



## Board of Variance

Thursday, July 28, 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 7:00 p.m.

### MINUTES

It was moved and seconded

*That the minutes of the Board of Variance meeting held on July 7, 2016, be adopted as circulated.*

**CARRIED**

1. **BOARD OF VARIANCE APPEAL – 10671 HOLLYMOUNT DRIVE  
BVL 16-728842**

(File Ref. No. BVL 16-728842) (REDMS No. 5056234)

APPLICANT: Xiaosheng Li

ADDRESS: 10671 Hollymount Drive

## Board of Variance

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**PURPOSE:** The registered owner of 10671 Hollymount 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 (the applicant has not specified a date for their extension).

#### **Applicant's Comments**

The authorized agent of the applicant, Jiawa Huang, provided a brief overview of the application to the Board of Variance.

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

- The intent of the application is to extend the Land Use Contract to June 30, 2024.
- The existence of a large mature tree located on the property would require the addition of a storey, to increase the size of the home to accommodate a larger family and extended family members.
- There is an expectation that the applicant's parents would be willing to provide funds to assist in the renovation of the home in the future.

#### **Written Submissions**

None.

#### **Gallery Comments**

Elaine Beltran-Sellitti, 11711 Trumpeter Drive, commented that there are creative architectural solutions available to accommodate the need for larger dwellings without impacting the character and attractiveness of the neighbourhood and the City.

#### **Board Discussion**

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

- The property was purchased when the possibility of the early termination of Land Use Contracts was public knowledge.
- The underlying zoning allows for a home to be built on the subject property of 2,840 square feet, inclusive of a garage. The Land Use Contract permits a home of approximately 5,000 square feet.
- The houses in the immediate neighbourhood have not redeveloped and are similar in size to the applicant's current house.

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**Board Decision**

It was moved and seconded

*That the application seeking to extend the early termination date of the Land Use Contract as it applies to the property at 10671 Hollymount Drive from November 24, 2016 to June 30, 2024, be denied.*

**CARRIED**

2. **BOARD OF VARIANCE APPLICATION – 6331 GOLDSMITH DRIVE  
BVL 16-728863**

(File Ref. No. BVL 16-728863) (REDMS No. 5056490)

APPLICANT: Siu Kin Lai and Sau Yung Lai-Ng

ADDRESS: 6331 Goldsmith Drive

PURPOSE: The registered owners of 6331 Goldsmith Drive have requested an appeal to the Board of Variance (BOV) 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**

Mr. Lai provided a brief overview of the application to the Board of Variance.

In response to questions from the Board, Mr. Lai confirmed that the renovation of the home would occur in approximately five to six years, after his son and his family return to Canada.

**Written Submissions**

(a) Yu Ning Zhan – 6428 Goldsmith Drive (Schedule 1)

**Gallery Comments**

None.

**Board Discussion**

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

- The correspondence opposing the application is from the owner of a property located approximately 100 feet from the home. There are no reasons provided for the opposition.

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- The adjacent large dwellings currently shade the home. There are many large homes in the neighbourhood.

**Board Decision**

It was moved and seconded

*That the application seeking to extend the early termination date of the Land Use Contract as it applies to the property at 6331 Goldsmith Drive from November 24, 2016 to August 31, 2022, be approved.*

**CARRIED**

**3. BOARD OF VARIANCE APPLICATION – 5820 GOLDENEYE PLACE  
BVL 16-729720**

(File Ref. No. BVL 16-729720) (REDMS No. 5057041)

**APPLICANT:** Eric Wai-Yip Tung and Erica Suk Qun Chow

**ADDRESS:** 5820 Goldeneye Place

**PURPOSE:** The registered owners of 5820 Goldeneye Place have requested an appeal to the Board of Variance (BOV) 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.

**Applicant's Comments**

Mr. Tung provided a brief overview of the application to the Board of Variance.

