



City of Richmond

Report to Committee

To Council - Jan 10, 2005
To Planning - Jan 4, 2005
Date: December 14, 2004

To: Planning Committee
From: Raul Allueva,
Director of Development

RZ 03-251048
File: 8060-20-7679 / 7678

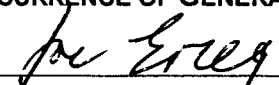
Re. APPLICATION BY MATTHEW CHENG ARCHITECT INC. FOR REZONING OF 7840 GARDEN CITY ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA F (R1/F) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD/127)

Staff Recommendation

- 1 That Bylaw No 7678, to reduce the minimum lot size requirement from 0 405 ha (1 ac) to 0 162 ha (0 4 ac) in "Comprehensive Development District (CD/127)", be abandoned
- 2 That Bylaw No 7679, for the rezoning 7840 Garden City Road from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Comprehensive Development District (CD/127)" be referred to Public Hearing


Raul Allueva,
Director of Development

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FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER


Staff Report

Origin

Matthew Cheng Architect Inc has applied to rezone 7840 Garden City Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area F (RI/F) to Comprehensive Development District (CD/127) in order to permit the development of 10 three-storey townhouses. When the application was previously brought forward to Council, the access was proposed through the townhouse site to the north (7733 Turnill Street) by means of a shared access easement. At the Public Hearing on April 19, 2004 concerns were raised, from residents of the adjacent townhouse site to the north, regarding the proposed site access through their townhouse complex and the potential traffic impacts associated with this access.

On April 19th, 2004, at Public Hearing, Council adopted the following motion:

That Zoning Amendment Bylaws 7678 and 7679 be referred to staff to revisit the site configuration with a view to providing alternate site access.

Staff have met with the applicant for this site and with the applicant for the adjacent site at 9051 Blundell Road (RZ 03-254683), also presented at the Public Hearing on April 19, 2004, to explore alternate site access. Following this on-going consultation, revisions to both plans have been made to address this referral and the concerns expressed at the Public Hearing. Staff, therefore, recommend that access to 7840 Garden City Road be provided through the proposed adjacent development to the south at 9051 Blundell Road (RZ 03-254683).

Findings Of Fact

Please refer to the attached Development Application Data Sheet (**Attachment 2**) for a summary of the proposed development data and proposed Bylaw requirements.

Surrounding Development

The subject site is situated along the western edge of McLennan South (**Attachment 3**), the highest density area designated under the sub-area plan. On the subject site, and properties to its north, south, and east the plan permits existing older single-family homes to be replaced with three-storey townhouses over one level of parking, at a base density of 0.75 floor area ratio (FAR). The existing development surrounding the site is described as follows:

- The project constructed to the immediate north of the subject site is comprised of 27 three-storey townhouses.
- The project constructed to the east consists of 49 townhouse units.
- A current rezoning application for the site to the south and to the east of the neighbourhood pub, 9051 Blundell (RZ 03-254683), is for 12 three-storey townhouses.

Staff Comments

The applicant has agreed to legal and development requirements associated with the application (**Attachment 4**). Preliminary Architectural Drawings (Site plan and elevations) are enclosed for reference (**Attachment 5**). Separate from the rezoning process, the applicant is required to

submit separate application for Development Permit, Servicing Agreement (street frontage improvements) and Building Permit

Public Hearing Results

At Public Hearing, April 19th, 2004, Council received six submissions from the floor and two written submissions. All submissions were from residents of the neighbouring townhouse development, Somerset Crescent at 7733 Turnill Street, directly north of the subject site (Council adopted the zoning for 7733 Turnill Street on August 26, 2002. On September 9, 2002, Council approved the issuance of the Development Permit). All the submissions expressed concern that the proposed access to the site would be through their property as a result of a cross-access easement registered on title. The applicant has discussed these concerns with the strata council, and made proposals to address these concerns however, agreement to obtain the access through 7733 Turnill Street was not achieved. The concerns include

- Increased noise, pollution and traffic
- Increased maintenance costs
- Not aware of easement at time of purchase
- Incompatible architectural details and loss of complex identity
- Loss of visitor parking

Response to concerns

Staff have reviewed these concerns and have reviewed alternative site access options and have concluded that a reasonable alternative access may be achieved through a cross access agreement via the future development at 9051 Blundell Road (RZ 03-254683), for the following reasons

- Site design and access can be co-ordinated between the two proposed developments in order to ensure compatibility, provide traffic calming measures, and to provide an agreement on sharing of maintenance costs,
- Total traffic will be more effectively balanced. 27 units share access to Turnill Street (Somerset Crescent) and 22 units will share access to Blundell Road (7840 Garden City Road, 10 units, and 9051 Blundell Road, 12 units),
- Reduces impacts of car traffic and garbage collection on the Somerset Crescent development,
- Each project is to provide its own required visitor parking and garbage and recycling facilities. Staff recommend that the developer of the subject application enter into an agreement with the owners of 9051 Blundell Road (RZ 03-254683) to provide signage to ensure that visitor stalls and recycling facilities are clearly identified for each development, and to enter into a cost sharing agreement for the maintenance of the shared driveways,
- At the Development Permit stage, additional attention to details will be reviewed to provide a harmonious transition and compatible designs between the projects

Site Access

As instructed by Council, staff have met with the applicants for both the subject site and the adjacent site at 9051 Blundell to explore alternate site access. Based on the continued concern from the residents at 7733 Turnill Street, staff recommend that an integrated alternate site access through the future development site at 9051 Blundell Road be provided, through cross access agreement, with additional agreements to ensure shared maintenance costs, traffic calming

measures, and design development to ensure compatibility of the two future developments. Both developers are in agreement on this arrangement.

Bylaw No 7678

The proposal was originally accompanied by Bylaw No 7678 which reduced the minimum lot size requirement in CD/127 from 0.405 ha (1 acre) to 0.162 ha (0.4 acre). Bylaw No 7796 (RZ 04-010244), adopted by Council at the September 20, 2004 Public Hearing, removed the minimum lot size requirement from CD/127, therefore, Bylaw No 7678 should be abandoned.

