL AT SEA OF EXCAVATED MATERIALS FROM THE CANADA LINE PROJECT**

(Report: Jan. 6/06, File No.: 10-6520-02-01/2006-Vol 01) (REDMS No. 1732606)

Councillor Steves asked staff to keep a file on this subject and gave Ms. Margot Daykin, Assistant Manager, Environmental Programs an e-mail he had received from Mr. Kevin Falcon, Minister of Transportation stating that a ferry terminal was not planned for Richmond.

It was moved and seconded

That the report (dated January 6th, 2006, from the Assistant Manager – Environmental Programs), regarding the Disposal at Sea of Excavated Materials from the Canada Line Project, be received for information.

CARRIED

URBAN DEVELOPMENT DIVISION

4. **RICHMOND SENIORS' ADVISORY COMMITTEE 2005 ANNUAL REPORT AND 2006 WORK PROGRAM**

(Report: December 19th, 2005, File No.: 0100-20-SADV1-01) (REDMS No. 1723736, 1693809, 1693915, 1673615)

In response to queries from the Committee, Ms. Olive Basset, Chair, Richmond Seniors' Advisory Committee advised that:

- The Wellness Fair was sponsored and financed by the Seniors Minoru Activity Centre;
- Mohinder Grewal represented RSAC on the Committee on Aging;
- A member of the Committee was actively trying to get Adult Day Care into the City;
- The Committee was also working with the Richmond Health Authority to see if the "Isolated Seniors" support group could be restarted under an umbrella group.

It was moved and seconded

That, as per the report (from the Manager, Policy Planning dated December 19, 2005) the Richmond Seniors' Advisory Committee's 2006 Work Program be approved.

CARRIED

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5. **RICHMOND SENIORS ADVISORY COUNCIL REVISED TERMS OF REFERENCE**

(Report: December 21, 2005, File No.: 0100-20-SADV1-01) (REDMS No. 1724374, 1724369, 1676309)

It was moved and seconded

That the existing Richmond Seniors Advisory Committee (RSAC) Terms of Reference be rescinded and the revised RSAC Terms of Reference be adopted as per the report (from Manager, Policy Planning, dated December 21, 2005).

CARRIED

6. **CHILD CARE DEVELOPMENT BOARD 2005 ANNUAL REPORT AND 2006 WORK PROGRAM**

(Report: December 19th, 2005; File No.: 0100-20-CCDE1-01) (REDMS No. 1716279, 1713128, 1696095, 1605038)

In response to a query from the Committee, Ms. Lesley Richardson and Ms. Susan Graf, advised that:

- a coordinator was needed to help prepare and apply for the provincial child care grants as well as coordinate the funding received. This would not be a full-time position but without this position it would not be possible to maximize Provincial Funding. They noted that it was not possible for the Board to perform these tasks as they had other commitments; and
- the option of getting 2 people to perform different aspects of this job would be considered if funding was granted.

In response to a query from the Committee, Mr. Terry Crowe, Manager, Policy Planning, advised that funds set aside for child care had been used for childcare projects.

In response to a query from Committee, Mr. Erceg, General Manager, Urban Development Division advised that there were some legal issues with the proposed amenity contribution policy, and that this would be brought to Committee when these issues were resolved.

It was moved and seconded

That, as per the Manager, Policy Planning report dated December 19, 2005, the Child Care Development Board proposed 2006 Work Program be approved, subject to the 2006 budget review.

CARRIED

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7. **REVISED TERMS OF REFERENCE RICHMOND CHILD CARE DEVELOPMENT ADVISORY COMMITTEE AND CITY CHILD CARE POLICY**

(Report: December 20th 2005, File No.: 0100-20-CCDEI-01) (REDMS No. 1724207, 1663436, 1613179, 113644, 113634, 113633)

It was moved and seconded

(1) *That, as per the report (from the Manager, Policy Planning, dated December 20, 2005):*

(2) *That the existing:*

(a) *Policy # 4015 entitled Child Care - Development of A Comprehensive System;*

(b) *Policy # 4002 entitled Child Care - Commitment Policy;*

(c) *Administrative Procedure # 4002.01 entitled Child Care - Implementation Strategy;*

be rescinded and replaced with a consolidated Child Care Policy (Attachment 6).

