



**Regular Council meeting for Public Hearings  
Tuesday, April 18, 2017**

Place: Council Chambers  
Richmond City Hall

Present: Mayor Malcolm D. Brodie  
Councillor Chak Au  
Councillor Derek Dang  
Councillor Carol Day  
Councillor Ken Johnston  
Councillor Alexa Loo  
Councillor Bill McNulty  
Councillor Linda McPhail  
Councillor Harold Steves

Claudia Jesson, Acting Corporate Officer

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

1. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9293 (RZ 14-670471)**  
(Location: 11671 and 11691 Cambie Road; Applicant: Interface Architecture Inc.)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

- (a) Hank Ma, 11888 Mellis Drive (Schedule 1)

In response to a question from Council, staff advised that the road access has been revised to restrict access to Cambie Road.

*Submissions from the floor:*

None.



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*Discussion:*

In response to a question from Council, staff advised that a public walkway would be provided along the eastern boundary of the property to connect Mellis Drive to Cambie Road.

PH17/4-1

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9293 be given second and third readings.*

**CARRIED**

Opposed: Cllr. Day

2. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9537  
(RZ 14-674068)**

(Location: 8480 No. 5 Road; Applicant: Matthew Cheng Architect Inc.)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH17/4-2

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9537 be given second and third readings.*

**CARRIED**

3. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9646  
(RZ 16-728719)**

(Location: 9051 and 9071 Steveston Highway; Applicant: Harj Johal)

*Applicant's Comments:*

The applicant was available to respond to queries.



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*Written Submissions:*

- (a) Taha and Yusra Qaiser, 9093 Steveston Highway (Schedule 2)
- (b) George Zhuo, 9091 Steveston Highway (Schedule 3)
- (c) Soly Feng, 9091 Steveston Highway (Schedule 4)

In response to a question from Council, staff confirmed that a statutory right-of-way is registered on the titles of 9093 and 9097 Steveston Highway to provide vehicular access to the site from the rear lane. The statutory right-of-way will be removed from the titles when the rear lane is connected to Mortfield Gate.

*Submissions from the floor:*

None.

*Discussion:*

In response to questions from Council, staff advised that:

- the applicant is required to submit a Construction Parking and Traffic Management Plan and Lane Closure Request to the City's Transportation Department for review, prior to issuance of a Building Permit; and
- parking will be prohibited on Steveston Highway for the duration of the construction.

PH17/4-3

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 9646 be given second and third readings.***

**CARRIED**

4. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9672 (ZT 16-754143)**  
(Location: 13100 Smallwood Place; Applicant: OpenRoad Auto Group Ltd.)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.



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*Submissions from the floor:*

None.

PH17/4-4

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9672 be given second and third readings.*

**CARRIED**

**5. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9675  
(RZ 16-723761)**

(Location: 12320 Trites Road; Applicant: 1056023 Holdings Limited Partnership)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

*Discussion:*

It was noted that there would be a loss of industrial land, child care spaces and affordable housing as a result of the development. In addition, there was an expectation that the road along the waterfront would be upgraded to an industrial road to remove industrial traffic from Trites Road.

Staff provided the following information in response to questions from Council:

- no applications have been received on any other properties on Trites Road;
- there is still industrial designated land in the area; and
- the subject property was designated for residential use in the Official Community Plan (OCP), following extensive public consultation, some 20 years ago.



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It was moved and seconded

*That the application be referred back to staff.*

**DEFEATED**

Opposed: Cllrs. Au  
Dang  
Johnson  
Loo  
McNulty  
McPhail

PH17/4-5

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9675 be given second and third readings.*

**CARRIED**

Opposed: Cllrs. Day  
Steves

**6. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9684  
(RZ 15-713737)**

(Location: 10140 and 10160 Finlayson Drive; Applicant: Benn Panesar)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

Pavel Andrash, 10128 Finlayson Drive, expressed concerns regarding the proposed rezoning and requested:

- confirmation of undergrounding of BC Hydro and Telus service lines;
- new homes be required to provide on-site parking for the two rental suites included in the new homes; and
- replacement of the fence along the property line, following completion of construction.



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Mr. Andrash advised that he would not be opposed to the proposed subdivision if his requests were fulfilled.

In response to questions from Council, staff confirmed that:

- services would be undergrounded as a condition of the subdivision;
- each home is permitted to include one rental suite and is required to provide parking on site; and
- staff will speak to the Applicant regarding the replacement of the fence.

PH17/4-6

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9684 be given second and third readings.*

**CARRIED**

7. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9685  
(RZ 16-743867)**

(Location: 9680 Aquila Road; Applicant: Mickey Chow)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH17/4-7

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9685 be given second and third readings.*

**CARRIED**



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**8. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9686  
(RZ 15-708960)**

(Location: 9880 Granville Avenue and 7031 No. 4 Road; Applicant: Zhao XD Architect Ltd.)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH17/4-8

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 9686 be given second and third readings.***

**CARRIED**

**9. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9694  
(ZT 16-753545)**

(Location: 9920 River Drive; Applicant: Krahn Engineering Ltd.)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH17/4-9

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 9694 be given second and third readings.***

**CARRIED**

Opposed: Cllr. Steves



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**10. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9697  
(ZT 15-707253)**

(Location: 16160 and 16268 River Road; Applicant: Brook Pooni Associates)

*Applicant's Comments:*

A representative of Brook Pooni Associates reviewed the application and the commitments and voluntary contributions being offered by the Applicant.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH17/4-10

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 9697 be given second and third readings.***

**CARRIED**

**11. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9698  
(ZT 14-656010)**

(Location: 11991 Steveston Highway; Applicant: Suncor Energy Inc. (Petro-Canada Inc.))

