



Development Permit Panel

Wednesday, March 10, 2010

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Robert Gonzalez, Chair
Mike Kirk, Deputy Chief Administrative Officer
John Irving, Director, Engineering

The meeting was called to order at 3:30 p.m.

1. Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on Wednesday, March 10, 2010, be adopted.

CARRIED

2. Development Permit DP 08-429669

(File Ref. No.: DP 08-429669) (REDMS No. 2794166)

APPLICANT: Yamamoto Architecture Inc.

PROPERTY LOCATION: 10999 Shell Road (formerly 10911, 10931, 10951, 10971 and 10991 Steveston Highway)

INTENT OF PERMIT:

Permit the construction of 25 town houses at 10999 Shell Road (formerly 10911, 10931, 10951, 10971 and 10991 Steveston Highway) on a site zoned "Town Housing (ZT68) – Steveston Highway/ Shell Road".

Applicant's Comments

Taizo Yamamoto, Yamamoto Architecture Inc., Vancouver, advised that the depth of the site created a challenge in designing the proposed 25-unit town house development on Shell Road at Steveston Highway. He added that the site is located across Steveston Highway from the Agricultural Land Reserve (ALR) and for this reason a landscape buffer is provided across each of the subject site's front yards. Mr. Yamamoto drew the Panel's attention to the following details:

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- three buildings of town house units are planned along Steveston Highway, with individual residential units oriented toward the street to enhance the pedestrian realm;
- to articulate the units' differences, the buildings feature different materials, varied colours, and different garage door styles;
- the subject site provides: (i) future access to a development site to the west where the construction of town houses is being requested; and (ii) a fire lane off Steveston Highway;
- the outdoor amenity space is: (i) oriented toward the back of the site to provide a visual link to the adjacent neighbourhood park and school playground; and (ii) includes a play structure for younger children;
- private and lockable pedestrian entry gates are proposed for (i) each unit, and (ii) the outdoor amenity area, to be located between the subject site and the adjacent Thomas Kidd Neighbourhood Park;
- two convertible units, located in the rear two buildings, are designed to ensure sufficient space and reinforcement for future vertical lifts;
- all town house units include blocking in the bathroom walls for future installation of grab bars;
- proposed building materials include Hardi plank fibre cement horizontal siding, vinyl horizontal siding, Hardi shingle fibre cement wall shingles, board and batten with Hardi panel fibre cement board, painted wood trim, and mixed shade wood shake profile asphalt shingles;
- a warm colour palette is achieved through the use of a range of browns, highlighted with darker browns for accent;
- garage doors vary to: (i) avoid a monotonous appearance; and (ii) provide unit identity;
- the east half of the site will be screened from the park behind five large existing Oak trees; three new Oak trees will be planted to create a consistent edge between the neighbourhood park and the town houses; and
- sustainability measures include: ALR buffer planting in front yards, and increased permeability on the site.

Pat Campbell, Landscape Architect, advised that the play area in the outdoor amenity space includes a play structure and universal access elements. It is expected that older children living in the town houses will play in the adjacent park, while younger children will take advantage of the play structures in the on-site amenity space.

Panel Discussion

In response to a query from the Panel, Ms. Campbell advised that the proposed new Oak trees are the largest ones commonly available for purchase.

Applicant's Comments

David O'Sheehan, Architect, Abbarch Architecture Inc., Vancouver, advised that he represented his firm's client, Cadillac Fairview, the management company for the Richmond Centre shopping mall.

The applicant proposes interior alterations and associated skylight alterations, to the southern edge of the Richmond Centre mall where it meets the Sears building. It was determined by the applicant that this portion of the mall was not functioning as well as it could.

Mr. O'Sheehan noted that:

- renovations are limited to the general area of interface between the building occupied by Sears and the mall's adjacent one-story internalized building;
- re-aligning of one of the internal storefront corridors will take place;
- the existing skylights are to be moved and would be centred over the new mall corridor;
- a common area will be created to form a central court;
- a service door will be introduced at the Sears Building loading area, and act as a fire exit; and
- sustainability activities, such as recycling materials, as well as sustainability features, such as energy efficient cooling and heating systems, will be introduced, to meet Cadillac Fairview's commitment to long-term green initiatives.

Staff Comments

Mr. Jackson stated that staff supports the proposed renovation scheme.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

The Chair complimented the applicant and the architect on the sustainability commitment of the property management firm and the proposed renovation.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would permit the alteration of the roof in association with interior renovations at 6551 No. 3 Road on a site zoned Downtown Commercial (CDT1) and "Gas & Service Stations (CG1)".

CARRIED

4. Development Permit DP 06-333170

(File Ref. No.: DP 06-333170) (REDMS No. 2804252)

APPLICANT: Matthew Cheng Architect Inc.

PROPERTY LOCATION: 8680 No. 3 Road

INTENT OF PERMIT:

1. To permit the construction of six (6) townhouse units at 8680 No. 3 Road on a site zoned Low Density Townhouse (RTL3); and
2. To vary the provisions of Richmond Zoning Bylaw 8500 to:
 - a) reduce the minimum lot size from 30 m (98.43 ft.) to 22.86 m (75 ft.);
 - b) reduce the north side yard setback from 3.0 m (9.84 ft.) to 2.43 m (7.97 ft.) for a single storey garbage/recycling enclosure attached to the front building; and
 - c) reduce the lot coverage for landscaping with live plant material from 30% to 26%.

Applicant's Comments

Stella Chen spoke on behalf of the applicant, Matthew Cheng Architect, and advised that the application had been reviewed at the January 13, 2010 meeting of the Development Permit Panel. The project had been referred back to staff in order to allow the architect to address:

- (i) architectural details to explore how to better integrate with the design of the project to the north of the site;
- (ii) the status of trees on, and adjacent to, the site, including a rationale for the removal of trees; and
- (iii) tree-planting viability in the narrow strip of landscaping on the south property line.

Ms. Chen advised that she would address the architectural changes and that the landscape architect, Pat Campbell, would address the landscaping changes.

Architectural Changes

- building "B" elevations have been revised with large gables, to integrate with the design of Building "A";

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- the project has been redesigned to better reflect the project to the north;
- building masses have been broken up, on both the north and south elevations, by a series of (i) box windows, (ii) bays, and (iii) balconies with gable roofs;
- Hardi shingles and vertical Hardi plank gables further articulate the windows, bays and balconies;
- ground floor facades are clad with 6" wide Hardi siding, with 4" wide siding above; and
- the units fronting No. 3 Road have been redesigned for greater compatibility with existing townhouses to the north.

Landscaping Changes

Ms. Campbell stated that the landscaping design had been amended and that it now provides for: (i) a more sustainable buffer strip of trees, and (ii) landscape along the south property line of the project; and that trees in the south drive area would be sustainable and survive in the long run.

Trees would be planted in areas projecting into the drive aisle, and sustainable, porous pavers would allow the trees to root in the structural soil underneath the pavers, thereby ensuring that the trees survive.

Staff Comments

Mr. Jackson advised that the applicant had made significant changes with respect to detailing in order to help better match, in appearance, the development to the north, and that staff was pleased with the design changes.

He noted that the changes made to the planting strip along the south side were an improvement. There was discussion at the previous Development Permit Panel meeting regarding two trees on the property to the north, that have now been identified as removable. Originally, the trees were saved as part of the development to the north, but since mid-January, 2010, one of the trees has died, and the other has been significantly pruned, is in decline, and will not survive the construction phase. The applicant has asked for permission to remove the two neighbouring trees at the edge of the development site and has the approval of the neighbour to the north. Staff is therefore in support of the applicant's desire to remove the two trees.

Correspondence

None.

Gallery Comments

None.

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Panel Discussion

In response to a query from the Chair regarding whether the City has yet received an request for a Tree Permit application for the removal of the Hemlock tree located on 8660 No. 3 Road, staff advised that as yet no request for the application has been made, but that before staff forwards the Development Permit application to Council for consideration, a Tree Permit application for removal must be requested.

