

BOARD OF VARIANCE

THURSDAY, SEPTEMBER 15, 2016 Council Chambers, Richmond City Hall 7:00 p.m.

CALL TO ORDER

MINUTES

Adoption of the minutes of the meeting of the Board of Variance held on September 8, 2016.

1. BOARD OF VARIANCE APPEAL – 10575 TRURO DRIVE BVL 16-729988

(File Ref. No. BVL 16-729988) (REDMS No. 5145025)

BOV-5

See Page BOV-5 for full application

Applicant:

Ke Zhen Ge and Jing Liao

Address:

10575 Truro Drive

Purpose:

The registered owners of 10575 Truro Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Order of Proceedings:

- 1. Presentation from the applicant.
- 2. Written submissions
- 3. Public submissions

Board of Variance Agenda Thursday, September 15, 2016

Pg.# **ITEM**

Board deliberation 4.

2. **BOARD OF VARIANCE APPLICATION – 11180 SCHOONER COURT** BVL 16-731342

(File Ref. No. BVL 16-731342) (REDMS No. 5147618)

BOV-49

See Page **BOV-49** for full application

Applicant:

Allen J. Morris

Address:

11180 Schooner Court

Purpose:

The registered owner of 11180 Schooner Court has requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed

application package is included in Attachment 2.

Order of Proceedings:

- 1. Presentation from the applicant.
- 2. Written submissions
- 3. Public submissions
- Board deliberation 4.

3. BOARD OF VARIANCE APPLICATION - 10200 LAWSON DRIVE BVL 16-731995

(File Ref. No. BVL 16-731995) (REDMS No. 5147208)

BOV-79

See Page **BOV-79** for full application

Applicant:

Zhaoming Luo

Address:

10200 Lawson Drive

Board of Variance Agenda Thursday, September 15, 2016

ITEM Pg. #

Purpose:

The registered owner of 10200 Lawson Drive has requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract (LUC) as it applies to their property from November 24, 2016 to June 30, 2024 (the applicant has not specified a date for their extension request, but instead indicates that they are requesting the extension due to their current tenancy agreement, which ends on June 20, 2017). A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Order of Proceedings:

- 1. Presentation from the applicant.
- 2. Written submissions
- 3. Public submissions
- 4. Board deliberation

4. **BOARD OF VARIANCE APPLICATION - 11331 SCHOONER COURT** BVL 16-732308

(File Ref. No. BVL 16-732308) (REDMS No. 5148360)

BOV-130

See Page BOV-130 for full application

Applicant:

Altaf and Margaret Shaikh

Address:

11331 Schooner Court

Purpose:

The registered owners of 11331 Schooner Court have requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed

application package is included in Attachment 2.

Order of Proceedings:

- Presentation from the applicant. 1.
- 2. Written submissions
- 3. Public submissions
- 4. Board deliberation

Board of Variance Agenda Thursday, September 15, 2016

Pg. # ITEM

ADJOURNMENT



Memorandum

Planning and Development Division

To:

Board of Variance

Date:

August 24, 2016

From:

Re:

Cynthia Lussier

File:

BVL 16-729988

Planner 1

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Board of Variance Appeal (Ke Zhen Ge and Jing Liao - 10575 Truro Drive)

Purpose

The registered owners of 10575 Truro Drive have requested an appeal to the Board of Variance to extend the early termination date of the land use contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all Land Use Contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single-family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.



Table 1		
Site Area:	360 m ² (3,875 ft ²)	
Land Uses:	Existing single detached dwelling	
OCP Designation:	Neighbourhood Residential	
Underlying Zoning:	Single Detached (RS1/B)	
Land Use Contract No:	LUC 112	
Application Date:	April 22, 2016	

Existing development immediately surrounding the subject property is as follows:

- To the north and south, are existing two-storey single-family dwellings on lots under LUC 112.
- To the east, immediately across Truro Drive, is a two-storey single-family dwelling on a lot under LUC 112.
- To the west, is an existing treed pathway within Diefenbaker Neighbourhood School Park, and beyond that, are existing two-storey single-family dwellings on lots under LUC 148 fronting Campobello Place.

Table 2 provides a comparison of some of the key regulations for a single-family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments or court orders made since registration of the LUC.

