



To: J. Richard McKenna
City Clerk

To COUNCIL - May 13, 2002
Date: April 29, 2002

From: Joe Erceg
Manager, Development Applications

File: DV 02-202935

Re: **Application by – Ed and Joanne Maskall for Development Variance Permit at 8651 Seafair Drive**

The attached Development Variance Permit was given favourable consideration by the Development Permit Panel at their meeting held on April 24, 2002.

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

JE:blg
Att.



City of Richmond
Urban Development Division

Report to Development Permit Panel

To: Development Permit Panel

TO DPP - April 24, 2002
Date: April 9, 2002

From: Joe Erceg
Manager, Development Applications

File: DV 02-202935

Re: **Application by Ed and Joanne Maskall for a Development Variance Permit at
8651 Seafair Drive**

Manager's Recommendation

That a Development Variance Permit be issued that would vary the side yard setback from 2 m (6.562 ft.) to 1.676 m (5.5 ft.) along the northern property line of 8651 Seafair Drive in order to accommodate a relocated house which has been moved onto this property.

for
Joe Erceg
Manager, Development Applications

JDK:blg

Staff Report

Origin

The subject site is located on the west side of Seafair Drive between Francis Road and Fairfax Place, and is zoned Single-Family Housing District, Subdivision Area E (R1/E).

The applicants have recently relocated their existing house from 5500 Woodward Road to the subject site. In order to provide a parking area for their recreational vehicle along the south property line, the applicants are requesting a variance of the side yard setback to the north property line from 2 m (6.562 ft.) to 1.676 m (5.5 ft.).

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

Findings of Fact

The subject site is a 20.12 m (66 ft.) wide by approximately 35.18 m (115.42 ft.) deep lot which backs onto the west dyke. The original house at 8651 Seafair Drive has been demolished and the site was preloaded with sand. The applicant's principal residence at 5500 Woodward Road was moved onto the subject site on April 5, 2002. The homes in the area were originally built in the early to mid 1960's. The applicants plan to add a family room and deck to the rear of the relocated house.

Staff Comments

Development Applications Department staff commented that the applicants should make every effort to maintain the two (2) existing street trees (mature Japanese Flowering Plums). If the trees are removed, the applicants will be required to pay the cost of replacing the trees by the City Parks Department. The area along the dyke is designated an Environmental Sensitive Area (ESA). The Official Community Plan (OCP) requires a 6 m (19.685 ft.) buffer along the ESA, which the relocated house will meet after the addition is constructed.

Analysis

Approximately five years ago the applicants purchased the subject property and have rented out the original house until it was demolished just recently. The applicants have sold their primary residence at 5500 Woodward Road to someone who plans to subdivide the property. Rather than have their home demolished, the applicants decided to relocate it to their Seafair Drive property. The house movers removed the roof and ground floor basement so that only the main floor of the house was relocated. The house was moved onto the site during the early hours of April 5, 2002. The applicants had a Building Permit to move this house and it is awaiting final inspection. Parks Department staff pruned some of the mature street trees along Seafair Drive to help facilitate this move and as part of their regular spring maintenance. Staff are not aware of any concerns arising from the move of the house from Woodward Road to the subject property.

The applicants also own a recreational vehicle which they plan to park along the south side of the relocated house. In order to achieve this, they are requesting a variance of the sideyard setback to the north property line from 2 m (6.562 ft.) to 1.676 m (5.5 ft.). The alternative is to park the RV in the front yard which would negatively impact the neighbours and the streetscape. Seafair Drive is a beautiful street with mature street trees and with the proximity to the dyke has wonderful views of Georgia Strait. Staff agree that parking the RV along the south side of the house will hide it to a large degree. A wooden gate will be built to further screen the RV from the street. The applicants have approached both neighbours on either side and they do not seem to have a problem with what is being proposed. The applicants arranged and paid for the temporary relocation of one of the Flowering Plum street trees, to allow the house to be moved onto the site. The street tree will be moved back to its original location once the house is moved to its final position. The applicants have also agreed to pay for a new tree if necessary.