CARRIED

8. **APPLICATION BY RODNEY AND ENID CARDOZ FOR REZONING AT 7460 WILLIAMS ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD/124)**

(RZ 05-313273 Report: January 3rd, 2006, File No.: 12-8060-20-7988) (REDMS No. 1732190, 1697175, 1680815, 1697170)

Mr. Holger Burke, Development Coordinator, advised that this project was a continuation of a form of development on Williams Road. He noted that the form and character of the project would be regulated through a building scheme rather than a Development Permit.

It was moved and seconded

That Bylaw No. 7988, for the rezoning of 7460 Williams Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Comprehensive Development District (CD/124)", be introduced and given first reading.

CARRIED

9. **APPLICATION BY RAV BAINS FOR REZONING AT 5040 AND 5060 LINFIELD GATE FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**

(RZ 05-310443 Report: January 3, 2006, File No.: 12-8060-20-8002) (REDMS No. 1704450, 1699831, 1699767, 1699835, 280115)

In response to a query from the Committee, Mr. Burke, Development Coordinator, advised that the developer would retain the trees along the back of the property line. Other trees on site would need a Tree Permit in order for them to be cut down.

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It was moved and seconded

That Bylaw No. 8002, for the rezoning of 5040 and 5060 Linfield Gate from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area B (R1/B)", be introduced and given first reading.

CARRIED

10. **APPLICATION BY GAIA DEVELOPMENTS LTD. FOR REZONING AT 9711 WILLIAMS ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT (R1 - 0.6)**

(RZ 05-318225 - Report: December 6th, 2005, File No.: 12-8060-20-8009) (REDMS No. 1709897, 1709576, 1709571, 1708680)

Mr. Burke, Development Coordinator, advised that this was one of the few areas in the City where shared driveways to a future lane were permitted and noted that the developer would be making a contribution in lieu of a lane.

In response to a query from the Committee, Mr. Burke advised that there would be no immediate impact on trees as the lane would not be built for a number of years, at that time, this issue would be addressed.

It was moved and seconded

That Bylaw No. 8009, for the rezoning of 9711 Williams Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District (R1 - 0.6), be introduced and given first reading.

CARRIED

11. **APPLICATION BY MALHI CONSTRUCTION LTD. FOR REZONING AT 8331 NO. 1 ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT (R1 - 0.6)**

(RZ 05-318252 - Report: December 6th, 2005, File No.: 12-8050-20-8012) (REDMS No. 1710844, 1710831, 1710757)

It was noted that the cedar hedge provided by the applicant was a fair compromise for trees removed.

It was moved and seconded

That Bylaw No. 8012, for the rezoning of 8331 No. 1 Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District (R1 - 0.6)", be introduced and given first reading.

CARRIED

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12. **APPLICATION BY PRITPAL S. RANDHAWA FOR REZONING AT 9651 WILLIAMS ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT (R1 - 0.6)**

(RZ 05-317355 Report: December 5th, 2005 , File No.: 12-8060-20-8013) (REDMS No. 1712226, 1712126, 1712123, 1712120,)

It was moved and seconded

That Bylaw No. 8013, for the rezoning of 9651 Williams Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District (R1 - 0.6)", be introduced and given first reading.

CARRIED

13. **APPLICATION BY KHALID HASAN FOR REZONING AT 5280 WILLIAMS ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA C (R1/C) TO TOWNHOUSE DISTRICT (R2-0.6)**

(RZ 04-269099 Report: December 20th, 2005, File No.: 12-8060-20-7927, 7928) (REDMS No. 1729608, 1701252, 1700336, 1443168, 1443167)

Mr. Holger Burke, Development Coordinator advised that this was the third time the Planning committee had considered this rezoning application and stated that the applicant had held a meeting with residents in the area, and while not unanimous, most residents preferred the proposed 6 detached townhouses to 3-single-family residences with 3 coach houses. He noted that these were all 2 storey townhouses.

