



Board of Variance

Thursday, September 8, 2016

Time: 7:00 p.m.
Place: Council Chambers
Richmond City Hall
Present: Howard Jampolsky, Chair
Abdolhamid Ghandbari
Sheldon Nider
Dalip Sandhu
Sam Virani
David Weber, Secretary to the Board
Call to Order: The Chair called the meeting to order at 7:10 p.m.

MINUTES

It was moved and seconded

That the minutes of the Board of Variance meeting held on July 28, 2016, be adopted as circulated.

CARRIED

1. **BOARD OF VARIANCE APPEAL – 11340 CARAVEL COURT
BVL 16-728642**

(File Ref. No. BVL 16-728642) (REDMS No. 5046112)

APPLICANT: Peter McCrae

ADDRESS: 11340 Caravel Court

PURPOSE: The registered owner of 11340 Caravel 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.

1.

Board of Variance
Thursday, September 8, 2016

Applicant's Comments

Peter McCrae provided a brief overview of the application to the Board of Variance.

In response to questions from the Board, Mr. McCrae provided the following information:

- The current home is approximately 2,000 square feet.
- The Land Use Contract permits a home of approximately 3,000 square feet on the property.
- The \$200,000 increase to the value of the property is attributable to the authority to build a larger home under the provisions of the Land Use Contract.
- The need for the Land Use Contract to be extended, at a minimum, until such time as his son is attending high school.

Written Submissions

- (a) Pieter and Waita Klapwijk, 11371 Caravel Court (Schedule 1)

Gallery Comments

Mrs. McCrae, 11340 Caravel Court, stated that the house is very old and must be rebuilt. Due to the age of their son, they are unable to rebuild the home at this time.

Board Discussion

In response to questions from the Board, staff advised that the Land Use Contract permits a home of 3,457 square feet, inclusive of a garage, or 2,919 square feet, exclusive of the garage.

Discussion ensued on the merits of the appeal under Section 543 of the *Local Government Act* noting:

- The size of a home under the current zoning is similar to that which is planned to be constructed under the provisions of the Land Use Contract.
- Financial hardship is not the only factor to be considered in a decision.
- A short extension of the Land Use Contract would not have a negative impact on the neighbourhood due to the recent and current construction taking place in the area.

Board of Variance
Thursday, September 8, 2016

- The delay created by the July 7, 2016 Board of Variance's deferral of the decision on the application imposes a hardship on the applicant.

Board Decision

It was moved and seconded

That the application to extend the provisions of the Land Use Contract, as it applies to the property at 11340 Caravel Court, be granted.

CARRIED

Opposed: Sheldon Nider,
Sam Virani

It was moved and seconded

That the provisions of the Land Use Contract, as it applies to the property at 11340 Caravel Court, be extended until October 31, 2019.

CARRIED

Opposed: Sheldon Nider

2. **BOARD OF VARIANCE APPLICATION – 11311 CARAVEL COURT**

BVL 16-731989

(File Ref. No. BVL 16-731989) (REDMS No. 5124266)

APPLICANT: Jing Feng

ADDRESS: 11311 Caravel Court

PURPOSE: The registered owner of 11311 Caravel 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.

Applicant's Comments

Jing Feng provided a brief overview of the application to the Board of Variance.

In response to questions from the Board, Ms. Feng provided the following information:

- There are plans for her family to move to Canada to provide assistance to her, both financially and in caring for her special needs child.
- The additional bedrooms are currently used to conduct a small business to supplement her income in order to reduce the need for government assistance.

Board of Variance
Thursday, September 8, 2016

- She purchased the home three years ago.
- She currently resides in the home.

Written Submissions

- (a) Pieter and Waita Klapwijk, 11371 Caravel Court (Schedule 2)
- (b) Monica and Allan Surette, 11220 Caravel Court (Schedule 3)
- (c) Ernie and Bev Hamm, 11251 Caravel Court (Schedule 4)
- (d) Ross Burden, 11331 Caravel Court (Schedule 5)

Gallery Comments

None

Board Discussion

Discussion ensued on the merits of the appeal under Section 543 of the *Local Government Act* noting:

- The fact that the home is used as a vacation rental impacts the privacy of the neighbours.
- There are no concrete plans with respect to her family's move to Canada.

