



**City of Richmond**  
Planning and Development Department

## Report to Development Permit Panel

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**To:** Development Permit Panel  
**From:** Brian J. Jackson, MCIP  
Director of Development  
**Date:** February 8, 2010  
**File:** DV 09-505657  
**Re:** **Application by Arvinder Randhawa for a Development Variance Permit at  
8751 Finn Road**

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### Staff Recommendation

That a Development Variance Permit be issued which would vary the provisions of the Richmond Zoning Bylaw 8500 to increase the maximum required setback from a public road in the Agriculture (AG1) zone from 50 m to 75 m to accommodate a two-storey addition to the existing single-family dwelling at 8751 Finn Road.

Brian J. Jackson, MCIP  
Director of Development

EL:blg  
Att.

## Staff Report

### Origin

Arvinder Randhawa has applied to the City of Richmond for permission to vary the maximum setback from 50 m to 75 m to accommodate a two-storey addition to the rear of the existing single-storey single-family dwelling at the southeast corner of the property located at 8751 Finn Road (see **Schedule A**).

### Findings of Fact

The subject site is a large parcel of agricultural land approximately 7.73 ha in size. The parcel is located within the Agricultural Land Reserve (ALR) and fronting a ditch along Finn Road that is identified in the City of Richmond Riparian Management Areas map where a 5 m buffer is required.

The property is currently being utilized for intensive farming activities (blueberry farm). An existing single-family dwelling and a farm building are situated at the south-eastern portion of the site (**Attachment 1**).

On October 21, 2009, Building Approval Department staff noticed that construction activities were occurring on the subject site without proper permits. An Inspector observed that an addition to the existing single-family dwelling is being built on the north side of the existing dwelling, beyond the maximum 50 m setback. The foundation and the floor slabs for the addition were already in place, and walls were being framed. A Stop Work Order was issued.

On December 11, 2009, Development Applications Division received a Development Variance Permit application to vary the maximum residential building setback from 50 m to 75 m for the proposed addition to the rear of the existing dwelling. The survey plan (**Attachment 2**) submitted with the application indicates that a portion of the existing single-family dwelling is located beyond the 50 m maximum permitted setback (to approximately to 64.5 m from the front property line).

### Surrounding Development

The property is surrounded by a number of large sized agricultural parcels zoned "Agriculture (AG1)" involved in farming activities of varying intensity. Neighbouring properties on Finn Road between No. 3 Road and No. 4 Road generally have a residential dwelling on the lot that extends beyond the 50 m maximum permitted setback.

### Staff Comment

Under the current provision of the "Agriculture (AG1)" zone, dwelling units must be located within 50 m measured from the front property line abutting the public road. The intent of a maximum setback requirement is to protect the use of land for agricultural uses and not allow dwellings and other non-farming buildings to encroach into viable agricultural land.

The existing single-family dwelling on the subject site was built in 1988 under the provisions of Zoning Bylaw No. 1430. There was no provision related to maximum setback under the "Agricultural District 1 (AGR1)" zone in Bylaw No. 1430. The provision related to maximum setback from a public road on the agricultural land was introduced in 1989 with Zoning and Development Bylaw No. 5300.

### **Agricultural Advisory Committee Comments**

The Agricultural Advisory Committee confirmed that no formal review is required for this application due to the nature of the proposal. This Report will be forwarded to the Agricultural Advisory Committee for information purposes.

### **Floodplain Management Implementation Strategy**

In accordance with the City's Flood Management Strategy, the applicant is required to register a Flood Plain Covenant on Title, referencing the minimum habitable elevation for the area, which is 2.9 m (geodetic).

### **Analysis**

Although the existing dwelling is setback approximately 28.74 m from the front property line, the applicant does not want to revise his proposal to locate the addition in front of the existing dwelling. The applicant primary rational for locating the addition at the rear is because the existing dwelling is a single-storey structure, but the proposed addition is two (2) storeys high. The applicant wants to keep the new, taller component of the dwelling at the rear and does not want to modify the façade of the existing dwelling.

The applicant is proposing to undertake a legal commitment to limit all future buildings to the southeastern portion of the site where the existing single-family dwelling, farm building, and septic field are located. The overall idea is that, by ensuring that the proposed and any future buildings are concentrated in one area, more land is made available for farming, which constitutes an agricultural benefit and maintains the intent of the maximum setback provisions.

Typically, a development variance to accommodate structures built without proper permits and in contrary to the zoning regulations is not supported. However, the proposed variance can be supported based on the following considerations:

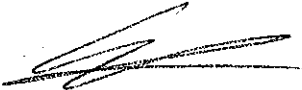
1. Land available for farming will not be reduced by locating the proposed addition to the rear of the existing dwelling; the proposed addition is on an existing grassed area in association to the current housing use on the site; and
2. The applicant has agreed to limit all buildings (proposed and future) to the southeast section of the site; ensuring maximum use of land for farm purposes now and into the future.

As a condition to issuance of the Development Variance Permit, a Restrictive Covenant limiting all future buildings (including agricultural buildings, single detached housing building, garage, carport, septic field, and accessory buildings to the single detached housing) to the southeast corner, where the existing single-family dwelling, farm building, and septic field are located, to be registered on Title. The Restrictive Covenant must include a Reference Plan prepared by a Registered Land Surveyor identifying the "restricted area" (**Attachment 3**) and must include languages to ensure all future buildings are located within the "restricted area".

If approved, this Development Variance Permit application will only apply to the proposed addition to the existing single-family dwelling. All substantial renovations, building alternations, extensions or reconstruction shall be undertaken in accordance to the existing zoning, including adherence to the maximum setback provision for residential building and structures.

### Conclusions

This Development Variance Permit application is required to accommodate a new addition to the existing single-family dwelling at 8751 Finn Road. If permitted, the applicant could continue constructing a two-storey addition to the rear of the existing dwelling on-site, beyond the 50 m maximum setback, to a maximum of 75 m from the public road. In order to ensure maximum use of land for farm purposes now and into the future, the applicant has agreed to enter into a legal agreement to limit all buildings (proposed and future) to the southeast section of the property. On this basis, the variance can be supported.