In response to a query regarding accessibility in convertible units, Ms. Chen advised that the unit in building "B" (rear Unit 4) provides sufficient space in the stairwell for a future chair lift, as well as blocking in the washroom that allows for the installation of grab bars.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *Permit the construction of six (6) townhouse units at 8680 No. 3 Road on a site zoned Low Density Townhouse (RTL3); and*
2. *Vary the provisions of Richmond Zoning Bylaw 8500 to:*
 - a) *reduce the minimum lot size from 30 m (98.43 ft.) to 22.86 m (75 ft.);*
 - b) *reduce the north side yard setback from 3.0 m (9.84 ft.) to 2.43 m (7.97 ft.) for a single storey garbage/recycling enclosure attached to the front building; and*
 - c) *reduce the lot coverage for landscaping with live plant material from 30% to 26%.*

CARRIED

5. Development Variance Permit DV 09-480570

(File Ref. No.: DV 09-480570) (REDMS No. 2823986)

APPLICANT: Matthew Cheng Architect Inc.

PROPERTY LOCATION: 9700 No. 3 Road

INTENT OF PERMIT:

Vary the provisions of Richmond Zoning Bylaw 8500 to increase the maximum lot coverage for buildings in the Medium Density Townhouses (RTM1) zone from 40% to 44.55% and that the proposed changes to the architectural form and landscaping plans be considered in general compliance with the approved Development Permit (DP 07-386208).

Applicant's Comments

Matthew Cheng, Architect, advised that at the February 10, 2010 meeting of the Development Permit Panel, the application had been referred back to staff for further discussion regarding modifications to the landscape design. Mr. Chen advised that due to the absence of a representative from the landscape architecture firm of Ito and Associates, he would advise the Panel of the revisions made to the project's landscape design:

- along the units facing No. 3 Road there will be dense planting with various types of trees, shrubs, and perennial ground cover, to give No 3 Road a well-landscaped appearance and seasonal interest throughout the year; the front yards would become an integral part of the No. 3 Road beautification;
- no change has been made to the plan for the internal drive aisle, but it should be noted that draught torrent shrubs have been placed wherever available to provide visually softening for this area;
- planting along the east property line has been modified to address the issue of screening between the subject site and the site to the east;
- a service right-of-way (SRW) prohibits the planting of any trees along the property line, but the low growing shrubs in the initial plan have been replaced with tall growing Portugal Laurels in this area, and these could grow into a hedge of up to 25 or 30 feet over a 15 to 20 year period;
- in addition to the laurel hedge, flowering trees are proposed, one per each unit, and the trees have been upsized from 6 cm in the original plan to 8 cm in the new landscaping plan; and
- the changes to the plan would achieve effective screening between the subject site and the property to the east.

Panel Discussion

The Chair expressed dismay that a landscape architect was not present to address the Panel, in light of the February 10, 2010 referral that specified that modifications to the landscape design were required before the Development Permit Panel reviewed the application.

Staff Comments

Mr. Jackson advised that the referral for modifications to the landscape design, from the February 10, 2010 meeting of the Development Permit Panel, was a result of concerns expressed by neighbourhood residents, especially regarding the issue of screening between the subject development and single-family dwellings to the east.

The applicant has amended the proposal to include: (i) a row of Portugal Laurels along the east property line, and (ii) a 6-foot wood fence. The laurel of choice is one that is tall growing, with broad leaves, and is commonly used as a hedge throughout the Lower Mainland area.

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Mr. Jackson noted that City engineering staff reviewed the SRW along the common property line and determined that planting trees is not allowed in this area due to engineering standards, but that planting shrubs is allowed. Mr. Jackson added that the applicant has proposed upsizing the seven trees to be planted outside the SRW.

In conclusion, Mr. Jackson remarked that, as a result of the revised landscape design, staff supports the variance application to increase the maximum lot coverage from 40% to 44.55%.

Panel Discussion

Addressing Mr. Chen, the Panel reinforced the Chair's earlier comment regarding dismay that a landscape architect was not in attendance to describe the revised landscape plan.

In response to queries, Mr. Jackson advised that:

- trees to be planted in the north east corner of the subject site are to be planted outside the Statutory Right-of-Way; and
- 78 replacement trees are required on the site; the updated landscape design includes 61 trees, and the applicant proposes to provide cash-in-lieu for the balance of the required replacement trees.

In response to the Chair's query regarding correspondence received in relation to the application, Mr. Jackson provided the following information:

- staff received a letter in January, 2009, from a lawyer acting on behalf of Michael Chung that stated that during the construction period leading up to a development phase, Mr. Chung's property had been damaged;
- staff received a further letter in July, 2009, from an insurance company that had examined Mr. Chung's driveway and had determined that any driveway damage had not been sustained as a result of work done by the applicant at the subject site; and
- a letter from Jon MacKay, 9851 Pigott Road, Richmond, relating to a landscaping offer, stated that Mr. MacKay would accept the applicant's offered option of planting three Maple trees on his property.

Gallery Comments

Wayne Ryan, Ryan Law Group, Barristers & Solicitors, Richmond, addressed the Panel on behalf of his client, Michael Chung, the owner of the property adjacent to the subject property. As part of his lawyer's presentation to the Panel, Mr. Chung distributed a piece of correspondence that is attached to, and forms a part of these Minutes, as Schedule 4.

Mr. Ryan stated that his client opposes the application, and provided the following information to support the opposition:

- maximum lot size coverage for buildings should remain 40%, and a variance to 44.55% should be denied;

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- Mr. Chung's home was damaged as a result of the demolition of the former homes on the subject site; at the February 10, 2010 meeting of the Development Permit Panel, the applicant approached Mr. Chung and his legal representative and agreed in writing that he would place in his lawyers trust account the sum of \$50,000 as security for the repairs; Mr. Ryan stated that the applicant had not followed through on this offer;
- pounding on the subject site during construction had caused serious disturbance to Mr. Chung and his family, and caused cracks in the driveway and in the drywall of Mr. Chung's home;
- the applicant had ignored Mr. Chung's request to stop the work undertaken at the subject site; and
- the letter from the insurance company, referenced by Mr. Jackson, did not take into consideration that Mr. Chung has had an independent building inspector confirm that the damage done to Mr. Chung's home and driveway is a result of the work done by the applicant on the subject site.

Mr. Ryan concluded his remarks by noting that the applicant had demonstrated bad faith in his dealings with his client, Mr. Chung. He requested that: (i) the Panel deny the variance; and (ii) the application be referred back to staff until such time as the applicant addressed the concerns of the neighbour.

In response to queries from the Chair, Mr. Jackson advised that:

- the issue before the Panel is whether or not the variance makes planning sense, and that any other issues, such as those raised by Mr. Ryan, would be outstanding regardless of the applicant's request for a variance;
- staff supports the request for variance, even though the applicant had erred when his initial plans indicated a lot coverage of 39.99%, when the accurate figure was 44.55%;
- the applicant is proposing almost a 50% increase in permeable pavement treatment from the approved Development Permit (DP 07-386208); and
- it is uncommon that an applicant makes an error in lot coverage, and this applicant's error was discovered by Planning staff during the General Compliance review.

Mr. Ryan was granted permission by the Chair to address the Panel for a second time, and he acknowledged that should the Panel deny the request for variance, that alone would not help his client to address the complaints he has against the applicant.

Panel Discussion

A brief discussion took place between the Panel and staff and it was decided that there were no reasons, from a planning perspective, to delay the application.

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The Chair stated that while he understands Mr. Chung's concerns regarding the construction on the site, as relayed through his lawyer, the Panel is charged with scrutinizing the form and character of proposed developments, including landscaping plans. It is not within the jurisdiction of the Panel to become involved in disputes that fall outside the areas of form, character and landscaping.

The Chair noted that Jon MacKay, of 9851 Pigott Road, had indicated to staff that he is satisfied with the proposed hedging and the applicant's offer to plant three Maple trees on his property, and that Mr. MacKay's absence from the meeting could be seen as an indication of his satisfaction.

The Chair added that the City's Good Neighbour Program brochure outlines good neighbour practices, and he encouraged all parties to consider good neighbourliness.

In closing, the Chair advised Matthew Cheng that when a development permit application is considered by the Development Permit Panel, it is mandatory, not optional, that the landscape architect be in attendance. He added that he would speak with the General Manager of Planning and Development with regard to the absence of the applicant's landscape architect during the March 10, 2010 Panel meeting.

Correspondence

Wayne Ryan, Ryan Law Group, 5900 No. 3 Road, Richmond (Schedule 1)

Tony Chen, Sonus Developments No. 3 Ltd. (Schedule 2)

Tony Chen, Sonus Developments No. 3 Ltd. (Schedule 3)

Michael Chung, 8031 Williams Road, Richmond (Schedule 4)

Gallery Comments

None.

