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**BOARD OF VARIANCE**

**THURSDAY, OCTOBER 20, 2016**  
**Council Chambers, Richmond City Hall**  
**7:00 p.m.**

CALL TO ORDER

MINUTES

*Adoption of the **minutes** of the meetings of the Board of Variance held on October 13, 2016.*



1. **BOARD OF VARIANCE APPEAL – 8791 NO. 4 ROAD**  
**BVL 16-732550**  
(File Ref. No. BVL 16-732550) (REDMS No. 5180592)

**BOV-5**

**See Page BOV-5 for full application**

**Applicant:** Man Foo Hui and Wan Ying Su

**Address:** 8791 No. 4 Road

**Purpose:** The registered owners of 8791 No. 4 Road have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 088 as it applies to their property from November 24, 2016 to June 30, 2024 (Note: the applicant has not specified a date for their extension).

**Order of Proceedings:**

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

Board of Variance Agenda  
Thursday, October 20, 2016

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Pg. #      ITEM

2.    **BOARD OF VARIANCE APPLICATION – 4351 CABOT DRIVE  
BVL 16-732570**

(File Ref. No. BVL 16-732570) (REDMS No. 5181082)

**BOV-32**

[See Page BOV-32 for full application](#)

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**Applicant:**            Hung Lok Cheung and Ng Mui Chung Cheung

**Address:**             4351 Cabot Drive

**Purpose:**              The registered owners of 4351 Cabot Drive have requested an appeal to the Board of Variance to extend the early termination date of LUC 042 as it applies to their property from November 24, 2016 to June 30, 2024.

**Order of Proceedings:**

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

3.    **BOARD OF VARIANCE APPLICATION – 11334 KINGCOME AVENUE  
BVL 16-732588**

(File Ref. No. BVL 16-732588) (REDMS No. 5180674)

**BOV-65**

[See Page BOV-65 for full application](#)

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**Applicant:**            Mohamed Iqbal Meghjee and Sukeina Jethabhai

**Address:**             11334 Kingcome Avenue

**Purpose:**              The registered owners of 11334 Kingcome Avenue have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 048 as it applies to their property from November 24, 2016 to June 30, 2024.

**Order of Proceedings:**

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

Board of Variance Agenda  
Thursday, October 20, 2016

Pg. #      ITEM

4.    **BOARD OF VARIANCE APPLICATION – 6631 GOLDSMITH DRIVE  
BVL 16-732591**  
(File Ref. No. BVL 16-732591) (REDMS No. 5180665)

**BOV-102**

**See Page BOV-102 for full application**

**Applicant:**            Theresa Yueh Chaing Lau  
**Address:**             6631 Goldsmith Drive  
**Purpose:**              The registered owner of 6631 Goldsmith Drive has requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 011 as it applies to their property from November 24, 2016 to June 30, 2024.

**Order of Proceedings:**

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

5.    **BOARD OF VARIANCE APPLICATION – 10060 HOLLYCROFT GATE  
BVL 16-732599**  
(File Ref. No. BVL 16-732599) (REDMS No. 5180666)

**BOV-138**

**See Page BOV-138 for full application**

**Applicant:**            Gian Singh Dhillon and Amarjit Dhillon  
**Address:**             10060 Hollycroft Gate  
**Purpose:**              The registered owners of 10060 Hollycroft Gate have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 105 as it applies to their property from November 24, 2016 until November 24, 2020.

**Order of Proceedings:**

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

Board of Variance Agenda  
Thursday, October 20, 2016

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Pg. #      ITEM

ADJOURNMENT





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**To:** Board of Variance **Date:** September 28, 2016  
**From:** Cynthia Lussier **File:** BVL 16-732550  
Planner 1  
**Re:** Board of Variance Appeal (Man Foo Hui and Wan Ying Su, 8791 No. 4 Road)

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### Purpose

The registered owners of 8791 No. 4 Road have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 088 as it applies to their property from November 24, 2016 to June 30, 2024 (Note: the applicant has not specified a date for their extension). 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.

<b>Table 1</b>	
<b>Site Area:</b>	371 m <sup>2</sup> (3,993 ft <sup>2</sup> )
<b>Land Uses:</b>	Existing two-storey single detached dwelling
<b>OCP Designation:</b>	Neighbourhood Residential
<b>Underlying Zoning:</b>	Single Detached (RS1/B)
<b>Land Use Contract No:</b>	LUC 088
<b>Application Date:</b>	May 20, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north is a one-storey single-family dwelling on a lot under LUC 088 at 8771 No. 4 Road.
- To the south is a two-storey single-family dwelling on a lot under LUC 088 at 8811 No. 4 Road.
- To the east is, immediately across No. 4 Road, is a two-storey single-family dwelling on a lot zoned "Agriculture (AG1)" at 8800 No. 4 Road.
- To the west, immediately across the existing rear lane, are two (2) lots, each containing a two-storey single-family dwelling on lots under LUC 088 at 9906 and 9924 Ashwood Drive.

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 made since registration of the LUC.

<b>Table 2<sup>1</sup></b>		
<b>Regulations</b>	<b>LUC 088</b>	<b>Single Detached (RS1/B) Zone</b>
<b>Floor Area Ratio (max):</b>	N/A	0.55 to a max. 464.5 m <sup>2</sup> of site area plus 0.3 for the balance; plus max. 50 m <sup>2</sup> for garage
<b>Principal Dwelling Size (max.):*</b>	445 m <sup>2</sup> (4,792 ft <sup>2</sup> ) (including garage)	254 m <sup>2</sup> (2,734 ft <sup>2</sup> ) (including garage)
<b>Lot Coverage (max):</b>	40%	45%
<b>Front Yard Setback (min):</b>	Dwelling - 4.25 m Carport/garage - 1.5 m	6.0 m
<b>Interior Side Yard Setback (min):</b>	Dwelling - 1.2 m Carport/garage - 0.9 m	1.2 m (for lots less than 18 wide)
<b>Rear Yard Setback (min):</b>	1 <sup>st</sup> storey - 4.25 m 2 <sup>nd</sup> storey - 6.0 m	6.0 m
<b>Height (max):</b>	3 storeys	2 ½ storeys
<b>Secondary Suite:</b>	Not permitted	Permitted

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

<sup>1</sup> 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 any member of the public 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 8791 No. 4 Road 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 (Note: the applicant has not specified a date for their extension).

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; or
- reserve its decision and provide a written decision at a later date.