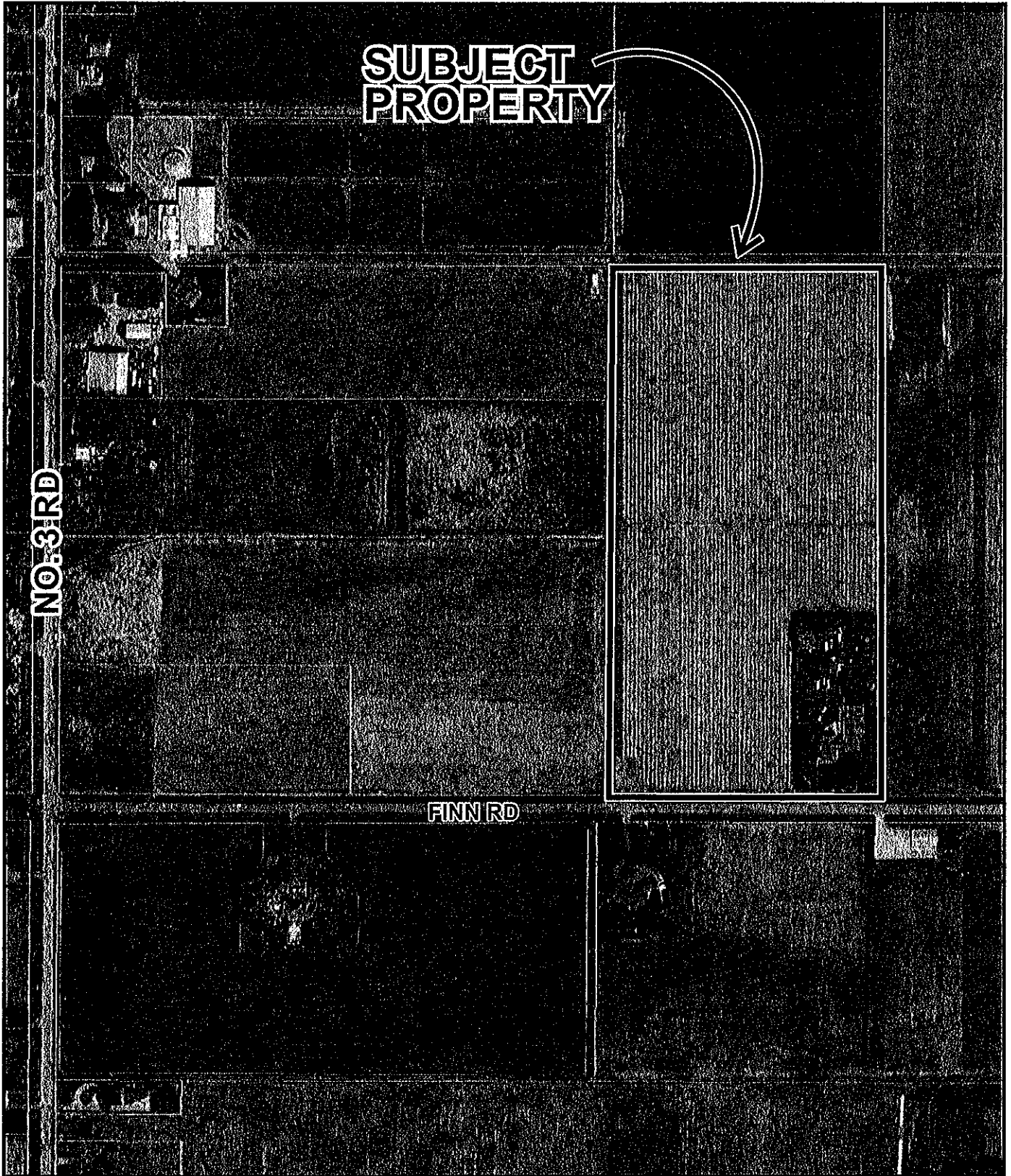
Edwin Lee  
Planning Technician

EL:blg

The following are to be met prior to forwarding this application to Council for approval:

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

- Registration on title a Restrictive Covenant limiting all future buildings (including agricultural buildings, single detached housing building, garage, carport, septic field, and accessory buildings to the single detached housing) to the southeast section of the site as identified on the Reference Plan (**Attachment 3**); and
- Registration of a floodplain covenant, specifying a minimum habitable elevation of 2.9 m, on Title.



DV 09-505657

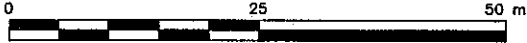
Original Date: 02/04/10

Amended Date:

Note: Dimensions are in METRES

**SITE PLAN OF PART OF LOT 8 SECTION 9  
BLOCK 3 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN 791**

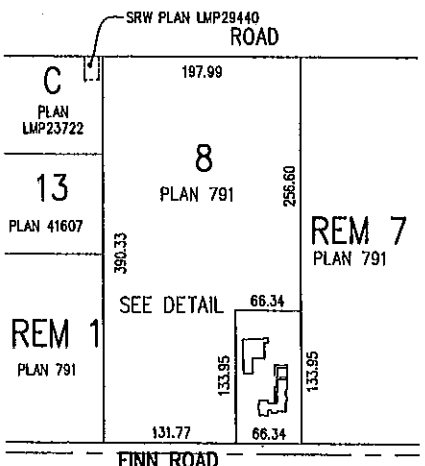
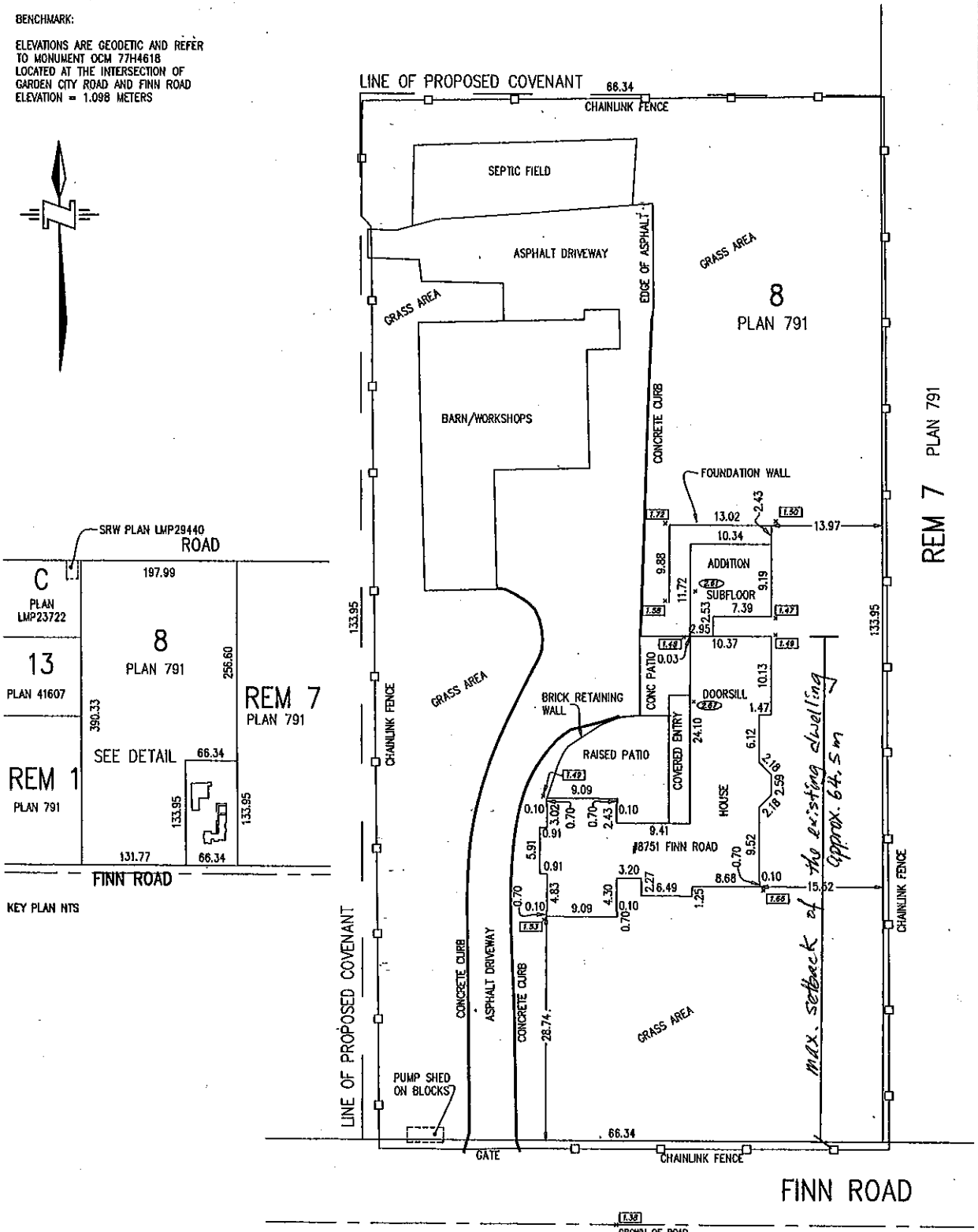
SCALE 1 : 500



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

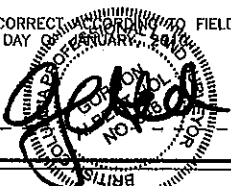
BENCHMARK:

ELEVATIONS ARE GEODETIC AND REFER  
TO MONUMENT OCM 77H4618  
LOCATED AT THE INTERSECTION OF  
GARDEN CITY ROAD AND FINN ROAD  
ELEVATION = 1.098 METERS



KEY PLAN NTS

CERTIFIED CORRECT RECORD TO FIELD SURVEY  
THIS 13TH DAY OF FEBRUARY 2010



BCLS

McELHANNEY ASSOCIATES  
LAND SURVEYING LTD.  
13160 88 AVENUE  
SURREY, BC V3W 3K3  
TEL: 604-596-0391  
FILE: 2112-07149-03

EXPLANATORY PLAN OF PART OF LOT 8 SECTION 9  
BLOCK 3 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN 791

PLAN BCP \_\_\_\_\_

DEPOSITED IN THE LAND TITLE OFFICE  
AT NEW WESTMINSTER, B.C.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

PURSUANT TO SECTION 99(1)(a) OF THE LAND TITLE ACT  
BCGS 92G.015

SCALE 1 : 1250



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF  
THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH  
BY 580mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:1250

INTEGRATED SURVEY AREA No. 18. (CORPORATION OF THE TOWNSHIP OF RICHMOND), NAD83 (CSRS)