The subject site has been built up with sand fill in order that the house will maximize the view potential looking over the west dyke. The basement slab elevation will be approximately 0.838 m (2.75 ft.) above the crown of the road, whereas the attached garage will be at the existing grade. Concrete retaining walls will be built along the north and south property lines to retain the sand fill. The applicants have applied for a Building Permit for this relocated house. There is nothing in the Building Code or Zoning & Development Bylaw that restricts this house from being elevated as proposed. Furthermore, staff would note that there are two other newer homes along the same portion of Seafair Drive which were built up in a similar fashion to take advantage of the spectacular views of Georgia Strait. The houses on either side of the subject site are older homes which potentially could be redeveloped with their sites being raised up in a similar way.

Conclusions

Staff support the variance as requested.



Jim DeKleer
Engineering Assistant - Development & Processing

JDK:blg



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: DEVELOPMENT VARIANCE PERMIT
Property Address(es): 8651 SEAFAIR DRIVE
Legal Description(s): ATTACHED

Applicant: JOANNE MASKALL

Correspondence/Calls to be directed to:

Name: ED MASKALL

Address: 5500 WOODWARDS ROAD
RICHMOND

Tel. No.: 272-0053 604 277 6361
Business Residence

V7E1H1
Postal Code
Fax

Property Owner(s) Signature(s): J Maskall
JOANNE MASKALL
Please print name

or

Authorized Agent's Signature: _____
Attach Letter of Authorization
Please print name

FOR OFFICE USE	
Date Received: <u>March 19, 2002</u>	Application Fee: <u>\$ 525.00</u>
File No.: <u>DV 02-202935</u> <small>Only assign if application is complete</small>	Receipt No.: <u>04-0077666</u>



No. DV 02-202935

To the Holder: ED AND JOANNE MASKALL

Property Address: 8651 SEAFAIR DRIVE

Address: 5500 WOODWARDS ROAD
 RICHMOND, BC V7E 1H1

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 floor plans and elevations on the land shall be as shown on Plan #1 & #2 attached hereto.
 - b) The site plan and section shall be as shown on Plan #3 attached hereto.
 4. 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.
 5. 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.
- } This Permit is not a Building Permit.

