

June 20, 2015

Development Permit Panel  
City of Richmond  
6911 No. 3 Road  
Richmond, B.C.  
V6Y 2C1

- PREVIOUS APPROVAL

ATT: DEVELOPMENT PERMIT PANEL

RE: 8180 ASH STREET, HABITAT FOR HUMANITY SOCIETY OF GREATER VANCOUVER

The Habitat for Humanity Society of Greater Vancouver is requesting to vary the minimum lot width from 12 m to 8.3 m for proposed Lot 5; and to vary the minimum lot frontage from 6 m (19.7feet) to 0.38 m (1.25 feet) for proposed Lot 4, to 2.7 m (8.9 feet) for proposed Lot 5 and 0.60 m (2 feet) for proposed Lot 6. These are not minor variances - they are virtually eliminating the need for a residential lot to have any kind of frontage. These massive reductions by variance will not be minor to the residents of Dayton Court who will be most negatively affected by the variances, subsequent subdivision and construction of the proposed homes.

Section 922 of the Local Government Act requires that persons deemed affected by a Development Permit application be advised of the particulars of that application and have the opportunity to make any concerns known to the Development Permit Panel. We would expect that when such a process is required that the opinions and concerns of the local residents would be carefully considered and play a significant role in the review and approval – or denial - of the application.

The updated report presented here today does not include the copies of the comment sheets completed by the residents who attended the May 14, 2015 meeting as did the original report with the comment sheets from the October 1, 2014 meeting. We believe that the Panel should have the opportunity to review all of the unedited comment sheets submitted by the residents and not just the sanitized version of those comments presented in the report in front of you today.

It is the expressed opinion of by far and away the majority of residents in the surrounding neighbourhood (as witnessed by the number of signatures attached hereto) that this proposed variance will result in the inappropriate development of the site and will have a significant negative affect on the use and enjoyment of the adjacent land and the properties well beyond the subject property.

We also believe that the proposed variance is at odds with the City's normal and articulated policy against variances that would vary the lot width of a property.

Upon inquiry of City staff we received a response regarding the City's normal policy for variances related to lot width and were advised that:

*"City staff will only consider an application for a Development Variance Permit in very unique site-specific circumstances. For example, if significant trees must be retained on a site and the zoning needs to be varied to accommodate redevelopment of the site to enable tree retention. Another example might be where a site is next to an existing undeveloped road and there are no plans to open the road, so we would consider a variance to allow a regular side yard setback instead of a road setback. These are some examples that I'm familiar with where a Development Variance Permit has been considered by City Council.*

*City staff will not consider an application for a Development Variance Permit to vary the required lot width for subdivision so that additional lots can be achieved beyond what the zoning would allow outright."*

It would appear that while the permitted density of the property is not being altered by the variance the number of lots being permitted is as there is no way this property could be developed into six lots outright without the proposed variance of lot width.

It is also the opinion of the undersigned residents that the applicant has not really seriously addressed the issue of form and character of the buildings. While the elevation of the buildings have been altered slightly this has been accomplished by tacking on elements that don't significantly change the appearance of the buildings or address the concerns expressed earlier by the neighbourhood. The applicants have been dismissive and the residents do not feel their concerns have been taken seriously by the applicant as no other element of the project has been altered to address other concerns.

The materials used remain dramatically different from the existing neighbourhood and the entire concept of the homes is at odds with the existing neighbourhood. The new buildings are not new homes with a secondary suite they are purpose designed to be a duplex pretending to be a single family home.

It is also our firm belief that that not only do these homes look like duplexes they are duplexes according to the City of Richmond Zoning Bylaw. The bylaw defines a duplex as:

*“Housing, two-unit means a building commonly referred to as a duplex designed exclusively to accommodate two separate dwelling units living independently above, below or beside each other, designed and constructed as two dwelling units at initial construction, and where each dwelling unit in the two-unit housing may include one room that, due to its design plumbing, equipment and furnishings, may be used as a secondary kitchen (e.g., a wok kitchen), provided that no more than two kitchens are located in one dwelling unit in the two-unit housing, but does not include a secondary suite.”*

A secondary suite is defined as:

*“Secondary Suite means an accessory, self-contained dwelling within a single detached housing, exclusively used for occupancy by one household.”*

By purposely misdesignating these buildings as a single family home with a secondary suite instead of more accurately and appropriately as a duplex the applicant has purposely abused the Zoning Bylaw to avoid providing the parking that would be required under Section 7.7 Table 7.7.2.1 of the Zoning Bylaw which would normally require two parking stalls per housing unit.