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

*Discussion:*

In response to a question from Council, staff confirmed that the application is required as the use is different from the previously approved application.





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PH17/4-11

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9698 be given second and third readings.*

**CARRIED**

**12. BYLAWS RELATED TO SHORT-TERM RENTALS**

**OFFICIAL COMMUNITY PLAN BYLAW 9000, AMENDMENT BYLAW 9691; RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9647; RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9692**

(Location: City-Wide; Applicant: City of Richmond)

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared herself to be in a conflict of interest as her husband owns a bed and breakfast and left the meeting at 7:33 p.m.

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

(a) Terrance Sawasy, 9240 Walford Street (Schedule 5)

(b) [REDACTED], [REDACTED] (Schedule 6)

*Submissions from the floor:*

Brian Cooper, 5511 Cathay Road, advised that he is the co-owner of the Stone Hedge Bed and Breakfast. Mr. Cooper expressed concern that the proposed bylaw revisions do not include the requirement for licenced bed and breakfasts (B&Bs) to carry commercial insurance in order to protect guests.

Mr. Cooper recommended that the transfer of the licence be permitted if a new owner complies with all regulations for a specified length of time e.g. 30 days or 60 days.

In response to questions from Council, staff advised:

- there is no requirement for B&Bs to carry commercial insurance in the proposed bylaws but it is included in the proposed Bed and Breakfast Code of Conduct Guidelines; and
- business are permitted to transfer licences to new owners and this would also apply to licenced B&Bs.



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In response to questions from Council, Mr. Cooper advised:

- when Tourism BC was operating, it required a B&B to carry \$2 million of commercial insurance in order to maintain its certification; and
- Stone Hedge Bed and Breakfast is a member of Expedia, which requires commercial insurance coverage, but not all booking sites have the same requirement.

Matthew Yeung, resident, agreed with the bylaw provisions allowing up to two boarders or lodgers in a home without a licence and the requirement to obtain a business licence for more than two people and three rooms. Mr. Yeung expressed concern with the prohibition against homeowners renting their entire home for a period of less than 30 days. This is a common practice throughout the world and has been occurring in Richmond for over 10 years without an issue. Mr. Yeung stated that this prohibition restricts the freedom of the homeowner.

Don Flintoff, resident, requested clarification regarding:

- the 500 metre buffer zone; and
- how the buffer zone would apply to a condominium.

In response to Mr. Flintoff's comments, staff advised that:

- the buffer zone is for a 500 metre radius; and
- under the proposed bylaws, a B&B business would not be permitted in a condominium or strata property.

Jackie Sawasy, 9240 Walford Street, questioned the party responsible for monitoring whether home hotels are licenced. Ms. Sawasy reported that the property adjacent to her home is being operated as a hotel and there are six similar operations in her neighbourhood.

In response to Ms. Sawasy, Council advised:

- monitoring is based on complaints and the proposed bylaws bolster enforcement and penalties; and
- there is a requirement that the owner be present if a home is being operated as a licenced B&B.

Staff provided the following information in response to questions from Council:

- the addition of four Enforcement Officers will allow the City to be proactive and to respond quickly to complaints;



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- staff can provide information on the locations of licenced operations;
- a ticket and letters with deadlines to comply have been issued to the owner of the property adjacent to Ms. Sawasy's home, as the first stage of the enforcement program;
- there have been 19 new applications for B&B licences and many have been rejected;
- the conversion of the garage to a two bedroom rental unit can be dealt with through a variety of options under the Building Bylaw;
- future public complaints regarding public safety would be handled with two City inspectors attending the premises together and can be accompanied by the RCMP if a safety issue is identified; and
- a list of licenced B&Bs is not currently posted to the City website but this practice could be implemented.

Lynda ter Borg, 5860 Sandpiper Court, questioned how the requirement for the homeowner to be present would be applied if the owner were not physically located in Richmond to oversee the B&B business. Ms. ter Borg recommended that the homeowner be required to be physically available to attend to the operation of the B&B.

Ms. ter Borg requested clarification of the definition of "Residential Rental Accommodation" in Part 22 of the Zoning Bylaw and the Business Regulation Bylaw.

In response to Ms. ter Borg's comments, staff advised:

- there is no current requirement that the homeowner be present at all times, however the premises must be the operator's principal residence; and
- the definition of Residential Rental Accommodation is worded to disallow the rental of the entire home for a period of less than 30 days.

Gary and Suzanne Blair, 13333 Princess Street, advised that they are the owners of Abercrombie House, and expressed concerns regarding the potential for the existing site-specific zoning to be repealed. Mr. Blair recommended that site-specific zoning be continued and special rules be applied for heritage buildings.

Council recommended that Mr. and Mrs. Blair consult with City staff regarding their specific issues.

In response to a question from Council, staff advised that a development variance permit could be applied for.



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A Steveston resident expressed concern that there is no motivation for B&B owners to follow the rules, and recommended that:

- penalties for non-compliance be increased; and
- if the RCMP is called to address a noise issue and discovers that an unlicensed B&B is being operated, it be shut down and the occupants be required to vacate the home immediately.

In response to the comments, staff informed:

- RCMP is able to shut down a B&B due to noise violations and require occupants to vacate the home immediately; and
- the fine is per offense per day and after a certain number of fines have been issued, an application can be made for a court ordered injunction.

