



To: Richmond City Council **Date:** June 3, 2003
From: David McLellan **File:** 0100-20-DPER1
Chair, Development Permit Panel
Re: **Development Permit Panel Meeting Held on May 28, 2003**

Panel Recommendation

1. That the recommendations of the Panel to authorize the issuance of:
 - i) a Development Permit (DP 02-221010) for the property at 7131, 7151, 7171, 7191, 7195, 7211, 7231, 7271 & 7291 Heather Street;
 - ii) a Development Variance Permit (DV 03-222918) for the property at 4280, 4300 Westminster Highway and 6020 Gibbons Drive; and
 - iii) a Development Permit (DP 03-223538) for the property at 8091 Bennett Road;be endorsed, and the Permits so issued.
2. That the application for a Development Variance Permit (DV 03-230499) for the property at 11911 Third Avenue and 3540 Broadway Street be denied.
3. That the alterations to grading, exterior finishes, stair layouts and landscaping at 9191 Blundell Road be deemed to be in general compliance with the Development Permit (DP 02-202952) issued for that property.

David McLellan
Chair, Development Permit Panel

Panel Report

The Development Permit Panel considered three Development Permits and two Development Variance Permits at its meeting held on May 28, 2003.

DP 02-221010 – POLYGON DEVELOPMENT 140 LTD. – 7131, 7151, 7171, 7191, 7195, 7211, 7231, 7271 & 7291 HEATHER STREET

The proposal to construct 54 townhouses on Heather Street south of Sills Avenue did not generate any public comment. The parking variance for visitor spaces is similar to others granted in the neighbourhood where there is significant construction of new local streets which also permit visitor parking. The variances for entry structures and balconies is similar to that granted for this company's project across the street. The Panel found the project to be appropriate to the neighbourhood.

The Panel recommends that the permit be issued.

DV 03-222918 – DAVID GORDON ON BEHALF OF MICHEL VERNIER – 4280, 4300 WESTMINSTER HIGHWAY AND 6020 GIBBONS DRIVE

The proposal to vary minimum lot dimensions for these parcels at the south east corner of Westminster Highway and Gibbons Drive did not generate any public comment. The Panel noted that this would make lots which are difficult to build on, have more appropriate size and shape relative to the neighbourhood.

The Panel recommends that the permit be issued.

DP 03-223538 – CARE ENTERPRISES LTD. – 8091 BENNETT ROAD

The proposal to construct four residential units on this small site on the north side of Bennett Road east of No. 3 Road, did not generate any public comment. The proposal is consistent with a master plan done for these smaller lots when a neighbouring site was developed.

The Panel recommends that the permit be issued.

DV 03-230499 – LOREN AND JANIE SLYE – 11911 THIRD AVENUE AND 3540 BROADWAY STREET

The proposal to vary the lot orientation for a proposed subdivision at the south west corner of Broadway and Third Avenue in the Steveston townsite, did generate public comment. The Panel was reminded by those making delegations, that a significant amount of community effort was expended in developing lot orientation regulations which have been rigorously adhered to since their adoption in the mid 1990's

The applicant noted that he cannot comply with the lot orientation requirements without removing his home which currently straddles the lot line. It was also noted that the immediate neighbours impacted by the variance have expressed support in a petition supplied to the Panel. The Panel was not convinced that the house, although in good shape, was a heritage building

given the amount of alteration undertaken on the building over the years. The report from staff expressed support for the variance, but after considerable discussion the Panel adopted by a split vote a recommendation to deny the application. It was noted to those in attendance that City Council has often decided to hold their own Public Hearing on a matter which has generated a split vote at the Panel. This would give the Council the opportunity to hear directly from the public before making a decision. An opinion expressed by Panel members voting to deny the application was that Council should consider reviewing the whole lot orientation policy rather than dealing with this application in isolation if they were of a collective mind to allow the proposal.

The Panel recommends that the permit be denied.