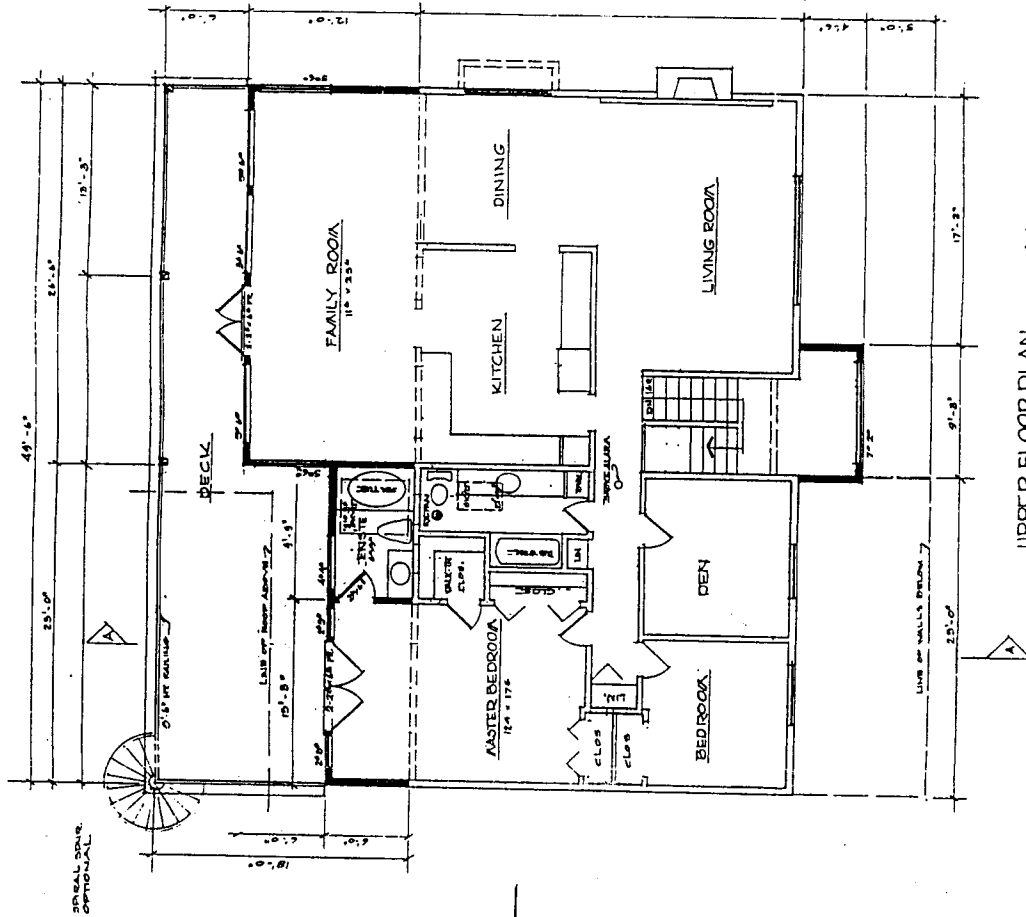
AUTHORIZING RESOLUTION NO.
DAY OF

ISSUED BY THE COUNCIL THE

DELIVERED THIS DAY OF

MAYOR

DENOTES:
 [Symbol] EXISTING WALLS
 [Symbol] NEW CONSTRUCTION



APR 03 2002

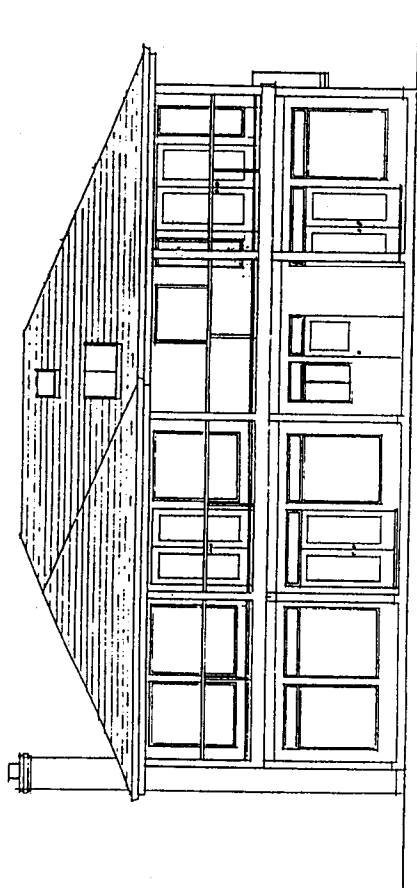
DV 02-202935 # 1

JWASKALL RESIDENCE
 2831 SEAFAIR DR.

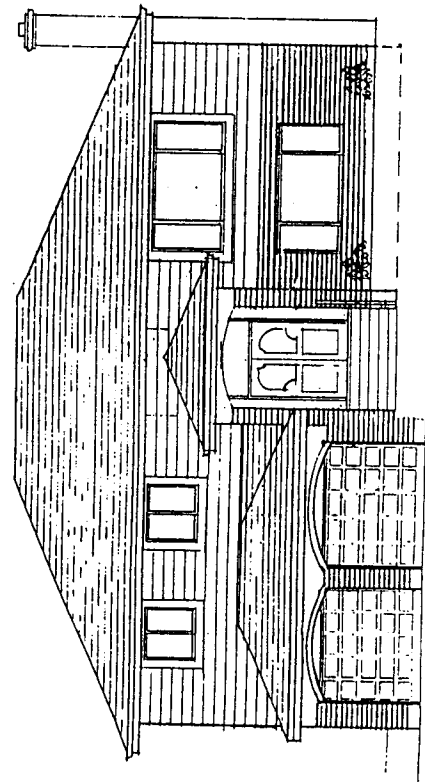
FLOOR PLANS
 ELEVATIONS

DRAWN: NWAR
 DATE: APR 2002
 SCALE: 1/4" = 1'-0"

SHEET
 1 OF 3



REAR ELEVATION (WEST) SCALE 1/4" = 1'-0"



FRONT ELEVATION (EAST)

Schedule 1 to the Minutes of the Development Permit Panel meeting held on Wednesday, April 24, 2002.