Council advised that the RCMP does not have the jurisdiction to enforce a City bylaw.

Richard Hourie, 11711 Bird Road, recommended that the penalties in the proposed bylaws be increased and details be included in the bylaws. Mr. Hourie questioned whether Fire Department inspections and health inspections are required prior to commencement of the operation of a B&B.

In response to Mr. Hourie's comments, staff confirmed:

- current practice is to undertake an inspection at the time of application to ensure compliance with the fire evacuation plan and floor plan submitted by the B&B operator;
- there are periodic inspections; and
- new construction must meet the current bylaws to have sprinklers in every room but older construction is required to have smoke detectors in each room and fire extinguishers.

In response to a question from Council, staff advised that under the *Community Charter*, the maximum amount of a fine for each infraction is \$1,000 per day, to a maximum of \$10,000 per day.

Kerry Starchuk, 7611 Lancing Place, advised that there is an illegal hotel operating next door to her home that presents health and safety issues. In the past, the hotel has been closed down and fines have been issued however, it continues to operate. Ms. Starchuk advised that City staff have been providing assistance to resolve the situation.

In response to questions from Council, staff confirmed:

- evidence is being compiled to seek a court ordered injunction;



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- an inspection is required at the initial application, annual renewal and upon receipt of a complaint;
- the only process available to shut down a B&B is through a court ordered injunction; and
- Health Inspectors will be notified if a health concern is reported.

Jackie Sawasy, 9240 Walford Street, addressed Council a second time and questioned if the homeowner is required to be present during an annual inspection.

In response to Ms. Sawasy’s comments, staff advised:

- in the case being referenced, a B&B licence would not be granted; and
- a representative of the operator may provide access to the home during an annual inspection, but the operator must show proof of residency.

*Discussion:*

Staff provided the following information in response to questions from Council:

- the expectation in modern homes is to have a significant number of bathrooms and bedrooms; and
- as long as the layout of the home resembles a single-family home, the City cannot take any action.

PH17/4-12

It was moved and seconded

*That Official Community Plan Bylaw 9000, Amendment Bylaw 9691 be given second and third readings.*

**CARRIED**

PH17/4-13

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9647 be given second and third readings.*

**CARRIED**

PH17/4-14

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9692 be given second and third readings.*

**CARRIED**



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PH17/4-15

It was moved and seconded

*That staff be directed to provide more information on the various inspections required to obtain and maintain a B&B licence.*

**CARRIED**

**ADJOURNMENT**

PH17/4-16

It was moved and seconded

*That the meeting adjourn (8:43 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 Tuesday, April 18, 2017.

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Mayor (Malcolm D. Brodie)

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Acting Corporate Officer  
(Claudia Jesson)

Schedule 1 to the Minutes of the  
Public Hearing meeting of  
Richmond City Council held on  
Tuesday, April 18, 2017.

**MayorandCouncillors**

To Public Hearing
Date: April 18, 2017
Item # 1
Re: R2-14-670471
BYLAW 9293

**From:** Webgraphics  
**Sent:** Monday, 17 April 2017 14:05  
**To:** MayorandCouncillors  
**Subject:** Send a Submission Online (response #1012)

## Send a Submission Online (response #1012)

### Survey Information

Site:	City Website
Page Title:	Send a Submission Online
URL:	<a href="http://cms.richmond.ca/Page1793.aspx">http://cms.richmond.ca/Page1793.aspx</a>
Submission Time/Date:	4/17/2017 2:05:33 PM

### Survey Response

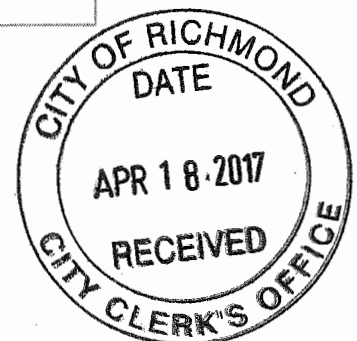
Your Name	Hank Ma
Your Address	11888 Mellis Dr
Subject Property Address OR Bylaw Number	RZ 14-670471
Comments	With a our townhouse complex in the south-east corner of Mellis Drive already creating creating traffic and parking issues from this neighbourhood during significant periods of the day (particularly at Bergen & Cambie), road access should be limited to Cambie road ONLY. The street along Mellis are already narrow as it is, with cars cutting the corner at high rates of speed, there are already concerns with the existing traffic, which will only get worse if the 20+ unit proposed development goes ahead with access to Mellis.

PHOTOCOPIED

MV

APR 18 2017

& DISTRIBUTED



Schedule 2 to the Minutes of the Public Hearing meeting of Richmond City Council held on Tuesday, April 18, 2017.

