



# City of Richmond

## Report to Committee Planning and Development Division

**To:** Planning Committee

**Date:** November 5, 2015

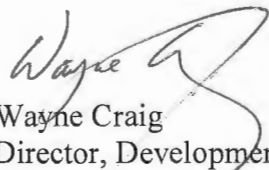
**From:** Wayne Craig  
Director, Development

**File:** RZ 15-703150

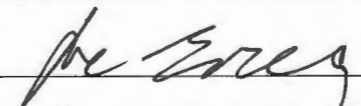
**Re:** Application by Maryem Ahbib for Rezoning at 9131 Steveston Hwy from Single Detached (RS1/E) to Compact Single Detached (RC2)

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9505, for the rezoning of 9131 Steveston Hwy from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.

  
Wayne Craig  
Director, Development

WC:cl  
Att.

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Affordable Housing	<input checked="" type="checkbox"/>	

## **Staff Report**

### **Origin**

Maryem Ahbib has applied to the City of Richmond for permission to rezone the property at 9131 Steveston Hwy from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone, to permit the property to be subdivided to create two (2) lots with vehicle access to/from Steveston Hwy via an established lane system to the west that must be extended to service the subject site (Attachment 1). A site survey showing the proposed subdivision plan is included in Attachment 2.

### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

### **Surrounding Development**

Existing development immediately surrounding the subject site is as follows:

- To the North are two (2) dwellings on lots zoned “Single Detached (RS1/E)”, which front Ryan Crescent.
- To the South, immediately across Steveston Hwy, is the International Buddhist Society Temple on a lot that is split-zoned “Agriculture (AG1)” and “Assembly (ASY)”, and is in the Agricultural Land Reserve.
- To the East, is a dwelling on a lot zoned “Single Detached (RS1/E)”.
- To the West, are four (4) dwellings on lots zoned “Compact Single Detached (RC1)”, which were created through rezoning and subdivision in 2004, and which have vehicle access to/from a lane connecting to Steveston Hwy.

### **Related Policies & Studies**

#### **Official Community Plan**

The Official Community Plan (OCP) land use designation for the subject site is “Neighbourhood Residential”. The proposed redevelopment is consistent with the land use designation.

#### **Arterial Road Policy**

The subject property is undesignated on the Arterial Road Policy Development Map. The Arterial Road Policy allows the consideration of a rezoning application to permit subdivision of an undesignated lot subject to dedication and construction of a fully operational municipal lane.

The proposed redevelopment is consistent with the Arterial Road Policy because it involves dedication and construction of a rear lane to connect to a lane system that is already established to the west of the subject site. The applicant intends to access the established lane from

Steveston Hwy via a statutory right-of-way (SRW) for utilities and public-right-of-passage (BW406323) that is registered on title of the lots at 9093 and 9097 Steveston Hwy.

The SRW at 9093 and 9097 Steveston Hwy was secured through the redevelopment proposal that created four (4) lots at 9091, 9093, 9097, and 9099 Steveston Hwy in 2004 (RZ 04-268084/SD 03-232827). The SRW was designed and constructed as a vehicle lane as part of a Servicing Agreement (SA 04-287038), and includes an asphalt driving surface and lane lighting (Attachment 4).

During the application review process for the 2004 proposal, it was identified that the purpose of the SRW was to provide the City with access to utility infrastructure to be located within that portion of the lands, and to provide temporary public vehicle access to adjacent lots created through rezoning and subdivision in that block of Steveston Hwy until an alternative permanent public vehicle access was established. Over time, it is envisioned that redevelopment of this block of Steveston Hwy will occur in accordance with the Arterial Road Policy and that the dedicated east-west City rear lane that runs parallel to Steveston Hwy will be extended to Mortfield Gate.

The proposed redevelopment at 9131 Steveston Hwy is in keeping with what was envisioned for the redevelopment of this block of Steveston Hwy, and will provide for an extension of the existing City rear lane further east through a 6 m lane dedication prior to final adoption of the rezoning bylaw.

#### **Agricultural Land Reserve (ALR) Buffer**

Consistent with the OCP guidelines, the applicant is required to register a covenant on title prior to rezoning to secure a 4.0 m wide landscaped ALR buffer (as measured from the south property line) along the Steveston Hwy frontage to ensure that landscaping planted within the ALR buffer is maintained and will not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.

#### **Floodplain Management Implementation Strategy**

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

#### **Public Consultation**

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

As part of the rezoning application review process, staff advised the applicant to discuss their intent to use the SRW that is registered on title of the lots at 9093 and 9097 Steveston Hwy for vehicle access to proposed lots at the subject site. The property owners at 9093 and 9097

Steveston Hwy have indicated that they are not supportive of the applicant using the SRW for access, citing concerns with the potential amount of vehicle traffic over the lane that would be generated by the proposed development.

Staff from the City's Transportation department have reviewed the rezoning application at the subject site and provide the following comments regarding vehicular access:

- As Steveston Hwy is a major arterial road, vehicular access to the subject site via the established lane system is intended to reduce vehicle conflicts, and frontage improvements along Steveston Hwy are intended to provide for a more pedestrian-oriented public realm. Frontage improvements required with redevelopment include permanently closing the existing driveway crossings to the subject site through removal and replacement with a barrier curb and gutter, and installation of a treed and grass boulevard, and a sidewalk connecting to the existing sidewalk east and west of the site.
- Vehicular access to the subject site is required to be provided via the driveway crossing and lane between 9093 and 9097 Steveston Highway. The rezoning applicant is required to enter into a legal agreement with the City to be registered on title prior to final adoption of the rezoning bylaw to acknowledge that:
  - they wish to make use of the statutory right-of-way agreement (BW406323) that is registered on title at 9093/9097 Steveston Highway for vehicular access to the subject site until an alternative exists; and,
  - that use of the lane is subject to the terms and conditions of the statutory right-of-way agreement (BW406323).

Should the Planning Committee endorse this application and should Council grant 1<sup>st</sup> reading to the rezoning bylaw, a Notice of Public Hearing will be sent to all residents and property owners of land within 50 m of the subject site, with instructions on how to participate in the public hearing process.

## **Analysis**

### **Existing Legal Encumbrances**

There is an existing statutory right-of-way on title for utilities located along the north property line of the subject site. The applicant is required to dedicate a 6.0 m wide portion of land along the entire north property line prior to final adoption of the rezoning bylaw to provide a lane to connect to an established rear lane to the west. Following lane dedication, the utilities will be located within the City's road network and the right-of-way will not be applicable to the subject site.

### **Site Access and Frontage Improvements**

Consistent with the City's Transportation department requirements, vehicle access to the subject site is proposed via an established lane system that must be extended eastbound to service the subject site.

Access to the established east-west lane is proposed from Steveston Hwy via a SRW for utilities and a public-right-of-passage that is registered on title of the lots at 9093 and 9097 Steveston Hwy (BW406323). The applicant is required to register a legal agreement on title prior to final adoption of the rezoning bylaw to acknowledge that they wish to make use of the statutory right-of-way agreement (BW406323) registered on title at 9093/9097 Steveston Highway for vehicular access to the subject site.

#### *Lane improvements*

The applicant is required to dedicate a 6.0 m wide portion of land along the entire north property line to the City prior to final adoption of the rezoning bylaw for the design and construction of a rear lane to current City standards. The lane design is to connect to and match the lane works completed to the west as part of the Servicing Agreement associated with redevelopment of 9091, 9093, 9097, and 9099 Steveston Hwy (SA 04-287038). The rear lane design is to include (but is not limited to), rollover curb and gutter, asphalt paving, drainage, and lane lighting. The scope of works is to be determined through the Servicing Agreement design review process required prior to subdivision.

#### *Road improvements*

Required frontage improvements along Steveston Highway include, but are not limited to:

- Permanent closure and removal of the existing driveway crossings providing access to the subject site from Steveston Highway.
- Removal of the existing sidewalk located at the curb along the entire site frontage and backfilling of the area to provide a minimum 1.5 m wide grass/treed boulevard (width of the boulevard is exclusive of the 0.15 m wide top of curb).
- Construction of a new 1.5 m wide concrete sidewalk behind the new boulevard along the entire site frontage, connecting to the existing sidewalk east and west of the subject site.
- Street lighting and other utility requirements may be required as part of the frontage improvements, as determined through the Servicing Agreement design review process.

#### **Tree Retention and Replacement**

A Certified Arborist's Report was submitted by the applicant, which identifies on-site and off-site tree species, assesses their structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses four (4) trees on the subject property, one (1) tree along the front property line that is shared with the City, and two (2) trees and a shrub on the adjacent property to the east.

The City's Tree Preservation Coordinator and Parks Department Arborist have reviewed the Arborist's Report, conducted visual tree assessment, and provide the following comments:

- Four (4) fruit trees located on the subject site have all been previously topped and are not good candidates for retention (tag # 1, 5, 6 & 7).
- One (1) fruit tree (tag # 2) along the front property line that is shared with the City is in poor condition, is not suitable for retention, and is in conflict with the required frontage improvements along Steveston Hwy.
- Two (2) trees (tag # 3 and 4) and a Rhododendron shrub (tag # 8) located on the neighbouring property to the east at 9151 Steveston Hwy are identified by the applicant's Arborist to be in poor condition. If the applicant wishes to seek the removal of these

neighbouring trees, they must first obtain written permission from the adjacent property owner(s) and then obtain a valid tree removal permit (under the address on which the trees are located). If permission to remove the trees is not granted, the applicant is required to retain and protect the trees to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03.

The proposed Tree Retention Plan is included in Attachment 5.

To ensure protection of the off-site trees and shrub at 9151 Steveston Hwy (tag # 3, 4, and 8), the applicant must submit a contract with a Certified Arborist for supervision of all on-site works conducted within close proximity to tree protection zones. The contract must include the scope of work, including the number of proposed monitoring inspections at specified stages of construction, any special measures to ensure tree protection, and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.

For the removal of the four (4) trees from the subject site (tag # 1, 5, 6, and 7), the OCP tree replacement ratio of 2:1 requires eight (8) replacement trees. Due to the compact size of the proposed lots, staff recommends that the applicant plant and maintain a total of six (6) replacement trees on the subject site [i.e., two (2) trees in the front yard and one (1) tree in the rear yard of each lot proposed], and provide a contribution in the amount of \$1,000.00 to the City's Tree Compensation Fund prior to final adoption of the rezoning bylaw in-lieu of planting the balance of replacement trees on-site.

For the removal of the tree along the front property line that is shared with the City (tag # 2), the Parks Department requires the applicant to submit a contribution to the City's Tree Compensation Fund in the amount of \$650 prior to final adoption of the rezoning bylaw, for the planting of trees in the City. The applicant is required to contact the City's Parks Department four (4) business days prior to tree removal to enable proper signage to be posted.

To ensure that the required replacement trees are planted and maintained, and that the front yards of the proposed lots are enhanced, the applicant is required to submit a Landscape Plan prepared by a Registered Landscape Architect along with a Landscaping Security based on 100% of a Cost Estimate prepared by the Landscape Architect for the works (including all materials, installation, and a 10% contingency). The Landscape Plan, Cost Estimate, and Security are required to be submitted prior to final adoption of the rezoning bylaw. The Security will be reduced by 70% after construction and landscaping at the subject site is completed and a landscaping inspection has been passed by City staff. The City will retain 30% of the Security for a 1-year maintenance period to ensure that the landscaping survives.

### **Affordable Housing Strategy**

The Affordable Housing Strategy for single-family rezoning applications received prior to September 14, 2015, requires a secondary suite or a coach house on 50% of new lots, or a cash-in-lieu contribution of \$1.00/ft<sup>2</sup> of total buildable area towards the City's Affordable Housing Reserve Fund.

The applicant proposes to provide a legal secondary suite on one (1) of the two (2) lots proposed at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on title stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. Registration of this legal agreement is required prior to final adoption of the rezoning bylaw. This agreement will be discharged from title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

### **Site Servicing**

There are no servicing concerns with the proposed rezoning. Prior to subdivision, the applicant is required to:

- Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees.
- Enter into a Servicing Agreement for the design and construction of water, storm, and sanitary service connections, lane drainage, and upgrades described in Attachment 6.
- Pay servicing costs associated with the water, storm, and sanitary works identified in Attachment 6.