Table 2 ¹		
Regulations	LUC 112	Single Detached (RS1/B) Zone
Floor Area Ratio (max):	N/A	0.55 to max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for a garage.
Principal dwelling size* (max):	432 m ² (4,650 ft ²) (including garage)	248 m ² (2,669 ft ²) (including garage)
Lot Coverage (max):	40%	45%
Front Yard Setback (min):	Principal dwelling – 4.5 m Carport/garage – 1.5 m	6.0 m
Side Yard Setback (min):	Principal dwelling – 1.2 m Carport/garage – 0.9 m	1.2 m (for lots less than 18 wide)
Rear Yard Setback (min):	4.5 m (1 st storey) 6.0 m (2 nd storey)	6.0 m
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

^{*} Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

5145025 **BOV - 6**

¹ Disclaimer: This comparison summary is provided for general information only and does not form a representation by the City. Any person making a land use, building construction or financial decision should obtain independent advice regarding all applicable regulations.

Public Consultation

In accordance with the *Local Government Act* and the Board of Variance Bylaw No. 9259, a notice of the subject application has been mailed to the applicant and to all owners and residents within 50 m (164 ft.) of the subject property stating the subject matter of the application and the date, time, and place of the Board of Variance meeting at which the application will be considered.

The owner of the subject property and those that received the notice may be heard by the Board of Variance at the meeting prior to the Board of Variance making a decision on the subject application.

Conclusion

The registered owners of 10575 Truro Drive have requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property from November 24, 2016 to June 30, 2024.

At the conclusion of the meeting of the Board of Variance, the Board may:

- Grant or deny the order requested by the applicant and provide reasons for the grant or denial.
- Request further information from the applicant, City staff, or any person who has made a submission to the Board in respect of the application and adjourn the meeting.
- Reserve its decision and provide a written decision at a later date.

Cynthia Lussier Planner 1 (604-276-4108)

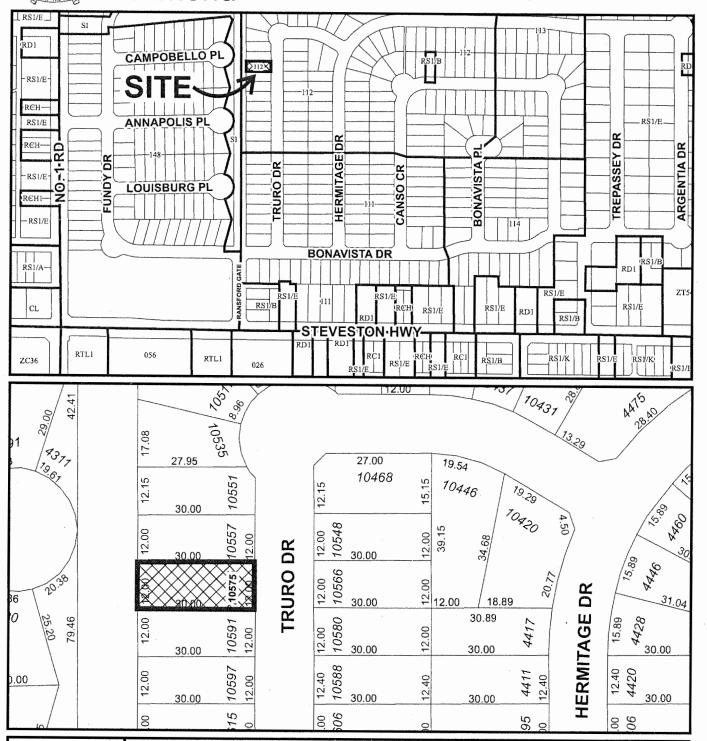
CL:blg Att. 2

Att. 1: Location Map/Aerial Photo

Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development Wayne Craig, Director, Development John Hopkins, Senior Planner







BVL 16-729988

Original Date: 07/12/16

Revision Date:







BVL 16-729988

Original Date: 07/12/16

Revision Date:



Memorandum

Planning and Development Division

To:

Board of Variance

Date:

August 25, 2016

From:

Cynthia Lussier

File:

BVL 16-731342

Planner 1

Re: Board o

Board of Variance Appeal (Allen J. Morris - 11180 Schooner Court)

Purpose

The registered owner of 11180 Schooner Court has requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all Land Use Contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single-family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.



