

Schedule 17 to the Minutes of
the Council Meeting for
Public Hearing held on
Monday, March 19, 2012.



To Public Hearing
Date: <u>MARCH 19, 2012</u>
Item # <u>8</u>
Re: <u>TU 11-595782</u>

JAYKER HOLDINGS LTD.

8560 RIVER ROAD
RICHMOND, B.C. V6X1Y4
604 244 1106
NNDAVIES@TELUS.NET

March 18, 2012

DELIVERED BY HAND

City of Richmond
6911 No. 3 Road
Richmond, B.C. V6Y2C1

Attention: Director, City Clerk's Office

Re: Temporary Commercial Use Permit Application (TU 11-595782) –
Public Hearing – Night Market

History

We constructed our building at 8560 River Road in 1975. We have two units – one accessed on River Road and a rear unit with caretaker's suite accessed by the lane. We have experienced numerous disruptions due to the construction of the Canada Line. We understand the impact of the closure of our access. We, along with others lost tenants, buildings, and business due to only temporary access to our properties because of lack of access. However, the construction of the Canada Line was for the public good and therefore we accepted our financial losses. Our block of River Road already supplies the Airport with its power which can be seen in front of our properties by the overhead lines complete with transformers and protective bollards. Also in our block is the Kinder Morgan Jet Fuel Pipeline complete with above ground valves/vent. These are all on our block of River Road and West Road area – **a road that can be exited in only one location.**

We are not against the Night Market. We do, however, have two major concerns:

1. Environmental Impact

Our concern that the environmentally sensitive area along the Fraser River be protected was conveyed to the owners of the Night Market and we were assured that it would be fenced off and protected. However, we now have concerns with their assurance due to a ditch which has been dug through the dyke to drain their property. They are draining their property onto the railroad tracks and which continues across River Road and West Road intersection to the storm drains on River Road. The tracks, the road, the trail and the Kinder Morgan installation are all awash after a couple of days of rain. This breaching of the dyke raises concerns with us that they will not follow through on their protection of the designated Environmentally Sensitive Area of the River. My concern is the migration of the silt material and you can see by looking at the area they have breached in front of the railroad track area the amount of silt that has migrated in a short period.



If the Market is forced to drain their site the opposite way towards the river it is going to have a major impact on the designated Environmentally Sensitive area.

They should be required to hook up to the municipal storm sewer system.

The site is not porous. It has had mountains of sand and gravel that made the site area probably ten times larger than its footprint, which retained most of its rainfall. Anyone that has bought sand and gravel by weight know that you buy it when it is dry and not wet. The site is like a pre-loaded site where the sand has been removed. The base is there, it is compacted. You will see the lakes of water remain over the site long after the rain has ceased and my concern is that if you drain this sand filled site to the river without retention areas and filtration so that these sands do not migrate into this environmentally sensitive area, it will get destroyed. I have been hesitant of bringing this to your attention because the reaction will probably be to drain the site towards the river and in turn making its way into the designated Environmentally Sensitive area.

2. Access

The plan calls for the blocking of our street one hour before the Market opens, with barricades—River Road from No. 3 Road and West Road and the blocking of our lane with barricades from River Road to Bridgeport. I am also informed that no parking will be allowed on River Road during the market hours. This is to happen for six months a year for the next three years. I am told by your representative at City Hall that anyone wishing to access our property – River Road or lane – that they will have to ask the private traffic people to remove the barricades to let them through by informing them which business on River Road they need to access. A business cannot operate under those circumstances. At present we operate our business here and may experience financial losses. As well, in the future how can we lease our property to another tenant with limitations set on its access?

We have paid taxes on our property for over 35 years and do not expect any special treatment. However we find it incredible that you can allow a private business the ability to close our street for his own enterprise and suggest to us that we have to contact him to give us access passes to access our own property.

I am asking you for a legal opinion from your Legal Department on the City of Richmond's right to hand over the control of access to this block on River Road and Lane to a private business at the expense of properties on River Road. I have not sought a legal opinion but I understand what democracy means. Does anyone have the right to obstruct our access to enhance their own value and use of their property? The Mayor and Council are the guardians of our streets that give us all unrestricted access to our homes and businesses. This should not be on the table, even for discussion.



Henry Davies, President
Jayker Holdings Ltd.
Mitchell Island Equipment Inc.
The Barn

Cc: Juan's Auto Service
Don Dickey Supplies Ltd.
Canada Post Corporation
Wings Mold Canada Ltd.
Shaw Cable

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