Analysis

The proposal is consistent with the objectives of the McLennan South Sub-Area Plan and citywide objectives. In particular:

- The siting of the two- and three-unit townhouse clusters are designed to provide an appropriate relationship to the previously approved development to the north and to the extension of the Garden City “greenway”. Continuity of visual open space to the north is provided. The orientation of units, window location, and outdoor open space is designed to address privacy and noise along the south side of the property facing the Neighbourhood Pub.
- With regard to the site’s proposed zoning, Comprehensive Development District (CD/127) is a zone created specifically for the adjacent site to the north, with the aim of providing a measure of consistency between projects situated in McLennan South’s higher density townhouse area (e.g. “base density” of 0.75 FAR).
- Vehicular access to the site is recommended through the adjacent site to the south. This form of access is consistent with the instructions of Council, and achieves alternate site access, other than through the existing development to the north at 7733 Turnill Street, and is based on detailed analysis of the several options reviewed with the affected parties. A cross-access easement is required to be registered on title of 9051 Blundell Road to facilitate this access. The applicant for 9051 Blundell Rd has agreed to the provision of the cross access easement through their site.
- In order to minimize traffic impacts on the future development at 9051 Blundell Road, the applicant is to enter into an agreement with the neighbouring property for traffic calming measures, such as speed humps and signage, and maintenance of the shared driveway, to the satisfaction of the Director of Development, to ensure a safe and cooperative use of the shared driveways.
- In order to prevent pedestrian short-cutting through the future development at 9051 Blundell Road, the applicant will construct a fence along the north property line to prevent access from 7733 Turnill Street. Staff will work with the property owners of 7733 Turnill Street and 7840 Garden City to remove the access easement from the Titles of these properties should Council endorse the revised proposal.
- The applicant proposes to contribute \$10,000 towards development of the McLennan South neighbourhood park, in lieu of providing indoor amenity space (calculated at \$1,000 per dwelling unit). Staff are supportive of this proposal as it is consistent with the

approach supported by the City in the rezoning of comparable small sites in the McLennan South Area

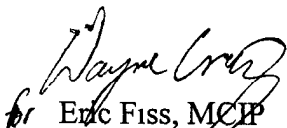
- The applicant proposes contributing \$8,200 towards Richmond's Affordable Housing program, calculated at \$0 60/ft² of buildable area, excluding parking
- Staff recommend that processing of a Development Permit to the satisfaction of the Manager of Development Applications be made a condition of final adoption of the subject application for rezoning. At Development Permit stage, staff recommend that the applicant should
 - Create variety between building blocks, through details and colour, to provide visual interest,
 - Create a compatible relationship to existing and proposed adjacent developments through architectural details, and
 - Ensure that existing trees are retained wherever possible, especially along the Garden City Road "greenway"