Table 1		
Site Area:	432 m ² (4,650 ft ²)	
Land Uses:	Existing one-storey single detached dwelling	
OCP Designation:	Neighbourhood Residential	
Underlying Zoning:	Single Detached (RS1/B)	
Land Use Contract No:	LUC 015	
Application Date:	May 3, 2016	

Existing development immediately surrounding the subject property is as follows:

- To the north, is a treed greenway to McMath Neighbourhood School Park on land that is zoned "School & Institutional Use (SI)".
- To the south, directly in front of the subject site, is a treed median and parking area within the cul-de-sac of Schooner Court.
- To the east, is an existing two-storey single-family dwelling on a lot under LUC 015.
- To the west, immediately across a pedestrian pathway leading to the greenway to the north, is an existing two-storey single-family dwelling on a lot under LUC 015.

Table 2 provides a comparison of some of the key regulations for a single-family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments or court orders made since registration of the LUC.

Table 2 ¹		
Regulations	LUC 015	Single Detached (RS1/B) Zone
Floor Area Ratio (max):	N/A	0.55 to a max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for garage
Principal Dwelling Size (max.)*:	427 m ² (4,603 ft ²) (including garage)	287.60 m ² (3,095 ft ²) (including garage)
Lot Coverage (max):	33%	45%
Front Yard Setback (min):	6.0 m	6.0 m
Interior Side Yard Setback (min):	1.2 m	1.2 m (for lots less than 18 wide)
Rear Yard Setback (min):	6.0 m	6.0 m
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

^{*} Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

5147618 BOV - 50

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Public Consultation

In accordance with the *Local Government Act* and the Board of Variance Bylaw No. 9259, a notice of the subject application has been mailed to the applicant and to all owners and residents within 50 m (164 ft.) of the subject property stating the subject matter of the application and the date, time, and place of the Board of Variance meeting at which the application will be considered.

The owner of the subject property and those that received the notice may be heard by the Board of Variance at the meeting prior to the Board of Variance making a decision on the subject application.

Conclusion

The registered owner of 11180 Schooner Court has requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property from November 24, 2016 to June 30, 2024.

At the conclusion of the meeting of the Board of Variance, the Board may:

- Grant or deny the order requested by the applicant and provide reasons for the grant or denial.
- Request further information from the applicant, City staff, or any person who has made a submission to the Board in respect of the application and adjourn the meeting.
- Reserve its decision and provide a written decision at a later date.

Cynthia Lussier

Planner 1

(604-276-4108)

CL:blg Att. 2

Att. 1: Location Map/Aerial Photo

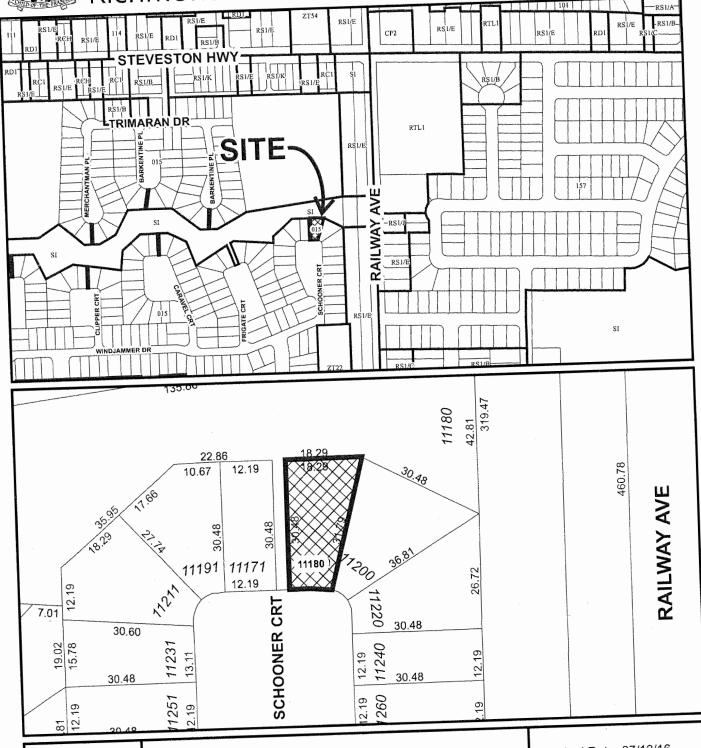
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development

