



Regular Council Meeting for Public Hearings

Monday, March 15, 2010

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 Greg Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Ken Johnston
Councillor Bill McNulty
Councillor Harold Steves

Gail Johnson, Acting Corporate Officer

Call to Order: Mayor Brodie opened the proceedings at 7:00 p.m.

1. **Zoning Amendment Bylaw 8575 (RZ 07-361639)**
(22331 Westminster Hwy; Applicant: Denis Turco Architect Inc)

Applicant's Comments:

The applicant was available to answer questions.

Written Submissions:

- (a) William Yuen, #30-22380 Sharpe Avenue, Richmond (Schedule 1)
- (b) Qing Hua Xu and Ting Huang, #33-22380 Sharpe Avenue, Richmond (Schedule 2)
- (c) Hugh Li, #32-22380 Sharpe Avenue, Richmond (Schedule 3)
- (d) Albert Tam, #16-22380 Sharpe Avenue, Richmond (Schedule 4)
- (e) Anita Chui, #8-22380 Sharpe Avenue, Richmond (Schedule 5 and Schedule 6)
- (f) Chun Wing Chui, #8-22380 Sharpe Avenue, Richmond (Schedule 7)
- (g) Sebastian Pigeon, #25-22380 Sharpe Avenue, Richmond (Schedule 8)



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Brian Jackson, Director of Development, with the aid of visuals, provided an overview of the proposed project and its affect on the adjacent properties. He also referred to the cross-access easement from Sharpe Avenue to the development that would accommodate vehicles and pedestrians, noting this was obtained during rezoning of the property at 22380 Sharpe Avenue. No access can be provided from Westminster Highway due to safety concerns.

Submissions from the floor:

Sebastian Pigeon, #25-22380 Sharpe Avenue, outlined the concerns of the Rosedale Gardens Strata Council related to the access provision, citing concerns about traffic safety, wear and tear on the driveway, the potential adverse affect on maintenance payments, and property values. A copy of Mr. Pigeon's submission is attached to these Minutes as Schedule 8.

Mr. Pigeon also wondered how the two strata councils would deal with common maintenance issues, and if construction could start at 8 a.m. rather than 7 a.m.

Raj Brar, on behalf of the applicant, indicated that he would discuss with his partners the possibility of delaying construction start time to 8 a.m., and noted the new development would be compatible with the neighbouring townhouse development.

Helen Yuk, #26-22380 Sharpe Avenue, expressed opposition to the proposed road access of the new development.

PH10/2-1

It was moved and seconded

That Zoning Amendment Bylaw 8575 be given second and third readings.

CARRIED

- Zoning Amendment Bylaw 8576 (RZ 09-500596)**
(9640 Patterson Road and the Easternmost 1.0 m of 9620 Patterson Road;
Applicant: Amrit Paul Atwal)

Applicant's Comments:

The applicant was available to answer questions.



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Written Submissions:

None.

Submissions from the floor:

None.

PH10/2-2

It was moved and seconded

That Zoning Amendment Bylaw 8576 be given second and third readings.
CARRIED

- 3. Zoning Amendment Bylaw 8577 (RZ 09-494705)**
(9171/9191 No. 3 Road; Applicant: Christine Lei)

Applicant's Comments:

The applicant was available to answer questions.

Written Submissions:

None.

Submissions from the floor:

None.

PH10/2-3

It was moved and seconded

That Zoning Amendment Bylaw 8577 be given second and third readings.
CARRIED

- 4. Zoning Amendment Bylaw 8581 (RZ 09-493545)**
(Lots 61 to 70 Section 4 Block 4 North Range 4 West NWD Plan 1593
(5700 Dhillon Way); Applicant: Ralph May (on behalf of Ocean Spray of
Canada Ltd.))

Applicant's Comments:

The applicants were available to answer questions.

Written Submissions:

- (a) Harry Liu, 20371 Westminster Highway, Richmond (Schedule 9)



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Submissions from the floor:

None.

Upon request, Mr. Jackson provided clarification to the points raised in Mr. Liu's letter. The applicant was requested to contact Mr. Liu in order to address his concerns.

PH10/2-4

It was moved and seconded

That Zoning Amendment Bylaw 8581 be given second and third readings.
CARRIED

ADJOURNMENT

PH10/2-5

It was moved and seconded

That the meeting adjourn (7:47 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, March 15, 2010.

