



City of Richmond
Urban Development Division

Report to Development Permit Panel

To: Development Permit Panel
From: Joe Erceg
Manager, Development Applications
Date: September 30, 2002
File: DV 02-216101
Re: **Application by Colin W. & Janet A. Clark for a Development Variance Permit at 9531 and 9651 Finn Road**

Manager's Recommendation

That a Development Variance Permit be issued that would vary the minimum area requirement of the Agricultural District (AG1) zone (which is 2 ha or 4.942 ac) in order to permit a boundary realignment between 9531 Finn Road (which is currently approximately 0.54 ha or 1.33 ac in size) and 9651 Finn Road (which is currently 0.09 ha or 0.22 ac in size) in order to create two reconfigured parcels of approximately 0.42 ha or 1.04 ac (9531 Finn Road) and 0.21 ha or 0.51 ac (9651 Finn Road).

Joe Erceg
Manager, Development Applications

JE:jdk

Staff Report

Origin

The subject properties are located on the north side of Finn Road, just south-west of No. 4 Road. Both properties are zoned Agricultural District (AG1).

The applicants are proposing to do a subdivision (boundary realignment) for their property located at 9531 Finn Road. The purpose of the subdivision is to enable the transfer of the subdivided portion, as indicated on the attached sketch plan, so it can be amalgamated with the adjacent property at 9651 Finn Road. Mr. and Mrs. Clarke have lived at 9531 Finn Road since 1969 and because they are in their 70's, are finding it harder to maintain their large yard. The owners of 9651 Finn road (Helmut Pastrick and Teresa Murphy) would like to add this yard space to their property and presently have no plans to build a new residence or any new structures on their lot or change their landscaping. Because both properties are less than 2 ha (4.942 ac), a Development Variance Permit is required.

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

Findings of Fact

The subject properties are two of a dozen single-family lots along the north side of Finn Road which are surrounded by large parcels of land being actively farmed.

Staff Comments

Development Applications staff commented that a title search was required to verify that each lot was on a separate certificate of title and less than 0.8 ha (2 ac) on December 21, 1972 in order to be exempt from Agricultural Land Reserve approval requirements.

Analysis

The applicants wish to subdivide off a portion of their property which would be added to the neighbouring property to the east. They have a formal agreement to transfer ownership of the new parcel of their land to the owners of the adjacent property at 9651 Finn Road.

The purpose of the subdivision and property transfer is to create two lots which will be more in line with other residential properties on Finn Road, in terms of land area. The existing dwellings will not be affected by this subdivision and no new structures or landscaping changes are proposed. Both properties are now, and were as of December 21, 1972, on separate certificates of title and less than 0.8 ha (2 ac), as verified by the title certificates provided by the applicants. Therefore, they are exempt from the provisions of the Agricultural Land Commission Act.

Staff agree that the proposed subdivision will create two parcels which will be more reflective of the existing residential properties on this portion of Finn Road. The area, in general, has a true rural look and feel which is created largely by the fact that this pocket of residential properties are larger than the typical single-family neighbourhood, as well as being surrounded by agricultural land. Sanitary sewer is unavailable in this portion of Finn Road and, as a result, each residential property relies on septic tanks and fields. A larger parcel of land allows for a more effective sewage disposal system which the owners of 9651 Finn Road will benefit from.

There have been no concerns expressed by the neighbourhood since the Development Variance Permit sign was erected and according to the applicants their neighbours are in support of the proposed variance.