### **Financial Impact**

This rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees, and traffic signals).


### **Conclusion**

The purpose of this application is to rezone the property at 9131 Steveston Hwy from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, to permit the property to be subdivided to create two (2) lots with vehicle access to/from an established lane system that must be extended to service the subject site.

This rezoning application complies with the land use designations and applicable policies for the subject site contained within the OCP.

The list of rezoning considerations is included in Attachment 6, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9505 be introduced and given first reading.



Cynthia Lussier  
Planning Technician

CL:rg

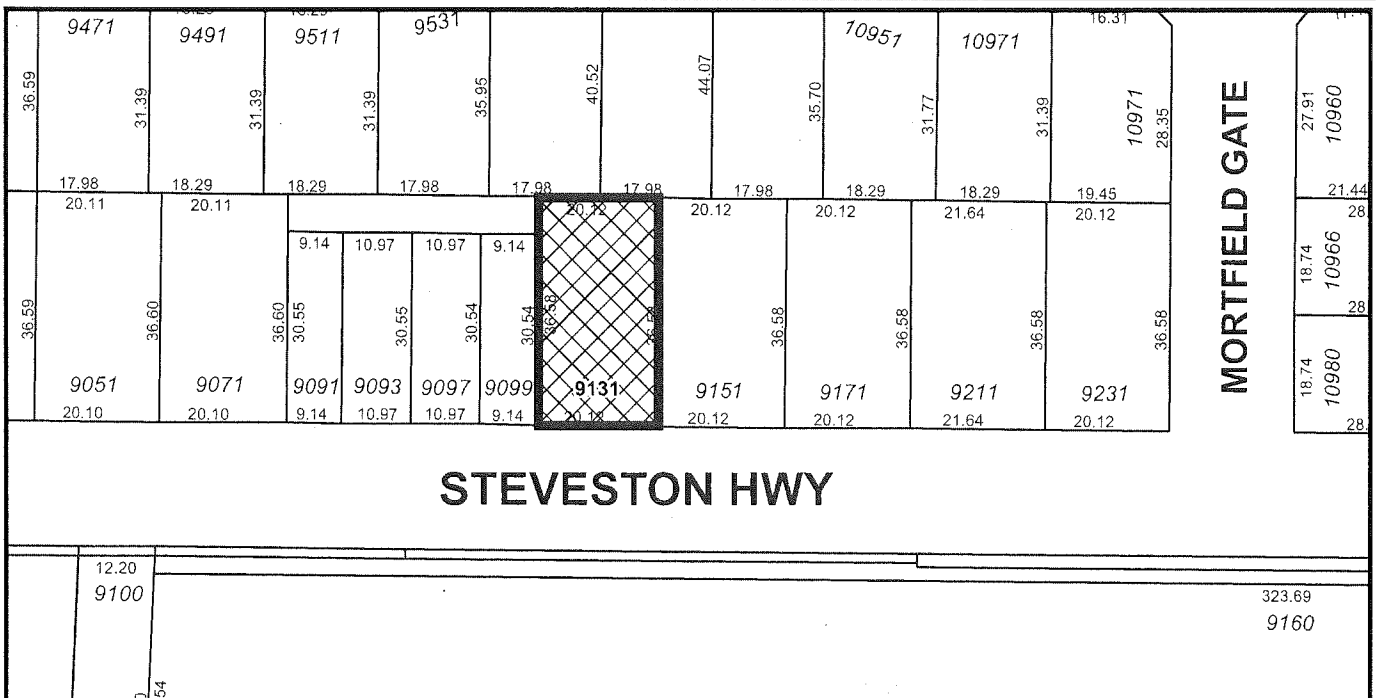
Attachments:

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Site survey and proposed subdivision plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Plans illustrating established lane system
- Attachment 5: Proposed Tree Retention Plan
- Attachment 6: Rezoning Considerations





# City of Richmond



## RZ 15-703150

Original Date: 07/21/15

Revision Date:

Note: Dimensions are in METRES



City of  
Richmond



RZ 15-703150

Original Date: 07/21/15

Revision Date:

Note: Dimensions are in METRES

**SURVEY PLAN OF LOT 10 SECTION 34  
BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 16935**  
PARCEL IDENTIFIER (PID): 001-270-800

CIVIC ADDRESS:  
9131 STEVESTON HIGHWAY  
RICHMOND, B.C.

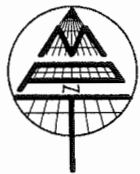
SCALE 1:125

ALL DISTANCES ARE IN METRES

ELEVATIONS ARE IN METRES AND ARE DERIVED FROM  
CITY OF RICHMOND HPN MONUMENT #204 (02H2452)  
WITH AN ELEVATION OF 1.559 METRES.

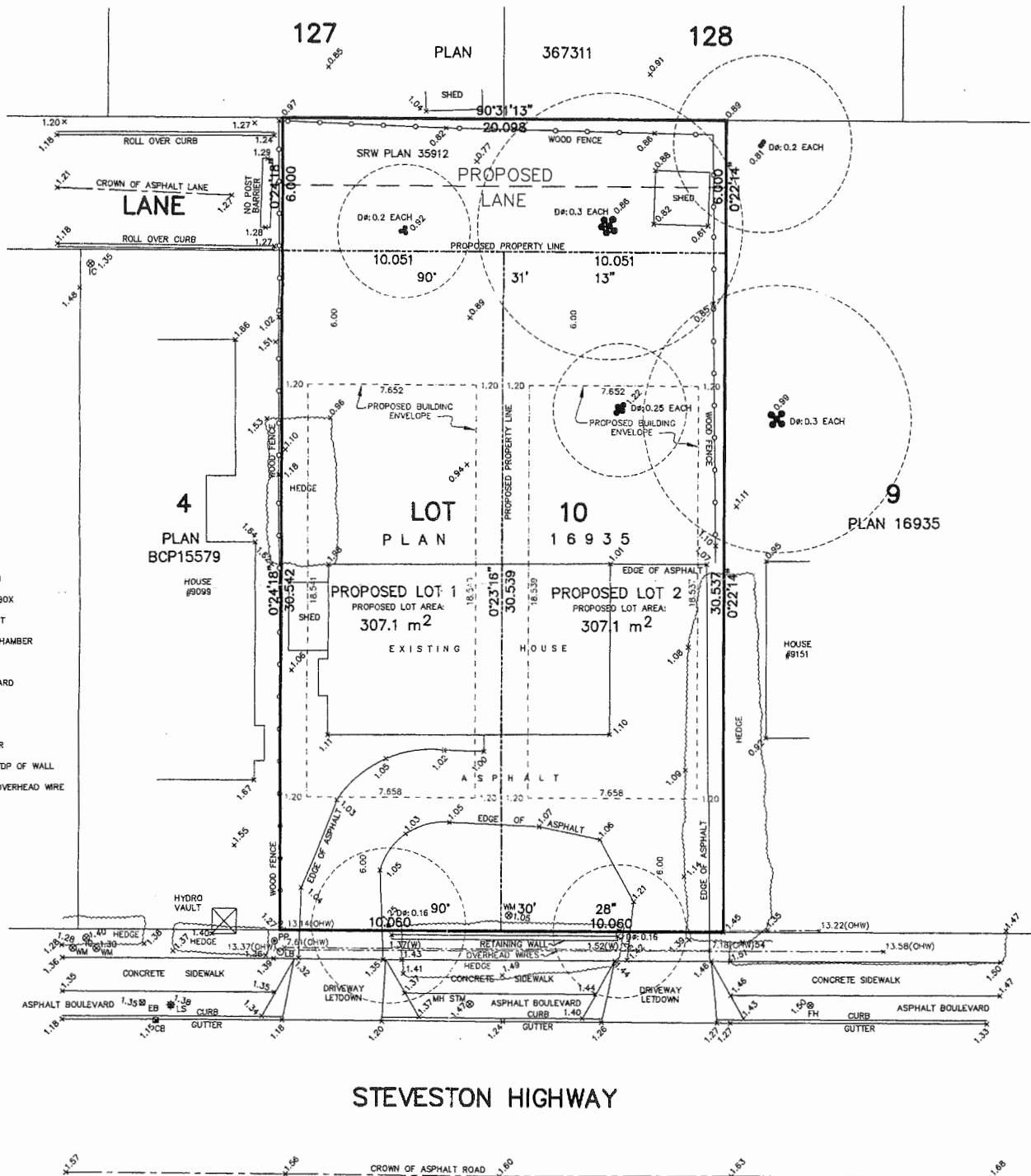
PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND  
TITLE AND SURVEY AUTHORITY OF BC RECORDS AND  
LEGAL FIELD SURVEYS.

ALL DESIGNATED TREES AS DEFINED BY CITY OF  
RICHMOND BYLAW NO. 8057, ARE SHOWN HEREON.



**LEGEND:**

- CB DENOTES CATCH BASIN
- EB DENOTES ELECTRICAL BOX
- FH DENOTES FIRE HYDRANT
- IC DENOTES INSPECTION CHAMBER
- LB DENOTES LAWN BASIN
- LS DENOTES LAMP STANDARD
- MH DENOTES MANHOLE
- PP DENOTES POWER POLE
- WM DENOTES WATER METER
- (W) DENOTES ELEVATION TDP OF WALL
- (OHW) DENOTES ELEVATION OVERHEAD WIRE

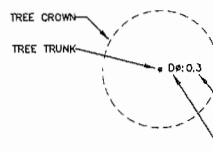


**STEVESTON HIGHWAY**

© COPYRIGHT

**MATSON PECK & TOPLISS**  
SURVEYORS & ENGINEERS  
#320 - 11120 HORSESHOE WAY  
RICHMOND, B.C.  
V7A 5H7  
PH: 604.270.9331  
FAX: 604.270.4137  
CADFILE:17872-1-TPG.DWG

**TREE SYMBOLOLOGY**



DENOTES TRUNK DIAMETER  
MEASURED 1.2 TO 1.5 METRES  
ABOVE GRADE AT BASE OF TREE

DENOTES TREE TYPE  
D DENOTES DECIDUOUS TREE

**PH - 117**

CERTIFIED CORRECT  
THIS 6th DAY OF JUNE, 2015

*[Signature]*  
S.C.L.S.

DATE OF SURVEY: JUNE 2, 2015



**RZ 15-703150**

**Attachment 3**

Address: 9131 Steveston Hwy

Applicant: Maryem Ahbib

Planning Area(s): Broadmoor

	Existing	Proposed
<b>Owner:</b>	Jacqueline Wanda D'Odorico	To be determined
<b>Site Size (m<sup>2</sup>):</b>	Approximately 735 m <sup>2</sup> (7,911 ft <sup>2</sup> )	Two (2) lots, each approximately 307 m <sup>2</sup> , after road dedication
<b>Land Uses:</b>	Single-detached dwelling	Two (2) residential lots, each with a single detached dwelling
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Zoning:</b>	Single Detached (RS1/E)	Compact Single Detached (RC2)
<b>Other Designations:</b>	The Arterial Road Policy permits the consideration of rezoning and subdivision applications along this block Steveston Highway subject to dedication, design, and construction of a fully operational lane.	No change

