## City of RICHMOND



#### **MINUTES**

### REGULAR COUNCIL MEETING - APRIL 23RD, 2001

RES NO. ITEM

### DEVELOPMENT PERMIT PANEL

R01/8-23 21. It was moved and seconded

- (1) That the minutes and the Chair's report for the meeting held on April 11<sup>th</sup>, 2001, be received for information.
- (2) That the recommendations of the Panel to authorize the issuance of Development Variance Permits for properties at:
  - (a) 12831 No. 4 Road (DV 00-184600); and
  - (b) 3675, 3673, 3671, 3655, 3653, 3651, 3635, 3633, 3631, 3615 Granville Avenue and 6933 Barnard Drive (DV 01 - 115122),

be endorsed, and the Permits so issued.

The question on Resolution No. R01/88-23 was not called, as the request was made that Part 2(a) be dealt with separately.

The question on Parts 1 and 2(b) of Resolution No. R01/8-23 was called, and it was **CARRIED**.

The question on Part 2(a) of Resolution No. R01/88-24 was not called, as the following **referral** motion was introduced.

R01/8-25

It was moved and seconded

That Development Variance Permit (DV 00-184600) for property at 12831 No. 4 Road be referred to a Public Hearing.

CARRIED



# CITY OF RICHMOND URBAN DEVELOPMENT DIVISION

16 COUNCIL - APIEL 23,2001 DATE: April 18, 2001

DV 00-184600

### **MEMORANDUM**

TO:

J. Richard McKenna

City Clerk

FROM:

Joe Erceg

Manager, Development Applications

RE:

Application by - Stefan Wiedemann for Development Variance Permit at

FILE:

12831 No. 4 Road

The attached Development Variance Permit was given favourable consideration by the Development Permit Panel at their meeting held on March 28, 2001.

It would now be appropriate to include this item on the agenda of the next Council meeting for their consideration.

Joe Erceg

Manager, Development Applications

KC:blg Att.

#### PANEL DISCUSSION

The Chair commended the attractiveness of the site.

#### PANEL DECISION

It was moved and seconded

That a Development Permit be issued for a property at 9371 Blundell Road that would:

- 1. Permit the construction of a two-building multi-family development on a site zoned Comprehensive Development District (CD/28); and
- 2. Vary the regulations in the Zoning and Development Bylaw to:
  - a) Increase the allowable height of buildings from 9 m (29.528 ft.) to 10.8 m (35.433 ft.) and outside of the residential vertical building envelope; and
  - b) Allow parking stalls to be arranged in such a manner as to permit manoeuvring on the City lane.

**CARRIED** 

#### 5. DEVELOPMENT VARIANCE PERMIT DV 00-184600

(Report: February 26/01 File No.: DV 00-184600) (REDMS: 286603)

APPLICANT: Stefan Wiedemann

PROPERTY LOCATION: 12831 No. 4 Road

INTENT OF PERMIT: To vary the maximum setback in the Agricultural District (AG1)

from 50 m to 260 m from No. 4 Road in order to permit the construction of a new single-family dwelling outside and east of the Woodward Slough Environmentally Sensitive Area (ESA).

#### **APPLICANT'S COMMENTS**

Mr. Stephan Wiedemann, Architect, with the aid of an artist's renderings and drawings, provided explanation for the proposed siting of the buildings. A photoboard was used to illustrate the existing landscaping; all current trees will be retained. A two stage filtration pond is proposed that would drain into the slough. The owner was prepared to enter into a covenant with the City to protect the 50m setback. The owner was willing to deed 1400m of the top of the bank property to the City.

#### STAFF COMMENTS

The Manager, Development Applications, Joe Erceg, said the variance requested was substantial. The City owned Woodward Slough, which separates the subject property from Finn Road, runs along the entire west boundary of the site. The proposed location of the new house clusters the house with the existing houses on Finn Road.

Mr. Wiedeman provided information on the farm uses that were proposed for the property, animal husbandry and hay production, and also the reasoning behind not

locating the buildings further north - the proposed location provides the preferred view line from Finn Road and did not impair the use of the remainder of the property.

It was confirmed for the Chair that the existing buildings on the property are not of a heritage nature. Mr. Erceg said that while staff do not usually encourage these types of variances, this site was unique with clear advantages from the ESA perspective; and that the house siting was more appropriate than a No. 4 Road location.