Wayne Craig, Director, Development

John Hopkins, Senior Planner





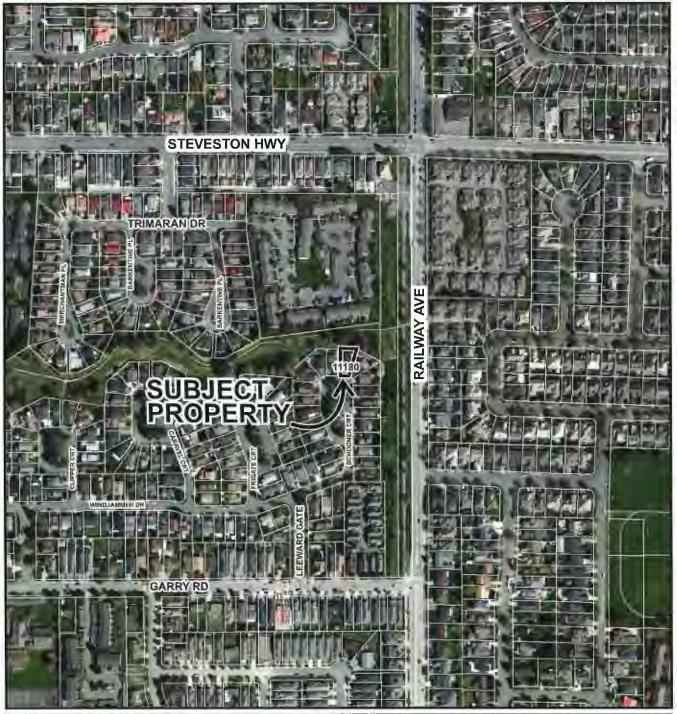


BVL 16-731342

Original Date: 07/12/16

Revision Date:







BVL 16-731342

Original Date: 07/12/16

Revision Date:



Memorandum

Planning and Development Division

To: Board of Variance

Date: August 24, 2016

From: Cynthia Lussier

File: BVL 16-731995

Planner 1

Re: Board of Variance Appeal (Zhaoming Luo - 10200 Lawson Drive)

Purpose

The registered owner of 10200 Lawson Drive has requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract (LUC) as it applies to their property from November 24, 2016 to June 30, 2024 (the applicant has not specified a date for their extension request, but instead indicates that they are requesting the extension due to their current tenancy agreement, which ends on June 20, 2017). A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all Land Use Contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single-family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.



	Table 1
Site Area:	525 m ² (5,651 ft ²)
Land Uses:	Existing single detached dwelling
OCP Designation:	Neighbourhood Residential
Underlying Zoning:	Single Detached (RS1/B)
Land Use Contract No:	LUC 149
Application Date:	May 13, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north is an existing two-storey single-family dwelling on a lot under LUC 149.
- To the south, immediately across Floyd Avenue, is an existing two-storey single-family dwelling on a lot under LUC 149.
- To the east, is an existing two-storey single-family dwelling on a lot under LUC 149, which fronts Floyd Avenue.
- To the west, immediately across Lawson Drive, is an existing two-storey single-family dwelling on a lot under LUC 149.

Table 2 provides a comparison of some of the key regulations for a single-family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments or court orders made since registration of the LUC.

Table 2 ¹		
Regulations	LUC 149	Single Detached (RS1/B) Zone
Floor Area Ratio (max):	N/A	0.55 to a max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for garage
Principal Dwelling Size (max.)*:	630 m ² (6,781 ft ²) (including garage)	323 m ² (3,483 ft ²) (including garage)
Lot Coverage (max):	40%	45%
Front Yard Setback (min):	Principal dwelling – 4.5 m Carport/garage – 1.5 m	6.0 m
Interior Side Yard Setback (min):	Principal dwelling – 1.2 m Carport/garage – 0.9 m	1.2 m (for lots less than 18 wide)
Exterior Side Yard Setback (min):	3.0 m	3.0 m
Rear Yard Setback (min):	4.5 m (1 st storey) 6.0 m (2 nd storey)	6.0 m (if the exterior side yard setback is 6.0 m the rear yard can be reduced to 1.2 m)
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

^{*} Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

BOV - 80

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Public Consultation

In accordance with the *Local Government Act* and the Board of Variance Bylaw No. 9259, a notice of the subject application has been mailed to the applicant and to all owners and residents within 50 m (164 ft.) of the subject property stating the subject matter of the application and the date, time, and place of the Board of Variance meeting at which the application will be considered.

