



City of
Richmond

Report to Development Permit Panel

To: Development Permit Panel

Date: June 26, 2023

From: Wayne Craig
Director, Development

File: DV 23-013843

Re: **Application by Jatinder Johal for a Development Variance Permit at
7600 Ash Street**

Staff Recommendation

That a Development Variance Permit be issued which would vary the provisions of Richmond Zoning Bylaw 8500 to reduce the minimum south side yard setback for accessory buildings with a wall length greater than 6.0 m from 2.4 m (7.87 ft.) to 1.5 m (4.92 ft.) to permit retention of an existing detached garage at 7600 Ash Street.

Wayne Craig
Director, Development
(604-247-4625)

WC:le

Att. 2

Staff Report

Origin

Jatinder Johal has applied to the City of Richmond on behalf of the property owners, Upjesh Johal and Baljinder Johal, for permission to reduce the minimum south side yard setback for accessory buildings with a wall length greater than 6.0 m per Zoning Bylaw 8500 Section 4.7.7 f) ii) from 2.4 m (7.87 ft.) to 1.5 m (4.92 ft.) to permit retention of an existing detached garage at 7600 Ash Street.

Development Information

The subject site is the subject of a rezoning application (RZ 19-853820) to create a total of five single-family lots with two fronting Ash Street and three fronting a new extension of Armstrong Street (Attachment 1). The associated rezoning application received third reading at the Public Hearing held on October 17, 2022. The site is also subject to an application for proposed subdivision (SD 19-853833) consistent with the rezoning application (Attachment 2). The proposed variance is required in order to retain the existing detached garage in the rear yard of 7600 Ash Street. Should the variance not be approved, the detached garage would need to be modified or removed prior to subdivision approval.

Please refer to the attached Development Application Data Sheet (Attachment 1) for a comparison of the proposed development data with the relevant Zoning Bylaw requirements.

- To the north: Property zoned “Single Detached (RS2/E)” and “Single Detached (ZS14) – South McLennan (City Centre)” with a council-adopted rezoning and subdivision to create two single-family lots with one fronting Ash Street and one fronting a new Extension of Armstrong Street (RZ 16-732500 and SD 16-732501).
- To the east: Across the proposed extension of Armstrong Street, properties zoned “Single Detached (ZS14) – South McLennan (City Centre)” (RZ 10-539727 and RZ 18-802621).
- To the south: A property zoned “Single Detached (RS1/F)”, which is under a joint rezoning application with the subject property to rezone to “Single Detached (ZS14) – South McLennan (City Centre)” (RZ 19-853820).
- To the west: Across Ash Street, property zoned “School and Institutional Use (SI)” and used as City Park land (Paulik Neighbourhood Park).

Existing Legal Encumbrances

None.

Analysis

The applicant requests to vary the provisions of Richmond Zoning Bylaw 8500 to reduce the minimum south side yard setback for accessory buildings with a wall length greater than 6.0 m per Section 4.7.7 f) ii) from 2.4 m (7.87 ft.) to 1.5 m (4.92 ft.) to permit retention of an existing detached garage at 7600 Ash Street.

Staff supports the proposed variance for the following reasons:

- ***The requested variance does not facilitate new construction and would only serve to permit the existing garage, which is in good condition, to be retained.***
- ***The proposed variance to enable retention of the existing garage was identified at the time of the rezoning application for the subject property and adjacent property 7620 Ash Street (RZ 19-853820) and no concerns were noted at the public hearing for the proposed rezoning. As identified in the rezoning staff report, prior to subdivision approval (SD 19-853833), the applicants are required to either demolish the detached garage or obtain approval for it to remain through a Council-issued development variance permit.***
- ***Tree retention and replacement was reviewed in detail through the rezoning application (RZ 19-853820), and the applicant committed to planting a minimum of two trees on the proposed subdivided lot (one tree in the front yard and one tree in the back yard). Through the review of this Development Variance Permit application, the applicant has committed to an additional two trees, to be planted in the backyard, for a total of four new trees on the proposed Lot 1.***
- ***The adjacent property owners to the south, who would be most affected by the proposed variance, have no objections; and are joint applicants with the subject property owners for the rezoning and subdivision applications RZ 19-853820 and SD 19-853833.***

Through the detailed review of this application, staff identified two incidences of unauthorized construction on the primary dwelling at 7600 Ash Street – enclosure of a sun deck and construction of an attached rear deck and stairway. Prior to final approval of subdivision (SD 19-853833) the applicant is required to apply for and obtain a building permit for the unauthorized structures. If a building permit cannot be obtained, the owner is required to remove all unauthorized structures to the satisfaction of the Director, Building Approvals.