To Development Permit Panel	
Date:	April 24, 2002
Item #	3
Re:	8651 Seafair Dr.
	DVP 02-202935

✓	DW	D
	KY	
	AE	
	RS	
	WS	

02-2029

April 23rd, 2002

City of Richmond
6911 Number 3 Road
Richmond, B.C. V6Y 2C1

Attn: Richmond Development Permit Panel

Re: Application For Development Variance Permit - DVP 02-202935
8651 Seafair Drive, Richmond, B.C ("subject property")

We are the property owners of 8671 Seafair Drive, located directly South of the above subject property.

We have received the notice of Application for Development Variance of the subject property. Based on the Staff Report dated April 9th, 2002, we are not objecting to the request to vary the set-back of the North property line, however we would understand the objection of the adjoining property owner directly to the North of the subject property. We agree that there shall be proper containment of the subject property owners RV, which must include a requirement to provide fence screening towards the street, and on the North property line.

For the record, we did not feel the relocation of the home should have been permitted in the first place. Except in cases of heritage status, there should have been some criteria in place to evaluate the effects of such a move to the new neighborhood, especially when this move required the chain-sawing of heritage street trees at 4 AM in the morning just to get the 2nd level of a basic 30 year old home in place on the property. Further, our concerns will be the potential lack of finishing to the exterior of the relocated home including the landscaped areas around the front and rear of the subject property and that no standards will be required to finish the exterior and the landscaping in keeping with the natural setting of Seafair Drive.

Thank you for your attention to the above.

Colin Schuss & Ampellia Schuss
4580 Britannia Drive,
Richmond, BC, V7E 6A9



Schedule 2 to the Minutes of the
Development Permit Panel meeting
held on Wednesday, April 24, 2002.

City Clerk
City of Richmond

RE: VARIANCE APPLICATION PERMIT DVP02-202935: 8651 SEAFAIR DR.

Mayor Brodie & councilors
Dear Sirs + ladies

The relocated house currently sits on the property at 8651 Seafair Drive within the allocated property lines. Obviously there is no need to encroach on the neighbor's property line to accommodate the house itself.

If the variance is requested to accommodate storage or enlarge a parking area for assorted vehicles, trailers, motor homes, boats, etc. I would find this an unacceptable imposition on neighboring properties with its negative impact on re-sale property value.

I am confident that your decision in this matter will best meet the reasonable needs and wishes of the majority of your constituents in the Seafair Drive area.

Sincerely,



Katherina Issak-Graham
8711 Fairfax Cres.

Ursula Graf
8691 Seafair Drive
Richmond, B.C.
V7C 1X7
Phone: 604-277-2004

April 24, 2002

J. Richard McKenna, City Clerk
City of Richmond
6911 No. 3 Road
Richmond, B.C.
V6Y 2C1

Re: Property of Ed and Joanne Maskall
8651 Seafair Drive, Richmond, B.C.

Dear Sirs:

Now that the NIMB (not in my backyard) syndrome has hit my neighbourhood I find myself not very immune to it either. I am the original owner of 8691 Seafair Drive and have lived there for forty years, so naturally I am very interested in any changes in our beautiful Seafair neighbourhood and our privileged location on the West Dyke.

There have been many changes over the years, some less acceptable (monster houses) than others, but the move of a partial house into our area is unprecedented and came as a shock. It is easy to understand why the Maskalls chose a location on Seafair Drive on the dyke side, but I find it somewhat strange that they would buy a lot that does not seem large enough to suit their purposes.

A side yard setback variance of 33 cm may sound like too small a matter to pose a problem to anyone.

However, if this variance were to result in a negative impact on the resale value of the adjacent property to the north, I would consider the granting of a permit to the applicant as unfair to the Taylors who are the present owners of said property.

After all, the issue here does not seem to be the accommodation of a relocated house, but rather the accommodation of a motor home which is, compared to a house, of a much more temporary nature and should not warrant such zoning change.

I sincerely hope that a better solution will be found.

Ursula Graf

April 20-02

J. Richards - City Clerk,
Richmond, BC.

Dear Sirs,

With reference to your letter April 12-02
requesting a permit for line variance -
seems strange this house in question was
already on the property.

I have lived at 86" since development
began - Seafair Drive was not paved -
Blundell Road not opened - at that time
we had no tree - we worked hard with
the municipality to have this improved - So
you can imagine my concern having
pruning and removable of deep concern

Asking for variance if granted and
allowing for motor home (This is their
plans to allow space to store it - why not
use the area provided on River Road to do it)

Granting this variance means this could
perhaps happen to any of us - meaning
property value drops.

