

PLANNING COMMITTEE

Date: Tuesday, June 20th, 2000
Place: W.H. Anderson Room
Richmond City Hall
Present: Councillor Malcolm Brodie, Chair
Councillor Bill McNulty, Vice-Chair
Councillor Linda Barnes
Councillor Lyn Greenhill
Councillor Harold Steves
Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

1. It was MOVED and SECONDED
That the minutes of the meeting of the Planning Committee held on Tuesday, June 6th, 2000, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

2. The Chair, after discussion with staff, advised that:
 - (1) the meetings scheduled for Tuesday, July 4, 2000, and Tuesday, August 8th, 2000, would **not** be held; and
 - (2) that meetings would be held on Tuesday, July 18th, and on Tuesday, August 22nd, 2000, at 4:00 p.m. in the W. H. Anderson Room.

URBAN DEVELOPMENT DIVISION

3. **ACCESS OPTIONS FOR LONDON/PRINCESS**
(Report: June 8/00, File No.: 4045-20-04-WA) (REDMS No. 157073) (Referral from the April 18, 2000 Planning Committee meeting.)

Development Coordinator Holger Burke reviewed the report with Committee members.

In response to questions about the status of the existing underground utilities, the following information was provided:

- extensions to the existing system would be addressed as part of the servicing agreement with the developer
- the utilities in the area were approximately 1 metre below the existing grade, and if the height of the subject property was raised, the result would be that the utilities could be an additional 2 metres lower than the new grade; the possibility could exist that the existing utility system would have to be abandoned and a new system constructed because the existing utilities would be too deep.

Mr. John White, of 6431 Dyke Road, addressed a number of issues in the staff report, including (a) the proposal to raise the internal road grades to a geodetic elevation of 2 metres; (b) the number of parking stalls required for 'mixed use' as compared to 'industrial' zoning; and (c) the impact which the height of the perimeter roads could have on the proposal to access underground parking by using ramps. He also voiced concern that his property would be 1.2 metres lower than the adjacent property.

Mr. White spoke about the heritage value of area ditches and he urged the Committee to not only preserve these ditches, but reject the proposal to raise the roads.

A brief discussion ensued on whether Princess Street would be raised, and advice was given that the road at its existing level is approximately 1.43 metres and that the elevation from the perimeter of the property inward would gradually be reduced.

Mr. Doug Phillip, 6211 Dyke Road, expressed concern about the proposal to raise the height of the road because of the impact which this might have on the future development potential of his property. He stated that the ramp which would be required to access underground parking would consume valuable property. Mr. Phillip suggested that paving of the road and improvements to the drainage system would eliminate the existing minor problems with the road.

Discussion ensued between the Chair and staff on the impact which the proposal to raise the level of the road might have on the ramp access system. Information was also provided on possible options with respect to the development of Mr. Phillip's property.

Mr. White came forward and spoke about floodplain requirements and how these requirements could be achieved structurally rather than raising the ground level. The General Manager, Urban Development, David McLellan commented further on floodplain requirements as they applied to the provision of underground parking.

It was moved and seconded

That staff work toward the raising of internal road grades within the London-Princess area to a geodetic elevation of approximately 2.0 m (6.56 ft) GSC.

CARRIED

4. **APPLICATION BY CEDAR DEVELOPMENT (PRINCESS LANE) CORP. FOR REZONING AT 13400 PRINCESS STREET FROM I2 TO CD/115**

(RZ 99-170422 - Report: June 8/00, File No.: 8060-20-7145) (REDMS No. 142954, 157080, 156065, 138891, 138457, 156189, 70065)

Mr. Burke briefly reviewed the report with the Committee.

Mr. Tom Bell, representing Cedar Development Corporation, used site plans and photographs to give a detailed description of the proposed development. A copy of the reference material circulated with the staff report is on file in the City Clerk's Office.