Financial Impact

None

Conclusion

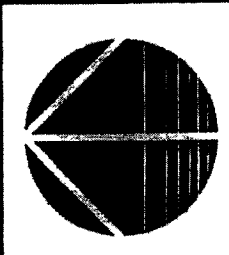
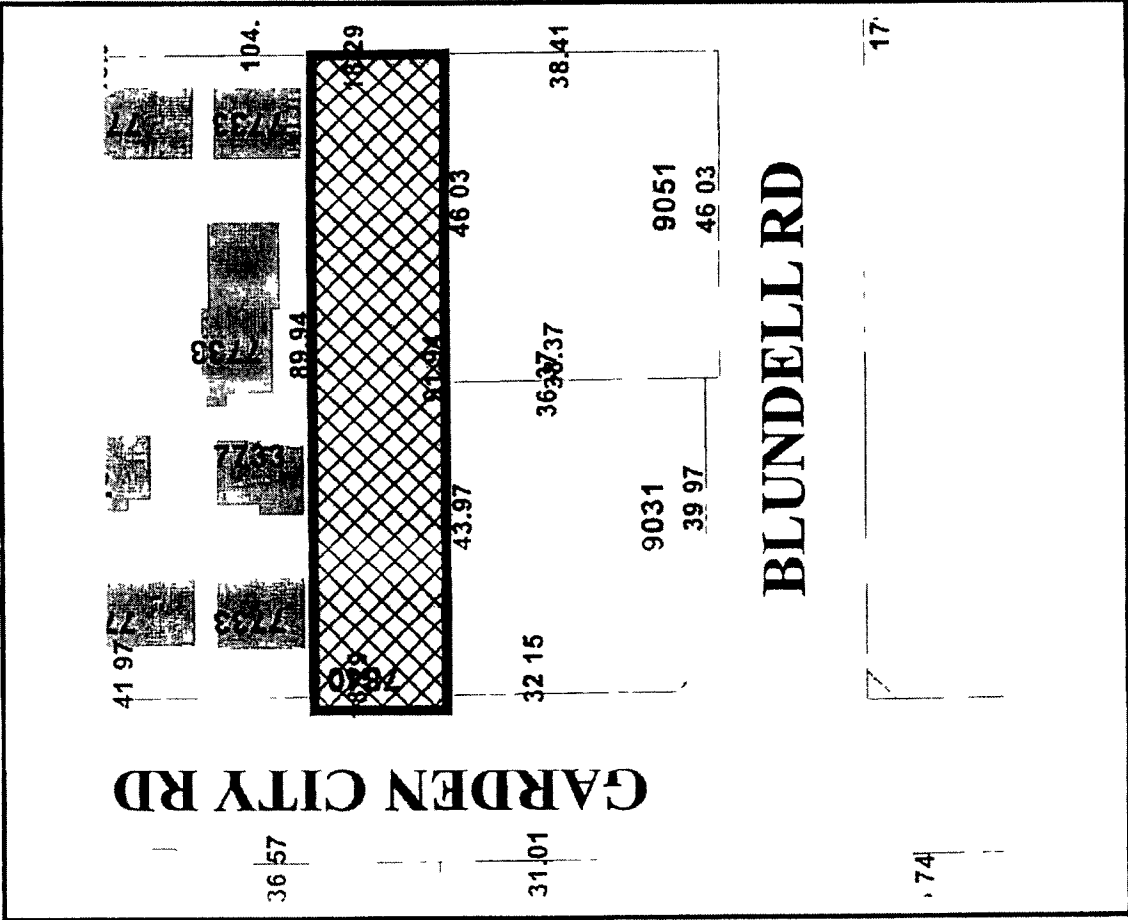
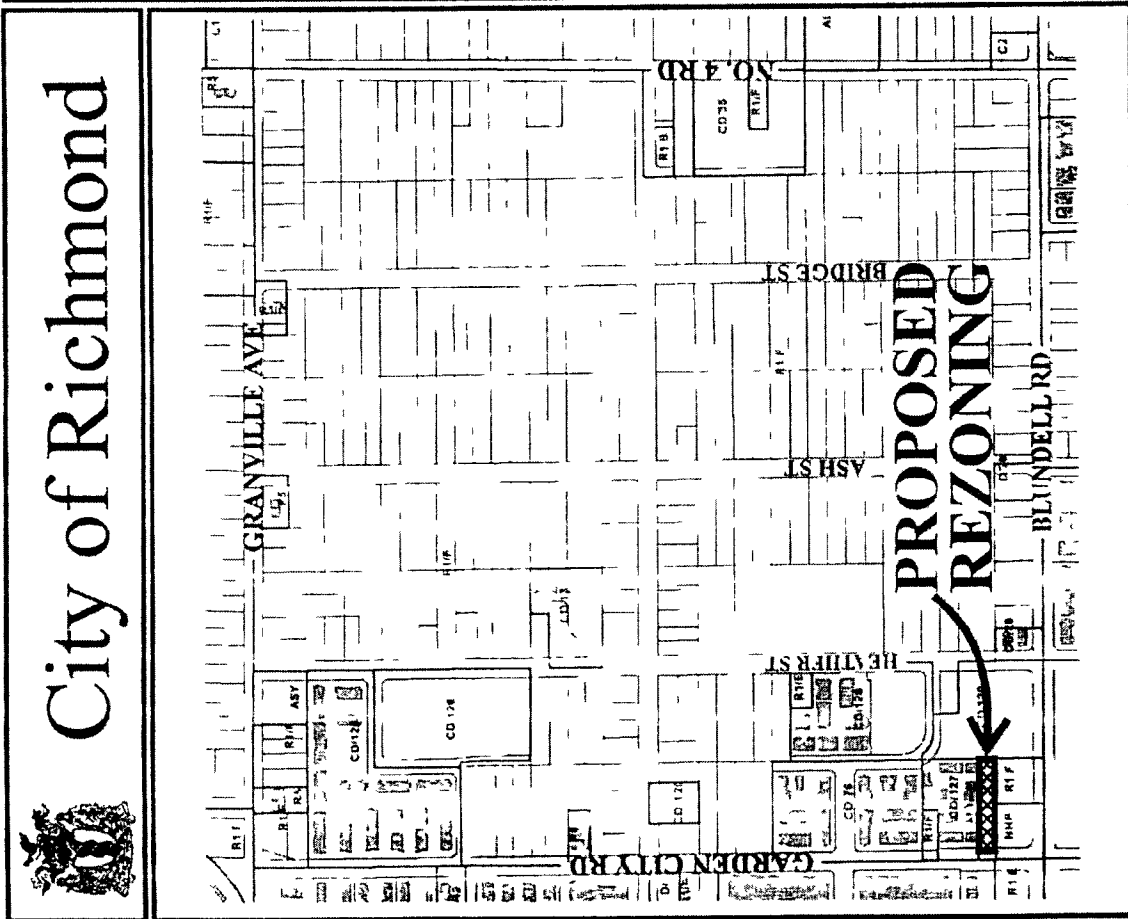
This application is in conformance with citywide, City Centre, and McLennan South objectives for residential growth and development. Overall, the proposed project appears to be well thought out. The proposed zoning district, CD/127, is well suited to the opportunities and constraints associated with the subject site. Proposed revisions to the site have been made in consultation with surrounding residents in response to Council's referral to re-consider site access. The revised layout satisfactorily addresses this issue. Rezoning of the subject site to Comprehensive Development District (CD/127), therefore, merits favourable consideration.


for Eric Fiss, MCIP
Policy Planner
(4193)

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LIST OF ATTACHMENTS

- Attachment 1** **Zoning Site Map**
- Attachment 2** **Development Application Data Sheet**
- Attachment 3** **McLennan South Land Use Map**
- Attachment 4** **Conditional Rezoning Requirements**
- Attachment 5** **Preliminary Architectural Drawings (Context Plan, Site Plan, Floor Plans, Elevations)**
- Attachment 6** **Correspondence Received Regarding the Proposed Development of 7840 Garden City Road**



RZ 03-251048

Original Date 11/28/03

Revision Date

Note Dimensions are in METRES



City of Richmond

6911 No 3 Road
Richmond, BC V6Y 2C1

**Development Application
Data Sheet
Policy Planning Department**

RZ 03-251048

Address 7740 Garden City Rod

Applicant Matthew Cheng Architect Inc

Planning Area(s) McLennan South Sub-Area Plan

	Existing	Proposed
Owner.	Shu-Chun Chao Yu-Chun Chao Kuo-Ting Chao	No change
Site Size (m²)	1 631 69 m ² (18,102 17 ft ²)	1,644 85 m ² (17,705 58 ft ²) • Reduction due to 2 m dedication along Garden City Road
Land Uses	Single-family residential	Townhouse
OCP Designation	Residential	No change
Area Plan Designation	Residential, Townhouse up to three-storeys over one parking level, Triplex, Duplex, Single Family	No change
702 Policy Designation	N/A	
Zoning	Single-Family Housing District, Subdivision Area F (R1/F)	Comprehensive Development District (CD/127) • Permits 3-storey townhouses @ 0 78 FAR
Number of Units	One single-family residence	10 townhouse units