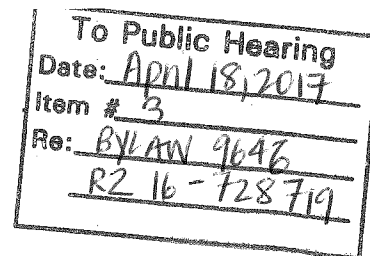
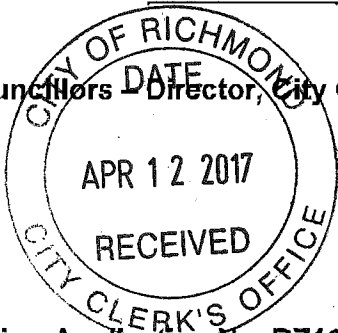
PHOTOCOPIED

**SUBMISSION FOR PUBLIC HEARING ON A**

**FAX NO. 604-278-5139**

APR 18 2017

Attn: The Mayor and Councilors - Director, City Clerk's Office  
City of Richmond  
6911 No. 3 Road  
Richmond BC V6Y 2C1



April 12<sup>th</sup>, 2017

**RE: Objection to Re-zoning Application No. RZ16-728719 relating to 9051 & 9071 Steveston Hwy property – Right of Way/Public Access over our Private properties**

Objections to Re-zoning application RZ16-728719 on the ground that it poses serious risk to adjacent homeowners and increases the possibility of accidents due to increased traffic in an unsuitable private lane (Between 9093 & 9097 Steveston Hwy)

Dear sir/madam,

We are in receipt of public hearing notice scheduled for April 18<sup>th</sup>, 2017. As we have been to many earlier meetings/public hearings with the same city staff. I am not sure what else the city wants us to present that we had not already presented. We still strongly object to giving public passage over our private properties based on all the evidence we previously presented related to RZ15-703150.

We had presented an independent legal interpretation on document # **BW406323** to the City council but it seems our every effort falling of City's deaf ears. We have also attached the copy of this letter for your consideration. This letter is self-explanatory and clearly states that this Statuary Right of Way (SRW) is only permitted for utility maintenance and NOT for public passage or access.

We are not objecting city re-zoning Bylaws, the city can very well re-zone but not at the expense of our private properties. We are expressing our strong objection because city is forcefully entering onto our private properties and trying to give public access through our private properties. The city must wait until the back lane is through before allowing re-zoning. Alternatively city could allow to keep atleast one access from Steveston Hwy to 9051 and 9071 because both properties have already two approved entrances from the Steveston Hwy.

I drove all the way from Dyke to the Watermania and there are no such lanes like this one that exists on Steveston highway which has public excess. There are some roads but those are owned by the city. We also offered the city an option of buying this lane from us at the market rate value but it seems the city is adamant in grabbing our land for free of cost and use as public passage based on an interpretation of the easement that it was not intended for (i.e. public access).

The letter from the City Bylaw manager (copy attached) to me clearly indicated that Bylaws are not applicable to this lane because the lane is a private property; it's NOT a PUBLIC ROAD. I am sure your City Bylaw Manager must have consulted your legal department before issuing that firm statement. Now City is denying its own statement because City staff feels that they are above the law of the land.

We are sure that this current controversial decision could be challenged in the court of law but unfortunately we are working people with limited resources. It is unfair that the city's legal department is using our tax money to give this controversial interpretation of SRW document # **BW406323** which is kept hidden from us under the blanket of so called "Privileged information. If you talk about fairness, then give us some budget from the City public contingency fund to



challenge this legal interpretation in the court of law. All we are asking is that you be fair to these homeowners rather than to the developer that stand to gain financially at our expense. Please don't play with our lives as we are similar to all other residents of Richmond who are paying your salaries. Put yourself in our shoes before deciding and think about that before making your final decision

This is very unfortunate that we voted for these councillors who are supporting this re-zoning. These councillors supposed to be protecting our rights but unfortunately they blindly decide to go along with their legal and planning department's advice because they want to protect their political seats.

We are really expecting proper justice from the city in this case. Council really needs to connect with people and broaden their vision. One day you could also be in the same situation. It's very easy to do the postal service; you really need to analyze the whole situation before making your final decision. There should be a third independent party with no influence from city hall to handle such controversial cases.

Therefore we are requesting the city council to re-consider and reject this re-zoning application under the current situation.

Below are the main points that we have been highlighting to the council, please do consider these genuine facts before making your final decision on this issue;

1. Loss of privacy and intrusion to local community
2. Increased property damage due to vehicle hitting the walls (we have already seen 3 hits on our retaining walls by non-residents)
3. Inadequacy of parking, traffic generation and endangerment to resident safety
4. Noise and disturbance resulting from increased local traffic
5. Unfounded grounds for the application - This new one sided legal interpretation of our right of way does not provide evidence of giving the access to public through our properties. The SRW Document # **BW406323** does not automatically allow City to give public access over our private property. City does need our consent to do that which we have already declined many times.

~~The intent of this document (SRW document # BW406323) was to provide the City of Richmond the "right of way" for occasional access to maintain the back-lane. The City of Richmond has now taken the position to treat this "right of way" as a public road and provide access to the back-lane for general public. There are many safety concerns if this lane is to be treated as a public road with regular two-way traffic. This private lane is connected directly to Steveston Hwy where vehicles are moving at 65 km/hr and so the turning radius used by some drivers is quite large and the speed at which they turn is alarming.~~

This is a narrow lane which poses potential dangers of vehicle colliding with the walls of our home. Wooden retaining walls have already seen three vehicle hits. It is a sharp right turn into this lane with not much advance visibility of any cars coming out at the time someone is going in.

The traffic on Steveston Highway is much heavier than 10 years ago and the city should revisit this decision to reflect the real traffic situation.

**Who is liable for a traffic accident on this private lane due to the increase of traffic imposed by the City of Richmond and Department of Transportation?**

The City of Richmond planner and planning committee dismissed our concerns and deem the lane to be fit for two way traffic because it is as wide as the back-lane. The back-lane does not connect to Steveston Hwy, but this lane does.