So I say No!

Thanks

H. Politiski
86" Seafair Dr.

To Whom It May Concern,

We (Brian and Sheri Falls) of 8671 Seafair Drive are against the variance 02-202935. We feel it will change the look of the neighborhood and will interfere with the consistency of the houses on our street. We would prefer that the house not be moved closer to 8631 Seafair Drive, but remain within the current boundaries.

Thank-you,
Brian and Sheri Falls
8671 Seafair Drive
Richmond B.C.
V7C-1X7
604-271-2545

April 12, 2002

Dear sir/madam;

As concerned and proud residents of Seafair Drive we are opposed to the width variance alteration. # DVP 02-202935 property location 8651 Seafair Drive.

If we allow this change to our existing street line, what would we allow next? Seafair Drive is home to many proud homeowners who take pride in their homes and gardens and we want this home to fit into the existing color of the neighborhood, while keeping as much green space and ocean view as possible.

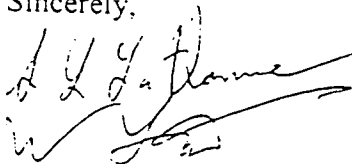
As far as a staff report letter is concerned, dated April 9, 2002, while living at such address there has never been any spring regular maintenance of the larger trees along Seafair Drive. As far as both neighbors on either side being in agreement with this variance this is not true, nor has the owner taken the time to set people's minds at ease regarding his building plans. Also, concerning the location of said motor home the alternative location of this should be on River Road where most RV's are parked, therefore fitting into the neighborhood and keeping peace with all neighbors. We are also very concerned of the potential height of this house and the intended completion date.

The logistics of moving a preexisting older home which doesn't seem to have any extraordinary character does not make a lot of sense, one only needs to visit the property to get a better understanding of this.

As far as the problem this may create for the new owner, this situation should have been dealt with prior to moving the shell of an existing older home.

We fail to see how this development is going to increase property values in the Seafair area, upon completion of this site we hope to have been proven wrong.

Sincerely,



Sandra and Wayne LaFlamme
8660 Seafair Drive

8600 Seafair Dr.

Richmond, B.C.

V7C 1X5

To whom it may concern,

We strongly object to the moving in
the house on Seafair Dr.

First It was moved in and then we received
a notice in the mail that it was to be
moved.

Second There was a great pile of sand moved
in to put the house on. Is there no limit to
the height of the property because of
drainage into the neighboring properties.

Third Shouldn't the variation have been applied
for and received, before moving in the house.
Neighboring properties have not been given
any consideration previous to the house
being moved in, now their space
will be altered.

Thank you.

Mrs H. F. Smith

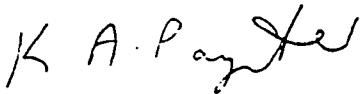
April 14, 2002

Dear City Planners;

I am against the width variance permit #DVP 02-202935 on
8651 Seafair Drive.

This variance modification will change the street appeal of
such a lovely street.
The height allowance is also of concern, not so much with
the accepted height allowance, but with the consistency of
the neighborhood.

Sincerely,



Kathleen Paynter

Schedule 9 to the Minutes of the
Development Permit Panel meeting
held on Wednesday, April 24, 2002.

April 22, 2002

J. Richard McKenna, City Clerk
City of Richmond
6911 No. 3 Road
Richmond, B.C.
V6Y 2C1

Re: Property of Ed & Joan Maskall
8651 Seafair Drive

Dear Sirs;

Referring to your letter, undated, received Friday, April 12th 2002, requesting a permit for lot line variance. At that time the house in question was already on the property.

We have been advised that under no circumstances should we approve this variance of the lot line as stated in your letter. Their reason, given verbally for the request, was to allow space for parking a motor home at the side of their house.

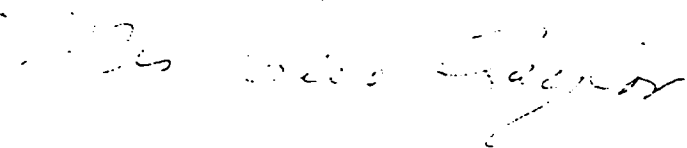
This is extremely valuable waterfront property and resale value is of prime importance.