Board Decision

It was moved and seconded

That the application to extend the provisions of the Land Use Contract, as it applies to the property at 11311 Caravel Court, be denied.

CARRIED

3. **BOARD OF VARIANCE APPLICATION – 11260 CARAVEL COURT
BVL 16-732102**

(File Ref. No. BVL 16-732102) (REDMS No. 5124268)

APPLICANT: Bernard Bridden and Cheryl Murphy

ADDRESS: 11260 Caravel Court

PURPOSE: The registered owner(s) of 11260 Caravel 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.

Board of Variance
Thursday, September 8, 2016

Applicant's Comments

Cheryl Murphy provided a brief overview of the application to the Board of Variance.

In response to questions from the Board, Ms. Murphy and co-applicant, Bernard Bridden, provided the following information:

- Confirmation that the exterior deck has not been extended.
- They do not have the financial ability to renovate the home at this time and the timeframe to undertake the renovations is uncertain at this time.
- The current home is 2,400 square feet, exclusive of the garage.
- The design of a third storey, within the current zoning requirements, would be a challenge.

Written Submissions

- (a) Pieter and Waita Klapwijk, 11371 Caravel Court (Schedule 6)
- (b) Monica and Allan Surette, 11220 Caravel Court (Schedule 7)

Gallery Comments

None

Board Discussion

In response to questions from the Board, staff provided the following information:

- The provisions of the Land Use Contract would permit the renovation to increase the size of the home by 500 to 600 square feet.
- The Land Use Contract allows for additional flexibility in the construction of a full third storey.

Discussion ensued on the merits of the appeal under Section 543 of the *Local Government Act* noting:

- The applicants require a short extension of the Land Use Contract in order to renovate the home.

Board Decision

It was moved and seconded

That the application to extend the provisions of the Land Use Contract, as it applies to the property at 11260 Caravel Court, be granted.

CARRIED

Board of Variance
Thursday, September 8, 2016

It was moved and seconded

That the provisions of the Land Use Contract, as it applies to the property at 11260 Caravel Court, be extended until October 31, 2019.

CARRIED

4. **BOARD OF VARIANCE APPLICATION – 11251 FRIGATE COURT
BVL 16-732542**

(File Ref. No. BVL 16-732542) (REDMS No. 5125986)

APPLICANT: Jason Higo

ADDRESS: 11251 Frigate Court

PURPOSE: The registered owner of 11251 Frigate 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.

Applicant's Comments

Jason Higo provided a brief overview of the application to the Board of Variance and noted the amendment to the application to extend the Land Use Contract to December 31, 2021.

In response to questions from the Board, Mr. Higo and his partner, Shannon Murphy, provided the following information:

- The size of the current home is approximately 2,000 square feet.
- There were plans in progress to construct a larger home to accommodate their blended family prior to the City's decision to terminate all Land Use Contracts.
- The rationale for the decision to defer Ms. Murphy's move to Steveston until her teenage daughter graduates from high school.

Written Submissions

- (a) Monica and Allan Surette, 11220 Caravel Court (Schedule 8)
- (b) Trevor and Paige Northrup, 11191 Frigate Court (Schedule 9)
- (c) Bruce and Willa Stygal, 11211 Frigate Court (Schedule 10)
- (d) Ed and Marianne Dowling, 11231 Frigate Court (Schedule 11)

Board of Variance
Thursday, September 8, 2016

Gallery Comments

Paige Northrup, 11191 Frigate Court, spoke in favour of the application and confirmed Mr. Higo's stated intention to construct a larger home at the time that he purchased the property. Mr. Higo has indicated that he wishes to build a new home that fits within the character of the neighbourhood.