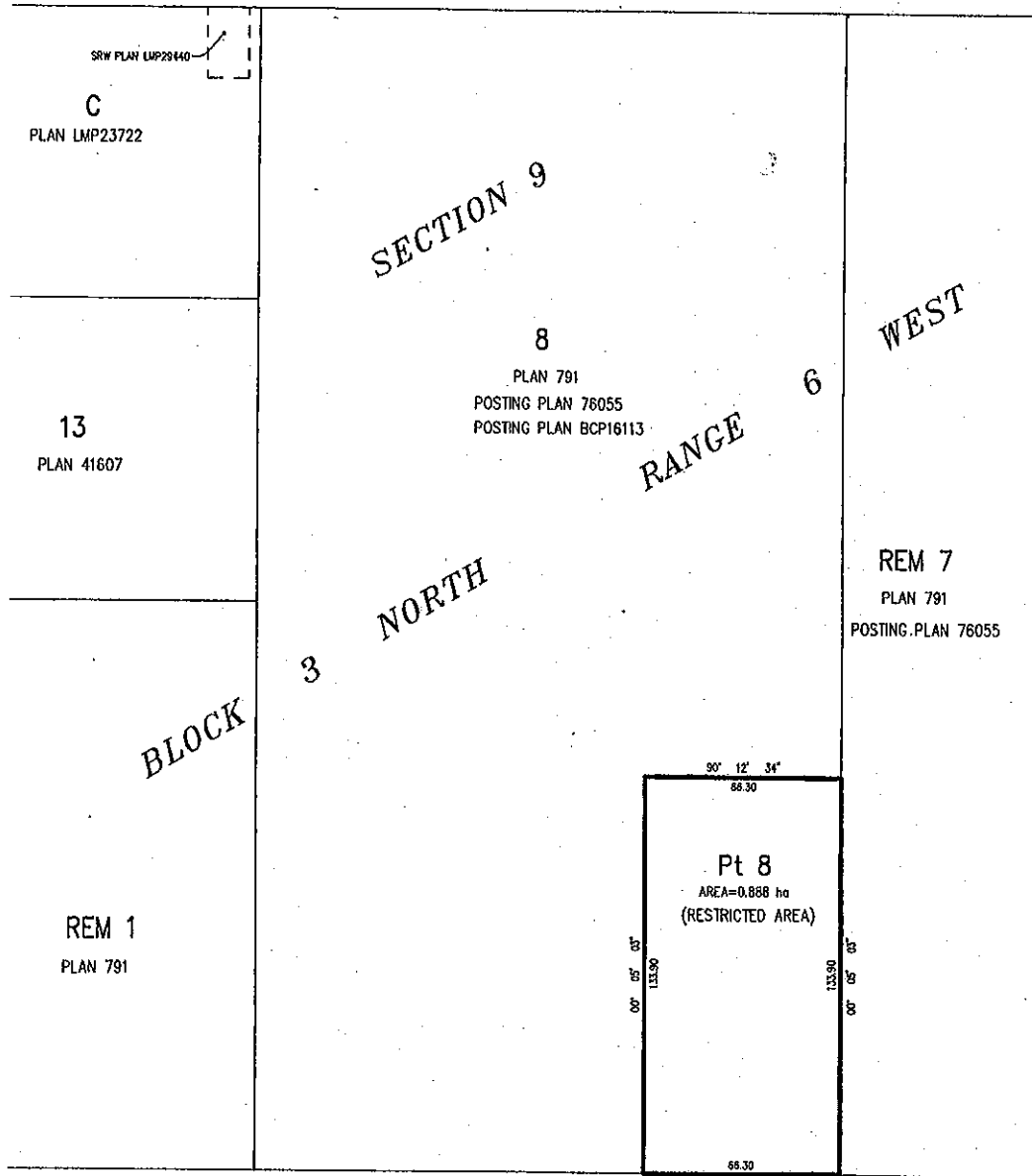
GRID BEARINGS ARE  
DERIVED FROM PLAN BCP16113

REGISTRAR

LEGEND

- ha DENOTES HECTARE
- m<sup>2</sup> DENOTES SQUARE METRE(S)
- RdM DENOTES REMAINDER
- Pt DENOTES PART

ROAD



THIS PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER #105807, ON THE 15th DAY OF JANUARY, 2010 AND IS HEREBY CERTIFIED CORRECT IN ACCORDANCE WITH LAND TITLE OFFICE RECORDS.

G.A. HOLLAND *gah* BCLS

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT - CITY OF RICHMOND

McELHANEY ASSOCIATES  
LAND SURVEYING LTD.  
13180 88 AVENUE  
SURREY, BC V3W 3K3  
TEL: 604-596-0391  
FILE: 2112-02149-04



**City of Richmond**  
 Planning and Development Department

**Development Variance Permit**

**No. DV 09-505657**

To the Holder:                    ARVINDER RANDHAWA  
 Property Address:                8751 FINN ROAD  
 Address:                            C/O 8751 FINN ROAD  
     RICHMOND, BC V7A 5C5

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 "Richmond Zoning Bylaw 8500" is hereby varied as follows:  
     Vary the maximum setback for single detached housing building in the Agriculture (AG1) zone from 50 m to 75 m as illustrated on the attached plan labelled #1 to #4. This Development Variance Permit applies to the identified addition to the existing dwelling only. All substantial renovations, building alterations, extensions or reconstruction shall be undertaken in accordance with the existing zoning.
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

2817158

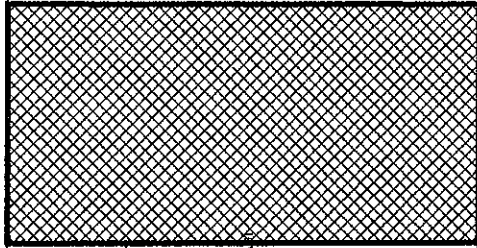
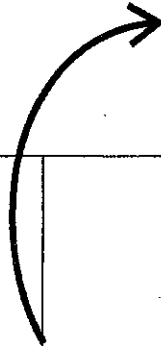