Cynthia Lussier  
Planner 1

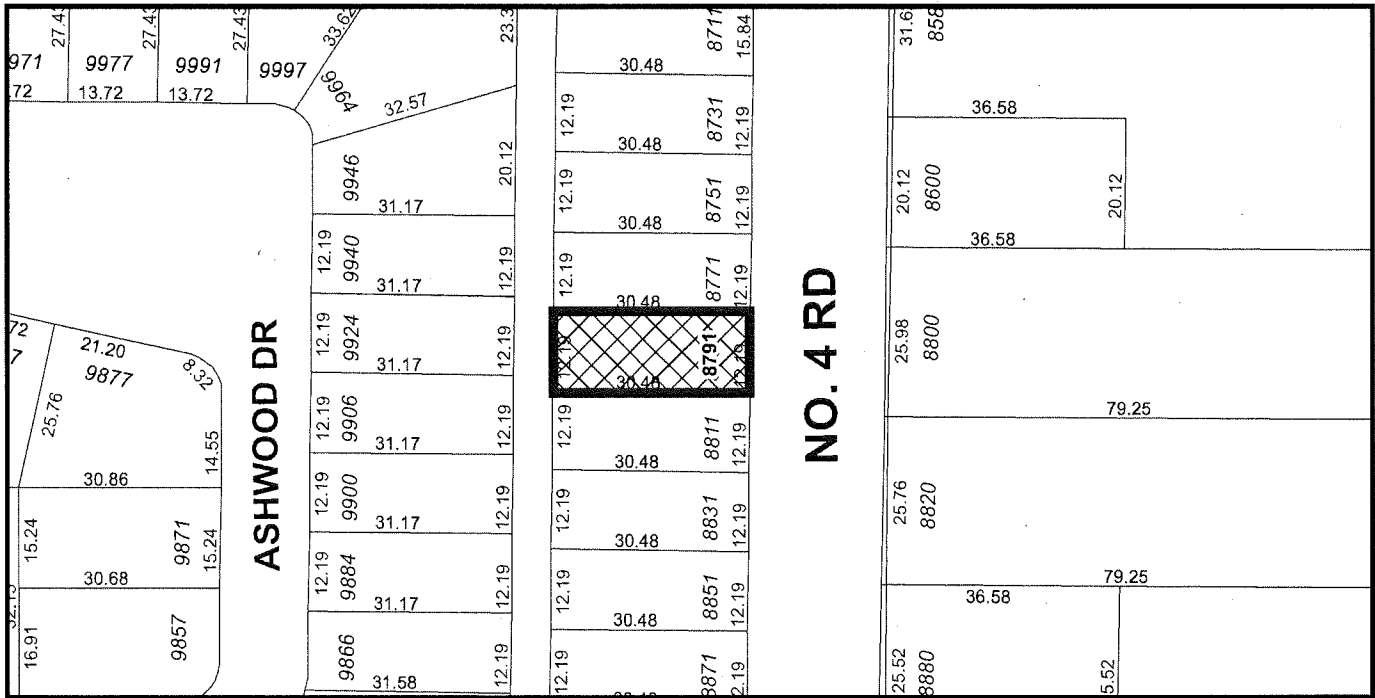
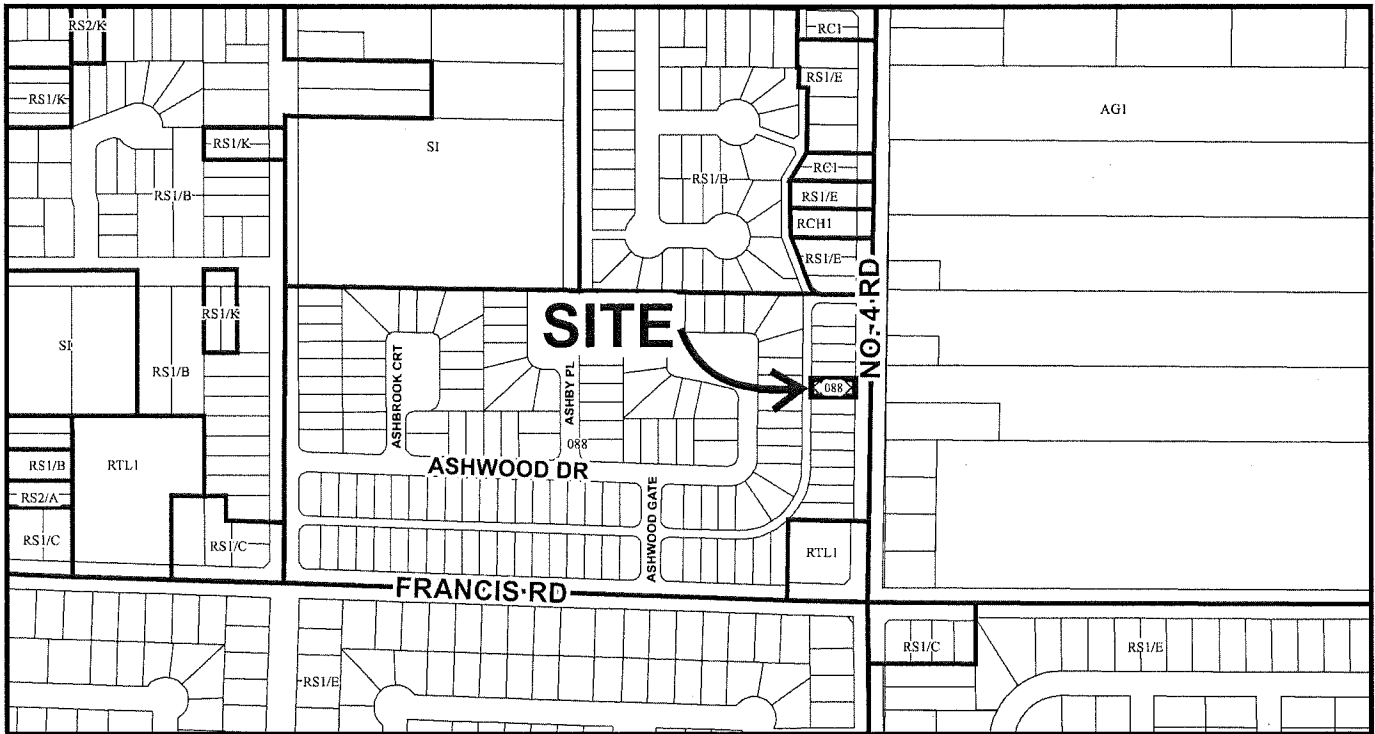
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Att. 2

Att. 1: Location Map/Aerial Photo  
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



City of  
Richmond



BVL 16-732550

Original Date: 09/08/16  
Revision Date:  
Note: Dimensions are in METRES





City of  
Richmond



**BVL 16-732550**

Original Date: 09/13/16

Revision Date:

Note: Dimensions are in METRES



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**To:** Board of Variance  
**From:** Cynthia Lussier  
Planner 1  
**Date:** September 29, 2016  
**File:** BVL 16-732570  
**Re:** **Board of Variance Appeal (Hung Lok Cheung and Ng Mui Chung Cheung, 4351 Cabot Drive)**

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### Purpose

The registered owners of 4351 Cabot 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.

