		To Development Permit Panel Date: <u>JANUARY 27, 2021</u> Item # Re: DP 19 - 870332	Schedule 1 to the M Development Per meeting held on January 27, 2021.	mit Panel
From:	George Oiao	He: <u>pr 11 010 77-</u>		
То:	Rockerbie, Jordan			
Cc:	<u>CityClerk; facaimama@amail.com; wanghusen68@hotmail.com; lunayyu@amail.com; jessie_0614@hotmail.com;</u> angelli@outlook.com; miya20030830@gmail.com; "Mike Blackall"; "Rex Chen"			
Subject:	RE: Development Permit File: DP 19-070332			
Date:	January 25, 2021 7:36:57 PM			
Attachments:	1 7391 MoffatRd DPP 01272157535.pdf Planning Committee-Staff Reports (06-04-2019).pdf Email communication about Road Share Agreement.pdf			
Importance:	High			

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear Jordan and the City of Richmond/Council Members,

Thank you so much for your email.

We, Strata Council of EPS1924 & Century 21, were shocked by attachment 2 of the attached "1\_7391\_Moffatt Road".

The Applicant implied that the property manager (Century 21) has ended the communication since Oct 7<sup>th</sup>, 2021. On the other hand, Century 21 was waiting on a formal cost sharing agreement. The agreement was received by Century 21 on Jan 14<sup>th</sup> and forwarded to Strata Council on Jan 18<sup>th</sup>, 2021 (see attached Email Communication about Road Share Agreement).

We were afraid that the City of Richmond/Council members were misled as we were not in communication. As you may remember, the Applicant accused us as "most of the residents at 7411 Moffatt Road families of Chinese government officials" (attachment 4, page 24 of attached "Panning Committee-Staff Reports").

We honestly do not know whether all the false claims gave an unfair advantage to the Applicant.

Warm Regards,

Zhi (George) Qiao, CFA, CFP, MA

President of the Strata Council

From: Rockerbie, Jordan < JRockerbie@richmond.ca>
Sent: January 25, 2021 4:18 PM
To: 'George Qiao' <georgezq01@gmail.com>
Subject: RE: Development Permit File: DP 19-870332



Hello George, thank you for your email and letters. All of the material has been provided to the Development Permit Panel and will be part of the meeting agenda. I would like to address some of the concerns listed in your email.

- 1. I advised the developer that the City would like to see the outstanding issues surrounding use of the driveway resolved. I believe that they were in contact with your property managers over the weekend and, hopefully, are working towards a satisfactory solution.
- 2. The visitor parking space beside the driveway will not be impacted by the new development. Please see the attached sketch plan showing Modern Estates and the neighbouring development. The wood fence beside the parking space will remain in place, and the existing curbs will not be relocated.
- 3. The outdoor amenity areas will not be shared between 7391 and 7411 Moffatt Road. There is an easement on the outdoor amenity on Modern Estates, which was registered as a condition of the development of 7411 Moffatt Road. Because the developer could not come to an agreement they will not be making use of the amenity easement. The easement can be discharged at the written request of the EPS1924 strata.

Please let me know if you have any additional questions about the proposed development.

Thank you,

Jordan Rockerbie Planner 1 – Development Applications Department City of Richmond | T: 604-276-4092

From: George Qiao Sent: January 19, 2021 7:15 PM To: CityClerk Cc: facaimama@gmail.com; wanghusen68@hotmail.com; lunayyu@gmail.com; jessie\_0614@hotmail.com; angelli@outlook.com; miya20030830@gmail.com; 'Mike Blackall' ; 'Rex Chen'

Subject: RE: Development Permit File: DP 19-870332

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear City of Richmond/Council Members,

I collected more objection comments from residents at 7411 Moffatt Road.

- 1. The proposed development plan takes away one of our visitor parking slots.
  - a. We respect your decision to share our driveaway.
  - b. We strongly disagree to take away one visitor parking slot from us.
  - c. According to the proposed development, the Applicant will build the road across our visitor parking slot that is located at the entrance of the proposed development.
    - i. I placed a sticker at the location in the attached "Illustration". The

"Illustration" is extracted from page 26 of attached

"1\_7391\_MoffatRd\_DPP\_01272157535".