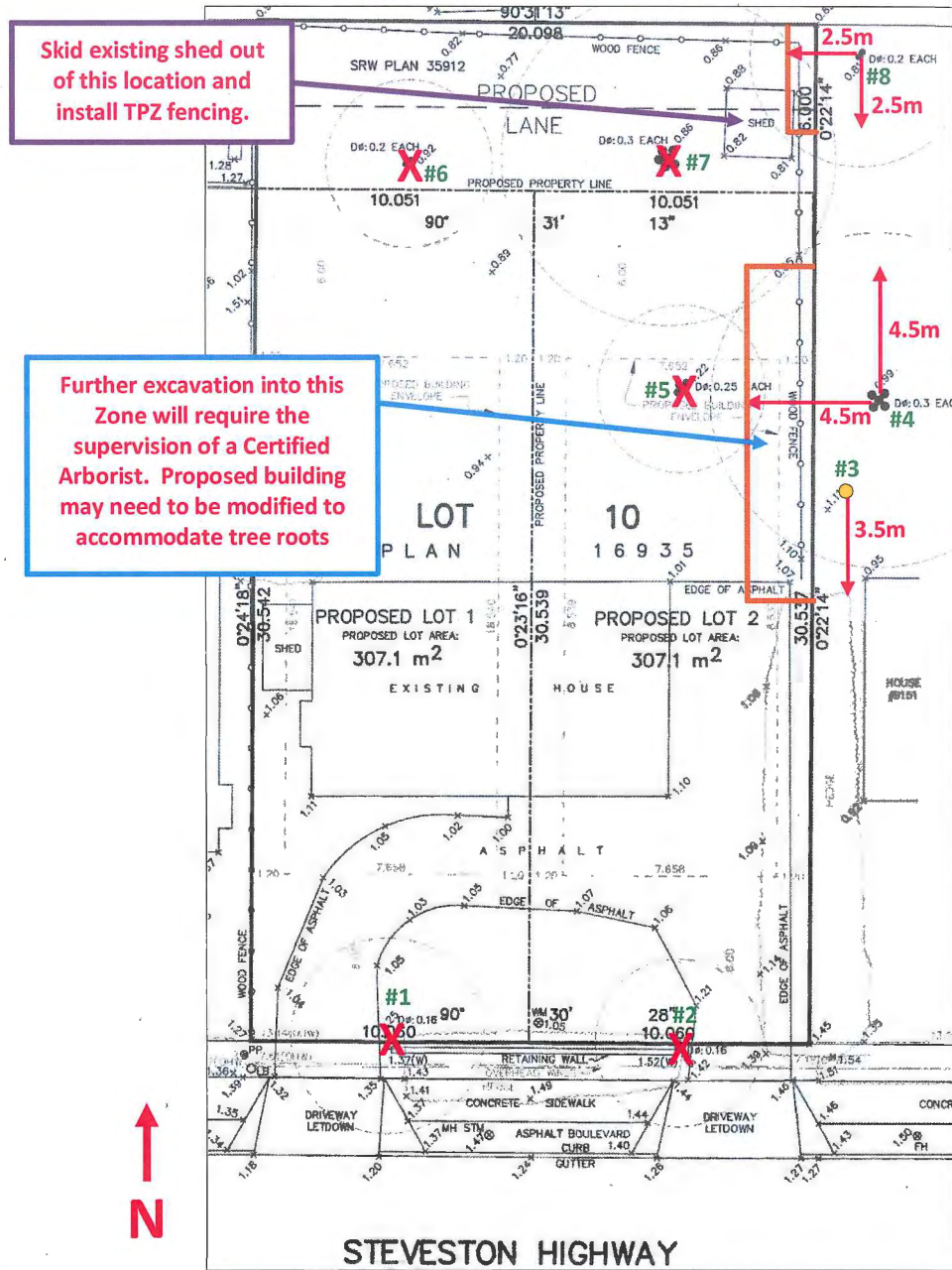
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60	Max. 0.60	none permitted
Lot Coverage – Building:	Max. 50%	Max. 50%	none
Lot Coverage – Buildings, Structures, and Non-Porous Surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Live plant material:	Min. 20 %	Min. 20 %	none
Lot Size (min. dimensions):	270 m <sup>2</sup>	307 m <sup>2</sup>	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2 ½ storeys	2 ½ storeys	none

Other: Tree replacement compensation required for loss of bylaw-sized trees.





## Tree Retention &amp; Removal Plan, Scale 1:250



SUITABLE REPLACEMENT TREES (Botanical name)
Stewartia ( <i>Stewartia pseudocamellia</i> )
Dik's Weeping Cypress ( <i>Chamaecyparis lawsoniana</i> 'Dik's Weeping')
Purple Fountain European Beech ( <i>Fagus sylvatica</i> 'Purple Fountain')
Japanese Tree Lilac 'Ivory Silk' ( <i>Syringa reticulata</i> 'Ivory Silk')
Globe Norway maple ( <i>Acer platanoides</i> 'Globosum')

TREE #	TREE SPECIES (Botanical name)	DBH (cm)	SPREAD (m) Radius
1	Plum ( <i>Prunus sp.</i> )	16	3.5
2	Plum ( <i>Prunus sp.</i> )	15	3.5
3	Cedar ( <i>Thuja plicata</i> )	59	4
4	Cherry ( <i>Prunus sp.</i> )	95 comb.	6
5	Cherry ( <i>Prunus sp.</i> )	80 comb.	3
6	Pear ( <i>Pyrus sp.</i> )	45 comb.	2.75
7	Apple ( <i>Malus sp.</i> )	101 comb.	5.5
8	Rhododendron ( <i>Rhododendron sp.</i> )	49 comb.	3.75



**Address:** 9131 Steveston Hwy

**File No.:** RZ 15-703150

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9505, the developer is required to complete the following:**

1. 6.0 m wide lane dedication along the entire north property line.
2. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
  - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
  - include a mix of coniferous and deciduous trees;
  - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
  - include the six (6) required replacement trees (minimum 6 cm deciduous caliper or 3 m high conifer).
3. City acceptance of the developer's offer to voluntarily contribute \$1,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
4. City acceptance of the developer's offer to voluntarily contribute \$650 to the City's Tree Compensation Fund for the removal of the tree along the front property line that is shared with the City (tag # 2).
5. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained (off-site tree tags# 3, 4, and 8). The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections at specified stages of construction, any special measures to ensure tree protection, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
6. Registration of a flood indemnity covenant on title.
7. Registration of a legal agreement on title to ensure that landscaping planted along a 4.0 m wide ALR buffer (as measured from the south property line) along the Steveston Hwy frontage is maintained and will not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.
8. Registration of a legal agreement on title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
9. Registration of a legal agreement on title to acknowledge that the applicant wishes to make use of the statutory right-of-way agreement (BW406323) registered on title at 9093/9097 Steveston Highway for vehicular access to the subject site until an alternative exits.

**Prior to removal of the tree on the boulevard in City-owned property (tag # 2), the applicant is required to:**

- Contact the City's Parks Department (604-244-1208 ext 1314) four (4) business days prior to tree removal to enable proper signage to be posted.

**At demolition\* stage, the following is required:**

- Installation of tree protection fencing on-site around the dripline of the off-site trees to be retained (tags # 3, 4, and 8). Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 and must remain in place until construction and landscaping on-site is completed.

**At subdivision\* stage, the following is required:**

- Entrance into a Servicing Agreement\* for the design and construction of off-site servicing and road improvements, including (but not limited to):
  - A rear lane along the north property line to current City standards, to connect to and match the lane works completed to the west as part of the Servicing Agreement associated with redevelopment of 9091, 9093, 9097, and 9099 Steveston Hwy (SA 04-287038). The rear lane design is to include (but is not limited to), rollover curb and gutter, asphalt paving, drainage, and lane lighting. The scope of works is to be determined through the Servicing Agreement design review process.
  - Permanent closure and removal of the existing driveway crossings providing access to the subject site from Steveston Highway.
  - Removal of the existing sidewalk located at the curb along the entire site frontage and backfilling of the area to provide a minimum 1.5 m wide grass/treed boulevard (note: the width of the boulevard is exclusive of the 0.15 m wide top of curb).
  - Construction of a new 1.5 m wide concrete sidewalk behind the new boulevard along the entire site frontage, connecting to the existing sidewalk east and west of the subject site.
  - Street lighting and other utility requirements may be required as part of the frontage improvements, as determined through the Servicing Agreement design review process.

*Water Works:*

- Using the OCP Model, there is 1029.0 L/s of water available at a 20 psi residual at the Steveston Hwy frontage. Based on your proposed development, your site requires a minimum fire flow of 95.0 L/s.
- The developer is required to Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs.
- At the developer's cost, the City is to:
  - Cut and cap the existing water service connection at the watermain, along the Steveston Hwy frontage.
  - Install two (2) new 25 mm water service connections complete with meters and meter boxes along the Steveston Hwy frontage.

*Storm Sewer Works:*

- The developer is required to extend the existing 200 mm storm sewer east approximately 20 m within the proposed lane complete with inspection chambers as required.
- At the developer's cost, the City is to:
  - Cut and cap the existing storm service connections at the southwest and southeast corners of the development site.
  - Upgrade the existing storm service connection complete with inspection chamber and dual connections at the adjoining property line of the proposed lots.

*Sanitary Sewer Works:*

- The developer is required to provide a 1.5 m x 1.5 m statutory right-of-way (SRW) for the location of a sanitary inspection chamber at the adjoining property line of the newly subdivided lots.
- At the developer's cost, the City is to:
  - Cut and cap the existing sanitary service connection at the northeast corner of the development site.
  - Install (one) 1 new sanitary inspection chamber and dual connections at the adjoining property line of the newly subdivided lots, within the proposed statutory right-of-way (SRW).



*General Items:*

- The developer is required to coordinate with BC Hydro, Telus and other private communication service providers:
  - To underground Hydro service lines (if applicable).
  - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages (if applicable).
  - To determine if above ground structures are required and coordinate their locations on-site (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc, if applicable).
- The Developer is required to enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. The Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

**Note:**

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

(signed original on file)

Signed

Date  
**PH - 123**



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 9505 (RZ 15-703150)  
9131 Steveston Hwy**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"COMPACT SINGLE DETACHED (RC2)"**.

P.I.D. 001-270-800

Lot 10 Section 34 Block 4 North Range 6 West New Westminster District Plan 16935

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9505"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

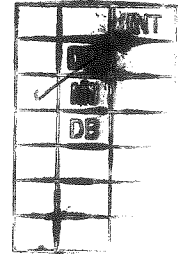
NOV 23 2015



\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

**Attn: The Mayor/Councillors**  
City of Richmond  
6911 No. 3 Road  
Richmond BC V6Y 2C1



November 13<sup>th</sup>, 2015

**RE: Objection to Rezoning Application number RZ15-703150 relating to 9131 Steveston Hwy property – Right of Way/Public Access over our Private properties**

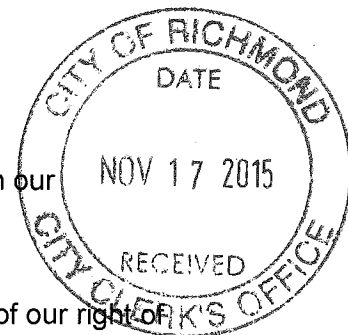
Dear Mayor/Councillors,

We strongly object to the above proposed usage of our properties regarding the use of the right-of-way over our properties (9093 & 9097 Steveston Hwy). We have attached all the chain of emails exchanges with the City Planning & Development department. These emails are self-explanatory. We contacted the City Planning development department in July 2015 and raised our concerns. Subsequently we had meeting with city planner (Cynthia) on July 31<sup>st</sup> in which it was assured that based on our legal documents no right of way to public will be given. Since then no information were given to us on the development of this application. We guess builder was in constant contact to find the loop hole to get the access through our private properties. We have no idea how City Planning department has changed the legal interpretation due to the builder's pressure. In the July 31<sup>st</sup> meeting it was made clear to us that no public access will be given until we agree. Amazingly the City Planning department did not bother to involve us during this legal interpretation process, we found out ourselves today that the application has gone that far based on the testimony/understanding of one party (Builder) only. We still have no idea which legal clause and which document city planning department is considering unilaterally?

We are approaching you to stop that kind of one sided decision. We are the affected parties and we strongly object to give any kind of public access through our properties. Earlier access was given to this block of four houses only.

Our strong objections are based on the following genuine facts:

1. Loss of privacy and intrusion to local community
2. 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. That lack of supporting evidence is contrary to city approval policy.



City should not support builder because they are rich and city will get more benefits from the builder in return taxes. We also pay heavy taxes every year including the land passage under question. City should support us being a long time tax payer in the city of Richmond. We do need piece of mind for our families. This is totally unfair on our part being a victim of misinterpretations of our SRW document. This forced land-grabbing must stop. The permission to use our property for re-zoning purpose in our view is excessive, unpleasant, and grotesque. Our original objection to give access to builder over our properties from July, 2015 still stands,

and we have included email correspondence in this regard. This is very narrow lane; with vehicles parked on one side put our kids in great danger due to many blind spots for turning traffic. Over and above 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. City must stop giving any kind of access through our properties that will unnecessarily create very unsafe situation for our families. We preach a lot safety into our lives every day at home, at offices, on roads, etc but when it comes to vital decision that has long lasting effect city must not ignore the family safety and our piece of mind over small monetary gains (in terms of taxes).

