



MINUTES

**PLANNING COMMITTEE**

Date: Tuesday, August 22, 2000

Place: Anderson Room  
Richmond City Hall

Present: Councillor Malcolm Brodie, Chair  
Councillor Bill McNulty, Vice-Chair  
Councillor Lyn Greenhill  
Councillor Harold Steves

Absent: Councillor Linda Barnes

Call to Order: The Chair called the meeting to order at 4:02 p.m.

1. It was moved and seconded  
***That item 9 on the agenda, Guidelines for Managing the City's Public Art Collection (e.g. Modification, Relocation, or Change in the Ownership of City Owned Art Work), be deleted.***  
**CARRIED**

MINUTES

1. It was MOVED and SECONDED  
***That the minutes of the meeting of the Planning Committee held on Tuesday, July 18, 2000, be adopted as circulated.***  
**CARRIED**

3. **FINN SLOUGH**  
(Report: August 10/00, File No.: 2025-20-005) (REDMS No. 171332)  
The Manager, Development Applications, Joe Erceg, gave a brief synopsis of the report and then deferred to Holger Burke, Development Coordinator, who had prepared the comprehensive report.  
Councillor McNulty opened discussion on this issue by seeking clarification of the specific requests FSR & FA had made to Council in June.  
Gretchen Harlow then came forward and thanked the Committee for their consideration. Ms. Harlow pointed out that not only had this been a "long and painful process" but also a costly (\$100,000) one.

Ms. Harlow advised that approximately two thirds of the residents of the 18 – 20 dwellings in the Slough own their dwelling, the remainder would be tenants. The status of the Statement of Claim is unclear as the Fraser Port Authority has not yet responded to the Claim. A time frame for this has not yet been given. Ms. Harlow said the FSR & FA are working towards an agreement with Mr. Smith, however, the process is slow and it is hard to judge Mr. Smith's timeframe. When asked if there has been communication from Mr. Smith since the June meeting, Ms. Harlow said that she has been in conversation with him, during which Mr. Smith verbally agreed to consider an offer. The Association is in the process of preparing this offer. Ms. Harlow said she considers the staff recommendation to be fair at this point of the process.

It was moved and seconded

***That the staff report dated August 10, 2000 responding to the referral request from the June 6, 2000 Planning Committee meeting regarding Finn Slough be received and that the Finn Slough Residents & Fishermen's Association be advised that the City will not take any further action on their request dated May 23, 2000 until the tenure issues at Finn Slough are resolved.***

CARRIED

4. **APPLICATION BY L. AND P. POON FOR REZONING AT 7031 BRIDGE STREET FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA F (R1/F) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA A (R1/A)**

RZ 99 170124 (Report: August 9/00, File No.: 8060-20-7153) (REDMS No. 163391, 168259)

The staff report was summarized by the Manager, Development Applications, Joe Erceg and then a discussion amongst the Committee members and staff ensued.

Councillor Greenhill, noted that the applicant has submitted preliminary house designs that are within the .55 base floor area ratio, and questioned setbacks. Mr. Erceg responded that the front yard area is 6 metres, however, although the rear yard setback is 6 metres, use of the back yard area would be limited due to the driveway.

Councillor Greenhill then stated she would be voting against this recommendation due to the current zoning of this area – while the proposed housing is of reasonable size the outside space is limited.

Councillor Steves asked if the space was similar to Yoshida Court, at which point the General Manager, Urban Development, David McLellan said that Garry Corner would be a closer example.

It was moved and seconded

***That Bylaw No. 7153, for the rezoning of 7031 Bridge Street from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Single-Family Housing District, Subdivision Area A (R1/A)", be introduced and given first reading.***

CARRIED

OPPOSED: Cllr. Greenhill

5. **APPLICATION BY JOE UPPAL ON BEHALF OF NARGIS LALANI FOR REZONING AT 10595 MCLENNAN PLACE FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA D (R1/D) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**

RZ 00-173437 (Report: July 18/00, File No.: 8060-20-7152) (REDMS No. 166759, 167429)

The Manager, Development Applications, Joe Erceg, detailed the report.

Ms. Joanne Pulis, 10611 McLennan Place, next door to the property, then addressed the Committee. She is concerned that the proposed lot size and design are not consistent with current properties in this area, and that the front yard area is limited.

Upon questioning from the Committee, Mr. Erceg said that the setbacks in the front will be a minimum 6 metres and in all probability more due to the "pie" shape of the lots. Drainage issues would be addressed as part of the subdivision and building permits, ensuring that existing lots are not affected by drainage from the proposed site.

Councillor Greenhill advised the delegate of the process to public hearing on this issue.