Ms. Kathleen Beaumont, 5237 Hollycroft Drive, advised that she fully supported this application noting that the applicant did a good job communicating with the neighbourhood and addressing their concerns. She thanked Committee for allowing residents the opportunity for having input in this project.

Mr. Hugh Murray, 10040 Hollycroft Gate, spoke in support of this project stating that the developer took a keen interest in giving this area the appearance of a single-family neighbourhood.

Mr. Gary Toop, 10020 Hollycroft Gate, spoke in support of this project stating that the applicant did a good job presenting this project to the neighbourhood. He gave kudos to staff and thanked the applicant for addressing the neighbourhood's concerns.

It was moved and seconded

- (1) *That Official Community Plan (OCP) Amendment Bylaw No. 7927, to re-designate 5280 Williams Road from "Single-Family" to "Multiple-Family" on the Steveston Area Land Use Map, Schedule 2.4 of Official Community Plan Bylaw No. 7100 (Steveston Area Plan), be introduced and given first reading;*

- (2) *That Bylaw No. 7927, having been considered in conjunction with:*
(a) *the City's Financial Plan and Capital Program; and*

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(b) the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;

is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act;

(3) That Bylaw No. 7927, having been considered in accordance with the City Policy on Consultation During OCP Development, is hereby deemed not to require further consultation;

(4) That Bylaw No. 7928, for the rezoning of 5280 Williams Road from "Single-Family Housing District, Subdivision Area C (R1/C)" to "Townhouse District (R2-0.6)", be introduced and given first reading; and

(5) That the Public Hearing Notification Area be expanded to include all of the properties between Hollycroft Gate and Lassam Road fronting Williams Road and on the north side of Hollycroft Drive.

CARRIED

15. **MANAGER'S REPORT**

Mr. Terry Crowe advised that on January 12th, 2006, staff met with a No. 3 Road Streetscape discussion group including members of the Urban Development Institute, RCMP, Olympic Committees, Cycling Committee and other stakeholders, and stated that they were all pleased with Council's vision for No. 3 Road. He noted that more detailed feedback would be provided in a report to Committee.

Mr. Joe Erceg advised that there was a steady volume of requests for permits to cut down trees and noted that Mr. John Irving, Manager, Building Approvals would be reporting to Committee on a Management Plan for trees at the next Planning Committee meeting scheduled to be held on February 7th, 2006.

Councillor Steves, Chair, advised that he had met with a delegation of land owners who wished to have property on Burrows Road removed from the Agricultural Land Reserve and used for industrial purposes. He stated that he had referred them to Mr. Terry Crowe.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:22 p.m.).

CARRIED

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Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, January 17th, 2006.

Councillor Harold Steves
Chair

Desiree Wong
Committee Clerk

January 11, 2006

To: Planning Committee Members:
Richmond City Council
Via email: mayorandcouncillors@richmond.ca

Distribute to Councilors:

Mr. Harold Steves
Mr. Bill McNulty
Ms. Linda Barnes
Mr. Rob Howard
Ms. Sue Halsey-Brandt

RE: R1 Zoning Loophole pertaining to 6140 Tranquille Place, Richmond, BC

We, the signatories, are neighbours of the aforementioned property. As the councilors charged with steering our planning rules and processes we draw your attention to a situation which will have a direct and negative consequence on our living standards and will set a troubling precedent for all Richmond neighbourhoods. We have pursued all available avenues within the city bureaucracy, but there is little willingness to stand-up to inappropriate development once a permit has been issued.