- ii. I also indicated on attached "Illustration 2".
- iii. I took a picture as well.

- 2. Our property management, Century 21, received a road share agreement from the Applicant's lawyer on Jan 14<sup>th</sup>, 2021.
  - a. However, the road share agreement did not address our concerns.
  - b. For example, the Applicant is very likely to damage the road during the construction.
  - c. The Applicant should recover the road when the construction is completed.
  - d. We should reach an agreement for road maintenance during the construction and after the construction.
  - e. The EPS1924, owners at 7411 Moffatt road, should not responsible for any damage made to the shared driveway during the construction of the proposed development at 7391 Moffatt road.
- 3. We don't agree on a shared outdoor amenity.
  - a. The Applicant has never discussed a shared outdoor amenity with us.
  - b. The Applicant takes our play area for granted.
  - c. According to the attached "Illustration", our play area is nearly double compared to the play area of the proposed development.
  - d. We like our wooden fence and wished to keep it.

Overall, we sincerely request you not approve the development permit. We need time to discuss the visitor parking, road share agreement, and shared play area.

Warm Regards,

Zhi (George) Qiao, CFA, CFP, MA

President of Strata Council (EPS1924) at 7411 Moffatt Road.

From: George Qiao <georgezq01@gmail.com>
Sent: January 18, 2021 6:54 PM
To: cityclerk@richmond.ca
Cc: facaimama@gmail.com; wanghusen68@hotmail.com; lunayyu@gmail.com;
jessie\_0614@hotmail.com; angelli@outlook.com; miya20030830@gmail.com; 'Mike Blackall'
<Mike@c21pel.com>; 'Rex Chen' <Rex@c21pel.com>
Subject: Development Permit File: DP 19-870332

Dear City of Richmond/Council Members,

My name is George Qiao, the president of Strata Council (EPS1924) at 7411 Moffatt Road.

We, Strata council and property management (Century 21), have never cut the communication with the City of Richmond and the Applicant (Matthew Cheng Architect Inc.).

However, we were astonied by the false claim made by the Applicant. According to Attachment 2 (page 8), the Applicant stated that Century 21 (Mike) did not respond since last year Oct 7. The Applicant told lie, plain and simple. Please kindly find a copy of the email communication attached. Meanwhile, the Applicant told lie in order to get the rezoning application approved in 2019. We

addressed their false statement in "Reason4" of the attached "Letter to City of Richmond signed".

We wished to find a way that works for all stakeholders. Unfortunately, the Applicant told lies again and again. Does the Applicant want to present itself as a victim?

Furthermore, we strongly object to the application for the development permit at 7391 Moffatt.

- 1. Due to the pandemic, most residents are working from home or unemployed.
  - a. The construction noise will inevitably affect our mental health and make us impossible to work from home or stay at home.
- 2. The Applicant did not address our concerns in good faith and told multiple lies to the City of Richmond/Council members.
  - a. We worry about their credibility.
  - b. If the application gets approved, the applicant will not work with us to address issues or concerns.

Warm Regards,

Zhi (George) Qiao, CFA, CFP, MA

### ATTACHMENT 2

Timeline of discussion Century 21 company: 7411 Moffatt rd manager broker(Mike) Developer : 7391 Moffatt Rd (Miao Yu) September 15<sup>th</sup> Developer start conversation with Century 21 strata manager, about maintenance cost of sharing road. Brief describe our concern and perspective. Also, the pervious strata manager Andrew Chen no longer work in that company.

September 17th,

The Manager borker Mike Blackball email me back about their perspective and the cost should shared 50/50 between the two strata corporations no matter how many units each property has, Developer agreed with that.

Mike also suggest that developer's lawyer should provide a formal proposal for each party to sign.

Sep 18<sup>th</sup>

Mike also point me that all the proposal need to pass to the strata council for consideration and approval. However, it should take some time .

#### Sep 29<sup>th</sup>

Mike update the process that all the two issue already pass to strata council and waiting for final decision.