It was moved and seconded

***That Bylaw No. 7152, for the rezoning of 10595 McLennan Place from "Single-Family Housing District, Subdivision Area D (R1/D)" to "Single-Family Housing District, Subdivision Area B (R1/B)", be introduced and given first reading.***

**CARRIED**

6. **APPLICATION BY JOHN J. VOLRICH, ON BEHALF OF GURDIAL AND INDERJEET DHA, FOR REZONING AT 7931 MCLENNAN AVENUE FROM AGRICULTURAL DISTRICT (AG1) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA F (R1/F)**

(Report: July 4/00, File No.: RZ 00-084689) (REDMS No. 157247, 157223, 125423, 154542, 157154, 163061)

The Manager, Development Applications, Joe Erceg, summarized the report. Holger Burke, Development Coordinator, then provided a presentation to the Committee which clarified the surrounding areas ownership, a number of unconstructed road right of ways in the area and the lots with access to current roads. The majority of the surrounding lands are not being farmed at present.

Inderjeet Dha and her daughter, Jublee Dha, then submitted a written response (a copy of which is attached as Schedule 1 and forms part of these Minutes) to Committee and staff which identified their objections to the report and process thus far.

Mrs. Dha questioned the logic applied to the McMorran subdivision as opposed to her lot. She said her lot is heavily treed in the rear portion and the soil is unsuitable for agriculture.

A discussion then ensued around the history of this property and the prior actions of council. Mr. Erceg noted the servicing requirements and costs if the application proceeds, and Mr. Burke referred to the applicants understanding of this.

It was moved and seconded

***That the application for the rezoning of 7931 McLennan Avenue from "Agricultural District (AG1)" to "Single-Family Housing District, Subdivision Area F (R1/F)" be denied.***

Prior to the question being called possible options for viable farm use of this property were discussed. Several Committee members had viewed the property, and concern was expressed that farming on the site may not be viable.

Concern, however, was also expressed for creating a precedent by deterring from policy.

Councillor Steves said that Mr. and Mrs. Dha could lease out their portion of land or lease other property adjoining theirs. He also said that greenhouses, permanent or portable depending upon soil quality, or blueberries would be an option for this property, noting that most farms in BC do not make 100% of their income from farming.

The question was then called and the recommendation was **DEFEATED ON A TIED VOTE.**

OPPOSED: Cllr. Greenhill  
Steves

7. **APPLICATION BY M. COQUINCO FOR A REZONING AT 9511 NO. 2 ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA K (R1/K)**

**APPLICATION BY HEATHER SANSOM FOR A REZONING AT 8571 NO. 2 ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**

**APPLICATION BY JOHN LACKNER FOR A REZONING AT 9046 RAILWAY FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**

**APPLICATION BY CHARAN SETHI FOR A REZONING AT 7320 & 7340 NO. 2 ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA A (R1/A)**

RZ 00-086361, 00-175145, 00-177323, 00-178555 (Report: July 25/00, File No.: 8060-20-7155) (REDMS No. 170750, 174769)

The Manager, Land Use, Terry Crowe briefly reviewed the report. Jenny Beran, Planner, distributed a set of 3 maps (a copy of which is attached as Schedule 2 and forms part of these Minutes) to the Committee and staff. Ms. Beran then asked that the word "major" be removed from the phrase "major arterial road" in both items of the recommendation.

Councillor Brodie questioned the lack of inclusion of the area west of No. 1 Road. The General Manager, Urban Development said that this area has very limited access, and involves more collector traffic. Cllr. Brodie then noted that this area could be included if necessary.

Mr. John Lackner, 7620 No. 3 Road, expressed his desire that Section 702 of the Zoning Bylaw be amended so that owners of large lots can subdivide into smaller lots. Mr. Lackner and his brother own property on Railway Avenue and have spent in excess of \$50,000 to conform to City requirements for subdivision. They are not interested in their property being used for townhouse development, preferring to see it used for smaller, heritage type homes.