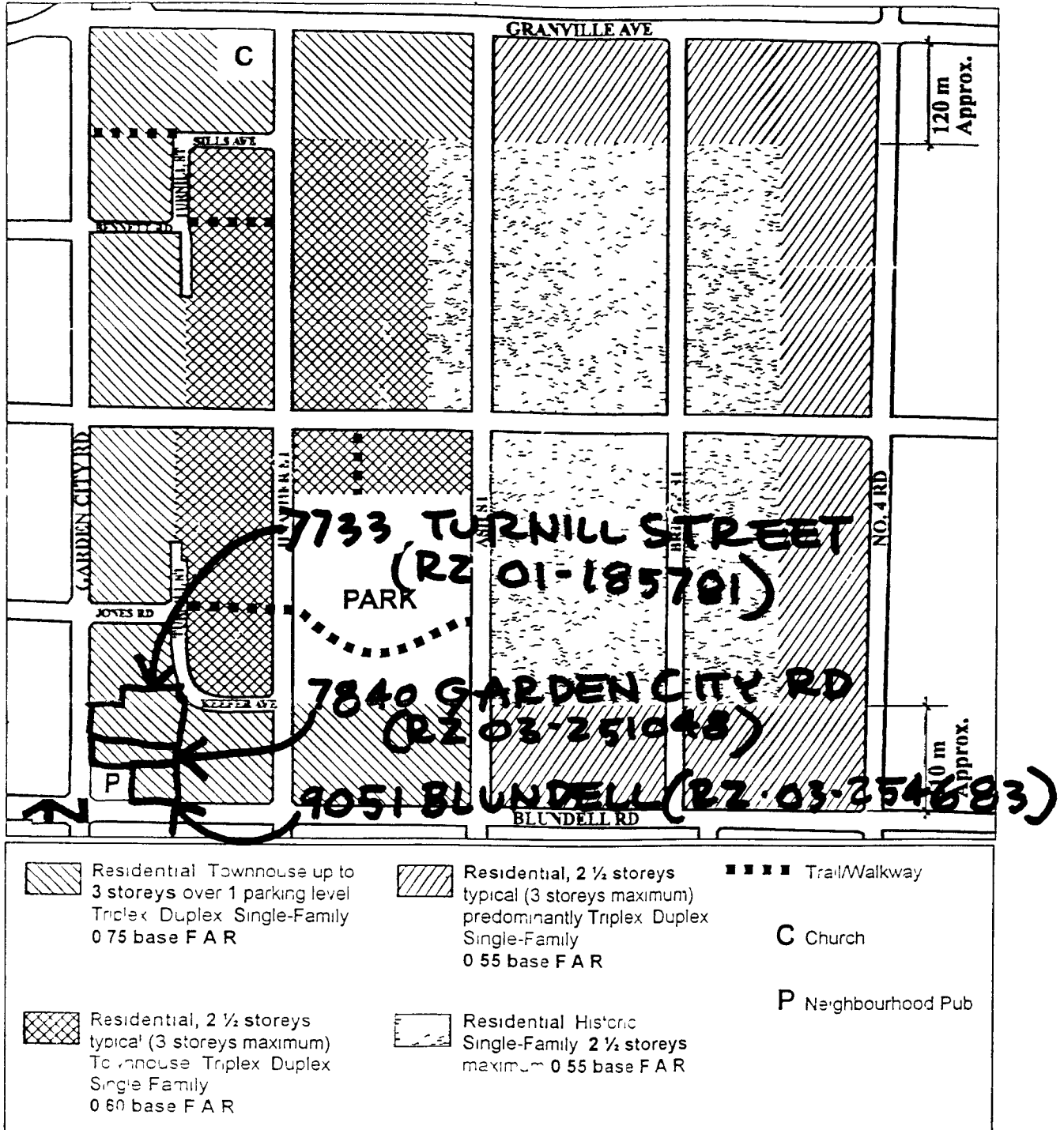
	Bylaw Requirement	Proposed	Variance
Density (units/acre)	N/A	25 upa	none required
Floor Area Ratio	Max 0 78 F A R	0 78 F A R	none permitted
Lot Coverage – Building	Max 40%	34 41%	none
Lot Size (min area)	N/A	N/A	none

	Bylaw Requirement	Proposed	Variance
Setback – Front Yard (m)	6 m Min	6 m Min	none
Setback – Side Yards – N/S (m)	Min 1.5 m	Min 1.5 m	none
Setback –Rear Yard - E (m)	Min 4.57 m	Min 4.57 m	none
Height (m)	12 m	Maximum 12 m	none
Off-street Parking Spaces – Regular (R) / Visitor (V)	1.5 spaces/unit x10 = 15 (R) 0.2 spaces/unit x 10 = 2 (V)	2.0 spaces/unit x10 = 20 (R) 0.2 spaces/unit x 10 = 2 (V)	none
Off-street Parking Spaces – Total	17	22	none
Tandem Parking Spaces	May be provided when used by residents of single dwelling unit	12 spaces (6 units)	none
Amenity Space – Indoor	70 m ² or payment-in-lieu	Payment-in-lieu proposed \$10,000	none
Amenity Space – Outdoor	6 m ² per dwelling unit	60 m ²	none

Other Tree replacement compensation required for loss of significant trees in good health, to be dealt with as part of the Development Permit process

City of Richmond

Land Use Map *B/LA 770*
200-022



Note Sills Avenue, Le Chow Street, Keefer Avenue, and Turnill Street are commonly referred to as the 'ring road'

Conditional Rezoning Requirements 7840 Garden City Road RZ 03-251048

Prior to final adoption of Zoning Amendment Bylaw 7679, the developer is required to complete the following requirements