<b>Table 1</b>	
<b>Site Area:</b>	282 m <sup>2</sup> (3,035 ft <sup>2</sup> )
<b>Land Uses:</b>	Existing two-storey semi-detached dwelling
<b>OCP Designation:</b>	Neighbourhood Residential
<b>Underlying Zoning:</b>	Single Family Zero Lot Line (ZS24)
<b>Land Use Contract No:</b>	LUC 042
<b>Application Date:</b>	May 24, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north, fronting Granville Avenue, are two lots that each contain a two-storey single-family dwelling on a lot zoned "Single Detached (RS1/E).
- To the south, across the cul-de-sac of Cabot Drive, are two-storey semi-detached dwellings on lots under LUC 042.
- To the east is a semi-detached dwelling on a lot under LUC 042.
- To the west is a detached dwelling with a zero lot line on a lot under LUC 042.

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.

<b>Table 2<sup>1</sup></b>		
<b>Regulations</b>	<b>LUC 042</b>	<b>Single Family Zero Lot Line (ZS24) Zone</b>
<b>Floor Area Ratio (max):</b>	N/A	0.55 to a max. 464.5 m <sup>2</sup> of site area plus 0.3 for the balance; plus max. 50 m <sup>2</sup> for garage
<b>Principal Dwelling Size (max.):*</b>	279 m <sup>2</sup> (3,005 ft <sup>2</sup> ) (including garage)	205.1 m <sup>2</sup> (2,207 ft <sup>2</sup> ) (including garage)
<b>Lot Coverage (max):</b>	As per drawings (approx.. 30%)	45%
<b>Front Yard Setback (min):</b>	Dwelling - 6.0 m (except as noted on drawings) Detached Carport - 2.1 m	6.0 m
<b>Interior Side Yard Setback (min):</b>	1.83 m on one side only (no minimum on other side)	1.2 m
<b>Rear Yard Setback (min):</b>	6.0 m (except as noted on drawings)	6.0 m
<b>Height (max):</b>	3 storeys	2 ½ storeys
<b>Secondary Suite:</b>	Not permitted	Permitted

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

<sup>1</sup> 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 4351 Cabot 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; or
- reserve its decision and provide a written decision at a later date.



Cynthia Lussier  
Planner 1

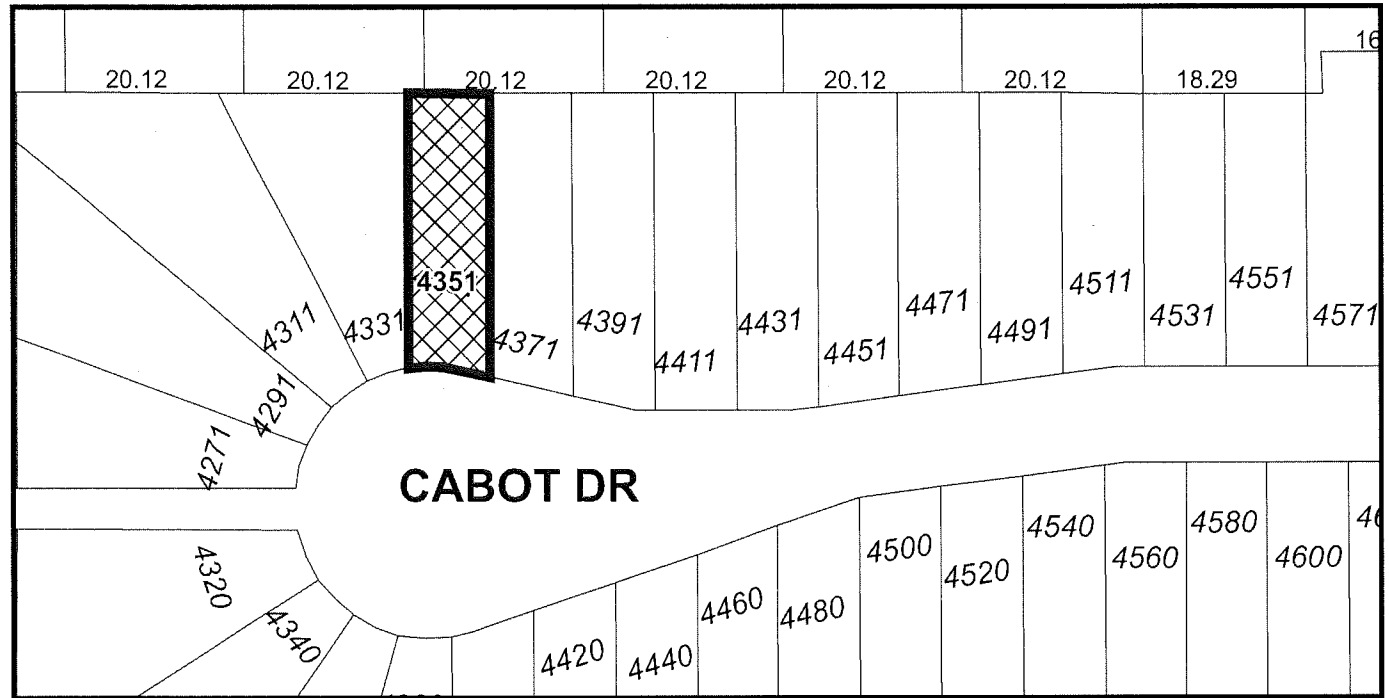
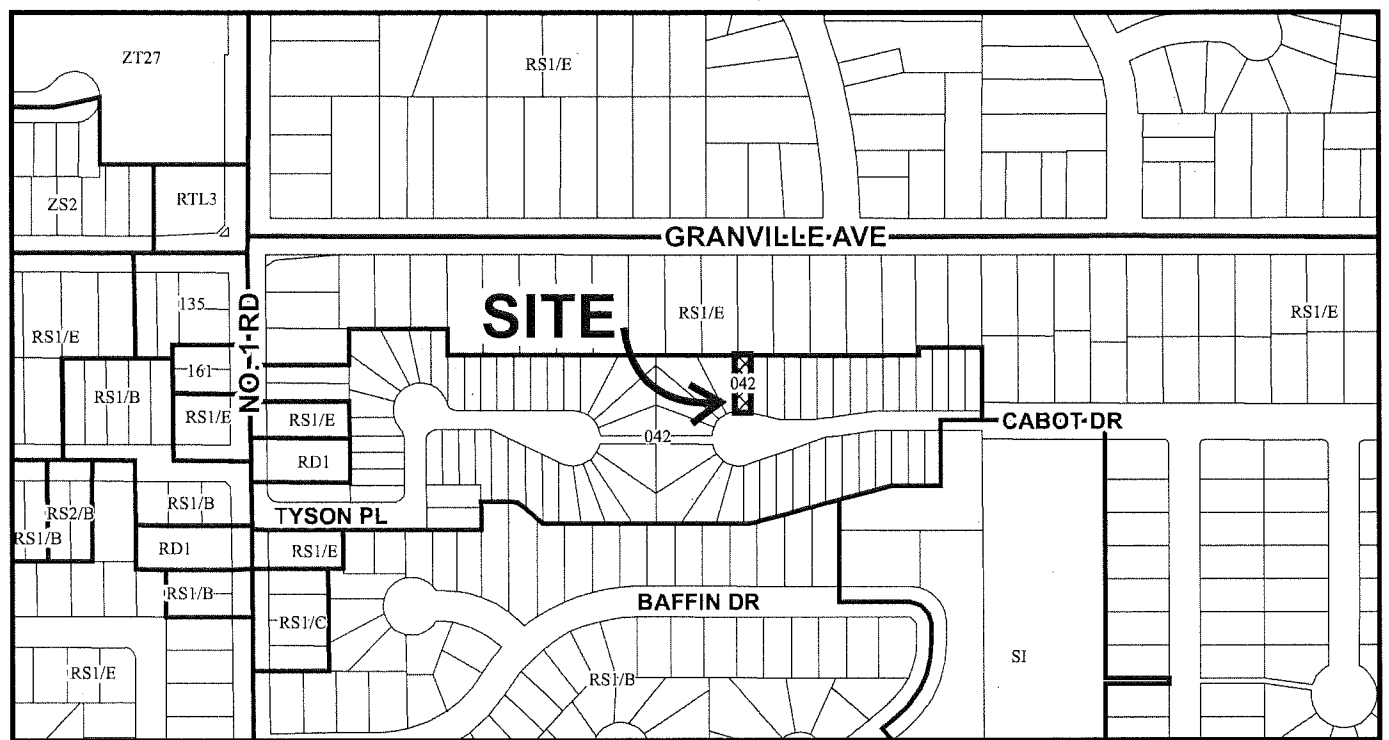
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Att. 2