Mayor (Malcolm D. Brodie)

Acting Corporate Officer,
City Clerk's Office (Gail Johnson)

MayorandCouncillors

From: on behalf of MayorandCouncillors
Subject: FW: Send a Submission Online (response #490)

To Public Hearing
Date: <u>March 10, 2010</u>
Item # <u>1</u>
Re: <u>Bylaw 8575</u>

From: City of Richmond Website [mailto:webgraphics@richmond.ca]
Sent: Wednesday, 10 March 2010 11:02 AM
To: MayorandCouncillors

Schedule 1 To The Minutes Of The
Regular Meeting Of Council For Public
Hearings Held On Monday, March 15,
2010.

Your Name:	William Yuen
Your Address:	30 - 22380 Sharpe Ave., Richmond, BC V6V 0A1
Subject Property Address OR Bylaw Number:	Bylaw 8575 (RZ 07-361639)
Comments:	Very very shock and strongly objection about the vehicle access from Sharpe Ave. through 22380 Sharpve Ave. Is there not a privacy property?????? The problem such as noisy intrusion, air pollution, damage and car accident will be incurred afterwards. Who should take the responsibility about that?



To Public Hearing	
Date:	March 15, 2010
Item #	1
Re:	Bylaw 8575

MayorandCouncillors

From: City of Richmond Website [webgraphics@richmond.ca]
Sent: March 13, 2010 9:14 PM
To: MayorandCouncillors
Subject: Send a Submission Online (response #491)

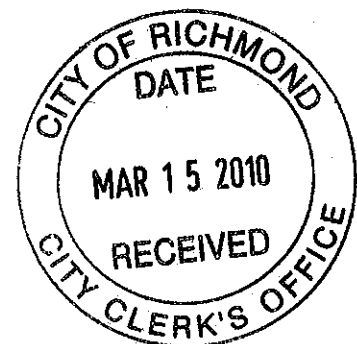
Schedule 2 To The Minutes Of The
Regular Meeting Of Council For Public
Hearings Held On Monday, March 15,
2010.

Send a Submission Online (response #491)**Survey Information**

Site:	City Website
Page Title:	Send a Submission Online
URL:	http://cms.city.richmond.bc.ca/Page1793.aspx
Submission Time/Date:	2010-03-13 9:13:25 PM

Survey Response

Your Name:	Qing Hua Xu and Ting Huang
Your Address:	33-22380 Sharpe Avenue, Richmond, BC
Subject Property Address OR Bylaw Number:	Zoning Amendment Bylaw 8575 (RZ 07- 361639)
Comments:	We can not agree to any trespassing for whatever reason. 22380 Sharpe avenue is a private owned property , because of that, this application of bylaw change has no basis. In our opinion, the city shall keep the original zoning as it is, and any change to this has to be solid backed.



To Public Hearing	
Date:	March 15, 2010
Item #	
Re:	Bylaw 8575

MayorandCouncillors

From: City of Richmond Website [webgraphics@richmond.ca]
Sent: March 15, 2010 2:01 AM
To: MayorandCouncillors
Subject: Send a Submission Online (response #492)

Schedule 3 To The Minutes Of The Regular Meeting Of Council For Public Hearings Held On Monday, March 15, 2010.

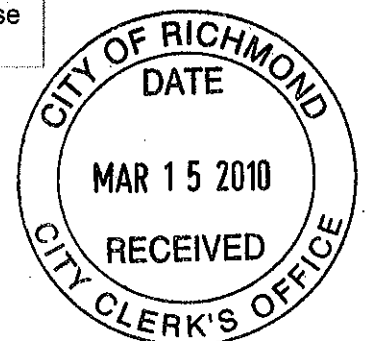
Send a Submission Online (response #492)

Survey Information

Site:	City Website
Page Title:	Send a Submission Online
URL:	http://cms.city.richmond.bc.ca/Page1793.aspx
Submission Time/Date:	2010-03-15 1:59:57 AM