Board Discussion

Discussion ensued on the merits of the appeal under Section 543 of the *Local Government Act* noting:

- The termination of the Land Use Contract would interrupt the applicant's plan to construct a larger home.
- The family plans have been made in the best interests of the children and the family's situation.
- The penalty to be applied to the early termination of Ms. Murphy's mortgage for her home in Surrey would create an additional hardship.

Board Decision

It was moved and seconded

That the application to extend the provisions of the Land Use Contract, as it applies to the property at 11251 Frigate Court, be granted.

CARRIED

It was moved and seconded

That the provisions of the Land Use Contract, as it applies to the property at 11251 Frigate Court, be extended until December 31, 2020.

CARRIED

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (9:00 p.m.).

CARRIED

Board of Variance
Thursday, September 8, 2016

Certified a true and correct copy of the Minutes of the Board of Variance meeting of the City of Richmond held on Thursday, September 8, 2016.

Howard Jampolsky
Chair

David Weber
Secretary to the Board

Schedule 1 to the Minutes of the Board of Variance meeting held on Thursday, September 8, 2016.

CityClerk

From: Pieter Klapwijk <pklap@telus.net>
Sent: Friday, 2 September 2016 10:09 PM
To: CityClerk
Subject: File 01-0100-30-BVAR1-20-16-728642

To:	BOARD OF VARIANCE
Date:	Sept 8, 2016
Item #:	1
Re:	11340 Caravel Court

Greetings,

With respect to title file, Board of Variance Application - Property at 11340 Caravel Court, we as owners residing at 11371 Caravel Court have no objections to said application.

--
TTFN

Pieter and Waita Klapwijk, Richmond, B.C.

Only two things are infinite, the universe and human stupidity, and I'm not sure about the first one. ~ Albert Einstein



Schedule 2 to the Minutes of the Board of Variance meeting held on Thursday, September 8, 2016.

CityClerk

From: Pieter Klapwijk <pklap@telus.net>
Sent: Friday, 2 September 2016 10:06 PM
To: CityClerk
Subject: File 01-0100-30-BVAR-20-2016731989

To BOARD OF VARIANCE
Date: <u>Sept 8, 2016</u>
Item # <u>2</u>
Re: <u>11311</u>
<u>Caravel Court</u>

Greetings,

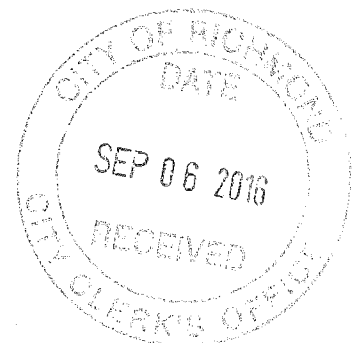
With respect to title file, Board of Variance Application - Property at 11311 Caravel Court, we as owners residing at 11371 Caravel Court have no objections to said application.

--

TTFN

Pieter and Waita Klapwijk, Richmond, B.C.

Only two things are infinite, the universe and human stupidity, and I'm not sure about the first one. ~ Albert Einstein



Schedule 3 to the Minutes of the Board of Variance meeting held on Thursday, September 8, 2016.

To	Board of Variance
Date:	Sept 8, 2016
Item #	2
Re:	BOV APP.
	11311 CARAVEL COURT

CityClerk

From: Allan Surette <selective_guy@hotmail.com>
Sent: Wednesday, 7 September 2016 6:36 PM
To: CityClerk
Subject: Re: Board of Variance Application - Property at 11311 Caravel Court

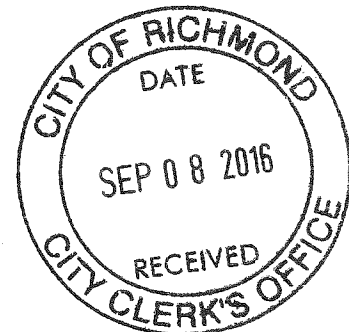
Re: Board of Variance Application - Property at 11311 Caravel Court

This letter is to inform the Richmond Board of Variance that we support the application by Jing Feng to extend the provisions of the Land Use Contract for the subject property to June 30, 2024 providing that any future building be used for single family occupancy only and not for temporary rentals such as AIR BNB.