We also believe the bylaw was purposely misinterpreted to allow the development. The proposed buildings are being characterized as single family homes with a secondary suite. In fact, these are duplexes – designed as two separate units and constructed as two dwelling units at initial construction, which the City Zoning Bylaw defines as a duplex. Duplexes are not allowed in the R1B residential zone that is designated for this property and all of the surrounding properties. Duplexes are required to provide 2 parking stalls per unit for a total of 4 stalls. This development would be required to provide 12 parking stalls instead of the 6 being proposed. Since parking is a major concern of the residents we believe that Habitat for Humanity has purposely identified these buildings as single family homes with a secondary suite to circumvent the parking requirement and the need to rezone the property for the proposed use.

As a result of these duplex homes being proposed the two parking stalls per home the parking is going to be woefully inadequate. The design of the homes and site plan does not allow for parking in the driveway if the carport is being used for other uses (which is quite likely to be the case as the housing units are very small) as is the case in a typical single family home. The driveway will be shared with six units. With the potential for at least twelve cars (as supported by Zoning Bylaw standard for duplex parking) in this incredibly confined space the vehicles will have no place to go but onto the street. And, since these units are located at the end of a cul-de-sac where there is no opportunity for street parking the vehicles will be spread down the length of Dayton Court imposing on the existing home owners forever.

The study to determine that cars within the development off Dayton can turn around to drive out of the driveway was never a concern of the residents. The concern as clearly stated on a number of occasions

is the number of cars likely to occupy a vary restricted space, the likely overflow of those vehicles onto Dayton for parking and the additional traffic that will use Dayton seriously impacting the quiet enjoyment of the street and safety of the many young children who regularly play on this quiet cul-de-sac.

The residents signed below oppose this variance application in the strongest possible manner because of the following reasons:

- The proposed buildings have been misrepresented as single family homes with a secondary suite when in fact they are, by the City of Richmond's Zoning Bylaw definition, a duplex or more accurately "Two Unit Housing";
- In order to develop the buildings as proposed the City needs to require the applicant to rezone the property to RD1, RD2 which is the appropriate zone for a duplex;
- The proposed variance is at odds with the City's stated policy of not supporting variances to lot frontages that would vary the required lot width for subdivision so that additional lots can be achieved beyond what the zoning would allow outright;
- The form and character of the proposed buildings do not conform to the typical architectural standard that exists within the surrounding neighbourhood;
- Because of the erroneous designation of the type of building unit, the parking proposed is legally and practically inadequate and will create significant problems for the surrounding residents

The undersigned local residents respectfully request that the application by the Habitat for Humanity Society of Greater Vancouver for the said variances be denied.

Thank you for considering the concerns of existing residents in the neighbourhood.

Signature	Print Name	Address
	KANG LAI	8420 Dayton Court Richmond
	DANKY LAI	8406 DAYTON COURT, Richmond BC
	ZANUL WALJI	8391 DAYTON COURT, Rmd, BC
	LEUNG SZE WAN	8386 Dayton Court, Richmond, BC.
	Henry Leung	8386 Dayton Ct. Rmd. B.C.
	IRENE LEUNG	8386 Dayton Ct. Rmd. B.C.
	FONG YUET WAH	8386 Dayton Ct. Rmd BC
	JERALD MIVACH	8326 DAYTON COURT RICHMOND
	ELYNE CUEVAS	8346 DAYTON CRT, Richmond
	SHE NENG KUANG	8371 DAYTON CRT, Richmond
	NAZNEEN BARAKH	8491 DAYTON CRT RICHMOND
	EDDIE BARAKH	8491 DAYTON CRT RICHMOND
	Hai Yip Leung	8288 Ash St Richmond
	Linda Yuen	8271 Ash street, Rmd. BC V6Y 2S4
	Pui Tak So	8138 Ash street
	Beverly	8040 Ash St.

