



**To:** J. Richard McKenna  
City Clerk

*To Council - June 09, 2003*  
**Date:** June 2, 2003

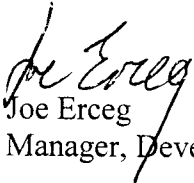
**From:** Joe Erceg  
Manager, Development Applications

**File:** DV 03-230499

**Re:** **Application by – Loren and Janie Slye for Development Variance Permit at 11911 Third Avenue and 3540 Broadway Street**

The attached Development Variance Permit was considered by the Development Permit Panel at their meeting held on May 28, 2003. The Panel recommended denial of this Permit.

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

JDK:blg  
Att.



**City of Richmond**  
Urban Development Division

## Report to Development Permit Panel

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**To:** Development Permit Panel  
**From:** Joe Erceg  
Manager, Development Applications  
**Re:** **Application by Loren and Janie Slye for a Development Variance Permit at  
11911 Third Avenue and 3540 Broadway Street**

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*To Council - June 09, 2003*  
*To DPP - May 28, 2003*  
**Date:** May 6, 2003

**File:** DV 03-230499

### Manager's Recommendation

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.

Joe Erceg  
Manager, Development Applications

JDK:blg

## Staff Report

### Origin

The subject site is located at the south-west corner of Third Avenue and Broadway Street and is zoned Single-Family Housing District, Subdivision Area A (R1/A).

The applicants are requesting permission to vary the minimum depth 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 re-subdivide the two (2) existing lots into two (2) new single-family lots fronting onto Third Avenue rather than Broadway Street. The applicants plan to maintain their existing home and construct a new home for their daughter's family on the south lot of the proposed subdivision.

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

### Findings of Fact

The existing "craftsman style" heritage house was built in the 1930's and fronts Third Avenue. The house is located on two (2) 10.067 m (33.028 ft.) lots which technically front onto Broadway Street. The applicants purchased their home from Janie Slye's parents, Kazuo and Kiyoko Kimura in 1977.

### Staff Comments

Development Applications Department staff commented that the applicant should verify that the proposed lot with the existing house on it will comply with the 0.55 Floor Area Ratio (FAR) and 45% lot coverage permitted in the Single-Family Housing District, Subdivision Area A (R1/A) zone. *Staff and the applicant's surveyor/architect have confirmed that the existing 185 m<sup>2</sup> (1991.50 ft<sup>2</sup>) house meets the maximum FAR and lot coverage for the proposed north lot.* The existing house side and rear yard setbacks have historically been non-conforming. They will continue to be non-conforming after subdivision, however, with the re-orientation of the lots the setbacks are improved.

Zoning staff commented that this application could be contrary to Section 202.4 (.05) Diagram 1 of Zoning and Development Bylaw 5300. The setbacks are controlled by this diagram, which is also intended to encourage lots to be subdivided in a north-south direction. *The existing "heritage" house, which is to be retained, does not comply with these setback requirements. The proposed new house will be appropriately setback from Third Avenue. The applicant has indicated that he will discuss his proposal not to subdivide in a north-south direction with the Committee that established Diagram 1.*

### Analysis

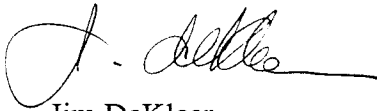
The applicants wish to share their property with their daughter, son-in-law and grandson, in order to continue the family presence in Steveston, which the Slye family has called home for many years. Their daughter and son-in-law wish to raise their growing family in Steveston. The proposed new home will match the "craftsman style" of the present home. The existing and new home will share a common side yard for the entire family to enjoy.

Staff view this application as a rare opportunity to preserve a “heritage” home in the Steveston area as well as encourage the younger generation to remain in Richmond as opposed to moving to other parts of the Lower Mainland.

The applicants have provided a list of neighbour’s signatures who are in support of the proposed variance and re-subdivision of their property.

**Conclusions**

Staff support the variance as requested.