We appeal to you for assistance in rectifying a development situation that will have regrettable consequences for all R1/E zoning. In our view, when developers build only to the letter of the law rather than the spirit or intent, it is of equal violation.

Below is a summary of the situation complete with photos of the building. Upon review, we are anxious to hear from one of you with a plan of action to stop this misguided development from becoming a regrettable precedent for all R1 zoning.

Background:

- Neighbourhood in question is Brighthouse Estates/Brighthouse Gardens – bordered by #2 Road, Westminster Hwy, Granville Avenue and Gilbert Road.
- Neighbourhood is approximately 40 years old and is under-going some re-development.
- There is not a neighbourhood plan developed for this area.
- Zoned for R1 development.
- In the News – current hot topic for the neighbourhood is the new ownership of the Richmond Gardens apartments and the termination of rental agreements in order to renovate and charge higher rental rates.

Issue: Ocean View home in the middle of Richmond!

- Building currently under construction has 3 living storeys – R1 zoning stipulates 2-1/2 storeys.
- Height of the 3rd storey is well-above roofline of existing neighbourhood.
- 3rd Storey overlooks the backyards of many homes (including homes with hedges) thereby infringing upon the privacy of the neighbourhood.
- This home is being built to the letter of the zoning but not the spirit; zoning stipulates 2-1/2 storeys to prevent 3rd floor living space yet, this is being built with a false wall to meet 'code' but with the full intent on having a liveable 3rd floor.
- The building is designed by an ex-Planner at the City of Richmond who
 - a) knows the weakness of the code and is exploiting it, and
 - b) likely has appealed to past relationships to garner approval of this obtrusive design while avoiding the public-input aspect of the variance process.
- 3rd Floor deck space is not covered by the existing R1 bylaw. In addition to the visual privacy violation it adds the likelihood of noise violation that will undoubtedly occur when some uses a deck that is well above the rest of the neighbourhood.

While homes of a similar design have been built in Richmond, either on main arteries or on dyke-facing properties, it is not an appropriate design within the confines of an existing neighbourhood. It is frustrating that our city has not adopted a bi-law similar to the City of Vancouver which respects and protects the look of a neighbourhood by ensuring designs are appropriate.

City of Richmond – Division 100 Scope and Definitions

- **STOREY, HALF**

"Half-Storey" means a habitable space situated wholly under a roof the wall plates of which on at least two opposite exterior walls are not more than 0.6 m (1.968 ft.) above the floor of such storey, and which does not have a floor area which exceeds 50% of the floor area of the storey situated immediately below it.

After numerous discussions with members of the planning and permits departments, the following information was gleaned:

Due Process? Re-do Process!

- According to one of the city's 'Plan Checkers', this application is in fact a variance from the R1 zoning bylaws.
- According to the Planning Department, variances are to be posted and notice provided to neighbours impacted by the proposed variance.
- A variance was sought by the developer and approved without soliciting public input.
- None of the signators listed below were notified of the proposed variance; the City sought no input.

We appreciate that the city is legally exposed once an approval is given to a developer and that it is difficult to "un-approve" a house that is already framed. We do however respectfully request that you, members of the Planning Committee, seek an immediate cease-work order until such time that the correct process can be employed so that reasoned and considered thought can be given to rectifying this inappropriate design and the precedent it will set.

We look forward to hearing from you, soon.

Respectfully,

The affected neighbours of 6140 Tranquille Place

Contact: Vaughan (604.219.7400) or Wong (604.277.6718)



The 3rd floor is being built complete with windows and a deck.

Note 2nd floor and 3rd floor have the same size windows and size door openings.

R1 stipulates "2-1/2" storeys – doesn't that appear to be a complete living space on the 3rd level?



City of Richmond
Urban Development Division

Memorandum

To: Mayor & Councillors
From: John Irving, P.Eng.
Manager, Building Approvals
Date: January 17, 2006
File:
Re: 6140 Tranquille Place – Single Family Building Height

A building permit has been issued for a single family dwelling at the above address and construction is currently under way. The dwelling has a half storey above the second storey that complies with the letter of the zoning bylaw. The application and interpretation of the zoning bylaw in this case is consistent with the City's past practice.