The Chair referred to the proposal of the developer to use 'hardy plank' rather than wood for the exterior finish of the townhouses, and to the requirement indicated in the staff report that '*only paintable wood materials would be used for roofing,*'. Advice was given that if so desired, the Committee could change that requirement.

Mr. Doug Phillips, 6211 Dyke Road, spoke in opposition to the proposed development as he felt it did not conform to the criteria contained in the Official Community Plan, Steveston Sub-Area Plan. He then quoted certain statements from the Steveston Sub-Area Plan which referred to the character of the proposed homes to preserve heritage of the Steveston area, and suggested that the proposed dwellings were inappropriate.

Mr. Curtis Eyestone, 6471 Dyke Road, spoke about the developments that had been planned for the Steveston area in years past which had been rejected because the proposals were not appropriate. He suggested that the subject property did not have to be rezoned and instead, the developer could be told to 'go away'. Mr. Eyestone voiced his objections to the proposal, expressing concern that parking would not be sufficient and would spill over onto nearby properties. He also objected to the appearance of the proposed townhomes which he felt did not reflect the farming heritage of the area.

Mr. John White, of 6431 Dyke Road, also voiced his objection to the proposed development. He suggested that rather than the 18 units proposed, there should be 5 buildings constructed each containing 4 units. He also expressed the opinion that the proposal now being considered did not meet the character requirements of the OCP and detracted from the ambience of the area. Mr. White urged the Committee to refer the matter back to staff for review to ensure that it more closely complied with the intent of the OCP.

Reference was made to the proposed land elevations for the development. Advice was given by staff that with respect to any proposal which required the property to be raised to comply with floodplain requirements, the developer was required to install the appropriate drainage and to step the property down to adjacent properties to ensure compatibility with adjacent properties.

Mr. John Madsen, 6391 Dakota Drive, expressed support for the development because of the opportunity the proposal offered to individuals to purchase an affordable heritage style home with access to the waterfront. In response to a question, he stated that the suggestion made by a previous speaker to construct fewer buildings which were larger in size, would make the housing units unaffordable to most people.

Mr. Greg LaRiviere, of 5169 Heron Bay, Delta, operator of Rod's Building Supplies in Steveston, also voiced his support for the proposal and commended the developer for an excellent project.

Mr. Manfred Kuchenmueller supported the development, stating that it was difficult to find a reasonably priced family home located on the waterfront, and he expressed his appreciation for the manner in which the project had been designed and the style of the homes.

Mr. Ken Tromblett, an investor in the project, provided information on the initial development of the proposal, and indicated his support for the project. In reply to questions about the suggestion made to construct 5 buildings with 4 units each, he stated that the change would give the developer a wider market and the opportunity to earn more money; however, the developer had been very diligent in maintaining a low density for the project.

Mr. Bob Roots, 13286 55A Avenue, Surrey, voiced the opinion that the developer had adhered to the criteria established in the Official Community Plan with respect to the design of the project, and had maintained the heritage theme.

Mr. Dana Westermark, of Cedar Development Corporation, referred to statements made previously with regard to the area being a farming community, and stated that with the location of 2 canneries in the area at one time in the past, as well as a number of bunk houses, the area was fishing in nature. He stated that the development would be consistent with the historic uses in the area, and noted that the only plan would be to construct 18 townhomes. Mr. Westermark added that the proposal replicated the design of homes as they would have been in 1910.

It was moved and seconded

That Bylaw No. 7145, for the rezoning of 13400 Princess Street from "Light Industrial District (I2)" to "Comprehensive Development District (CD/115)", be introduced and given first reading.

Prior to the question being called, Planning Committee members voiced their support for the project, stating that the proposal fell within the guidelines contained in the Official Community Plan and supported forwarding the proposal to Public Hearing to obtain the views of Steveston residents. As well, the developer was commended for his indepth research on the heritage aspects to ensure that the homes reflected the appearance of homes in 1910.

