



Planning Committee

Date: Tuesday, November 5, 2002
Place: Anderson Room
Richmond City Hall
Present: Councillor Bill McNulty, Chair
Councillor Lyn Greenhill, Vice-Chair
Councillor Linda Barnes
Councillor Sue Halsey-Brandt
Councillor Harold Steves
Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

1. It was moved and seconded
That the minutes of the meeting of the Planning Committee held on Tuesday, October 22, 2002, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

2. The next meeting of the Committee will be held on Tuesday, **November 19, 2002**, at 4:00 p.m. in the Anderson Room.

URBAN DEVELOPMENT DIVISION

3. **APPLICATION BY RAV BAINS FOR REZONING AT 4280 NO. 5 ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA F (R1/F) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) AND SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**
(RZ 02-209347 - Report: October 22/02, File No.: 8060-20-7448) (REDMS No. 862823, 863268, 863272)

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The Manager, Development Applications, Joe Erceg, and Jenny Beran, Planner, were present.

It was moved and seconded

That Bylaw No. 7448, for the rezoning of 4280 No. 5 Road from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Single-Family Housing District, Subdivision Area E (R1/E) and Single-Family Housing District, Subdivision Area B (R1/B)", be introduced and given first reading.

CARRIED

4. **APPLICATION BY JAN KNAP FOR AN AMENDMENT TO THE WEST CAMBIE AREA PLAN FROM "RESIDENTIAL (SINGLE FAMILY ONLY)" TO "RESIDENTIAL" AND FOR A REZONING AT 10420 AND 10440 ODLIN ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA F (R1/F) TO TWO-FAMILY HOUSING DISTRICT (R5) AND COMPREHENSIVE DEVELOPMENT DISTRICT (CD/28)**

(RZ 02-206226 - Report: Oct. 24/02, File No.: RZ 02-206226) (REDMS No. 778105)

The Manager, Development Applications, Joe Erceg, said that the rezoning of the southern portion of the site was opposed by staff as i) the rezoning was not consistent with the Official Community Plan; ii) the use of CD/28 in this area was cause for concern as it only applied to the City Centre; and iii) the proposal put forth by the applicant was inconsistent with the neighbourhood. In addition, advice was given that the applicant was not prepared to enter into the usual noise covenant required by the City as a condition of rezoning.

Mr. Knap referred to a letter he had written on June 22, 2002, to the Development Co-ordinator, Holger Burke, a copy of which is attached as Schedule 1 and forms a part of these minutes, which indicated that the OCP amendment of September 18, 1995 would be complied with, but that he was not in a position to sign the Noise Restrictive Covenant due to the additional clauses it contained that could affect future insurance coverage.

In response, the City Solicitor, Paul Kendrick, indicated that as the intent of the covenant was to cover such issues as noise and annoyances, the wording of the covenant could be amended to reflect this distinction.

A discussion then ensued between Committee, staff and the applicant which included the following points:

- Mr. Knap considered that the narrow frontage of his property precluded the R1/B recommendations of staff; Mr. Erceg said that insufficient frontage on the rear lots could be dealt with by a variance;
- the size of house that would be built on R1/B lots would be too big for today's market;

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- although policy frameworks for new housing types are developed, which would include how the housing type would be integrated, as development progresses in Richmond, there are a number of housing types that have yet to be completed. Future population projections include numbers for the type of housing suggested by Mr. Knap, however, the detail work, which would include a look at each area plan as well as at the City as a whole, will not be completed in the near future;
- CD/28 has been exclusively used in the City Centre area;
- the back portion of Mr. Knap's property could be developed now with continued discussion on the duplex property;
- whether the access lane could be put through to the cul-de-sac now with a possibility of opening it up in the future.

It was moved and seconded

That the amendment to the West Cambie Area Plan from "Residential (Single Family Only)" to "Residential" and for the rezoning of 10420 and 10440 Odlin Road from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Two-Family Housing District (R5)" and "Comprehensive Development District (CD/28)", BE DENIED.