We trust our objections will be put forward before the Planning Committee in due course prior to a decision being made on this application. We should be grateful if you would kindly keep us informed of the progress of the planning application.

Many thanks.

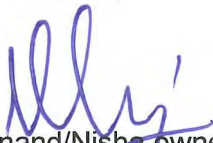
Yours sincerely,



Qaiser/Naureen owner of 9093 Steveston Highway, Richmond BC

Phone: 604-277-6493

Email: [g\\_iqbal@hotmail.com](mailto:g_iqbal@hotmail.com)



Anand/Nisha owner of 9097 Steveston Highway, Richmond BC

Phone: 604-288-6067

Email: [anand.filmfx@gmail.com](mailto:anand.filmfx@gmail.com)

Attachment: Email correspondence with city

## Iqbal, Qaiser

---

**From:** Qaiser Iqbal <q\_iqbal@hotmail.com>  
**Sent:** 2015, November 16 8:42 AM  
**To:** Iqbal, Qaiser  
**Subject:** FW: Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

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**From:** q\_iqbal@hotmail.com  
**To:** clussier@richmond.ca; devapps@richmond.ca  
**CC:** anandnisha.dc@gmail.com; anand.dorairaj@yahoo.com  
**Subject:** Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)  
**Date:** Fri, 13 Nov 2015 16:42:45 -0800

Thanks Cynthia,  
Can you refer to us which legal interpretation (Document #, Clause #, etc), we would like to know how City has unilaterally decided to proceed with this without involving the residents. We'll bring that document in the meeting if you could refer us to the right document.  
Thanks,  
Qaiser

---

**From:** CLussier@richmond.ca  
**To:** q\_iqbal@hotmail.com; DevApps@richmond.ca  
**CC:** anandnisha.dc@gmail.com; anand.dorairaj@yahoo.com  
**Subject:** RE: Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)  
**Date:** Sat, 14 Nov 2015 00:31:47 +0000

Hi Qaiser and Nisha  
As discussed today by phone, the staff report on the proposed rezoning application at 9131 Steveston Hwy (RZ 15-703150) will be available hopefully this evening through a link on the City's website at  
: <http://www.richmond.ca/cityhall/council/agendas/planning.htm>

The staff report is scheduled to be presented at a Planning Committee meeting to be held on Tues Nov 17 in the Anderson Room at Richmond City Hall at 4pm, next week.

The meeting is open to the public, and there will be an opportunity to speak to the Committee when they are considering the application. A copy of the Meeting Agenda will also be available through the above link.

I understand your concerns regarding use of the right-of-way over your properties, however a legal interpretation has been provided to staff which indicates that the right-of-way may be used for the purpose of utilities and public-right-of-passage, and that it was envisioned at the time that your lots were created that the right-of-way provide temporary vehicle access to access adjacent lots in this block until such time that a permanent lane access is made available. It is on this basis that staff is recommending that the application be moved forward to the Planning Committee for their

consideration. The outcome of the proposal will be determined by Council with consideration given to the public's comments.

If the Planning Committee decides to move the application forward to the next step, there will be an opportunity for you to provide comments at a subsequent Council meeting and Public Hearing.

Cynthia Lussier  
Planner  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

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**From:** Qaiser Iqbal [[mailto:q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)]  
**Sent:** Friday, 13 November 2015 3:47 PM  
**To:** Lussier, Cynthia; DevApps  
**Cc:** [anandnisha.dc@gmail.com](mailto:anandnisha.dc@gmail.com); [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com)  
**Subject:** Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

Cynthia,  
We need a little bit of more clarity on the rezoning "board" being displayed at the property of 9131 Steveston Hwy for Rezoning application number **RZ15-703150**. We made it very clear to the applicant (Maryem Ahbib) that we are not giving any kind of public/Vehicle access to the rear lane through the lane between 9093 & 9097 properties but display sign board is somewhat confusing with the wording "**To permit a subdivision to create (2) Lots, with Vehicle access from a Proposed Extension to the existing rear lane**". I am also attaching the display board photos. We all know that the extension of existing rear lane is not possible until all the houses are sold, under current situation access to the existing lane is not possible because we are not prepared to give any kind of public access through our ROW. Our this decision was clearly communicated to Maryem Ahbib and her partner (see below emails). A copy of that decision was also sent to City of Richmond on August 1st 2015. We also had a meeting with you at the city hall on July 31st, 2015, in which we made it clear that we don't want to give any public access through this lane.

Therefore please do not approve their rezoning application permitting the subdivision with Vehicle access from the rear lane as there is no way they can access to the proposed properties through rear lane.

We already left detail messages at your answering machines, feel free to contact us to discuss this if necessary.

Thanks,  
Qaiser  
604-839-3011 (Cell)

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**From:** Iqbal, Qaiser  
**Sent:** 2015, August 09 12:14 PM  
**To:** Lussier, Cynthia ([CLussier@richmond.ca](mailto:CLussier@richmond.ca))  
**Cc:** 'Khalid Hasan ([info@khalidhasan.com](mailto:info@khalidhasan.com))'



**Subject:** Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

**For your information**

**From:** Qaiser Iqbal [[mailto:q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)]  
**Sent:** 2015, August 01 10:36 AM  
**To:** [mahbib@sutton.com](mailto:mahbib@sutton.com); [bpanesar@sutton.com](mailto:bpanesar@sutton.com)  
**Cc:** [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com)  
**Subject:** Public ROW Access on Private Properties (9093 & 9097)

**Attention: Maryem Ahbib and Bhajan Panesar - Sutton Group (Seafair Realty)**

Please be informed that we the owners of properties 9093 Steveston Hwy & 9097 Steveston Hwy jointly decided not to give/allow any kind of public access through our properties as shown on Plan BCP # 13121. Therefore no further meetings/visits to our houses are necessary to pursue this matter with us. This matter deemed closed hereinafter.

Thank you,

Qaiser/Naureen owner of 9093 Steveston Highway, Richmond BC  
Anand/Nisha owner of 9097 Steveston Highway, Richmond BC

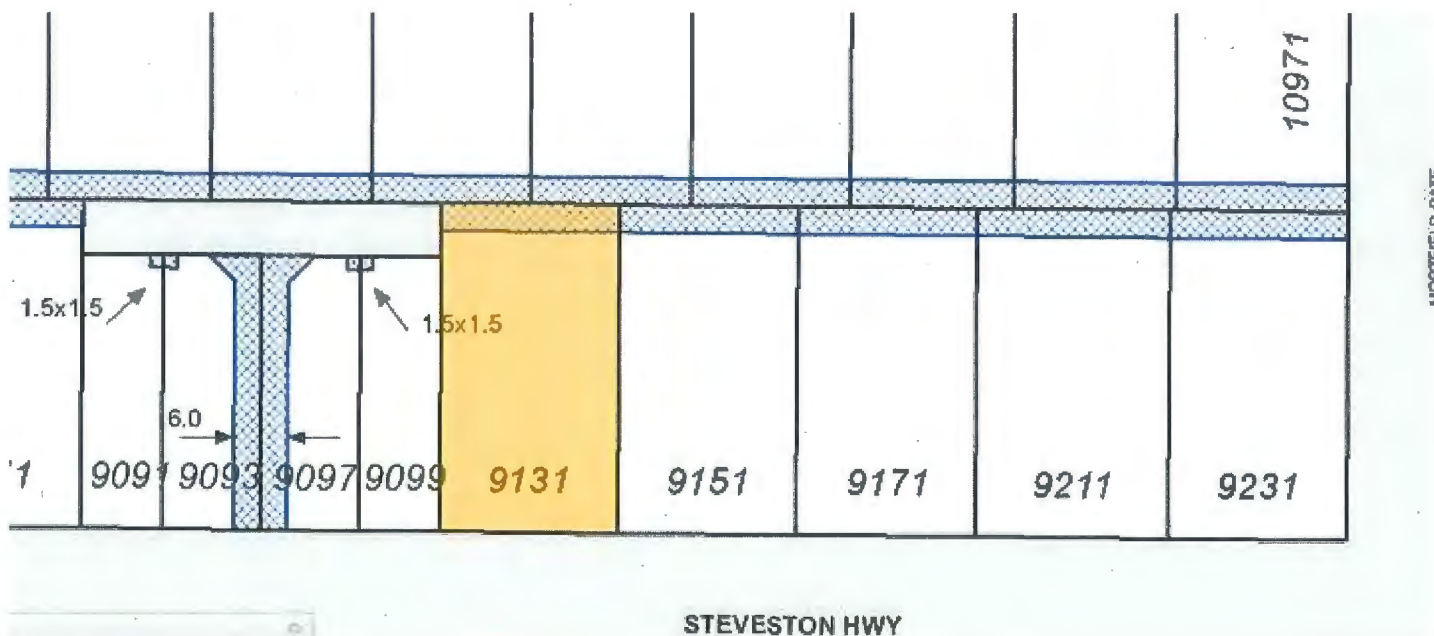
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**From:** Lussier, Cynthia [<mailto:CLussier@richmond.ca>]  
**Sent:** 2015, July 27 3:42 PM  
**To:** Iqbal, Qaiser  
**Subject:** RE: Temporary Public Access on Private Property

Hello,  
Thank you for taking the time to inquire about the proposed Rezoning application at 9131 Steveston Hwy (RZ 15-703150).

Maryem Ahbib has submitted an application to request permission from City Council to rezone the land to enable a subdivision to create 2 lots with vehicle access from an eastbound extension of the existing City-owned lane along the north property line of 9091/9093/9097/9099 Steveston Hwy (see the map below showing your property and the City-owned lane along the north property line). City staff are currently reviewing the rezoning application. One of the issues that City staff need to review is the proposed vehicle access to the site.

I think it would be worth discussing the redevelopment history of the lots at 9091/9093/9097/9099 Steveston Hwy in person. Are you able to attend a brief meeting with me to discuss this? Please let me know your availability to meet with me. I am in the office this week and then out of the office next week, returning on Monday August 10<sup>th</sup>.



Thank you,

Cynthia Lussier  
 Planning Technician  
 Development Applications Division  
 City of Richmond  
 Tel: 604-276-4108  
 Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

**From:** Iqbal, Qaiser [<mailto:Qaiser.Iqbal@bchydro.com>]  
**Sent:** Monday, 27 July 2015 12:41  
**To:** DevApps  
**Cc:** InfoCentre  
**Subject:** Temporary Public Access on Private Property

Attention: The Land Title Manager

I have been approached by two realtors from Sutton group (refer attached file) asking me to sign an authorization granting them a temporary public access to develop the property in the block of 9100 (east side) giving them access from back lane to the future residents as well. My understanding is; this lane between my house at 9093 Steveston Hwy and our neighbour at 9097 Steveston Hwy is not public property. This vehicle access is provided jointly by us and our neighbour so that vehicles can access the garages at the rear of the 4 houses in this complex only. Since builder is developing the adjacent block they should have their own private lane similar to us instead of asking us to provide the access. By giving access traffic in this lane is going to be increased, over and above this lane is not built for heavy and more traffic. Over the past number of years we have noticed that this lane is already sinking due to current traffic conditions. Before we sign or refuse to sign, we would like to know, what are our legal rights in case we refuse to grant any additional public access through this lane? What are the legal implications for refusing to give access.? Does City support us in any decision we would like to put forward in future?

Can we get our previously signed copy of the access that we have given to the current property owners? Please advise in detail. If you are not the right person to deal with such inquires please forward our request to the concerned department.