The question on the motion was not called, as the following **amendment** was introduced:

It was moved and seconded

That the following be added as Part (2):

That the requirement contained in the staff report (dated June 8th, 2000, from the Manager, Development Applications), '....that only "paintable wood" materials', be deleted, and that the developer be permitted to use "hardy plank" instead.

CARRIED

The question on the motion, as amended, was then called, and it was **CARRIED**.

5. **HERITAGE CONSERVATION AREA FOR LONDON PRINCESS AREA**

(Report: April 11/00, File No.: 4045-20-04-WA) (REDMS No. 147505) (Tabled at the May 16, 2000 Planning Committee Meeting)

The Manager, Land Use, Terry Crowe, briefly reviewed the report with the Committee. In response to questions, advice was given that a Heritage Conservation Area was not used to create heritage but rather to protect existing heritage areas.

Mr. John White, of 6431 Dyke Road, reviewed the staff report, noting that it was not his intention of trying to create a new heritage district. He expressed concern that heritage aspects of the area could be lost if a Heritage Conservation Area was not established.

Considerable discussion then ensued among Committee members and staff on whether the area in question should be designated as a Heritage Conservation Area. Advice was given during the discussion that the City's Development Permit process, which addresses form and character of the project and would control any future changes, and the criteria contained in the Official Community Plan, would control the development of the project. Further advice was given that staff were also recommending that a covenant be registered on the property to bind future land owners with respect to making changes to the individual units.

Mr. Dana Westermarck stated that his company had completed thorough research on the area to enhance certain aspects of the historical features of the area. He stated that he would be disappointed if the historical content was to disappear, and would support creation of a Heritage Conservation Area, with the inclusion of the adjacent properties to protect the development.

Mr. Doug Phillips, 6211 Dyke Road, questioned whether the 'heritage residential' and the 'mixed use components' would be included, and advice was given that only the heritage residential area would comprise the Heritage Conservation Area, if created. A brief discussion ensued, during which questions were raised about the feasibility of including London Farm and the Princess Street road end. As a result of the discussion, the following motion was introduced:

It was moved and seconded

- (1) ***That staff prepare an amendment to the Official Community Plan to create a Heritage Conservation Area for the 'Heritage Residential' area of London/Princess, including London Farm and the Princess Street road end, for presentation to Council through the Planning Committee in September, 2000;***
- (2) ***That a public consultation process be initiated, and***
- (3) ***That the bylaw come into effect upon completion of the Cedar Development Corporation project at 13400 Princess Street.***

The question on the motion was not called, as the following **amendment** was introduced:

It was moved and seconded

That the following be added as Part (4), That staff report on the compatibility of including the 'residential' area north of Princess Lane with the Heritage Conservation Area."

CARRIED

The question was then called on the motion as amended, and it was **CARRIED**.

6. **APPLICATION BY ALLAN BELEY FOR REZONING AT 5671 MONCTON STREET FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA C (R1/C)**
(RZ 00-085803 - Report: May 31, 2000, File No.: 8060-20-7143) (REDMS No. 155979, 156334)

It was moved and seconded

That Bylaw No. 7143, for the rezoning of 5671 Moncton Street from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area C (R1/C)", be introduced and given first reading.

CARRIED

7. **AGRICULTURAL LAND RESERVE APPEAL APPLICATION BY GERARD HOL AND LYNDA HOL FOR SUBDIVISION AT 12400 NO. 3 ROAD**
(AG 00-084344 - Report: June 7/00, File No.: AG 00-084344) (REDMS No. 153432)

Mr. Burke reviewed the report with Committee members. In response to questions from Committee members on this matter, the following information was provided:

- the Zoning & Development Bylaw did not allow a second dwelling on the property - the Agricultural District limits the subject property to only one single-family dwelling, thus making the second dwelling legal, non-conforming
- the second dwelling would have to be located on 8 hectares of property