It was moved and seconded

(1) ***That Bylaw 7155 to amend Section 702 of the Zoning Bylaw, in order that:***

- (a) ***rezoning applications to create smaller single family lots along arterial roads be reviewed independently of the Lot Size Policy and process unless the applicable Lot Size Policy has been adopted within the previous five years, and***
- (b) ***where there is a rezoning application to create smaller single family lots along arterial roads that is inconsistent with an existing Lot Size Policy, that has been in place for over five years, the blockface which is the subject of the rezoning application may be removed from the Lot Size Policy area in conjunction with the consideration of the rezoning application.***

***be introduced and given first reading.***

(2) ***That the rezoning applications at 9511 No. 2 Road, 8571 No. 2 Road, 9046 Railway Avenue and 7320 & 7340 No. 2 Road be reviewed on their own merits, independent of the Lot Size Policy, as outlined in the attached report from the Manager, Land Use dated July 25th, 2000.***

**CARRIED**

8. **APPLICATION FOR SOIL CONSERVATION PERMIT (SOIL PLACEMENT)**

**APPLICANT: JAGBAR FARMS LTD.**

(Report: July 31/00, File No.: 8350-05) (REDMS No. 163417)

The Supervisor, Property Use and Inspections, Bob Lang, and Property Use Inspector, Ron Graham were available to answer questions from the Committee.

Cllr. Greenhill asked if soil was put on site during the term of the last two permits. Mr. Graham responded that it had, however, more soil is required to allow completion of the project. Mr. Lang added that this site, generally speaking, has complied to City requirements.

It was moved and seconded

***That Council authorize the issuance of a Soil Conservation Permit to Jagbar Farms Ltd. to allow fill to be placed generally on a property described as the NW corner of 19740 River Road.***

**CARRIED**

### MANAGERS' REPORTS

The General Manager, Urban Development, David McLellan, reported to the Committee on a land assembly proposal.

Mr. McLellan also advised that re-consideration has been requested in regard to pool hall hours at #110 - 3311 No. 3 Road. Mr. McLellan advised he intends to respond that, due to the numerous requests involved for this venue, no re-consideration would be given. Committee discussion determined that there is a lack of policy for dealing with repeated requests such as these.

Mr. McLellan advised the Committee that Mr. Knapp has called the city requesting information and support for a Convertible Housing Zone.

The Manager, Development Applications, Joe Erceg advised the Committee of agenda items for the next meeting. The Sungold racetrack application is still scheduled for the September 19 Planning Committee meeting.

### ADJOURNMENT

It was moved and seconded  
*That the meeting adjourn (5:38 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, August 22, 2000.

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Councillor Malcolm Brodie  
Chair

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Deborah J. MacLennan  
Administrative Assistant

SCHEDULE 1 TO THE MINUTES OF  
THE PLANNING COMMITTEE  
MEETING HELD ON TUESDAY,  
AUGUST 22, 2000.

**To: City of Richmond-Planning Committee**

**From: Gurdial and Inderjeet Dha**

**Re: Application by Gurdial and Inderjeet Dha, for Rezoning at  
7931 McLennan Avenue from Agricultural District (AG1)  
to Single-Family Housing District, Subdivision Area F  
(R1/F) FILE : RZ - 084689**

## Notes for Planning Committee Meeting for August 22, 2000

### Response to Staff Report

#### Page 2

#### Related Policies and Studies

In regard to the OCP policies, "limiting the subdivision of farmland and finding ways to encourage the consolidation of lots in the ALR", these policies go together. We actually agree with this policy. However, there will be situations where there are isolated lots which simply cannot become consolidated with other lots due to a variety of reasons. With what other property can our lot be consolidated? Where it cannot reasonably or practically be done, then some consideration should be given to allow a rezoning that may lead to some reasonable use.

In regard to the goals of the McLennan Sub-Area Plan, "preserving agricultural lands and enhancing agricultural viability" is full accepted and understood. We repeat, however, that there will be isolated lots which are of no practical agricultural use, and to preserve them forever is simply not fair to the owner, if some better use can be made. Our lot does not have soil conditions that are suitable for agricultural use. With respect, there is no way that our lot can have any purpose or place in the "enhancement" of agricultural viability in this particular Sub-Area.

#### Page 3

We fully accept the provisions of Policy 5013, in particular the matter of the road extension, and other services, most of which are now in place.

We also accept the provisions of Bylaw No. 6530 September 13, 1996

#### Page 4

We accept that an extension of McLennan Avenue will require the Commissioner's approval. This matter was dealt with a long time ago, along



with the "stub road" policy. In any event the required extension is a very small one.

We accept the suggestions and requirements set out in the 3rd and 4th paragraphs on this page having to do with the road extension and side yard setback.

We will also comply with the request that they we obtain written confirmation from a certified soils engineer for the septic percolation test.

### Analysis

There are two concerns set out in the staff analysis that we would like to comment on:

1. Firstly, the statement that the road extension "could open the area to the north to further development pressure" should be of very little or no concern. It would be an extension to only give access to the northern lot.

The extension given to Mrs. McMorran in 1980 (or 1988) has had no effect whatever on development pressures. This is a small area that has never yet yielded to any of what can be called "development pressures", and it's configuration is not ever likely to do so.