DP 02-202952 – DARSHAN RANGI – 9191 BLUNDELL ROAD

The proposal to alter grading, stair layouts, landscaping and exterior finishes for this small townhouse project at the north east corner of Blundell Road and Heather Street was reviewed on three occasions by the Panel. After significant debate the Panel was satisfied that the changes proposed were consistent with approvals given on other sites in the neighbourhood. It was noted also that some of the approved landscaping was in conflict with some rights of ways on the site.

The Panel recommends that the changes be deemed to be in general compliance with the development permit issued for the site.

DJM:djm



Development Permit Panel

Wednesday, May 28th, 2003

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: David McLellan, General Manager, Urban Development, Chair
Jeff Day, General Manager, Engineering and Public Works
Mike Kirk, General Manager, Human Resources

The meeting was called to order at 3:30 p.m.

At this point the Chair varied the order of the agenda to hear Item 2 last.

1. Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on Wednesday, May 14th, 2003, be adopted.

CARRIED

3. Development Permit DP 02-221010

(Report: March 13/03 File No.: DP 02-221010) (REDMS No. 954782)

APPLICANT: Polygon Development 140 Ltd.

PROPERTY LOCATION: 7131, 7151, 7171, 7191, 7195, 7211, 7231, 7271 and
7291 Heather Street

INTENT OF PERMIT:

1. To permit the development of 54 townhouses on a site zoned Comprehensive Development District (CD/126); and that would
2. Vary the provisions of the Zoning and Development Bylaw to:
 - a) allow balconies to project a maximum of 1.2m (3.937 ft) into the 3m (9.843 ft) rear yard;
 - b) allow pedestrian entry and garbage/ recycling structures in the required 6m (19.685 ft) road setbacks; and
 - c) reduce the number of visitor parking stalls from eleven (11) to eight (8).

Applicant's Comments

Mr. Kevin Shoemaker, Development Manager, Polygon Development, introduced Mr. Scott Baldwin, Senior Vice President, Polygon Development and Mr. Robert Cadez, Formwerks Architectural, to the Panel. An artists' rendering and a site plan were provided by Mr. Shoemaker, who was available to answer questions.

Staff Comments

The Manager, Development Applications, Joe Erceg, said that the project met the majority of applicable guidelines and that: i) the applicants had been very compliant to staff and Advisory Design Panel requests; ii) similar visitor parking variances had been previously approved; and, iii) additional parking was available on adjacent streets.

The Chair requested that for future reports the parking rationale be contained in the report including any issues discussed during the rezoning application.

In response to a question from the Chair, Mr. Shoemaker described the proposed public art element for the Panel.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

The Chair said that the adjacent Leighton Court project, also a Polygon development, was coming along nicely and that the proposed public art element, which is to be similar in nature to the Leighton Court element, was very appropriate.

Panel Decision

It was moved and seconded

That a Development Permit be issued for 7131 to 7291 Heather Street that would

1. *Permit the development of 54 townhouses on a site zoned Comprehensive Development District (CD/126); and that would*
2. *Vary the provisions of the Zoning and Development Bylaw to:*
 - a) *allow balconies to project a maximum of 1.2m (3.937 ft) into the 3m (9.843 ft) rear yard;*
 - b) *allow pedestrian entry and garbage/ recycling structures in the required 6m (19.685 ft) road setbacks; and*
 - c) *reduce the number of visitor parking stalls from eleven (11) to eight (8).*

CARRIED

4. Development Variance Permit DV 03-222918

(Report: April 29/03 File No.: DV 03-222918) (REDMS No. 961821)

APPLICANT: David Gordon on behalf of Michel Vernier

PROPERTY LOCATION: 4280, 4300 Westminster Highway and 6020 Gibbons Drive

INTENT OF PERMIT:

1. To vary the subdivision regulations of the Single-Family Housing District, Subdivision Area E (R1/E) zone to:
 - a) Reduce the minimum width requirement of 4300 Westminster Highway from 18 m (59.055 ft.) to 16.32 m (53.543 ft.);
 - b) Reduce the minimum width requirement of 6020 Gibbons Drive from 18 m (59.055 ft.) to 14.68 m (48.163 ft.); and
 - c) Reduce the minimum area requirement of 6020 Gibbons Drive from 550 m² (5,920.344 ft.) to 409 m² (4,402.583 ft²)

in order to allow the subject properties to be re-subdivided from three (3) lots into four (4) new single-family residential lots.