Request for information/clarification:

hwy. It does not matter whose fault it is when a bus or truck hits a small car from the back on a dark rainy day on Steveston Hwy – the folks in the car will be the ones getting hurt. No one even considered it worth looking up/ trying out despite all of us saying that we are having difficulty with the existing situation, so we have come to the conclusion that we are not significant enough in the large scheme of things to be considered. ***We feel truly sorry for the buyers of the proposed new homes if this goes forward. They will not know what they are getting into till they move in and start using this access. Just like we did not realize how difficult this type of access would be for us.***

We do need piece of mind for our families. This is very unfair imposition. We feel like we are being victimised by the City's interpretations of this SRW document. Our original objection to give access to builder over our properties still stands..

A few years back a pedestrian was hit by a visitor while turning onto the Steveston Hwy from this lane meaning more traffic more chances of hitting the pedestrian.

My neighbour "George", resident of 9091, was also involved in an accident. He was coming out of this lane slowly and a fast moving west bound car hit his car on the front side. These are real events that the city must re-consider

Everyone agrees that the anterior lane from Mortfield Gate is the solution. ***Perhaps the reason no steps are being taken to implement that is because there appears to be a free and easy out. Can you stop this free and easy out now?***

We trust our objections will be taken into consideration in this final hearing.

Sincerely,

Qaiser Iqbal and Naureen Qaiser - owner of 9093 Steveston Highway, Richmond BC

Phone: 604-277-6493, Email: q\_iqbal@hotmail.com

Taha Qaiser and Yusra Qaiser – Children above 18 years of age at 9093 Steveston Highway

Attachment: 1. Copy of the Letter from the City ByLaw Manager dated Sept 6th, 2011  
2. An independent legal interpretation letter on the SRW document # BW406323 from Goodwin & Mark LLP

1. Is there any other city road that enables a right turn from Steveston Hwy that has the same wide with no pavement? There's NONE as far as we discussed with City planning department?
2. Did transportation authority run any safety trials before approving this plan for increased traffic? (Like having someone drive out and another person turn in at the same time) We would like to know the results of these safety assessments and credible reasons why this is considered safe regulation of traffic for the public and if there are any other similar roads (precedents) on Steveston Highway. If not we would like a proper safety assessment. That it is the same width as the back lane is a poor reason and does not make us feel safe.
3. Is it acceptable means and method to use private road not design to regular city road standard as a mean to connect city road ("the back lane") and the Steveston Hwy?
4. If damage or accidents occur on our private properties will the City's insurance cover-off the costs? Will it be ICBC? Will it be the owner's property insurance?

**City Staff's response to our questions:** No we cannot stop anyone from building a larger single family home in the way on the anterior lane making this plan permanent. No we have no information on how many other homes are ready to implement this. No we cannot wait to implement this solution by bringing the lane in from Mortfield Gate or Roseland Gate. No we cannot do anything about the risk of the lane getting blocked at any time.

So we have come to the conclusion that no work or planning has been done to ensure the implementation of the anterior lane. In the private sector, when we prepare a "temporary plan" we are required to support it with feasibility studies, risk assessments, time line for implementation of permanent solution, budgets and actions for implementation. It comes as a BIG disappointment that the same standards do not apply in the public sector. That all it takes to constitute a "PLAN" is a color print-out presented by the staff at the planning meetings with purple paint depicting where they WISH the anterior lane to eventually appear.

We now present a real case to show the outcome of such planning – we have spoken to the owner affected by a similar situation on No 2 Road and Colville Road. The owner expressed that he was told that the anterior lane would work its way out and he would have his land back. Many years have gone by and increased numbers of homes are using the lane but a large home on both sides has stopped the progress and made the so-called temporary solution permanent. His words were "I will not get my land back in this lifetime". He expressed his dissatisfaction and helplessness at the situation. When asked why he did not fight back at that time, the answer brought the true helplessness of the Richmond resident to the fore. Many residents are not native English speakers, not only do they find speaking in front of council too daunting and a stage show only, they also are not able to understand fully what goes on and express themselves well enough to be convincing. Today we speak for this gentleman as well as the voice of the voiceless. But the voted council is intended to be the voice of the voiceless. The average resident is not a trained lawyer or a leader who can communicate well in public. ***In a city like Richmond, we need a council who can visualize the common man's pain beyond what mere words can convey because the sad truth is that the common man cannot convey.***

We have expressed safety concerns that while turning in from a fast road like Steveston hwy, a large turning radius is required. The only answer we receive is that "22ft meets requirements". Even an intern from the staff/ transportation has not shown up to drive in and see if it is possible to turn in without coming to a complete stop while another car is trying to come out. Transportation can look up how likely it is to be rear-ended when one comes to a complete stop on Steveston

**Goodwin & Mark LLP**

Barristers & Solicitors  
Trade Mark Agents

TELEPHONE (604) 522-9884  
FAX (604) 526-8044  
E-mail: alex@goodmark.ca

JOHN R. GOODWIN (Rel.)  
ALEX SWEEZEY  
PETER J. GOODWIN  
MICHELLE J. RANDALL

DONALD T. MARK (Rel.)  
VIRGINIA HAYES (Rel.)  
HERMAN C. CHEUNG  
PATRICK J. MARCH

217 WESTMINSTER BUILDING  
713 COLUMBIA STREET  
NEW WESTMINSTER, B.C. V3M 1B2

REPLY ATTENTION OF: Alex Sweezy  
OUR FILE #41,403s

December 11, 2015

Mayor/Councillors  
City of Richmond  
6911 No. 3 Road  
Richmond, B.C.  
V6Y 2C1

Fax to: (604)278-5139

Attention: Director, City Clerk's Office

Dear Sirs/Mesdames:

**Re: Application RZ 15-703150 by Maryem Ahbib for Rezoning at 9131 Steveston Hwy - Amendment Bylaw 9505 to Zoning Bylaw 8500 - Public Hearing December 15, 2015 - 7PM**

We have been consulted by Qaiser Iqbal and Naureen Qaiser, the owners of 9093 Steveston Highway, and by M. Anandraj Dorairaj and Nisha Cyril the owners of 9097 Steveston Highway, with respect to this rezoning application.