Jim DeKleer  
Engineering Assistant - Development & Processing

JDK:blg



**City of Richmond**  
 6911 No. 3 Road  
 Richmond, BC V6Y 2C1  
 (604) 276-4000

BM  
 March 12/03

**Development Application**  
 Development Applications Department

(604) 276-4017 Fax (604) 276-4052

Please submit this completed form to the Zoning counter located at City Hall. All materials submitted to the City with a *Development Application* become public property, and therefore, available for public inquiry.

Please refer to the attached requirements for details on the non-refundable application fees and application attachments.

Type of Application: DEVELOPMENT VARIANCE PERMIT APPLICATION

Property Address(es): 11911 THIRD AVE & 3540 Broadway Street.

Legal Description(s): LOTS 15 AND 16 BLOCK 20 SECTION 3 BLOCK 3 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN 249

Applicant: LOREN & JANIE SLYE

Correspondence/Calls to be directed to:

Name: LOREN & JANIE SLYE

Address: 11911 THIRD AVE

RICHMOND BC CANADA V7E-3J9  
 Postal Code

Tel. No.: 604-250-4510 604-275-2890  
 Business Residence

1511c@telus.net 604-2  
 E-mail Fax

Property Owner(s) Signature(s): [Signature] [Signature]  
LOREN SLYE JANIE SLYE  
 Please print name

or

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

<b>For Office Use</b>	
Date Received: <u>Mar 11/03</u>	Application Fee: <u>\$1,500.00</u>
File No.: <u>03-230499</u> <small>Only assign if application is complete</small>	Receipt No.: <u>17-0005275</u>

11:55  
LD.



FILE : DV 03-230499

To our neighbors,

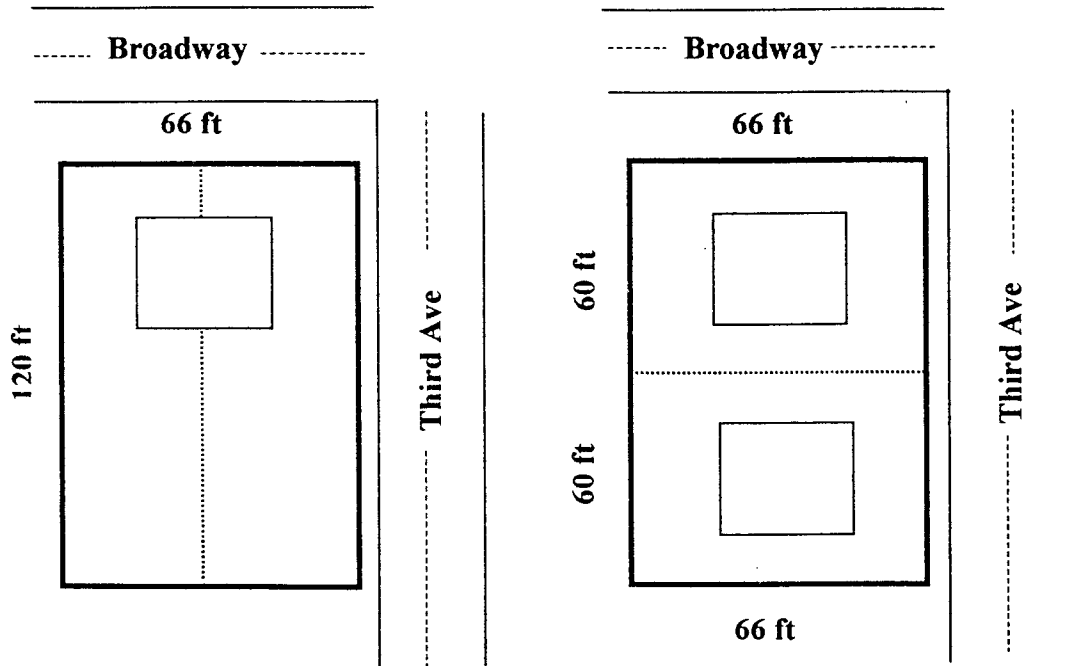
We, Loren and Janie Slye are asking for your support to build a home for our daughter, son-in-law and grandson.