2. The matter of "precedent". The answer to this matter of "precedent" is two-fold. One is that there cannot be a precedent that should be of any concern because the property in issue here simply does not equate to the various other properties in the area. Secondly, is the fact that a precedent has already been established in this small sub-area by the City itself, in approving subdivisions in this area that have made it into a unique area not comparable to others. There is no established consistency in the sizes of the other properties in this sub-area. There is no other property in this special area that can possibly qualify for subdivision, excepting ours.

Our property stands out as the one property in this area that can very reasonably meet all policies and by-laws of the City with no negative impact of any kind, if we are allowed to subdivide.

It is important to have regard to the way the lands presently lie in this area. The proposed subdivision into two lots results in those two subdivided lots still being larger than that all of the four lots immediately adjacent to our property, in that corner of McLennan Avenue and Blundell.

(Refer to map so the area can be illustrated clearly, with appropriate dimensions).

## Appendix 2

It will be noted that on November 26, 1990, Council directed the staff to initiate the necessary steps to make the subdivision of 7931 McLennan Avenue legally and administratively feasible at an In-Camera meeting.

From there on, the City applied on our behalf to amend the McLennan Sub-Area Plan designation of 7931 McLennan to Single-Family Housing District in order to permit a two lot subdivision.

In a memo dated March 20, 1991, staff advised council that "McLennan Avenue is unique in the sense that small acreages about the unopened portions of the road allowance", and that there are no similar circumstances foreseen.

On March 15, 1991, Council tabled the by-law to the April 8 council meeting, and then to the April 22 meeting when the motion to finally adopt the by-law was defeated by a 7-2 margin of council.

Previous thereto, all motions had been supported by all members of Council, throughout the long process of the whole matter and had taken up much time of the staff and members of council.

With respect, we have never been able to understand why that final decision was a negative one, when the whole of the process was one that had the approval of a majority of the members of Council.

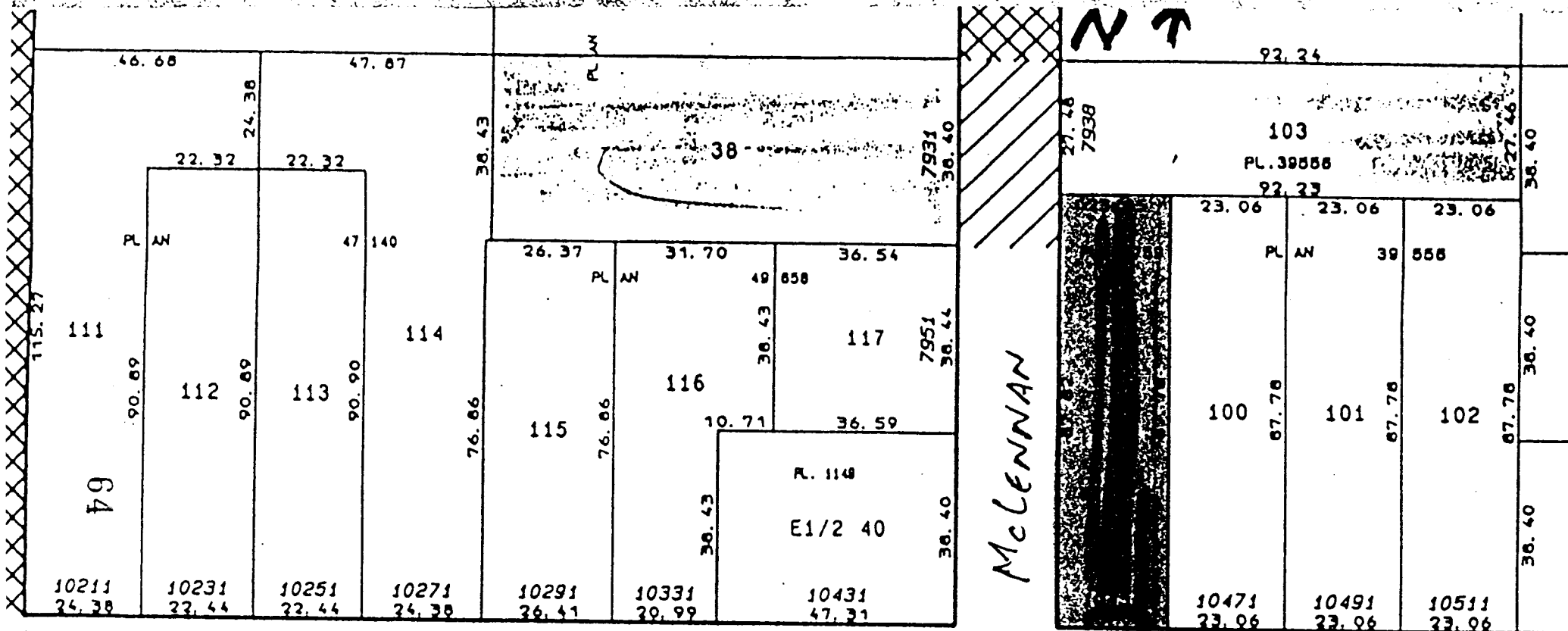
We feel, rightly or wrongly, that we have been unfairly treated, and that extraneous matters came into the decision process that were not relevant to the issue of our application for rezoning, and should have not been brought into consideration.