Att. 1: Location Map/Aerial Photo  
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



# City of Richmond



	<h2>BVL 16-732570</h2>	<p>Original Date: 09/14/16</p> <p>Revision Date:</p> <p>Note: Dimensions are in METRES</p>
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City of  
Richmond



**BVL 16-732570**

Original Date: 09/14/16

Revision Date:

Note: Dimensions are in METRES



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**To:** Board of Variance  
**From:** Cynthia Lussier  
Planner 1  
**Date:** September 28, 2016  
**File:** BVL 16-732588  
**Re:** **Board of Variance Appeal (Mohamed Iqbal Meghjee and Sukeina Jethabhai, 11334 Kingcome Avenue)**

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### Purpose

The registered owners of 11334 Kingcome Avenue have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 048 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.

<b>Table 1</b>	
<b>Site Area:</b>	485 m <sup>2</sup> (5,220 ft <sup>2</sup> )
<b>Land Uses:</b>	Existing 2-storey single-family dwelling
<b>OCP Designation:</b>	Neighbourhood Residential
<b>Underlying Zoning:</b>	Single Detached (RS1/B)
<b>Land Use Contract No:</b>	LUC 048
<b>Application Date:</b>	May 24, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north, immediately across Kingcome Avenue are 2-storey single-family dwellings on lots under LUC 048.
- To the south is a 2-storey townhouse complex on Kingsgrove Avenue, on a lot under LUC 016.
- To the east is a 2-storey single-family dwelling fronting Kingcome Avenue on a lot under LUC 048, as well as a 2-storey single-family dwelling fronting Kingswood Drive on a lot zoned "Single Detached (RS1/E)".
- To the west is a two-storey single-family dwelling on a lot under LUC 048.

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 made since registration of the LUC.

<b>Table 2<sup>1</sup></b>		
<b>Regulations</b>	<b>LUC 048</b>	<b>Single Detached (RS1/B) Zone</b>
<b>Floor Area Ratio (max):</b>	N/A	0.55 to a max. 464.5 m <sup>2</sup> of site area plus 0.3 for the balance; plus max. 50 m <sup>2</sup> for garage
<b>Principal Dwelling Size (max.):*</b>	582 m <sup>2</sup> (6,264 ft <sup>2</sup> ) (including garage)	311 m <sup>2</sup> (3,354 ft <sup>2</sup> ) (including garage)
<b>Lot Coverage (max):</b>	40%	45%
<b>Front Yard Setback (min):</b>	As per design guidelines for 12 m wide lots Dwelling - 4.5 m for 1st storey; 6.0 for 2nd storey Carport/garage - 1.5 m	6.0 m
<b>Interior Side Yard Setback (min):</b>	As per design guidelines for 12 m wide lots Dwelling - 1.2 m Carport - 0.9 m	1.2 m (for lots less than 18 wide)

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

<sup>1</sup> 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.



Table 2 Continued		
Regulations	LUC 048	Single Detached (RS1/B) Zone
Rear Yard Setback (min):	1 <sup>st</sup> storey – 4.5 m 2 <sup>nd</sup> storey – 6.0 m	6.0 m
Height (max):	3 storeys	2 ½ storeys
Secondary Suite:	Not permitted	Permitted

### 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 11334 Kingcome Avenue 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; or
- reserve its decision and provide a written decision at a later date.



