

Schedule 6 to the Minutes of the Public Hearing meeting of Richmond City Council held on Monday, July 15, 2019.

ON TABLE ITEM

Date: July 15, 2019
Meeting: Public Hearing
Item: # 1

CityClerk

From: Phoebe Wu <phoebe@mcai.ca>
Sent: Sunday, 14 July 2019 16:13
To: Rockerbie,Jordan; CityClerk
Cc: Matthew Cheng; 'Ava young'; ericwangyabing@gmail.com; 'Maria MA'
Subject: RE: FW: Rezoning Application at 7391 Moffatt Road
Attachments: 7391 Response Letter.pdf; 6 units townhouse development at 7391 Moffatt Road.pdf
Categories: For PH

Dear Clerk,

Please see attached letters for tonight's Public Hearing for this rezoning application on July 15 at 7 PM and kindly let us know if you have any questions.

Warm Regards,

Phoebe Wu
Matthew Cheng Architect Inc.
202-670 Evans Ave.
Vancouver, BC
V6A 2K9
604-731-3012 (O)



From: Rockerbie,Jordan [<mailto:JRockerbie@richmond.ca>]
Sent: July-09-19 10:08 AM
To: 'Maria MA' <ericwangyabing@gmail.com>
Cc: Phoebe Wu <phoebe@mcai.ca>; Matthew Cheng <matthew@mcai.ca>
Subject: RE: FW: Your Rezoning Application at 7391 Moffatt Road

Thank you Eric. Please work with Phoebe on the letter described in the message last week. It should be sent to me and the City Clerk (CityClerk@richmond.ca) by the end of the week.

Regards,

Jordan Rockerbie
Planning Technician, Development Applications
City of Richmond | T: 604-276-4092

From: Maria MA [<mailto:ericwangyabing@gmail.com>]
Sent: Monday, 8 July 2019 15:47
To: Rockerbie,Jordan
Subject: Re: FW: Your Rezoning Application at 7391 Moffatt Road

Dear City Council:

We are a number of young and hardworking developers who have been trying very hard to build our career. Due to the unreasonable interference with our development project at 7391 Moffatt Rd ("7391") and our neighbors' at 7411 Moffatt Rd ("7411") unwillingness to cooperate, we have suffered tremendous losses up to this date. We hope that the City is capable of bringing justice to this matter and have our project back on track as soon as possible.

In or about September 2017, our architect's office received a letter from the City asking us to arrange a meeting with our neighbors, the strata-lot owners of 7411, to discuss and come to an agreement on the sharing of the maintenance costs of the shared drive-way for which we have a Statutory Right of Way.

In early October 2017, Ava Yang ("Ava"), one of the developers at 7391, called Andrew Chen ("Andrew"), the property manager at 7411, to try and arrange such a meeting. Andrew requested to have some documents sent to him by our architect's office, and agreed to look into the matter. We sent him all the requested documents promptly.

Both Ava and our architect's office had emailed and called Andrew a few times to follow up on the arrangement of the meeting between the owners of 7411 and us, the developers of 7391.

In the end of November, 2017, due to no concrete progress made on the meeting arrangement by Andrew, we hired a lawyer to issue another letter to 7411 owners.

After 9 months from the initial contact we made to Andrew, we finally had our first meeting with the owners of 7411 on or about June 18th, 2018. During the meeting, the lawyer for 7411 owners identified and acknowledged the Statutory Right of Way in existence for the shared drive-way.

In or about September 2018, about 3 months after our initial meeting, the owners of 7411 requested to have the demand letters sent from our lawyer translated into Chinese. We promptly hired professional translator to translate the letter and provided to them.

After more hurdles and unreasonable delays, our second meeting with the owners of 7411 was finally held on or about December 7, 2018 in the meeting room of Century 21 Prudential Estates (RMD) Ltd ("Century 21"), the management company for 7411.

The attendees of the second meeting were:

Andrew Chen ("Andrew"), the property manager at 7411

Miao Yu ("Miao") and Eric Wang, two of our developers,

Jessica, vice-president of the 7411 Strata Council, &

Villa, president of the 7411 Strata Council

During the meeting,

1. Jessica and Villa introduced themselves, and told us that they and some of the owners of 7411 have powerful background in China;
2. Jessica said she understood very well that we the developers would wish to buy time from them, and they would want money. She also mentioned that this type of dispute related to real estate development in China is very common and can often be resolved by money alone;
3. Jessica said we should give them money earlier the better to minimize our losses;
4. Andrew said this type of bribery money is illegal here in Canada, and recommended to be given under the table.

Around 2 weeks later, our developer Miao met again with Jessica, vice-president of the 7411 Strata Council, in Richmond Centre coffee shop. During the meeting, Jessica pointed out:

1. All 12 owners at 7411 are in a WeChat (Chinese social media app) group created by her;
2. The owners would want cash compensation varies from \$10,000 to \$30,000;
3. About 3-4 owners at 7411 are often overseas in China, but she can represent them;
4. Jessica gave us two options to consider:

Option 1: We the developers pay each owner at 7411 a lump sum payment of \$20,000 in cash;

Option 2: We the developers pay Jessica and Villa each \$50,000 in cash, and they will pull some strings and convince 4 or more other owners (need 6 to reach majority) to give us the green light;

5. Jessica reiterated the importance of paying these amount in cash and under the table;
6. Miao confirmed that he would convey the options given by Jessia to other developers and discuss, but would not agree to pay cash under the table, if any payments were to be made, due to tax concerns.