- in this case, the mother could not apply for the subdivision because she has no legal title to the property as the lease is not a registered lease
- if the mother submitted an application because she did have a lease for the property, the decision would lie with the Agricultural Land Reserve Commission as to whether the application complied with their criteria
- the owners would not be permitted to build another dwelling to replace the smaller house, if that building was demolished
- if it was determined that the smaller house was non-conforming, the owners could increase the size of the larger dwelling
- the minimum 8 hectare lot size requirement for a second dwelling is a requirement imposed by the City
- to allow the applicants to construct a new home on the property, the Agricultural Land Reserve Commission would have to determine if they would permit a second dwelling on a 10 acre lot; if the new home was permitted, the applicant would have to submit an application to amend the Zoning & Development Bylaw to permit the second dwelling
- care would have to be taken because the pressure for non-farm use is extreme throughout the Agricultural Land Reserve; this is not something that the City would want to encourage; if a second home was permitted, over time there would be pressure to subdivide it out of the Agricultural Land Reserve

Discussion ensued on whether subdivision should be permitted and the options which were available, such as increasing the size of the larger home, if it was determined that the smaller home was the non-conforming house.

Mr. Gerry Hol, accompanied by his wife Lynda, addressed Committee on their application. A copy of Mr. Hol's submission is attached as Schedule A and forms part of these minutes. Mr. Hol also circulated to the Committee, a notarized letter signed by his mother-in-law, which provided information regarding the history of the property. He then responded to questions from Committee members on the two houses and the lease arrangement.

Discussion continued among Committee members and staff on possible options which might be available to resolve the situation. As a result, the following **referral** motion was adopted:

It was moved and seconded

That the report (dated June 7th, 2000, from the Manager, Development Applications), regarding an Agricultural Land Reserve Appeal Application for Subdivision by Gerard Hol and Lynda Hol at 12400 No. 3 Road, be referred to staff for further discussions with the applicants on various options, and to obtain information from the Agricultural Land Reserve Commission on this matter.

Prior to the question being called, staff were directed to review City regulations to determine if it was a City restriction that existing homes could not be expanded.

The question on the motion was then called, and it was **CARRIED**.

8. **STRATA TITLE CONVERSION SUBDIVISION APPLICATION SC 98 -153681 AND LAND USE CONTRACT AMENDMENT APPLICATION LU 00-086975 (BYLAW NO. 7132) CORONA HOLDINGS LTD. – 3740 CHATHAM STREET**
(SC 98-153681 LU 00-086975 - Report: May 3/00, File No.: 8060-20-7132)
(REDMS No. 149867, 82582, 156637, 150126)

Mr. Burke reviewed the report with Committee members. Mr. McLellan expressed concerns about the continued existence of the Land Use Contract for the subject property. He then provided information on the use of Land Use Contracts by the City during which he noted that the City had been trying to eliminate all Land Use Contracts.

Mr. McLellan stated that the Steveston town site was facing considerable changes within the next 25 years, and if the Land Use Contract was allowed to continue, City staff would be forced to negotiate with all the people on the strata title in order to regain control of the City's property. For these reasons, he was not in favour of the proposed amendment to the Land Use Contract.

Mr. Bert Hol, representing Corona Holdings Ltd., referred to correspondence sent by David McLellan, and advised that his father's proposal was to return all the angle parking stalls located along 2nd Avenue to the City, however the parking related to the building use would remain in the control of the applicant. He suggested that the proposal would also help to correct certain parking situations in the area.

Discussion then ensued among Committee members, staff and the delegation on the options which were available if the amendment to the Land Use Contract was denied. With reference to the parking spaces and loading bay on the public right-of-way, advice was given that the Traffic Bylaw contained a provision which allowed use of a public road allowance for private purposes, and Mr. McLellan suggested that it might be possible to make a similar arrangement for the subject property.

Mr. Hol stated that 2 of the loading bays were located on 2nd Avenue, but not on the Corona Holdings property, and he voiced concern that these stalls could be removed from the development. Mr. Hol suggested that the only way to maintain them as part of the development was through the Land Use Contract.

Mr. McLellan stated that this was his concern, that future development plans for this area, such as expansion to existing transit routes, would be impeded by the fact that the City had little control over the public right-of-way.

Mr. Gerry Hol, 12400 No. 3 Road, owner and builder of the building at 3740 Chatham Street, addressed the Committee on this matter. A copy of his submission is attached as Schedule B and forms part of these minutes.

Discussion then took place among Committee members and staff on the conditions of the Land Use Contract, and whether any other options existed which would allow the City to recover its property.

It was moved and seconded

- (1) ***That the application for a Strata Title Conversion by Corona Holdings Ltd. for the property located at 3740 Chatham Street be approved on fulfilment of the following conditions:***
 - (a) ***Payment of all City utility charges and property taxes, including the year 2001 if the subdivision proceeds after September 30, 2000;***
 - (b) ***Submission of appropriate plans and documents for execution by the Mayor and City Clerk within 180 days of the date of this resolution by Council; and***
 - (c) ***Adoption of Bylaw No. 7132 to amend Land Use Contract 070.***
- (2) ***That Bylaw No. 7132 to amend Land Use Contract 070 with Corona Holdings Ltd. for the property located at 3740 Chatham Street be introduced and given first, second and third readings.***

The question on the motion was not called, as concern was expressed about several issues, including (i) the lack of response from tenants in the building; (ii) the fact that by approving the applications, the City would have to negotiate with 17 individuals or a strata corporation in order to discharge the Land Use Contract in the future; and (iii) approving the strata title conversion would change the legal structure of the land and would improve the position of the landlord.

The question on the motion was then called, and it was **DEFEATED**.

OPPOSED: Cllr. Brodie
Greenhill
McNulty

It was moved and seconded

That the report (dated May 3rd, 2000, from the Manager, Development Applications), regarding an application for strata title conversion and an amendment to a Land Use Contract for property at 3740 Chatham Street, be referred to staff to investigate the possibility of compensating the owner for parking stalls in exchange for the elimination of Land Use Contract 070, Bylaw No. 7132.

CARRIED

9. **DEACCESSION GUIDELINES FOR REMOVING ART WORK FROM CITY OWNED SITES**

(Report: May 29/00, File No.: 7000-00) (REDMS No. 154854)

The Manager, Land Use, Terry Crowe, reviewed the report with the Committee. Considerable discussion then took place among Committee members and staff, during which Mr. Crowe further explained the changes which had been made to the proposed guidelines. Discussion took place on a number of issues relating to the guidelines, and as a result, the following **referral** motion was introduced:

It was moved and seconded

That the report (dated May 29th, 2000, from the Manager, Land Use), regarding Deaccession Guidelines for Removing Art Work From City-owned Sites, be referred to staff to:

- (1) ***more clearly define:***
 - (a) ***the word 'deaccessioning';***
 - (b) ***'removal' versus 'relocating';***
- (2) ***to add the words "or other appropriate bodies" after the words "Public Art Commission" wherever they appear in the proposed guidelines.***

CARRIED

It was moved and seconded

That staff prepare a report to Committee by September, 2000 regarding (i) the allocation of resources, both financial and personal, with regard to public art, and (ii) the status of any works in progress.

Prior to the question being called, Mr. Crowe explained that the information requested would be included in a complete review currently being undertaken by staff on public art.

The question on the motion was then called, and it was **CARRIED**.

ADJOURNMENT

It was **MOVED** and **SECONDED**

That the meeting adjourn (7:25 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, June 20th, 2000.

Councillor Malcolm Brodie
Chair

Fran J. Ashton
Executive Assistant

June 20, 2000

SCHEDULE A TO THE MINUTES OF
THE PLANNING COMMITTEE
MEETING HELD ON TUESDAY,
JUNE 20TH, 2000.

City of Richmond

Planning Committee Members

I'm Gerry Hol of 12400 No. 3 Road, co-applicant of the subdivision at that address. My family and I moved to Richmond in 1950 when it was still a farming community. My wife as well as her father, a Richmond Pioneer, was born and raised on the property in question. They are part of the well known Richmond Pioneer "Blair" family.

The reason for this application is that my wife has her roots on this property and wishes to retire from farming and still be able to live on the place where she was born and raised. In 1972 when her dad wanted to retire from farming, we purchased this property and raised our six children there. Our children were members of the Richmond 4H Dairy Club and the Richmond-Delta 4H Beef Club.

My wife's love for horses goes back to her childhood when she shared a horse with her sister and went riding at her aunt Mable Blair's place. She decided to start boarding horses and now has a viable horse farm operation, boarding, training and raising competition horses with the help from our youngest daughter. Our youngest daughter, whom we hope will be able to purchase our place and carry on with the horse operation, I'm proud to say, is a member of the Canadian Equestrian Team, has represented Canada at many international competitions and is a level 3 coach.

We were recently in Europe, raising and training competition horses is a thriving farm business there, as it is in Eastern Canada. We would like our daughter to have part of that in Western Canada.

Over the last couple of years, my wife and I have debated our options on numerous occasions. My mother in law still lives on her own in the second house and has a lifetime lease. She will shortly be 90 years old and my wife does not think that she should live on her own much longer, without us being able to keep a watchful eye over her.

In order to meet City requirements we have decided to change our initial plans, and for now request to include my mother in law's house in the subdivision application, so that we can make up half an acre of land to be subdivided without effecting the existing farm operation and without removing arable land from the ALR.

At a later date, if this subdivision is approved, we will decide whether to add-on to my mother in law's house, rebuild there and have her live with us, or to look at the possibility of her mom moving to a care facility, which at this immediate time while she is in good health, is not too desirable.

Our neighbor to the south, Jim McKinney, who purchased his 10 acre parcel shortly after we did, was permitted to subdivide a building lot a number of years ago. That lot did use up half an acre of good farm land out of the reserve and he was not born and raised there, and there was not an existing house on it.

Although the McKinney's were a pioneer family, their family farm was subdivided and sold for housing prior to Jim purchasing next to us.

When my wife and I met at City Hall with Holger Burke, he mentioned that Jim McKinney purchased his place in 1972, my wife and I immediately both disagreed with him, because we were sure that he purchased after us. We remembered that while we were living on the subject property in a mobile trailer and were carefully wrecking the old barn, salvaging what we could for our new barn, that Jim's contractor came and requested electrical power to build forms for concrete.

Soon after the meeting with Mr. Burke, we checked the Micro fish records here at the hall and were very surprised to find that McKinney's building permit was in fact in 1972.

We were obviously wrong with our memory of dates, and moved in 1972, not 1973.

We moved into the trailer in 1972 and started our barn construction early in 1973. I found our original barn plans and they were stamped by the Municipality in March of 1973. I also looked up our barn building permit date on Micro-fish, which was March 12, 1973, originally taken out in my name.

As soon as we had the roof on the barn we temporarily moved in there from our mobile trailer. We had applied for a permit to build a house at the same time as the barn, but due to our financial situation, the temporary stay in the barn turned out to be more than two years.

The purchase of this property was a non-arms length transaction, all verbal, without any registered documents. We did draw up an agreement letter, but unfortunately I've not been able to find it. Property transfer did not take place until 1974 because we agreed not to transfer until an adequate down payment was made.

I would like this committee to take into account the reason for the restriction of subdividing farmland, which is to preserve farm land. Rejecting this application will not preserve farmland. Our proposed subdivision does not encroach on farm land. There is already a house and yard there and has been a homestead since the late 1800's.

I don't think that setting a precedent, as mentioned in Staff Report to Committee a few times, should be a negative factor in this application. I don't know of another Pioneer family still farming the family farm in Richmond, that would qualify under the current ALR rules, other than George Wright.

At the Farmer's workshop held here on June 6, 2000, George indicated that he was not at all happy that his subdivision request in 1991 was turned down and McKinney's subsequent request was approved. George is a member of a Richmond Pioneer family, still living on the family farm. His wife has recently been very ill with cancer and it is sad that they were refused the possibility to enjoy retirement on a small lot in a new home like the Featherstone's

Herb Featherston, a member of a Richmond Pioneer Family, just around the corner from us on Finn Road, was given permission to subdivide a half acre for retirement. Peggy Featherstone is still there enjoying retirement.

Our neighbor directly across the road, Jim Tonoski, was given permission to subdivide a half acre for retirement purposes. He was an ex B.C. Hydro employee and not a Richmond Pioneer. He is still there enjoying his retirement.

McKinney's on the other hand, sold their family farm for a housing subdivision, then Jim McKinney bought and moved to No. 3 Road. He was granted permission to subdivide for his retirement, but never did build or move there.

Approval of our subdivision application would allow a member of a Richmond Pioneer family to retire on the place where she was born and at the same time live close enough to assist her daughter on the farm.

It would also address City Staff's concern with one of the existing houses on the property to be a non-conforming use, as it would then be subdivided onto its own lot.

This subdivision request is not for financial gain, we are not land speculators, when my wife does her gardening she says running the dirt through her hands gives her a feeling that she is part of this place.

For my wife's sake I hope you will approve this application.

Gerry Hol

Planning Committee Members.

My name is Gerry Hol, I reside at 12400 No.3 Road and I'm the original owner and builder of the building at 3740 Chatham Street, for which this Strata Conversion is requested.

Twenty four years ago I decided to build on this property, which was zoned General Commercial District. I designed a building in compliance with this Zoning and presented it to the building department for permits.

It was then that your Planning Committee recommended building a larger building, making use of Municipal Property by way of a LUC similar to what the RSCU had done two blocks away.

After redesigning and many meetings with Planning, the current LUC and Commercial Building were agreed upon.

The reasons I went along with redesigning and the LUC were:

1. Planning assured me that all future development along Chatham would follow the same guidelines as my development and that of RSCU.
2. I was able to use what the Planning Dept. then referred to as "excess Municipal Road Allowance", for private parking.

Municipal Council and Planning had decided to rezone all the properties along Chatham from General Commercial District back to Residential, so that any future Commercial Development there, would have to be done by way of a LUC, then the Municipality would be able to control how it was developed.

This rezoning was proposed and advertised. At the Public Hearing in the Steveston Community Center there was so much opposition to this rezoning that it never took place.

Consequently future Commercial Development there took place without LUC, side walks, similar set backs, adequate parking etc.

Inadequate parking is a huge problem in Steveston. Many years ago, to alleviate Steveston's parking problems, a public multi level parking garage at No.1 Road and Moncton was proposed.

Future Commercial Developments, unable to provide the required parking, were charged for each parking space not provided.

I understand that there was close to a million dollars in this parking fund and that most of that money has been wasted on inadequate parking solutions.

There is now a McDonald's restaurant where that public parking garage was proposed.

I spoke to this Committee on several occasions and met with Counselor's Steves and McNulty to voice my concerns about parking, but nothing ever changed.

It is not enough for this Committee, Council and City Bylaws to require a certain amount of parking stalls for a development, follow up is needed to make sure that required parking is maintained.

Several parking lots in Steveston which were the requirement of certain Developments have been fenced off for the purpose of boat building, welding, storage etc. In 1998, I walked around Steveston with Harold Steves and Bill McNulty to show them some of the fenced off parking lots. I estimate that there are probably 50 parking spaces involved, putting a further strain on Public parking.

Over the years as more development took place without adequate parking, my parking lot became a favorite for park and ride, neighboring business customer parking, neighboring resident second car parking, waterfront area visitor parking, bicycle and hiking enthusiast parking, etc.

The parking regulation signs I posted did not help, which forced me to adopt and implement a towing program in order to provide adequate parking for my tenants and their clients.

It is very clear on the plan which forms a part of my LUC, that the six parking spaces on Second Ave. are part of my Development and designated parking. My parking regulation signs were posted there as well, and I did have unauthorized parked vehicles towed from there. The public does not know that I paid dearly for the development of Municipal property to get the use of those parking stalls by way of a LUC, and they can't understand that I can regulate parking there.

One irate owner of a vehicle that was towed from there, sent me a letter demanding the towing fee to be refunded, which I didn't do. He telephoned me and threatened to sue me and had his lawyer send letters to me. Quite some time later I heard that the City had reimbursed him.

He raised so much hell with the City, that Ron Schulz, the previous City solicitor asked me to meet with him regards the towing of vehicles from my designated parking stalls on Second Ave. We discussed at great length my LUC and he told me that when the proposal of this LUC was first put in front of him that he warned the Planning dept. and Council of future potential problems with those parking stalls, but that they did not share his concern. He also said that LUC were no longer used and that the City would like to do away with the existing ones. He asked me to refrain from towing from those parking stalls.

Since then, City work crews have posted City parking regulations on Property designated for my use, without consulting with me. A Tenant of mine for almost twenty years that regularly parked there was even ticketed.

Steveston Parts has requested that the City dedicate a loading area and post the appropriate signage along Second Ave. Their Lease is up early next year and with the increasing difficulties they are having loading and unloading, they will probably not renew unless that problem gets addressed.

City staff indicated that now, with this Strata Conversion Application, is a good time to eliminate my LUC. With the stroke of a pen they want to regain control of the previously thought of "excess Municipal Road Allowance" which was very expensive to get the use of.

The Works and Services completed as agreed upon in Schedule "B" in the LUC (as per copy attached) cost me more than the entire building on that property.

Staff also indicated that parking should be within my property and access to my parking lot should be from the lane only.

This proposal would drastically reduce the size and accessibility of my parking lot, and would probably become reality should this LUC be eliminated.

Most of my Tenants have been there from 10 to 20 years. Only one of my Tenant's business failed. That I think is a pretty good record and I attribute that mainly to the fact that at my building there is adequate accessible parking for local residents to do business all year around, my tenants are not just tourist dependant.

There is practically no pedestrian or tourist traffic on Chatham Street. Without good parking my Tenants may be forced into bankruptcy as many tourist dependent businesses in Steveston have been.

I don't want this Strata Conversion to have a negative impact on my tenants business's.

The proposed amendments to my LUC, which includes the City gaining control of the parking spaces on Second Ave. and dedicating a loading zone with the appropriate signage near my building on Second Ave., will address previous problems the City has had with those parking stalls, and will not greatly effect my Tenants.

I hope you will approve this Application, and I think it is a good solution for both the City and myself.

SCHEDULE "B" to Land Use Contract made between The Corporation of the Township of Richmond and Corona Holdings Ltd.

Works and services:

1. Chatham Street frontage -

Road widening
Storm Sewer installation
Watermain upgrading
Ornamental street lighting
Landscaped island boulevard, complete
with curb and gutter
Sidewalk
Relocation of public utilities

2. Second Avenue frontage -

Road widening
Curb and gutter
Sidewalk
Storm drainage
Relocating of existing utilities
Watermain upgrading if deemed necessary

3. Lane frontage -

Storm drainage
Paving
Shoulder
Curb and gutter returns
Disconnect and remove existing sanitary
sewer line and inspection chambers and
install new sanitary sewer connection.