Cynthia Lussier  
Planner 1

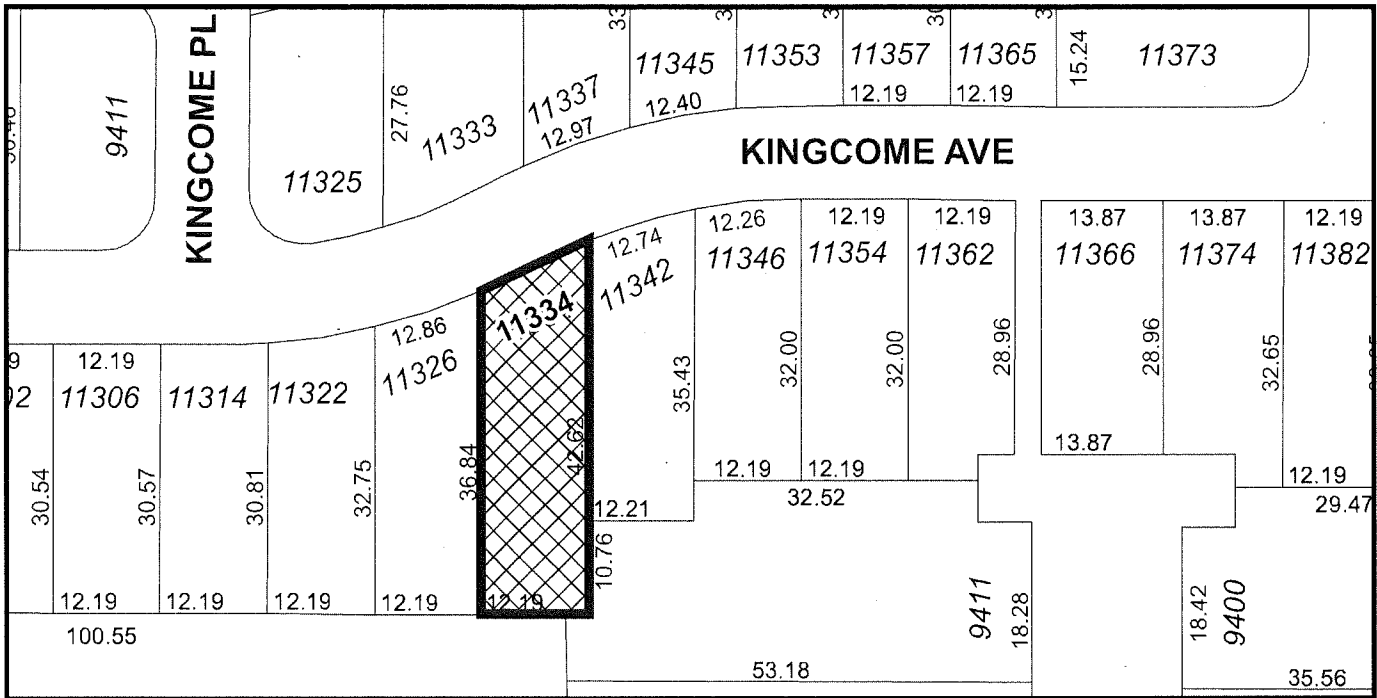
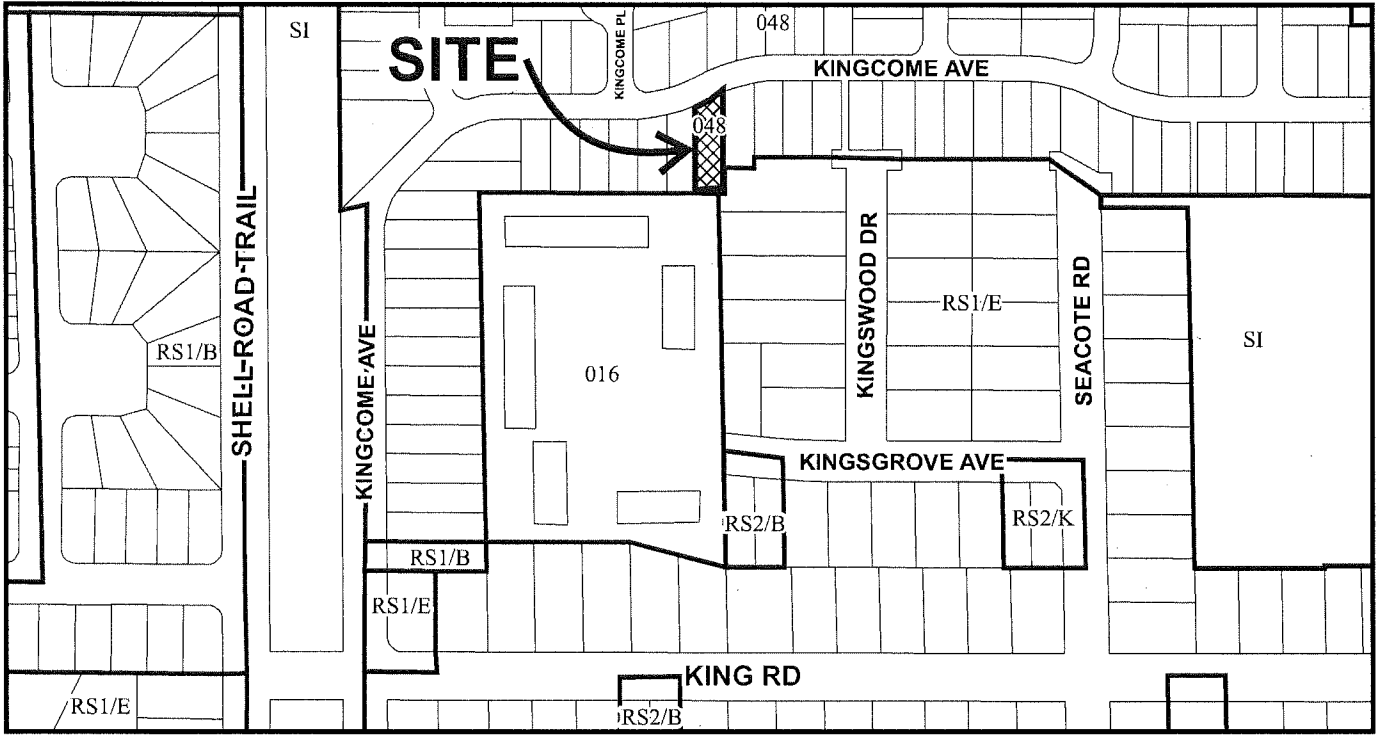
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Att. 2

Att. 1: Location Map/Aerial Photo  
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



City of  
Richmond



**BVL 16-732588**

Original Date: 09/14/16

Revision Date:

Note: Dimensions are in METRES



City of  
Richmond



**BVL 16-732588**

Original Date: 09/14/16

Revision Date:

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**To:** Board of Variance **Date:** September 28, 2016  
**From:** Cynthia Lussier **File:** BVL 16-732591  
Planner 1  
**Re:** Board of Variance Appeal (Theresa Yueh Chaing Lau, 6631 Goldsmith Drive)

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### Purpose

The registered owner of 6631 Goldsmith Drive has requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 011 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.