- 1 Dedication of a 2 m (6 56 ft) wide strip along the entire Garden City Road frontage for future road widening,
- 2 Granting of a 3 m (9 84 ft.) wide Public Rights of Passage right-of-way at the back of the required Garden City Road widening/dedication for the full width of the subject site for the extension of the Garden City Road “greenway”,
- 3 Entering into an agreement with the neighbouring property owners at 9051 Blundell Road for traffic calming and maintenance of the shared driveway, to the satisfaction of the Director of Development
- 4 Registration of a restrictive covenant ensuring that the only means of access is to Blundell Road and that there be no access to Garden City Road, except during construction and as temporary access until the permanent access point on Blundell Road becomes operational
- 5 Registration of a restrictive covenant ensuring that temporary vehicle access to Garden City Road, will be closed once the access through the development at 9051 Blundell Road to a permanent access point on Blundell Road becomes operational
- 6 Contribution of \$0 60 per buildable square foot (e g \$8,200) towards the City’s affordable housing fund
- 7 Contribution of \$1,000 per unit (e g \$10,000) cash in-lieu of on-site indoor amenity space towards development of the proposed McLennan South neighbourhood park,
- 8 Processing of a Development Permit* application to a satisfactory level, as determined by the Director of Development,

Then, prior to issuance of a Development Permit

- 9 Provision of a utility servicing plan, which clearly shows how water, storm, sanitary, plus hydro, telephone and gas will service the entire site from the Garden City Road frontage This plan must be acceptable to the City's Plumbing Inspectors This is important, because ALL these utilities MUST come from Garden City, and will need corridors past ALL the buildings, while not encroaching on neighbouring property, and

Then prior to issuance of the future Building Permit

- 10 The developer is to enter into the City's standard Servicing Agreement to design and construct beautification improvements across their Garden City frontage Works to match that done to the north, include, but are not limited to, creation of a large grass and treed boulevard, with Zed street lighting (if required), behind the existing curb, with a new 3m concrete sidewalk in the new Public Rights of Passage Right-of-Way
- 11 Enter into a Servicing Agreement* for the design and construction of frontage improvements along Garden City Road to remove and restore the temporary crossing

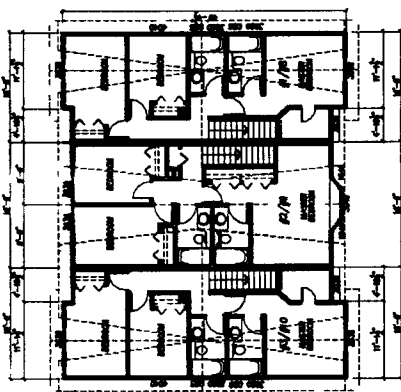
* Note This requires a separate application

(Signed Copy on file)

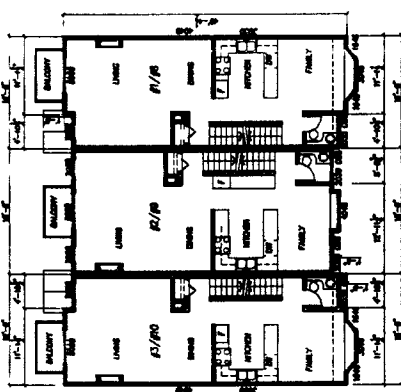
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Signed

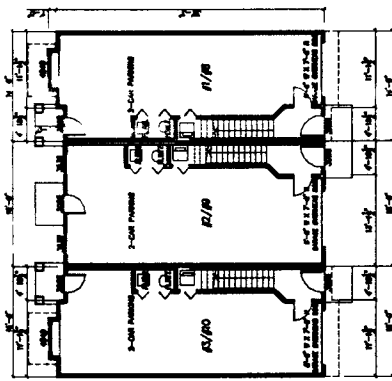
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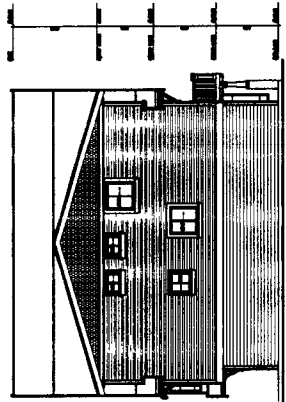
THIRD FLOOR PLAN
 SHEET 2