Survey Response

Your Name:	Hugh Li
Your Address:	32 - 22380 Sharpe Ave. Richmond
Subject Property Address OR Bylaw Number:	Bylaw 8575
Comments:	<p>Dear council members for the public hearing: We object the "vehicle access through 22380 Sharpe Ave" in the rezoning application at 22331 Westminster Highway. The easement to the other property for the vehicle access will bring up the complicated situations and issues. It is not fair to the property owners whose rights are granted without being informed ever. The owners in 22380 Sharpe Ave did not know that there is an easement on our land to the other property. We feel that we are fooled and forced. We have several concerns as follows about this easement:</p> <p>. The 6 town houses will increase the traffic in Rosedale garden dramatically and would cause the safety issues. Our kid cannot play in the garden anymore . From the developer's plan, their strata entrance directly faces the doors of the units in Rose dale garden that have little kids. The cross access vehicles will definitely cause the potential safety issues . The vehicle access from the residents in the 6 town houses through our property is a heavy burden on us. The 6 town houses (being added to our 35 town houses) will occupy 16% the outdoor amenity space of Rose dale garden and reduce the living quality in Rose dales garden greatly. Sincerely, Hugh LI</p>



Schedule 4 To The Minutes Of The Regular Meeting Of Council For Public Hearings Held On Monday, March 15, 2010.

To Public Hearing	
Date:	March 15, 2010
Item #	1
Re:	Bylaw 8575

		INT
	DW	
✓	GJ	
	KY	
	DB	

CityClerk

From: Albert Tam [alkht1@gmail.com]
Sent: Monday, 15 March 2010 3:19 PM
To: CityClerk
Subject: Zoning Amendment Bylaw 8575 (RZ 07-361639)
Categories: UCRS CODE / FILE NUMBER: 12-8060-20-8575

To: cityclerk

Subject: Written submissions regarding "Zoning Amendment Bylaw 8575 (RZ 07-361639)"

I'm an owner of the town house complex at 22380 Sharpe Ave. My name is Albert Tam and I own/co-own unit #16. Under the Zoning Amendment Bylaw 8575, I notice that vehicle access for this zone is through 22380 Sharpe Ave. I'm object to this amendment. 22380 Sharpe Ave is NOT a public street and it is a private property, a 35 unit townhouse complex. The two complexes, the proposed new project and the existing 22380 Sharpe Ave townhouse complex, are NOT related and is an intrusion on private land ownership (all townhouse owners and the strata of 22380 Sharpe Ave complex) to permit vehicle access to the new zone/project by route through a private property/existing townhouse complex.

Also, this will incur insurance consideration, privacy consideration, noise, and rights of access/ownership.

Albert Tam
 alkht1@gmail.com
 Unit#16 22380 Sharpe Ave, owner



MayorandCouncillors

From: City of Richmond Website [webgraphics@richmond.ca]
Sent: March 15, 2010 3:46 PM
To: MayorandCouncillors
Subject: Send a Submission Online (response #494)

To Public Hearing
Date: <u>March 15, 2010</u>
Item #: <u>1</u>
Re: <u>Bylaw 8515</u>

Schedule 5 To The Minutes Of The Regular Meeting Of Council For Public Hearings Held On Monday, March 15, 2010.

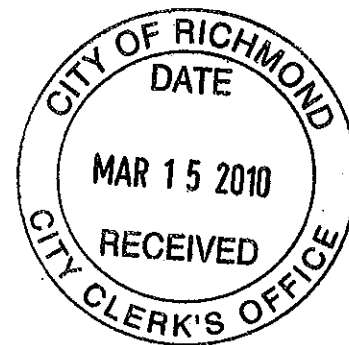
Send a Submission Online (response #494)

Survey Information

Site:	City Website
Page Title:	Send a Submission Online
URL:	http://cms.city.richmond.bc.ca/Page1793.aspx
Submission Time/Date:	2010-03-15 3:45:19 PM

Survey Response

Your Name:	Anita Chui
Your Address:	8-22380 Sharpe Avenue, Richmond BC
Subject Property Address OR Bylaw Number:	RZ 07-361639
Comments:	I strongly oppose the 6 town housing ZT-61 units to have vehicle access from Sharpe Ave through 22380 Sharpe Ave!!! It is our private vehicle access and we have paid mothly strata fees to maintain it. I DO NOT want to allow any other to share our vehicle access as a free rider!



Schedule 6 To The Minutes Of The
Regular Meeting Of Council For Public
Hearings Held On Monday, March 15,
2010.