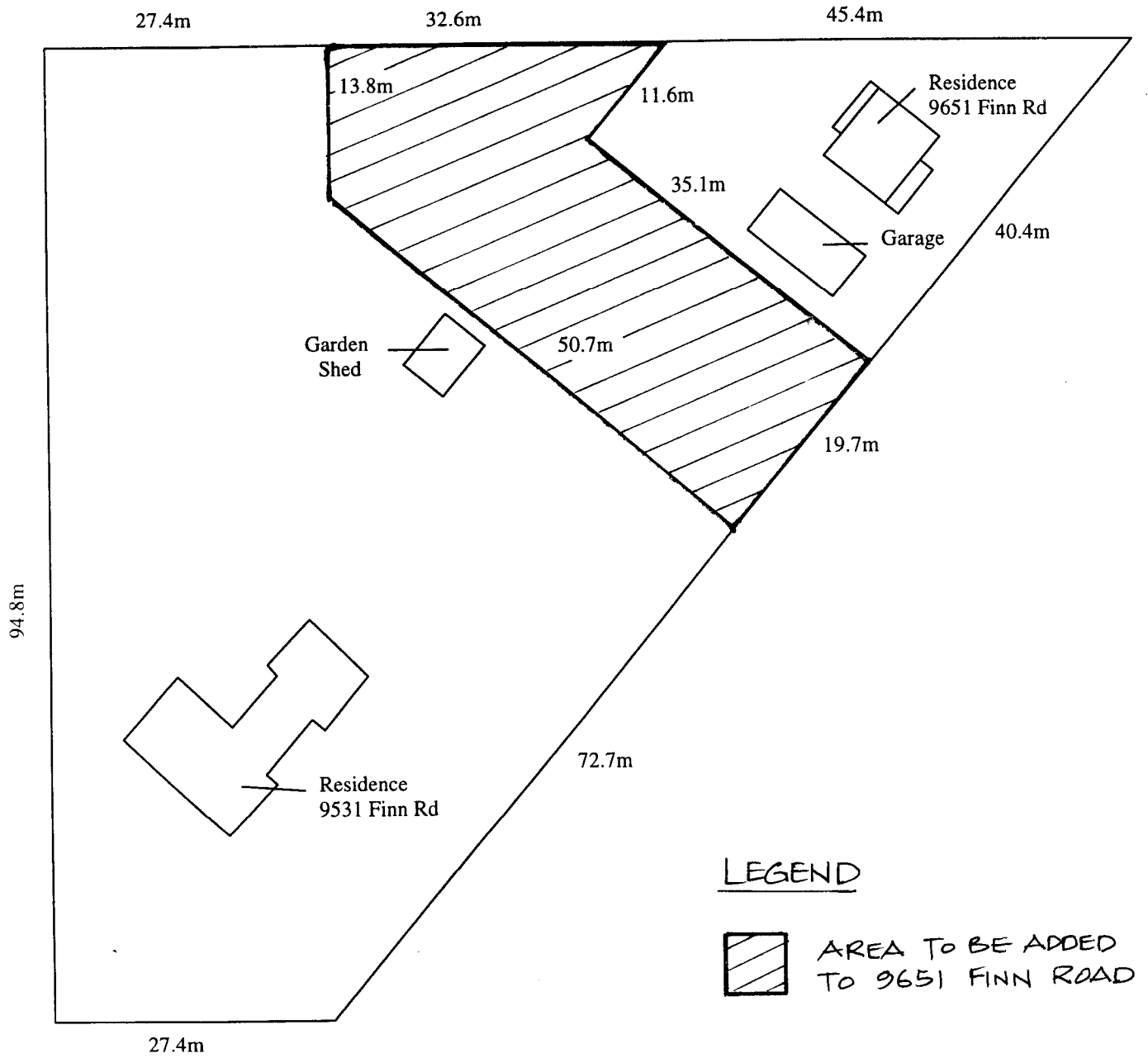
Conclusions

Staff support the variance as requested.

A handwritten signature in black ink, appearing to read "J. DeKleer", with a long horizontal flourish extending to the right.

Jim DeKleer
Engineering Assistant - Development & Processing
JDK:jdk

9531 & 9651 Finn Road, Richmond, B.C.



Scale: 1 cm = 6 m



City of Richmond
Urban Development Division

Development Variance Permit

No. DV 02-216101

To the Holder: COLIN W. & JANET A. CLARK

Property Address: 9531 & 9651 FINN ROAD

Address: 9531 FINN ROAD
RICHMOND, BC V7A 2L3

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 minimum area requirement of the Agricultural District (AG 1) zone of "Richmond Zoning and Development Bylaw No. 5300" is hereby varied in order to permit a boundary realignment between 9531 Finn Road and 9651 Finn road in order to create two new reconfigured parcels of approximately 0.42 ha or 1.04 ac. (9531 Finn Road) and 0.21 ha or 0.51 ac. (9651 Finn Road).
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