We want to insure that the original lot line is maintained, we request another survey to be performed. During the wet weather and construction, the markings have moved.

We are also concerned about the drainage of his property, and how this affects the saturation of our lawn.

We are also interested in knowing the height of the retaining wall and the placement of such.

Yours Truly,


Mrs. Cleo Taylor
8631 Seafair Drive
Richmond, B.C.

April 20, 2002

Schedule 10 to the Minutes of the
Development Permit Panel meeting
held on Wednesday, April 24, 2002.

J. Richard McKenna
City Clerk
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Reference: Notice of Application for a Development Variance Permit DVP02-202935

Dear Sir:

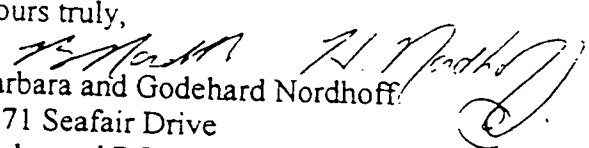
My husband and I are both residents of Seafair Drive. What originally attracted us to the area, aside from the wonderful dykeside view we enjoy, was the curbside appeal of Seafair Drive itself. The houses are all set well back from the road and enjoy a large amount of green space. The side properties are a reasonable distance apart and allow for privacy.

Seafair Drive is also known around Richmond for being one of the prettiest streets in the city when the cherry blossoms are in full bloom. We were very disappointed this year when the city pruned out large branches of many of our older trees in order to accommodate what we thought was to be a relocated house. We were more than disappointed when, what appeared on the premise, was one floor of a home, which could at best be described as nondescript.

We have now received the Notice of Application for a Development Variance. We would like to go on record as being against the granting of the variance. Firstly, once granted it will become more difficult to not grant the same concessions to others as older homes on the street are eventually replaced. Secondly, it states the intent of the permit is in order to accommodate a relocated home. This is not the case as this is not a relocated home. It is one floor of a house. Also the building does fit on the property without requiring a variance. When the house arrived on the site it was centered on the property but has since been moved. Our understanding is that the owner wishes the variance in order to park his mobile home on the property. The house situated on the property, once settled on its foundation, will be a lot more permanent than a mobile home and this should not be considered a valid reason for a variance. Thirdly, we don't feel long term owners in the area should have to have their property lines encroached upon when it is not necessary.

We hope you will consider the wishes of the neighbours on Seafair Drive before you make your decision as to whether to grant the variance.

Yours truly,


Barbara and Godehard Nordhoff

8571 Seafair Drive
Richmond BC
V7C 1X7

8591 Seafair Drive
Richmond, B.C.
V7C 1X7

April 22, 2002

City of Richmond Mayor and Council
cc. City of Richmond Urban Development Division

Re: Application by Ed and Joanne Maskall for a Development Variance Permit at 8651 Seafair Drive

I have lived along the west dyke in this area since 1975. My husband has lived in this neighbourhood since 1969. We have lived at 8591 Seafair Dr. since 1988. We know how fortunate we are to live on one of the prettiest streets in Richmond with such good neighbours. This street has a collection of new, renovated and older original homes. The families that live here have always been friendly, considerate, cooperative and respectful of each other. We also share an interest and true appreciation for the area we live in.

I do not approve of the requested variance change for 8651 Seafair Drive for the following reasons:

Bylaw #5300 was in place before the applicant purchased this property and homes on this street comply.

The applicant knew the dimensions of the lot and the home to be relocated on it.

The application for the Development Variance Permit to vary the side yard setback from 2 meters to 1.676 meters is **not to accommodate** the relocated house on the property but to accommodate a recreational vehicle the owner wants to park along the south side of the relocated house.

The recreation vehicle is a temporary structure that can be parked in front of the house, in the driveway, or on the street even if the variance is granted.

I do not believe that a recreation vehicle parked in the homeowner's driveway would negatively impact the street.

If bylaws are varied for movable, temporary vehicles such as recreation vehicles which may or may not be hidden from sight, the doors for variances will be opened for other unsupportable reasons in the future. The potential to adversely affect property values in this area is real if we start changing the rules for no better reason than to park a recreational beside a house.

I respectfully request that the Application for Development Variance be denied.

Fern Keeffe

Fern Keeffe