Conclusions

The purpose of the requested variance is to reduce the south side yard setback requirement for an accessory structure (garage) in order to allow the retention of an existing detached garage on 7600 Ash Street

The application meets all other applicable policies and guidelines beyond the requested variance of the side yard setback for the existing detached garage. As such, staff recommend that the Development Variance Permit be endorsed, and issuance by Council be recommended.



Laurel Eyton
Planning Technician
(604-276-4262)

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Att. 1: Development Application Data Sheet
2: Subdivision Plan for RZ 19-853820 and SD 19-853833

The following are to be met prior to final approval of the Development Variance Permit (DV 23-013843):

- Submission of a Landscape Security in the amount of \$1,500.00 (2 x \$750/tree) to ensure that a minimum of two new trees are planted on proposed Lot 1. NOTE: minimum replacement size to be as per Tree Protection Bylaw No. 8057 Schedule A – 3.0 Replacement Trees.
- Payment of all fees in full for the cost associated with the Development Permit Panel meeting Notices, consistent with the City's Consolidated Fees Bylaw 8636, as amended.

The following are to be met prior to final approval of subdivision (SD 19-853833):

- Apply for and obtain a Building Permit for each occurrence of unpermitted construction of structures attached to the primary single detached dwelling (e.g. the enclosed sun deck and attached rear deck and stairway). If a building permit cannot be obtained the owner is required to remove all unauthorized structures to the satisfaction of the Director, Building Approvals.

Prior to any future Building Permit issuance, the developer is required to complete the following:

- The applicant is required to obtain a Building Permit for any construction hoarding associated with the proposed development. If construction hoarding is required to temporarily occupy a street, or any part thereof, or occupy the air space above a street or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. *For further information on the Building Permit, please contact Building Approvals Department at 604-276-4285.*
- Submission of a construction traffic and parking management plan to the satisfaction of the City's Transportation Department (<http://www.richmond.ca/services/ttp/special.htm>).



DV 23-013843

Attachment 1

Address: 7600 Ash Street

Applicant: Jatinder Johal

Owner: Upjesh Johal and Baljinder Johal

Planning Area(s): City Centre – McLennan South

	Existing	Proposed
Site Area:	1,685 m ²	824.7 m ² (SD 19-853833)
Land Uses:	Single-family residential	no change
OCP Designation:	Neighbourhood Residential	complies
Zoning:	RS1/F	RS2/E (RZ 19-853820)
Number of Units:	1	1

On Future Subdivided Lots	Bylaw Requirement RS2/E	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for 464.5 m ² of lot area + 0.3 for remainder	Max. 0.55 for 464.5 m ² of lot area + 0.3 for remainder	none permitted
Buildable Area	Max 363.5 m ² (2,912.7 ft ²)	Max 363.5 m ² (2,912.7 ft ²)	none
Lot Coverage Building: Non-Porous: Landscaping:	Max. 45% Max. 70% Min. 30%	Max. 45% Max. 70% Min. 30%	none
Lot Size:	Min. 550 m ²	824.7 m ²	none
Lot Dimensions:	Min. Width: 18.0 m Min. Depth: 24.0 m	Width: 18.3 m Depth: 24.0 m	none
Principal Building Setbacks	Front: Min. 6.0 m Rear (60%): Min. 8.4 m Rear (40%): Min. 10.5 m Side: Min. 1.8 m	Front: Min. 6.0 m Rear (60%): Min. 8.4 m Rear (40%): Min. 10.5 m Side: Min. 1.8 m	none
Accessory Building Setbacks (wall length > 6.0 m)	South Side Yard: 2.4 m Rear: 2.4 m	South Side Yard: 1.5 m Rear: > 2.4 m	Variance Requested for south side yard setback
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none



No. DV 23-013843

To the Holder: Jatinder Johal
Property Address: 7600 Ash Street
Address: 7600 Ash Street

- 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. Richmond Zoning Bylaw 8500 is hereby varied to reduce the minimum south side yard setback for accessory buildings with a wall length greater than 6.0 m per Section 4.7.7 f) ii) from 2.4 m (7.87 ft.) to 1.5 m (4.92 ft.) to permit retention of an existing detached garage at 7600 Ash Street.
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 (Plan # 1).
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

**SITE PLAN OF THE NORTH HALF OF LOT 5; PARCEL "A"
(EXPLANATORY PLAN 33316) LOT 4; BOTH OF BLOCK "F",
SECTION 15, BLOCK 4 NORTH, RANGE 6 WEST, NWD, PLAN 1207**

