

This is the 1<sup>st</sup> affidavit  
of Katherine Hadzipetros in this case  
and was made on January 21, 2026



NO. S-240493  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE HOLDING  
CO., LTD.

PETITIONERS

AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (FORMERLY  
KNOWN AS 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES  
LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP LTD.,  
INTERNATIONAL TRADE CENTRE PROPERTIES LTD., SUNWINS  
ENTERPRISE LTD., MO YEUNG CHING also known as MICHAEL CHING, MO  
YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL  
VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP., CHUN  
YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, RCC HOLDINGS LTD. AND  
HEUNG KEI SUNG

RESPONDENTS

**AFFIDAVIT**

I, Katherine Hadzipetros, Planner, c/o 4<sup>th</sup> Floor, 500 Sixth Avenue, in the City of  
New Westminster, in the Province of British Columbia, MAKE OATH AND SAY THAT:

1. I am a Planner employed by Thinkspace Architecture Planning Interior Design Ltd.  
located at 300 – 10190 152A Street, Surrey, BC (“Thinkspace”). Thinkspace is a building design  
consulting firm.

2. Now produced, shown to me, attached hereto and marked as **Exhibit "A"** to this my affidavit is a true copy of an expert report that I prepared to provide my opinion on whether a valet parking easement is permitted under the zoning and applicable municipal policies.

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H  
SWORN BEFORE ME in the City of )  
New Westminster, in the Province of )  
British Columbia on this 21<sup>th</sup> day of )  
January, 2026 )

\_\_\_\_\_  
A Commissioner for taking Affidavits )  
in British Columbia )

  
\_\_\_\_\_  
KATHERINE HADZIPETROS

**Eve Shen**  
Barrister & Solicitor  
**Hamilton & Company**  
4<sup>th</sup> Floor, 500 Sixth Avenue  
New Westminster, BC V3L 1V3  
604.630.7462

January 20, 2026

**8477 Bridgeport Road Zoning Compliance Expert Report**

**Prepared for:** Strata Plan EPS 5804, c/o Hamilton & Company  
**Prepared by:** Katherine Hadzipetros, RPP, MCIP, Planner  
**Firm:** Thinkspace Architecture Planning Interior Design Ltd.  
**Address:** 10190 152A St #300, Surrey, BC V3R 1J7  
**Phone:** (604) 581-8128  
**Project number:** 261163

This is Exhibit "A" referred to in the  
 Affidavit of Katherine Hadzipetros  
 sworn (or affirmed) before me  
 this 21 day of January, 2026

A Commissioner/Notary Public for the  
 Province of British Columbia

**EXPERT'S CERTIFICATION**

In preparing this expert opinion, I certify that I am aware of the Supreme Court Civil Rule 11-2 Duty of Expert Witnesses. I have prepared this report in conformity with that duty, which is to give opinion evidence to assist the Court, and not be an advocate for any party. I confirm that, if called upon to give oral or written testimony, I will give that testimony in conformity with that duty.

**QUALIFICATIONS**

I, Katherine Hadzipetros, am a Planner at Thinkspace Architecture Planning Interior Design Ltd. ("Thinkspace") in Surrey, British Columbia. I hold an undergraduate degree in Urban Planning from the University of Waterloo (graduated in 2020) and a master's degree in Urban Design from the University of British Columbia (graduated in 2022). I am a Registered Professional Planner (RPP) with the Planning Institute of British Columbia, and a Member of the Canadian Institute of Planners (MCIP).

My area of expertise at Thinkspace includes policy review and interpretation, campus master planning, and space planning. Prior to Thinkspace, I gained experience in both the private and public sector, where I have been responsible for reviewing and interpreting zoning by-laws, official community plans, site plans, and provincial plans and policies.

**INSTRUCTIONS**

Thinkspace was retained by Hamilton & Company to prepare an expert opinion report for a commercial strata development in Richmond, BC. The report will focus on assessing whether a valet parking easement is permitted under the zoning and applicable municipal policies.