#### **GALLERY COMMENTS**

None

#### **CORRESPONDENCE**

None

#### **PANEL DECISION**

It was moved and seconded

That a Development Variance Permit be issued to vary the maximum setback in the Agricultural District (AG1) from 50 m to 260 m from No. 4 Road in order to permit the construction of a new single-family dwelling outside and east of the Woodward Slough Environmentally Sensitive Area (ESA).

CARRIED

### 6. DEVELOPMENT VARIANCE PERMIT DV 01-112585

(Report: February 23/01 File No.: DV 01-112585) (REDMS: 291151)

APPLICANT: Riverside Professional Centre Ltd.

PROPERTY LOCATION: 11331 Coppersmith Way

INTENT OF PERMIT: To vary the maximum height for buildings in Comprehensive Development District (CD/34) from 12 m (39.37 ft.) to 12.446 m (40.833 ft.) for the roof of a proposed three-storey building and to 13.767 m (45.166 ft.) for architectural screening of the roof top mechanical equipment.

#### **APPLICANT'S COMMENTS**

Mr. David Porte, Riverside Industrial Centre, explained that two height relaxations were necessary to accomplish the overall height of the building and to provide screening for the roof top mechanical equipment.

#### **STAFF COMMENTS**

The Manager, Development Applications, Joe Erceg, briefly reviewed the staff report.

36

#### **GALLERY COMMENTS**

None



### CITY OF RICHMOND

**URBAN DEVELOPMENT DIVISION** 

### REPORT TO DEVELOPMENT PERMIT PANEL

10 Council. April 23, 2001

DATE: Febr

February 26, 2001

FILE:

DV 00-184600

FROM:

TO:

RE:

Joe Erceg

Development Permit Panel

Manager, Development Applications

Application by Stefan Wiedemann for a Development Variance Permit at

12831 No. 4 Road

#### MANAGER'S RECOMMENDATION

That a Development Variance Permit be issued to vary the maximum setback in the Agricultural District (AG1) from 50 m to 260 m from No. 4 Road in order to permit the construction of a new single-family dwelling outside and east of the Woodward Slough Environmentally Sensitive Area (ESA).

Joe Erceg

Manager, Development Applications

KJC:blg Att.

#### STAFF REPORT

#### **ORIGIN**

The subject site is located to the south of the intersection of Finn Road and No. 4 Road and is zoned Agricultural District (AG1). The Woodward Slough Environmentally Sensitive Area (ESA), which is owned by the City, runs between the subject site and Finn Road, along the entire western boundary of the site.

The site (7.774 ha or 19.21 ac) is currently uninhabited and no farming has occurred there for a number of months. Staff consider it as a residential site. The owner has purchased the property to rear animals and to potentially lease the remainder of the agricultural land to be farmed (approximately 2.02 ha or 5.0 ac).

There are two existing buildings located on the No. 4 Road frontage: a single-family dwelling that is currently unoccupied and a barn that is not in use. It is proposed that both of these buildings be demolished, however demolition is not the subject of this application and will be addressed at Building Permit stage. A Building Permit for the new single-family dwelling will not be issued until demolition of these buildings occurs.

### Applicant Request

• The applicant is requesting a variance is to locate the proposed residence 110m from Finn Road instead of the required 50m from Finn Road.

#### Staff Review

 After review of the application, Staff have determined that the variance cannot be measured from Finn Road. The variance must be measured from No. 4 Road, as the City-owned Woodward Slough separates the subject site from Finn Road.

A copy of the development application filed with the Urban Development Division is appended to this report.

#### **DEVELOPMENT INFORMATION**

SITE AREA:

77,743.5 m<sup>2</sup> (836,851.45 ft<sup>2</sup> or 19.21 ac. or 7.774 ha)

BUILDING AREA:

695.12 m<sup>2</sup> (7,482.5 ft<sup>2</sup>)

DENSITY:

0.13 du per ha

PARKING:

2 Spaces Required3 Spaces Proposed

#### FINDINGS OF FACT

Development surrounding the subject site is as follows:

To the north:

Agricultural District (AG1), farmlands and two associated farmhouses;

To the east:

No. 4 Road and Agricultural District (AG1) farmlands;

To the south:

Agricultural District (AG1) farmlands; and

To the west:

Woodward Slough Environmentally Sensitive Area (ESA), Finn Road and single-family housing on land zoned Agricultural District (AG1) on the western and southern sides of Finn Road.

