

CityClerk

From: J T <j65108@gmail.com>
Sent: Wednesday, 10 July 2019 23:01
To: CityClerk
Subject: Owners council's letter regarding Zoning Bylaw 8500, Amendment Bylaw 9894 (RZ 17-777664)
Attachments: Letter to the City of Richmond.pdf
Categories: For PH

To whom it may concern,

Hello! My name is Jessie. As the president of the owner's council of 7411 Moffatt Road, I present the attached letter on behalf of all 7411 Moffatt Road unit owners regarding Richmond Zoning Bylaw 8500, Amendment Bylaw 9894 (RZ 17-777664).

Please note that I personally will not be able to attend the Public Hearing on July 15, 2019.

All 7411 Moffatt Road owners sincerely request their voices to be heard and their benefits to be valued by the City of Richmond. Thank you very much.

Sincerely

Jessie Liu



I, Jessie Liu, as president of the owners council of 7411 Moffatt Road, sincerely request the City of Richmond to suspend the redevelopment of 7391 Moffatt Road, for the consideration of the following reasons.

Reason #1: Illegal actions

Facts:

A. According to the Staff (Jordan) Report, “consistent with previous applications, the developer of 7411 Moffatt Road was required to provide a statutory right-of-way across the entire driveway enabling vehicle access to the subject property from Moffatt Road”.

a. What were the previous applications that support this claim?

b. What are the exact justifications for this requirement?

i. 7391 Moffatt Road already has full and direct access to Moffatt Road.

ii. The City of Richmond must not create public benefits (e.g. public parking) at the expense of 7411 Moffatt Road owners.

B. No owner of 7411 Moffatt Road knew beforehand the statutory right of way when they purchased their units.

a. 7411 Moffatt Road owners feel unfair and cheated.

b. 7411 Moffatt Road owners suspect the possibility of a conspiracy.

Requests:

A. We demand to modify the easement(s) because 7411 Moffatt Road is a private property.

a. The easement(s) should grant only a private right of way but not the statutory right of way.

b. Owners/developers of 7391 Moffatt Road must obtain a written consent from all owners of 7411 Moffatt Road before using the strata driveway.

c. 7391 Moffatt Road developers must be fully responsible for all financial spendings on construction and maintenance of the shared strata driveway.

d. According to the Staff Report, removing the proposed shared driveway access is feasible.

B. We sincerely request the City of Richmond to thoroughly review redevelopment (RZ 08-449233) and provide a written report to clarify whether the City of Richmond was involved in any wrongdoing.

a. All owners will take legal action against all wrongdoing parties in the 7411 Moffatt Road redevelopment.

Reason #2: Insufficient cost-benefit analysis

Facts

A. According to the Staff Report, “Transportation staff support the proposed shared driveway access as it provides several benefits to both the development on the subject site and neighbouring properties”.

a. Although there are benefits for the developer of 7391 Moffatt Road and some marginal benefits for the public, there are also disadvantages for the owners of 7411 Moffatt Road.

b. We do not agree to provide benefits for the developer of 7391 Moffatt Road and the public at the expense of 7411 Moffatt Road owners.

B. Safety and noise issues should be addressed.

a. Sharing the strata driveway will inevitably and significantly increase the number of vehicles driven through the strata driveway (6 townhouse units and 2 suits may have roughly 16 cars).

b. Currently, we have about 24 cars. Should the strata driveway be shared, there will be nearly 40 cars using the driveway every day.

c. We have children and seniors who live here. The impact will be devastating to the families if any of them are to be injured by vehicles.

- e. The developer of 7391 Moffatt Road needs to have safety control at all times.
- f. The developer of 7391 Moffatt Road must not make profits by risking our safety.
- g. Many 7411 Moffatt Road owners are full-time employees or self-employed teleworkers.
- h. If any of us become disabled or deceased due to a car accident, our family living standard will reduce significantly.
- i. Car noise will affect our life and work quality and harm our mental health.