To Public Hearing	
Date:	March 15, 2010
Item #	1
Re:	Bylaw 8575

		INT
	DW	
✓	GJ	
	KY	
	DB	

CityClerk


From: Anita Chui [anitapuiming@yahoo.ca]
Sent: Monday, 15 March 2010 11:32 AM
To: CityClerk; CityClerk
Subject: Today's public hearing - Mar 15, 2010 7pm
Categories: UCRS CODE / FILE NUMBER: 12-8060-20-8575

I am the resident of unit 8 - 22380 Sharpe Ave, Richmond BC, V6V 0A1 and would like to express my objection to proposed rezoning of bylaw 8575 (RZ 07-361639) with regards to allow the development of 6 townhouses with vehicle access from Sharpe Avenue through 22380 Sharpe Ave.

I strong oppose to the vehicle access lane is a private property that belongs to our complex and we DO NOT want to have additional vehicle access or to be shared with another townhouse unit. We are unable to attend the public hearing tonight but would like to express our concern.

Thank you!

Anita Chui
604-725-3331

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MayorandCouncillors

From: City of Richmond Website [webgraphics@richmond.ca]
Sent: March 15, 2010 3:50 PM
To: MayorandCouncillors
Subject: Send a Submission Online (response #495)

To Public Hearing	
Date:	March 15, 2010
Item #	1
Re:	Bylaw 8575

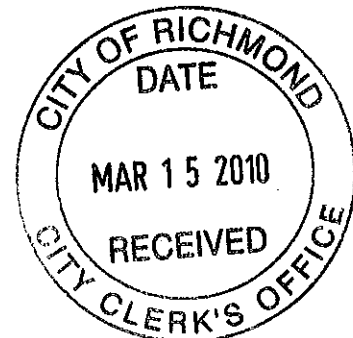
Schedule 7 To The Minutes Of The
Regular Meeting Of Council For Public
Hearings Held On Monday, March 15,
2010.

Send a Submission Online (response #495)**Survey Information**

Site:	City Website
Page Title:	Send a Submission Online
URL:	http://cms.city.richmond.bc.ca/Page1793.aspx
Submission Time/Date:	2010-03-15 3:49:06 PM

Survey Response

Your Name:	Chun Wing Chui
Your Address:	8-22380 Sharpe Avenue
Subject Property Address OR Bylaw Number:	RZ 07-361639
Comments:	I am unable to attend tonight's public hearing for the 6 town house units wanting to use our private road as vehicle access but I strongly disagree and oppose to this issue. I do not understand why there should even be a public hearing for this as this vehicle lane is the private property that belongs to our complex and why are they allow to share our vehicle lane? Are they going to pay us maintence fee for the vehicle lane if this is approve? I strong oppose to this and is very upset for the idea!



Richmond Public Hearing

Issue: Zoning Amendment Bylaw 8575 (RZ 07-361639)

Easement Concerns by the Rosedale Gardens Strata Council:

The Council is concerned about the easement versus the regulations governing our complex:

- 1- **Safety:** How can we maintain order over the vehicles running through our complex when we don't have Strata authority over their actions? Can the Strata Council have discretionary power to give fines to the new owners if they go over the speed limit or act in a way that can endanger the residents of Rosedale Gardens? Will there be a need for speed bumps and can the City provide this?
- 2- We'll need a cost-sharing mechanism to help maintain the wear and tear of the common driveway:
 - Snow removal
 - Common light usage
 - Cost of the asphalt (once it needs to be repaired or replaced)
 - Landscaping (what is considered shared landscaping)
- 3- The new complex being much smaller and tighter, how will garbage removal and recycling be handled? We can easily anticipate the new owners to use our amenities without our authorization, including:
 - The visitor parking spaces
 - The children's playground
 - The recycling bins
 - The basketball court (when Strata decides to reinstall it again)
- 4- **Improper management:** Ours, and the other complexes around are all managed by Strata Property Management companies. This new 6-unit complex might be self-managed since it's much smaller, which might lead to an incomplete form of management. Will there be a way the City can enforce some type of management, like the employment of our strata manager (or another of their choice), to ensure the proper maintenance of the complex? This idea is also in respect to everyone's property value being affected by improper management.

One example is we have rodents in the area (racoons) and we have to enforce keeping garbage cans in our garages, under penalty of fines.

- 5- "A restrictive covenant will be registered on the property to ensure that no vehicle access is obtained from Westminster Highway." Conditional Rezoning Requirements p.4

"Similar to the adjacent developments, to protect the future dwellings units on the subject site from potential noise impacts, restrictive covenants will be required to be registered in Title as a condition of rezoning to ensure that:

- The landscaping proposed along the Westminster Highway frontage to form a noise buffer will be planted, maintained, and not removed; and
- Noise attenuation will be required to be incorporated into dwelling unit design and construction." Bylaw 8575 Report PH 03151025458 (3)

Seeing noise reduction plays an important part in the attribution of the easement and Rosedale Gardens has not tried to counter the easement in any way, we would please ask the City to consider permitting construction to begin at 8am instead of 7am in the morning, for that same reason, to allow noise impact reduction from construction for the residents and children of Rosedale Gardens.