Prior to the question being called: i) Cllr. Steves said that he did not believe that this type of flex housing should be promoted at the end of the cul-de-sac in that it would be more beneficial on the duplex lot. In addition, Cllr. Steves said that the property could be subdivided in a similar fashion to what exists in the neighbourhood today; and, ii) Cllr. McNulty enquired whether the applicant was prepared to consider the acceptable development options identified in the staff report, however, the applicant indicated he was not prepared to do so.

The question on the motion was then called and it was **CARRIED**.

5. **SCHOOL SITE ACQUISITION CHARGE – ELIGIBLE SCHOOL SITES PROPOSAL FOR 2003/2004 FIVE-YEAR CAPITAL PLAN**

(Report: October 21/02, File No.: 1000-08-012) (REDMS No. 881527)

The Manager, Development Applications, Joe Erceg, said that the new proposal had the effect of reducing the existing school site.

It was moved and seconded

That:

- (1) *School District No. 38 (Richmond) Eligible School Sites Proposal for 2003/2004 Five-Year Capital Plan, dated September 16, 2002, for MacNeill Secondary School and the Dover Crossing neighbourhood be accepted; and*

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- (2) *School District No. 38 (Richmond) be advised that support of the Eligible School Sites Proposal for 2003/2004 Five-Year Capital Plan should not be interpreted as support for sale of the Dover Park site.*

CARRIED

6. **REDESIGNATION AT THE SOUTH-EAST CORNER OF NO. 5 AND CAMBIE ROADS**

(Report: October 8/02, File No.: 8060-20-7447) (REDMS No. 876070, 881824, 881828)

The Manager, Policy Planning, Terry Crowe, and Jenny Beran, Planner, were present.

In response to questions, Ms. Beran said that the Neighbourhood Service Centre Designation would assume that 100% of the site could be used for commercial purposes, which would not only reduce residential opportunities but could result in empty storefronts. Further to this, Ms. Beran said that research on early staff reports for this area indicated a Mixed Use concept.

Discussion then ensued on how the future development of the Mitchell School site could impact the future need for commercial or residential space and also the position of School District #38 on Mitchell School. As a result of the discussion the following **referral** motion was put forth:

It was moved and seconded

- (1) *That Official Community Plan Amendment Bylaw No. 7447, which amends:*
- (a) *Official Community Plan Bylaw No. 7100, by re-designating four of the five parcels on the Generalized Land Use Map on the south-eastern corner of No. 5 Road and Cambie Road to Neighbourhood Service Centre; and*
 - (b) *Schedule 2.11B (East Cambie) of the Official Community Plan Bylaw No. 7100 by:*
 - i) *re-designating the five parcels on the Land Use Map on the south eastern corner of No. 5 Road and Cambie Road to Mixed Use; and*
 - ii) *adding on the Land Use Map the following definition "Mixed Use – Residential or Institutional uses with up to 25% of the area permitted for Commercial uses";*
- be introduced and given first reading.*
- (2) *That Bylaw No. 7447, having been considered in conjunction with:*
- (a) *the City's Financial Plan and Capital Program;*

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- (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;*

is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.

- (3) *That Bylaw No. 7447, having been considered in accordance with the City Policy on Consultation During OCP Development, is hereby deemed not to require further consultation.*

be referred to staff in order that i) discussions be held with School District #38 on the future plans for Mitchell School; and, ii) staff look at the community need, over a projected period of time, for this area.

The question on the referral motion was then called and it was **CARRIED**.

7. **STEVESTON OFFICIAL COMMUNITY PLAN AMENDMENT – 3860 REGENT STREET**

(Report: Oct. 22/02, File No.: 8060-20-7446) (REDMS No. 878404, 878562, 878854)

The Manager, Policy Planning, Terry Crowe, was present.