#### STAFF COMMENTS

The following comments were received from the Departments that reviewed this application. The response of the applicant to these comments is noted in bold lettering.

#### **Development Coordinator Comments**

- 1. It is the City's preference for the new dwelling to be located within 50 m of No. 4 Road as specified in the Agricultural District (AG1). The reason for this maximum setback provision is to:
  - retain as much farmland as possible for agricultural purposes, and
    - ensure adequate access to a dwelling.

Staff is reluctant to support the setback variance subject to additional justification for this variance being provided.

- As the southern bank of Woodward Slough is partially within the subject property, staff
  would like to request that this bank be dedicated to the City so that the west property line
  coincides with the top of bank. This way, all of Woodward Slough would be within the City's
  jurisdiction.
- 3. Within the 15.0 m Environmentally Sensitive Area (ESA) setback from the top of the bank of Woodward Slough, staff recommend that a covenant be registered over this area to preserve it from future development.
- 4. It is preferable for the driveway access/turn around, pond and berms be kept out of the 15.0 m ESA setback from the top of the bank of Woodward Slough.

#### **Applicant's Response**

- 1. Location of the new dwelling, 110 m from Finn Road and 260 m from No. 4 Road is preferred by the owner and justification for the variance from Finn Road is provided by the following points:
  - The proposed location clusters the new house with the existing houses on Finn Road, thereby releasing the remainder of the site for agricultural purposes (See the attached Context Plan Location of Surrounding Dwellings). The location contributes to a continuum of agricultural land with the agricultural land on the eastern side of No. 4 Road. Areas of proposed agriculture on the subject site are intended to be used for animal husbandry. Access was originally proposed via Finn Road, but due to impacts on the Environmentally Sensitive Area (ESA) of Woodward Slough, access is only proposed from No. 4 Road.
  - There is a sewer trunk line traversing the subject site to the north of the proposed new house location (see site plan #1). No building can occur within the 4.6m trunk sewer Right of Way. There is also a sewer access point, east of Woodward Slough, that is visually unattractive. The owner considers it undesirable to locate the new house adjacent to this access point.
  - The house is proposed to be located south of the left-hand turn that Finn Road takes when it reaches Woodward Slough. This provides a natural sight line from the bend of Finn Road through the subject site to the agricultural land. It is believed that people travelling along Finn Road would prefer to look at

- landscaping and natural areas as opposed to a large house. From a site planning viewpoint, it is optimal to enhance natural sight lines where possible.
- The owner is proposing to lease the remaining agricultural site and would like to avoid having farm vehicles working adjacent to the house.
- The owner is prepared to dedicate the southern bank of Woodward Slough to the City, if the City approves the variance for the proposed house location (land dedication shown as hatched area on Plan #1).
- The owner is undertaking a substantial amount of native landscaping along the edge of Woodward Slough within the 15.0 m ESA setback to enhance and buffer the ESA. This landscaping benefits both wildlife and residents on the western side of Woodward Slough. The owner has also agreed to a covenant over the ESA setback area and a landscaping letter of credit which is not usually required as part of a Development Variance Permit.
- 2. If the City approves the proposed Development Variance Permit, the southern bank of the Woodward Slough that is partially within the subject property will be dedicated to the City so that the slough area is totally within the City's jurisdiction (land dedication shown as hatched area on Plan #1).
- 3. A covenant over the 15.0 m ESA setback from the top of the bank of Woodward Slough has been agreed to. This covenant would:
  - prevent future development within the setback;
  - prevent future removal of the landscaping; and
  - ensure the maintenance of the landscaping.
- 4. The access road has been altered to remove all but a small portion of 53.125 m<sup>2</sup> paved area from the 15.0 m ESA setback. Through discussions with City staff, this was deemed acceptable.

### **Environmental Planning Comments**

- 1. Please provide a calculation (in square metres) of the area of driveway etc. within the 15 m ESA setback.
- 2. Clarification is needed on the stability of planting. Provide cross-section of planted area and provide details on the grade of slope within the 15 m ESA setback.
- 3. Provide details of how the ponding system operates (any pumps, water flows).
- 4. Provide more extensive cross-section of pond to include the overflow to Woodward Slough.
- 5. There is concern with the proximity of the lower pond to the existing Alder tree with 12.2 m span. There may be potential for the root system of this tree to extend into the area proposed for the location of the lower pond. Staff would like to ensure that the root system of the tree would not be damaged during construction of the pond.
- 6. It is suggested that additional native wildflowers be incorporated into the landscape plan. A list of native wildflowers is attached for your reference.
- 7. It is requested that Western Red Cedar trees be replaced with either Sitka Spruce or Western Hemlock trees in the landscape plan.
- 8. There is support for the dedication of a strip of land along the canal.