It simply cannot be ignored that the refusal by two members of the council in April, 1991, took place at the same time as another matter having to do with a court action.

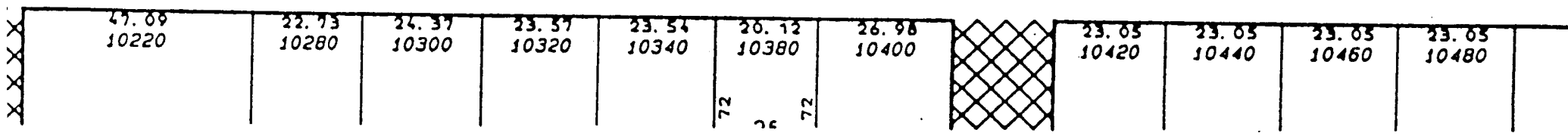
In regard to the staff report, it is questioned why and how the various proceedings in the court action should have any bearing to the issue before this Committee and Council, and why that long history should be a part of the report. These are two separate issues and should be dealt with as such. This is also a comment that was made by the City's own lawyer.

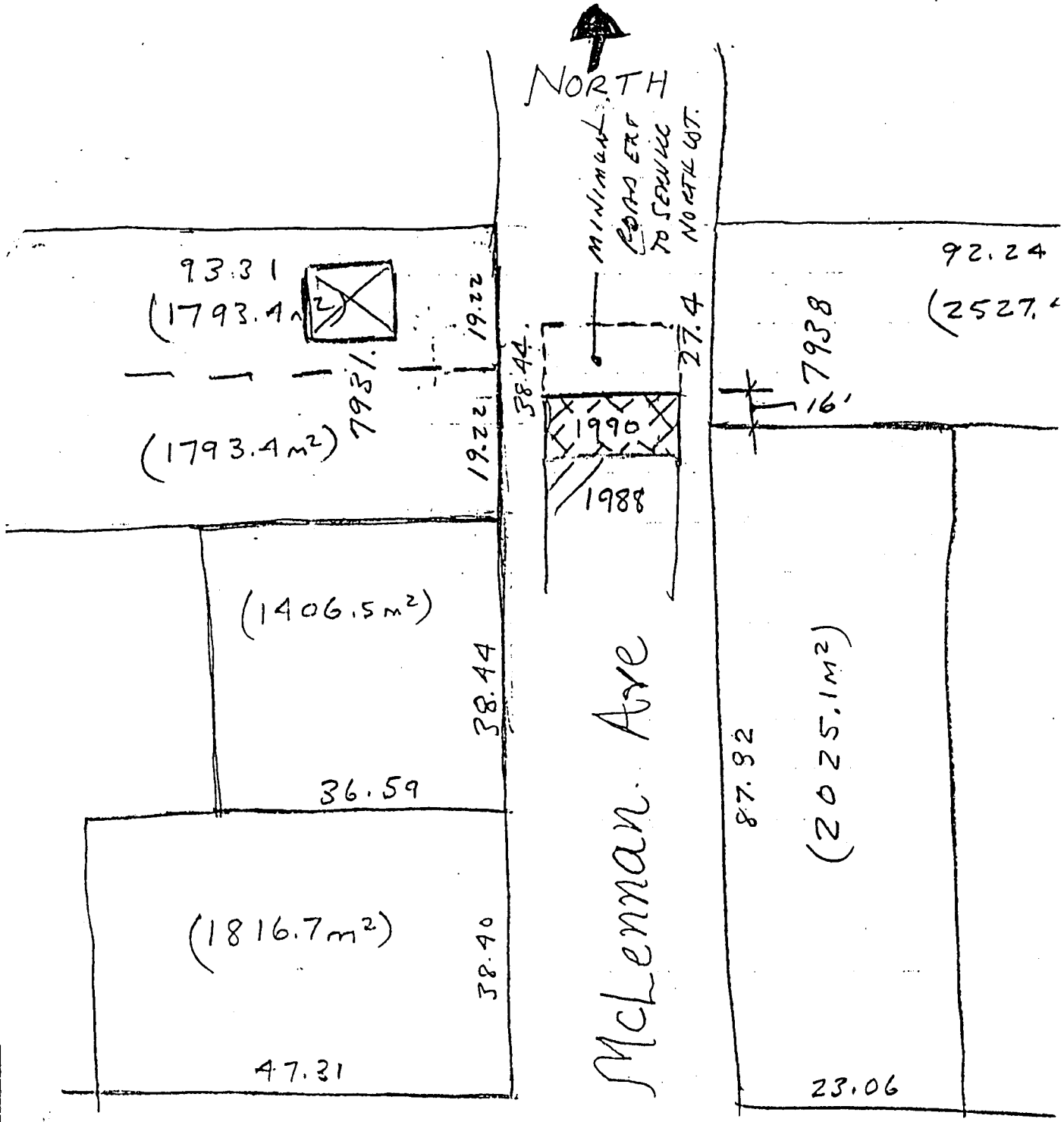
We simply ask that our application be decided on its merits.