If a building form is desired that differs from that which is typified in this case, it is recommended that the zoning bylaw be changed to reflect the desired form.

John Irving, P.Eng.
Manager, Building Approvals

ji

Zoning

Rec ZONING DATE_STAMP

1 R1/E Tue, 14 Dec 2004 00:00:00

PROPERTY

Property Info

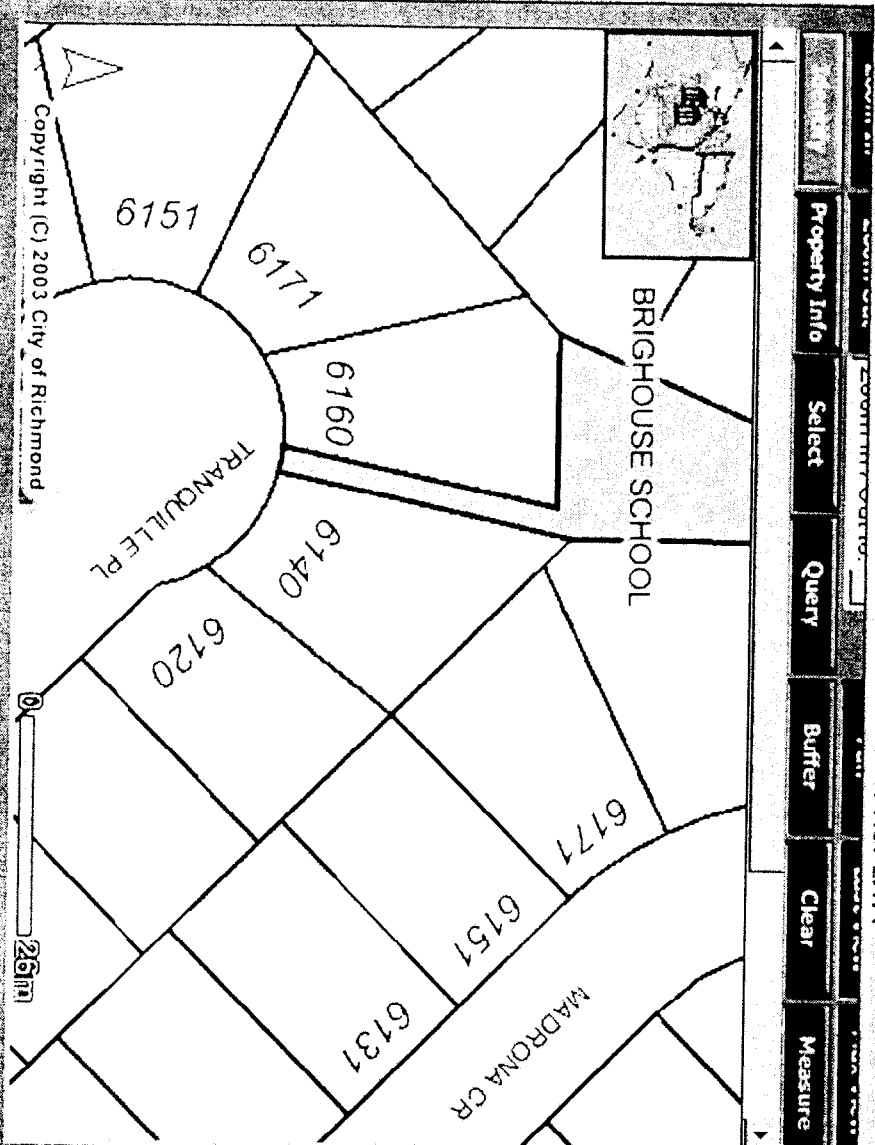
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REFRESH MAP

Zoom to Full Extent

Internet

Start



12:11 PM