Signature

Print Name

Address

Signature	Print Name	Address
<i>Doug Clark</i>	DOUG CLARK	8200 McBurney Court
<i>Catherine Clark</i>	Catherine Clark	8200 McBurney Court Richmond
<i>Sanny Chan</i>	SANNY CHAN	8160 McBurney Court Rmd. Be
<i>Steven Ma</i>	STEVEN MA	8160 McBurney Court Rmd
<i>Chiu Hing Lin</i>	CHIU HING LIN	8351 Ash St RMD
<i>Ku Peo Chua</i>	Ku Peo Chua	8351 Ash St RMD
<i>Olivia Du</i>	Olivia Du	8377 Ash st
<i>Li Qing Wang</i>	Li Qing Wang	8377 Ash St
<i>K.W. Lee</i>	K.W. LEE	8411 Ash St Richmond Be
<i>Peter Lee</i>	Peter Lee	8451 Ash St Richmond
<i>Ildiko Skeldon</i>	Ildiko Skeldon	8380 Ash St. Richmond Be
<i>Henry Schwarzbach</i>	HENRY SCHWARZBACH	8426 Dayton Court
<i>T.A. Schwarzbach</i>	T.A. SCHWARZBACH	8426 DAYTON COURT
<i>Ben Jung</i>	Ben Jung	8460 DAYTON CRT.
<i>Hsiu-Chuan Chang</i>	Hsiu-Chuan Chang	8446 Dayton CRT.
<i>Chia-Yu Yen</i>	Chia-Yu Yen	8460 Dayton CRT.
<i>Songting Lu</i>	Songting Lu	8480 Dayton CRT.
<i>Henry Han</i>	Henry Han	8480 Dayton CRT.
<i>Guo Li</i>	Guo Li	8480 Dayton CRT.
<i>Xiang Lu</i>	Xiang Lu	8480 Dayton CRT.
<i>Maxwell Peck</i>	MAXWELL PECK	8464 Dayton Court
<i>Joanne Anderson</i>	JOANNE ANDERSON	8395 Dayton Ct.
<i>James Anderson</i>	JAMES ANDERSON	8595 Dayton CRT.
<i>Trevor Anderson</i>	TREVOR ANDERSON	835 DAYTON CRT.
<i>Christine Chen</i>	Christine Chen	8366 Dayton CRT
<i>HO YIM WAI</i>	HO YIM WAI	8366 Dayton CRT
<i>HARIKRISHNA UPATH</i>	HARIKRISHNA UPATH	8360 DAYTON COURT.
<i>Peter Voetmann</i>	PETER VOETMANN	9266 McBurney Drive
<i>Eric Boycott</i>	Eric Boycott	8306 Dayton Court
<i>Sunny Sham</i>	Sunny Sham	8370 Dayton Court.

SIGNATURE

PRINT NAME

ADDRESS

~~FENG LI~~

~~DANNY CHAI~~

~~8406 DAYTON COURT, Richmond~~

WPS

FENG LI

8606 Dayton Court, Richmond

Lisa Liu

Zhang Ying Liu

8371 Ash St.

~~[Signature]~~

Midor Geo

8431 Ash St

Geo

Emily Geo

" " "

~~[Signature]~~

Yoichi Geo

" " "

~~[Signature]~~

Peter Xie

9571 Dayton Av

Michelle Ang

Michelle Ang

9571 Dayton Ave

Carrie

PAK KI CHAN (Carrie)

8080 Ash St.

m

Dayton Ash  
8400 8120  
8600 8080

## 8. Residential Zones

### 8.1 Single Detached (RS1/A-H, J-K; RS2/A-H, J-K) [Bylaw 8672, Jan 24/11]

#### 8.1.1 Purpose

The zone provides for **single detached housing** with a range of compatible **secondary uses**. **Subdivision standards** vary by sub-categories (A-H; J-K). The zone is divided into sub-zones: RS1 for traditional **single detached housing**; RS2 which provides for a **density bonus** that would be used for rezoning applications in order to help achieve the City's affordable housing objectives [Bylaw 8672, Jan 24/11].