Gurdial and Inderjeet Dha

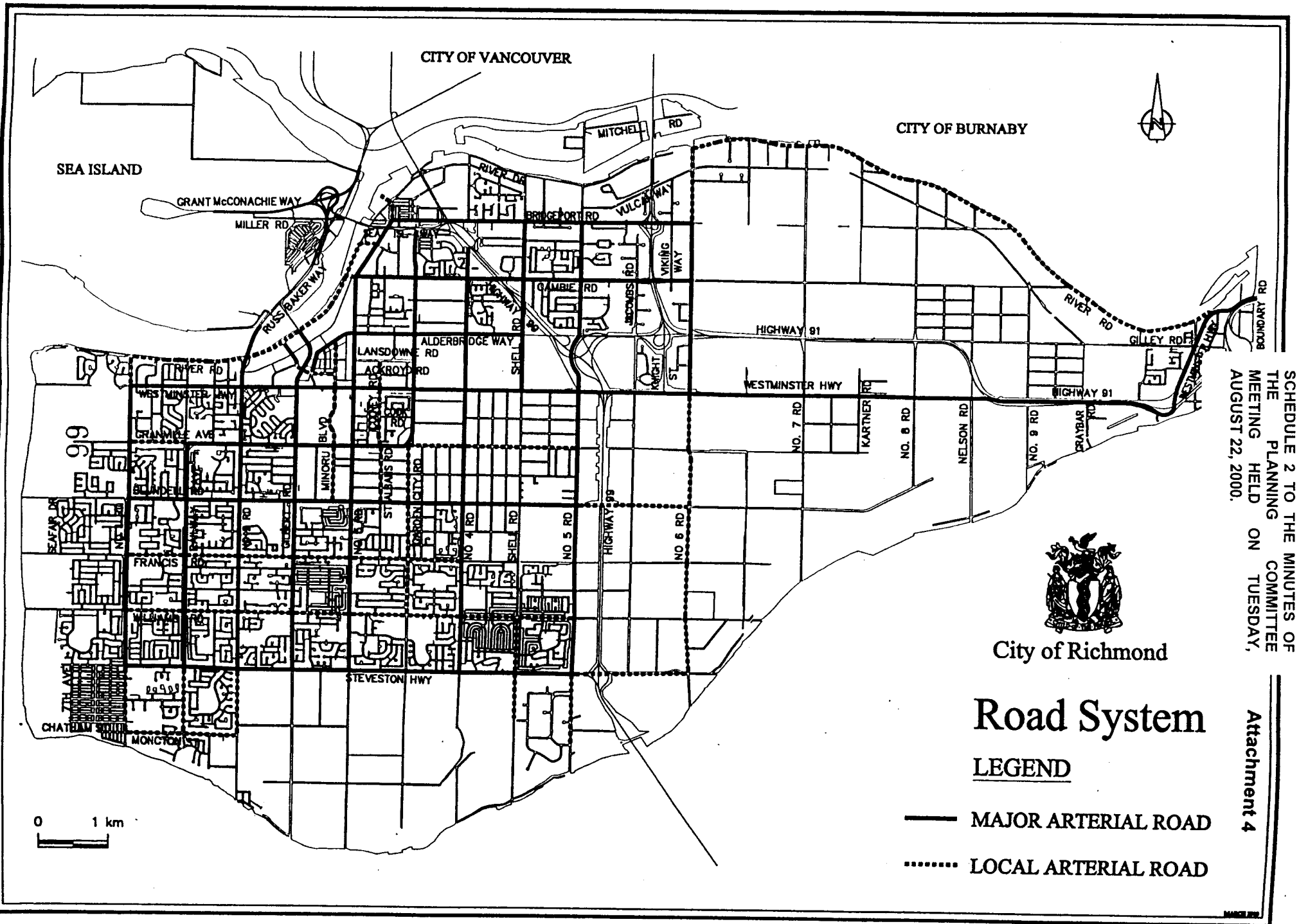


BLUNDELL RD





BLUNDELL Rd.



