

To Development Permit Panel
 Date: MAY 27, 2009
 Item # 2
 Re: 0808-414809
4010 & 4300 Bayview St
Onni Dev. Applicant

CityClerk

From: pyrolysis1@netzero.net
Sent: May 23, 2009 9:04 PM
To: CityClerk
Cc: planningdevelopment@richmond.ca
Subject: Development Permit 08-414809
Categories: UCRS Code FILE: ~~08-4105-36-01~~

SCHEDULE 5 TO THE MINUTES OF
 THE DEVELOPMENT PERMIT PANEL
 MEETING OF WEDNESDAY, May 27,
 2009.

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	KY	
	DB	
	WB	

Thank you Development Permit Panel and David Weber and Drain Jackson for this opportunity to comment:

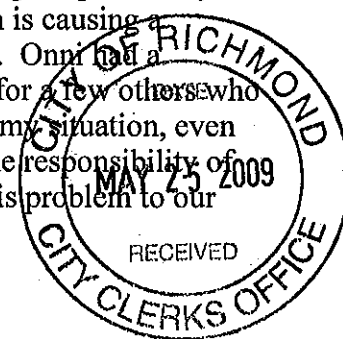
Unfortunately being out-of-town I am unable to attend your meeting and yet you are addressing an issue of concern to me and I thank you for the opportunity to at least via email to share my thoughts, giving you my input, and being heard.

As an owner of a property adjacent to the subject property (CD/104 and its tangential property CD/105) which will directly impact both my wife and I, we appreciate the opportunity to comment.

First off, not only are my wife and I residents of 310-4111 Bayview St. (another Onni development), but I am professionally trained engineer in planning and including the environmental engineering to environmental problems. Having having taught as well as having spent over 30 years applying the subject I feel reasonably qualified to speak to Onni's request for a variation.

First off, I respectfully disagree with Sara Bodyal and the staff report recommending approval. From reading the full report, as available to us via the I-net, several points seem to have been missed. First, sure the distance between 1-meter and 0-meter is not that much, but in protection of a dyke it can mean 'success' or 'failure' and I reference what happened in New Orleans in the States. What was intended by stipulating 1-meter offset in the first place? Well we at 4111 Bayshore have already had problems with water encroachment in our below ground parkade and with a new development with subterranean parking even closer to the South Arm of the Fraser River, no doubt it will be more onerous than what we are having to deal with. Furthermore, decreasing the minimum building and structure setback from public roads and rights-of-way secured minimizes what little protection we already have from the existing dyke structure. This scares me ... a failure of the dyke across the street would have cataclysmic results. The worst case being inundation of the whole south-western corner of Lulu Island! It seems to me that allowing the stipulated 1-m offset is, at a minimum, providing at least a modicum of protection and an all-be-it small work area, should the City need to come to our rescue for immediate repairs, which we hope and pray never occurs.

The second point I would like to make is that Onni is less than eager to meet their commitments. Within our property, our unit being one, there are problems that even after 3-years, though they acknowledged them within 6 months of our occupancy, they have yet to resolve. What I am referring to specifically is our patio which when it rains doesn't drain and now, as a result, we have mold which is causing a premature decomposition of our patio and ultimately the ceiling of the unit below us. Onni had a contractor come out about a year ago and prepare an estimate, not only for our's but for a few others who have a similar problem, yet nothing has been done. Unfortunately, in my wife's and my situation, even though this is part of the structural envelope (exterior) which our Attorney says is the responsibility of the Strata Corporation, it seems that to get it corrected we will either have to refer this problem to our



insurers or our attorney for litigation. Neither is something that my wife and I have ever had to do before, but the reason I bring this up is because anything that Onni promises, even more so when it is something as critical as dyke support and subterranean parking protection, I wouldn't believe.

Yes we do wish we could be supportive of Onni and that they as a responsible developer have stepped up to the few problems that have occurred. Yet they haven't and now are asking for what seems like a small, yet what could be a very significant, variance. However their "good-faith" record does not attest to nor demonstrate that they are honorable ... If anything we at 4111 Bayview are and have been having problems with Onni which they have acknowledged yet by their failure to correct have demonstrated that they are not only not willing nor eager to correct. Heaven help those at 4020 and 4300 Bayview, should they have a simple problem let alone something like a dyke failure. Not only will they be relying on the City of Richmond to assure that the geophysics of what a dyke structure is designed to do will sound and not compromised having been based on sound engineering principles.

Thank you again for this opportunity to comment..

Respectfully,
Stephen Johnson
310-4111 Bayview St.

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