The owner of the subject property and those that received the notice may be heard by the Board of Variance at the meeting prior to the Board of Variance making a decision on the subject application.

Conclusion

The registered owner of 10200 Lawson Drive has requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property. The applicant has not specified a date for their extension request, but indicates in their application that they are requesting the extension due to the current tenancy agreement which ends on June 30, 2017.

At the conclusion of the meeting of the Board of Variance, the Board may:

- Grant or deny the order requested by the applicant and provide reasons for the grant or denial.
- Request further information from the applicant, City staff, or any person who has made a submission to the Board in respect of the application and adjourn the meeting.
- Reserve its decision and provide a written decision at a later date.

Cynthia Lussier

Planner 1

(604-276-4108)

CL:blg Att. 2

Att. 1: Location Map/Aerial Photo

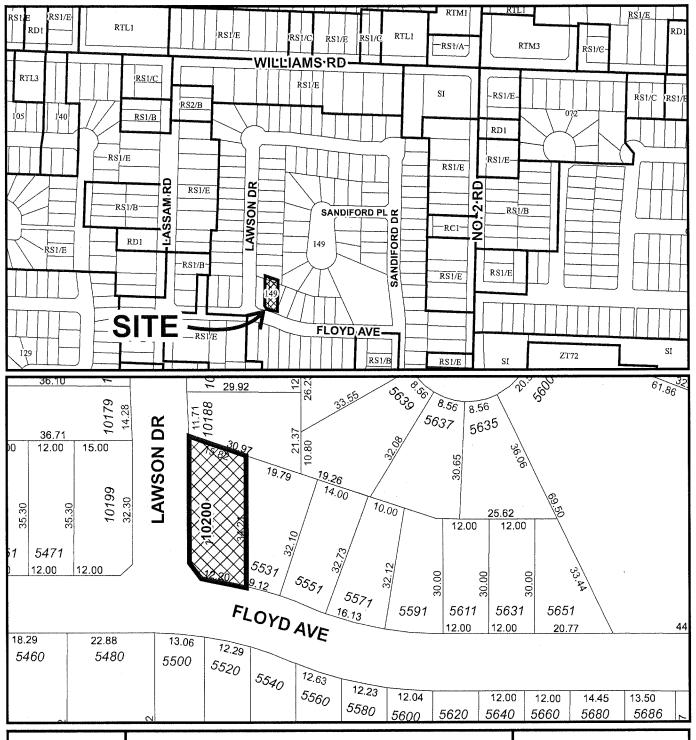
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pc: Joe Erceg, General Manager, Planning and Development

Wayne Craig, Director, Development

John Hopkins, Senior Planner





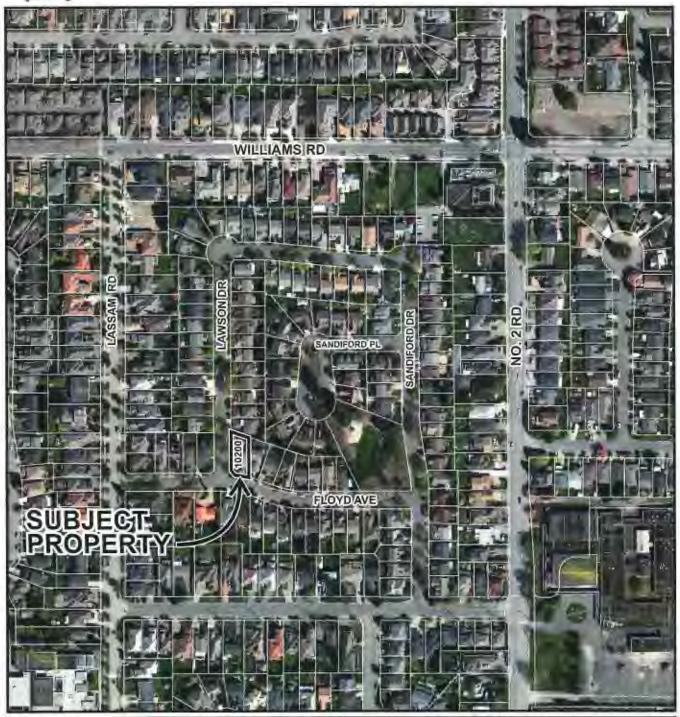


BVL 16-731995

Original Date: 08/04/16

Revision Date:







BVL 16-731995

Original Date: 08/04/16

Revision Date:



Memorandum

Planning and Development Division

To: Board

Board of Variance

Date: August 25, 2016

From: Cynthia Lussier

File:

BVL 16-732308

Planner 1

Re: Board of Variance Appeal (Altaf and Margaret Shaikh - 11331 Schooner Court)

Purpose

The registered owners of 11331 Schooner Court have requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property from November 24, 2016 to June 30, 2024. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package is included in Attachment 2.

Background

In 2014, the Province amended the *Local Government Act* to terminate all Land Use Contracts (LUCs) by June 30, 2024. The legislation also enabled municipalities to consider earlier termination of LUCs provided those bylaws are adopted by June 30, 2022.

On November 24, 2015, Richmond City Council adopted a set of bylaws that will terminate 93 separate LUCs that include single-family properties one year after adoption. The early termination date for those affected LUCs is November 24, 2016.

Section 543 of the *Local Government Act* allows the Board of Variance to consider appeals to extend the provisions of a LUC beyond the early termination date for a specified period of time ending no later than June 30, 2024. The appeal must be made by the owner alleging that the timing of the termination of the LUC would cause the owner hardship. The application must also be made within six (6) months of the adoption of the early termination bylaw, and the Board of Variance must make a decision on an application within six (6) months after the application is received. If an order is granted by the Board of Variance, it cannot run with the land. In other words, the appeal would not apply to future owners or purchasers of the property.

Findings of Fact

Table 1 indicates the regulatory context of the subject property, selected property features, and the date that the application to the Board of Variance was received.



Table 1		
Site Area:	376 m ² (4,047 ft ²)	
Land Uses:	Existing two-storey single detached dwelling	
OCP Designation:	Neighbourhood Residential	
Underlying Zoning:	Single Detached (RS1/B)	
Land Use Contract No:	LUC 015	
Application Date:	May 18, 2016	

Existing development immediately surrounding the subject property is as follows:

- To the north, is a vacant lot under LUC 015, for which a Building Permit has been issued to build a three-storey dwelling under the provisions of the LUC.
- To the south, is an existing one-storey single-family dwelling on a lot under LUC 015, which is the subject of a Demolition Permit application.
- To the east, is the tip of a treed median and parking area at the south end of the cul-de-sac of Schooner Court.
- To the west, fronting Frigate Court, is an existing two-storey single-family dwelling on a lot under LUC 015; and to the northwest, also fronting Frigate Court, is an existing two-storey single-family dwelling on a lot under LUC 015; which is the subject of Demolition and Building Permit applications.

Table 2 provides a comparison of some of the key regulations for a single-family dwelling at the subject property under the LUC, with the regulations of the underlying zone. The table does not include any site-specific amendments or court orders made since registration of the LUC.

Table 2 ¹		
Regulations	LUC 015	Single Detached (RS1/B) Zone
Floor Area Ratio (max.):	N/A	0.55 to a max. 464.5 m ² of site area plus 0.3 for the balance; plus max. 50 m ² for garage
Principal Dwelling Size (max.)*:	372.24 m ² (4,006 ft ²) (including garage)	256.80 m ² (2,764 ft ²) (including garage)
Lot Coverage (max.):	33%	45%
Front Yard Setback (min.):	6.0 m	6.0 m
Interior Side Yard Setback (min.):	1.2 m	1.2 m (for lots less than 18 wide)
Rear Yard Setback (min.):	6.0 m	6.0 m
Height (max.):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

^{*} Preliminary estimate; exact building size to be determined through compliance review at Building Permit stage.

BOV - 135

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Public Consultation

In accordance with the *Local Government Act* and the Board of Variance Bylaw No. 9259, a notice of the subject application has been mailed to the applicant and to all owners and residents within 50 m (164 ft.) of the subject property; stating the subject matter of the application and the date, time, and place of the Board of Variance meeting at which the application will be considered.

