**Minutes** 

## Regular Council Meeting for Public Hearings

Monday, November 15<sup>th</sup>, 2004

Place:

Council Chambers

Richmond City Hall

6911 No. 3 Road \_

Present:

Mayor Malcolm D. Brodie

Councillor Linda Barnes Councillor Derek Dang

Councillor Evelina Halsey-Brandt Councillor Sue Halsey-Brandt Councillor Rob Howard

Councillor Kiichi Kumagai - 7:16 pm

Councillor Bill McNulty Councillor Harold Steves

David Weber, Acting City Clerk

Call to Order:

Mayor Brodie opened the proceedings at 7:14 p.m.

Cllr. Kumagai joined the meeting – 7:16 pm.

### 1. Zoning Amendment Bylaw 7721

(6433 Dyke Road; Applicant: Johnny Leung Architect)

Applicant's Comments:

The applicant was not present.

Written Submissions:

Nathalie Baker, Baker Corson Baker, Barristers & Solicitors - Schedule 1

Monday, November 15<sup>th</sup>, 2004

Submissions from the floor:

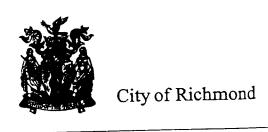
Mr. J. Robson, 7-6400 Princess Lane, identified several issues that were of concern to him as an adjacent property owner, and also to the other members of the 11 unit strata. The issues included: the size of the building and its proximity to Mr. Robson's property; the retention of two existing fir trees on the southwest corner of the property; a preference for a continuation of brick pavers on the pathway and not bitumen or tarmac; an assurance that the vegetation along the front strip not be removed; and, that the front setback was too small at 7.5m causing a potential fire hazard.

Mr. Dana Westermark, 13333 Princess Street, said that he was happy to see the continuation of the pathway in the final plans, and he agreed that the pathway would be better paved with brick. Mr. Westermark also said that the trees referred to by Mr. Robson straddled the property line of the subject property and the strata property and therefore could not be removed without affecting the strata property. Mr. Westermark then spoke about: the pattern established on the street front by setting up the buildings as pairs with a large open space in between, a pattern that was intended to be continued with the pairing of the subject property with the adjoining house; the flip of the building massing as a result of comments received from the Heritage Commission; the consistency of the FAR with other heritage homes in the area and the presentation of a grand front to the water; the compromises made by the applicant to have the building blend into the area; and, that the 7.5m setbacks would be hidden by the massing of the building. Mr. Westermark concluded his comments by noting that the applicant had responded to many comments from the Heritage Commission, and that he would rather see this building than what was first proposed.

PH04/11-1

It was moved and seconded

That Zoning Amendment Bylaw 7721 be given second and third readings.



Monday, November 15<sup>th</sup>, 2004

 Official Community Plan Amendment Bylaw 7816 (Steveston Area Plan; Applicant: City of Richmond)

Applicant's Comments:

The Director of Development, Raul Allueva, had no further information to provide.

Written Submissions:

None

Submissions from the floor:

None

PH04/11-2 It was moved and seconded

That Official Community Plan Amendment Bylaw 7816 be given second and third readings.

**CARRIED** 

Opposed: Cllr. Howard

PH04/11-3 It was moved and seconded

That Official Community Plan Amendment Bylaw 7816 be adopted.

**CARRIED** 

Opposed: Cllr. Howard

Monday, November 15<sup>th</sup>, 2004

3a. Official Community Plan Amendment Bylaw 7823
(McLennan North Sub-Area of Richmond's City Centre (Section 10-4-6);
Applicant: City of Richmond)

3b. Zoning Amendment Bylaw 7824 (9660, 9680, 9700, 9720 Westminster Highway, 6051 No. 4 Road, and 9671 and a portion of 9651 Ferndale Road; Applicant: CR 38 Holdings Ltd.)

Applicant's Comments:

The applicant was present to answer questions.

Written Submissions:

None

Submissions from the floor:

Mr. M. Hoag, 9711 Ferndale Road, said that he had lived at this location for 42 years, and that it would not be pleasant to have two and three storey townhouses behind his property. Mr. Hoag, although not against the subdivision, felt something smaller would be more in character with the neighbourhood. Also of concern to Mr. Hoag was the increased traffic on Ferndale Road; the vandalism and security issues associated with the empty house awaiting demolition; and, the cracks in his foundation and walls caused by the nearby construction.

Mr. Keith Hemphill, Rositch Hemphill & Associates Architects, in response to the concerns of Mr. Hoag, said that no access to Ferndale Road was proposed in that the principal access would be provided by the newly created Birch Street, a portion of which would be constructed as part of this development. Mr. Hemphill also said that the buildings were designed to be reflective of 2.5 storey at the ends and that great care had been given to the orientation and siting of the buildings adjacent to the single-family homes. Further, Mr. Hemphill indicated that demolition of the empty houses could occur once third reading was received.

PH04/11-4

It was moved and seconded

That Official Community Plan Amendment Bylaw 7823 and Zoning Amendment Bylaw 7824 be given second and third readings.

Monday, November 15th, 2004

**CARRIED** 

PH04/11-5

It was moved and seconded

That Official Community Plan Amendment Bylaw 7823 be adopted.

**CARRIED** 

Zoning Amendment Bylaw 7832 4.

(9540, 9560 and 9600 No. 3 Road; Applicant: 686737 B.C. Ltd.)

Applicant's Comments:

The applicant was present to answer questions.

Written Submissions:

E. Wagner, 9640 No. 3 Road - Schedule 2

R. Lund, 9811 Pigott Road - Scaedule 3

Submissions from the floor:

None

PH04/11-6

It was moved and seconded

That Zoning Amendment Bylaw 7832 be given second and third readings.

**CARRIED** 

Zoning Amendment Bylaw 7833 5.

(7280, 7300, 7304 and 7320 Garden City Road; Applicant: Am-Pri Construction Ltd.)

Applicant's Comments:

The applicant, Mr. Tom Yamamoto, was present to answer questions.

Written Submissions:

None

Monday, November 15<sup>th</sup>, 2004

Submissions from the floor:

None

PH04/11-7

It was moved an #seconded

That Zoning Amendment Bylaw 7833 be given second and third readings.

**CARRIED** 

Official Community Plan Amendment Bylaw 7834 and Zoning 6. Amendment Bylaw 7835

(11731 & 11991 Steveston Highway; Applicant: Gustavson Wylie Architects)

Applicant's Comments:

Mr. John Gustavson, Gustavson Wylie Architects, said that the upgrade and expansion of the existing Petro Canada site would include improvements both to the facility and the landscaping.

Written Submissions:

None

Submissions from the floor:

None

PH04/11-8

It was moved and seconded

That Official Community Plan Amendment Bylaw 7834 and Zoning Amendment Bylaw 7835 be given second and third readings.

### Monday, November 15<sup>th</sup>, 2004

7. Zoning Amendment Bylaw 7838

(22311 Westminster Highway; Applicant: Richmond Rosedale Gardens Ltd.)

Applicant's Comments:

The applicant, Mr. Wayne Fougere, was present to answer questions.

Written Submissions:

None.

Suomissions from the floor:

Ms. I. Baouya, 22351 Westminster Highway, said that she was concerned about the future development opportunities for her property.

Mr. M. Suto, whose mother owns the property at 22331 Westminster Highway, also expressed concern about future development opportunities and asked for a further explanation of a cross access agreement.

PH04/11-9

It was moved and seconded

That Zoning Amendment Bylaw 7838 be given second and third readings.

**CARRIED** 

8. Zoning Amendment Bylaw 7842

(6461 Dyke Road; Applicant: Patrick Cotter Architect)

Applicant's Comments:

Mr. Patrick Cotter, architect, was present to answer questions.

Written Submissions:

N. Baker, Baker Corson Baker, Barristers & Solicitors - Schedule 4

Submissions from the floor:

None

PH04/11-

It was moved and seconded

That Zoning Amendment Bylaw 7842 be given second and third readings.



Monday, November 15<sup>th</sup>, 2004

PH04/11-

It was moved and seconded

That Zoning Amendment Bylaw 7842 be adopted.

CARRIED

In accordance with Section 100 of the Community Charter Cllr. Dang declared himself to be in a potential conflict of interest on the next item and he left the meeting – 8:10 pm.

9. Official Community Plan Amendment Bylaw 7843 and Zoning Amendment Bylaw 7844

(20471/20491/20511/20531/20551/20571/20591 Westminster Highway;

Applicant: Richberry Farms)

Applicant's Comments:

Mr. Kabel Atwall, on behalf of Richberry Farms, requested that the motion include direction that a bond to cover the required off-site works could replace the Letter of Credit deposited with the City as a requirement of the rezoning process. Mr. Atwall said that this would allow the Richberry Farm bond to be released when the proposed school assumed the conditions of approval prior to adoption.

Written Submissions:

Mr. P. Dhillon, President, Richberry Group - schedule 5

Submissions from the floor:

None

PH04-11-

12

It was moved and seconded

That a bond for off-site servicing be provided in place of the Letter of Credit deposited by Richberry Farms for off-site servicing as a requirement of rezoning.

Monday, November 15<sup>th</sup>, 2004

PH04/11-

It was moved and seconded

13

That a restrictive covenant preventing multi-family residential be required prior to adoption.

CARRIED

PH04/11-14

It was moved and seconded

That Official Community Plan Amendment Bylaw 7843 and Zoning Amendment Bylaw 7844 be given second and third readings.

**CARRIED** 

### **ADJOURNMENT**

PH04/11-15

It was moved and seconded

That the meeting adjourn (8:15 p.m.).

**CARRIED** 

Certified a true and correct copy of the Minutes of the Regular Meeting for Public Hearings of the City of Richmond held on Monday, November 15, 2004.

Mayor (Malcolm D. Brodie)

Acting City Clerk (David Weber)

p.1

SCHEDULE 1 TO THE MINUTES OF THE REGULAR MEETING FOR PUBLIC HEARINGS HELD **ON NOVEMBER 15, 2004.** 

## BAKER, CORSON & BAKER

#### Barristers & Solicitors

1708-808 Nelson Street Vancouver, B.C. V6Z 2H2 604.891.0208 Fax: 604.681.3504

To Public Hearing
Date: Nov 15, 2004
Item # 1 Re: Bylaw 7721
6433 Dyke Rd

### FAX COVER SHEET

FAX NUMBER TRANSMITTED TO:

604-278-5139

To:

City Clerk

Of:

City of Richmond

BAI

BAKER, CORSON & BAKER Barristers & Solicitors

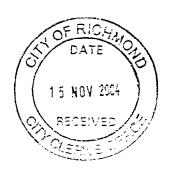
Client/Matter: November 15, 2004 Public Hearing Re: Bylaw No. 7721

Date:

November 12, 2004

DOMINES	NUMBER OF PAGES!
Letter	2
Enclosures	1

COMMENTS:



<sup>\*</sup> NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 504.891.0208.

BAKER
CORSON
& BAKER

Barristers & Solicitors

17<sup>TH</sup> FLOOR 808-NELSON STREET VANCOUVER, B.C. V6**Z** 2H2

TEL: (604) 891-0208 FAX: (604) 681-3504 EMAIL: nbaker@bakerccrson.com

Direct Line: (604) 642-0107

November 12, 2004

City of Richmond 6911 No. 3 Road Richmond BC V6Y 2C1 Attn: Mayor and Council

WITHOUT PREJUDICE

Your Worship and members of Council:

Re:

Public Hearing on November 15, 2004 Zoning Amendment Bylaw 7842 Zoning Amendment Bylaw 7721

We are the solicitors for London Lane Industrial Park Ltd., owner of 6451 Dyke Road in Richmond. We are writing on behalf of our client to object to the adoption of proposed Zoning Amendment Bylaws 7842 and 7721 until issues relating to access and road dedications have been resolved.

Our client's property is adjacent to, and north of, 6461 Dyke Road. Zoning Amendment Bylaw 7842 proposes to rezone 6461 Dyke in order to cermit the development of a heritage-style duplex on the property. Zoning Amendment Bylaw 7721 proposes to amend the CD/50 zone to permit a development of a heritage style single family dwelling at 6433 Dyke Road, which is located west of 6461 and 6451 Dyke Road.

Access to 6461 Dyke Road is by access agreement registered over our client's property at 6451 Princess Lane which enables vehicle access from 6461 to Princess Lane, 6461 Dyke Road and 6433 Dyke Road are separated by a piece of land owned by cur client which is subject to a Statutory Right of Way as well as the above mentioned access agreement. The Statutory Right of Way is currently subject to court proceedings.

6433 Dyke Road was originally part of larger parcel which was subdivided into four lots in or about 1997. In order to proceed with the subdivision, the then owner, John White, needed to provide access to 6433 Dyke Road since Princes Lane did not extend to the proposed new lot. Following many discussions with Mr. White and David McLelland, Mr. Eyestone agreed to dedicate an extension to Princess Lane in order to provide access to the new lot. Mr. Eyestone agreed to make the 6 metre wide dedication based on the assurances of City staff, and in particular, Holger Burke, that the dedication would be considered our client's portion of the dedication required to bring Princess Lane to a full road and that he would not be required to make any further land dedications when he redeve oped his lands.

• Page 2

November 12, 2004

It is clear from the Staff Reports prepared in connection with Bylaws 7842 and 7721 that the City intends to require our client to dedicate additional lands in the future in order to widen the Princess Lane extension. However, our client would not have dedicated this land had City staff not assured him that he would not have to make any further dedications to this portion of the road.

As you know, a somewhat similar issue is involved with the litigation concerning the Loop Road that is presently under appeal. In that case, the City's position is that the Developer (Westermark) only has to develop a ½ width road, based on the assurance that in the future Mr. Eyestone will provide the other half of the road when he redevelops. If that principal is correct, then it ought to also be correct that having assured Mr. Eyestone that Princess Lane would be widened in the future when the adjacent properties redeveloped, the necessary dedications will be required of the developers in order to complete the road. This raises an important matter of fairness and we ask that the proposed Bylaws not be adopted until the outstanding issues relating to road dedication and access are resolved.

Mr. Eyestone is willing to sell at fair market value the land necessary to widen Princess Lane to the required road width.

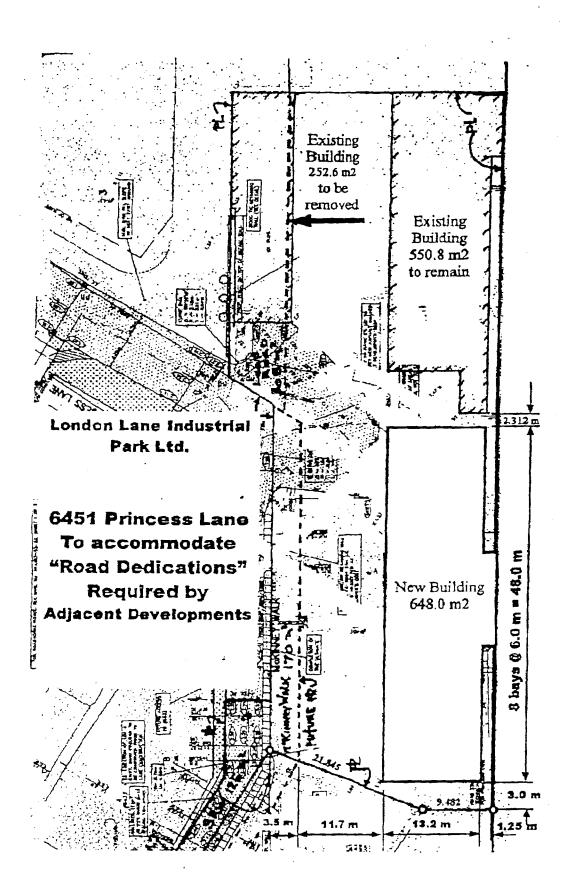
Sincerely,

BAKER, GORSON & BAKER

1

NATHALIE BAKER

End.



SCHEDULE 2 TO THE MINUTES OF THE REGULAR MEETING FOR PUBLIC HEARINGS HELD ON NOVEMBER 15, 2004.

PUBLIC HEARINGS
NOVEMBER 15, 2004.

City of Richmond

Whom klevelopment bliveseen

6911 no. 3 Road

Richmond, B.C.

VLY 2C1

To	Public Hearing
ate:	
Re:	Sylver - /

allention: Mrs. Sara Dedyal

Re proposed Development

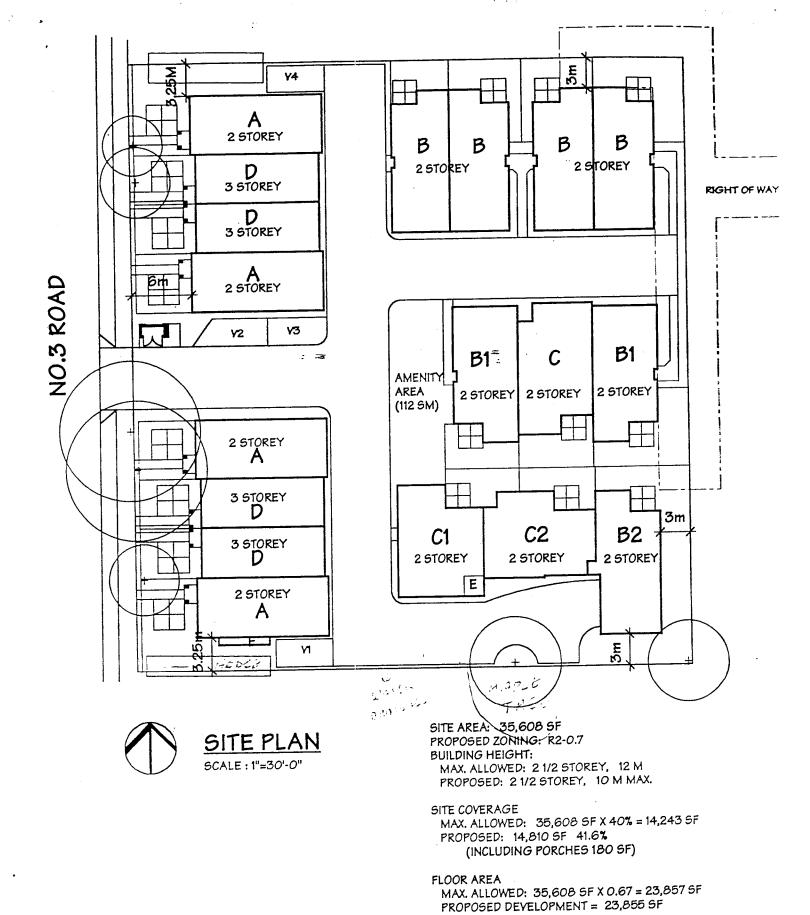
F1LE NO. RZO4-271652

Wear This Dedyal -Les owner of properties 9620 and 9640 adjacent to proposed re-development I have a few concerns is follows -

- 1. The heage on 9600 was plosted with the understanding that it would be maintained by the owner this to continue.
- 2. The common water drainage immediately north of fence on 9620 to remain undisturbed.
- 3. The three feel of fill to be added to the site could cause water to pool unto 9620 and 9640 lots.
- 4. Large meple tree two thirds of which hangs over garage on 9620 to be primed back or replaced with a smaller non-decideous tree. The debrie from this tree clogs the gutters and demages the roof.



Eva Wagner 7640 no 3 Roed Richmond, B.C. V1A IW3



# 0406

SEP. 23, 2004

954 Baycrest Drive, North Vancouver B.C. V7G 1N8 Tel. 604-929-8531 Fax. 604-929-8591 E-mail: tyarch@shaw.ca

SCHEDULE 3 TO THE MINUTES OF THE REGULAR MEETING FOR PUBLIC HEARINGS HELD ON NOVEMBER 15, 2004.  Zonny Amendment	To Public Hearing Date: Nov 15,2004 Item # 4 Re: Bylaw 7832 9540, 9560, 9600 No.3 Rd. Bylaw 7882	RECEIVED NOV 1.5 2004 CITY OF RICHMOND INFO. CENTRE
Location 9540, 350		JRM V DW DW
My Name : Ro 91 R		XX
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### Monday, November 15, 2004 - 7 pm

Council Chambers, 1<sup>st</sup> Floor, Richmond City Hall 6911 No. 3 Road, Richmond, BC V6Y 2C1

#### Zoning Amendment Bylaw 7832 (RZ 04-271652)

Location/s:

9540, 9560 and 9600 No. 3 Road

Applicant/s:

686737 B.C. Ltd.

Purpose:

To rezone the subject properties from Single-Family Housing District, Subdivision Area E (R1/E) to Townhouse District (R2 – 0.7) in order to permit the development of approximately eighteen (18) townhouse units (in approximately four (4) two-storey buildings and two (2)  $2\frac{1}{2}$  storey

buildings).

City Contact:

Sara Badyal (604) 276-4282 Urban Development Division

#### How to obtain further information:

- By Phone: If you have questions or concerns, please call the CITY CONTACT shown above.
- On the City Website: Public Hearing Agendas, including staff reports and the proposed bylaws, are available on the
  City Website at http://www.city.richmond.bc.ca/council/hearings/2004/ph2004\_list.htm
- At City Hall: Copies of the proposed bylaw, supporting staff and Committee reports and other background material, are also available for inspection at the Urban Development Division at City Hall, between the hours of 8:15 am and 5 pm, Monday through Friday, except statutory holidays, commencing November 5, 2004 and ending November 15, 2004, or upon the conclusion of the hearing.
- By FAX or Mail: Staff reports and the proposed bylaws may also be obtained by FAX or by standard mail, by calling 604-276-4007 between the hours of 8:15 am and 5 pm, Monday through Friday, except statutory holidays, commencing November 5, 2004 and ending November 15, 2004.

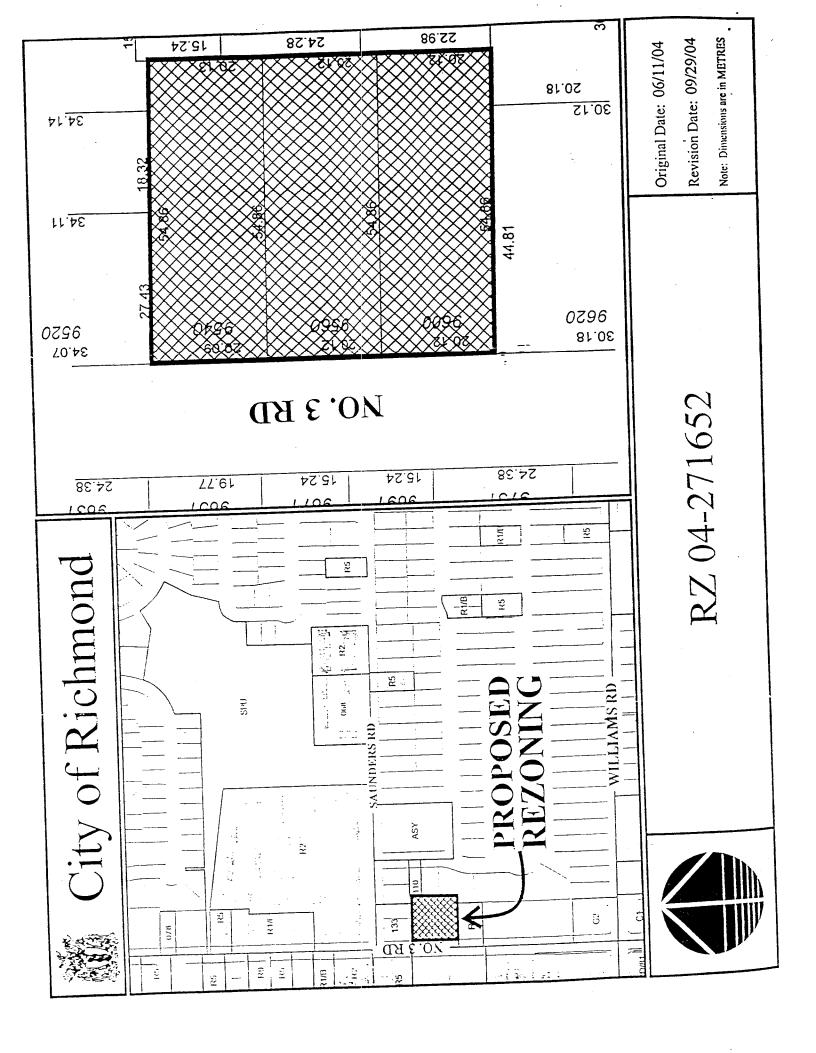
#### Participating in the Public Hearing process:

The Public Hearing is open to all members of the public. If you believe that you are affected by the proposed bylaw, you may make a presentation or submit written comments at the Public Hearing. If you are unable to attend, you may send your written comments to the City Clerk's Office by 4 pm on the date of the Public Hearing as follows:

- By E-mail: using the on-line form at http://www.city.richmcnd.bc.ca/council/publichearings/ph\_submissions.htm
- By Standard Mail: 6911 No.3 Road, Richmond, BC, V6Y 201, Attention: City Clerk
- By Fax: 604-278-5139, Attention: City Clerk

All sucmissions will form part of the record of the hearing. Once the Public Hearing has concluded, no further information or submissions can be considered by Council. It should be noted that the rezoned property may be used for any or all of the uses permitted in the "new" zone.

J. Richard McKenna City Clerk



in no way fits the "context" of the surrounding neighbourhoods (see Figure 1) where 16 of the 18 surrounding properties where 16 Jos The 18 surrounding proposed are one floor Woods bringalows.

If you look it Figure 2, you can see how a very similar 25 - 3 storey apartment style torinhouse on No 3 Road dwarfs surrounding 2 storey bouses. Imagine what this I will do to the surrounding losses in our neighbourhood Detertage Park at 8811 Saunders and Heritage Park at 8811 Saunders both have a green belt as a haffer, however this development is only 3 metres from the back properties. These is inconsistent with past practice 3) Parking is already a huge problem with overflow from Osterley Park already filling Sunnders Road. With Road construction and centre island medians having taken away additional road stalls, there is insofficient a visitor parking planned for this new development. It overflow will fill an already gammed street which has parking limited to one side only. Please take these concerns under advisement and make changes: Two hemb

Fyure

Men of Neighborhood bondered by 3 Rei, Sounders Progtt Feb.



Let in to the "context of the existing much worker where 15 out of the 12 projection to the month, south and east are one-flore library bringstone.



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Undeserable



Descin Gardens at 8240 Garden City (across from Garden City School)

The pictured development is similar to the one proposed and it dwarfs surrounding 2 story houses. What will this look like in a neighbourhood with one storey bingalows?

Figure 3

## More Preferable Optim



te: Southing 2 floors similar Southings Mews 8300 Ryan Rodd which much better fit into this neighbourhood. SCHEDULE 4 TO THE MINUTES OF THE REGULAR MEETING FOR PUBLIC HEARINGS HELD ON NOVEMBER 15, 2004.

# BAKER, CORSON & BAKER

Barristers & Solicitors 1708-808 Nelson Street Vancouver, B.C. V6Z 2H2 604.891.0208 Fax: 604.681.3504

7 5 111
To Public Hearing
Date: Nov 15 . 2004
Item # 8
Re: Bylaw 7842
6461 Dyke Rd
7

# FAX COVER SHEET

FAX NUMBER TRANSMITTED TO:

604-278-5139

To:

City Clerk

Of:

City of Richmond

From:

BAKER, CORSON & BAKER Barristers & Solicitors

Client/Matter:

November 15, 2004 Public Hearing Re: Bylaw No. 7842

Date:

November 12, 2004

Date.	1.0.0	
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Letter		1
Enclosures		
Director		

COMMENTS:



<sup>\*</sup> NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 604.891.0208.

BAKER CORSON & BAKER Barristers & Solicitors

17TH FLOOR 808-NELSON STREET VANCOUVER, B.C. V6Z 2H2

TEL: (604) 891-0208 FAX: (604) 681-3504 EMAIL nbaker@bakercorson.com

Direct Line: (604) 642-0107

November 12, 2004

City of Richmond 6911 No. 3 Road Richmond BC V6Y 2C1

Attn: Mayor and Council

WITHOUT PREJUDICE

Ξ.

Your Worship and members of Council:

Re:

Public Hearing on November 15, 2004

Zoning Amendment Bylaw 7842 Zoning Amendment Bylaw 7721

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November 12, 2004

#### Page 2

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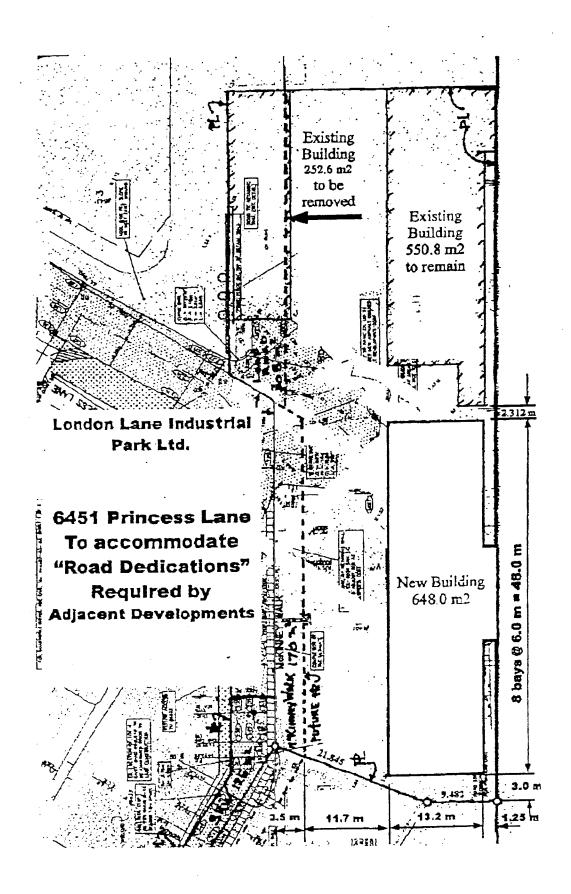
Sincerely,

BAKER CORSON & BAKER

NATHALIE BAKER

End.

NOV 12 2004 5:00PM



SCHEDULE 5 TO THE MINUTES OF THE REGULAR MEETING FOR PUBLIC HEARINGS HELD ON NOVEMBER 15, 2004.

RZ 04-274416

To Public Hearing
Date: Nov 15, 2004
Item # 9
Re: Bylaw 7844
Wishmister Huy

October 22, 2004

BY FACSIMILE: 604-247-4600

City of Richmond 6911 No. 3 Road Richmond, B.C. V6Y 2C1 CAO'S OFFICE

Getrag

Attn: George Duncan, Chief Administrative Officer

Dear George:

#### Re: Restrictive Covenant on Lots 71 to 77

This will confirm our telephone conversation this morning, in which we discussed Richberry Farms granting a restrictive covenant in favour of the City of Richmond so that there will be no multi-residential development on these lots.

Please accept this letter as confirmation that Richberry Farms is prepared to grant this restrictive covenant upon the rezoning being completed.

If you have any further questions, please do not hesitate to contact the writer.

Sincerely,

PETER DHILLON,

President