Panel Decision

It was moved and seconded

That a Development Variance Permit be issued which would vary the provisions of Richmond Zoning Bylaw 8500 to increase the maximum lot coverage for buildings in the Medium Density Townhouses (RTM1) zone from 40% to 44.55% and that the proposed changes to the architectural form and landscaping plans be considered in general compliance with the approved Development Permit (DP 07-386208).

CARRIED

6. Development Variance Permit DV 09-504241
(File Ref. No.: DV 09-504241) (REDMS No. 2818014)

APPLICANT: Priority Permits Ltd.

PROPERTY LOCATION: 5811 Cooney Road

INTENT OF PERMIT:

To vary the Sign Bylaw No. 5560 to permit two (2) freestanding signs closer than 30 m apart at 5811 Cooney Road.

Applicant's Comments

Jordan Desrochers advised that he represented the sign company hired by the landlord of the Pacific Business Centre located at 5811 Cooney Road, between Ackroyd Road and Westminster Highway. He distributed a package of information relating to the application (Schedule 5).

It was the landlord's request that an existing multiple tenant freestanding sign at the north end of the main building entrance on Cooney Road be complemented with two new, matching, freestanding signs at the south end of the building's main entrance.

Mr. Derochers stated that the two small signs were designed for directional purposes, and were intended to assist in way finding for visitors to the building.

Staff Comments

Mr. Jackson advised that the applicant had an opportunity to replace the current small sign with one large sign, but that the applicant believed that the overall appearance of the Cooney Road frontage would achieve better balance with two matching small signs, with one at each end of the main building entrance. Mr. Jackson stated that staff supports the requested variance and are in favour of the application.

Correspondence

None.

Gallery Comments

Patricia Marshall, 33rd Avenue, Aldergrove, spoke on behalf of her mother who is a tenant at 5811 Cooney Road, and requested information regarding the content of the two proposed signs.

Advice was given that each sign would list the buildings' tenants.

Tim Fisher, Cooney Road, requested information regarding whether the total size of the two requested signs would exceed the total size of one large sign.

Advice was given that taken together, the two requested signs would be considerably smaller in size than the permissible size of one larger sign.

Panel Discussion

None.

Panel Decision

It was moved and seconded

That a Development Variance Permit be issued to vary the Sign Bylaw No. 5560 to permit two (2) freestanding signs closer than 30 m apart at 5811 Cooney Road.

CARRIED

7. Development Variance Permit DV 09-505657

(File Ref. No.: DV 09-505657) (REDMS No. 2817158)

APPLICANT: Arvinder Randhawa

PROPERTY LOCATION: 8751 Finn Road

INTENT OF PERMIT:

To vary the provisions of the Richmond Zoning Bylaw 8500 to increase the maximum required setback from a public road in the Agriculture (AG1) zone from 50 m to 75 m to accommodate a two-storey addition to the existing single-family dwelling at 8751 Finn Road.

Applicant's Comments

Mr. Arvinder Randhawa, Applicant, addressed the Panel and advised that he had mistakenly moved ahead with a plan to build an addition on the north side of his single-family home, located at 8751 Finn Road. He apologized for starting to build the addition, and stated that he was unaware of the need for a development permit for the project. After the Building Approval Department staff issued a Stop Work Order, Mr. Randhawa had applied for the Development Permit.

Mr. Randhawa noted that he and his family had purchased the property, had planted blueberries, and operate an active farm, and that the rationale for the extension to the family residence, that is located on a site within the Agricultural Land Reserve, is the need for separate bedrooms for the family children who are college-age, and require privacy as they become young adults and as they pursue their studies.

Staff Comments

Mr. Jackson stated that the City is reluctant to issue a permit when a Development Permit application is made after construction activities have begun.

In the case of Mr. Randhawa's application, the applicant proposes to undertake a legal commitment to limit all future buildings to the south-eastern portion of the site, where the existing single-family dwelling, farm building, and septic field are located. By ensuring that the proposed extension, as well as any future buildings, are concentrated in one area, more land is made available for farming, which constitutes an agricultural benefit. With this benefit in mind, staff supports the variance.

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In response to a query from the Panel, Mr. Jackson advised that the applicant's commitment to limit future buildings to the southeastern portion of the site would be secured by a restricted covenant.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

The Chair sought clarification from the applicant regarding the type of agricultural activities undertaken on the subject site. Mr. Randhawa advised that his family farms blueberries on the land, and has done so since taking ownership of the farm.

Panel Decision

It was moved and seconded

That a Development Variance Permit be issued which would vary the provisions of the Richmond Zoning Bylaw 8500 to increase the maximum required setback from a public road in the Agriculture (AG1) zone from 50 m to 75 m to accommodate a two-storey addition to the existing single-family dwelling at 8751 Finn Road.

CARRIED

8. New Business

None.

9. Date Of Next Meeting: Wednesday, March 24, 2010

10. Adjournment

It was moved and seconded

That the meeting be adjourned at 4:31 p.m.

CARRIED

**Development Permit Panel
Wednesday, March 10, 2010**

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, March 10, 2010

Robert Gonzalez
Chair

Sheila Johnston
Committee Clerk

Schedule 1 to the Minutes of the Development Permit Panel meeting held on Wednesday, March 10, 2010.

RYAN LAW GROUP
BARRISTERS & SOLICITORS

WAYNE RYAN B.A., J.D.
wayne@ryanlawgroup.com

To Development Permit Panel	
Date:	March 10, 2010
Item #:	5
Re:	DV 09-480570

5900 No. 3 Rd.
Richmond, B.C. V6X 3P7
604-271-8078
fax 604-271-8073

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	GJ	es
	KY	
	DB	

File #

January 20, 2009

City of Richmond

Fax 604-278-5139

Attention: David Weber, Director, City Clerk's Office

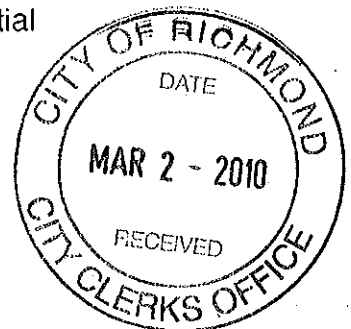
THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original transmission to us by mail without making a copy.

RE: 9700 No. 3 Rd. Applicant Matthew Cheng Architect Inc. Development Permit Panel Meeting March 10, 2010

We act on behalf of Michael Chung the owner of the property adjacent to the subject property.

He and other homes were damaged as a result of the demolition of the existing homes on the subject property. Damage to our client's property exceeds \$80,000.00. At the time of the demolition the owner was told to stop but he proceeded and the damage continued.

We appeared at the last hearing date and were approached by the owner who agreed in writing that he would place in his lawyers trust account the sum of \$50,000.00 as security for the repairs on or before the Friday after the initial planned Panel hearing.



The owner reneged on his legal obligation under the agreement and the monies were not placed in trust as agreed.

As a result of the written agreement we left the meeting.

Please be advised that it is our position that we oppose the application on the grounds that the owner has shown bad faith.

We submit that the granting of the variance is a discretionary matter and that the Panel should not assist the Applicant in any way.

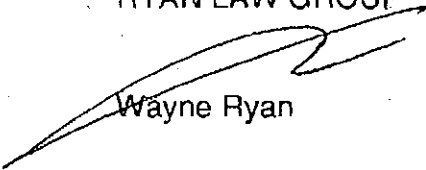
In the alternative, we would ask the Panel to require a formal Bond be posted in the sum of \$100,000.00 to cover the costs or repairs and legal costs before the variance is granted.

In summary, the variance requested is significant and the owner has shown bad faith in failure to deal with the damages sustained.

Respectfully submitted.

Yours truly,

RYAN LAW GROUP



Wayne Ryan

Cc Matthew Cheng Architect Inc., Michael Chung

Schedule 2 to the Minutes of the
Development Permit Panel meeting
held on Wednesday, March 10, 2010.

JANG CHEUNG LEE CHU
LAW CORPORATION

To Development Permit Panel
Date: <u>March 10, 2010</u>
Item #: <u>5</u>
File #: <u>DU09-480570</u>

7th Floor, London Plaza
#700 - 5951 No. 3 Road
Richmond, B. C. V6X 2E3
Canada

Tel. 604.276.8300
Fax. 604.276.8309
Reply to: John V. Lee

February 18, 2010

File No. G09

Mr. Jon Mackay
9851 Pigott Road,
Richmond, BC

Dear Sir,

Re: Development at 9700 No 3 Road, Richmond, BC (the "Project:")

We advise that we act for Sonus Development No. 3 Ltd., the developer of the Project.