#### Oct 7<sup>th</sup>

Mike update that there are many steps before owners make final decisions, also during covid 19, so it may take loner time than normal.

Oct 25-30, made three phone calls and voice massages, no one replay.

Nov 15-20 ,made a phone call to front desk and lady there write my name down and said manager will reply, but still no answer.

Dec 23, make a formal email to Mike and still no any reply.

January 4, make another phone call, no one reply.

Date:2021/01/05

men

# **George Qiao**

From: Sent:	Rex Chen <rex@c21pel.com> January 21, 2021 10:19 PM</rex@c21pel.com>
То:	George Qiao; facaimama@gmail.com; wanghusen68@hotmail.com; lunayyu@gmail.com; jessie_0614@hotmail.com; angelli@outlook.com; miya20030830@gmail.com
Subject:	Re: Road Share Agreement (Arking of7391 Moffat Road and EPS 1924)

Dear George and Council,

Thank you for your email and effort on this topic.

I will forward your email and response to the developer – Miao Yu, and their legal representative – Sonia Hayer, for their reference.

Thank you!

Dependably yours, CENTURY 21 Prudential Estates (RMD) Ltd.

#### Rex Chen, Strata Manager

Email: rex@c21pel.com Office: 604-278-2121 (24/7 Emergency Service) 7320 Westminster Highway Richmond, BC, V6X 1A1 www.Century21pel.com

From: George Qiao <georgezq01@gmail.com>
Date: Thursday, January 21, 2021 at 7:39 PM
To: Rex Chen <Rex@c21pel.com>, "facaimama@gmail.com" <facaimama@gmail.com>,
"wanghusen68@hotmail.com" <wanghusen68@hotmail.com>, "lunayyu@gmail.com"
<lunayyu@gmail.com>, "jessie\_0614@hotmail.com" <jessie\_0614@hotmail.com>, "angelli@outlook.com"
<angelli@outlook.com>, "miya20030830@gmail.com" <miya20030830@gmail.com>
Subject: RE: Road Share Agreement (Arking of7391 Moffat Road and EPS 1924)

Dear Rex,

I am writing on behalf of the strata council (EPS1924) to inform our strata manager and Century 21 about our decision on the proposed Road Share Agreement.

We would like to keep our wooden fence even though we have to open a gate for our neighbor (7391 Moffatt Road) to connect our driveway. In other words, we will not combine our playground with the neighbor.

We will have our lawyer review the revised Road Share Agreement if the following three points are met.

1. No combined playground with the neighbor.

- 2. If the developer is going to use the shared driveway during the construction, the developer will be fully (100%) responsible to maintain the shared driveway and recover any depreciation or damage upon the construction is completed.
- 3. It is acceptable to share a 50% maintenance fee with our neighbor after the construction is completed.

Warm Regards,

Zhi (George) Qiao, CFA, CFP, MA

President of the Strata Council (EPS1924)

From: Rex Chen <Rex@c21pel.com>
Sent: January 18, 2021 9:30 PM
To: George Qiao <georgezq01@gmail.com>; facaimama@gmail.com; wanghusen68@hotmail.com; lunayyu@gmail.com; jessie\_0614@hotmail.com; angelli@outlook.com; miya20030830@gmail.com
Subject: FW: Road Share Agreement (Arking of7391 Moffat Road and EPS 1924)
Importance: High

Dear Council,

Please kindly see the forwarded email and the attached Road sharing agreement for your reference.

Thank you!

# Dependably yours, CENTURY 21 Prudential Estates (RMD) Ltd.

**Rex Chen**, Strata Manager

Email: <u>rex@c21pel.com</u> Office: 604-278-2121 (24/7 Emergency Service) 7320 Westminster Highway Richmond, BC, V6X 1A1 <u>www.Century21pel.com</u>

From: Mike Blackall <<u>Mike@c21pel.com</u>>
Date: Monday, January 18, 2021 at 5:01 PM
To: Rex Chen <<u>Rex@c21pel.com</u>>
Subject: FW: Road Share Agreement (Arking of7391 Moffat Road and EPS 1924)

Hi Rex,

Please see the email below and attachments and if you could please forward them to the Strata Council that would be much appreciated.