On or about June 13, 2019, thanks to the City's help, a third meeting with the owners of 7411 were held in the City Hall's meeting room. Jordan Rockerbie, the city's planning technician was in attendance at the meeting. The main purpose of the meeting was to address the shared drive-way's maintenance and shared cost issues, but the owners of 7411 refused to discuss this topic at all times during the meeting. They made it clear to us that they no longer wanted cash compensation from us, the developers, and they only wanted to sabotage our project from this point onwards.

No further direct communications have occurred among the owners of 7411 and us the developers after the June 13 meeting.

We the developers at 7391 have reiterated on multiple occasions that we will be responsible for all the costs associated with removing the fence between our properties, and that the shared drive-way will not be used by us during the construction period and prior to the completion of the project.

Sincerely,

Developers of 7391 Moffatt Rd.

6 units townhouse development at 7391 Moffatt Road (Matthew Cheng's introduction speech.) 3 mins.

Your worship,

My name is Matthew Cheng and I am the architect of this application at 7391 Moffatt Road.

This property is designated as Sub Area B.1 in the City Centre Area Plan which allows grade orientated high density townhouses.

Based on the lot size and area, the maximum Floor Area Ratio is 0.75.

High Density Townhouse Zoning, RTH1, is used as the guidelines for this application.

We are proposing 6 units townhouses with NO variances to bylaw requirements including parking requirement under Zone 3 of Parking Bylaw.

We are also providing 2 secondary suites out of 6 townhouse units.

The vehicular access will go through the driveway of the property to the south at 7411 Moffatt Road at which an existing Statutory Right of Way (SRW) was registered that allows vehicular access to 7391 Moffatt Road.

Apparently, I was also the Architect of this 12 units townhouse project at 7411 Moffatt Road about 9 years ago.

At rezoning application of 7411 Moffatt Road, one of the rezoning considerations requested by City of Richmond was to provide cross access agreement to and from the future development of 7391 Moffatt Road.

A layout of the future development of 6 units townhouses at 7391 Moffatt Road was also submitted as part of the rezoning application.

Prior to Development Permit Panel for 7411 Moffatt Road, in February 2012, a Statutory Right of Way (SRW) (Internal Road) signed by the developer, mortgage company and your worship, Mr. Brodie, was registered at the Land Title Office to the subject property and later to individual strata units.

Back to this rezoning application of 7391 Moffatt Road, it was applied in 2017 and in September, 2017, City requested the developer to have a face to face meeting with the Strata Council of 7411 Moffatt Road to discuss the day to day business including maintenance cost of the shared driveway, way finder signage, location of addressing signage, and removal / replacement of existing fencing and landscaping.

Under this instruction from City, my client has tried very hard to discuss this matter with the strata council of 7411 Moffatt Road in the last 22 months.

I will leave the representative of the developer to report to council what has happened in the last 22 months.

Matthew Cheng, Architect AIBC

Hi Jordan, thank you for your remarkable work attitude, however I have not received any information regarding the strata. If you have any questions, please do not hesitate to call me at 778-681-2618. Thank you again.

Rockerbie, Jordan <JRockerbie@richmond.ca>于2019年7月5日 周五上午11:13写道 :

Hello Eric, I wanted to make sure that Phoebe has updated you about the 7391 Moffatt Road project.

Has there been any more discussion with the strata since the meeting?

If you could give me a call at 604-276-4092 as soon as possible that would be appreciated.

Thank you,

Jordan Rockerbie

Planning Technician, Development Applications

City of Richmond | T: 604-276-4092

From: Rockerbie, Jordan
Sent: Wednesday, 3 July 2019 12:33
To: 'Phoebe Wu'
Cc: Matthew Cheng
Subject: Your Rezoning Application at 7391 Moffatt Road

Hello Phoebe,

As you know, the Public Hearing for this rezoning application will be on July 15 at 7 PM. Please ensure that you and/or Matthew are in attendance in case there are questions from Council.

I am putting together a memo to Council summarizing the meeting that took place, and Wayne has asked the developer to provide a short letter to be attached. The purpose of the letter is to reiterate the desired driveway access arrangement, and should include:

- Reference to the meeting that occurred on June 13;
- Any discussion that has occurred with the neighbour since the meeting on June 13;
- Reference to the SRW registered on 7411 Moffatt Road;
- Reference to any items they hope to resolve with the neighbour (ex. fencing, maintenance, etc.)

Your attention is appreciated as this is a time-sensitive request. My memo is due on Friday, so hopefully your clients are available to draft a letter shortly.

Do let me know if you have any additional questions in advance of the Public Hearing.

Thank you,

Jordan Rockerbie

Planning Technician, Development Applications

City of Richmond | T: 604-276-4092