It was moved and seconded

- (1) *That Bylaw No. 7446, which amends Official Community Plan Bylaw No. 7100, by*

- (a) *Repealing the existing land use designation of “Public and Open Space Use” in the Generalized Land Use Map, Attachment 1 to Schedule 1 of Bylaw No. 7100 (Official Community Plan) thereof of 3860 Regent Street and by designating it “Neighbourhood Residential”;*

- (b) *Replacing the definition of “Single-Family Residential” in Appendix 1 of Schedule 2.4 (Steveston Area Plan) with the following:*

“Single-Family Residential - Means a detached building used exclusively for residential purposes, containing one dwelling unit only. A second dwelling unit may be permitted under special policy and zoning controls.”;

- (c) *Repealing the existing land use designation of “Public Open Space” in the Steveston Area Land Use Map to Schedule 2.4 (Steveston Area Plan) thereof of 3860 Regent Street and by designating it “Single-Family”;*

be introduced and given first reading.

- (2) *That Bylaw No. 7446, having been considered in conjunction with:*

- (a) *the City’s Financial Plan and Capital Program;*

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(b) the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;

is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.

(3) That Bylaw No. 7446, having been considered in accordance with the City Policy on Consultation During OCP Development, is hereby deemed not to require further consultation.

CARRIED

8. MANAGER'S REPORT

There were no reports.

Cllr. Barnes expressed an interest in pursuing a relationship of City recreation and School District #38 staff to work with the City's youth. It was suggested that Cllr. Barnes contact the General Manager, Parks, Recreation and Culture or the Director of Recreation and Cultural Services on this matter.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:50 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, November 5, 2002.

Councillor Bill McNulty
Chair

Deborah MacLennan
Administrative Assistant

**PHOTOCOPIED
& DISTRIBUTED**
DATE: Nov. 4/02 RS

TO: MAYOR & EACH
COUNCILLOR
FROM: A/CITY CLERK

218-8407.
RICHMOND JUNE 22, 2002

RECEIVED
JUN 25 2002
CITY OF RICHMOND
INFO. CENTRE

Re: Planning Ck. Nov 5, 2002
Item 4

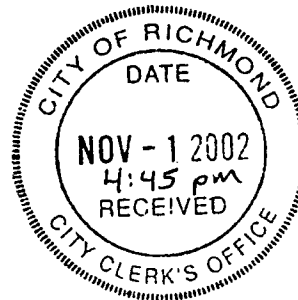
10420 ODLIN RD.,
RICHMOND, B.C. V6X 1E2,
604-278-8407

SCHEDULE 1 TO THE MINUTES OF
THE PLANNING COMMITTEE MEETING
HELD ON TUESDAY, NOVEMBER 5,
2002.

MR. HOLGER BURKE, MCIP,
DEVELOPMENT COORDINATOR,
URBAN DEVELOPMENT DIVISION,
CITY OF RICHMOND
6911 NO. 3 ROAD, B.C. V6Y2C1

12 02 - 206226

XRef: SD 02 - 206239



DEAR SIR:

RE: OUR APPLICATION FOR REZONING
AND SUBDIVISION [REDACTED]

IN REPLY TO YOUR LETTER OF JUN. 13 02 AND
IN REFERENCE TO OUR TELEPHONE CONVERSATION
ON JUNE 16 I WOULD LIKE TO RESPOND AS FOLLOWS:

WE, THE OWNERS OF THE 10420/10440 ODLIN RD. PROPERTY ARE NOT DEVELOPERS. THE 10420 ODLIN HALF OF THE DUPLEX WE BOUGHT IN 1987 AND THE OTHER SIDE WAS BOUGHT BY OUR SON RAFAEL KNAP IN 1996.

THE PURPOSE OF THE REASONING AND SUBDIVISION
IS TO SORT OUT FINANCIAL MATTERS IN OUR FAMILY

... 2.

AND PROVIDE A BUILDING LOT FOR OUR OTHER SON - MARTIN.
WITH REFERENCE TO YOUR AND CITY STAFF CONCERNS:

1. WE DIFFER IN OPINION WITH THE CITY STAFF THAT
"THE REQUESTED CD/28 ZONING IS INAPPROPRIATE" FOR
OUR PROPERTY AND THAT "R1/B ZONING WOULD BE
MORE APPROPRIATE."

YOU FURTHER STATED THAT "ODLIN RD IS PRE-
DOMINANTLY A SINGLE-FAMILY RESIDENTIAL AREA".
THIS IS ONLY PARTIALLY CORRECT.