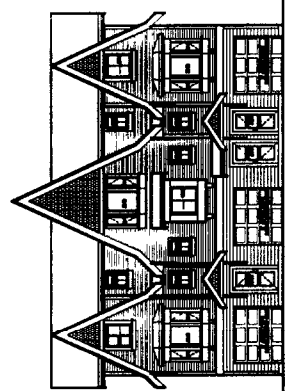
SECOND FLOOR PLAN
 SHEET 1



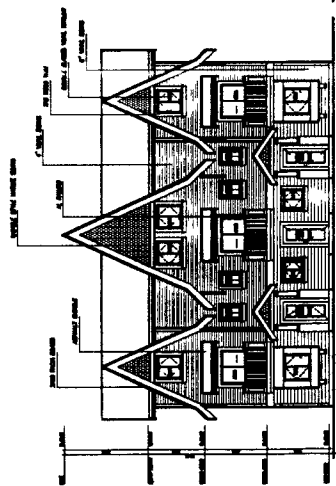
GROUND FLOOR PLAN
 SHEET 0



BUILDING A, C SOUTH AND NORTH ELEVATION



BUILDING A EAST ELEVATION
 BUILDING C WEST ELEVATION



BUILDING A WEST ELEVATION
 BUILDING C EAST ELEVATION



**MATTHEW CHENG
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DATE: 10/15/11

SCALE: AS SHOWN

PROJECT NO. 11-001

DATE: 10/15/11

PROJECT NO. 11-001

DATE: 10/15/11

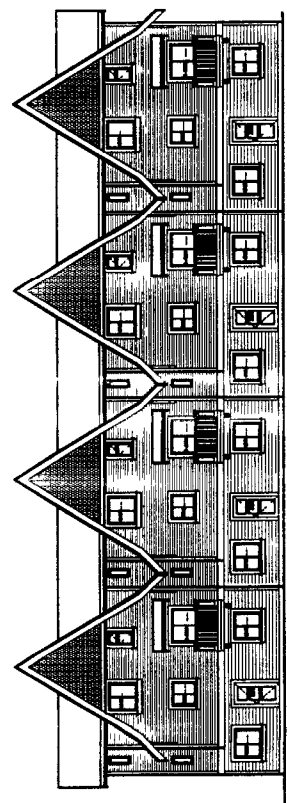
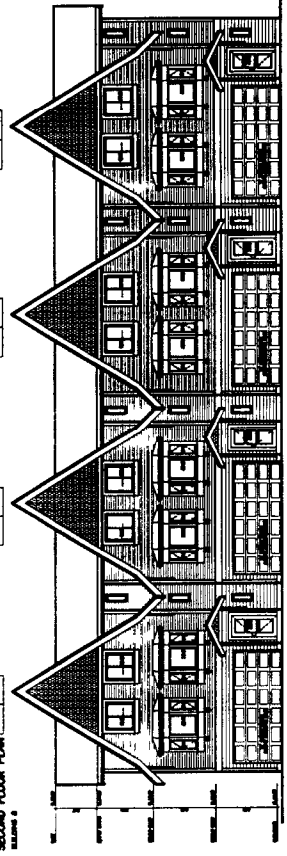
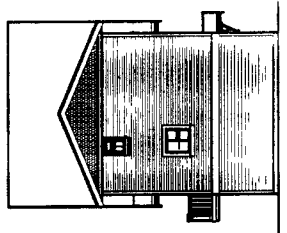
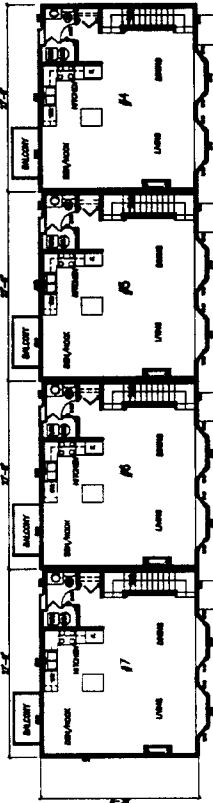
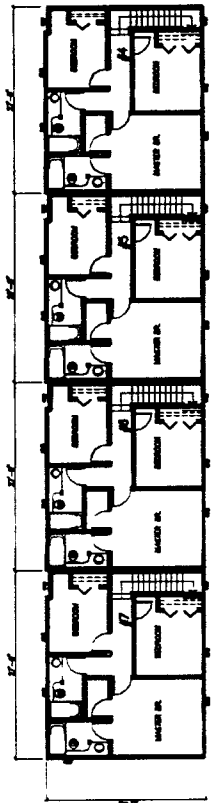
PROJECT NO. 11-001

DATE: 10/15/11

PROJECT NO. 11-001

DATE: 10/15/11

PROJECT NO. 11-001



To Public Hearing
Date: April 19, 2004
Item # 9
Re: Bylaws 7678 + 7679
7840 Garden City

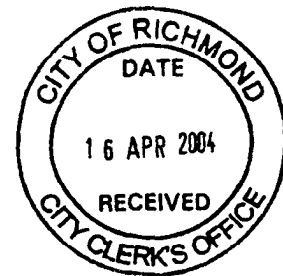
MayorandCouncillors

From web2@city richmond bc ca
 Sent April 18, 2004 8 56 PM
 To MayorandCouncillors
 Subject bylaw 7678 and 7679

Name Richard Biles
 Address 11-7733 Turnill St Richmond B C v6y4h9
 SubjectProperty_Bylaw bylaw 7678 and 7679

Comments

Re The proposed development at 7840 Garden City Rd I understand this new development will use our existing roadways and entrance from Turnill St This will of course increase the amount of traffic through our complex which will increase the danger to our child playing in our driveway we chose our location carefully so as to be at the end of our driveway, giving our child a safe place to ride his bike etc Now we find there will be access to our driveway from two other directions Had we been aware of this easement, we would never had purchased our property as we were looking for a smaller more community oriented comlex Please note we do not have any back yards for children to play in, so having a safe environment is our utmost concern For that reason I oppose the amendments to the above bylaws Thankyou for your consideration Richard Biles



April 19 2004

Re **RZ 03-2510-48**
7840 Garden City Road

Myself, my wife, my 8 year old son, and my newborn daughter are all categorically opposed to allowing access through 7733 Turnill Street. The reasons are:

-the current dead-end play areas will be lost. They are currently used for playing catch, bike riding, skate boarding and most importantly, playing hockey. When we purchased a unit here, this is one of our main considerations. Dead-end areas where kids can play close to home and without concern for traffic (i.e. it is local and there are only 27 units with vehicles)

-we are concerned about local noise increasing (e.g. with only 10 units added to our community, there will be a 37% increase in traffic and people). With increased traffic comes more air pollution (and the air vents to our homes face the roads). Also, there will be more extra-curricular traffic (delivery trucks, visitors, garbage and recycling trucks, construction traffic, etc.)

-the unique character/identity of our small neighbourhood will be lost. With access through our property, our development and the proposed one will be perceived as being one development by itself. The proposed development will detract from our neighbourhood's building scheme (e.g. the copper and chalet style, curved roofs along with the style and spacing of our buildings).

-we bought into a 27 unit development, not a 37-unit development. In the market today, small developments like ours are rare. Our unique, small community will be lost.

-Somerset Crescent was marketed as a private and distinguished community, designed for only 27 townhomes to create a more personal, friendly and manageable community. This is what we bought into; we paid a premium price for this concept. By opening up our community, by allowing access to our neighbour(s), our small, close-knit community becomes less attractive to buyers and consequently, the value of our property goes significantly down.

-By allowing access through our small community, our amenities will be used beyond their design parameters (e.g. visitor parking will be filled, the park space will have a larger population using it, therefore, more maintenance required, our recycling facilities may be stretched beyond their capacity, etc.). Even if these amenities are in place next door, we have no guarantee that this will not happen, and we have no power to prevent or control it.

-why not leave access to 7840 Garden City Road as it exists now – from Garden City Road. 7831 Garden City Road is directly across the street from the proposed development where there are 80 strata units (with 5 more proposed) that have access to Garden City Road. Also, closer to the intersection, at the commercial lot (i.e. Malones Pub), there is unlimited access to Garden City Road. What is the problem?

with leaving the existing access as it is' Why burden our families and why burden our property with giving 7840 Garden City Road access through our community? It seems to me that the community benefit to Richmond (i.e. access through 7733 Turnill Street) is negligible to the harm proposed to our small community. The impact of keeping the access from Garden City Road would be minimal. (Perhaps a traffic study could be done.)