#### 8.1.2 Permitted Uses

- **housing, single detached**

#### 8.1.3 Secondary Uses

- **boarding and lodging**
- **community care facility, minor**
- **home business**
- **secondary suite**
- **bed and breakfast**

#### 8.1.4 Permitted Density

1. The maximum **density** is one **principal dwelling unit** per lot.
2. For **single detached housing** zoned RS1/A-H, J-K [Bylaw 8672, Jan 24/11], the maximum **floor area ratio** is 0.55 applied to a maximum of 464.5 m<sup>2</sup> of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m<sup>2</sup>.
3. For **single detached housing** zoned RS2/A-H, J-K, the maximum **floor area ratio** is 0.40 applied to a maximum of 464.5 m<sup>2</sup> of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m<sup>2</sup>.
4. Notwithstanding Section 8.1.4.3, the reference to "0.4" is increased to a higher **density** of "0.55" if:
  - a) the **building** contains a **secondary suite**; or
  - b) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RS2/A-H, J-K zone, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw.
5. Further to Section 8.1.4.4, the reference to "0.4" in Section 8.1.4.3 is increased to a higher **density** of "0.55" if:
  - a) an **owner** subdivides bare land to create new lots for **single detached housing**; and
  - b) at least 50% of the **lots** contain **secondary suites**.

#### 8.1.5 Permitted Lot Coverage

1. The maximum **lot coverage** is 45% for **buildings**.
  2. No more than 70% of a **lot** may be occupied by **buildings, structures** and **non-porous surface**.
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- Housing agreement** means an agreement in a form satisfactory to the City that limits the occupancy of the **dwelling unit** that is subject to the agreement to persons, families and **households** that qualify for affordable housing based on their **household** income level, that restricts the occupancy of the **dwelling unit** to rental tenure, and that prescribes a maximum rental rate and rate of increase of rental rate for the **dwelling unit**.
- Housing, apartment** means a **building** consisting of two or more **dwellings** in which the **dwellings** are arranged in any horizontal or vertical configuration and have **access** from a common interior corridor.
- Housing, manufactured** means a detached **building** containing only one **dwelling** exclusively for occupancy by one **household**, whether ordinarily equipped with wheels or not, and may be moved from one place to another by being towed or carried.
- Housing, single detached** means a detached **building** containing only one **dwelling unit**, designed exclusively for occupancy by one **household**, and may include one room that, due to its design, plumbing, equipment and furnishings, may be used as a secondary **kitchen** (e.g., a wok **kitchen**) provided that no more than two **kitchens** are located in one **single detached housing dwelling unit**, and includes modular homes that conform to the **CSA A277** standards, but does not include a **manufactured home** designed to **CSA Z240** standards or **town housing**.
- Housing, town** means a **building** or group of **buildings** containing three or more ground-oriented **dwelling units** with a separate exterior entrance directly accessible (i.e. without passing through a common lobby or corridor) from a **road** or an open space or a common roof deck landscaped as an **amenity space**, and which may share walls with **adjacent dwelling units**, may be arranged two deep, either horizontally so that **dwellings** may be attached at the rear as well as the side, or vertically so that **dwellings** may be placed over each other, and may also contain detached **town housing** with individual **dwelling units** on the **strata lot**.
- Housing, two-unit** means a **building** commonly referred to as a duplex designed exclusively to accommodate two separate **dwelling units** living independently above, below or beside each other, designed and constructed as two **dwelling units** at initial construction, and where each **dwelling unit** in the **two-unit** housing may include one room that, due to its design, plumbing, equipment and furnishings, may be used as a secondary **kitchen** (e.g., a wok kitchen), provided that no more than two **kitchens** are located in one **dwelling unit** in the **two-unit** housing, but does not include a **secondary suite**.
- Housing, waterborne** means **single-detached housing** that floats on water.
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RS 1/2