FIRSTLY, ALTHOUGH OUR PROPERTY ADDRESS IS ON
ODLIN RD OUR PROPERTY WAS CONSIDERED AND
INCLUDED IN THE CITY-INITIATED ODLINWOOD
DEVELOPMENT PROJECT. THIS IS EVIDENCED BY OUR
DEDICATION OF LAND TOWARD THE CREATION OF
THE SHEPHERD CUL-DE-SAC AND OUR FINANCIAL
CONTRIBUTION TO IT CONSTRUCTION.

FROM THE VERY BEGINNING OF THIS PROJECT THE
CITY EMPHASIZED THE IMPORTANCE OF AN INPUT
AND INVOLVEMENT OF RESIDENTS AND PROPERTY
OWNERS IN THE PROCESS OF PLANNING TO ENSURE
THAT THE PROJECT WILL BE, AS EXPRESSED IN THE
"ODLIN ROAD SITE OBJECTIVES TO GUIDE SITE
PLANNING": "COMPATIBLE WITH ADJACENT LAND
USES, RECOGNIZE LOCATIONAL ADVANTAGES AND
PROVIDE OPPORTUNITIES FOR RESIDENTIAL AND OTHER
RELATED OR COMPLEMENTARY USES" AND SPECIFICALLY
"PROVIDE A MIX OF HOUSING OPPORTUNITIES IN TERMS
OF BUILT FORM AND AFFORDABILITY" (SEE ENCL. 1-3)
ODLINWOOD PROJECT INCLUDES THREE STORIES TH,
MEDIUM DENSITY SINGLE FAMILY R1/B AND HIGH
DENSITY CD/61 ZONING. FURTHER REZONING WITHIN

THIS ODLINWOOD SUBDIVISION ON JUNE 17, 02 RECEIVED FULL SUPPORT FROM CITY STAFF (REPORT TO PLANNING COMMITTEE, MAY 08, 02) FOR FURTHER 21 LOTS ZONED CD/61 WITH VARIANCE PERMIT.

THE CITY OF RICHMOND AS AN OWNER OF THE 35 ACRES OF ODLINWOOD PARCEL OF LAND DECIDED AND APPROVED REZONING, AS FOR NOW FOR 110 SMALL LOTS (CD/61) WITH MULTIPLE VARIANCES IN ORDER TO MAXIMIZE LAND USE.

WE DID NOT HAVE AN OPPORTUNITY TO MAXIMIZE THE USE OF OUR LAND, FROM THE VERY BEGINNING OF THIS PROJECT:

- FIRSTLY, IN 1996 CITY STAFF ADVISED US AGAINST SUPPORTING US IN REZONING FOR TH (SEE ENCL. 4.)
- SECONDLY, THE CITY DECIDED TO LOCATE THE SHEPHERD CUL-DE-SAC AWAY FROM THE WEST PROPERTY LINE IN ORDER TO GAIN EXTRA LOT (BORDERING WITH OUR SOUTH PROPERTY LINE) AT OUR EXPENSE AS WE WERE LEFT WITH VERY LIMITED FRONTAGE OF OUR LOTS FACING THE CUL-DE-SAC AND WITH COMMERCIALY INFERIOR, PANHANDLE-SHAPED LOT. THE NARROW FRONTAGE LIMITS THE SUBDIVISION TO TWO LOTS ONLY.
- THIRDLY, WHEN WE QUERIED THE POSSIBILITY TO REZONE TO CD/44 (CONVERTIBLE HOUSING) AND LATELY TO CD/124 YOUR STAFF ADVISED THAT SUCH ZONING WOULD NOT BE SUPPORTED AND AS NEW WILL NOT "FLY" WITH THE CITY COUNCIL.
- AND FINALLY, MY LATEST SUGGESTION WAS TO REZONE TO CD/61 (SAME AS CITY LOTS). THIS WOULD REQUIRE EXTENSION OF BACK LANE FROM CITY LOTS

THROUGH THE PROPERTY IMMEDIATELY EAST FROM US.
BUT THE OWNERS WERE NOT INTERESTED AS THEIR
PROPERTY WAS ALREADY BEING IN 1996 ALONGSIDE
WITH THE CITY LAND.