-What about the costs involved with more traffic: the impact on our green space, the impact on our road system (e.g. the cobblestone sidewalk, pavement, etc.), snow removal, etc.? Currently, we pay for all these costs, and we have no legal way to get adjacent developments to pay their fair share. In effect, we are subsidizing the adjacent properties, the developers and the City of Richmond forever.

-the burden of the access easement on our land is too much. We gave up land for road dedication for free; we gave up a statutory right of way through our property for free. Now you want our neighbours to have unlimited access through our land for free. If we ever want to develop our land in the future, we are severely limited in what we can do because adjacent land parcels are dependent upon our land for access.

-in my initial research of our property and its development, there was no mention of an easement with our neighbours having unlimited access through our property forever. At the last minute, with the strata plan at City Hall, the approving Officer requested this easement. With us, the real future property owners left with no recourse. With our deposit already in place, our family could not afford to walk away from closing the deal, as we would have lost over \$27,000 and we could have been sued for a breach of contract.

-it would be nice to plant small green spaces at the dead-ends to buffer us from next door and to enhance our community without limiting fire truck, ambulance, etc. access.

-it seems to me that we are the only losers if access is allowed through our property. The developer, with more units, makes more money, and the City of Richmond makes more tax money because more units can be squeezed into 7840 Garden City Road.

In Summary, we oppose access through 7733 Turnill Street. It burdens our community too much. The financial costs, the loss of our community identity, the play areas for the children, the increased noise and air pollution, etc. are valid reasons to not allow access through our community. If my 8-year-old son cannot see the rationale for allowing access, perhaps we should step back and also listen to our kids, who are the foundation and future of our society.

Brett Mullin
24-7733 Turnill Street
Richmond, B.C.
V6Y 4H9

Kuo-Ting Chao
7600 Garden City Road
Richmond, British Columbia
Canada V6Y 2N6

June 18, 2004

Holger Burke
Acting Manager,
Development Applications
City of Richmond
6911 No 3 Road
Richmond, British Columbia
Canada V6Y 2C1

Subject: 7840 Garden City Road - Zoning Amendment Bylaws 7678 and 7679

Dear Mr. Burke

This letter is to protest to the delayed decision by staff of Richmond city hall regarding to my rezoning application with file no RZ03-251048

The rezone application to develop 10 three-storey townhouses with access through 7733 Turnill Street was turned down at Public Hearing April 19, 2004. The application was "to be referred to staff to revisit the site configuration with a view to provide alternative access"

It has been two months since that public hearing. Since then, my rezoning application has been halted. No planning committee meeting was schedule for my rezoning application. Lives of many other people, whom are linked with this project development, are seriously affected by the delay in the progress of this project. Aside myself, and other owners of this property, the concerned residents of 7733 Turnill Street, my tenant at 7840 Garden City Road, the developer at 9051 Blundell Road, my mortgage banker, my architect, my landscape architect, and other construction professionals, are putting their lives on hold for the pending decision by the city hall regarding to this application.

Furthermore, the financial burden associated with the uncertain future of my property is enormous. The opportunity costs associate with the land, the delayed construction, the climbing mortgage interest rate, and the unpredictable future real estate market are immeasurable.

Finally, I believe that Richmond City Hall should announce its resolution to this site access issue as soon as possible, e.g. by placing this issue before the planning committee as soon as possible.

Looking forward to your reply,

Sincerely,

Kuo-Ting Chao





**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7679 (RZ 03-251048)
7840 GARDEN CITY ROAD**

The Council of the City of Richmond, in open meeting assembled, enacts as follows

- 1 The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **COMPREHENSIVE DEVELOPMENT DISTRICT (CD/127)**.

P I D 004-069-013

Lot 40 Section 15 Block 4 North Range 6 West New Westminster District Plan 34008

- 2 This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7679”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

MAR 22 2004

APR 19 2004

CITY OF RICHMOND
APPROVED for content by originating dept
HB
APPROVED for legality by Solicitor

MAYOR

CITY CLERK



Regular Council Meeting for Public Hearings

Monday, April 19th, 2004

- 9 Zoning Amendment Bylaws 7678 and 7679 (RZ 03-251048)**
(7840 Garden City Road, Applicant Matthew Cheng Architect Inc)

Applicant's Comments

Mr Cheng, the applicant, advised he was available to answer questions

Written Submissions

Richard Biles, 7733 Turnmill Street, #11, Richmond, BC (Schedule 3)

Submissions from the floor

Mr Kim Forg 7733 Turnmill Street, #17, stated his concern regarding the cross-access agreement which would result in increased traffic from this new development through Somerset complex. He queried whether the developer could redesign the site access through to Garden City Road. He also asked about the large trees on this lot. In response, Mr Allueva Director of Development advised that the developer would retain an arborist to assess the trees at the Development Permit stage.



Regular Council Meeting for Public Hearings

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Mr Brett Mullin, 7733 Turnmill Street, #24, (his submission is attached as Schedule 4 and forms a part of these minutes), expressed his opposition to the access easement which allowed vehicular access through his townhouse complex

In response to a query from Council, Mr Erceg, Urban Development Administrator advised that the Area Plan strongly discouraged access directly to Garden City Road, and that it was a fairly common practice to allow access easement through developments along arterial roads

A resident of 7733 Turnmill Street, stated that he did not oppose the project, but was concerned about the access from this development through the Turnmill Street complex

Ms Ng, 7733 Turnmill Street, #23, did not oppose the project but stated her concern about access from this development through the Turnmill Street complex

Mr Matthew Cheng, Project Architect, advised that he had not considered access to the site from Garden City Road, and noted that the owner had retained a landscape architect to assess the trees on the site

Mr Fong. advised that he became aware of the cross-access agreement for the subject site only after he received a second disclosure statement He stated that he had already made a down payment for his townhouse by that time

Mr Mullin, 7733 Turnmill Street, #24 asked whether access to this site could be achieved from Blundell Road in conjunction with the proposal under item 10 on the agenda

Ms Robin Kevach, Turnmill Street, stated her concern that fire and emergency vehicles would not be able to properly access the townhouse complex In response Mr Erceg advised that emergency vehicles would gain access from Garden City Road



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Ms Yvonne Chow, co-owner of the subject site, stated that the cross access agreement from this site through the Turnill Street complex had been discussed at a previous meeting, and she was assured that access would not be a problem. In response to a query from Council, Mr Erceg, advised that the meeting mentioned by the delegation was a Development Permit Panel meeting.