Applicant's Comments

Mr. Vernier was present to answer questions.

Staff Comments

The Manager, Development Applications, Joe Erceg, said that of the three lots currently on the site, two did not comply with current standards and that the proposed 4 lots would be in closer compliance with the existing requirements of zoning should the application be approved.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

The Chair acknowledged the number of comments the odd configuration of the site had generated, which would be remedied by the proposed subdivision.

Panel Decision

It was moved and seconded

That a Development Variance Permit be issued that would vary the subdivision regulations of the Single-Family Housing District, Subdivision Area E (R1/E) zone as follows:

- a) *The minimum width requirement of 4300 Westminster Highway from 18 m (59.055 ft.) to 16.32 m (53.543 ft.);*
- b) *The minimum width requirement of 6020 Gibbons Drive from 18 m (59.055 ft.) to 14.68 m (48.163 ft.); and*
- c) *The minimum area requirement of 6020 Gibbons Drive from 550 m² (5,920.344 ft.) to 409 m² (4,402.583 ft²).*

CARRIED

5. Development Permit DP 03-223538

(Report: April 28/03 File No.: DP 03-223538) (REDMS No. 999064)

APPLICANT: Care Enterprises Ltd.

PROPERTY LOCATION: 8091 Bennett Road

INTENT OF PERMIT:

1. To allow the construction of four (4) residential units on a lot zoned Comprehensive Development District (CD/120); and
2. To vary the minimum setback from a public road in order to permit a mailbox and recycling box structure along Bennett Road.

Applicant's Comments

The applicant was not present.

Staff Comments

The Manager, Development Applications, said that this was a small infill project that had adjacent townhouse development on both sides. Further to this Mr. Erceg said that staff were happy with the proposal, and therefore recommended issuance of the permit.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

The Chair noted the extensive study undertaken of the area during the rezoning process, and the general compliance of the project to the area guidelines.

Panel Decision

It was moved and seconded

That a Development Permit be issued for a property at 8091 Bennett Road that would:

- a) allow the construction of four (4) residential units on a lot zoned Comprehensive Development District (CD/120); and*
- b) vary the minimum setback from a public road in order to permit a mailbox and recycling box structure along Bennett Road.*

CARRIED

6. Development Variance Permit DV 03-230499

(Report: May 6/03 File No.: DV 03-230499) (REDMS No. 998816)

APPLICANT: Loren and Janie Slye

PROPERTY LOCATION: 11911 Third Avenue and 3540 Broadway Street

INTENT OF PERMIT: To vary the minimum depth requirement for the Single-Family Housing District, Subdivision Area A (R1/A) zone from 24 m (78.74 ft.) to 20.134 m (66.06 ft.) in order to permit 11911 Third Avenue and 3540 Broadway Street to be re-subdivided into two (2) single-family residential lots fronting onto Third Avenue rather than Broadway Street.

Applicant's Comments

Mr. Loren Slye, 11911 Third Avenue, gave advice that the subject home had been in his wife's family for many years and that it was hoped, for sentimental reasons, that the home could be preserved along with a new home being built for his daughter and grandchild.

Staff Comments

The Manager, Development Applications, Joe Erceg, said that staff supported approval of the variance requests as both reconfiguration of the lot and retention of the existing house would be achieved. Mr. Erceg noted: i) the attractive nature of the existing house; ii) that the minimum setback from the east property line would be met; and, iii) the support from that had been expressed by the immediate neighbours.

Discussion then ensued on the orientation requirements of the Zoning and Development Bylaw. Mr. Slye provided information on the orientation of other homes in the immediate area.

Correspondence

Ms. Rosanna Robinson – 11440 Fourth Avenue – Schedule 1.

Mr. and Mrs. Young – 3380 Georgia Street – Schedule 2.

Gallery Comments

Ms. Madeleine Therrien and Ms. Anne Piche addressed the Panel. Ms. Therrien provided a detailed recollection of the history of the subject house and outlined her understanding of the reasons variance requests are generally approved. Ms. Therrien questioned whether it would be appropriate to grant a variance on compassionate grounds to the detriment of other owners.