<b>Secondary suite</b>	means an accessory, self-contained dwelling within a single detached housing, exclusively used for occupancy by one household.
<b>Service, business support</b>	means a facility that provides services to businesses and which are characterized by one or more of the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, secretarial services, the provision of office maintenance or custodial services, the provision of office security, and the sale, rental, repair or servicing of office equipment, office furniture and office machines, which includes but is not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms and office equipment sales, repair establishments and sign shops.
<b>Service, financial</b>	means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker or related business.
<b>Service, funeral</b>	means the preparation of dead people for burial or cremation and the holding of memorial services, which includes funeral homes and undertaking establishments, but does not include a cemetery and interment facility.
<b>Service, household repair</b>	means the repair of goods, equipment and small appliances normally found within the home which includes but is not limited to radio, television, computer and appliance repair, chainsaws, lawnmowers, furniture refinishing, and upholstery shops, but does not include personal services.
<b>Service, massage</b>	means the providing or furnishing of a massage involving application of physical external manipulation of the soft tissues of the human body by another person, but does not include a body rub studio, body painting studio, massages administered as part of a skin care treatment by an aesthetician (where the massage is for the purpose of product application and is a minor or incidental part of the treatment) or minor health service.
<b>Service, personal</b>	means services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects, which includes but is not limited to services provided by barber shops, hairdressers, manicurists, acupuncture clinics, tailors, dress makers, shoe repair shops, dry cleaning establishments and laundries, and includes service, massage but does not include body rub studio or body painting studio. <small>[Bylaw 8684, Jan 17/11]</small>
<b>Service station</b>	means the servicing or repair of vehicles (excluding vehicle body repair or paint shop) within a building and the sale of batteries, tires and automotive products, but does not include the sale of gasoline and is distinct from vehicle repair.

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Dear Neighbour,

You recently received in the mail from the City of Richmond a notification about the Development Permit Panel meeting regarding the application by Habitat for Humanity to develop the vacant property that has access from Ash Street and the end of Dayton Court.

The application previously went to the Development Permit Panel for review on March 25, 2015. At that time a group of your neighbours attended the meeting and presented a petition and a number of letters opposing the application. Those neighbours felt that the development of this property as proposed will result in the land being overbuilt and with the very poor limited access on Dayton Court will create significant parking and traffic problems. In addition the architecture of the buildings was considered jarring and completely out of place for our existing neighbourhood. The neighbourhood group was successful in having the application tabled and Habitat was requested to amend their development to satisfy the local concerns.

After several months Habitat for Humanity held an information meeting on May 14, 2015 which was unfortunately poorly attended by local residents. In that time period only minor changes were made to the buildings by tacking on a few exterior elements which did nothing to address the concerns expressed by the local residents. Nothing else on the plan was changed.

We also believe the bylaw was purposely misinterpreted to allow the development. The proposed buildings are being characterized as single family homes with a secondary suite. In fact, these are duplexes – designed as two separate units which the City Zoning Bylaw defines as a duplex. Duplexes are not allowed in the residential zone that is designated for this property or any of the surrounding properties. Duplexes are required to provide 2 parking stalls per unit for a total of 4 stalls. This development would be required to provide 12 parking stalls instead of the 6 being proposed. Since parking is a major concern of the residents we believe that Habitat for Humanity has purposely identified these buildings as single family homes with a secondary suite to circumvent the parking requirement and the need to rezone the property for the proposed use.

The application is again going to the Development Permit Panel this coming Wednesday June 24<sup>th</sup> at 3:30 pm at the Richmond City Hall. If approved at this meeting and constructed as planned this development will cause significant parking problems on Dayton Court and possibly on Ash Street as well. In addition because of the density and horrible architecture it will affect your property values and ability to sell your home.

If this application is to be stopped we will need the help and participation of all the residents in the neighbourhood. You can write letters or emails to the City objecting to the application in the strongest possible way. Most importantly we would like you to attend the meeting on Wednesday June 24<sup>th</sup> at 3:30 at the City hall to voice your objections in person.

For more information or help with your comments to Richmond please call

Joseph:

Sunny:

Brian:

We will not defeat this application and horrible development without your help.



Out



Pan



Full



Back

MCBURNEY DR

BR

ASH ST

DAYTON CRT

ON AVE

Zone 10N



ASH ST

DEBEC

29

58

x=0 y=0