City of Richmond

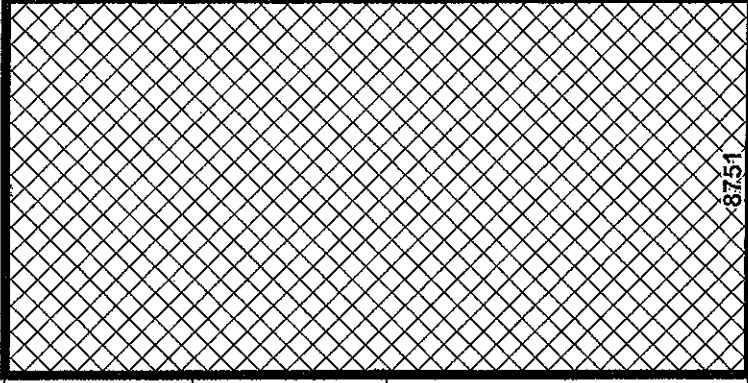
SITE



FINN RD

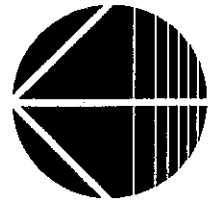
NO. 3 RD

AGI



8751

FINN RD



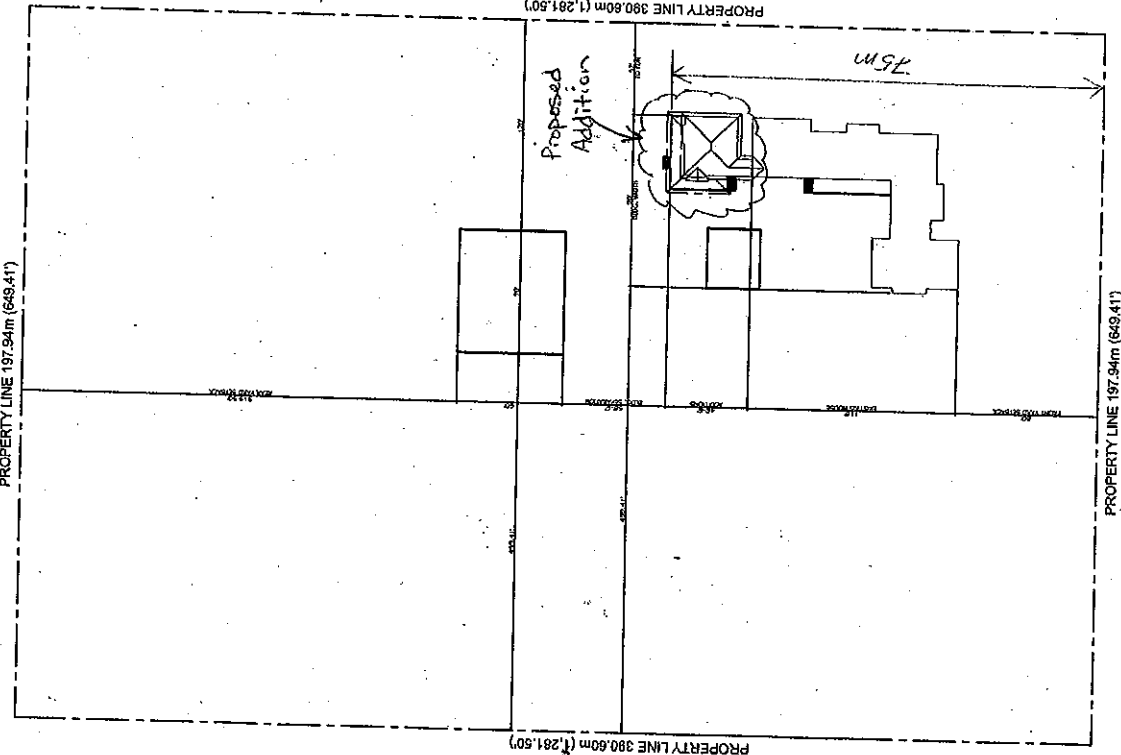
DV 09-505657  
SCHEDULE "A"

Original Date: 12/15/09

Revision Date: 02/04/10

Note: Dimensions are in METRES

<b>LEGAL DESCRIPTION:</b>	L48 BUX 34 R68 W SEC 9 PL 791															
<b>QMC ADDRESS:</b>	8751 FERN ROAD															
<b>SITE AREA:</b>	253,582.99 SQ. FT.															
<b>LOT AREA:</b>	253,582.99 SQ. FT.															
<b>ZONING:</b>	AG 1															
<b>ALLOWED F.A.R.</b>	89% OF 253,582.99 SQ. FT. 222,177.80 SQ. FT.															
<b>PROPOSED AREAS:</b>	<table border="1"> <tr> <th>PROPOSED</th> <th>PERMITTED</th> <th>PROPOSED</th> </tr> <tr> <td>EXISTING PAR.</td> <td></td> <td>5,484.87 SQ. FT.</td> </tr> <tr> <td>FIRST STORY:</td> <td></td> <td>1,183.28 SQ. FT.</td> </tr> <tr> <td>SECOND STORY:</td> <td></td> <td>1,000 SQ. FT.</td> </tr> <tr> <td></td> <td></td> <td>7,618.05 SQ. FT.</td> </tr> </table>	PROPOSED	PERMITTED	PROPOSED	EXISTING PAR.		5,484.87 SQ. FT.	FIRST STORY:		1,183.28 SQ. FT.	SECOND STORY:		1,000 SQ. FT.			7,618.05 SQ. FT.
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SECOND STORY:		1,000 SQ. FT.														
		7,618.05 SQ. FT.														