Ms. Piche provided a history of the long and difficult process that had been undertaken, over the course of several years, to develop the present bylaw, which contains a specification for north/south orientation of lots. Ms. Piche acknowledged Mr. Slye's long term presence in the area, and expressed concern about the pitting of owners against each other in situations such as these. Copies of a number of photographs of the subject property were distributed to the Panel members, and are attached as Schedule 3 to these minutes.

Further discussion then ensued on whether the proposed FAR conformed to the lot size. Ms. Piche submitted two letters, attached as Schedules 1 and 2 to these minutes, to the Panel.

Mr. Slye responded to several of the comments made by the previous speakers including that huge support existed in the community for his proposal and that he would go door to door to obtain signatures if necessary.

Panel Discussion

The Chair acknowledged his involvement in the previous process that had resulted in a clear direction, and said that although things may have changed in the interim, and that Mr. Slye had much support, a concern existed about the precedent that would be set should the permit be approved. Further to this Mr. McLellan said that if the issue were to be re-examined it should be done within the context of the bylaw itself.

Panel Decision

It was moved and seconded

That a Development Variance Permit be issued that would vary the minimum depth requirement for the Single-Family Housing District, Subdivision Area A (R1/A) zone from 24 m (78.74 ft.) to 20.134 m (66.06 ft.) in order to permit 11911 Third Avenue and 3540 Broadway Street to be re-subdivided into two (2) single-family residential lots fronting onto Third Avenue rather than Broadway Street.

DEFEATED

Opposed: David McLellan
Jeff Day

It was moved and seconded

That issuance of a Development Variance Permit that would vary the minimum depth requirement for the Single-Family Housing District, Subdivision Area A (R1/A) zone from 24 m (78.74 ft.) to 20.134 m (66.06 ft.) in order to permit 11911 Third Avenue and 3540 Broadway Street to be re-subdivided into two (2) single-family residential lots fronting onto Third Avenue rather than Broadway Street, BE DENIED.

CARRIED

Opposed: Mike Kirk

7. General Compliance

(Report: May 13/03 File No.: DP 02-202952) (REDMS No. 1007031, 1008365)

APPLICANT: Darshan Rangi

PROPERTY LOCATION: 9191 Blundell

The Chair noted that the applicant had been requested at the May 14th, 2003 meeting of the Development Permit Panel, to provide the Panel with information on other projects in the area that had vinyl siding as an exterior finish. Mr. McLellan noted the memorandum contained in the agenda, from Mr. Alex Jamieson, Planner, on the matter.

Staff Comments

The Manager, Development Applications, Joe Erceg, said that although staff supported approval of some of the requests, as noted in the recommendation, the change from cedar siding to vinyl siding and the reduction in calliper size of replacement trees, were not supported.

Mr. Rangi provided additional information on the reasons he believed that the drainage, sanitary sewers, watermains and BC Hydro right-of-ways interfered with requirements of the landscape plan which included that the requirements for planting 10cm calliper trees could not be met. Further to this, Mr. Rangi said that he would be willing to trim the windows and posts with cedar as evidenced by several pictures he displayed of other developments.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

The Chair suggested that the staff recommendation was appropriate if Mr. Rangi were to submit to staff alternate suggestions for siding similar to other developments in the area.

Panel Decision

It was moved and seconded

That the changes in grade, layout of stairs and on-site landscaping only, as supported in the attached report, be deemed in general compliance with the approved Development Permit (DP 02-202952) at 9191 Blundell Road.

CARRIED

2. Adjournment

It was moved and seconded

That the meeting be adjourned at 4:35 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, May 28th, 2003.

David McLellan
Chair

Deborah MacLennan
Administrative Assistant

May 20, 2003

City of Richmond
Development Permit Panel

RE: DV 03-230499
11911 Third Avenue, Richmond, B.C.

I am thoroughly appalled that City staff and in particular David McLellan would recommend and indeed support something that is so blatantly in violation of Zoning & Development Bylaw 5300, in particular Section 202.4 which clearly shows the orientation of the lot in question.