<b>Table 1</b>	
<b>Site Area:</b>	371 m <sup>2</sup> (3,993 ft <sup>2</sup> )
<b>Land Uses:</b>	Existing 2-storey single detached dwelling
<b>OCP Designation:</b>	Neighbourhood Residential
<b>Underlying Zoning:</b>	Single Detached (RS1/B)
<b>Land Use Contract No:</b>	LUC 011
<b>Application Date:</b>	May 24, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north is an existing 2-storey dwelling on a lot under LUC 011 at 6651 Goldsmith Drive.
- To the south is an existing 1-storey dwelling on a lot under LUC 011 at 6611 Goldsmith Drive.
- To the east, immediately across the street, is a 3-storey dwelling under construction on a lot under LUC 011 at 6640 Goldsmith Drive.
- To the west, fronting Steele Court, is an existing 2-storey dwelling on a lot under LUC 011 at 6440 Steele Court.

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.

<b>Table 2<sup>1</sup></b>		
<b>Regulations</b>	<b>LUC 011</b>	<b>Single Detached (RS1/B) Zone</b>
<b>Floor Area Ratio (max):</b>	N/A	0.55 to a max. 464.5 m <sup>2</sup> of site area plus 0.3 for the balance; plus max. 50 m <sup>2</sup> for garage
<b>Principal Dwelling Size (max.):*</b>	556.5 m <sup>2</sup> (5,990 ft <sup>2</sup> ) (including garage)	254.05 m <sup>2</sup> (2,734 ft <sup>2</sup> ) (including garage)
<b>Lot Coverage (max):</b>	50%	45%
<b>Front Yard Setback (min):</b>	9.14 m	6.0 m
<b>Interior Side Yard Setback (min):</b>	1.2 m	1.2 m (for lots less than 18 wide)
<b>Rear Yard Setback (min):</b>	4.5 m	6.0 m
<b>Height (max):</b>	3 storeys	2 ½ storeys
<b>Secondary Suite:</b>	Not permitted	Permitted

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

<sup>1</sup> 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 owner of 6631 Goldsmith 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 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; or
- reserve its decision and provide a written decision at a later date.



Cynthia Lussier  
Planner 1

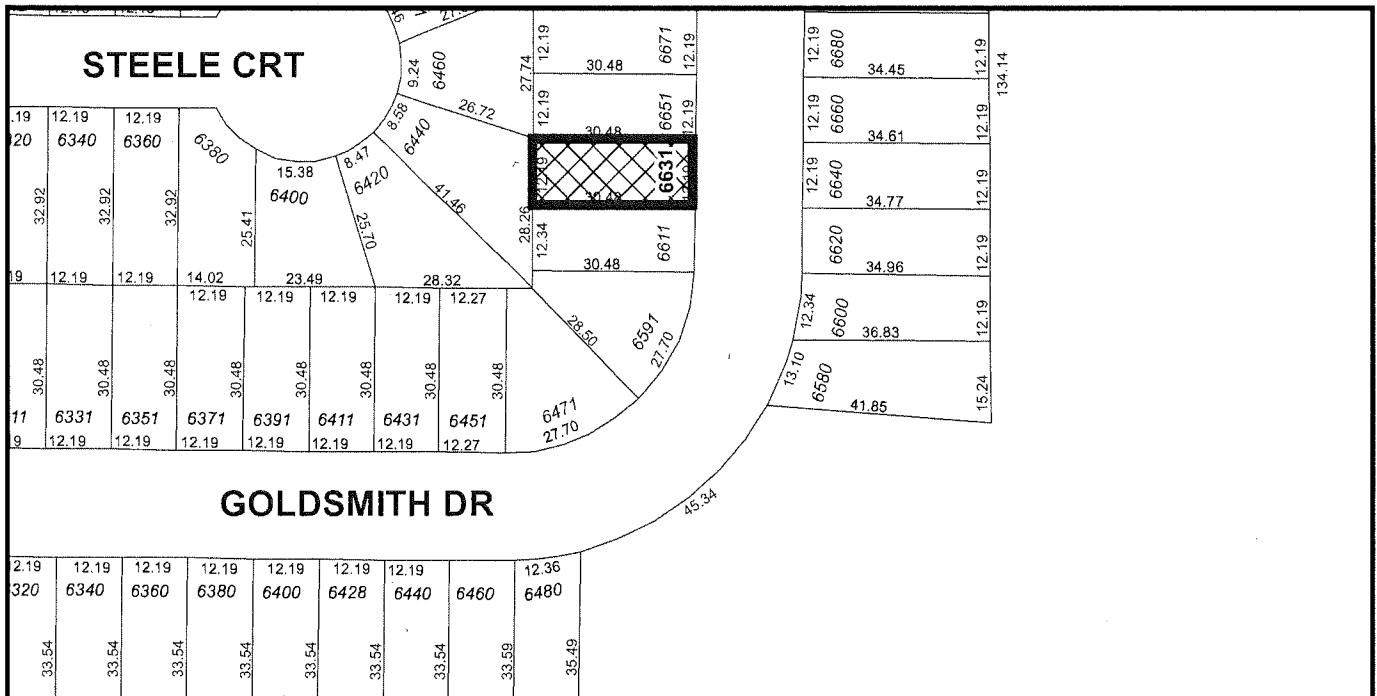
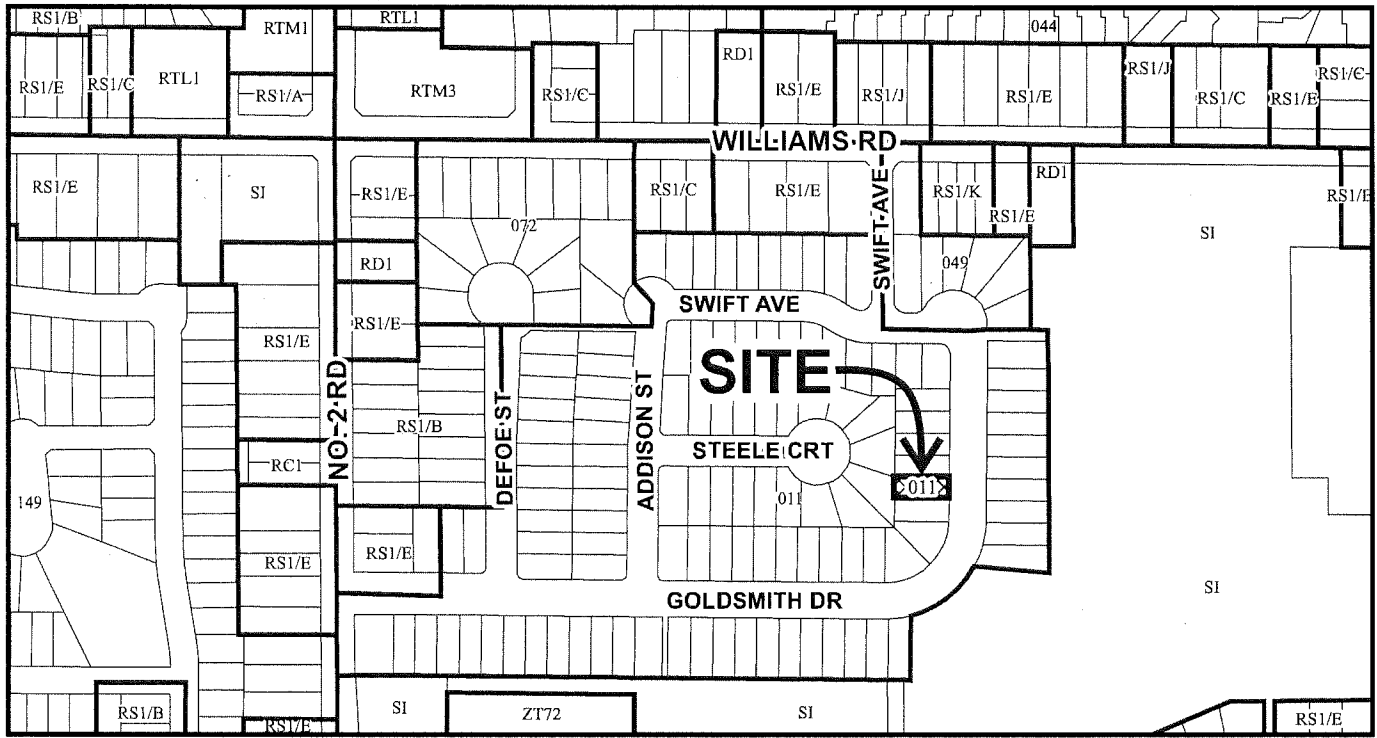
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Att. 2