Sincerely,

Monica and Allan Surette

11220 Caravel Court, Richmond



CityClerk

From: Beverly Hamm <bevhamm47@gmail.com>
Sent: Tuesday, 6 September 2016 9:34 PM
To: CityClerk
Subject: Board of Variance Application - Property at 11311 Caravel Court

To City of Richmond Board of Variance:

To BOARD OF VARIANCE
Date: <u>Sept 8, 2016</u>
Item # <u>2</u>
Re: <u>11311</u>
<u>Caravel Court</u>

Re: Board of Variance Application – Property at 11311 Caravel Court

We as residents and owners of the property at 11251 Caravel Court, are opposed to the application of the above property to extend the provisions of the Land Use Contract until June, 2024.

We understand that the property is presently an Air B&B and by building a larger home, this could greatly increase the traffic on our court. Already, the traffic coming and going in and out of the court at all hours has increased which is undesirable considering the number of children living here.

There is also the possibility of the current owner building a mega home and then turning around and selling it when other mega homes will not be allowed on our street. The city has set the Land Use Contract to terminate in November, 2016. If the city allows residents to make extensions to this bylaw, we are left wondering why the bylaw was ever introduced in the first place.

As long time residents of Caravel Court (40 years), we are opposed to the three storey homes already built because they block sunlight from neighbouring homes. This is something we, as well as other neighbours have personally been affected by.

It is our firm belief that this extension should not be granted.

Sincerely,

Ernie and Bev Hamm

112512 Caravel Court



Schedule 5 to the Minutes of the Board of Variance meeting held on Thursday, September 8, 2016.

CityClerk

From: ross burden <rosscoburden@hotmail.com>
Sent: Tuesday, 6 September 2016 9:50 AM
To: CityClerk
Subject: Re: Board of Variance Application 11311 Caravel Court, LUC 015

To	BOARD OF VARIANCE
Date:	Sept 8, 2016
Item #	2
Re:	11311
	Caravel Court

Re: Board of Variance Application 11311 Caravel Court, LUC 015

Please accept this email as my formal request to have the the board of variance deny the requested extension of the LUC contract for the property owner Jing Feng of 11311 Caravel Crt. The reasons I wish for her application be denied are as follows:

The home owner Jing Feng currently operates a vacation rental by owner from this address. This property is advertised on Airbnb , VRBO and other local and off shore nightly rental websites. She currently lives in this residence with her one son and they rent out as many rooms as possible. She also offers the entire house for rent on a nightly basis.

I am concerned that if she is allowed to develop to the maximum square footage that the LUC allows, the additional space and rooms will be offered as nightly rentals and this would increase the already unacceptable extra traffic in our cul-de-sac.

The number of people coming and going from this address already infringes on our privacy and introduces individuals to this quiet neighbourhood that would otherwise have no reason to be here. The vehicles that constantly circle our cul-de-sac looking for her address are a safety concern for the many children that live and play here. In addition, the parking spots that are available in the cul-de-sac are already pressured by residents and the endless guests that are paying her to stay are tying up these limited parking resources.

Please confirm that you have received this email and that the board has read it and will take it into consideration.

If you have any questions regarding my statements above please contact me at 604-831-9206.

With respect,

Ross Burden
11331 Caravel Crt.

- <https://www.airbnb.ca/users/show/88511690>
- <https://www.airbnb.ca/rooms/14448652?sug=50>
- <https://www.airbnb.ca/rooms/14449290?sug=50>
- <https://www.airbnb.ca/rooms/14751637?sug=50>



Schedule 6 to the Minutes of the Board of Variance meeting held on Thursday, September 8, 2016.