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

- The underlying zoning allows for a home to be built on the subject property of approximately 3,700 square feet, inclusive of a garage.
- There is a preference for a home of approximately 4,000 square feet to be built in the future, to accommodate future children and extended family members.
- The applicants may not qualify for a mortgage to build a larger home on the property at present.
- The intent of the application is to extend the Land Use Contract to June 30, 2024.
- The applicants currently reside in the home on the subject property.

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**Written Submissions**

- (a) Greig Sheppard – #203-3740 Chatham Street (Schedule 2)
- (b) Jason Tarnow – 5860 Goldeneye Place (Schedule 3)
- (c) Ginny Wilkie and Daryl Wilkie – 5811 Goldeneye Place (Schedule 4)
- (d) Elaine Beltran-Sellitti – 11711 Trumpeter Drive (Schedule 5)
- (e) Joel Berman – 11691 Trumpeter Drive (Schedule 6)
- (f) Jason Tarnow – 5860 Goldeneye Place (Schedule 7)

**Gallery Comments**

Elaine Beltran-Sellitti, 11711 Trumpeter Drive, expressed concern that the neighbours were not consulted regarding the application and suggested that the bedrooms required to accommodate a larger family could be added without a substantial increase in the square footage of the home, or impact to the neighbours and their privacy.

Rajko Jakopin, 11511 Pelican Court, commented on the changes to the character of the street due to larger homes that have been constructed and those expected to be constructed in the near future.

**Board Discussion**

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

- The underlying zoning allows for a home to be built on the subject property of 2,840 square feet, inclusive of a garage. The Land Use Contract permits a home of approximately 5,000 square feet.
- The adjacent homes are smaller than the applicant's current home.

**Board Decision**

It was moved and seconded

*That the application seeking to extend the early termination date of the Land Use Contract as it applies to the property at 5820 Goldeneye Place from November 24, 2016 to July 31, 2018, be approved.*

**DEFEATED**

Opposed: A. Ghandbari, H. Jampolsky and S. Nider

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**Board Decision**

It was moved and seconded

*That the application seeking to extend the early termination date of the Land Use Contract as it applies to the property at 5820 Goldeneye Place from November 24, 2016 to July 31, 2018, be denied.*

**CARRIED**

Opposed: D. Sandhu and S. Virani

**ADJOURNMENT**

It was moved and seconded

*That the meeting adjourn (8:25 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the Board of Variance meeting of the City of Richmond held on Thursday, July 28, 2016.

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Howard Jampolsky  
Chair

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David Weber  
Secretary to the Board

Schedule 1 to the Minutes of the Board of Variance meeting held on Thursday, July 28, 2016.

**CityClerk**

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**From:** pauljim97 <pauljim97@gmail.com>  
**Sent:** Monday, 18 July 2016 20:43  
**To:** CityClerk  
**Subject:** 6331 Goldsmith Dr. Richmond

To	Board of Variance
Date:	July 28/16
Item #	2
Re:	BVL 16-728863 6331 Goldsmith Drive

**Categories:** 01-0100-30-BVAR1-01 - Board of Variance - General, Needs Attention

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Hi,

I disagree the LUC for 6331 Goldsmith Dr. Richmond to be extended to June 30, 2024.  
If extension is couple months to give the owner extra time to handle design, that's acceptable.

Regards,

Yu Ning Zhan,  
Owner of 6428 Goldsmith Dr. Richmond.



**CityClerk**

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**From:** Greig Sheppard <gsheppard@telus.net>  
**Sent:** Monday, 18 July 2016 11:11  
**To:** CityClerk  
**Subject:** Board of Variance comments  
**Categories:** 01-0100-30-BVAR1-20-2016729720

To Board of Variance  
Date: July 28/16  
Item # 3  
Re: BYL 16-729720  
5820 Goldeneye Place

Sirs / Mesdames,

I am responding to your letter of July 11, 2016 related to a Board of Variance Application for 5820 Goldeneye Place, File no. 01-0100-30BVAR1-020-2016729720.