We are instructed that our client would like you to select one of the two landscaping options, at no cost to you.

Please advise which one of the following two options that you would accept:

1. Planting 25 hedge plants (Thuja Fmargd 6 ft STD) along your backyard fence on the Right of Way, but this option is subject to obtaining the approval of the city engineer to plant on the ROW; or
2. Planting 3 Norway Maples (8 cm Cal. 6 ft STD) in your backyard away from the ROW.

Please contact Tony Chen directly with your decision.

Thank you for your attention to this matter.

Yours truly

Jang Cheung Lee Chu
Law Corp.
Per:

John Lee

cc Director of Development, Brian Jackson





140 - 601 West Cordova Street
Vancouver, British Columbia V6B 1G1
Tel: (604) 699-2420 Fax: (604) 697-0964

July 22, 2009

Michael Chung
8031 Williams Road
Richmond, BC
V7A 1G4

RE: Our File No. : SNF 100390042
Our Insured: PMH Holdings Ltd.
Date of Loss: 08/25/2008

Dear Mr. Chung:

We have investigated this matter on behalf of our insured, after they received a copy of a letter that was directed to Mr. Lee of Jang & Co.

The engineer, who was retained to determine the cause of the alleged damage, has advised that the damage is pre-existing and not the result of the work performed by our insured on the neighboring property.

We write to advise that we are formally denying any and all liability for the damages to your property.

Yours truly,
MCLARENS CANADA

Nina Finter, CIP
Assistant Claims Manager

CC: PMH Holdings Ltd.

Schedule 3 to the Minutes of the
Development Permit Panel meeting
held on Wednesday, March 10, 2010.

JANG CHEUNG LEE CHU
LAW CORPORATION

To Development Permit Panel
Date: <u>MAR. 10, 2010</u>
Item # <u>5</u>
Re: <u>PV 09-480570</u>

7th Floor, London Plaza
#700 - 5951 No. 3 Road
Richmond, B. C. V6X 2E3
Canada

Tel. 604.276.8300
Fax. 604.276.8309
Reply to: John V. Lee

March 8, 2010

File No. G080978-JL

McLarens Canada
140 - 601 West Cordova Street
Vancouver, BC V6B 1G1

Attention: Nina Finter, CIP
Assistant Claims Manager

Re: Your file No. SNF 100390042
Your insured: PMH Holdings Ltd.

We are the lawyers acting for our client, Sonus Developments No 3 Ltd., and we understand that you are handling the PMH Holdings Ltd. file in regards to the potential claim by Michael Chung.

We refer to your engineering report which concluded that concrete driveway damage was pre-existing to the work performed by PMH Holdings Ltd.

Our client requests that you re-investigate the damage claims and determine with specific detail that such damage was not related to your insured.

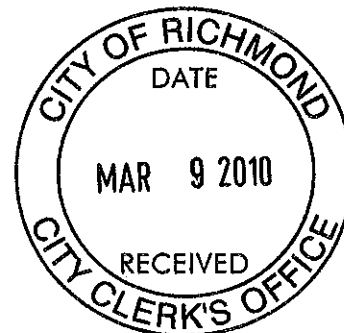
Thank you for your kind cooperation in this matter.

Yours truly,

Jang Cheung Lee Chu
Law Corporation

Per:

John V. Lee

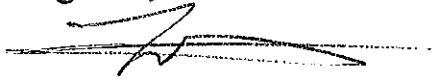


March 9, 2010

To: Tony Chen and whom it may concern,

In response to the proposal I received from you option 2 would most preferable. This option included planting three trees and some minor landscaping to fix the area where a shared tree had been removed along the fence line. It is my understanding that a hedge will already be planted along the back side of the new town homes.

Regards,



Jon MacKay

9851 Pigott Road

Richmond, B.C., V7A 2C1

Schedule 4 to the Minutes of the
Development Permit Panel meeting
held on Wednesday, March 10, 2010.

March 09 2010

The City Council

City of Richmond

6911 No 3 Road

Richmond BC V6Y 2C1

Re: Notice of Application for Development Variance DV09-480570

Builder of 9700 Block No 3 Road is requested to come up with a soil test from his property due to the recent alleged settlement in his property leading to settlement of my property 8031 Williams Road plus surrounding neighbors. This is in most cases due to miscalculation of preloading and compaction of soil.

It is for the benefit of the general public, future owners and neighbours that we should have this issue taken care of immediately that compaction/preloading is calculated/tested prior to any further permit is granted.

Last but not least, fly by builders are found in different projects leading to potential losses of either buyers, neighbours or even the general public. A sufficient amount of performance bond must imposed ensuring that any existing/potential damages will be remedied especially in this particular case where this builder is known for his bad faith.

Michael Chung

Owner


8031 Williams Road

Richmond BC V7A 1G4

FEBRUARY 10, 2010

Owner will Place the
sum of \$ ~~35,000~~ ^{FIFTY THOUSANT} 50,000.

in trust with John Lee.

By February 12, 2010 By
4:30 P.M.

Owner will Repair the items
set out in the quotations &
complaints to ^{Michael Chung} ~~owner's~~ satisfaction

By MAY 15, 2010, these funds will
be remitted to Michael Chung.
After MAY 15, 2010 if the Repairs
have not been completed

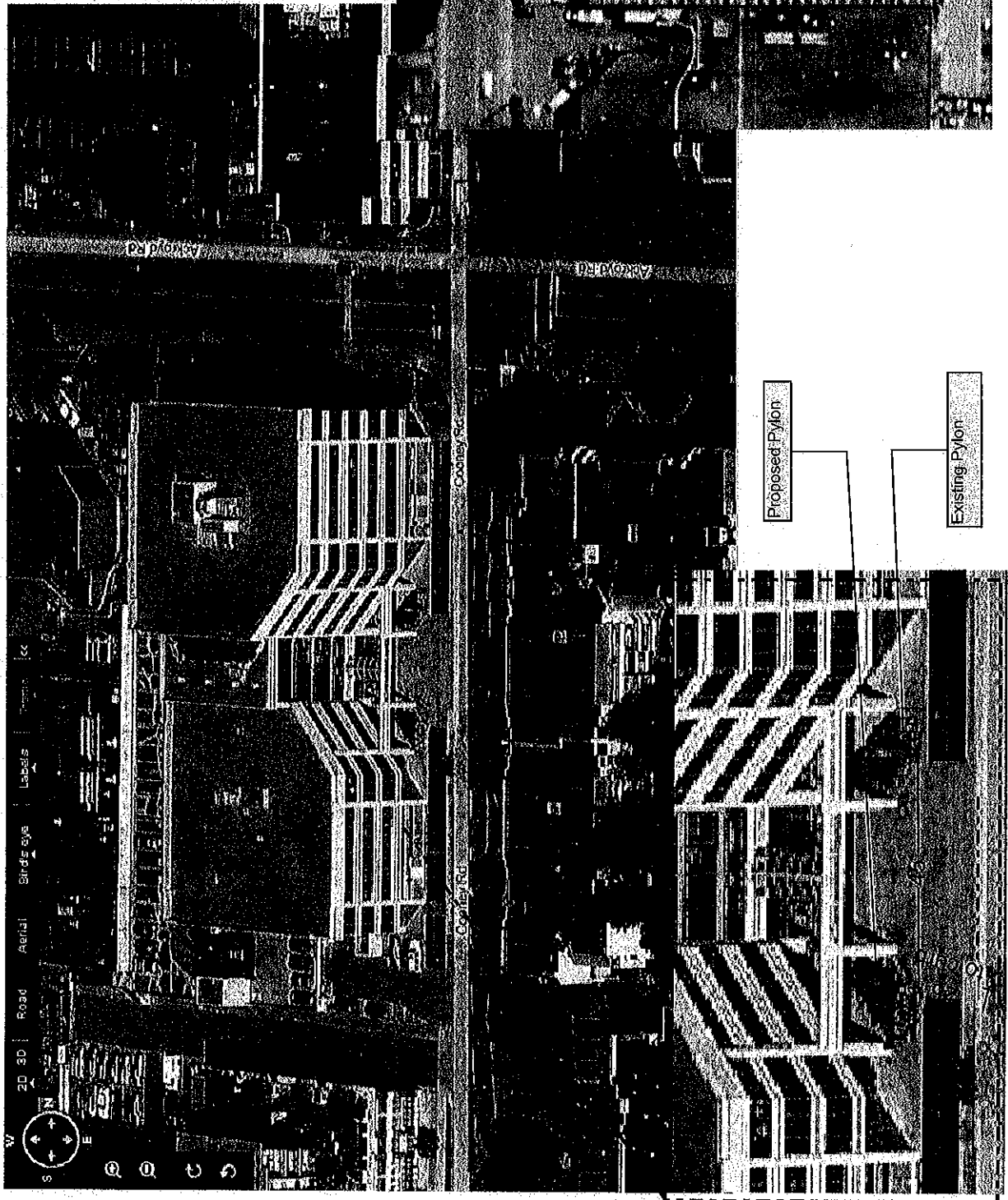
Any dispute concerning workmanship
to be determined by 3rd party
independent construction professional