#### Applicant's Response

- 1. Total amount of access road in the 15.0 m ESA setback equals 53.125 m<sup>2</sup>.
- 2. Grading information has been provided in the sloped area and within the 15.0 m ESA setback from the top of the Slough. A cross-section has been provided that clearly indicates the typical treatment of the slope.
- 3. No permits are required for the pond system. However, the owner's civil engineer will meet with Bill Jones, Richmond's Drainage Engineer to:

286603

- determine the hydraulic grade line of Woodward Slough;
- establish grading for the pond overflow;
- review drawings and details for the pond, biofiltration system and overflow to Woodward Slough; and
- review drainage system and site grading with respect to flood levels in Woodward Slough to determine whether alternate drainage routes or additional storm water detention capacity is required.
- 4. A larger cross-section of pond has been provided which indicates the overflow connection to Woodward Slough. Further details on the overflow will be discussed with Drainage Engineering staff.
- 5. The lower pond has been relocated away from the existing Alder tree. Tree protection fencing has also been incorporated on the plan.
- 6. Large areas of native wildflowers have been incorporated into the landscape plan along the top of the bank of the slough.
- 7. Western Red Cedar trees have been replaced with Western Hemlock trees in the landscape plan.
- 8. There is willingness by the owner to dedicate the strip of land along Woodward Slough provided the City grants the requested relaxations to build the structure as presently proposed (land dedication shown as hatched area on Plan #1).

### **Transportation Comments**

1. The single vehicle entry point from No. 4 Road is supported.

### Applicant's Response

1. There is now only one vehicle entry point to the site from No. 4 Road.

The vehicle entry point via a bridge from Finn Road has been abandoned due to impacts on Woodward Slough ESA.

#### **Fire Department Comments**

- 1. Provide further details of access.
- 2. Provide yard hydrant.
- 3. Sprinkler building due to excessive setback from No. 4 Road.

#### **Applicant's Response**

- 1. Discussions have been held with the Fire Department and details on fire vehicle access have been approved.
- 2. A yard hydrant is located 90 m from the proposed building that has been approved by the Fire Department.
- 3. The dwelling will be sprinklered and a plan has been submitted which satisfies the requirements of the Fire Department.

### **Engineering and Health Comments**

1. There is a sanitary trunk sewer (900mm diameter) that runs through the site within a 4.6 m right-of-way (ROW). Permanent structures are not permitted in the area of the utility ROW. Individual connections are not permitted directly to a trunk sewer main as it is under pressure. An application for a permit to construct an on-site sewage disposal system (septic

tank and field) must be submitted. Health Department must grant approval prior to Building Permit being issued

### Applicant's Response

1. The proposed location for the septic field (dimensions 20 m x 12 m) has been provided on plan and is setback a minimum of 2.0 m from the 15.0 m ESA setback (ie. a total of 17.0 m minimum setback from the top bank of Woodward Slough). The septic tank has been located to the north of the septic field location, between the field and the proposed dwelling location. Health Department have provided in-principle approval for the general location of the on-site sewerage disposal system, and it is understood that detailed plans must be provided and formally approved at Building Permit stage.

#### **DESIGN PANEL COMMENTS**

This application was not required to be presented to Design Panel due to the minor nature of the proposal.

#### **ANALYSIS**

There are several issues to be addressed in considering the variance and the siting of the proposed house:

- 1. What setback for the proposed house is the applicant requesting?
- 2. What is the normally required Zoning Bylaw setback for houses in the AG1 zone?
- Is a variance to the normal setback desirable?
- 1. (a) The applicant is requesting a proposed setback of 110m from Finn Road.
  - (b) Upon review, the setback must be measured from No. 4 Road (260m).
- Normally, the Zoning Bylaw, AG1 District requires the follows setbacks for houses:
  - a minimum of 6.0m, and
  - a maximum of 50.0m from a public road.
- 3. The options for the analysis of this question are outlined below.