I am currently a neighbour to this property, living at 11720 Trumpeter Drive, although we have recently sold our home with a closing date later in August so any comments I have likely should be weighed against comments from other neighbours who remain.

Given the number of properties sold in the Westwind area in recent times I can see a number of possible reasons why owners wanting to take advantage of the current LUC rules perhaps cannot do so before the new zoning rules come into place. These delays could be getting plans prepared, finding builders or other similar issues. Therefore, I can see some reasonable extension of the provisions of the LUC being a reasonable request for this property, and for others in the area. It would seem to me that an extension of up to 2 years ought to be sufficient for issues such as these, particularly for properties acquired since the change in LUC rules were announced.

Our neighbours' property was acquired prior to the change in the LUC rules so I would leave it to the discernment of the City to determine if an 8 year extension is reasonable in the circumstances, but on the surface that length of extension seems excessive.

Greig Sheppard

Greig Sheppard, CPA, CGA  
203 – 3740 Chatham Street  
Richmond, BC V7E 2Z3  
Phone: 604-270-7601  
Fax: 604-270-3314





Schedule 3 to the Minutes of the Board of Variance meeting held on Thursday, July 28, 2016.

To	Board of Variance
Date:	July 28/16
Item #	3
No.	BVL 16-729720
	5820 Goldeneye Place

CityClerk

**From:** Jason Tarnow <jason@tarnow.ca>  
**Sent:** Tuesday, 19 July 2016 12:58  
**To:** CityClerk  
**Subject:** re: Board of Variance Application on July 28, 2016 - 5820 Goldeneye Place

Dear City of Richmond, Mayor & Council, and Board of Variance,

I am writing in reply to your July 11, 2016 letter notifying myself (the property owner of 5860 Goldeneye Place) about the application being made before the Board of Variance on July 28, 2016 @ 7pm by the property owners of 5820 Goldeneye Place to extend the termination date of the Land Use Contract ("LUC") to June 30, 2024.

**I am opposed to the application for a couple of reasons.**

Firstly, nowhere in your letter nor on the materials posted on the City website is there any mention as to WHY/REASONS FOR the property owners require an additional 8 years to build under the LUC provisions. Without any explanation, as a neighbouring property owner who will surely be affected, I cannot agree to what it being proposed.

Secondly, I am quite saddened by what the City has permitted to have taken place in the Westwind Neighbourhood in the last 18 months in terms of construction. I am 36 years of age, married with a 16 month old daughter who I was hoping would go to Westwind elementary school, just as I did in the late 80's and early 90's. I grew up in this neighbourhood and can honestly state that this neighbourhood resembles very little of how I remember it as a kid, primarily due to the new 3-story towering homes and significant loss of trees that you, the City, has authorized. This area of Richmond is losing its character.

Oddly enough, the City did not care to ask myself or any of my neighbours as to how we'd feel prior to the towering homes being built behind mine that have completely eroded my privacy (rumour has it that a total of 7 houses are being currently built on Pelican Court?) nor did anyone from the City consult me or my affected neighbours (all long time Westwind residents) how the removal of a number of large trees might affect us.

Since the Spring of this year, the enjoyment of my property has been significantly diminished due to the amount and type of construction you have approved and the removal of many large trees. If the property owners of 5820 Goldeneye Place wish to take advantage of the LUC provisions, they should do so within the timeframe that every other LUC property owner has to abide by. Any extension, particularly an 8-year extension, is way too long and unfair to the other LUC property owners who would have to endure it.

Regards,

Jason Tarnow

5860 Goldeneye Place

tel: 778.866.9520

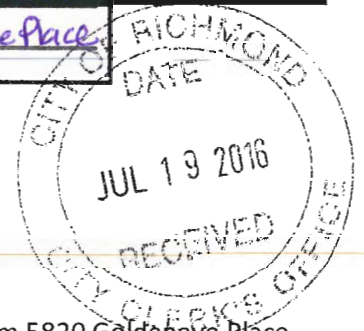


Schedule 4 to the Minutes of the Board of Variance meeting held on Thursday, July 28, 2016.