Michael Chung [Signature]

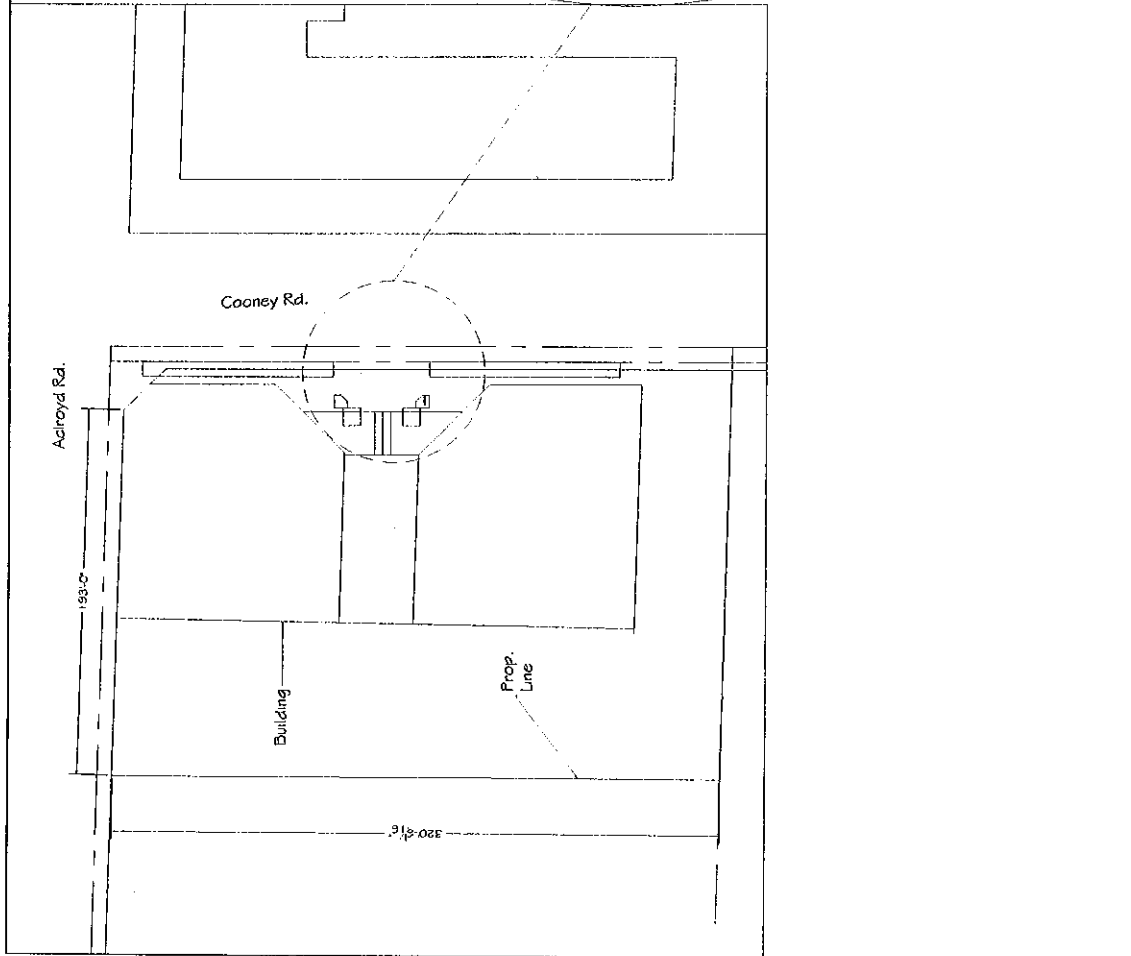
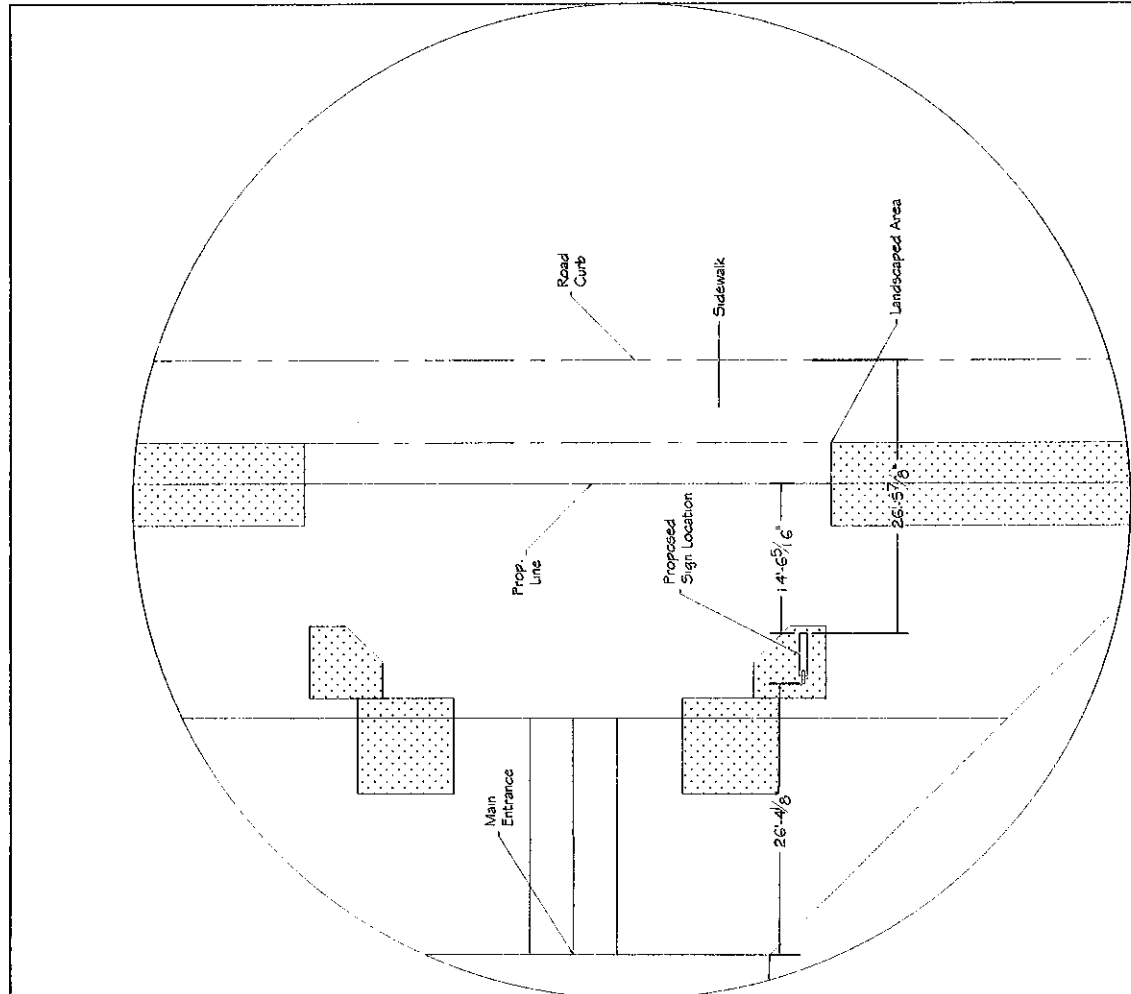
PRIORITY PERMITS