YOU MUST REMEMBER THAT I SUGGESTED TO YOU
THAT SUCH EXTENSION OF THE BACK LANE WITH
EXIT ON ODUN RD WOULD ALSO BENEFIT THE
CITY SUBDIVISION AS NOW THE BACK LANE
IS DEAD ENDED.

SO IT APPEARS THAT WE ARE LEFT WITH TWO
BIG LOTS AND THE CITY DENIES US HIGHER
DENSITY ZONING. CITY STAFF IS RECOMMENDING
R1/B ZONING SO WE COULD BUILD TWO MONSTER
SINGLE-FAMILY HOUSES

HOWEVER, THIS SAME STAFF AT THIS VERY SAME
TIME SUPPORTS THE CITY REZONING OF ITS OWN
LAND FOR FURTHER 21 SMALL LOTS (CD/B1 WITH
VARIANCES). WHY NOT RECOMMENDING REZONING
OF CITY LAND TO R1/B. THERE WOULD NOT BE
NEED FOR BACK LANE NOR VARIANCE PERMIT.
WHY? BECAUSE R1/B ZONING COULD ONLY
YIELD 10 OR 12 LOTS.

WE ARE IN THIS "LOCKED" SITUATION NOT
BECAUSE OF OUR OWN ACTIONS OR INACTIONS, BUT
RATHER THE CITY PUSHING IT OWN INTEREST AS
A DEVELOPER WHO WANTS TO MAXIMIZE OWN LAND
USE AND SOME PAST PLANNING MISTAKES (ENCL 6-8).

IN CONCLUSION, IN OUR OPINION, CD/2B ZONING
IS APPROPRIATE FOR THE BACK OF OUR PROPERTY
BECAUSE OF !

- LOT CONFIGURATION (PANHANDLE SHAPE)
- NARROW FRONTAGE (LIMITS SUBDIVISION TO TWO LOTS)
- LOCATION OF OUR PROPERTY AT THE JUNCTION OF ODLINWOOD AND 10 YRS OLD CRESTWOOD SUBDIVISIONS.

TWO TWO-FAMILY DWELLINGS ON BIG LOTS WITH NARROW FRONT ELEVATIONS WOULD PROVIDE GOOD TRANSITION AND BLEND BETWEEN THE COMPACT DESIGN AND DENSITY OF ODLINWOOD PHASE III AND THE BIGGER AND LESS DENSELY SPACED HOUSES OF THE CRESTWOOD DEVELOPMENT, BUT WE DO NOT INSIST ON THIS PARTICULAR CD/28 ZONING, ALTHOUGH WE LIKE IT.

WHAT WE ARE ASKING IS APPROVAL OF ZONING THAT WOULD ACCOMMODATE TWO-FAMILY DWELLINGS ON EACH LOT WITHIN THE 0.55 FAR AND THE LOT COVERAGE OF 45%.

2. PLEASE PROVIDE DETAILS WHAT THE MORE ACCURATE SITE PLAN, LANDSCAPE PLAN AND ELEVATION DRAWING SHOULD INCLUDE.

I NOTE THAT THE APPLICATION FOR THE 10500 SHEPHERD DRIVE FOR 21 LOTS HAVE NONE OF THAT.

ALSO, PLEASE PROVIDE COPY OF YOUR STAFF "ROUGH CALCULATIONS" THAT SHOWED THAT OUR PLANS "INDICATE FAR FROM 0.62 TO 1.17" AND LOT COVERAGE OF 62%.

3. WE WOULD LIKE TO RETAIN OUR DUPLEX AND THEREFORE WE WILL COMPLY WITH THE CITY REQUEST TO REZONE IT FROM R1/F (LEGAL, NONCONFORMING) TO R5 (TWO FAMILY HOUSING DISTRICT).