Thanks!

Dependably yours, CENTURY 21 Prudential Estates (RMD) Ltd.

Mike Blackall, RI Vice-President & Managing Broker Email: <u>Mike@C21pel.com</u> Office: 604-278-2121 (24/7 Emergency Service) 7320 Westminster Highway, Richmond, BC, V6X 1A1 www.Century21pel.com

From: info@superwitlaw.com <info@superwitlaw.com> Sent: Thursday, January 14, 2021 8:12 PM To: Mike Blackall <<u>Mike@c21pel.com</u>> Cc: miaoyu8707 <<u>miaoyu8707@gmail.com</u>>; stephen <<u>stephen@superwitlaw.com</u>>; sonia <<u>sonia@superwitlaw.com</u>> Subject: Re: Road Share Agreement (Arking of7391 Moffat Road and EPS 1924) Importance: High

Hello, Mike

We are instructed to send you this draft Road Share Agreement for your review and input.

Should you have any question, please feel free to contact this office.

After receiving your comments and inputs, we will then finalize the agreement.

Thank you very much.

Yours truly

Sonia Hayer Barrister and Solicitor

Superwit Law Corporation Suite 706, 6081 No. 3 Road Richmond, BC Canada V6Y 2B2 Tel: 604-278-6669, Fax: 1-888-505-2838 E-mail: info@superwitlaw.com

From: <u>miao yu</u> Date: 2021-01-11 10:37 To: <u>info</u> Subject: Fwd: Disscusstion maintains of 7391 moffat rd EPS 1924

发自我的iPhone

**以下是**转发的邮件:

# 发件人: miao yu <<u>miaoyu8707@gmail.com</u>> 日期: 2020年9月26日 GMT-7 下午3:29:00 收件人: Mike Blackall <<u>Mike@c21pel.com</u>>

# 主题: 回复: Disscusstion maintains of 7391 moffat rd EPS 1924

Hi Mike,

I hope you have a good weekend and I have write a proposal and please check in attached file

miao yu

On Thu, Sep 24, 2020 at 10:54 AM Mike Blackall <<u>Mike@c21pel.com</u>> wrote:

Hi Miao,

Thanks for the email.

If you could please put a formal proposal together and we will pass it along to the Strata Council for their review and approval.

Thanks!

Dependably yours, CENTURY 21 Prudential Estates (RMD) Ltd.

Mike Blackall, Assistant General Manager & Managing Broker Emait <u>Mike@Century21pel.com</u> Office: 604-278-2121 (24/7 Emergency Service) 7320 Westminster Highway Richmond, BC, V6X 1A1 www.Century21pel.com

From: miao yu <<u>miaoyu8707@gmail.com</u>> Sent: Thursday, September 24, 2020 10:06:11 AM To: Mike Blackall<<u>Mike@c21pel.com</u>> Subject: Re: Disscusstion maintains of 7391 moffat rd EPS 1924

Hi Mike,

We will glad to make a proposal for cost of sharing agreement. And also we want to make a cambined playground with 7411 and we can absorb all the cost for playground extension and renovation. I am expecting your reply.

Thanks Miao

发自我的iPhone

> 在 2020年9月18日, 下午2:18, Mike Blackall < Mike@c21pel.com > 写道:

> > Hi Miao. > > Thank you for the email and we would be happy to put together a proposal for the developer's consideration for the management of the complex when it is complete. > > Once we receive the proposal for cost sharing agreement we will pass it along to the Strata Council for their consideration and approval. > > Thanks! > > Dependably yours, > CENTURY 21 Prudential Estates (RMD) Ltd. > > Mike Blackall, > Assistant General Manager & Managing Broker > Email: Mike@C21pel.com > Office: 604-278-2121 (24/7 Emergency Service) > 7320 Westminster Highway > Richmond, BC, V6X 1A1 > www.Century21pel.com > > -----Original Message-----> From: miao yu <miaoyu8707@gmail.com> > Sent: Friday, September 18, 2020 8:42 AM > To: Mike Blackall < Mike@c21pel.com> > Subject: Re: Disscusstion maintains of 7391 moffat rd EPS 1924 > > Hi mike, > > Thanks for your reply and we hope you can be a strata manager when the 6 unit completed and easy for all the owners in this property. Also, you can have better idea to manage. > > I think we have same idea about the maintenance of sharing road, so we can make a document and sign it, thank you > > Cheers > Miao > > 发自我的iPhone > >> 在 2020年9月17日, 下午3:00, Mike Blackall < Mike@c21pel.com> 写道: >> >> Hi Miao, >> >> Rex passed along your email, as it seems I was not included in the email. >> >> I would be happy to discuss the matter over the phone or by email, as currently with COVID-19, our office is closed to the public as we are trying to limit our in person contact. >> >> From our experience, Strata's that share a roadway, have an agreement between the two Strata Corporations on the cost sharing of any expenses, ie: driveway repairs, snow removal, improvements, etc., and this is expense is typically shared 50/50 between the two Strata Corporations. So my suggestion would be for the Developer's Lawyer to draft up a cost sharing agreement that we can provide to the Strata Council for their consideration and sign off.

>>

>> Please let me know if there are any other details or information that you would like to discuss. >> >> Thanks! >> >> Dependably yours, >> CENTURY 21 Prudential Estates (RMD) Ltd. >> >> Mike Blackall, >> Assistant General Manager & Managing Broker >> Email: Mike@C21pel.com >> Office: 604-278-2121 (24/7 Emergency Service) >> 7320 Westminster Highway >> Richmond, BC, V6X 1A1 >> www.Century21pel.com >> >> -----Original Message----->> From: Rex Chen <Rex@c21pel.com> >> Sent: Thursday, September 17, 2020 11:04 AM >> To: Mike Blackall <Mike@c21pel.com> >> Subject: FW: Disscusstion maintains of 7391 moffat rd EPS 1924 >> >> Hi Mike, >> >> FIY, I think Miao forgot to include you in this email. >> >> Thank you! >> >> >> On 2020-09-17, 10:48 AM, "miao yu" <miaoyu8707@gmail.com> wrote: >> >> Hi Rex and mike, >> Thank you for your immediate attention. >> >> The proposed 6 unit townhouses at 7391 moffat rd will share the driveway with 7411 Moffatt. >> >> The driveway is under statutory right of way, and >> We want to discuss the maintenance sharing cost of driveway. There is no other items need to be discussed, sorry for the confusion(no roof). >> >> Please kindly let us know whether face to face meeting or email communication works for you. >> >> Cheers >> Miao vu >> 6047815723 >> `>> 发自我的iPhone >> >>>> 在 2020年9月16日, 下午2:07, miao yu <miaoyu8707@gmail.com> 写道: >>> >>> Really appericiate it. >>> >>> 发自我的iPhone >>> >>>> 在 2020年9月16日, 下午1:18, Rex Chen < Rex@c21pel.com > 写道: >>>>