Your Sign Permit Solution

SITE ADDRESS
5811 Cooney Rd.
Richmond, BC

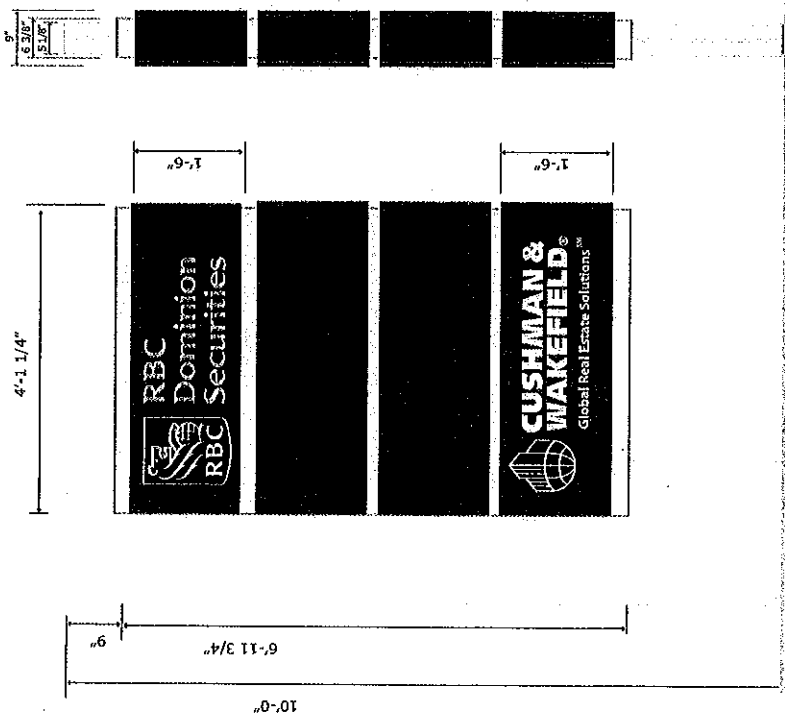


Schedule 5 to the Minutes of the Development Permit Panel meeting held on Wednesday, March 10, 2010.



<p>PRIORITY PERMITS Your Sign Permit Solution</p>	<p>PRIORITY PERMITS #407 - 604 COLUMBIA ST. NEW WESTMINSTER, B.C. PH: (604)-587-5869</p>	<p>SCALE: 1/8" = 1'</p>	<p>DRAWING BY: JD</p> <p>DATE: 2010/01/07</p>	<p>DRAWING TITLE: Site Plan</p>	<p>PROJECT: Pacific Business Centre 5511 Cooney Rd. Richmond, BC</p>
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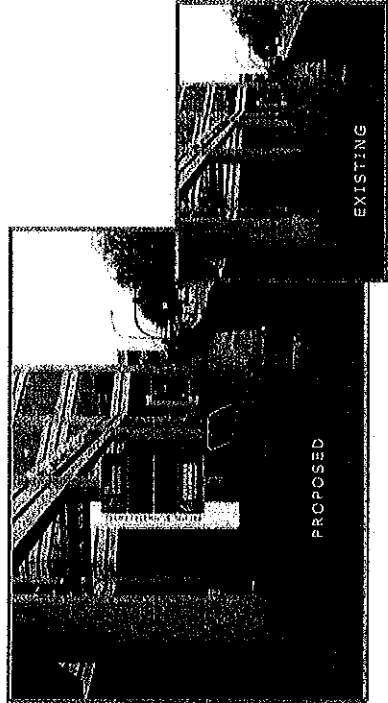
IF YOU CAN READ THIS YOUR PDF PRINTOUT IS NOT IN SCALE. CHANGE PAGE SCALING TO (NONE)



SECOND PYLON TO MATCH EXISTING DOUBLE FACE PYLON
 FOUR TENANT PANELS - PAINTED DARK GREY, GP ANZAC CL3085D
 ROUTED, BACKED WITH PLEX CW VINYL GRAPHICS
 HO T-12 ILLUMINATION
 PACIFIC BUSINESS CENTRE - CUT OUT 1/8" ALUMINUM LETTERS
 PAINTED PMS 877 SILVER
 MOUNTED ON SHEET METAL CLADDING PAINTED GP STONEY
 PLAIN CLW 1037W

TENANT PANELS

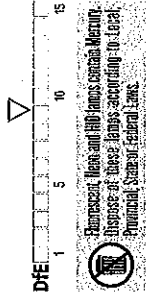
- RBC DOMINION SECURITIES
 BACKGROUND - PAINTED DARK GREY,
 ROUTED, BACKED WITH PLEX CW VINYL GRAPHICS
 HO T-12 ILLUMINATION
- LOGO TRANSLUCENT VINYL
 YELLOW VQ 10599
 BLUE VQ 10600
 WHITE 3/16" WHITE ACRYLIC
- CUSHMAN & WAKEFIELD
 BACKGROUND - PAINTED DARK GREY,
 ROUTED, BACKED WITH PLEX CW VINYL GRAPHICS
 HO T-12 ILLUMINATION
- LOGO TRANSLUCENT VINYL
 RED 3630-33 RED WITH WHITE OUTLINE
 WHITE 3/16" WHITE ACRYLIC
 COPY WHITE 3/16" WHITE ACRYLIC



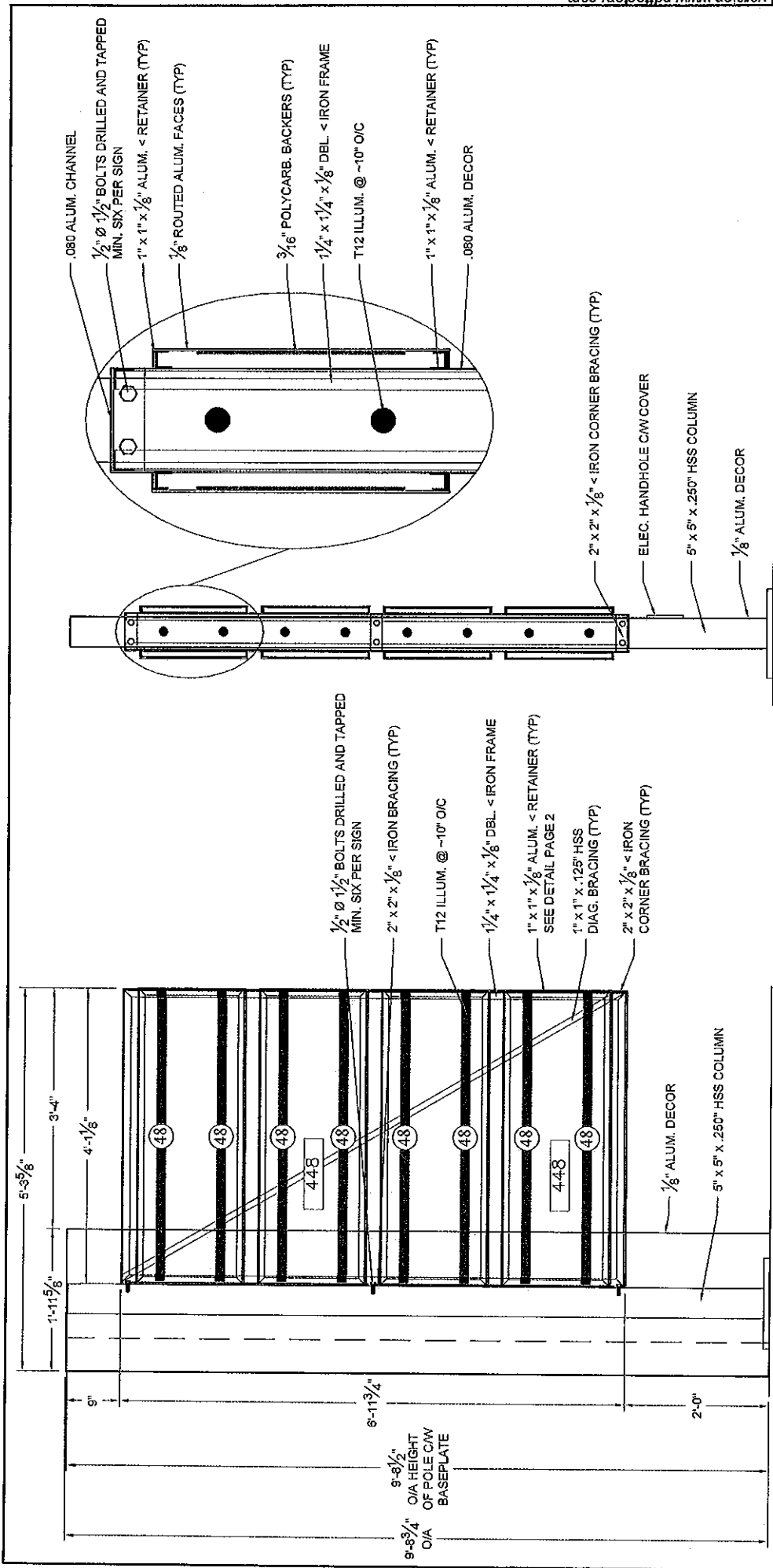
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 Tel: (604) 212-5526
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 A Division of Jim Pattison Industries Ltd.

