



Board of Variance

Thursday, February 9, 2023

Place: Council Chambers
Richmond City Hall

Present: Kenneth Chen
Bob Friedland
Krista Kienapfel
Alim Sunderji
Sheng Zhong

Acting Secretary to the Board – Evangel Biason

Call to Order: The meeting was called to order at 7:00 p.m.

CALL TO ORDER

ELECTION OF CHAIR

The Acting Secretary to the Board called for nominations for the election of a Chair to the Board of Variance.

It was moved and seconded

That Alim Sunderji be elected as Chair of the Board of Variance.

CARRIED

MINUTES

It was moved and seconded

That the minutes of the meeting of the Board of Variance held on May 29, 2019, be adopted.

CARRIED

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1. **BOARD OF VARIANCE APPEAL – 9800 PENDLETON ROAD BV 22-026289**

(File Ref. No. BV 22-026289) (REDMS No. 7079464)

APPLICANT: Barry Wosk

ADDRESS: 9800 Pendleton Road

PURPOSE: The applicant has submitted an appeal to the Board of Variance on behalf of the property owner, to permit expansion of a second-storey deck. This would require varying the following provisions of Zoning Bylaw 8500:

To reduce the minimum required rear yard setback under the “Single Detached (RS1/E)” zone for a portion of the second-storey from 9.15 m (30.0 feet) to 8.04 m (26.4 feet) to allow for the expansion of usable deck space.

Applicant’s Comments

Barry Wosk, 9800 Pendleton Road, distributed photos (attached to and forming part of these Minutes as Schedule 1) and provided a brief overview of the application and noted that:

- the approved building plan includes a ground floor patio with cover for all season outdoor space;
- the top of the cover creates a walk out deck from the primary bedroom and as per the setback requirements, the safety railing runs through the middle of the deck;
- the proposed variance will allow placement of the safety railing around the perimeter of the deck;
- construction regulations were followed and no additional structures beyond what is approved is being constructed;
- the proposed variance will allow an increase of the useable deck space by 45%;
- the house is as far forward as possible and narrow to allow for a larger backyard and maximize space between neighbours;
- there are 3 letters of support from surrounding neighbours and 1 letter with concerns; and
- there is a landscaping plan in place to provide privacy and cover for neighbours.

2.

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Board Discussion

In answer to questions from members of the Board, Mr. Wosk and staff provided the following information:

- the applicant was aware of the location of the railing during the planning stages; and
- design changes at this stage of development is expected to be costly.

Written Submission

Richmond resident, (Schedule 2)

Gallery Comments

None.

Board Deliberation

The Board (i) expressed concerns with regards to privacy, (ii) recommended a landscaping plan to provide privacy, and (iii) requested the applicant's designer be advised of the non-compliance to prevent future design issues.

Board Decision

It was moved and seconded

That the appeal application to reduce the minimum required rear yard setback under the "Single Detached (RS1/E)" zone for a portion of the second-storey from 9.15 m (30.0 feet) to 8.04 m (26.4 feet) to allow for the expansion of usable deck space be granted.

CARRIED

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (7:36 p.m.).

CARRIED

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Certified a true and correct copy of the Minutes of the meeting of the Board of Variance held on Thursday, February 9, 2023.

Alim Sunderji
Chair

Evangel Biason
Acting Secretary to the Board

**Schedule 1 to the Minutes of the
Board of Variance meeting
held on Thursday, February 9, 2023**



**Looking northeast
from the SW corner of the yard**



Looking east
toward 9820 Pendleton



Looking northwest
from the SE corner of the yard



**Looking west
toward 9780 Pendleton**



Looking southeast
from the deck

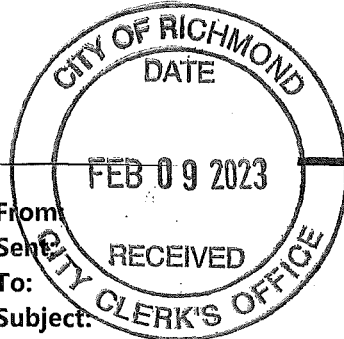


Looking south
from the deck

**Looking southwest
from the deck**



**Schedule 2 to the Minutes of the
Board of Variance meeting
held on Thursday, February 9, 2023**



From: [Redacted]
Sent: February 9, 2023 4:19 PM
To: CityClerk
Subject: Variance appeal of 9800 Pendleton Road of Burry Wosk

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear City of Richmond,

I am one of the neighbors of 9800 Pendleton road, who is requesting an appeal to create a second-stored rear yard setback.

I strongly disagree for this request to be approved, as it would strongly invade our privacy and personal space. The second storey can directly see our whole backyard and everything we do in our backyard and kitchen very clearly.

I am very sorry for this late comment, as I just received this letter.

I sincerely wish for this appeal request to be declined, and please keep this anonymous since we dont want conflicts between us neighbors.

Thank you.