CIVIC ADDRESS'S

- 7600 Ash Street, Richmond
- 7620 Ash Street, Richmond

0 5 10 20 30 40 50 m

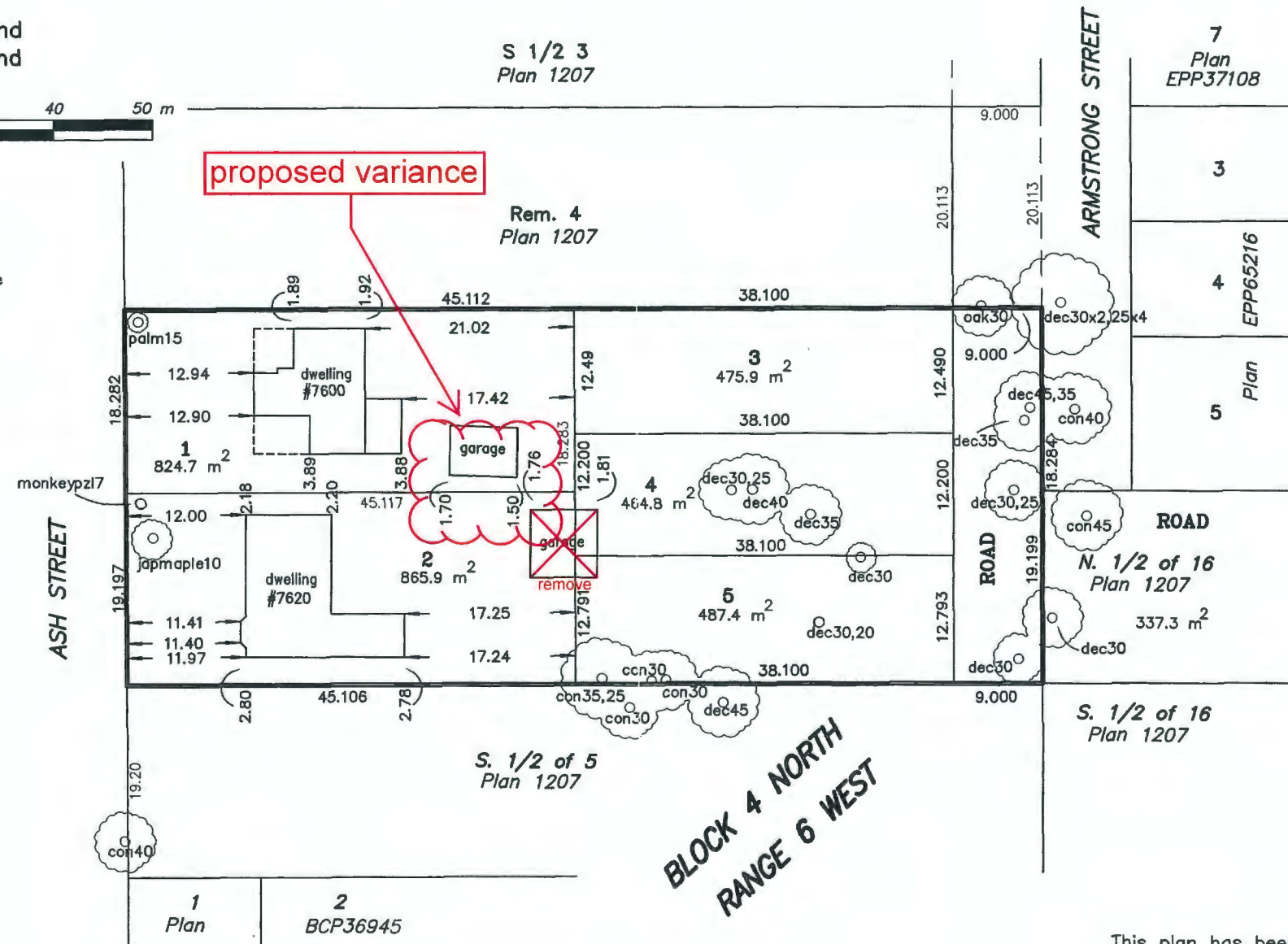


SCALE - 1 : 500

All distances are in metres

Legend:

- oak30 ○ 30cm dia Oak tree
- monkeypz17 ○ 17cm dia Monkey puzzle tree
- japmaple10 ○ 10cm dia Japanese maple tree
- palm15 ○ 15cm dia Palm tree
- con45 ○ 45cm dia Coniferous tree
- dec35 ○ 35cm dia Deciduous tree



Cameron Land Surveying Ltd.
B.C. Land Surveyors
Unit 206 - 16055 Fraser Highway
Surrey, B.C. V4N 0G2
Phone: 604-597-3777
File: 6768-SitePlan

This plan lies within the Metro Vancouver Regional District

This plan has been prepared in accordance with the Professional Reference Manual with additional specifications from our client and is certified correct this 7th day of May, 2019.