SCHEDULE 2 TO THE MINUTES OF  
 THE PLANNING COMMITTEE  
 MEETING HELD ON TUESDAY,  
 AUGUST 22, 2000.



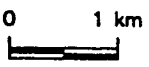
City of Richmond

# Road System

## LEGEND

- MAJOR ARTERIAL ROAD
- ..... LOCAL ARTERIAL ROAD

Attachment 4



# Single Family Lot Size Policy (702) & Rezoning Process

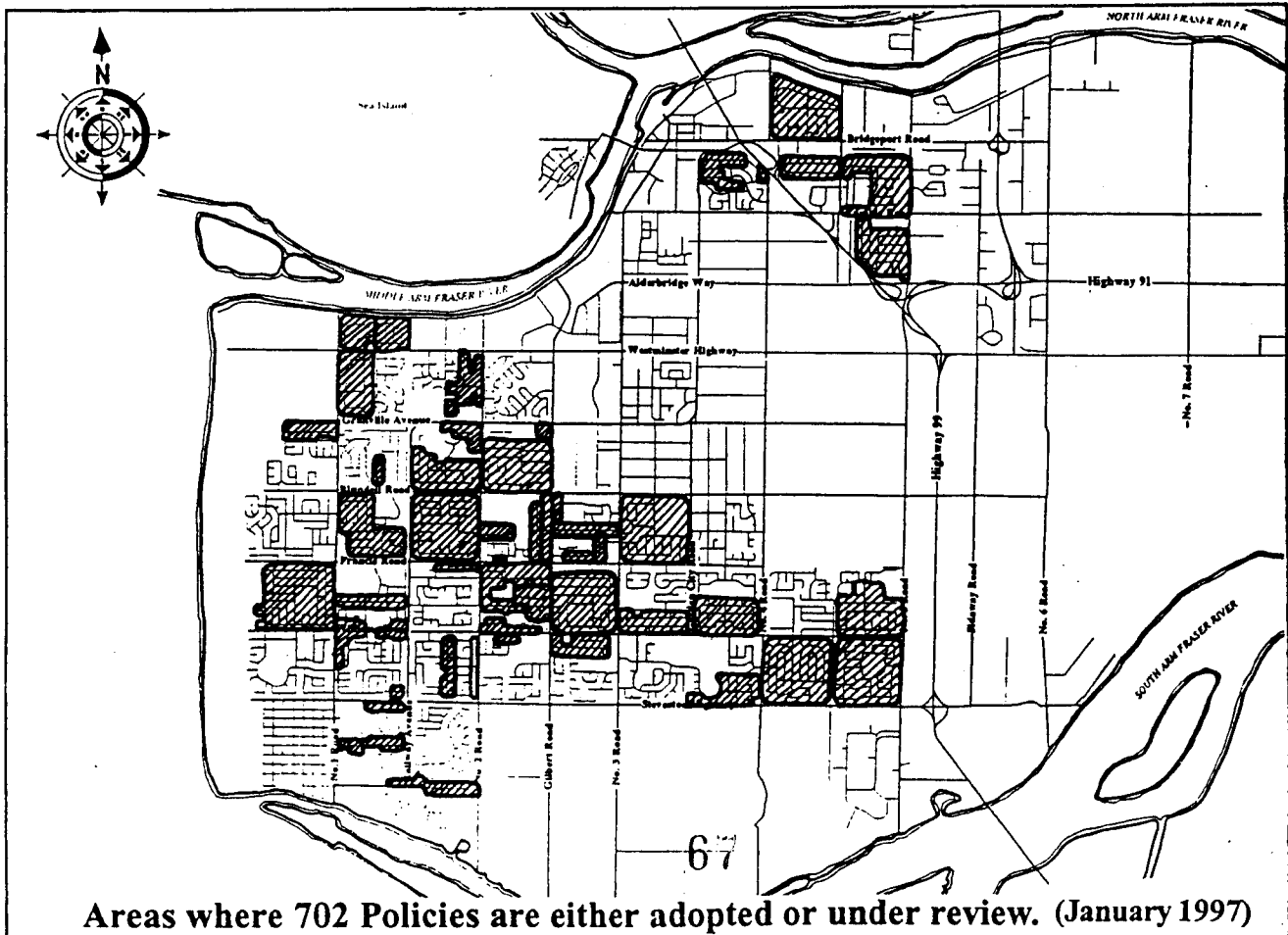


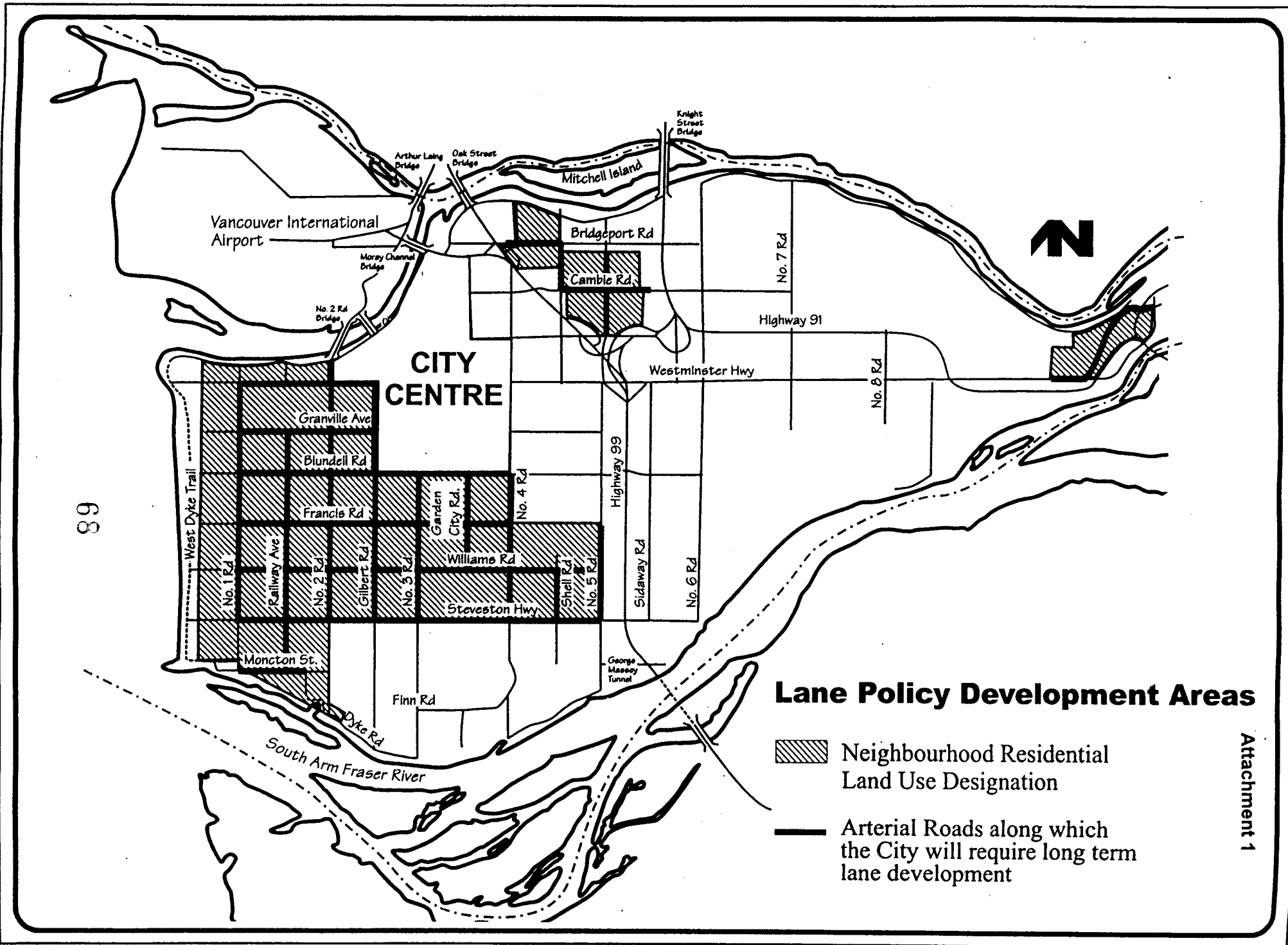
City of Richmond

## WHO SHOULD USE THIS GUIDE?

This guide is for you if:

- An application has been filed to rezone for a small lot subdivision in your single-family neighbourhood located outside of the City Centre Planning Area.
- You are considering applying for rezoning, outside of the City Centre area, for a small lot subdivision in an established single-family neighbourhood.





**Lane Policy Development Areas**