CityClerk

From: Pieter Klapwijk <pklap@telus.net>
Sent: Friday, 2 September 2016 10:08 PM
To: CityClerk
Subject: File 01-0100-30-BVAR1-20-2016732102

To BOARD OF VARIANCE
Date: <u>Sept 8, 2016</u>
Item # <u>3</u>
Re: <u>11260</u>
<u>Caravel Court</u>

Greetings,

With respect to title file, Board of Variance Application - Property at 11260 Caravel Court, we as owners residing at 11371 Caravel Court have no objections to said application.

--
TTFN

Pieter and Waita Klapwijk, Richmond, B.C.

Only two things are infinite, the universe and human stupidity, and I'm not sure about the first one. ~ Albert Einstein



Schedule 7 to the Minutes of the Board of Variance meeting held on Thursday, September 8, 2016.

To Board of Variance
Date: <u>Sept 8, 2016</u>
Item # <u>3</u>
no. <u>BV/APP</u>
<u>11260 CARAVEL COURT</u>

CityClerk

From: Allan Surette <selective_guy@hotmail.com>
Sent: Wednesday, 7 September 2016 6:33 PM
To: CityClerk
Subject: Re: Board of Variance Application - Property at 11260 Caravel Court

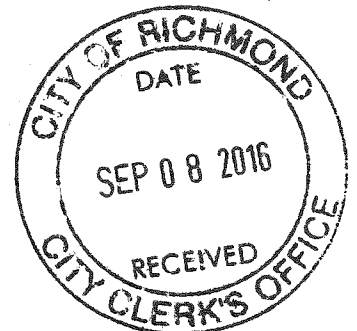
Re: Board of Variance Application - Property at 11260 Caravel Court

This letter is to inform the Richmond Board of Variance that we support the application by Bernard Jesse Bridden & Cheryl Valerie Murphy to extend the provisions of the Land Use Contract for the subject property to June 30, 2024.

Sincerely,

Monica and Allan Surette

11220 Caravel Court, Richmond



Schedule 8 to the Minutes of the Board of Variance meeting held on Thursday, September 8, 2016.

CityClerk

To: BOARD OF VARIANCE
Date: SEPT 8, 2016
Item # 4
Re: BOV APP.
11251 FRIGATE CRT.

From: Allan Surette <selective_guy@hotmail.com>
Sent: Wednesday, 7 September 2016 6:31 PM
To: CityClerk
Subject: Re: Board of Variance Application - Property at 11251 Frigate Court

Re: Board of Variance Application - Property at 11251 Frigate Court

This letter is to inform the Richmond Board of Variance that we support the application by Jason Higo to extend the provisions of the Land Use Contract for the subject property to June 30, 2024.

Sincerely,

Monica and Allan Surette

11220 Caravel Court, Richmond



CityClerk

From: TnP North <northrupsports@hotmail.com>
Sent: Wednesday, 7 September 2016 1:52 PM
To: CityClerk
Subject: Re: Variance application 11251 Frigate Court
Importance: High

To BOARD OF VARIANCE
Date: <u>SEPT 8, 2016</u>
Item # <u>4</u>
Re: <u>BOV APP.</u>
<u>11251 FRIGATE CRT.</u>

Hello Mr. Weber

As the home owner of 11191 Frigate Court, I am writing you to express our families complete support for an extension of Land Use Contract 15 for Mr. Jason Higo at 11251 Frigate Court.

After owning our home for 6 yrs, in 2009 we chose to renovate our 1200 sq ft bungalow into a beautiful 3 storey home for our growing family. As my friend, Jason followed my renovation very closely and expressed his appreciation for our 'new' home and our fantastic court. Our Neighbours, Mr. and Mrs Moffat, ask if I knew of anyone interested in buying their house. I immediately thought of Jason and as a new single father, the home would be perfect for him. At that time, we discussed extensively, the potential for building a dream home for when his family would inevitably expand with a timeline of 5-7 yrs when he would be able to make the financial commitment. Knowing this, he purchased the home and has since been a fantastic addition to our court as judged by every one of our neighbours. Jason now has 2 large homes for neighbours with a third home surely be replaced in the next 3-5 yrs on a larger corner lot, if not sooner. Robin at 11271 is fully supportive of Jason's application "I will absolutely support Jason re his application. If he needs a letter to that effect just let me know.". Ed at 11231, Bruce at 11211, Pedro at 11200, Don at 11220, Malcom at 112440 and Ravina at 11260, all 7 homes at Jason's end of the court support his application. He simply wants to build a beautiful, respectful home that fits in the court and would in no way detract from our neighbourhood as were his plans when he purchased the home in 2012. He is a fourth generation Stevestonite and wants to continue to raise his growing family for the next 30 yrs and we are fortunate he chose Frigate Court. Please grant Jason his application.