We are requesting an allowance for a 'Directional Lot Change' from the City of Richmond for our two lots in the Steveston community. This allowance will permit us to build a similar Craftsman style Heritage home to match our Heritage type home rather than tear down our existing home to build two new houses.

The lots are situated on the corner of Broadway and Third Ave (11911 Third Ave).

Existing home on two lots:

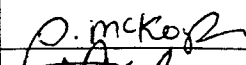
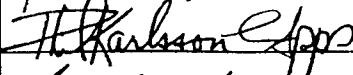

Proposed homes on two lots:

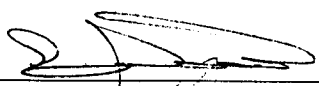
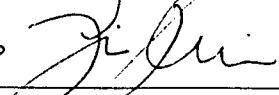
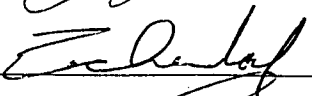

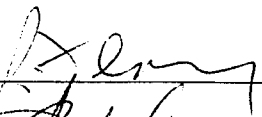



Thank you for your support in our endeavor.

Please sign below:

  
 \_\_\_\_\_  
 Loren Slye

Name	Address	Signature	Date
Sue McKoryk	3511 Broadway St		May 5/03
Phil Karlsson / C. Apps	3560 Broadway St		May 5/03
R. MATTHEWSON	3520 BROADWAY ST.		May 5/03

Pamy Hatzispru	3500 Broadway St Richmond, BC	P. Hatzispru	May 5/03
Claude He Siegel	3471 BROADWAY RMD BC		May 5 03
TIM HIROSE	11860 4TH Ave, Richmond		MAY 5-03
WAYNE EICHENDORF	3440 BROADWAY RICHMOND		May 5, 03
Ivan Lissle	3580 Broadway Richmond		May 5/03
ANDREW KWAN	3600 BROADWAY ST.	Andrew	May 5, 03
Rosie Fleming	3620 Broadway St.		May 5/03.
Douglas & Carol Milnes	3640 Broadway		May 5/03
M. SVENKESON	3611 Broadway	M. Svenkeson	May 5/03
H Oswald	3651 Broadway St.	H. Oswald	May 5/03



City of Richmond  
Urban Development Division

# Amended Development Variance Permit

No. DV 03-230499

To the Holder:                   LOREN & JANIE SLYE

Property Address:               11911 THIRD AVENUE & 3540 BROADWAY STREET

Address:                         11911 THIRD AVENUE  
RICHMOND, BC V7E 3J9

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 following sections of Richmond Zoning and Development Bylaw No. 5300 are hereby varied as shown on attached Plan #1:
  - a) Section 604.10 to permit the proposed subdivision of the subject property to have its frontage on Third Avenue rather than Broadway Street; and
  - b) Section 605 to permit the proposed subdivision of the subject property to have a minimum depth of 20.134 m (66.06 ft.) rather than 24 m (78.74 ft.) as required in the Single-Family Housing District, Subdivision Area A (R1/A) zone.
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

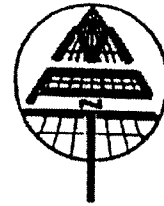
DELIVERED THIS           DAY OF

\_\_\_\_\_  
MAYOR



BRITISH COLUMBIA LAND SURVEYOR - CERTIFICATE  
 OF LOCATION SHOWING BUILDINGS ON  
 LOTS 15 AND 16 BLOCK 20 SECTION 3  
 BLOCK 3 NORTH RANGE 7 WEST  
 NEW WESTMINSTER DISTRICT  
 PLAN 249

R-03-13789



PARCEL IDENTIFIER: LOT 15 - 003-609-596  
 PARCEL IDENTIFIER: LOT 16 - 003-609-642  
 TO ACCOMPANY APPLICATION TO SUBDIVIDE

CURRENT ADDRESS:  
 11911 THIRD AVENUE  
 RICHMOND, B.C.