**GENERAL NOTES**

1. All construction to conform to C.C. Building Code 2005
2. After final review and approval of the drawings with Virginia's Department of Professional Regulation, the contractor shall obtain all necessary permits and comply with all applicable codes and regulations. Such construction shall be subject to all applicable local and state codes and regulations. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
3. Contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
4. Construction shall be in accordance with the drawings and specifications. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
5. All work to be done shall be in accordance with the drawings and specifications. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
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7. Obtain and conform to all applicable codes and regulations. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
8. All work to be done shall be in accordance with the drawings and specifications. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
9. Provide ventilation for the building in accordance with 9.1.2.
10. Roof access shall be provided for all eaves doors (9.1.2).
11. Security doors for fire alarm systems shall be provided in accordance with 9.1.2.
12. Waterproofing (seals) shall be provided for all eaves doors (9.1.2).
13. Insulation and vapor barrier shall be provided for all eaves doors (9.1.2).
14. Size and location of eaves doors shall be provided for all eaves doors (9.1.2).
15. This design shall be completed before construction and stamped by a Professional Engineer. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
16. Buildings with attached garages - All walls and ceiling separating attached garage and living area shall be constructed in accordance with the applicable codes and regulations. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
17. Windows and doors - All windows and doors shall be constructed in accordance with the applicable codes and regulations. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
18. All eaves doors shall be fully supported down to foundation. The width of eaves doors shall be provided for all eaves doors (9.1.2).
19. All eaves doors shall be fully supported down to foundation. The width of eaves doors shall be provided for all eaves doors (9.1.2).
20. This drawing is made to comply with applicable zoning and building codes for the purpose of applying for building and/or development permits only. Engineer assumes no responsibility for the construction of the building or the safety of the building. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
21. The Engineer shall verify all dimensions and details with the contractor. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.
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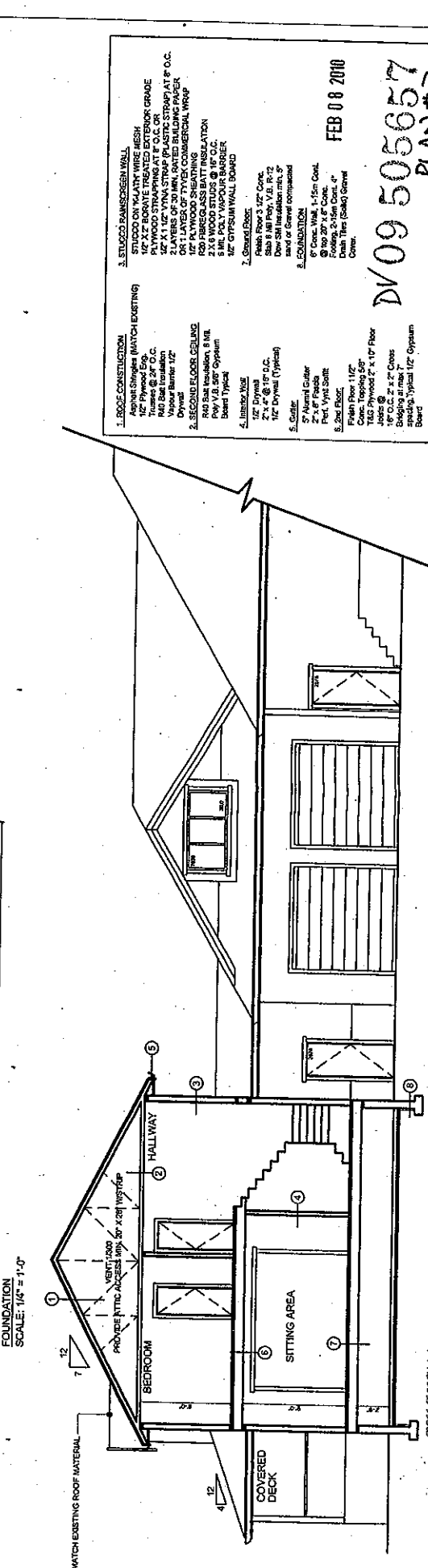
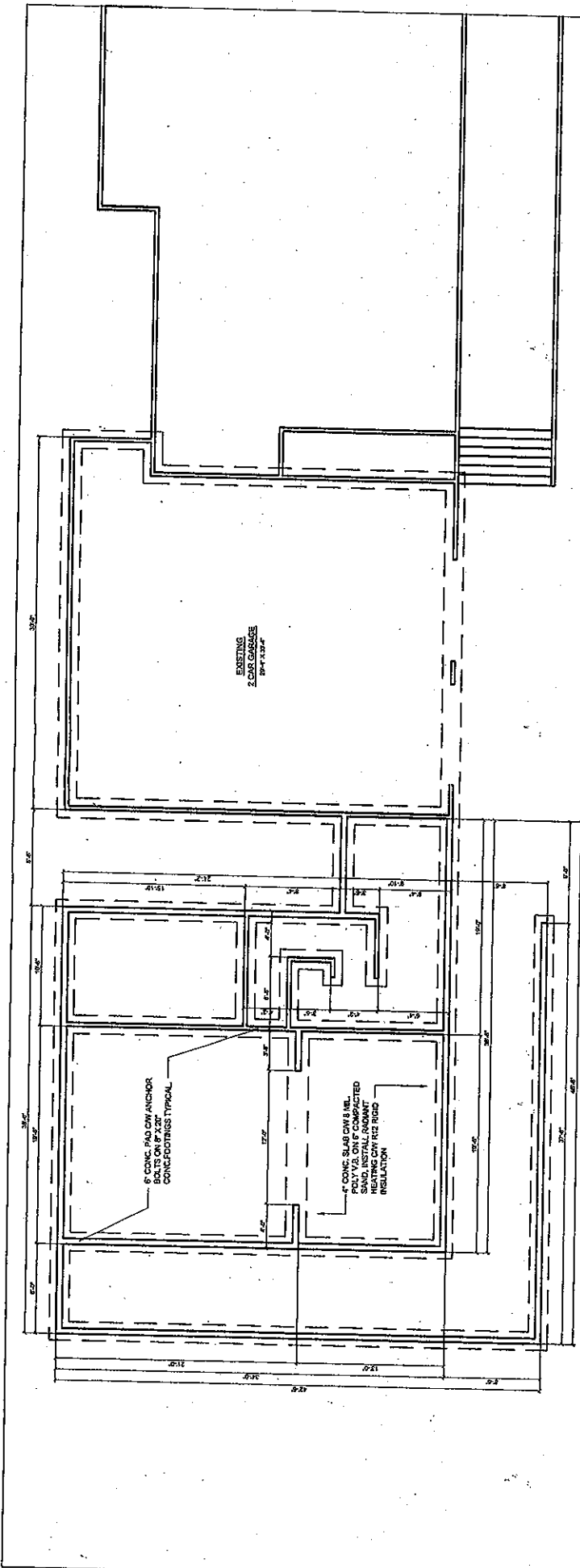
FEB 08 2010  
 DV09505657