To	Board of Variance
Date:	July 28/16
Item #	3
Re:	BVL 16-729720
5820 Goldeneye Place	

**CityClerk**

**From:** Daryl 'n Ginny <dgwilkie@shaw.ca>  
**Sent:** Tuesday, 19 July 2016 11:29  
**To:** CityClerk  
**Subject:** BOARD OF VARIANCE July 28th, 5820 Goldeneye Place



Hello!

My husband and I have lived in our home at 5811 Goldeneye Place, right across the street from 5820 Goldeneye Place, for 30 years. We have raised our two children in this house and have also had my aged mother live with us for years before she passed away. Our plans are to stay in this home until we cannot cope, and then one of our sons will move in here with his family to take care of us. We have worked far too long and hard to create this dream home for our family and that's where it will remain, being passed on to the next generation.

In keeping with our future plans, we have invested a large sum of money into modernizing the house, which included over \$15,000 on an elaborate stream and decking area in the front yard which faces the house at 5820 Goldeneye Place. We are in the gardens constantly, well into the winter months, enjoying the privacy and retreat it offers. A privacy hedge helps provide a feeling of refuge, a feeling that would be taken away with an extension on the LUC and the construction of an oversized house. An over sized house would fill the skyline well above our hedge and peer down into our gardens leaving us very traumatized, depressed, and robbed of the comfort of being at home. We (us and our neighbours) had all breathed a sigh of relief thinking that our spot on Goldeneye and Trumpeter was now safe from the prospect of an oversized home after the recent change in zoning. That sense of relief is now gone. The houses around our house remain a normal size, and if a larger LUC home was built on the corner at 5820 Goldeneye, it would stick out like a sore thumb and add to the distress shared throughout the neighbourhood. As it is a highly visible corner lot, a larger LUC home would be a daily reminder of the resentment felt by our family and our neighbours. Do you value the comfort of being at home?

Our neighbours at 5820 Goldeneye Place have been virtually non existent. We, and our neighbours, haven't seen them, except for the rare appearance of a car on the street near their front door. We all wonder if anyone actually lives there as there is NO activity. They hire gardeners to maintain the property, are NEVER outside, and there has been no interaction other than the rare sighting and hello. We have seen the "man" fewer than half a dozen times since the purchase and never seen a woman!

The extension on the LUC is unnecessary. There are beautiful brand new homes on Kingfisher and Trumpeter that are not using the LUC, yet still manage to have spacious, multi bathroomed interiors. One of these examples is being built nearby and another just sold that had a bathroom for every bedroom. They are large homes that can easily house in laws along with many children without having to be any bigger by using the LUC.

I question that perhaps another reason for an extension on the LUC at 5820 Goldeneye Place would be to be able to sell the house at a future date with a much larger selling price than if it were regular zoning. Many people have viewed the houses in our neighbourhood this way, as a money making commodity. Who is to say the house won't be "flipped" and sold again to some unscrupulous builder who will indeed build a gigantic tower in its place? A tower that ranks the almighty dollar higher than things like a sense of community, respect, and an understanding of your neighbours. Does the sense of community, trust, and togetherness have a price in YOUR neighbourhood?

Our family has grown with and contributed to the community here for 30 years, without having a LUC house. And that has included a very successful experience housing aging family members. Please be advised that we are very distressed and anxious knowing that our mysterious neighbours, Eric Tung and Erica Chow, may be approved for an extension of the LUC. It would be a travesty to have something we worked hard for and enjoy, taken away from us. Our memories

and experiences shape and build the community around us, it's what gives a neighbourhood character. Please don't let our future memories be clouded by the ever present, watchful eye of strangers. Please refuse an extension on the LUC.