How quickly he forgets the packed Council Chambers where neighbors demanded that there be no more confusion as to the orientation of lots in Steveston, that they not have to 'police' variances and wonder if they may have one, two or maybe 3 lots abutting them.

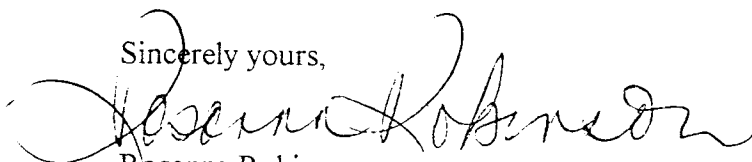
Might I add a Bylaw amendment that took up countless hours of time and effort (nearly 2 years from start to finish) on the part of the residents of Steveston Village to avoid this exact issue.

The fact that you even entertained this variance application, when it is blatantly obvious that to allow this one as a 'rare opportunity', puts us right back to where we started - makes me question a panel made up of Staff members, with no Council in place, to recall WHY and HOW these Bylaws came to be in the first place.

Could your time not be better spent figuring out how to put a sidewalk down Fourth Avenue, so that pedestrians don't get run over by a bus or bogged down in the soggy, treeless boulevard?

As I will be out of town for the meeting, I would ask that you inform me in writing of the outcome.

Sincerely yours,



Rosanna Robinson
11440 Fourth Avenue
Richmond, B.C.
V7E 3G9

cc. Mayor & Councillors

May 26 2003

To: Development Permit Panel,

Regarding an application by Mr + Mrs Glyn
of 11911 2nd Ave in Steveston; One would like to voice
a protest of the Manager's recommendation that the
Glyn's property at the address 11911 2nd Ave be
subdivided in the manner which they have proposed to you.
There are reasons why there are established by laws governing
the way in which lots may be subdivided and where
buildings may be situated within the parameters.
These bylaws are meant to protect the livability
of the community. One are already feeling a threat
to that livability because of the present trend
in construction to build ever larger houses upon ever
shrinking lot sizes. Permitting someone to make changes
to existing subdivision rules will create the possibility
of certain Real Estate Developers types to take
advantage of such a precedent to continue the trend.

Neighborhoods all over this community have already
been ruined in this manner.

One feel that even though the Allys have
managed to obtain a small number of neighbors
signatures to state that they don't mind the changes
proposed, we believe that a silent minority would
be appalled to have a neighbor next door or behind
them attempt such construction.

Pat and Lisa Young.