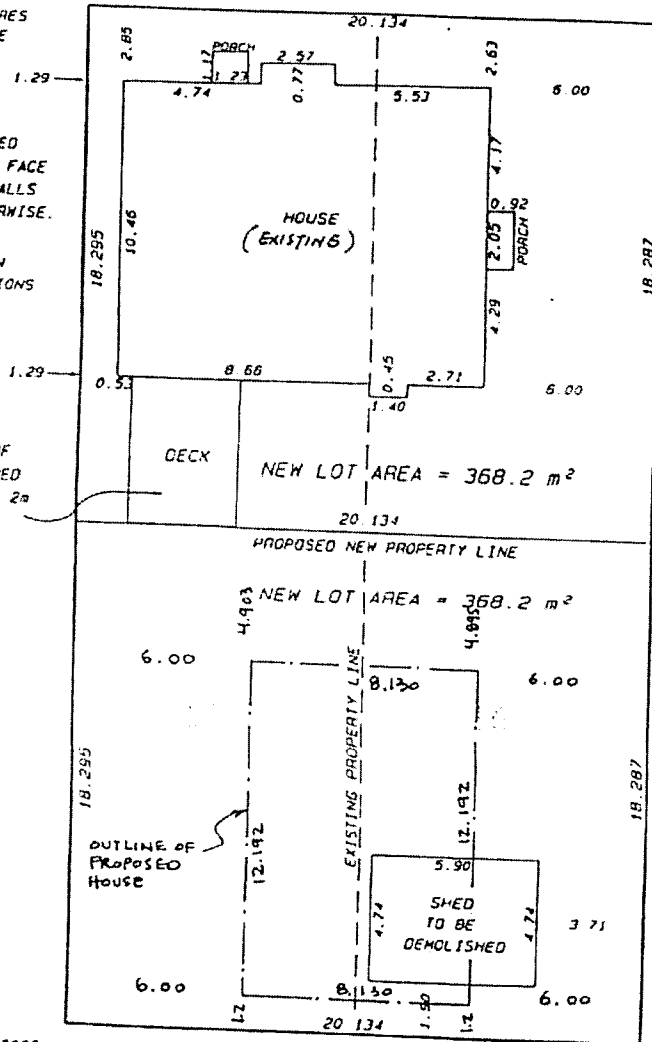
BROADWAY STREET

SCALE 1:200  
 DIMENSIONS ARE IN METRES  
 UNLESS NOTED OTHERWISE

DIMENSIONS ARE MEASURED  
 AT GRADE, TO VERTICAL FACE  
 OF OUTSIDE BUILDING WALLS  
 UNLESS INDICATED OTHERWISE.

SMALL OUT-BUILDINGS ON  
 NON-PERMANENT FOUNDATIONS  
 MAY NOT BE SHOWN.

ALL OR PORTION OF  
 DECK TO BE REMOVED  
 TO COMPLY WITH 1.2m  
 SIDEYARD SETBACK



THIRD AVENUE

LANE

DATE OF SURVEY:  
 10th DAY OF FEBRUARY, 2003

*Stu Dyck*

B.C. LAND SURVEYOR

THIS DOCUMENT IS NOT VALID UNLESS  
 ORIGINALLY SIGNED AND SEALED.