Regards,

***Qaiser Iqbal/Naureen Qaiser***

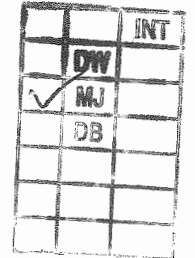
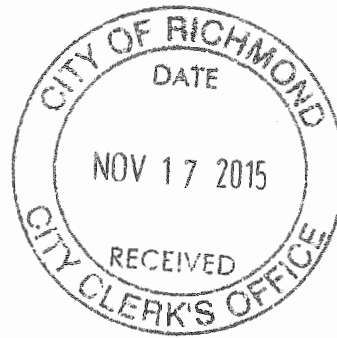
**Folio Number:** 074-841-012

**Civic Address:** 9093 STEVESTON HWY RICHMOND, BC V7A 1M6

Tel: 604-528-1777 (W)      Cell: 604-839-3011

Email: [qaiser.iqbal@bchydro.com](mailto:qaiser.iqbal@bchydro.com)

Attn: The Mayor/ Councillors  
City of Richmond  
6911 No. 3 Road  
Richmond BC V6Y 2C1



Re: Expressing our strong objections to re-zoning application at 9131 Steveston Hwy (RZ 15-703150)

BL9505

Dear Mayor, Councillors,

We are writing to express our objections to the re-zoning application at 9131 Steveston Hwy (RZ 15-703150). We live at the neighboring plot - 9097 Steveston Hwy. The re-zoning application proposes to use our lane (private property) as the access to the new homes. A "right of way" exists for the City to maintain public works for the lane and the builder wishes to take advantage of that. We have already objected to this for the reasons below at a City hall meeting earlier but the re-zoning application is going forward regardless with the planning committee meeting on Nov 17<sup>th</sup>.

- 1) **Safety** – The front of our home is Steveston hwy where vehicles are typically traveling at high speed (65+ kmph). The lane is already being used by 4 homes and 10 cars! It is not a wide lane but more of a driveway. Turning in to our lane often forces the drivers to make wide turns due to the speeds on Steveston hwy. If another car is also going out, it poses a serious risk of collision. We cannot even see the cars coming out of the driveway until we are almost there because of the tall tree hedges and a sharp right hand turn design (please see picture attached). A vehicle needs to be slowed to an almost stop motion before we can turn in close to the curb in order to not hit any out-bound vehicle. This causes inconvenience for fast moving Steveston hwy traffic as well. Allowing two more homes to use this lane (and likely more homes once we open the door to this sort of thing) will make for increased two way traffic in this narrow lane with quite high risks of collision.

Also we have a 2 year old child. The Steveston hwy side is very dangerous so we keep that gate closed and only use the side gate from the lane to access our home. A continuous stream of traffic on both the access sides of our home will make it an unsafe place for our children.

- 2) **Basic rights** – We bought our home 5 months ago (first time home owners). The land value alone was 533,000 CAD assessed for a plot size of 3606 sq ft (please refer the tax assessment). The lane we are talking about is 1119 sq ft of our lot. The price we have paid for this lane is 163,000 CAD. This is from down-payment we took 10 years to save and mortgage we will pay for the next 30 years. To allow new houses to use our land would make it a public thoroughfare. Both the city and the builders seem richer than us. To expect that we should pay monthly payments for the land for 30 years, property tax on it every year, as well as a hefty land transfer tax to buy it but then donate it for public use, seems not only unfair but also a form of pushing us in to a corner and forcibly taking our property away. Over-ruling us in this decision seems to be denying us any rights or consideration. We hope the City will protect young and growing working-class families from this kind of forced land-grabbing by builders for new developments.

There is also one more thing to consider:

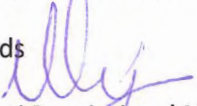
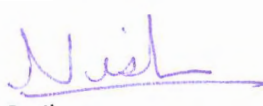
The builder uses the word **temporary access** to sell his idea to the city and Cynthia L from City Hall expressed that as being the builder's plan. That eventually there will be a back-lane from Mortfield Gate to access all our homes. There is nothing temporary about the proposal unless they are willing to put a hard end date on it and state how long they need access for and that they take responsibility for bringing the alternative solution in to being by that time. As of now, everything is left to chance. If even one of the homes adjacent to 9131 Steveston Hwy remains unsold or are converted in to a large single family home with no back-lane, there will be no possibility of any other access to these homes except through our driveway and this access becomes permanent.

If the builder is sincere about this alternative proposal, it is only right that they take the steps to enforce it now for their development rather than to try to exploit our situation. The back-lane will also make for safer access to the existing 4 homes using our lane. We urge the city to mandate the builders to develop the back-lane for their use and close the access from Steveston hwy all together at the earliest both in the interest of public safety and returning our land to us.

Our neighbour from 9093 Steveston Hwy owns the other half of the lane and also is strongly against this. He will also be voicing his concerns.

Thanks for your time and attention to this matter

Best regards

   
M. Anandraj Dorairaj and Nisha Cyril  
9097 Steveston Hwy  
Richmond, BC – V7A1M6



TO: MAYOR & EACH  
COUNCILLOR  
FROM: CITY CLERK'S OFFICE

November 17, 2015

To: City of Richmond Mayor, Planners and Counsellors,

Re: Rezoning application at 9131 Steveston Hwy, Richmond, BC (RZ 15-703150)

Ref: Planning Nov 17/15  
Item #3

Pc: Wayne Craig  
Joe Erceg

I am the home owner of property #9091 Steveston Hwy, Richmond, BC. My wife and I 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 general public, the builders and the home owners of property #9131 Steveston Hwy, Richmond, BC. We are concerned if the City of Richmond grant the Right-of-Way of this drive lane to the builders or to the home owners of property #9131 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.

The private drive lane in between properties #9093 & #9097 Steveston Hwy, Richmond, BC was granted to only owner of properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC temporarily until public access at the rear of the properties from Mortfield Gate or another public street is available. It is my understanding that the owners of #9093 & #9097 have provided the rights to this drive lane only to owners/residents of #9091 & #9099 and the City of Richmond for general maintenance work. It is not appropriate for the City of Richmond to grant access to anyone else without the consent of the current home owners of properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC. As Canadian citizens and residents of City of Richmond, we expect our government to respect and protect our right of private properties.

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 general public, the builders and the home owners of property #9131 Steveston Hwy, Richmond, BC.

Thanks and regards,

  
Jianxing (George) Zhuo

Contact phone # (604) 532-7200 extension 241 (work) or (604) 295-7166 (Home)

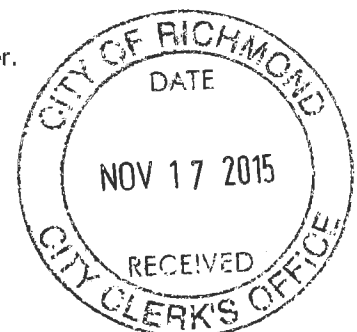
P.S. I have called Ms. Cynthia Lussier and left a voice message today regarding this matter.

PHOTOCOPIED

NOV 17

PH - 135

& DISTRIBUTED



## Mayor and Councillors

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**From:** soly feng <solyfeng@hotmail.com>  
**Sent:** November-17-15 4:30 PM  
**To:** Weber, David; Mayor and Councillors; Lussier, Cynthia; DevApps  
**Subject:** Re: Rezoning application at 9131 Steveston Hwy, Richmond, BC (RZ 15-703150)

**Categories:** 12-8060-20-9505 - RZ 15-703150

November 17, 2015

Hello,

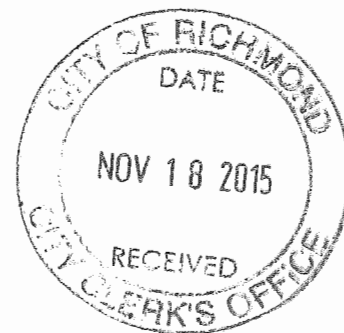
I am the home owner of property #9091 Steveston Hwy, Richmond, BC. My husband and I oppose the idea to give the Right-of-Way of the private drive lane in between properties #9093 & #9097 Steveston Hwy, Richmond, BC to the general public, the builders and the home owners of property #9131 Steveston Hwy, Richmond, BC. We are concerned if the City of Richmond grant the Right-of-Way of this drive lane to the builders or to the home owners of property #9131 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.

The private drive lane in between properties #9093 & #9097 Steveston Hwy, Richmond, BC was only granted to the owners of properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC temporarily until public access at the rear of the properties from Mortfield Gate or another public street is available. It is my understanding that the owners of #9093 & #9097 have provided the rights to this drive lane only to owners/residents of #9091 & #9099 and the City of Richmond for general maintenance work. It is not appropriate for the City of Richmond to grant access to anyone else without the consent of the current home owners of properties #9091, #9093, #9097 & #9099 Steveston Hwy, Richmond, BC. As a Canadian citizen and resident of City of Richmond, we expect our government to respect and protect our rights of private properties.

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 general public, the builders and the home owners of property #9131 Steveston Hwy, Richmond, BC.

Thanks and regards,

Jie (Soly) Feng  
Tel: (604) 295-7166 (Home)





## Mayor and Councillors

TO: MAYOR & EACH  
COUNCILLOR  
FROM: CITY CLERK'S OFFICE

**From:** Mayor and Councillors  
**Sent:** November-17-15 1:58 PM  
**To:** 'Qaiser Iqbal'  
**Subject:** RE: Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

Pc: Wayne Craig  
Joe Erceg

This is to acknowledge and thank you for your email of November 16, 2015 to the Mayor and Councillors, in connection with the above matter, a copy of which has been forwarded to the Mayor and each Councillor for their information and will be available at the Planning Committee Meeting today at 4pm.

In addition, your email has been referred to Wayne Craig, Director, Development. If you have any questions or further concerns at this time, please call Mr. Craig at 604.276.4000.

Thank you again for taking the time to make your views known.

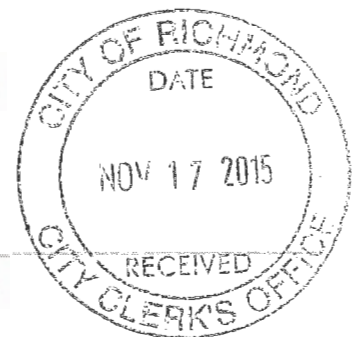
Yours truly,

Michelle Jansson, CMC  
Manager, Legislative Services

City of Richmond, 6911 No. 3 Road, Richmond, BC V6Y 2C1  
Phone: 604-276-4006 | Email: [mjansson@richmond.ca](mailto:mjansson@richmond.ca)

PHOTOCOPIED

NOV 17



& DISTRIBUTED

**From:** Qaiser Iqbal [mailto:[q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)]  
**Sent:** November-16-15 6:45 PM  
**To:** Lussier, Cynthia; Mayor and Councillors  
**Cc:** 'anandnisha.dc@gmail.com'; 'anand.dorairaj@yahoo.com'  
**Subject:** Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

Cynthia,

Then how we would know what is the "legal interpretation" builder has put forward? How come without disclosing to us the planning committee unilaterally decided to move forward with the application. How come all our information related to this SRW is available to builder but we have no access to his "Legal Interpretation"? It seems we have been blindfolded and city is putting gun on our heads asking us to accept this decision. This is not fair on our part, we even don't know what is this "Legal Interpretation", To us its just a "Miss-Interpretation" that's why city is hiding from us under the blanket Called "Legal Interpretation". When we bought these houses we were clearly told that these are temporary SRW given to these four houses only and no public access is allowed except for the city maintenance staff. This same understanding we got it from you when we had meeting with you on July 31st, 2015.

We are still unable to understand why the city is listening to one side only and trying to impose the decision on us. We should also be given fair trial before its too late. Your report even does not mention about our last meeting in which we had shown great opposition to this idea of using our property for public access. Your report casually mentioned that we are not supportive of this decision. Why would we support this? we are strongly opposing that the city is moving forward with builder application.

Please forward our objection to your superior chain of command so that our voice could be heard. I hope proper information will be given to us in due course. Thanks for listening

Qaiser

---

From: [CLussier@richmond.ca](mailto:CLussier@richmond.ca)  
To: [g\\_igbal@hotmail.com](mailto:g_igbal@hotmail.com)  
CC: [anandnisha.dc@gmail.com](mailto:anandnisha.dc@gmail.com); [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com)  
Subject: RE: Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)  
Date: Tue, 17 Nov 2015 01:08:49 +0000

Hi Qaiser

The direction that I've been given is that the legal interpretation obtained by the applicant, is not available to the public.