Att. 1: Location Map/Aerial Photo  
Att. 2: Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



# City of Richmond



**BVL 16-732591**

Original Date: 09/29/16  
 Revision Date:  
 Note: Dimensions are in METRES



City of  
Richmond



BVL 16-732591

Original Date: 09/29/16

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**To:** Board of Variance  
**From:** Cynthia Lussier  
Planner 1  
**Date:** September 28, 2016  
**File:** BVL 16-732599  
**Re:** **Board of Variance Appeal (Gian Singh Dhillon and Amarjit Dhillon, 10060 Hollycroft Gate)**

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### Purpose

The registered owners of 10060 Hollycroft Gate have requested an appeal to the Board of Variance to extend the early termination date of Land Use Contract 105 as it applies to their property from November 24, 2016 until November 24, 2020. A location map and aerial photo of the subject property is included in Attachment 1. A copy of the completed application package submitted by the applicant is included in Attachment 2. An addendum to the applicant's submission has been included in Attachment 3. The addendum contains a copy of the Land Use Contract registered on title of the subject property in 1978, which effectively supersedes the Land Use Contract registered on title in 1977.

### 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.

<b>Table 1</b>	
<b>Site Area:</b>	493 m <sup>2</sup> (5,306 ft <sup>2</sup> )
<b>Land Uses:</b>	Existing 2-storey single detached dwelling
<b>OCP Designation:</b>	Neighbourhood Residential
<b>Underlying Zoning:</b>	Single Detached (RS1/B)
<b>Land Use Contract No:</b>	LUC 105
<b>Application Date:</b>	May 24, 2016

Existing development immediately surrounding the subject property is as follows:

- To the north is a 2-storey dwelling on a lot under LUC 105 at 10040 Hollycroft Gate.
- To the south, immediately across Hollycroft Drive, is a 2-storey dwelling on a lot under LUC 057 at 5208 Hollycroft Drive, and a 2-storey dwelling on a lot under LUC 105 at 5220 Hollycroft Drive.
- To the east is a 2-storey dwelling on a lot under LUC 105 at 5217 Hollycroft Drive.
- To the west, immediately across Hollycroft Gate, is a 2-storey dwelling on a lot under LUC 057 at 10051 Hollycroft Gate.

Table 2 provides a comparison of some of the key regulations for a single family dwelling at the subject property under the LUC (registered on title in 1978), 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.

<b>Table 2<sup>1</sup></b>		
<b>Regulations</b>	<b>LUC 105</b>	<b>Single Detached (RS1/B) Zone</b>
<b>Floor Area Ratio (max):</b>	N/A	0.55 to a max. 464.5 m <sup>2</sup> of site area plus 0.3 for the balance; plus max. 50 m <sup>2</sup> for garage
<b>Principal Dwelling Size (max.):*</b>	591.6 m <sup>2</sup> (6,367 ft <sup>2</sup> ) (including garage)	314 m <sup>2</sup> (3,380 ft <sup>2</sup> ) (including garage)
<b>Lot Coverage (max):</b>	40%	45%
<b>Front Yard Setback (min):</b>	Dwelling - 4.5 m (1 <sup>st</sup> storey) Carport/garage - 1.5 m	6.0 m

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

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<b>Table 2 (continued)</b>		
<b>Regulations</b>	<b>LUC 105</b>	<b>Single Detached (RS1/B) Zone</b>
<b>Interior Side Yard Setback (min):</b>	Dwelling - 1.2 m Carport/garage - 0.9 m	1.2 m (for lots less than 18 wide)
<b>Rear Yard Setback (min):</b>	4.5 m (1 <sup>st</sup> storey) 6.0 m (2 <sup>nd</sup> storey)	6.0 m
<b>Height (max):</b>	3 storeys	2 ½ storeys
<b>Secondary Suite:</b>	Not permitted	Permitted

### **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 10060 Hollycroft Gate 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 November 24, 2020.

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; or
- reserve its decision and provide a written decision at a later date.