#### **Options**

In evaluating the requested variance, the following options are presented:

### Option 1 A Variance of 260 m from No. 4 Road (Recommended)

#### Pros

- Allows the site to be farmed or used for farm related purposes
- Enables approximately the same amount of land to be farmed as compared to other options
- Protects the Woodward Slough ESA as it would be dedicated to the City
- Better protects the southern/eastern bank of Woodward Slough, through substantial improvements to native vegetation along the top bank
- No city servicing problems
- Achieves the applicant's request

#### Cons

 Does not comply with the basic maximum setback of a house from a road/property line as specified in AG1 zoning

### Option 2 No Variance On Setback from No 4 Road

#### Pros

- No variance required
- Allows the site to be farmed or used for farm related purposes
- Enables approximately the same amount of land to be farmed as compared to other options
- No city servicing problems
- Consistent with location of existing abandoned house

#### Cons

- Does not meet the applicant's request
- The City would not benefit from the proposed Woodward Slough/ESA land dedication
- The City would not achieve the proposed enhancement of Woodward Slough ESA through substantial improvements to native vegetation along the top bank

### Option 3 A Variance of 110 m from Finn Road (Not Permitted)

#### Benefits of Option 1:

Option 1 best protects and advances the City's interests, including:

- Land Use
  - Option 1 supports agricultural viability
  - The site is currently unfarmed and Option 1 facilitates farming and farm-related uses on the site as per the Zoning Bylaw
- Servicing
  - No concerns
- Environmental
  - A portion of the Woodward Slough/ ESA will be dedicated to the City
  - The applicant will undertake substantial native landscaping to the Woodward Slough/ESA as outlined above

#### Conditions:

The applicant has proposed that, subject to the City approving the Development Variance Permit in the current form (Option 1), the owner of the property will:

- Dedicate a strip of land within Woodward Slough to the City. This strip of land is currently part of the subject property. This ensures that all of the Slough would be within the City's jurisdiction (land dedication shown as hatched area on Plan #1).
- Agree to a covenant over the 15.0 m ESA setback that prevents future development within the setback, prevents future removal of the landscaping and ensures the maintenance of the landscaping.

These items are of benefit to the City and contribute to the decision to support the variance as requested.

#### Note:

- 1. All options would satisfy City servicing, health and environmental policies.
- 2. The Fire Department is satisfied that issues with distance from No. 4 Road have been effectively resolved to their satisfaction.

#### CONCLUSION

Stefan Wiedemann has applied for a Development Variance Permit to vary the maximum setback in the Agricultural District (AG1) from 50 m to 110 m from Finn Road in order to permit the construction of a new single-family dwelling outside and east of the Woodward Slough Environmentally Sensitive Area (ESA).

Upon review of the application, Staff have determined that the variance must be measured from No. 4 Road, the variance therefore being to vary the maximum setback in the Agricultural District (AG1) from 50 m to 260 m from No. 4 Road.

Staff support the variance from No. 4 Road and recommend that the application be approved.

Kate Chappel

Planner - Development Applications

KJC:blg

There are conditions to be met:

- 1. A landscaping Letter of Credit in the amount of \$30,000 is required, prior to submission to Council.
- 2. Prepare a covenant over the 15.0 m ESA setback that prevents future development within the setback, prevents future removal of the landscaping and ensures the maintenance of the landscaping.
- 3. Dedicate a strip of land within Woodward Slough to the City, prior to issuance of Building Permit.



## **Development Applications Department**

6911 No. 3 Road Richmond, BC V6Y 2C1

City of Richmond

Main (604) 276-4000 Fax (604) 276-4177

### **DEVELOPMENT APPLICATION**

Please submit this completed form to the Zoning, Land Use Planning and Development Applications Centre for each application (ie. rezoning; subdivision; development permit, etc.). All materials submitted to the City for a development application become public property, and therefore, available for public inquiry.

Please refer to the attached forms for details on application attachments and fees.

Type of Application: DEV. PERMIT / BUILDING PERMIT. SINGLE FAMILY RE						
Property Address(es): 12831 No. 4 RO., RICHMOND						
Legal Description(s): LOTA SELID 4-15 BLOCK 3 NORTH RANGE						
6 WEST PLAN 6565, N. W. D. , PARCETUD, NO 011-326-221						
Applicant: 5TEFAN WIEDEMANN						
Correspondence/Calls to be directed to:						
Name: STEFAN WIEDEMANN						
Address: 4643 PLENHEIM STREET						
VANCOUVER, B.C. V6. 3A3						
Tel. No.: 3134241 263-9222 ** 738 8834 /2639299 Residence Fax						
Property Owner(s) Signature(s):						
Please print name  2008 CV Mc G o OC V CV						
or  Please print name  / 2008 Sw Morring Pl. Vanc. 9408788 Bus (236)						
Authorized Agent's Signature:  Attach Letter of Authorization						
Please print name						
FOR OFFICE USE						
Date Received: Dec 27/00 Application Fee: \$52500 OY -0067009.						
File No.:  Only assign if application is complete  Receipt No.:  Oq -006 100 9.						