DATE: MARCH 25 09
 SKETCH: V09-0206_M
 SALES: PETER STANLEY
 ARTIST: SHEENA
 SCALE: 1/2" TO 1'-0"
 PAGE: 2 OF 2

MASTER SIGN OFF
 DATE OF MASTER: SEPT 8 2009
 MASTER REVISION HISTORY
 1
 2
 3
 REVISION HISTORY (PRIOR TO MASTER PRINT)
 1



PACIFIC BUSINESS CENTRE
 CONCERT REALTY SERVICES LTD
 5811 COONEY ROAD
 RICHMONG BC



CROSS SECTION

SHOWING CONSTRUCTION DETAILS

FRONT ELEVATION

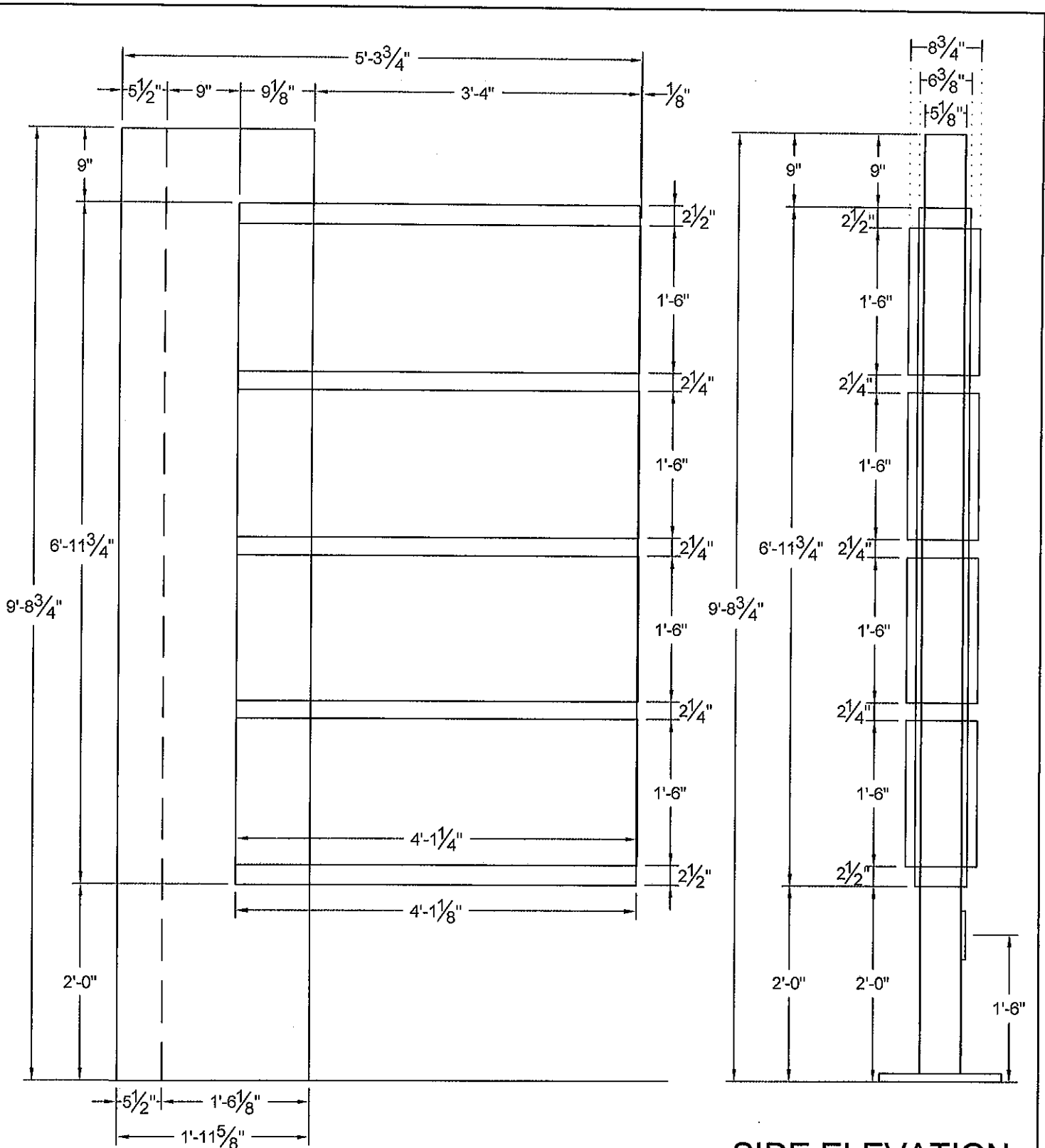
SHOWING CONSTRUCTION DETAILS



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	LOAD	1-15A/120V CCT	DATE	09/25/09	ADDRESS	5811 COONEY RD RICHMOND, BC
	SCALE	3/4" = 1'-0"	PAGE	1 OF 5	JOB NO.	049866