This letter will not address the merits of the rezoning application generally; our clients and other neighbours have done that separately.

However, our clients have consulted us more specifically about the significance of ~~Statutory Right of Way ("SRW") BW406323 to the rezoning application.~~ Our clients have expressed surprise at the recent change in the City's interpretation of the SRW. City staff have always looked at the SRW as simply for sewers, drains, etc., and what our clients and their neighbours otherwise did with the SRW area over their property was up to them.

Now, however, the City seems to be viewing the SRW as a public roadway, available to the current applicant, for example, to use for access instead of their own driveway.

In our opinion, this is an untenable interpretation of the SRW, as well as an unrealistic one.

It is instructive to read the SRW carefully.

In Part 1, setting out the objectives of the SRW

*"(b) Richmond desires to obtain from the Owner a statutory right of way to construct certain Works on, over and under the hereinafter described portion of the land;*

*(c) The statutory right of way is necessary for the operation and maintenance of Richmond's undertaking."*

- 2 -

This is the whole of the purpose of the SRW. There is no other purpose or objective.

In Part 2, the specific grant is stated:

*"...the Owner does hereby grant unto Richmond the full, free and uninterrupted right of way for Richmond, its licensees, servants, officials, workmen, machinery and vehicles, at any time and at their will and pleasure for the benefit of Richmond."*

Again, the grant itself does nothing to expand the purpose set out in Part 1.

Part 3 then merely sets out the usual specific ways in which Richmond can exercise the grant given in Part 2, for the purpose set out in Part 1. Anything in Part 3 must be interpreted as merely implementing Parts 1 and 2, and not as expanding them. If the intent of the SRW was to establish a public roadway, that would have been stated in Parts 1 and 2.

Or, in the normal way, in a wholly separate SRW, not imbedded in two or three words buried away in a sewer and drainage SRW.

In fact, in 40 years of practice, I don't believe I have ever seen one single combined SRW used for both purposes, rather than separate SRWs.

And a SRW intended for a public roadway would have considerably more provisions specific to such use.

To illustrate the impracticality of this being intended for a public roadway, consider the very limited restrictions placed upon the Owner. He is not required to do any maintenance of a roadway, or even to provide one at all. In fact he is prohibited from having a concrete driveway.

There is nothing to prevent him from removing all existing ground cover and replace it with grass, bushes or other vegetation (as long as he does not diminish or increase the depth), and allowing children to play in the whole area.

There is nothing to prevent him from parking vehicles across the SRW area, or installing a fence (so long as he allows Richmond access for its "Works".)

There is a "Lane" across the North end of the Lots, and perhaps the Applicant can access that from the West end. But, in our opinion, Richmond has no right to purport to allow the Applicant the use of the SRW.

If you have a legal opinion to the contrary, please provide a copy, and we would be pleased to address it.

Yours truly,

**GOODWIN & MARK LLP**

*Alex Sweezy*  
ALEX SWEEZEY

**Iqbal, Qaiser**

---

**To:** Mercer, Wayne  
**Cc:** MacKinnon, Deb; MayorandCouncillors; Toews, Curt  
**Subject:** RE: Alleged Dogs Off Leash - 9000 blk Steveston Hwy

---

**From:** Mercer, Wayne [mailto:WMercer@richmond.ca]  
**Sent:** 2011, September 06 2:49 PM  
**To:** Iqbal, Qaiser  
**Cc:** MacKinnon, Deb; MayorandCouncillors; Toews, Curt  
**Subject:** Alleged Dogs Off Leash - 9000 blk Steveston Hwy

Mr. Iqbal:

Your message to the Mayor's Office has been referred to my office for investigation and response.

Thank you very much for forwarding the video as you did – it makes it very clear as to where your neighbours are removing the leashes from their dogs' collars.

In reviewing the area between your house at 9093 Steveston Hwy and your neighbour at 9097 Steveston Hwy, where the unleashing took place, this is not public property. This vehicle access is provided jointly by you and your neighbour so that vehicles can access the garages at the rear of the 4 houses in this complex. I would expect that, when you purchased your home, you agreed to provide such access as part of the purchase agreement.

Because this is private property, evenly split between you and your neighbor, the leashing requirements for dogs under the City's Animal Control Regulation Bylaw do not apply – they only apply on City-owned property. Therefore, your neighbours are not acting contrary to the Bylaw in releasing their dogs from their leashes in this area and we will not be pursuing any enforcement for these actions.

Thanks.....