### CITY OF RICHMOND

# DEVELOPMENT VARIANCE PERMIT

NO. DV 00-184600

TO THE HOLDER:

STEFAN WIEDEMANN

PROPERTY ADDRESS:

12831 NO. 4 ROAD

ADDRESS:

**4643 BLENHEIM STREET** 

VANCOUVER, BC

V6L 3A3

- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied by this Permit.
- 2. This Development Variance Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
- 3. The "Richmond Zoning and Development Bylaw No. 5300" is hereby varied as follows:
  - a) The dimension and siting of buildings and structures on the land shall be as shown on Plan #1 and Plan #3 attached hereto.
  - b) The landscaping on the site shall be as shown on Plan #2 attached hereto.
- 4. As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder, or should the Holder carry out the development permitted by this permit within the time set out herein, the security shall be returned to the Holder. The City may retain the security for up to one year after inspection of the completed landscaping in order to ensure that plant material has survived.

There is filed accordingly:

An Irrevocable Letter of Credit in the amount of \$30,000.00.

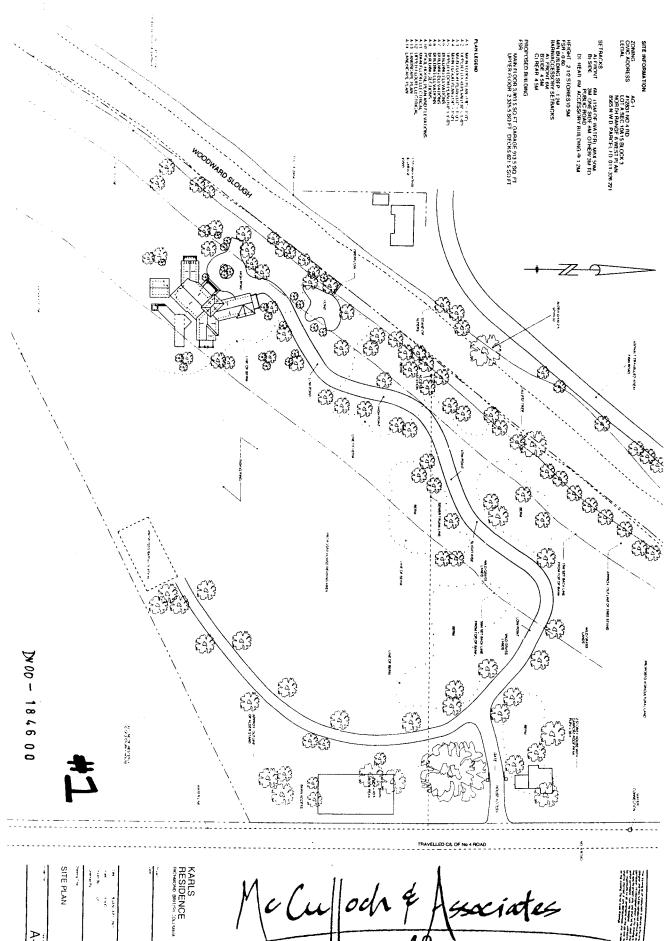
# **DEVELOPMENT VARIANCE PERMIT**

NO. DV 00-184600

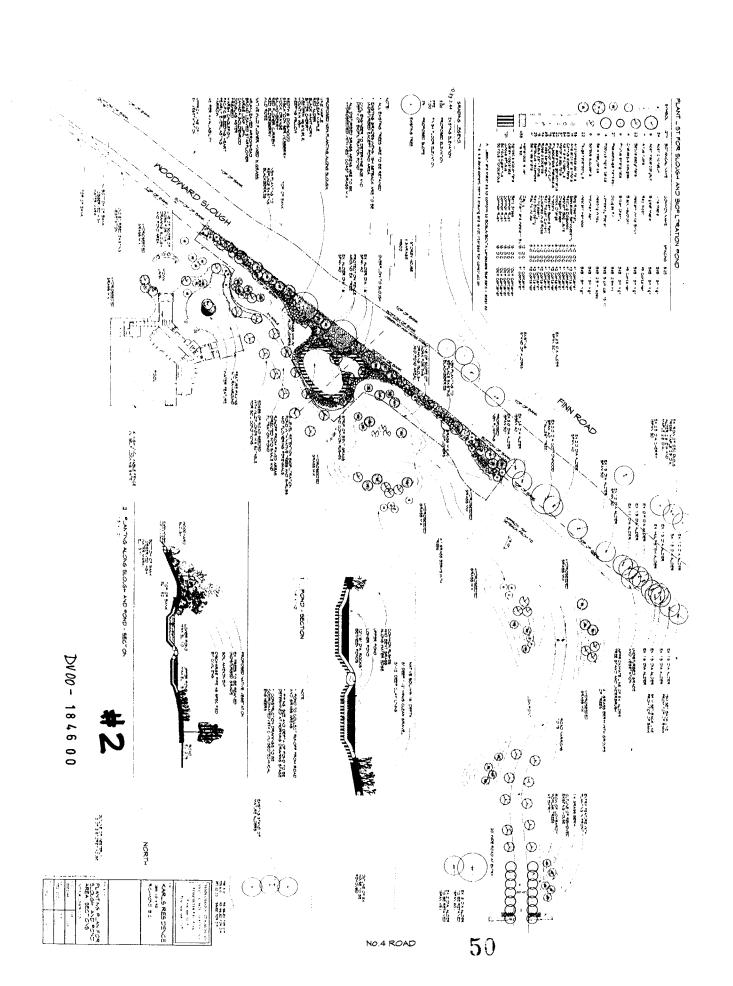
TO THE HOLDER:		STEFAN WIEDEMANN				
PROPERTY ADDRESS:		12831 NO. 4 ROAD				
ADDRESS:		4643 BLENHEIM STREET VANCOUVER, B V6L 3A3				
5.	The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.					
6.	If the Holder does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse.					
AU OF	THORIZING RESOLUTION,	ON NO.		ISSUED BY THE COUNCIL THE	ΑY	
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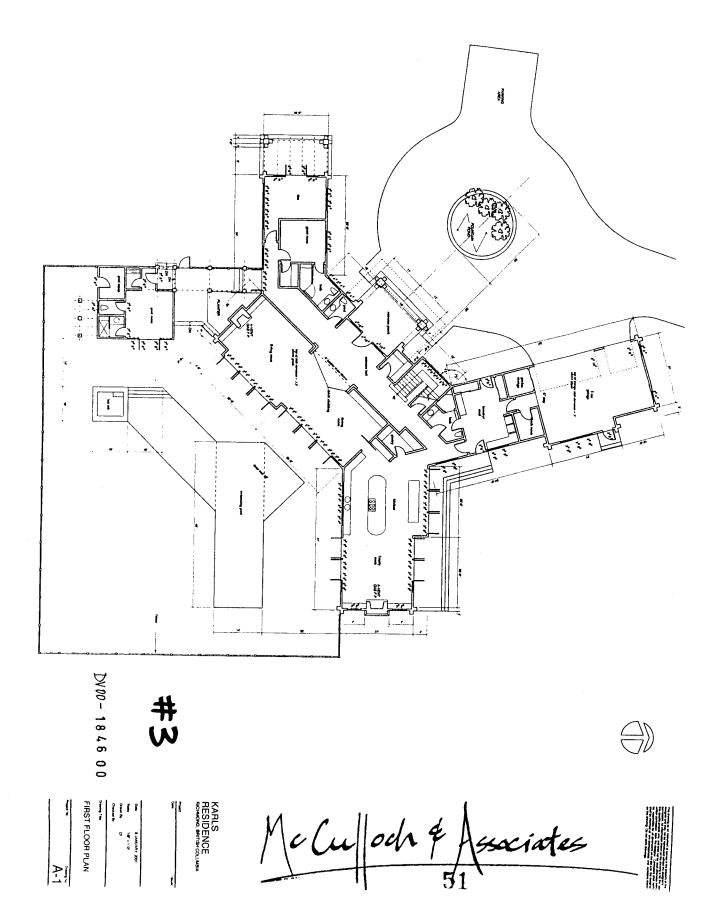
MAYOR





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