Sean Costello

B.C.L.S.(900)

**SITE PLAN OF THE NORTH HALF OF LOT 5; PARCEL "A"
(EXPLANATORY PLAN 33316) LOT 4; BOTH OF BLOCK "F",
SECTION 15, BLOCK 4 NORTH, RANGE 6 WEST, NWD, PLAN 1207**

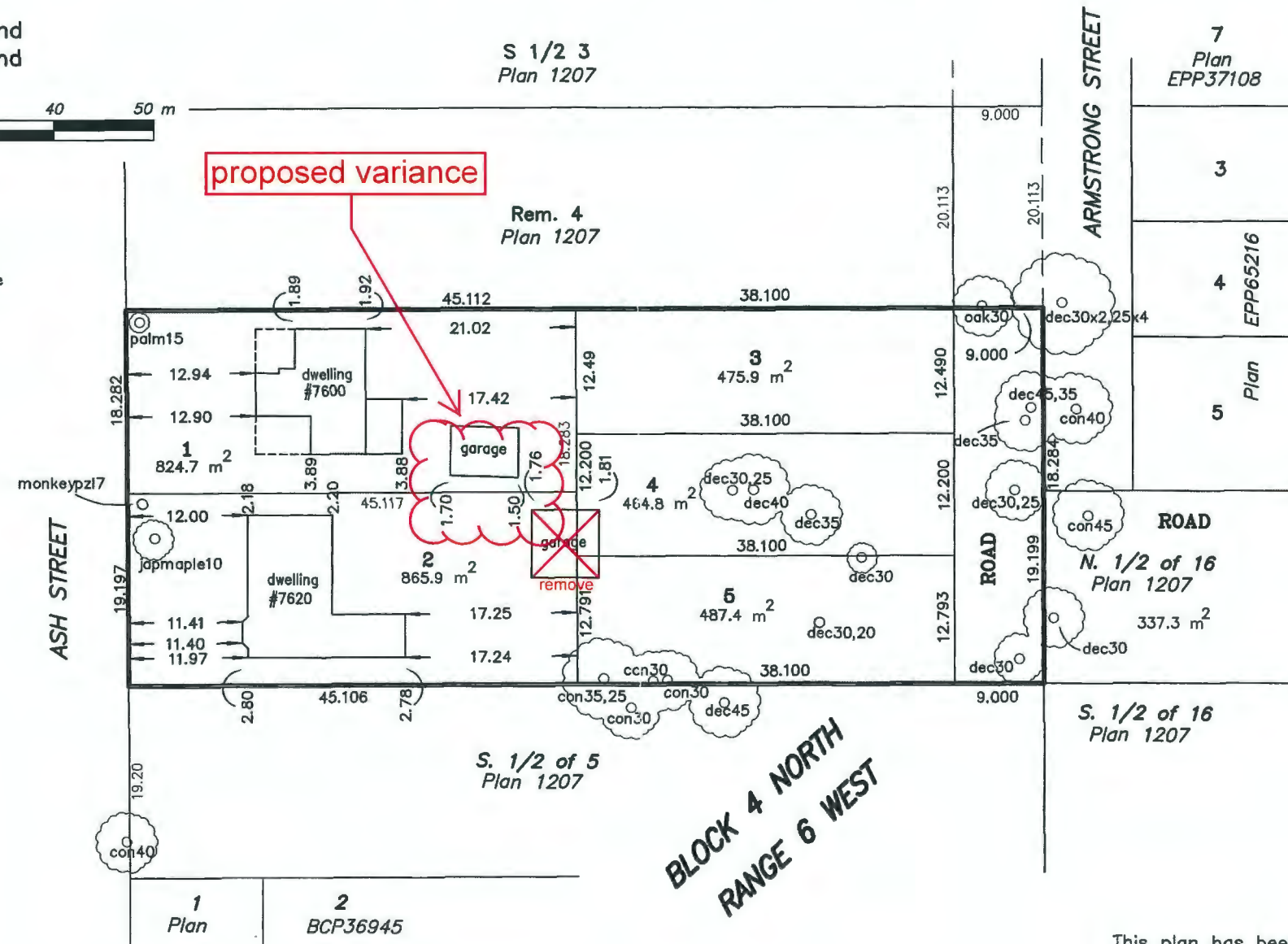
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 - 7600 Ash Street, Richmond
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S 1/2 3
 Plan 1207



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