Thank you very much for your time and consideration.

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Yours truly,  
Ginny Wilkie and Daryl Wilkie  
604 828-1537

Schedule 5 to the Minutes of the Board of Variance meeting held on Thursday, July 28, 2016.

Elaine Beltran-Sellitti  
11711 Trumpeter Dr  
Richmond BC  
V7E 3X4

To	Board of Variance
Date:	July 28, 2016
Item #	3
Re:	BVL 16-729720 5820 GOLDENEYE PLACE

July 22, 2016

**RE: Letter of Concern: Board of Variance Application - Property at 5820 Goldeneye Place**



Dear Variance Board,

I appreciate that the City is inviting its citizen to have a voice regarding variance applications for the process of appeal for LUC contract.

As a resident of the house located across the street from 5820 Goldeneye, I have the following concerns regarding the issuance of a variance for the following reasons:

- I am concerned regarding the general outlook of the neighbourhood with the increasing oversized homes that is overtaking the original carefully designed neighbourhood. The well proportioned homes that do not overtake the natural and built surroundings is what appeals to new residents; paradoxically it is being compromised by the new property owners very intentions to oversize their homes.
- A three storey land maximized home would tower over my house across the street, compromising my sun exposure and privacy. This would also affect other neighbours.
- One of the oversized LUC homes (at the corner of Trumpeter and Puffin Court) has become the eye sore and joke of the neighbourhood for prominently compromising the elegantly built surroundings. It has been on the market for over six months and not surprisingly, it remains unsold. I hope that the city intervenes as it has done in ending the LUC contracts to avoid further intruding dwellings to continue to be built.


I hope that the city applies the same care to the outlook of neighbourhoods to the same extent that it plans the construction of high rises to fit a vision that enhances, not disturb the skyline and architecturally balanced outlook of the city. As it stands, the LUC homes are already

towering over our neighbours, so I would appreciate the city's careful consideration over the matter.

I also encourage the city to discuss with the proprietor of the 5820 Goldeneye place that the neighbours are organizing themselves to counteract this variance. As conveyed in Mr. Wai-Yip letter to the city, they too have "dreams" for their homes and life in the community. Mr Eric Wai-Yip and Ms Erica Chow's desires for a big home should not be the other resident's nightmares. So I am hoping to be able to welcome the new residents to the community. They do not appear to live in the property, only visiting it occasionally. Therefore, they may not be aware about their neighbour concerns.

Thank you for the opportunity to voice my concerns.

Yours in community building,

  
Elaine Beltran-Selitti  
[efbs@shaw.ca](mailto:efbs@shaw.ca)  
604-448-5435

**CityClerk**

**From:** Joel Berman <joel.berman@forms-surfaces.com>  
**Sent:** Friday, 22 July 2016 15:54  
**To:** CityClerk  
**Subject:** 5820 Goldeneye Variance

To Board of Variance  
Date: July 28, 2016  
Item # 3  
Re: BVL 16-729720  
5820 GOLDENEYE PL

To Whom It May Concern,

I live across the street from the said house at 11691 Trumpeter Drive for the last 26 years.

I oppose their motion to extend the variance to 2024. What is the point of ending the LUC this year if the City of Richmond is going to do a work around and extend the date by 8 years.

I could agree to 8 weeks but not eight years.

This house has sat empty since the owners purchased the house. The keep the grass cut and park cars in the garage but do not live in the residence. In closing I oppose the variance.

Thank you

Joel Berman  
Sandra Postl  
604.218.0607 M  
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**Joel Berman**  
Managing Director  
BermanGlass, a division of Forms+Surfaces | www.bermanglass.com  
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joel.berman@forms-surfaces.com





Schedule 7 to the Minutes of the Board of Variance meeting held on Thursday, July 28, 2016.