---

**Wayne G. Mercer**  
Manager, Community Bylaws

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

direct: 604.247.4601  
fax: 604.276.4036  
email: [w Mercer@richmond.ca](mailto:w Mercer@richmond.ca)  
web: [www.richmond.ca](http://www.richmond.ca)

---



City of  
Richmond

## Notice of Public Hearing

**Tuesday, April 18, 2017 – 7 pm**

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

### **Richmond Zoning Bylaw 8500, Amendment Bylaw 9646 (RZ 16-728719)**

**Location/s:** 9051 & 9071 Steveston Highway  
**Applicant/s:** Harj Johal  
**Purpose:** To rezone the subject properties from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone, to permit the properties to be subdivided to create four (4) single-family lots, with vehicle access from an extension to the existing rear lane.  
**City Contact:** Jordan Rockerbie, 604-276-4092, Planning and 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.richmond.ca/cityhall/council/agendas/hearings/2017.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 Planning and Development Division at City Hall, between the hours of 8:15 am and 5 pm, Monday through Friday, except statutory holidays, commencing April 7, 2017 and ending April 18, 2017, 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 April 7, 2017 and ending April 18, 2017.

#### **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.richmond.ca/cityhall/council/hearings/about.htm>
  - **By Standard Mail:** 6911 No.3 Road, Richmond, BC, V6Y 2C1, Attention: Director, City Clerk's Office
  - **By Fax:** 604-278-5139, Attention: Director, City Clerk's Office
- **Public Hearing Rules:** For information on public hearing rules and procedures, please consult the City website at <http://www.richmond.ca/cityhall/council/hearings/about.htm> or call the City Clerk's Office at 604-276-4007.
- All submissions 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.

David Weber  
Director, City Clerk's Office

**Mayor and Councillors**

Schedule 3 to the Minutes of the Public Hearing meeting of Richmond City Council held on Tuesday, April 18, 2017.

<b>To Public Hearing</b>	
Date:	April 18, 2017
Item #:	3
Re:	Bylaw 9646
	RZ16-728719

**From:** ge ge <nevergiveup.can@gmail.com>  
**Sent:** Thursday, 13 April 2017 12:43  
**To:** DWebber@richmond.ca; Mayor and Councillors; Rockerbie, Jordan  
**Cc:** DevApps; Lussier, Cynthia  
**Subject:** Re: RZ 16-728719 (rezoning application at 9051 & 9071 Steveston Highway, Richmond, BC)

To whom it may concern,

Dear Sir/Madam,

I am one of the home owners of property #9091 Steveston Hwy, Richmond, BC. I and my wife strongly oppose the idea to give the Right-of-Way of the private drive lane in between properties #9093 & #9097 Steveston Hwy, Richmond, BC to the public or to the builders or to the home owners of properties #9071 & 9051 Steveston Hwy, Richmond, BC.

That private drive lane in between properties #9093 & #9097 Steveston Hwy, Richmond, BC was granted to only properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC when we bought these properties temporarily until public access at the rear of the properties from Mortfield Gate or another public street is available. It is not fair to change this without the consent of the current home owners of properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC. Seriously, it is an offense to the interest of the current home owners of properties #9093 & #9097 Steveston Hwy, Richmond, BC. As Canadian citizens and residents of Richmond City, we expect the government to respect and protect our right of private properties.

We have concern if you grant the Right-of-Way of this drive lane to the builders or to the home owners of properties #9071 & #9051 Steveston Hwy, Richmond, BC, it will increase the traffic volume and noises to the neighborhood of properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC, and also affect our safety and privacy.

Therefore, we strongly disagree to the proposal or decision of offering the access to the private drive lane in between properties #9093 & #9097 Steveston Hwy, Richmond, BC to the public or to the builders or to the home owners of properties #9071 & 9051 Steveston Hwy, Richmond, BC.

Thanks and regards,

George Zhuo

PHOTOCOPIED

MV

APR 18 2017

& DISTRIBUTED





**MayorandCouncillors**

**From:** Webgraphics  
**Sent:** Thursday, 13 April 2017 13:27  
**To:** MayorandCouncillors  
**Subject:** Send a Submission Online (response #1011)

<p><b>To Public Hearing</b>  <b>Date:</b> April 18, 2017  <b>Item #</b> 3  <b>Re:</b> BYLAW 9646                  RZ 16-728719</p>
--

**Send a Submission Online (response #1011)**

**Survey Information**

Site:	City Website
Page Title:	Send a Submission Online
URL:	<a href="http://cms.richmond.ca/Page1793.aspx">http://cms.richmond.ca/Page1793.aspx</a>
Submission Time/Date:	4/13/2017 1:27:56 PM

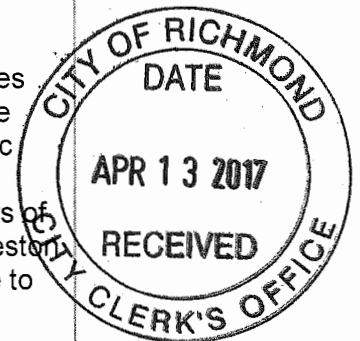
**Survey Response**

Your Name	Soly Feng
Your Address	9091 Steveston Hwy, Richmond, BC
Subject Property Address OR Bylaw Number	Richmond Zoning Bylaw 8500, Amendment Bylaw 9646 (RZ 16-728719)
Comments	<p>To whom it may concern, Dear Sir/Madam, I am one of the home owners of property #9091 Steveston Hwy, Richmond, BC. My husband and I strongly oppose the idea to give the Right-of-Way of the private drive lane in between properties #9093 &amp; #9097 Steveston Hwy, Richmond, BC to the public or to the builders or to the home owners of properties #9071 &amp; 9051 Steveston Hwy, Richmond, BC. That private drive lane in between properties #9093 &amp; #9097 Steveston Hwy, Richmond, BC was granted to only properties #9091, #9093, #9097 &amp; #9099 Steveston Hwy, Richmond, BC when we bought these properties temporarily until public access at the rear of the properties from Mortfield Gate or another public street is available. It is not fair to change this without the consent of the current home owners of properties #9091, #9093, #9097 &amp; #9099 Steveston Hwy, Richmond, BC. Seriously, it is an offense to the interest of the current home owners of properties ##9093 &amp; #9097 Steveston Hwy,</p>