The staff report includes all of the information that is available to the public. Please review my staff report available via this link: [http://www.richmond.ca/agendafiles/Open\\_Planning\\_11-17-2015.pdf](http://www.richmond.ca/agendafiles/Open_Planning_11-17-2015.pdf)

Please let me know if you have any questions about any of the information that I've included in my staff report.

Thanks,

Cynthia Lussier  
*Planner 1*  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

From: [CLussier@richmond.ca](mailto:CLussier@richmond.ca)  
To: [g\\_igbal@hotmail.com](mailto:g_igbal@hotmail.com); [DevApps@richmond.ca](mailto:DevApps@richmond.ca)  
CC: [anandnisha.dc@gmail.com](mailto:anandnisha.dc@gmail.com); [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com)  
Subject: RE: Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)  
Date: Mon, 16 Nov 2015 20:55:34 +0000  
Hi Qaiser  
I was not able to provide you with a response late Friday afternoon.

I am currently looking into whether the legal interpretation of the right-of-way is available to the public. If so, then you would be welcome to view the file here at City Hall.

I will find out and let you know as soon as possible.

Cynthia Lussier  
*Planner 1*  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108



Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

---

**From:** Qaiser Iqbal [[mailto:q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)]  
**Sent:** Friday, 13 November 2015 4:43 PM  
**To:** Lussier, Cynthia; DevApps  
**Cc:** 'anandnisha.dc@gmail.com'; 'anand.dorairaj@yahoo.com'  
**Subject:** Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

Thanks Cynthia,

Can you refer to us which legal interpretation (Document #, Clause #, etc), we would like to know how City has unilaterally decided to proceed with this without involving the residents. We'll bring that document in the meeting if you could refer us to the right document.

Thanks,

Qaiser

---

**From:** [CLussier@richmond.ca](mailto:CLussier@richmond.ca)  
**To:** [q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com); [DevApps@richmond.ca](mailto:DevApps@richmond.ca)  
**CC:** [anandnisha.dc@gmail.com](mailto:anandnisha.dc@gmail.com); [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com)  
**Subject:** RE: Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

**Date:** Sat, 14 Nov 2015 00:31:47 +0000

Hi Qaiser and Nisha

As discussed today by phone, the staff report on the proposed rezoning application at 9131 Steveston Hwy (RZ 15-703150) will be available hopefully this evening through a link on the City's website at  
: <http://www.richmond.ca/cityhall/council/agendas/planning.htm>

The staff report is scheduled to be presented at a Planning Committee meeting to be held on Tues Nov 17 in the Anderson Room at Richmond City Hall at 4pm, next week.

The meeting is open to the public, and there will be an opportunity to speak to the Committee when they are considering the application. A copy of the Meeting Agenda will also be available through the above link.

I understand your concerns regarding use of the right-of-way over your properties, however a legal interpretation has been provided to staff which indicates that the right-of-way may be used for the purpose of utilities and public-right-of-passage, and that it was envisioned at the time that your lots were created that the right-of-way provide temporary vehicle access to access adjacent lots in this block until such time that a permanent lane access is made available. It is on this basis that staff is recommending that the application be moved forward to the Planning Committee for their consideration. The outcome of the proposal will be determined by Council with consideration given to the public's comments.

If the Planning Committee decides to move the application forward to the next step, there will be an opportunity for you to provide comments at a subsequent Council meeting and Public Hearing.

Cynthia Lussier  
*Planner*  
Development Applications Division  
City of Richmond

Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

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**From:** Qaiser Iqbal [[mailto:q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)]  
**Sent:** Friday, 13 November 2015 3:47 PM  
**To:** Lussier, Cynthia; DevApps  
**Cc:** [anandnisha.dc@gmail.com](mailto:anandnisha.dc@gmail.com); [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com)  
**Subject:** Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

Cynthia,

We need a little bit of more clarity on the rezoning "board" being displayed at the property of 9131 Steveston Hwy for Rezoning application number **RZ15-703150**. We made it very clear to the applicant (Maryem Ahbib) that we are not giving any kind of public/Vehicle access to the rear lane through the lane between 9093 & 9097 properties but display sign board is somewhat confusing with the wording "**To permit a subdivision to create (2) Lots, with Vehicle access from a Proposed Extension to the existing rear lane**". I am also attaching the display board photos. We all know that the extension of existing rear lane is not possible until all the houses are sold, under current situation access to the existing lane is not possible because we are not prepared to give any kind of public access through our ROW. Our this decision was clearly communicated to Maryem Ahbib and her partner (see below emails). A copy of that decision was also sent to City of Richmond on August 1st 2015. We also had a meeting with you at the city hall on July 31st, 2015, in which we made it clear that we don't want to give any public access through this lane.

Therefore please do not approve their rezoning application permitting the subdivision with Vehicle access from the rear lane as there is no way they can access to the proposed properties through rear lane.

We already left detail messages at your answering machines, feel free to contact us to discuss this if necessary.

Thanks,  
Qaiser  
604-839-3011 (Cell)

---

**From:** Iqbal, Qaiser  
**Sent:** 2015, August 09 12:14 PM  
**To:** Lussier, Cynthia ([CLussier@richmond.ca](mailto:CLussier@richmond.ca))  
**Cc:** 'Khalid Hasan ([info@khalidhasan.com](mailto:info@khalidhasan.com))'  
**Subject:** Public ROW Access on Private Properties (9093 & 9097) - Rezoning application at 9131 Steveston Hwy (RZ 15-703150)

**For your information**

---

**From:** Qaiser Iqbal [[mailto:q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)]  
**Sent:** 2015, August 01 10:36 AM  
**To:** [mahbib@sutton.com](mailto:mahbib@sutton.com); [bpansar@sutton.com](mailto:bpansar@sutton.com)  
**Cc:** [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com)  
**Subject:** Public ROW Access on Private Properties (9093 & 9097)

**Attention: Maryem Ahbib and Bhajan Panesar - Sutton Group (Seafair Realty)**

Please be informed that we the owners of properties 9093 Steveston Hwy & 9097 Steveston Hwy jointly decided not to give/allow any kind of public access through our properties as shown on Plan BCP # 13121. Therefore no further meetings/visits to our houses are necessary to pursue this matter with us. This matter deemed closed hereinafter.

Thank you,

Qaiser/Naureen owner of 9093 Steveston Highway, Richmond BC  
Anand/Nisha owner of 9097 Steveston Highway, Richmond BC

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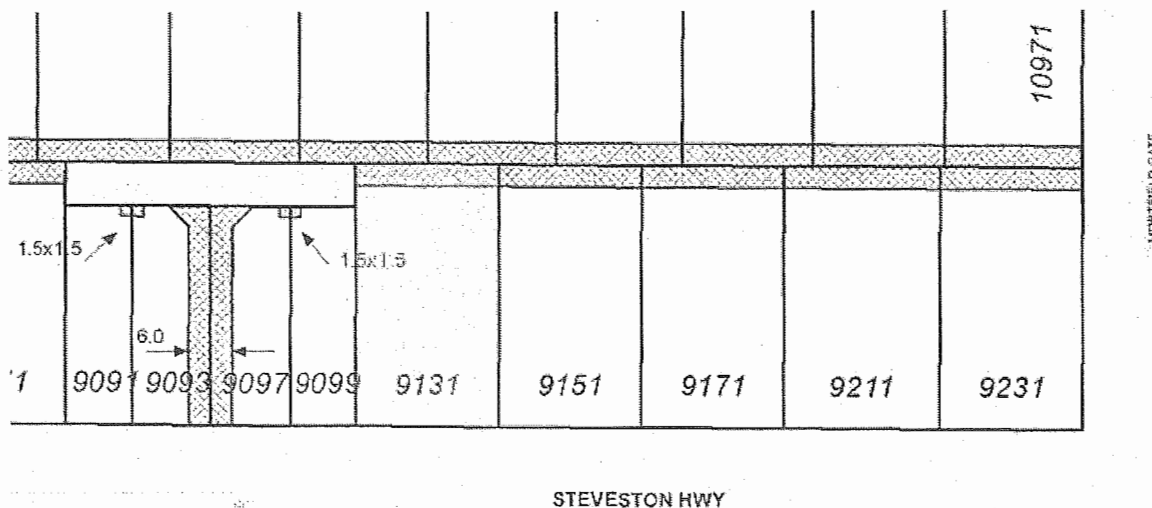
**From:** Lussier, Cynthia [mailto:CLussier@richmond.ca]  
**Sent:** 2015, July 27 3:42 PM  
**To:** Iqbal, Qaiser  
**Subject:** RE: Temporary Public Access on Private Property

Hello,

Thank you for taking the time to inquire about the proposed Rezoning application at 9131 Steveston Hwy (RZ 15-703150).

Maryem Ahbib has submitted an application to request permission from City Council to rezone the land to enable a subdivision to create 2 lots with vehicle access from an eastbound extension of the existing City-owned lane along the north property line of 9091/9093/9097/9099 Steveston Hwy (see the map below showing your property and the City-owned lane along the north property line). City staff are currently reviewing the rezoning application. One of the issues that City staff need to review is the proposed vehicle access to the site.

I think it would be worth discussing the redevelopment history of the lots at 9091/9093/9097/9099 Steveston Hwy in person. Are you able to attend a brief meeting with me to discuss this? Please let me know your availability to meet with me. I am in the office this week and then out of the office next week, returning on Monday August 10<sup>th</sup>.



Thank you,

Cynthia Lussier  
Planning Technician

Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

---

**From:** Iqbal, Qaiser [<mailto:Qaiser.Iqbal@bchydro.com>]  
**Sent:** Monday, 27 July 2015 12:41  
**To:** DevApps  
**Cc:** InfoCentre  
**Subject:** Temporary Public Access on Private Property

Attention: The Land Title Manager

I have been approached by two realtors from Sutton group (refer attached file) asking me to sign an authorization granting them a temporary public access to develop the property in the block of 9100 (east side) giving them access from back lane to the future residents as well. My understanding is; this lane between my house at 9093 Steveston Hwy and our neighbour at 9097 Steveston Hwy is not public property. This vehicle access is provided jointly by us and our neighbour so that vehicles can access the garages at the rear of the 4 houses in this complex only. Since builder is developing the adjacent block they should have their own private lane similar to us instead of asking us to provide the access. By giving access traffic in this lane is going to be increased, over and above this lane is not built for heavy and more traffic. Over the past number of years we have noticed that this lane is already sinking due to current traffic conditions. Before we sign or refuse to sign, we would like to know, what are our legal rights in case we refuse to grant any additional public access through this lane? What are the legal implications for refusing to give access.? Does City support us in any decision we would like to put forward in future?

Can we get our previously signed copy of the access that we have given to the current property owners? Please advise in detail. If you are not the right person to deal with such inquires please forward our request to the concerned department.

Regards,

***Qaiser Iqbal/Naureen Qaiser***

**Folio Number:** 074-841-012

**Civic Address:** 9093 STEVESTON HWY RICHMOND, BC V7A 1M6

Tel: 604-528-1777 (W)      Cell: 604-839-3011  
Email: [qaiser.iqbal@bchydro.com](mailto:qaiser.iqbal@bchydro.com)



# City of Richmond

## Memorandum Planning and Development Division Development Applications

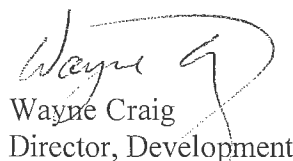
**To:** Mayor and Councillors  
**From:** Wayne Craig  
Director, Development  
**Date:** November 19, 2015  
**File:** RZ 15-703150  
**Re:** Item # 3 – November 17<sup>th</sup> Planning Committee Meeting (9131 Steveston Hwy)

At the Planning Committee meeting held on November 17, 2015, the Committee considered a staff report on an application to rezone 9131 Steveston Hwy (Agenda Item # 3) from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, with vehicle access from an established City lane system to the west that must be extended to service the subject site (RZ 15-703150). The rezoning application proposes to access the established lane from Steveston Hwy via a statutory right-of-way (SRW) for utilities and public-rights-of-passage that is registered on title of the adjacent lots to the west at 9093 and 9097 Steveston Hwy.

Following the Planning Committee's consideration of the staff report, the Planning Committee requested that staff meet with the applicant and neighbouring property owners at 9093 and 9097 Steveston Hwy to discuss the concerns raised regarding the proposed use of the SRW providing access to the rear lane.