3380 Georgia St.
Steveston, BC
V7E 2R6

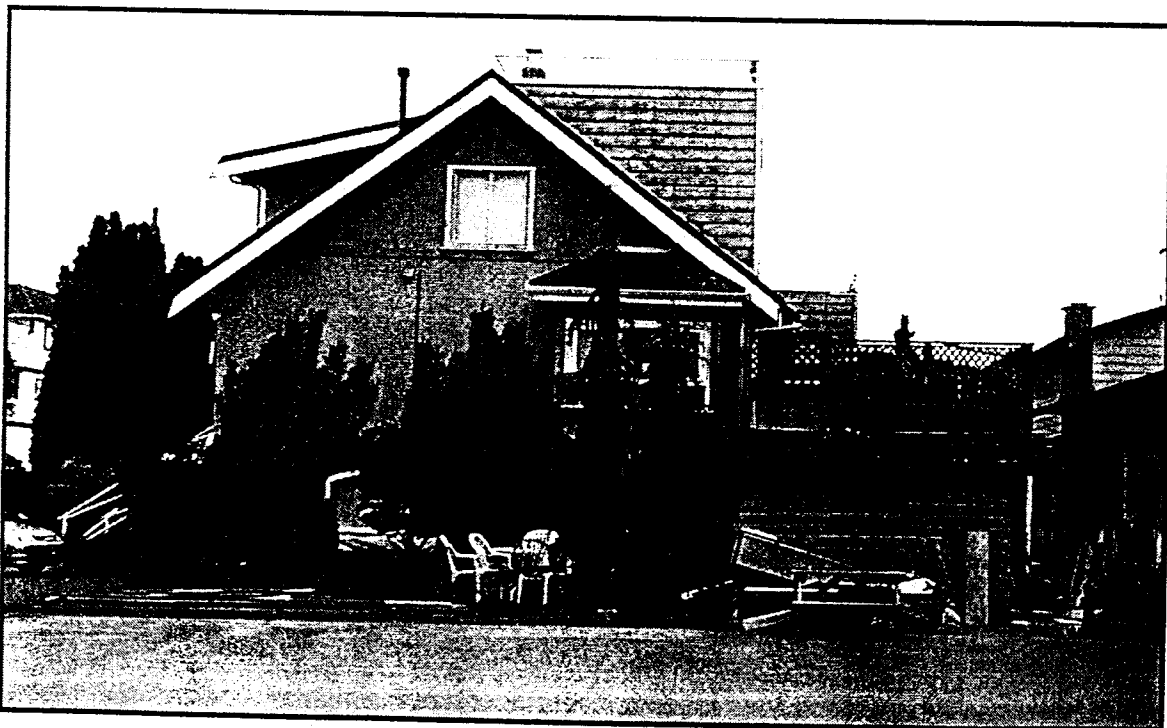
11911 3RD AVENUE
RICHMOND, BC

Schedule 3 to the Minutes of the
Development Permit Panel meeting
held on Wednesday, May 28th, 2003.

Front

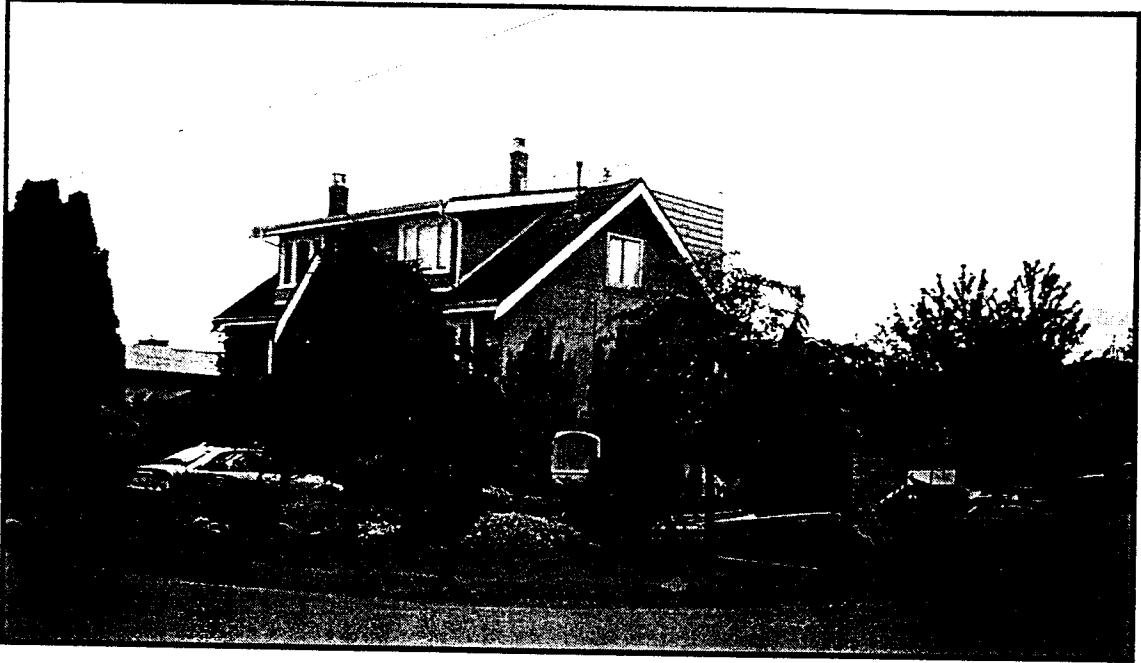


Side



11911 3RD AVENUE
RICHMOND, BC

Corner



Back Side



11911 3RD AVENUE
RICHMOND, BC