PLAN # 1

DATE:	02/28/09
SCALE:	AS NOTED
DRAWN BY:	MC
CHECKED BY:	MC

PROJECT:  
 8751 FERN ROAD  
 RICHMOND, VA





1. ROOF CONSTRUCTION  
Asphlt Shingles (MATCH EXISTING)  
1/2" Plywood Exp.  
Trusses @ 24" O.C.  
Vapor Barrier 1/2"  
Drywall
2. SECOND FLOOR CEILING  
R48 Bat Insulation, 8 MIL  
Poly V.B. 50' Oypsum  
Sheet TYPICAL
3. EXTERIOR WALL  
STUCCO RAINSCREEN WALL  
1/2" X 2" BORATE TREATED EXTERIOR GRADE  
PLYWOOD STRAPPING AT 6" O.C. OR  
3/4" X 1 1/2" VINA STRAP (PLASTIC STRAP) AT 6" O.C.  
OR 1 LAYER OF TYVEK COMMERICAL WRAP  
OR 1 LAYER OF TYVEK COMMERICAL WRAP
4. INTERIOR WALL  
1/2" Drywall  
@ 12" O.C.  
1/2" Drywall (Typical)
5. GUTTER  
7" Alumin Gutter  
Perk. Vinyl Soffit
6. FLOORING  
Folien Floor 1/2"  
Conc. Topping 5/8"  
1/2" Plywood 2' x 10' Floor  
18" O.C. 2" x 2" Cores  
Sloping at max 7'  
Sanding, Typical 1/2" Oypsum  
Board
7. FOUNDATION  
Folien Floor 3 1/2" Conc.  
Slat 8 MIL Poly. V.B. R-12  
Insulation min. 5"  
Slat of Conc. Footings
8. CEILING  
6" Conc. Wall 4-15m Coak.  
@ 20" 27" x 6" Coak.  
Footing, 2-15m Coak, 4"  
Steel Ties (60kg) Steel  
Cover.
9. FLOORING  
Folien Floor 1/2"  
Conc. Topping 5/8"  
1/2" Plywood 2' x 10' Floor  
18" O.C. 2" x 2" Cores  
Sloping at max 7'  
Sanding, Typical 1/2" Oypsum  
Board

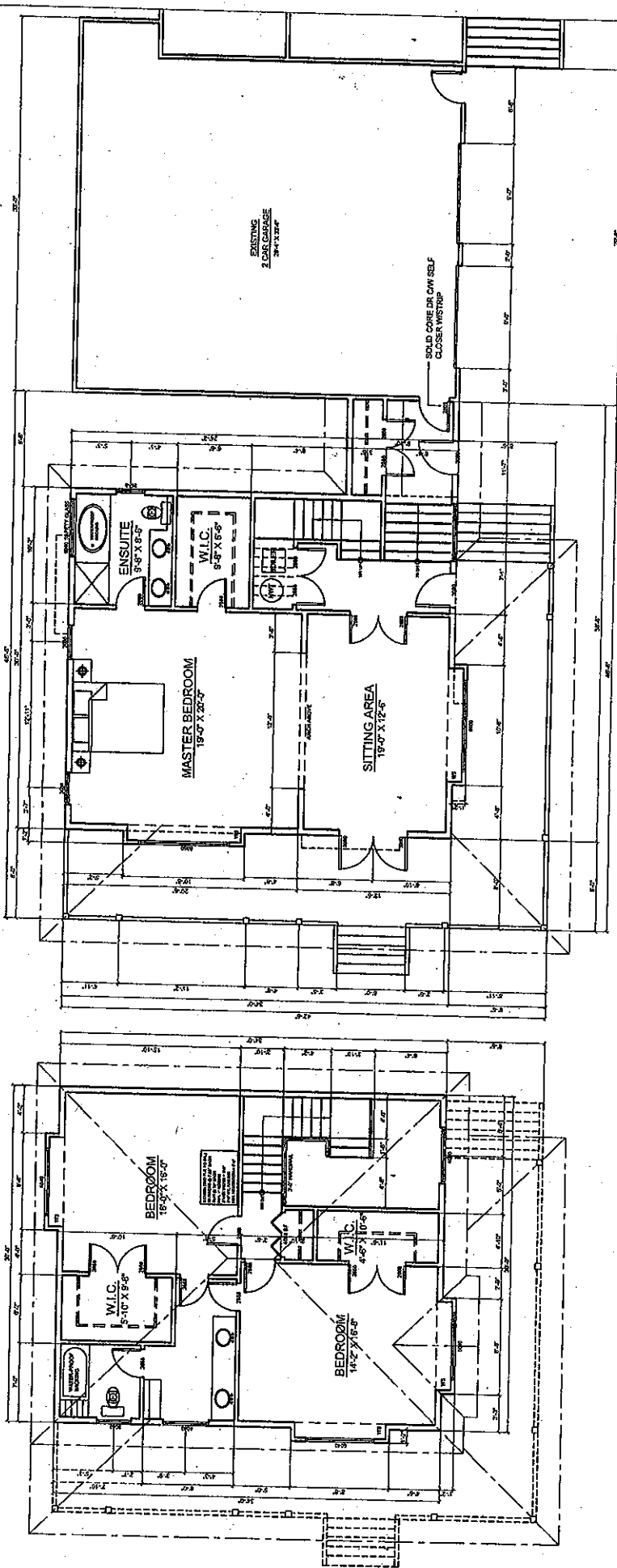
FEB 08 2010

DV09 505657  
PLAN # 2

ADDRESS: 857 FINN ROAD  
PORTLAND BC

DRAWN: AS NOTED  
CHECKED: MC  
DATE: 03/2/09  
SCALE: AS NOTED  
DRAWN: MC  
CHECKED: MC  
SHEET:

A 2 OF 4



UPPER FLOOR PLAN  
SCALE: 1/4" = 1'-0"

FAR: 1,020 SF

MAIN FLOOR PLAN  
SCALE: 1/4" = 1'-0"