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>>>> Hi Miao, >>>> >>>> Thank you for your information. >>>> >>>> In regards to outline cost-sharing. I have included Mike Blackall, Century 21's Managing Broker in this email, as he has more knowledge on this topic. >>>> >>>> Please feel free to call him during business hours to discuss in detail >>>> >>>> Mike Blackall. >>>> Assistant General Manager & Managing Broker >>>> Email: Mike@C21pel.com >>>> Office: 604-278-2121 >>>> >>>> Thank you! >>>> >>>> Dependably yours, >>>> CENTURY 21 Prudential Estates (RMD) Ltd. >>>> >>>> Rex Chen, >>>> Strata Manager >>>> >>>> Email: rex@c21pel.com >>>> Office: 604-278-2121 (24/7 Emergency Service) >>> 7320 Westminster Highway >>>> Richmond, BC, V6X 1A1 >>>> www.Century21pel.com <http://www.century21pel.com/> >>>> >>>> >>>> >>>> On 2020-09-16, 7:30 AM, "miao yu" <<u>miaoyu8707@gmail.com</u>> wrote: >>>> >>>> Hi Rex, >>>> For example, both our unit share the road for entrance and exit, if the road need to maintenance, how we pay for that? In 7391 side, there are six units, and in your side, there are 11 units, so we can set up a method to discuss how to maintenance. Also, the roof and many things. >>>> Or I can make an appointment with you to explain more if you have time. >>>> >>>> Thanks >>>> >>>> 发自我的iPhone · >>>> >>>>> 在 2020年9月15日, 下午6:11, Rex Chen <Rex@c21pel.com> 写道: >>>>> >>>> Hi Miao, >>>>> >>>> Thank you for your email. >>>>> >>>> My name is Rex Chen, strata manager of EPS 1924 Modern Estates at 7411 Moffatt road. I took over Andrew Chen's management as he is no longer working in our company, he left our company around a year ago. >>>>> >>>> Please kindly provide more details about the maintenance of both buildings including road, roof..etc as I don't know what you have discussed with Andrew before. >>>>> >>>> And I will forward your ideas to the Strata Council. >>>>> >>>> Thank you!

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>>>>>
 >>>> Dependably yours,
 >>>> CENTURY 21 Prudential Estates (RMD) Ltd.
 >>>>>
 >>>> Rex Chen,
 >>>> Strata Manager
· >>>>>
 >>>> Email: rex@c21pel.com
 >>>> Office: 604-278-2121 (24/7 Emergency Service)
 >>>> 7320 Westminster Highway
 >>>> Richmond, BC, V6X 1A1
 >>>> www.Century21pel.com <http://www.century21pel.com/>
 >>>>>
 >>>>>
 >>>>>
 >>>>> On 2020-09-15, 5:54 PM, "miao yu" <miaoyu8707@gmail.com> wrote:
 >>>>>
 >>>> Hi Andrew,
 >>>>>
 >>>>> This is Miao yu from 7391 moffat rd and I am a project manager for building a six
 townhouse. And I try to contact you since last month, but no one answer me. I just kindly
 hope that we can sit and discuss the maintenance of both our building including road,
 roof and so on. Could you please kindly give me a reply?
 >>>>>
 >>>> Thanks
 >>>> Miao yu
 >>>>>
 >>>>>
 >>>>>
 >>>>
 >>
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Meeting Date: Dec 12, 2018

Attendees: Jessica, Villa, Andrew Chen, Eric Wang, and Xiao Yu

Location: 21st Century Strata Management Company office

# Re: 7391 Moffatt Rd, Richmond Driveway Sharing Issue

To Whom It May Concern.

Dear Madam or Sir,

We are a number of young and hardworking professionals who have been trying very hard to build up our career. For this unreasonable issue, we are suffering big losses. We hope that the City can bring justice to this matter and have our project back on track.

We have been trying to contact with 7411 Moffatt Rd management by ourselves, by our architects and by our lawyers since September 2018. Finally, we had a chance to have a face-to-face meeting with 7411 Strata president Villa, vice-president Jessica and the management company manager Andrew Chen.

A few points from the meeting:

- 1. Jessica and Villa understand fully that 7391 Moffatt Rd is on title to share the driveway with 7411 Moffatt Rd.
- 2. Jessica and Villa have told us that most of the residents at 7411 Moffatt Rd are families of Chinese government officials and do not care about the rules and regulations. We have told them that here in Canada everyone must obey the rules.
- 3. Jessica and Villa have also informed us that each resident at 7411 Moffatt Rd would want \$20,000 from us for a total of \$250,000. They have clearly told us that they have nothing to lose, and that we will lose the time and money.
- 4. They also told us that if one day we really have to go to the Court, 7411 will lose and 7391 Moffatt would use the driveway. However, since we, the 7391 developers, already have wasted a lot of time and money on mortgage and lawyer fees, etc, they would strongly suggest us to pay them, and it would be a better choice for us.

We will really appreciate the City's patience and help to bring justice to this matter.

Sincerely,

Developer of 7391 Moffatt Rd