Please do not hesitate to call me if there is any further information I can provide.

Respectfully,
Trevor Northrup
tnorthrup@richmond.ca
[778-998-1664](tel:778-998-1664)



Schedule 10 to the Minutes of
Board of Variance meeting held
on Thursday, September 8,
2016.

May 12th, 2016

Bruce and Willa Stygal
11211 Frigate Court
Richmond, B.C.
V7E 4M4

City of Richmond
6911 No. 3 Road
Richmond B.C.
V6Y 2C1

Attention: Board of Variance

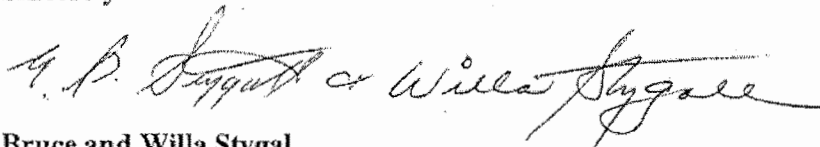
RE: Support for Jason Higo's early termination of Land use Contract
Address: 11251 Frigate Court, Richmond BC

Please accept this letter of support for Jason Higo's appeal to get an extension of the
land use contract termination due to financial hardship.

Jason bought and moved into the 11251 Frigate Court home on July 2012. At this
time, he expressed his goal of one day building a new home to accommodate his
growing family which will include his two children as well as his girlfriend and her
daughter. Unfortunately, due to the financial hardship of being a single dad and not
being able to afford to build until his girlfriend's daughter graduates from high
school in the year 2020 or shortly afterwards.

As well, we are aware that if he is given permission to extend the land use contract
for his property, we fully support this as we also trust his building design and plan
will be very tasteful and that he will not build one of those maxed out "box-style"
homes that many of us in the neighbourhood feel does not fit the character of our
area.

Sincerely



Bruce and Willa Stygal
stygall@telus.net
604-603-1391

May 15, 2016

City of Richmond

Attention: Board of Variance

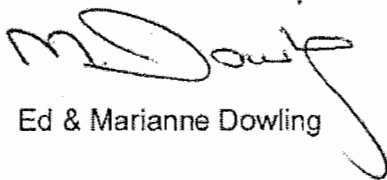
Re: **Jason Higo's appeal for extension of early
termination of Land Use Contract**
Address: 11251 Frigate Court Richmond BC

We are neighbours of Jason Higo on Frigate Court and fully support him in his appeal for an extension of the Land Use Contract termination (LUC) for his property.

Jason, who is a single dad with two young kids, moved into his home at 11251 Frigate Court in July 2012. At that time, he expressed his goal of building a larger home on the property one day. His family has since grown to include his girlfriend and her daughter (currently living in another district). To avoid uprooting the daughter from school and friends, they agreed a few years ago to wait to completely unite their family until after her graduation (2020). Their timeline has now been upset by the new bylaw terminating the LUC's in November 2016. This has created a financial hardship for Jason, as he needs a larger home in a few years to accommodate his growing family, but naturally also needs two incomes to achieve this goal.

We fully support Jason's request for extension of LUC for his property and know that, if granted, he will not build one of the oversized maxed out "box-style" homes, which we have seen go up around Steveston. His building design and plan will be tasteful and in keeping with the more traditional style of our neighbourhood. He is a wonderful neighbour and we want to keep people like Jason and his family on our street.

Sincerely



Ed & Marianne Dowling