This memo intends to inform Council that staff have been in touch with the applicant and the neighbouring property owners at 9093 and 9097 Steveston Hwy about scheduling a meeting in response to the Planning Committee's direction and a meeting has been tentatively scheduled for Tuesday, November 24, 2015. Should this rezoning application be advanced to a Public Hearing, staff will provide Council with a memo outlining the outcome of this meeting and any potential responses to address the concerns regarding the use of the SRW, prior to the Public Hearing.

If you have any questions, please contact me at 604-247-4625.

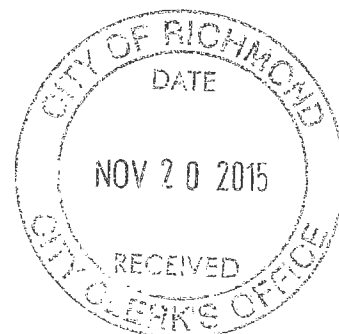
  
Wayne Craig  
Director, Development

WC:cl

pc: Joe Erceg, MCIP, General Manager, Planning and Development

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NOV 20



## Mayor and Councillors

TO: MAYOR & EACH  
COUNCILLOR  
FROM: CITY CLERK'S OFFICE

pe:  
Wayne Craig  
Joe Erceg

**From:** Qaiser Iqbal <q\_iqbal@hotmail.com>  
**Sent:** Thursday, 19 November 2015 20:01  
**To:** Lussier, Cynthia; Mayor and Councillors  
**Cc:** 'anandnisha.dc@gmail.com'; 'anand.dorairaj@yahoo.com'; 'anand.filmfx@gmail.com'  
**Subject:** Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)

Re: Council Agenda, Item 12  
November 23, 2015  
9131 Steveston Highway

**Categories:** 12-8060-20-9505 - RZ 15-703150

Thanks for your reply, yes myself and Nisha would like to meet you and Barry Konkin at 1pm on Monday Nov 23rd before the Council meeting, please confirm.

Regarding the legal interpretation information we will be sending a separate email to Dovel Buie as per your instructions. We strongly believe that this information must be given to us as we are directly being affected by this decision. We are part of this so called "Privileged Information". I hope someone in City Hall will realize that how badly we are being penalized without being given this important information.

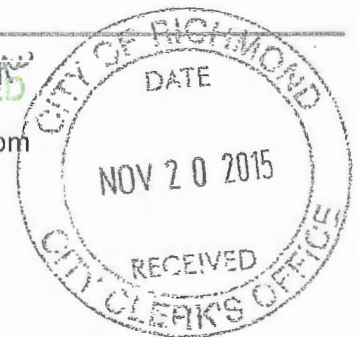
What time is the city council meeting on Monday Nov 23rd? Are we allowed to attend this meeting so that we could raise our concerns? Sometimes 5 minutes is not sufficient to address these kind of issues.

Thanks,  
Qaiser  
604-839-3011(Cell)

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**From:** CLussier@richmond.ca  
**To:** q\_iqbal@hotmail.com; Mayor and Councillors@richmond.ca  
**CC:** anandnisha.dc@gmail.com; anand.dorairaj@yahoo.com; anand.filmfx@gmail.com  
**Subject:** RE: Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)  
**Date:** Thu, 19 Nov 2015 23:28:20 +0000

& DISTRIBUTED



Hi Qaiser,  
Thank you for your email expressing your concerns about the meeting time.

The Council meeting being held on November 23<sup>rd</sup> is the first opportunity that Richmond City Council will have to consider the rezoning application at 9131 Steveston Hwy. No decision will be made about rezoning approval at that Council meeting. There will be additional opportunity to present your concerns to City Council if the Council should decide to move the rezoning application forward to a Public Hearing. The Public Hearing will provide another opportunity for you to address City Council about your concerns. I have attached a brochure that explains the Rezoning Application process and the opportunities for public participation at the various stages of the process. This information is also available on the City's website at the following link: <http://www.richmond.ca/plandev/devzoning/rezoning.htm>.

That said, however, if you wish to meet to discuss your concerns and the rezoning process in advance of Monday's Council meeting, myself and Barry Konkin, Program Coordinator are available to meet at either 9:30am or 1:00pm. Please let me know.

With respect to your inquiry about submitting a Freedom of Information Act request to view City records, you are welcome to submit a formal request by contacting the City's FOI Coordinator, Dovel Buie at [dbuie@richmond.ca](mailto:dbuie@richmond.ca) (604-

276-4165). It is my understanding, however, that the legal interpretation of the statutory right-of-way is not available to the public as it is privileged information.

Thank you,

Cynthia Lussier  
Planner 1  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: clussier@richmond.ca  
www.richmond.ca

---

**From:** Qaiser Iqbal [mailto:q\_iqbal@hotmail.com]  
**Sent:** Wednesday, 18 November 2015 2:42 PM  
**To:** Lussier, Cynthia; MayorandCouncillors; DevApps  
**Cc:** anandnisha.dc@gmail.com; anand.dorairaj@yahoo.com; anand.filmfx@gmail.com  
**Subject:** Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)

Cynthia,

It was mentioned in the yesterday's meeting that the next Planning Committee meeting will be next Monday to discuss this case again, shouldn't we meet this week so that we could atleast consolidate our case again. Postponing after the staff meeting will further jeopardize our case. Is it necessary that your director has to be in that meeting? In any way he is opposing our request and he is supporting the builder application. I don't know how its going to help us meeting after the staff meeting (Monday) in which they will move forward further. If your director's presence is a must then please request him to find some time this week so that we could atleast discuss more options that could solve this issue?

Planning committee also recommended that we should have access to this "Legal Interpretation" of this SRW, please send us a copy for our review. Under the "Freedom of Information Act" it is legal to share this kind of information with the affect parties.

Thanks,  
Qaiser  
604-839-3011 (Cell)

---

From: CLussier@richmond.ca  
Subject: Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)  
Date: Wed, 18 Nov 2015 20:51:39 +0000

Hi all,

To follow-up from the Planning Committee's request that staff liaise with the rezoning applicant and property owners at 9093 and 9097 Steveston Hwy, I mentioned that I would be contacting each of you to schedule a meeting.

Wayne Craig, Director of Development will be attending the meeting and he is not available to meet this week. Right now, my Director is available at 3:30pm on Tuesday November 24<sup>th</sup>.

Please confirm by 3pm tomorrow (Thurs Nov 19) that you are available to meet on that date/time, here at City Hall.

Thank you,

Cynthia Lussier

*Planner 1*

Development Applications Division

City of Richmond

Tel: 604-276-4108

Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)

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



## MayorandCouncillors

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**From:** Qaiser Iqbal <q\_iqbal@hotmail.com>  
**Sent:** Thursday, 19 November 2015 09:37  
**To:** MayorandCouncillors; DevApps  
**Cc:** anandnisha.dc@gmail.com; anand.dorairaj@yahoo.com; anand.filmfx@gmail.com  
**Subject:** Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)  
  
**Categories:** 12-8060-20-9505 - RZ 15-703150

Attention: The Mayor/Councillors - City of Richmond

Unfortunately we are still not getting any reply from your Development planning department. Below email was sent by my other affected neighbour resident of 9097 Steveston Hwy, they have the same concern which I raised in my yesterday's email. Please follow up with your your planning department for proper answers to our questions.

Thanks,  
Qaiser  
9093 Steveston Hwy  
Richmond

---

**To:** [CLussier@richmond.ca](mailto:CLussier@richmond.ca); [anand.filmfx@gmail.com](mailto:anand.filmfx@gmail.com); [q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)  
**From:** [anandnisha.dc@gmail.com](mailto:anandnisha.dc@gmail.com)  
**Subject:** RE: Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)  
**Date:** Thu, 19 Nov 2015 07:27:13 -0800

Hi Cynthia,

This time works for both Anand and me (Nisha). We share Mr. Qaiser's concern that it may be too late. Please consider an earlier date if possible.

Also at what time is the planning meeting on Monday? And is it with the same team of Councillors? – just so we can understand what to expect.

Thanks!

Nisha and Anand

---

**From:** Lussier, Cynthia  
**Sent:** Wednesday, November 18, 2015 12:51 PM  
**Subject:** Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)  
**Importance:** High

Hi all,

To follow-up from the Planning Committee's request that staff liaise with the rezoning applicant and property owners at 9093 and 9097 Steveston Hwy, I mentioned that I would be contacting each of you to schedule a meeting.

Wayne Craig, Director of Development will be attending the meeting and he is not available to meet this week. Right now, my Director is available at 3:30pm on Tuesday November 24<sup>th</sup>.

Please confirm by 3pm tomorrow (Thurs Nov 19) that you are available to meet on that date/time, here at City Hall.

Thank you,

Cynthia Lussier  
*Planner 1*  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

\* COPY OF NOV. 17 2015  
Planning Agenda + minutes  
attached to email.

## Mayor and Councillors

**From:** Lussier, Cynthia  
**Sent:** Tuesday, 24 November 2015 10:00  
**To:** 'TsangPeter'; DevApps; 'dwebber@richmond.ca'; Mayor and Councillors  
**Subject:** RE: File No. RZ15-703150  
**Attachments:** Minutes Nov 17 2015.pdf; Staff Report.pdf

FOLLOW-UP / RESPONSE  
TO COUNCIL  
CORRESPONDENCE

re Wayne Craig  
Joe Eray

**Categories:** 12-8060-20-9505 - RZ 15-703150

Hi Mr. Tsang

This is to acknowledge and thank you for your emails of November 17<sup>th</sup> and 19<sup>th</sup>, 2015 (below and attached), regarding the proposed rezoning application at 9131 Steveston Hwy (RZ 15-703150).

I also received a voice mail message from you on November 17<sup>th</sup> in connection with this matter. I tried calling you back the morning of Wednesday November 18<sup>th</sup>, 2015 at the number you provided (604-532-7200 x 410), but the person that answered that line indicated that you were not there.

I have attached a copy of the staff report and the minutes to the Planning Committee meeting held Tuesday November 17<sup>th</sup>, 2015.

There will be additional opportunity to voice your concerns to City Council about the proposed rezoning application as part of the Public Hearing process. A Public Hearing on the proposed rezoning application is scheduled for Tuesday December 15<sup>th</sup>, 2015. 10 days prior to the meeting, the City will send out a Notice of Public Hearing to all property owners and residents within 50 m of the subject site.

I would be happy to meet with you to discuss the proposed rezoning application and the rezoning process. Please let me know a date and time that you are available to meet.

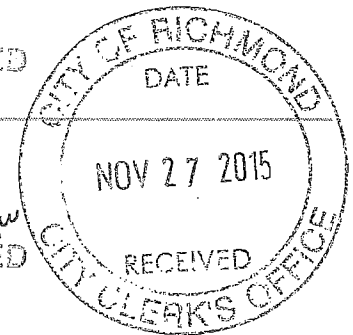
Thank you again for taking the time to make your views known.

Cynthia Lussier  
Planner 1  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

PHOTOCOPIED

**From:** TsangPeter [<mailto:petertsang8@hotmail.com>]  
**Sent:** Thursday, 19 November 2015 12:31 AM  
**To:** Lussier, Cynthia; DevApps; [dwebber@richmond.ca](mailto:dwebber@richmond.ca); Mayor and Councillors  
**Subject:** RE: File No. RZ15-703150

& DISTRIBUTED



Dear Cynthia,

We are the owner and residents of 9099 Steveston Hwy. We understand that an application

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to rezone the property at 9131 Steveston Hwy to build 2 houses. It is the City planning and we agree with that. Base on the following reasons we strongly disagree that they will use the drive way between #9093 and #9097.

- 1) Steveston Hwy is heavy traffic road and most vehicle drivers drive more than the speed limit. A lot of vehicle drivers are caught for speeding on this road. We are always afraid of accident when we drive out to and from opposite lane. It is very dangerous.
- 2) The existing drive way between #9093 and #9097 is somewhat a little bit narrow. When one car waiting to go out and the other car come back from outside, we always find the drive way is too narrow. When we slow down and prepare to drive into the drive way, the car follows is so close and we afraid they can hit from the back.
- 3) The drive way between #9093 and #9097 is for 4 house residents to use right now, and we already find it is too crowded. If it is open for more property residents to use the same lane from the busy Steveston Hwy. I am sure it will increase the chance to accident.
- 4) Our neighbour's children are always playing in the drive way. More property use the same drive way will increase the chance for accident. Is is saturated for these 4 property's residents to use this drive way right now and cannot accommodate more users.