4. THE TWO 3.048 M (10 FT) R.O.W. AREAS ON OUR PROPOSED SITE PLAN INDICATE STATUTORY RIGHT-OF-WAY ALONG SANITARY SEWER MAIN. PLEASE NOTE A COPY OF AN EXPLANATORY PLAN ATTACHED TO THE ZONING APPLICATION.

5. NOISE COVENANT AS A CONDITION OF ZONING. I AM FAMILIAR WITH THE HISTORY THAT LED TO THE INTRODUCTION OF THE NOISE RESTRICTIVE COVENANT,

ON SEPT. 18, 1995 CITY COUNCIL AMENDED THE OCP TO "REQUIRE ALL NEW HOUSING BUILD WITHIN THE AREA OUTLINED IN ATTACHEMENT 4 AND WHICH NEED ZONING OR SUBDIVISION APPROVAL, BE NOISE INSULATED TO CMHC STANDARDS AS DETERMINED BY A REGISTERED PROFESSIONAL QUALIFIED IN ACOUSTICS"

WE WILL COMPLY WITH THIS AMENDMENT AND SIGN AN APPROPRIATE DOCUMENT.

HOWEVER, WE ARE NOT IN A POSITION, AS FOR NOW TO SIGN THE NOISE RESTRICTIVE COVENANT AS IT ALSO CONTAINS CLAUSES WHERE THE OWNER (TRANSFEROR) IS ASKED TO, VOLUNTARILY, RESCIND, ANNUL, REPEAL ETC. ANY RIGHT BEYOND LAND USE AND NOISE, NAMELY THE RIGHT TO SEEK ANY LEGAL RECOURSE TO RECOUP ANY LOSSES ARISING FROM THE AIRPORT OPERATIONS.

THIS COVENANT GIVES THE AIRPORT "CARTE BLANCHE" IN PERPETUITY IN CONDUCTING THEIR BUSINESS THAT MAY BE EVEN ABOVE AND BEYOND STANDARDS AND REGULATIONS.

.....

WE BELIEVE THAT THIS COVENANT INFRINGES ON OUR RIGHT AND FREEDOMS AND PLACED ON LAND TITLE WILL DECREASE OUR PROPERTY VALUE AND INCREASE INSURANCE PREMIUMS AND MAY EVEN RESULT IN REFUSAL OF INSURANCE AT ALL.

THIS COVENANT WAS INTRODUCED BY THE CITY AT THE TIME OF THE ODUNWOOD LAND REZONING FROM INDUSTRIAL TO RESIDENTIAL. IT WAS DONE AT THE REQUEST OF THE AIRPORT AUTHORITY AND IT MAY BE WARRANTED AS THE ODUNWOOD LANDS ARE LOCATED DIRECTLY UNDER THE LANDING CORRIDOR.

HOWEVER OUR PROPERTY WAS ALWAYS RESIDENTIAL AND WE ARE REQUESTING ONLY CHANGES IN RESIDENTIAL USE, WHILE THE ODUNWOOD REZONING INVOLVED LAND USE CHANGE.

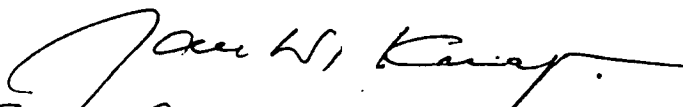
AND FINALLY THERE IS ALREADY COVENANT IN PLACE ON RESIDENTIAL LAND IN RICHMOND THAT GIVES THE AIRPORT RIGHT TO OPERATE IN THE AIR SPACE ABOVE LAND.

GIVING UP MY RIGHT IN EXCHANGE FOR \$1 OR \$10.00 AS THE COVENANT STIPULATES SEEMS RATHER FOOLISH.

PLEASE, ADVISE WHETHER THE ABOVE ARGUMENTS AGAINST SIGNING THE COVENANT ARE ACCEPTABLE TO THE CITY AUTHORITIES AND WHETHER OR NOT OUR APPLICATIONS WILL BE PROCESSED.

OTHERWISE WE WILL BE FORCED TO SEEK INDEPENDENT LEGAL OPINIONS AND AS WELL SEEK CLARIFICATION FROM INSURANCE PROVIDERS.

YOURS TRULY


ENCL. 8.