FAR: 1,103.39 SF

FEB 08 2010

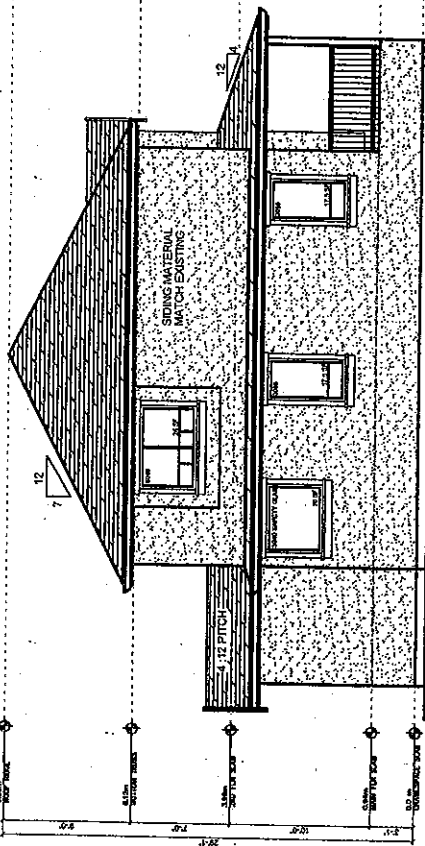
DV 09 505657  
PLAN #3

A 3 OF 4

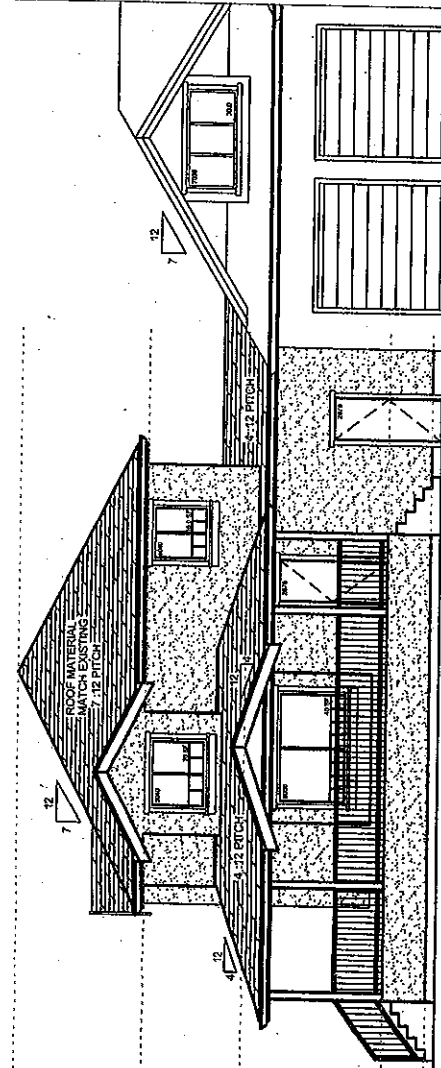
DATE	02/08/10
SCALE	AS NOTED
DRAWN	MC
CHECKED	MC
DATE	
SCALE	
DRAWN	
CHECKED	
DATE	
SCALE	
DRAWN	
CHECKED	

ADDRESS:  
8751 FAWN ROAD  
RICHMOND BC

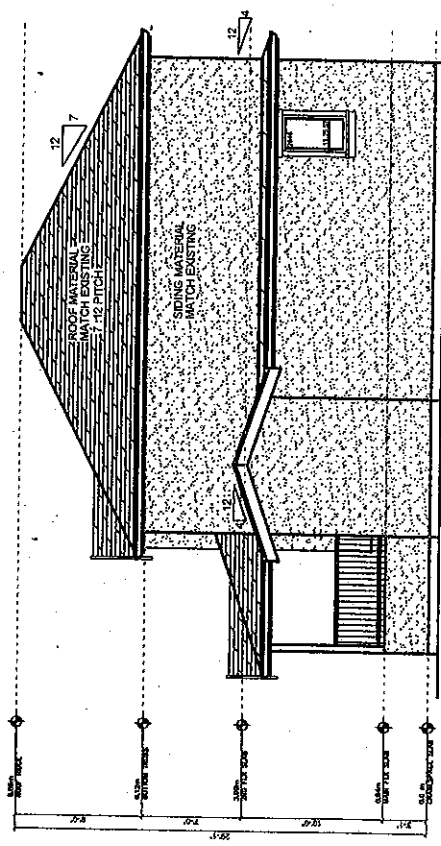




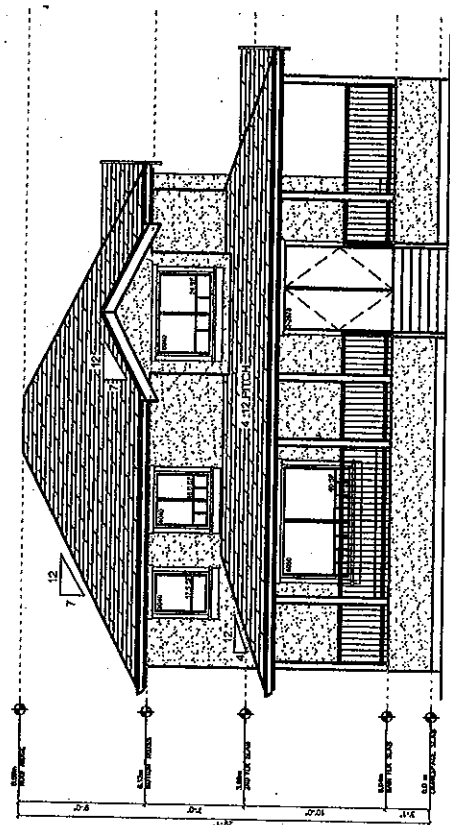
EAST ELEVATION  
SCALE: 1/4" = 1'-0"



WEST ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

FEB 08 2010

DV 09 505657  
PLAN #4

DATE	02/08
SCALE	AS NOTED
DRAWN BY	INC
CHECKED BY	INC
SHEET	

ADDRESS:  
8751 FAWN ROAD  
RICHMOND, BC



A 4 OF 4