Cynthia Lussier  
Planner I

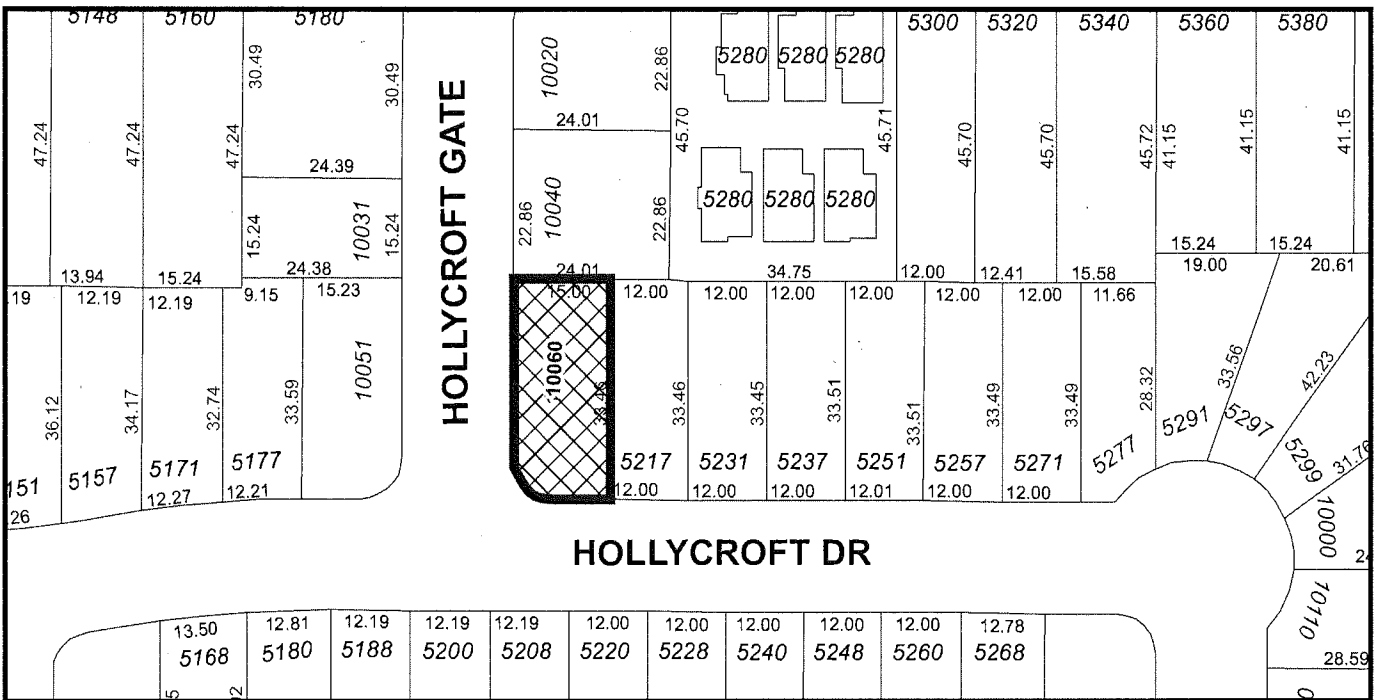
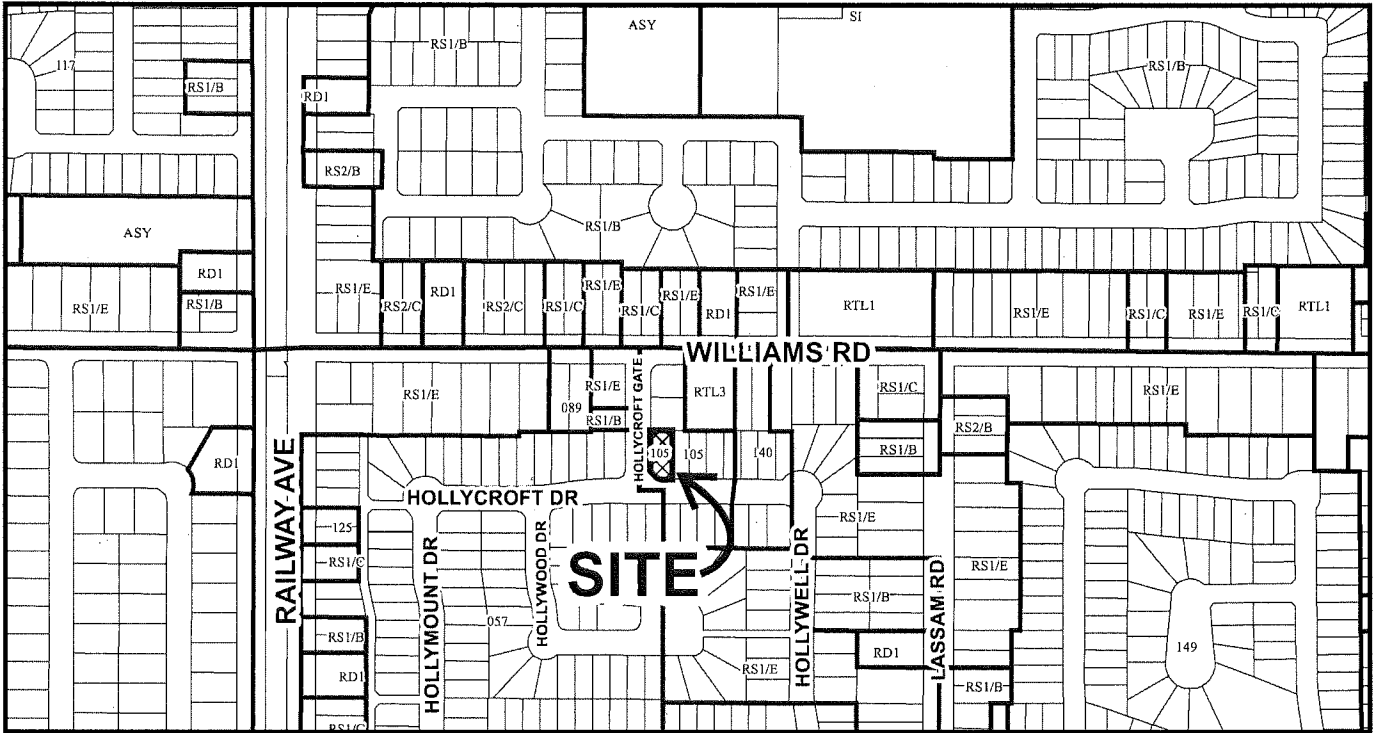
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Att. 3

Att. 1: Location Map/Aerial Photo  
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Att. 3: Addendum to Completed Application Package

pc: Joe Erceg, General Manager, Planning and Development



City of  
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