PH04/4-16

It was moved and seconded

That Zoning Amendment Bylaws 7678 and 7679 be referred to staff to revisit the site configuration with a view to providing alternate site access

CARRIED

MayorandCouncillors

To Public Hearing
Date: April 19, 2004
Item # 9
Re. Bylaws 7678 + 7679
7840 Garden City

om web2@city richmond bc ca
 Sent April 18, 2004 8 56 PM
 To MayorandCouncillors
 Subject bylaw 7678 and 7679

Name Richard Biles
 Address 11-7733 Turnill St Richmond B C v6y4h9
 SubjectProperty_Bylaw bylaw 7678 and 7679

Comments

Re The proposed development at 7840 Garden City Rd I understand this new development will use our existing roadways and entrance from Turnill St This will of course increase the amount of traffic through our complex which will increase the danger to our child playing in our driveway we chose our location carefully so as to be at the end of our driveway, giving our child a safe place to ride his bike etc Now we find there will be access to our driveway from two other directions Had we been aware of this easement, we would never had purchased our property as we were looking for a smaller more community oriented complex Please note we do not have any back yards for children to play in, so having a safe environment is our utmost concern For that reason, I oppose the amend-ments to the above bylaws Thankyou for your consideration Richard Biles

Schedule 3 to the Minutes of the
 Public Hearing meeting held on
 Monday, April 19th, 2004



April 19 2004

Re RZ 03-251048
7840 Garden City Road

Myself, my wife, my 8 year old son, and my newborn daughter are all categorically opposed to allowing access through 7733 Turnill Street. The reasons are:

-the current dead-end play areas will be lost. They are currently used for playing catch, bike riding, skate boarding and most importantly playing hockey. When we purchased a unit here, this is one of our main considerations. Dead-end areas where kids can play close to home and without concern for traffic (i.e. it is local and there are only 27 units with vehicles)

-we are concerned about local noise increasing (e.g. with only 10 units added to our community, there will be a 37% increase in traffic and people). With increased traffic comes more air pollution (and the air vents to our homes face the roads). Also, there will be more "extra-curricular" traffic (delivery trucks, visitors, garbage and recycling trucks, construction traffic, etc.)

-the unique character/identity of our small neighbourhood will be lost. With access through our property, our development and the proposed one will be perceived as being one development by itself. The proposed development will detract from our neighbourhood's building scheme (e.g. the copper and chalet style, curved roofs along with the style and spacing of our buildings).

-we bought into a 27 unit development, not a 37-unit development. In the market today, small developments like ours are rare. Our unique, small community will be lost.

-Somerset Crescent was marketed as a private and distinguished community, designed for only 27 townhomes to create a more personal, friendly and manageable community. This is what we bought in to; we paid a premium price for this concept. By opening up our community, by allowing access to our neighbour(s), our small, close-knit community becomes less attractive to buyers and, consequently, the value of our property goes significantly down.

-By allowing access through our small community, our amenities will be used beyond their design parameters (e.g. visitor parking will be filled, the park space will have a larger population using it, therefore, more maintenance required, our recycling facilities may be stretched beyond their capacity, etc.). Even if these amenities are in place next door, we have no guarantee that this will not happen, and we have no power to prevent or control it.

-why not leave access to 7840 Garden City Road as it exists now – from Garden City Road. 7831 Garden City Road is directly across the street from the proposed development where there are 80 strata units (with 5 more proposed) that have access to Garden City Road. Also, closer to the intersection, at the commercial lot (i.e. Malones Pub), there is unlimited access to Garden City Road. What is the problem?

with leaving the existing access as it is? Why burden our families and why burden our property with giving 7840 Garden City Road access through our community? It seems to me that the community benefit to Richmond (i.e. access through 7733 Turnill Street) is negligible to the harm proposed to our small community. The impact of keeping the access from Garden City Road would be minimal. (Perhaps a traffic study could be done.)

-What about the costs involved with more traffic: the impact on our green space, the impact on our road system (e.g. the cobblestone sidewalk, pavement, etc.), snow removal, etc.? Currently, we pay for all these costs, and we have no legal way to get adjacent developments to pay their fair share. In effect, we are subsidizing the adjacent properties: the developers and the City of Richmond forever.

-the burden of the access easement on our land is too much. We gave up land for road dedication for free; we gave up a statutory right of way through our property for free. Now you want our neighbours to have unlimited access through our land for free. If we ever want to develop our land in the future, we are severely limited in what we can do because adjacent land parcels are dependent upon our land for access.

-in my initial research of our property and its development, there was no mention of an easement with our neighbours having unlimited access through our property forever. At the last minute, with the strata plan at City Hall, the approving Officer requested this easement. With us, the real future property owners left with no recourse. With our deposit already in place, our family could not afford to walk away from closing the deal, as we would have lost over \$27,000 and we could have been sued for a breach of contract.

-it would be nice to plant small green spaces at the dead-ends to buffer us from next door and to enhance our community without limiting fire truck, ambulance, etc. access.

-it seems to me that we are the only losers if access is allowed through our property. The developer, with more units, makes more money, and the City of Richmond makes more tax money because more units can be squeezed into 7840 Garden City Road.

In Summary, we oppose access through 7733 Turnill Street. It burdens our community too much. The financial costs, the loss of our community identity, the play areas for the children, the increased noise and air pollution, etc. are valid reasons to not allow access through our community. If my 8-year-old son cannot see the rationale for allowing access, perhaps we should step back and also listen to our kids, who are the foundation and future of our society.

Brett Mullin
24-7733 Turnill Street
Richmond, B.C.
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