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FRONT ELEVATION

SHOWING DIMENSIONS

SIDE ELEVATION

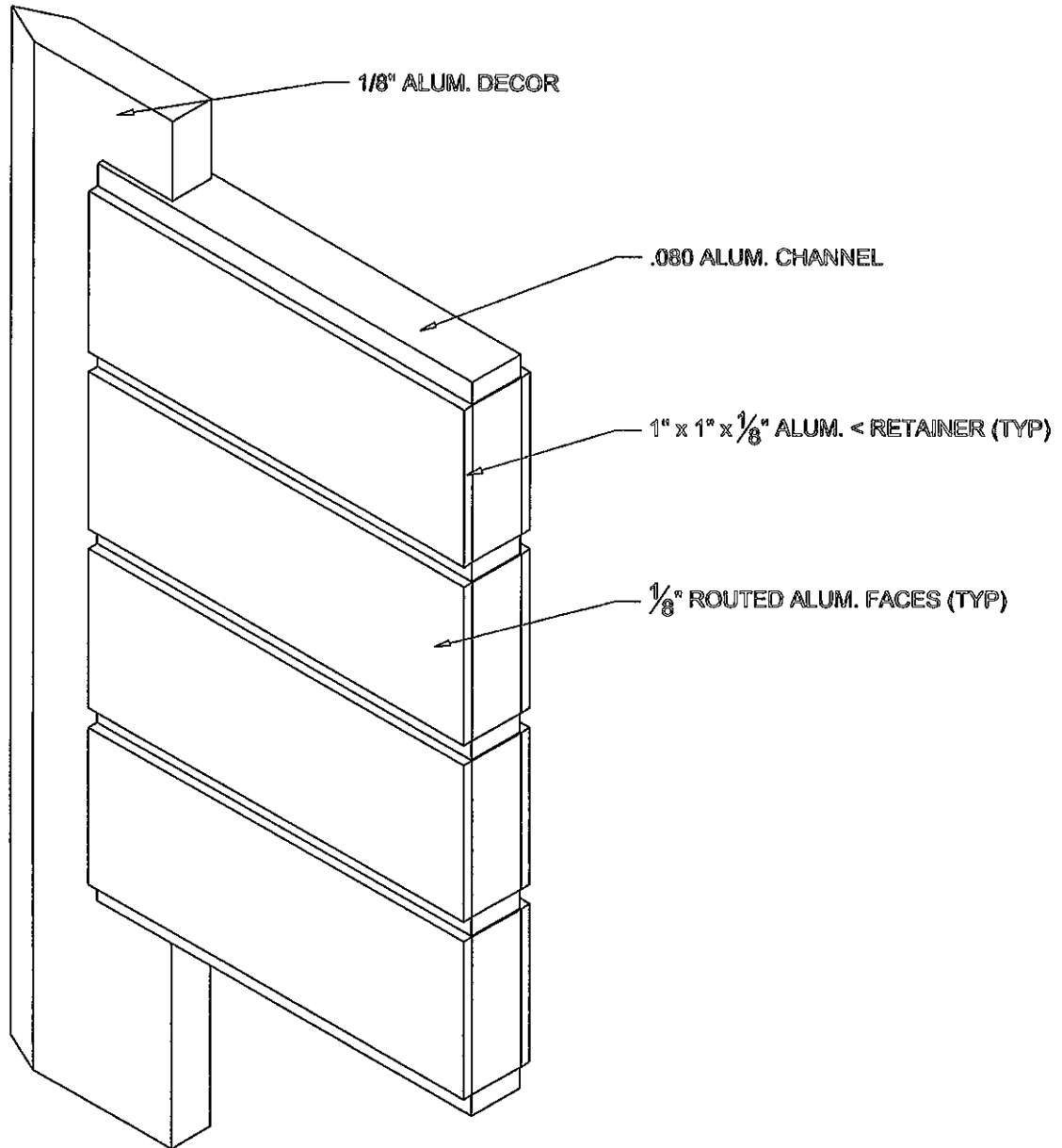
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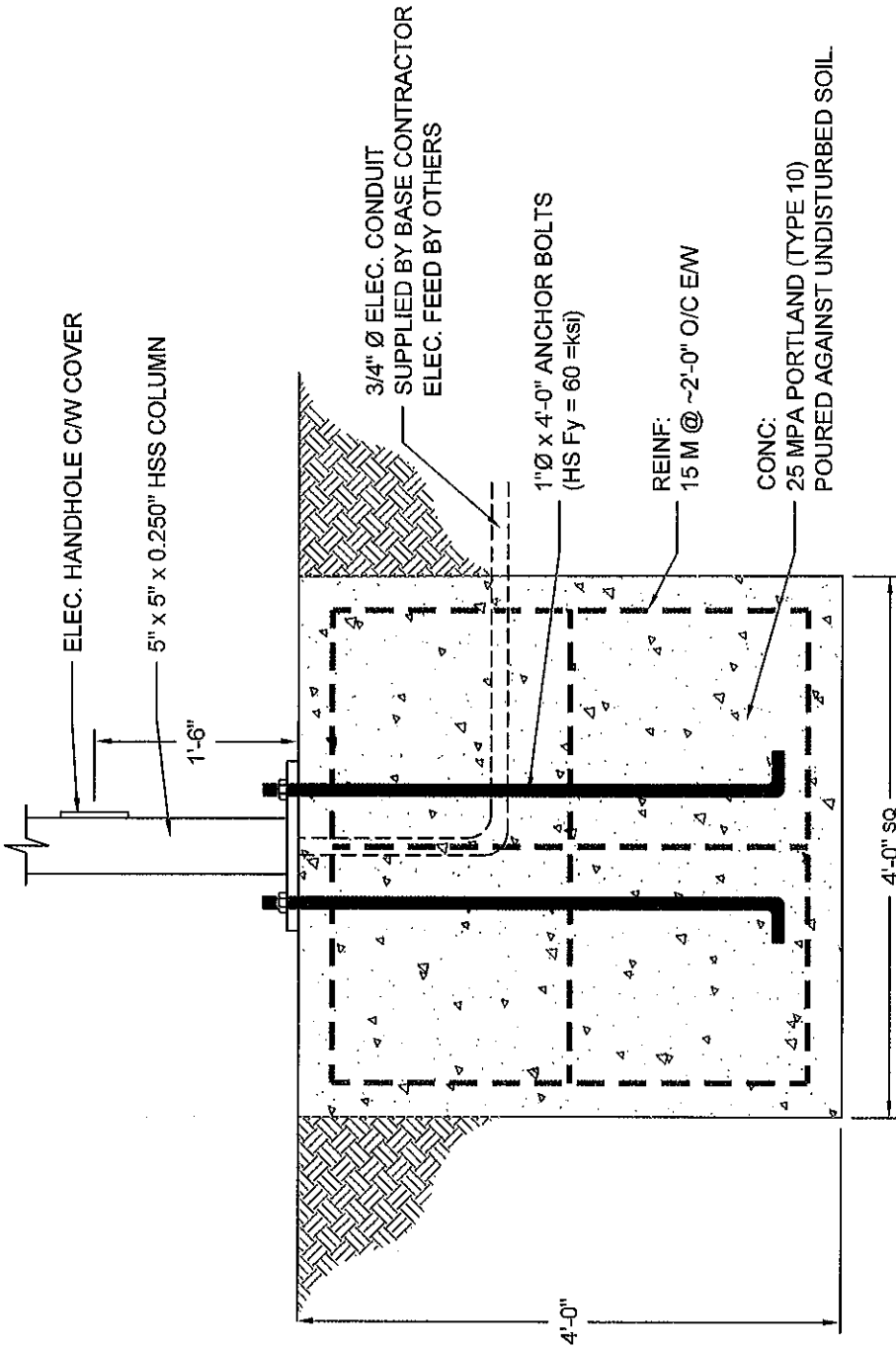
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FRONT ELEVATION

SHOWING BASE DETAILS

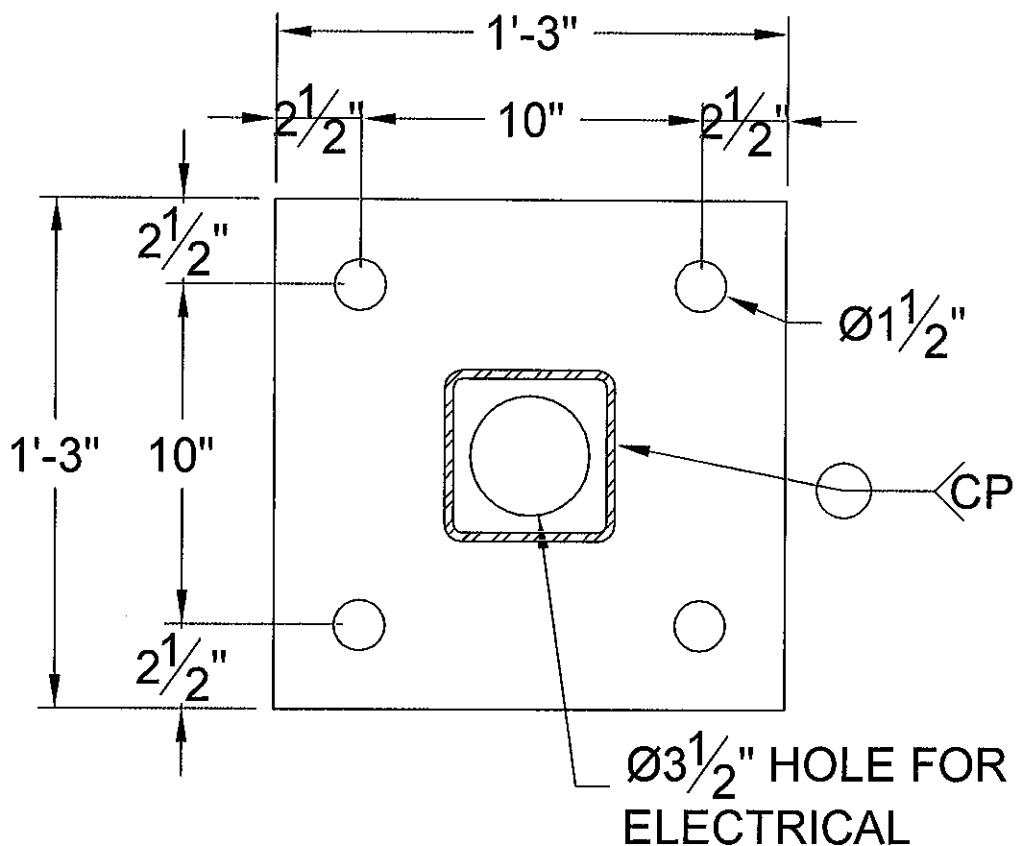
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BASEPLATE DETAIL

5" x 5" x 0.250" HSS

15" x 1" x 15" BASEPLATE C/W

FOUR (4) 1 1/2" Ø HOLES @ 10" O/C

FOUR (4) 1" Ø x 4'-0" ANCHOR BOLTS

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