- 6- As written in the easement:

"The Transferee shall indemnify and save harmless the Transferor from and against all liabilities, obligations, claims, damages, penalties, costs and expenses arising by reason of or in connection with the exercise by the Transferee of the rights hereby conferred."

...which include cosmetic or structural damages and debris of any kind left on or around the property during and after construction.

- 7- The easement also explains:

"The Transferor does hereby grant (...) the Transferee to: (a) enter upon, go, return, pass and repass by day or by night with or without vehicles (but not vehicles accessing the Dominant Tenement in respect of construction on the Dominant Tenement) upon the Easement Area for access purpose;"

... for which we're thankful to the Developer, ensuring he'll respect this agreement through all concerned tradesmen and working crew he'll employ. This is to ensure the ease of access for all residents and the safety of their children.

If the Developer or the City has any more information after tonight, please email or call The Rosedale Strata Council with the information provided.

Thank you,

The Rosedale Gardens Strata Council

rosedale.gardens@yahoo.ca

Property Manager: Clarence Yip (604-328-3238)

Name:

Unit Number:

Name:	Unit Number:
HELLEN YUK	unit 26
CECILIA MOU	Unit 27
Pingping Xie	Unit 32
ANDERSON LOUNN	UNIT 2
SEBASTIEN PIGEON	UNIT 25

MayorandCouncillors

From: City of Richmond Website [webgraphics@richmond.ca]
Sent: March 15, 2010 2:14 PM
To: MayorandCouncillors
Subject: Send a Submission Online (response #493)

To Public Hearing	
Date:	MARCH 15, 2010
Item #	4
Re:	Bylaw 8581

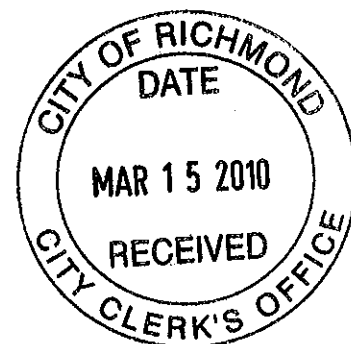
Schedule 9 To The Minutes Of The
Regular Meeting Of Council For Public
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2010.

Send a Submission Online (response #493)**Survey Information**

Site:	City Website
Page Title:	Send a Submission Online
URL:	http://cms.city.richmond.bc.ca/Page1793.aspx
Submission Time/Date:	2010-03-15 2:13:32 PM

Survey Response

Your Name:	Harry Liu
Your Address:	20371 Westminster Hwy.
Subject Property Address OR Bylaw Number:	8581
Comments:	<p>My concerns regard the placement of the building and the restructuring of Dillion Way. The concern over the building placement is that the proposed building will not be moving closer to Dillion Way but will be staying where it is proposed in the layout. From the layout it looks like it will just be building on top of the structure of the old driving range building, I would like to know how much larger or smaller in size the proposed cranberry processing facility will be compared to the old driving range building. It would be ideal for it to be smaller in height compared to the old driving range building. As for the reconstruction of Dillion Way the staff report mentions a detention pond, will that mean a reduction in the size of Dillion Way? Another concern about the structure of Dillion Way is how it will handle the load of heavy trucks without eroding the ditches that are already along the road. The ditches are important for the irrigation of the farm adjacent to Dillion Way and cannot be allowed to erode due to vibrations caused by heavy vehicles. Once construction is underway the restructuring of Dillion Way should be a priority before moving</p>



heavy material and heavy equipment onto the site because the current weight limitations of the road may not handle the weight of heavy construction equipment. The current gate that is placed in the path of Dillion Way should be removed, the road is also used by the adjacent farm to move larger equipment that the current road on the farm property cannot accommodate. The gate interferes with production on the farm and limits what can and cannot be moved. As of current Dillion Way cannot accommodate parking of any vehicles, there needs to be more than adequate parking for employees on its busiest season. Parking along Dillion Way should be prohibited. These are my current concerns regarding this Bylaw. Thank you for taking in the concerns of neighboring zones.