The owner of the subject property and those that received the notice may be heard by the Board of Variance at the meeting prior to the Board of Variance making a decision on the subject application.

Conclusion

The registered owners of 11331 Schooner Court have requested an appeal to the Board of Variance to extend the early termination date of the Land Use Contract as it applies to their property from November 24, 2016 to June 30, 2024.

At the conclusion of the meeting of the Board of Variance, the Board may:

- Grant or deny the order requested by the applicant and provide reasons for the grant or denial.
- Request further information from the applicant, City staff, or any person who has made a submission to the Board in respect of the application and adjourn the meeting.
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Cynthia Lussier

Planner 1

(604-276-4108)

CL:blg Att. 2

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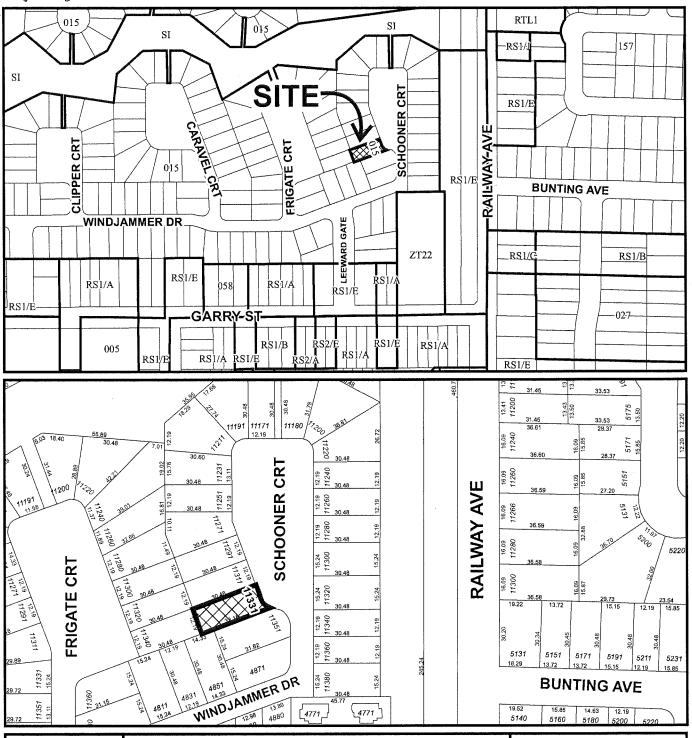
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pc: Joe Erceg, General Manager, Planning and Development

Wayne Craig, Director, Development

John Hopkins, Senior Planner





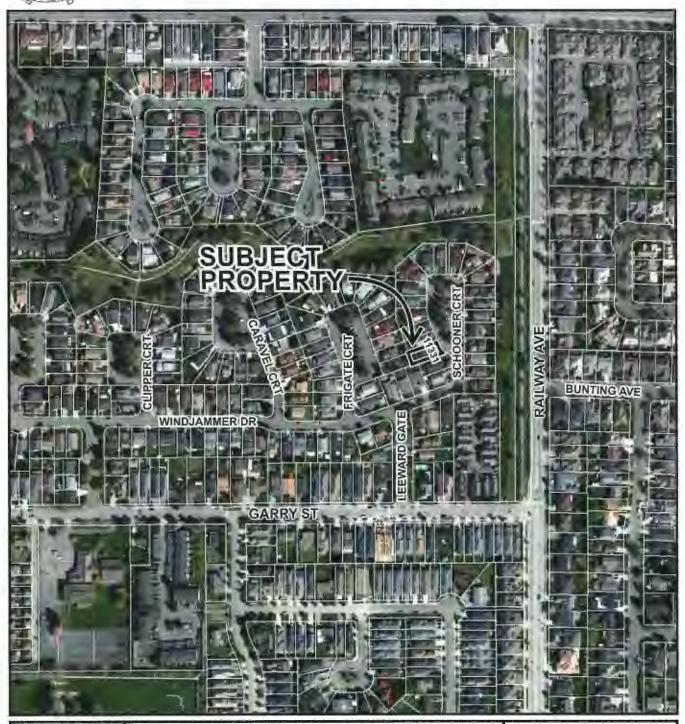


BVL 16-732308

Original Date: 08/05/16

Revision Date:







BVL 16-732308

Original Date: 08/05/16

Revision Date: