

PRUDENTIAL SUSSEX REALTY

August 19, 2005

To : The Richmond Development Permit Panel
Ms. Cecilia Achiam - Urban Design Planner

Cc : Mr. David Weber - Director, City Clerk's Office
City of Richmond

From : Cynthina Lo - Representative for Properties Owners of
9071 Ferndale Road, 9131 Ferndale Road and 6120 Garden City
Road, Richmond (Attached)

Re : 6060 and 6080 Garden City Road and 9171 Ferndale Road, Richmond
(Subject Property) - Development Permit Application

To Development Permit Panel
Date: <u>August 24th 2005</u>
Item # <u>2</u>
Re: <u>9171 Ferndale Road</u>

My clients, owners of 9071, 9131 Ferndale Road, and 6120 Garden City Road, Richmond collectively have expressed the following concerns regarding the development permit application of the Subject Property, 9171 Ferndale Road, Richmond, after careful and detailed reviews of the available reports in its application file at the Richmond City Hall:

1. According to the City of Richmond **File RZ 04-271217 Attachment 4 Item 3.**(Attached), there is a conditional requirement by the City of Richmond for the approval of the rezoning application by the Developer of the Subject Property that the registration of a Restrictive Covenant to ensure that the only means of access is to Ferndale Road and that there be no access to Garden City Road be completed. Has this been complied by the Developer?
2. After development of the Subject Property, 6100 Garden City Road will become an isolated lot and sandwiched between the Subject Property and my clients' three properties which can be consolidated into one development. How is this isolated lot going to get access if it is going for rezoning and development in the future? Will 6100 Garden City Road be allowed to use Garden City Road as their development access in the future? Should the Subject Property development made allowance for access of 6100 in their design? Is there a concern that my clients will be obligated to provide access for this isolated lot in the future? If so, will my clients be equitably compensated? Or 6100 Garden City Road will be allowed to use Garden City Road as access since it is only a single lot, such that no access is required to be provided by either the Developer of the Subject Property, or my clients?

3. Should there be a registration of a cross access agreement to provide access from Ferndale Road through the Subject Property site to 6100 Garden City Road? If this cross access agreement has not been in place yet, how will the access issue for 6100 Garden City Road be resolved in the future, after the development of the Subject Property, and if my clients also develop their lands? My clients do not wish to inherit the burden of providing access to 6100 Garden City Road, should the owner of 6100 Garden City Road asks for access when my clients submit their development plan to the City of Richmond for approval in the future. It will not be equitable to my clients, if the Developer of the Subject Property has not been requested by the City of Richmond to provide an access for the owner of 6100 Garden City Road. In the current design proposed by the Developer for the Subject Property, no access is provided for 6100. It is prudent that the Development Permit Panel should address this issue prior to the final adoption of the Zoning Amendment Bylaw 7858, and prior to the development permit being issued to the Developer of the Subject Property as well.
4. According to the City of Richmond **File RZ 04-271217 Attachment 4 Item 4**. (Attached), the City had requested the Developer of the Subject Property to obtain a registration of a cross access agreement to provide access from Ferndale Road through the Subject Property site to 9131 Ferndale Road. However, the owner of 9131 Ferndale Road has not yet received any communication or a cross access agreement from the Developer of the Subject Property up to this date. Will the City ensure all conditional rezoning requirements, set by the City of Richmond, are complied by the Developer of the Subject Property prior to the final adoption of the Zoning Amendment Bylaw 7858, and prior to the development permit being issued to the Developer of the Subject Property?
5. According to the City of Richmond **File RZ 04-271217 Attachment 5** (Attached), the Developer of the Subject Property suggested to the City of Richmond, that this Attachment 5 was to demonstrate to the City of Richmond that the Developer's land assembly would not preclude lands to the south of its proposing development (the Subject Property) fronting Ferndale being developed as per the area plan indicated in Attachment 5. My clients, owners of 9071 Ferndale, 9131 Ferndale and 6120 Garden City were all shocked and dismayed to see a structure being planned and straddled onto their properties, as well as being presented, promoted, implied and suggested to the City of Richmond probably as the Developer's next/coming project after the Subject Property's development, without any of my clients' prior knowledge or consent! My clients do not know who the owner is for 6100 Garden City Road and how he/she feels about this, but my clients are definitely objecting to the use of their lands by the Developer of the Subject Property in the form of which was implied, suggested and presented to the City of Richmond in Attachment 5. This is very misleading to the general public and the Developer's motivation involving my clients' lands in the Subject

Property's development proposal to the Municipal Government without my clients' knowledge is not appreciated by my clients.

My clients would like the Richmond Development Permit Panel to address these issues during the Development Permit Panel Meeting, which has been scheduled for Wednesday, August 24, 2005 at 3:30PM in the Anderson Room, Richmond City Hall.

Should there be any questions from the Panel prior to the meeting, I can be reached at 604-868-3938.

Your prompt assistance is greatly appreciated.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cynthia Lo".

Cynthina Lo

Conditional Rezoning Requirements

6060 and 6080 Garden City Road and 9171 Ferndale Road RZ 04-271217

Prior to final adoption of Zoning Amendment Bylaw 7858, the developer is required to complete the following requirements:

1. Consolidation of all the lots into one development parcel (which will require the demolition of the existing dwellings).
2. Registration of an aircraft noise covenant.
3. Registration of a restrictive covenant ensuring that the only means of access is to Ferndale Road and that there be no access to Garden City Road.
4. Registration of a cross access agreement to provide access from Ferndale Road through the subject site to 9131 Ferndale Road
5. Payment of \$4.00 per square foot of site area (e.g., approximately \$245,200) towards land acquisition and construction of future sub-area roads between Ferndale Road and Westminster Highway.
6. Contribution of \$0.60 per buildable square foot (e.g. \$88,920) towards the City's affordable housing fund.
7. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
8. Prior to issuance of a Building Permit, enter into a Servicing Agreement* for the design and construction of Garden City and Ferndale Road frontages complete with:
 - Garden City Road: pour a 2.5m concrete sidewalk/trail at property line, creating a 5m +/- grass and treed boulevard, with post top Type 1 decorative galvanized luminaire poles (City Spec L12.5) for walkway lighting. A curb and gutter edge is to be created behind the existing bike lane, which tapers towards the property line as it proceeds north, which will reduce the width of the new boulevard; and
 - Ferndale Road: widen existing street, installing curb and gutter, creating a 1.41m grass and treed boulevard (trees are to be 7 cm calliper Trembling Aspen), with post top decorative luminaire lighting (City spec L12.5), powder coated black, and a 1.75m concrete sidewalk at property line.

* Note: This requires a separate application.

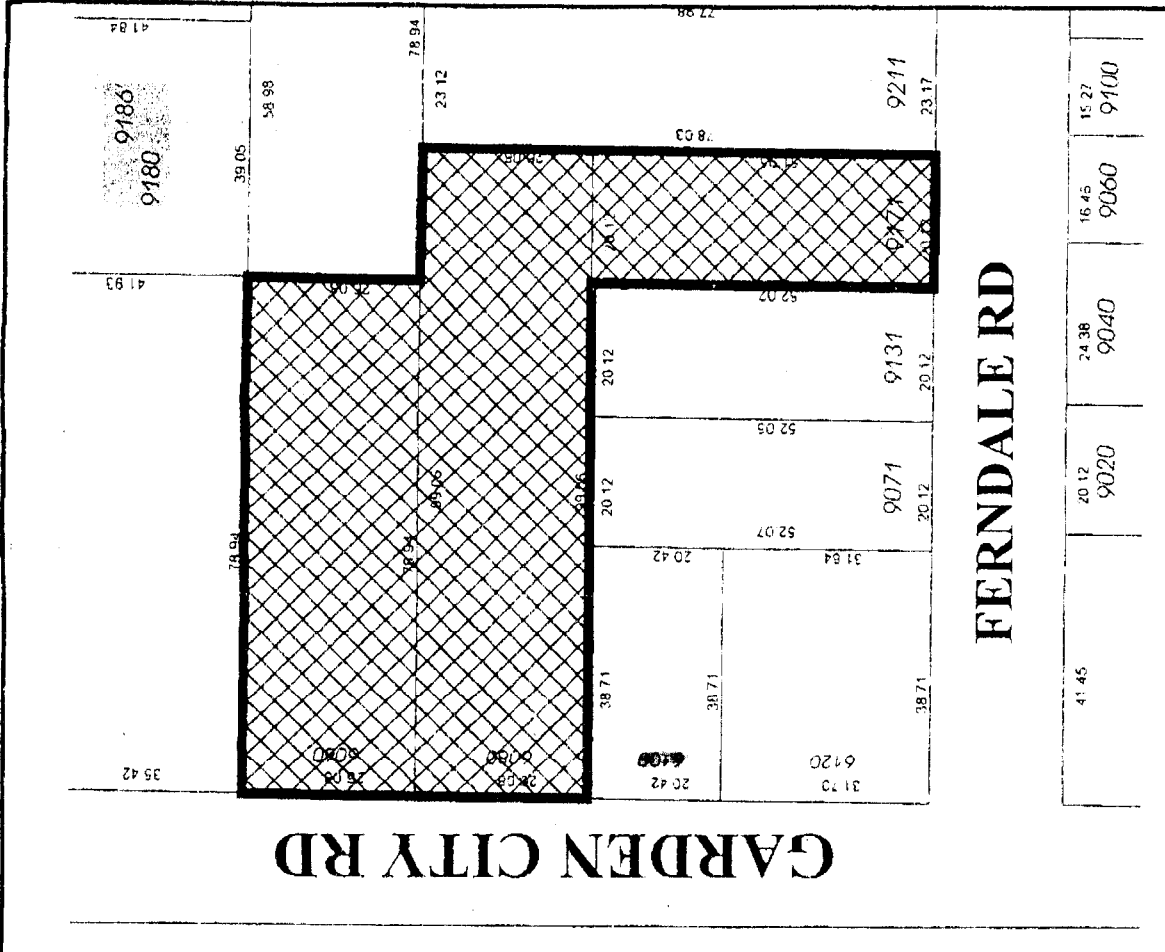
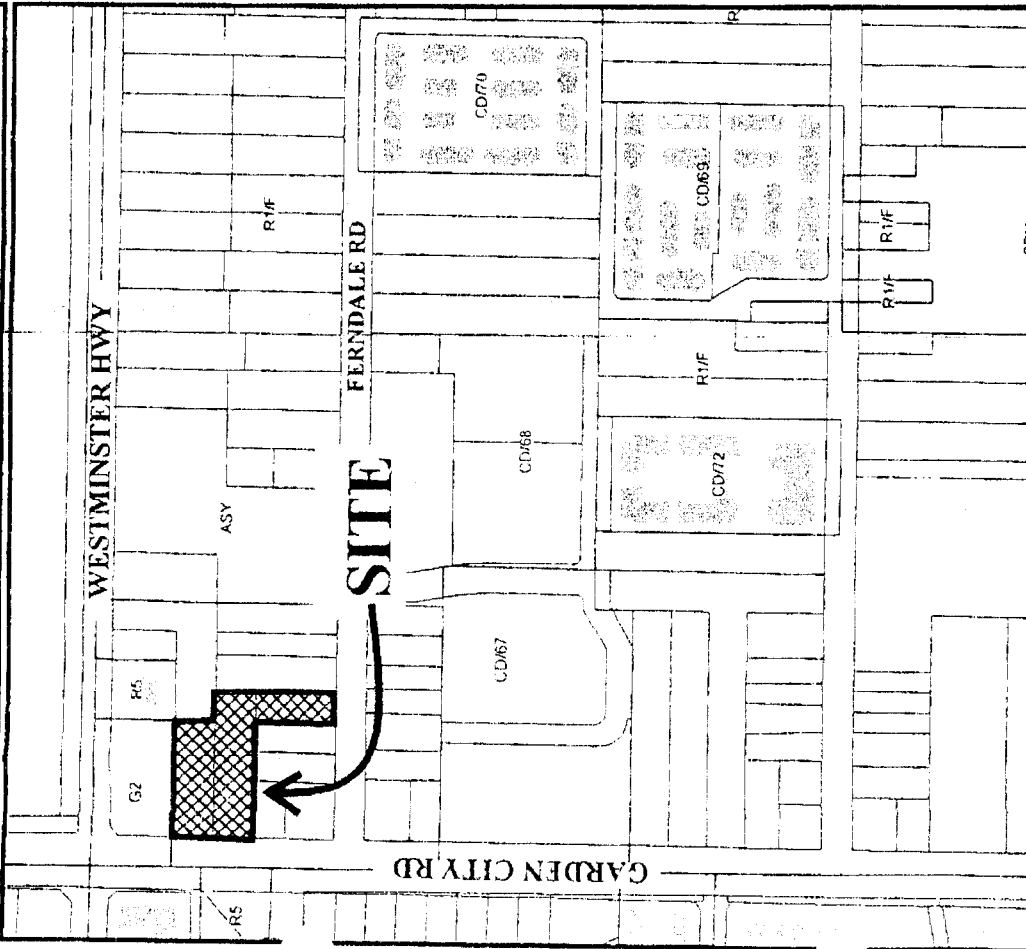
(SIGNED LETTER ON FILE)

Signed _____

Date _____



City of Richmond

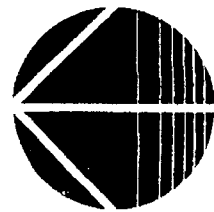


DP 04-275373

Original Date: 09/11/04

Revision Date:

Note: Dimensions are in METRES





ATTACHMENT 5

GALEON CITY & FERRIS DR. PROJECT NO. 1500003, E.C.

CONSULTANT: GARDNER & THEOBALD ARCHITECTS LTD.

CONTEXT PLAN & PROJECT STATISTICS

DATE: 21/09/18

SCALE: 1:500

PROJECT NO: 0345

A-1.00

PROJECT STATISTICS

LEGAL DESCRIPTION: THE PART OF THE SITE BOUND BY WESTMINSTER HWY TO THE NORTH, WESTMINSTER HWY TO THE EAST, FERRIS DR TO THE SOUTH AND GALEON CITY TO THE WEST.

CHIC. ADDRESS: 1500003, E.C.

ZONING: CD

SITE AREA: 4.0797 ha (10,046,141 sq ft)

TOTAL GROSS BUILDING AREA: 15,848 sq m (171,301 sq ft)

CONTRACT: 0345

COVERAGE: 45%

NOTES: 1) 10 STOREY HOTEL, 10 STOREY OFFICE - ALL ON 2nd & 3rd SECTIONS

PARKING CALCULATION:

Category	Area (sq m)	Permitted (Spaces)
Hotel	1,200	120
Office	14,648	1,465
TOTAL	15,848	1,585

PARKING AREA (SQM):

Area	Permitted
Hotel	120
Office	1,465
TOTAL PERMITTED	1,585

AREAS NOT INCLUDED IN P.A. (SQM):

Area	Area (sq m)
Public Open Space	1,200
Landscaped Area	1,000
TOTAL	2,200

READING GUIDE AREA CALCULATION (SQM):

Category	Area (sq m)
Hotel	1,200
Office	14,648
TOTAL	15,848

CALCULATION FOR COVERAGE: 15,848 sq m / 41.22 ha (10,046,141 sq ft) = 45%

TOTAL: 15,848 sq m (171,301 sq ft)

DRAWING LIST

DRAWING TITLE	CHIC. No.	SCALE
CONCEPT PLAN	A-01	1:500
PRELIMINARY SITE PLAN	A-02	1:500
PRELIMINARY FLOOR PLAN	A-03	1:500
PRELIMINARY SECTION 1:10	A-04	1:10
PRELIMINARY SECTION 2:10	A-05	1:10
PRELIMINARY SECTION 3:10	A-06	1:10
PRELIMINARY SECTION 4:10	A-07	1:10
PRELIMINARY SECTION 5:10	A-08	1:10
PRELIMINARY SECTION 6:10	A-09	1:10
PRELIMINARY SECTION 7:10	A-10	1:10
PRELIMINARY SECTION 8:10	A-11	1:10
PRELIMINARY SECTION 9:10	A-12	1:10
PRELIMINARY SECTION 10:10	A-13	1:10
PRELIMINARY SECTION 11:10	A-14	1:10
PRELIMINARY SECTION 12:10	A-15	1:10
PRELIMINARY SECTION 13:10	A-16	1:10
PRELIMINARY SECTION 14:10	A-17	1:10
PRELIMINARY SECTION 15:10	A-18	1:10
PRELIMINARY SECTION 16:10	A-19	1:10
PRELIMINARY SECTION 17:10	A-20	1:10

PROJECT DIRECTORY

COMPANY: GARDNER & THEOBALD ARCHITECTS LTD.

CONTACTS: Peter Gardner, Director

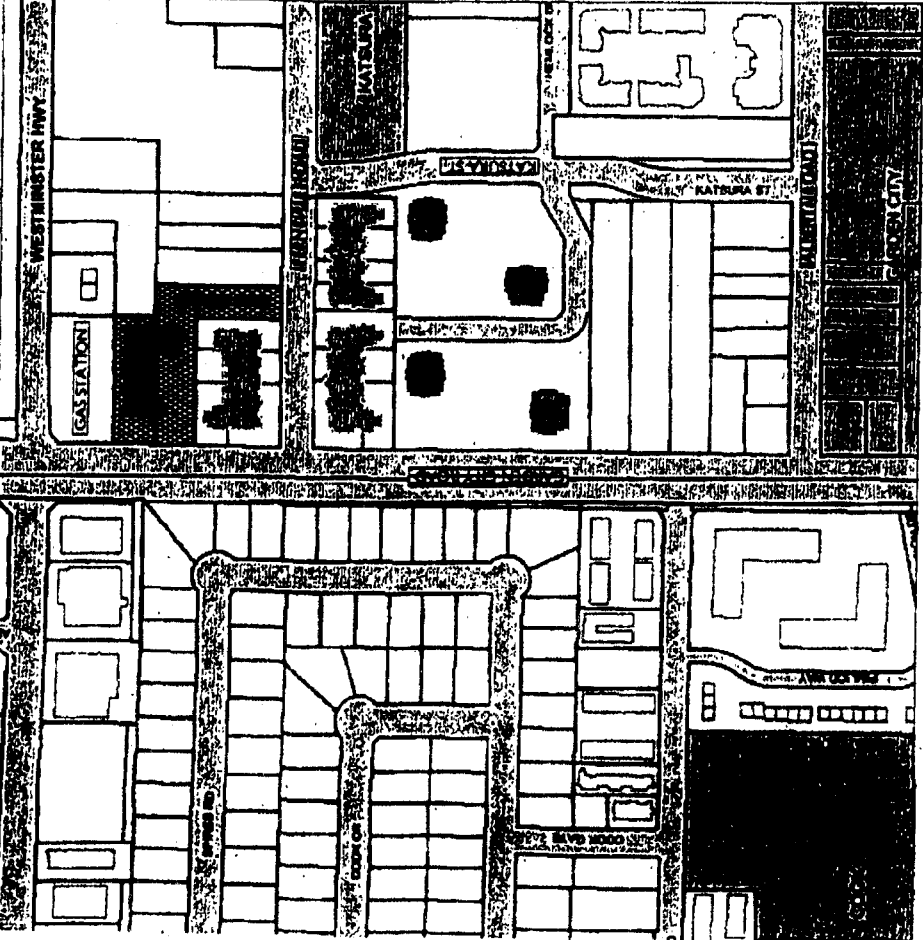
ARCHITECTS: GARDNER & THEOBALD ARCHITECTS LTD.

ENGINEERS: GARDNER & THEOBALD ARCHITECTS LTD.

PLANNING: GARDNER & THEOBALD ARCHITECTS LTD.

LANDSCAPE ARCHITECTS: GARDNER & THEOBALD ARCHITECTS LTD.

CONTEXT PLAN

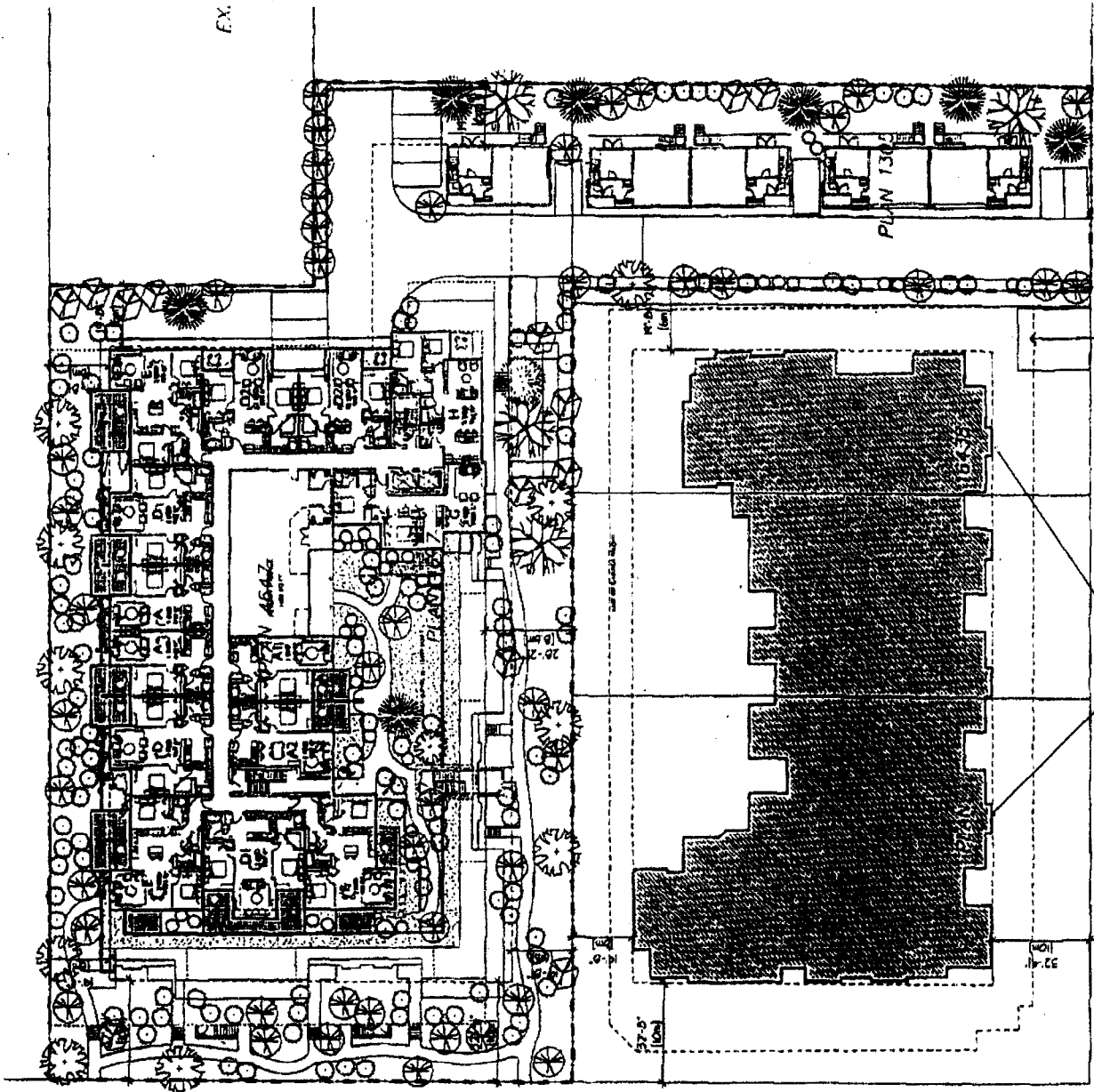


UNIT COUNT

Unit Type	Count
Hotel	120
Office	1,465
TOTAL	1,585

QUANTITY OF 1 AND 2 DIMENSIONAL PLOTS

Plot Area (sq m)	Count
100-200	10
200-300	5
300-400	3
400-500	2
TOTAL	20



SITE PLAN SCALE 1"=40'

*BUILDING DESIGNED/PLANNED
ON OWNERS' LANDS
WITHOUT THEIR PRIOR KNOWLEDGE*