PHOTOCOPIED

*M*  
APR 18 2017

& DISTRIBUTED



Richmond, BC. As Canadian citizens and residents of Richmond City, we expect the government to respect and protect our right of private properties. We have concern if you grant the Right-of-Way of this drive lane to the builders or to the home owners of properties #9071 & #9051 Steveston Hwy, Richmond, BC, it will increase the traffic volume and noises to the neighborhood of properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC, and also affect our safety and privacy. Therefore, we strongly disagree to the proposal or decision of offering the access to the private drive lane in between properties #9093 & #9097 Steveston Hwy, Richmond, BC to the public or to the builders or to the home owners of properties #9071 & 9051 Steveston Hwy, Richmond, BC. Thanks and regards, Soly Feng

Schedule 5 to the Minutes of the  
Public Hearing meeting of  
Richmond City Council held on  
Tuesday, April 18, 2017.

**MayorandCouncillors**

**From:** Webgraphics  
**Sent:** Thursday, 13 April 2017 11:34  
**To:** MayorandCouncillors  
**Subject:** Send a Submission Online (response #1009)

<b>To Public Hearing</b>
Date: <u>April 18, 2017</u>
Item # <u>12</u>
Re: <u>BYLAWS 9691, 9697</u> <u>+9692</u>

Send a Submission Online (response #1009)

Survey Information

Site:	City Website
Page Title:	Send a Submission Online
URL:	<a href="http://cms.richmond.ca/Page1793.aspx">http://cms.richmond.ca/Page1793.aspx</a>
Submission Time/Date:	4/13/2017 11:34:04 AM

Survey Response

Your Name	Terrance
Your Address	Sawasy
Subject Property Address OR Bylaw Number	9240 Walford Street
Comments	The following are issues: Security, Safety, Litter, Police incidents, Noise, Privacy, Parking, Fire Safety, Owners of B&B not residing in the house, Cash only business. Advertising online as hotel.



Schedule 6 to the Minutes of the Public Hearing meeting of Richmond City Council held on Tuesday, April 18, 2017.

To Public Hearing  
Date: April 18, 2017  
Item # 12  
Re: BYLAWS 9691, 9697 and 9692

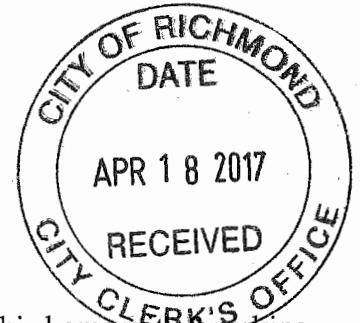
**Mayor and Councillors**

**From:** [Redacted]  
**Sent:** Tuesday, 18 April 2017 15:13  
**To:** Mayor and Councillors; City Clerk; Weber, David  
**Subject:** Bylaws related to Short term rentals  
**Attachments:** hotel-or-home.pdf

PHOTOCOPIED

mv  
APR 18 2017

& DISTRIBUTED



Honorable Mayor and Council,

Please see the attached flyer for a listing of a new home at 11704 Railway avenue. This home will have 6 parking spots, six bathrooms and 5 bedrooms begs to be asked the question whether it is going to end up being a home or a hotel.

There are many such listings in the city today and I do not think that the city can ascribe this kind of "development" to the forces of a free market and the supply and demand model of development. The demand for housing in Richmond is not being met by the new inventory of housing being built in the city today.

Currently Richmond has a housing affordability crisis and a long term rental crisis and yet the inventory of new homes, condominiums and town-homes continues to be built with design features that do nothing to add supply to meet the demand for long term rentals or the needs of first time home buyers.

In fact, by allowing homes such as the listing above (11704 Railway Ave) to be rented out on a short term basis without the owner being the operator of this business; the city is only ignoring the persistent needs of Richmond's citizens and favoring the desires and demands of a niche consumer in the market that just needs a place to park their speculative capital.

If unoccupied by the owner, this home can certainly not become part of the long term rental stock for any family who cannot afford to buy an apartment or a town-home in Richmond today.

As you deliberate tonight (April 18<sup>th</sup> 2017) upon the shape and form of the short term rental bylaw in Richmond, please make sure that you keep in mind the very real and persistent housing needs of Richmond's citizens and not leave loopholes in the bylaw that can be exploited.

It is the neighbors who have to report on violations and problems related to short term rentals and this leaves hardly any place for existing residents to be good neighbors and also creates animosity and distrust between people in the community.

Short term rentals may contribute to the local economy, but so do long term rentals. In fact very often young families who are keen having a local address but cannot yet afford to buy a home in the city, also provide enrollment in the schools. Empty homes and emptying schools is not a good foundation for a vibrant and diverse Richmond

Sincerely,

A solid black rectangular redaction box covering the signature area.

# RICHMOND

## 11704 RAILWAY AVE.

BRAND NEW LUXURY HOME 全新漁人碼頭區豪華住宅

Bedrooms / 睡房	5	Parking / 車位	6
Bath / 浴室	6	Sqft / 建築面積	3,916
Fireplace / 壁爐	3	Lot Sqft / 地積	8,250

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[www.yvonnelu.ca](http://www.yvonnelu.ca)