CLIENT REF: LOREN SLYE

R-03-13786

CADFILE: 13789.APP

© COPYRIGHT

MATSON PECK & TOPLISS  
 SURVEYORS & ENGINEERS

# 210 - 8171 Cook Road  
 Richmond, B.C.

V6Y 3T8

Ph: 604-270-9331

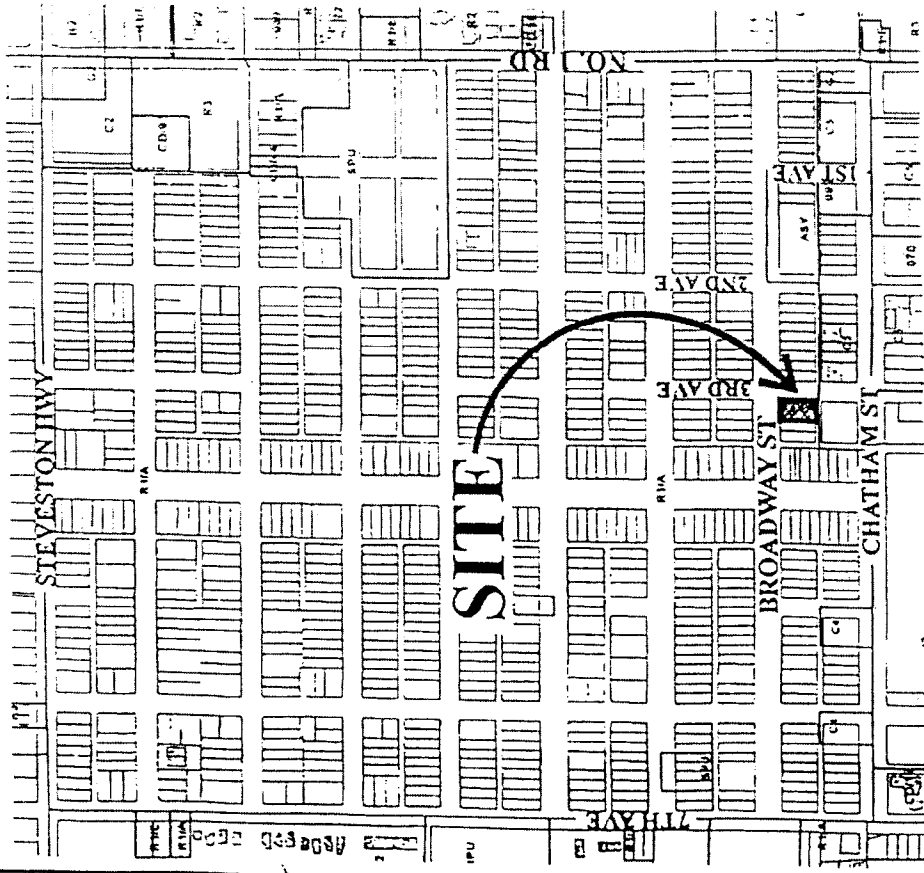
Fax: 604-270-4137

MAY 6 2003

DV 03-230499 # 1



# City of Richmond



**SITE**

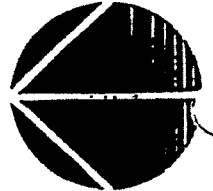
53	347134913511	357131
3		

**BROADWAY ST**

3500352	35540	3560358031
36.58	36.58	36.56
36.58	36.58	36.58

**3RD AVE**

40.23	20.12
36.58	
36.58	



## DV 03-230499

### SCHEDULE "A"

Original Date: 03/24/03

Revision Date:

Note: Dimensions are in METRES

### 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 14<sup>th</sup>, 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.

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.

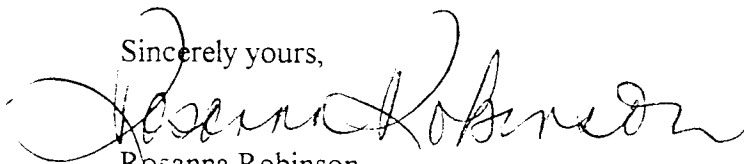
Might I add a Bylaw amendment that took up countless hours of time and effort (nearly 2 years from start to finish) on the part of the residents of Steveston Village to avoid this exact issue.

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 Gye of 11911 2nd Ave in Steveston; I would like to voice a protest of the Manager's recommendation that the Gye'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. We 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.

Neighbourhoods all over the community have already  
been ruined in this manner.

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

Pat and Kieu Young.

3380 Georgia St.  
Steveston, BC  
V7E 2R6