Requests

- A. We sincerely request the City of Richmond to provide a fair cost-benefit analysis report.
- B. We sincerely request to modify the easement(s) for fairness and our safety.
 - a. The developer of 7391 Moffatt Road should be responsible for ensuring safety control at all times.
 - b. According to Article 2 section 219 covenant of SRW BB4037709, “at the owner’s expense, maintain, keep, repair and replace, as the case may be, the Works to the satisfaction of the City.”
 - iii. As the owners of 7411 Moffatt Road were not informed about the additional cost of a shared strata driveway when they purchased their unit(s), we demand the developer of 7391 Moffatt Road to be fully responsible for the expenses of the construction and maintenance of the shared driveway.
- C. We request the City of Richmond not to approve Matthew Cheng Architects Inc.’s application to rezone 7391 Moffatt Road from the “Medium Density Low Rise Apartments (RAM1) zone to the “High Density Townhouses (RTH1)” zone.
 - a. If the law absolutely requires us to honor the statutory right-of-way, we have no choice but to share the strata driveway. However, we will

only share the strata driveway with 7391 Moffatt Road if the zone remains “Medium Density Low Rise Apartment” (RAM1), as they promised before.

Reason #3: Public consultation is insufficient

Facts:

A. According to the Staff Report, “Staff have received two inquiries from the public about the rezoning application in response to the placement of the rezoning sign on the property”.

a. Most of the owners of 7411 Moffatt Road, like many other Richmond residents, have little knowledge in English. That is the reason why there were only two calls made to the City Staff (Jordan).

b. The Federal Court of Appeal blocked the Trans Mountain pipeline because the federal government failed its duty to engage in meaningful consultations with the Aboriginal people before giving the project a green light.

B. The City of Richmond has requested the developer of 7391 Moffatt Road to negotiate with the 7411 strata regarding the terms of shared use of the strata driveway and the new outdoor amenity area.

a. However, no constructive negotiation has been done.

b. Two meetings were held before, though due to the offensive attitude of the developer of 7391 Moffatt Road, no meaningful negotiation was able to take place.

Requests

A. We sincerely request The City of Richmond and the developer of 7391 Moffatt Road to conduct meaningful consultations.

B. We would like to work with the developer to address all potential issues.

a. As residents and owners of the strata, we want a harmonious community.

b. If the developer of 7391 Moffatt Road wants to rezone from (RAM1) to (RTH1) and also want the owners of 7411 Moffatt Road to

agree on sharing the strata driveway, the rezoning application must be agreed unanimously by all owners of 7411 Moffatt Road.

Reason #4: Attachment 4 of the Staff Report is evidence of defamation of the developer of 7391 Moffatt Road, and it could become a political issue

Facts:

- A. Our true intention is to protect our rights (we reject the additional expense for the construction and maintenance of the shared strata driveway as we were never informed of this cost when we purchased our units) and safety interests (especially for children and seniors).
- B. The developer's letter to the City of Richmond was defamatory.
- C. We have doubt in the developer's letter to the City of Richmond because they did not provide reasonable evidences and references for their claims.
 - a. Their claims are false if they fail to provide trustworthy evidence.
- D. This might be an indication that the personality of the developer of 7391 Moffatt Road includes dishonesty and misrepresentation.
- E. Their ethics are questionable, and it seems that they want to make profits quickly by practicing defamation.
 - a. How could the City of Richmond guarantee that the developer of 7391 Moffatt Road will fulfill all promises and requirements?
 - b. Extended question: was an unreliable developer involved in the base problem of the new Minoru aquatic center?
- F. Even though some of us are from China, our interests are still very much protected in Canada.
 - a. If the City of Richmond approves this questionable rezoning application because we have been accused as families of Chinese government officials, this will become a political issue.
 - b. All stakeholders, such as the MP at our riding, Minister of Foreign Affairs, Consulate General of the People's Republic of China, and other affiliated people will get involved to protest against this discrimination.

Request

A. We sincerely request the City of Richmond to stop the redevelopment of 7391 Moffatt Road because the developer is hostile to the neighbor of their project at 7391 Moffatt Road.

a. We are very worried that the situation could escalate into a more serious conflict between the owners of 7411 Moffatt Road and the developer of 7391 Moffatt Road.

b. Our safety is now at risk if we continue to raise our concern for the redevelopment.