Please consider seriously about the above reasons and not grant the application to use this drive way any more. They have to open a lane from Mortfield Gate. It is because the traffic from Mortfield Gate is far less slow comparing from Steveston Hwy. The 9000 and 10000 block on Williams Road have a back lane open from the side road. and the traffic on Williams is much less heavy and fast compare with Steveston Hwy. So for the safety of us and our neighbours, Please DON'T grant this application. Whoever grant this application and will be responsible for the safety of our life. Please make a second thought and think it carefully.

Your kindest consideration to this matter is much appreciated.

Yours truly,

Wing Yee Lam (owner of 9099 )

Wai Chun Li (resident of 9099)

Peter Tsang (resident of 9099)

c.c. [DevApps@richmond.ca](mailto:DevApps@richmond.ca)

c.c. [dwebber@richmond.ca](mailto:dwebber@richmond.ca)

c.c. [mayorandcouncillors@richmond.ca](mailto:mayorandcouncillors@richmond.ca)

**From:** Qaiser Iqbal <q\_iqbal@hotmail.com>  
**Sent:** Monday, 7 December 2015 11:40  
**To:** Nisha Anand; Lussier, Cynthia  
**Cc:** Konkin, Barry; anand.dorairaj  
**Subject:** Follow Up Nov 24th Meeting - 9131 Steveston Hwy (RZ 15-703150)

Thanks, we'll be there.  
Qaiser

<b>To Public Hearing</b>
Date: <u>DECEMBER 9, 2015</u>
Item # <u>6</u>
Re: <u>RZ 15-703150</u>
<u>9131 Steveston Hwy</u>

Date: Mon, 7 Dec 2015 09:27:07 -0800  
Subject: RE: Follow Up Nov 24th Meeting - 9131 Steveston Hwy (RZ 15-703150)  
From: anandnisha.dc@gmail.com  
To: CLussier@richmond.ca  
CC: bkonkin@richmond.ca; q\_iqbal@hotmail.com; anand.filmfx@gmail.com

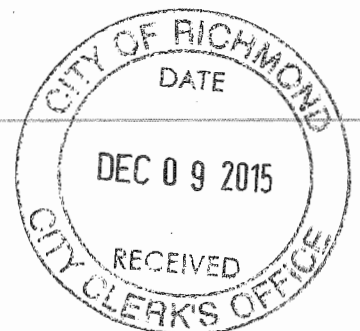
Cynthia, Barry,  
Anand and I will be there as well  
Regards  
Nisha

On Dec 7, 2015 8:52 AM, "Lussier, Cynthia" <CLussier@richmond.ca> wrote:  
Hi Mr. Iqbal,  
Myself and my supervisor, Barry Konkin are available at 8:30am on Tuesday morning (Dec 8).

When you arrive at City Hall, please proceed to the Information counter and let them know that you have a meeting with us. The staff at the Information counter will call us to come down and greet you.

Thanks,  
Cynthia Lussier  
Planner 1  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

**From:** Qaiser Iqbal [mailto:[q\\_iqbal@hotmail.com](mailto:q_iqbal@hotmail.com)]  
**Sent:** Friday, 04 December 2015 9:01 PM  
**To:** Lussier, Cynthia; Mayor and Councillors; Konkin, Barry; Craig, Wayne  
**Cc:** 'anandnisha.dc@gmail.com'; 'anand.dorairaj@yahoo.com'; 'anand.filmfx@gmail.com'  
**Subject:** Follow Up Nov 24th Meeting - 9131 Steveston Hwy (RZ 15-703150)



Cynthia,  
After discussing with Nisha and her husband (Anand) we all would like to meet you on Tuesday (Dec 8th) morning at 8:30am (before going to our offices), please confirm.

Thanks,



Qaiser

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From: [Clussier@richmond.ca](mailto:Clussier@richmond.ca)  
To: [g\\_igbal@hotmail.com](mailto:g_igbal@hotmail.com); [MayorandCouncillors@richmond.ca](mailto:MayorandCouncillors@richmond.ca); [BKonkin@richmond.ca](mailto:BKonkin@richmond.ca); [WCraig@richmond.ca](mailto:WCraig@richmond.ca)  
CC: [anandnisha.dc@gmail.com](mailto:anandnisha.dc@gmail.com); [anand.dorairaj@yahoo.com](mailto:anand.dorairaj@yahoo.com); [anand.filmfx@gmail.com](mailto:anand.filmfx@gmail.com)  
Subject: RE: Follow Up Nov 24th Meeting - 9131 Steveston Hwy (RZ 15-703150)  
Date: Sat, 5 Dec 2015 01:05:53 +0000

Hi Mr. Iqbal, and Mr. & Mrs. Anand,

As discussed by phone with Mr. Iqbal this afternoon, I anticipate receiving the complete information about the proposed construction traffic and parking management plan from the applicant on Monday morning. I would then like to meet with you to go over their submission on Monday Dec 7<sup>th</sup> in the afternoon or on Tuesday Dec 8<sup>th</sup> in the afternoon.

Please let me know which date and time works for all of you.

Thank you,

Cynthia Lussier  
Planner 1  
Development Applications Division  
City of Richmond  
Tel: 604-276-4108  
Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)  
[www.richmond.ca](http://www.richmond.ca)

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**From:** Qaiser Iqbal [[mailto:g\\_igbal@hotmail.com](mailto:g_igbal@hotmail.com)]  
**Sent:** Friday, 04 December 2015 3:33 PM  
**To:** Lussier,Cynthia; MayorandCouncillors; Konkin, Barry  
**Cc:** 'anandnisha.dc@gmail.com'; 'anand.dorairaj@yahoo.com'; 'anand.filmfx@gmail.com'  
**Subject:** Follow Up Nov 24th Meeting - 9131 Steveston Hwy (RZ 15-703150)

Cynthia & Barry,

Following up the above meeting with your director "Craig" and with the builder in which it was promised to provide the traffic plan during the construction period. Below were the commitments builder and the City was supposed to provide to us for review via City planning department by Wednesday Dec 2nd, 2015 but till to date no information were passed on to us.

1. Builder agreed no heavy trucks through this lane except while building the back lane extension and that duration will be very short.
2. Builder agreed not to park any construction vehicle during construction period in this SRW lane and in the back lane provided city will keep open the front entrances of 9131 which City agreed to do that.
3. City transport will re-visit the lane and will assess the safety/condition of the lane and report back to planning department?
4. Craig agreed to provide the written assurance regarding the fencing of the SRW as per NISHA's request.
5. The City agreed to enforce the construction vehicle parking restrictions and will monitor the activities. We have no idea, will there be a hotline to call for violators?

Please let us know the status of these commitments.

Thanks,  
Qaiser

From: [CLussier@richmond.ca](mailto:CLussier@richmond.ca)

Subject: Setting up a meeting - 9131 Steveston Hwy (RZ 15-703150)

Date: Wed, 18 Nov 2015 20:51:39 +0000

Hi all,

To follow-up from the Planning Committee's request that staff liaise with the rezoning applicant and property owners at 9093 and 9097 Steveston Hwy, I mentioned that I would be contacting each of you to schedule a meeting.

Wayne Craig, Director of Development will be attending the meeting and he is not available to meet this week. Right now, my Director is available at 3:30pm on Tuesday November 24<sup>th</sup>.

Please confirm by 3pm tomorrow (Thurs Nov 19) that you are available to meet on that date/time, here at City Hall.

Thank you,

Cynthia Lussier

*Planner 1*

Development Applications Division

City of Richmond

Tel: 604-276-4108

Email: [clussier@richmond.ca](mailto:clussier@richmond.ca)

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



# City of Richmond

## Memorandum Planning and Development Division Development Applications

**To:** Mayor and Councillors  
**From:** Wayne Craig  
Director, Development

**Date:** December 10, 2015  
**File:** RZ 15-703150

**Re:** December 15<sup>th</sup> Public Hearing-9131 Steveston Hwy, Bylaw 9505

### Purpose

This memorandum provides City Council with an update on staff discussions with the applicant and some of the affected residents to address the concerns raised regarding access and traffic associated with the subject rezoning application.

### Background

Bylaw 9505 to rezone 9131 Steveston Highway from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone will be considered at the Public Hearing on Tuesday December 15<sup>th</sup>, 2015 (Item # 6). The application proposes vehicle access from an established City lane system to the west accessed through a statutory right-of-way (SRW) for utilities and public-rights-of-passage (connecting the lane to Steveston Hwy), which is registered on title for two (2) adjacent lots at 9093 and 9097 Steveston Highway.

At the Planning Committee and City Council meetings held on November 17<sup>th</sup> and 23<sup>rd</sup>, respectively, concerns were raised by neighbouring residents about the use of the SRW for vehicle access to the subject site.

As directed by the Planning Committee, staff met with the applicant and the neighbouring property owners at 9093 and 9097 Steveston Hwy to discuss the proposed access and to identify options to address the residents' concerns.

Staff note that the proposed use of the SRW access would be temporary until a permanent lane access becomes available from Mortfield Gate to the east. Once the permanent lane connection to Mortfield Gate is functional, the use of the SRW for the purpose of public-rights-of-passage would be discontinued and the property owners at 9093 and 9097 Steveston Hwy can make an application to the City to remove the allowance for public-rights-of-passage in the SRW area.

### Meetings with the applicant and neighbouring residents

Staff met with the applicant and with some of the affected residents, both individually and collectively on multiple occasions to discuss specific concerns regarding the use of the statutory right-of-way and traffic.

### The applicant's proposal to address residents' concerns

In response to the discussions with staff, the applicant has outlined a construction management plan to address the concerns raised by the residents.

- The existing building will be demolished, with all equipment and clearing to occur from the two (2) existing driveways on Steveston Highway. The SRW/lane will not be used for access.
- The dedicated rear lane will be constructed prior to the construction of any single-family dwelling on the proposed lots, with all equipment and construction to be staged from the development site, with access from Steveston Highway. The SRW/lane will not be used for access.
- During the house construction phase, vehicle access to the proposed lots, and delivery of equipment and construction materials is to occur from the existing driveways on Steveston Highway. The SRW/lane will not be used for this purpose.
- As required during all phases of development, should the applicant need to have large construction vehicles parked on Steveston Hwy, the applicant will submit a request to the City for a temporary single westbound curb lane closure to occupy Steveston Highway along the front of the subject site, and engage a qualified traffic control company during the closure. Any lane closures would be subject to City approval and be restricted to non-peak traffic hours (i.e., 9:00 am-3:00pm).

### The applicant's proposal for additional parking

The applicant has also identified a proposal to secure additional parking that may be required for construction crews and trades during the project. The applicant has acknowledged that parking in the SRW/lane is not permitted.

The applicant has obtained permission from the property owners at 10971 Mortfield Gate to park construction crews and trades vehicles in front of their property.

### Construction hours

The applicant has advised staff that they wish to follow the standard hours for construction in accordance with the City's Noise Regulation bylaw No. 8856 (e.g. 7:30am-7:30pm non-holiday weekdays; and 10:00 am-7:30 pm on non-holiday Saturdays).

The applicant has advised that they may consider compressed work hours if neighbouring residents express concerns.

### Sightline concerns at the intersection of the SRW and Steveston Hwy

In response to concerns raised about sightlines at the intersection of the SRW and Steveston Highway, Transportation Department staff have conducted a site inspection and note that the line of sight from a vehicle exiting the SRW is clear of the existing hedge to a sufficient distance to the east and west.

December 10, 2015

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If you have any questions about this memo, please contact me directly at 604-247-4625.

A handwritten signature in dark ink, appearing to be 'Wayne Craig', with a long horizontal stroke extending to the right.

dr: Wayne Craig  
Director, Development

WC:cl

pc: Joe Erceg, MCIP, General Manager, Planning and Development  
Victor Wei, P. Eng., Director, Transportation