To	Board of Variance
Date:	July 28, 2016
Item #	3
Re:	BVL 16-729720 5820 Goldeneye Place

**CityClerk**

**From:** Jason Tarnow <jason@tarnow.ca>  
**Sent:** Monday, 25 July 2016 14:43  
**To:** CityClerk  
**Subject:** Re: Board of Variance Application on July 28, 2016 - 5820 Goldeneye Place

**Categories:** 01-0100-30-BVAR1-20-2016729720 - 5820 Goldeneye Pl, Needs Attention

This is further to my July 19, 2016 email to you, where I stated that I could not find any supporting documents on the City website. Please be advised that I have now located the supporting documents for the Application and upon reviewing them, I am still of the view that the Application to extend the LUC provisions for 5820 Goldeneye Place should be dismissed.

5820 Goldeneye Place is on a large corner lot and everyone who lives on Goldeneye has to pass it to enter the cul-de-sac. While the Applicants state their intentions are not to build a "monster house" (like to 2 houses currently being built behind me on Pelican Court) it would have been more convincing had they filed a building plan for their dream home in support of this Application. If the City grants this exemption, there will be nothing preventing them from building another dreaded "monster house" on our street.

Thank you.

Jason Tarnow.



On Jul 19, 2016, at 4:56 PM, CityClerk <CityClerk@richmond.ca> wrote:

Mr. Tarnow,

This is to acknowledge and thank you for your correspondence in relation to the application to the Board of Variance in your neighbourhood. Your correspondence will be forwarded to the members of the Board of Variance and will appear on the Board of Variance agenda for consideration.

Thank you,

David Weber  
Board Secretary

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**From:** Jason Tarnow [mailto:jason@tarnow.ca]  
**Sent:** Tuesday, 19 July 2016 12:58  
**To:** CityClerk  
**Subject:** re: Board of Variance Application on July 28, 2016 - 5820 Goldeneye Place

Dear City of Richmond, Mayor & Council, and Board of Variance,

I am writing in reply to your July 11, 2016 letter notifying myself (the property owner of 5860 Goldeneye Place) about the application being made before the Board of Variance on July 28, 2016 @ 7pm by the property owners of 5820 Goldeneye Place to extend the termination date of the Land Use Contract ("LUC") to June 30, 2024.

**I am opposed to the application for a couple of reasons.**

Firstly, nowhere in your letter nor on the materials posted on the City website is there any mention as to WHY/REASONS FOR the property owners require an additional 8 years to build under the LUC provisions. Without any explanation, as a neighbouring property owner who will surely be affected, I cannot agree to what it being proposed.

Secondly, I am quite saddened by what the City has permitted to have taken place in the Westwind Neighbourhood in the last 18 months in terms of construction. I am 36 years of age, married with a 16 month old daughter who I was hoping would go to Westwind elementary school, just as I did in the late 80's and early 90's. I grew up in this neighbourhood and can honestly state that this neighbourhood resembles very little of how I remember it as a kid, primarily due to the new 3-story towering homes and significant loss of trees that you, the City, has authorized. This area of Richmond is losing its character.

Oddly enough, the City did not care to ask myself or any of my neighbours as to how we'd feel prior to the towering homes being built behind mine that have completely eroded my privacy (rumour has it that a total of 7 houses are being currently built on Pelican Court?) nor did anyone from the City consult me or my affected neighbours (all long time Westwind residents) how the removal of a number of large trees might affect us.

Since the Spring of this year, the enjoyment of my property has been significantly been diminished due to the amount and type of construction you have approved and the removal of many large trees. If the property owners of 5820 Goldeneye Place wish to take advantage of the LUC provisions, they should do so within the timeframe that every other LUC property owner has to abide by. Any extension, particularly an 8-year extension, is way too long and unfair to the other LUC property owners who would have to endure it.

Regards,

Jason Tarnow

5860 Goldeneye Place

tel: 778.866.9520