**thinkspace**

architecture planning interior design ltd.  
 300 - 10190 152A St. | Surrey, BC | V3R 1J7  
 t 604.581.8128 | w thinkspace.ca

## ASSUMED FACTS

Located at 8477 Bridgeport Road in Richmond, BC, the site is surrounded by commercial uses to the south and light industrial uses to the north, east and west. Bridgeport Road runs along the southern edge of the lot. The site is comprised of a series of air parcels and includes three (3) towers of 9, 12, and 14-storey building height with a shared five-storey podium. The development includes general retail, restaurant, hotel, and office uses.

The site is within a ZC33 (High Rise Office Commercial – City Centre), with a total of 327 parking spaces provided in an underground parking garage beneath the buildings. This includes 131 parking spaces for hotel use, 122 parking spaces for office use, and 73 parking spaces for commercial use.

As part of the development and division into strata parcels, an easement was established (EPP37735). The intent of this easement in part, was to be for public passage and vehicular access for all strata lots. Recently, a new easement was established (EPP73985) to be used solely by the hotel for valet parking easement.

## LIST OF DOCUMENTS

In preparing this report, the following documents were reviewed and relied on in forming the opinion:

- City of Richmond Zoning By-law 8500, 2009
- Registered Strata Plan EPS 5804
- Report to Development Permit Panel, DP 12-624180, dated January 10, 2015
- CA7519726, Air Space Subdivision Agreement
- Sketch Showing 'Easement Lands' over a portion of Lot 1, Section 21, Block 5 North, Range 6 West, New Westminster District, Plan EPP37734, Except Air Space Plan EPP73985, dated January 7, 2026

## ISSUES

### *Zoning Authority for Valet Easement on Site (ZC-33)*

Under ZC-33 (High-Rise Office Commercial in Richmond), “parking, non-accessory” is listed as a permitted principal use. However, the zoning bylaw does not specifically address valet parking or valet operations. The use of these stalls for valet purposes constitutes short-term parking, which is not regulated under the zoning bylaw.

### *Fire Truck Access & Drive Aisle Width*

The City of Richmond adheres to the British Columbia Building Code which requires a minimum unobstructed fire department access route of 6.0 m in width. There are three loading bays located along the north edge of the drive aisle, immediately adjacent to the building (see Appendix B attached to this opinion report and page 88 of Easement Agreement CA7519726). The presence of these stalls, in addition to the valet easement, which encroaches 2.829 m into the drive aisle, reduces the remaining drive aisle to approximately 2.9 m. This reduced width is insufficient for fire department access, failing to meet the minimum 6.0 m requirement, and is therefore non-compliant both provincial and municipal fire safety requirements.

### *Public Passage and Reasonable Easement Use*

Easements granting public passage are generally understood to be exercised reasonably, with the intent that all users should have access to the area. The easement area appears to function as common space for the development, with shared use and access by all. It is my opinion that the operation of the valet service that reserves the drive aisle for the sole use by one dominant tenement, while limiting movement by others, does not align with the original intended purpose of the easement and would not ordinarily occur in a share space of this kind.

### *Easement Agreement CA7519726*

Section 3.1.3 of the Air Space Subdivision Agreement (CA7519726) for the original easement (EPP37735) states:

*“The Project Easements that are granted herein for Access to Vehicular Access Routes do not include the right to park and have not been granted for the purpose of parking vehicles on the Vehicular Access Routes”*

The express prohibition on parking within the vehicular access routes has direct implications for valet operations. Valet services typically require vehicles to stop, stand, or queue to facilitate passenger drop-off, key transfer, and vehicle staging. In this case, sections of the public access easement have been used for valet parking and related staging activities.

While valet operations may be characterized as short-term stopping rather than parking, their practical effect can be similar to parking when vehicles occupy the access area and limit movement. Even brief or operational stopping can disrupt continuous access where it delays or obstructs other users. In this context, the use of the public access easement for valet activities does not appear to align with the stated purpose of the easement and may affect the ability of other entitled users to exercise their access rights.

## CONCLUSION

1. Zoning (ZC-33) does not explicitly grant valet easements; a formal amendment or registered instrument may be required.
2. The 2.9 m driveway width is insufficient for fire department access, which requires a minimum 6.0 m wide drive access
3. The valet parking operation monopolizes and restricts access for other users.
4. Using the public access easement for valet parking exceeds the easement's original intended purpose, as the easement agreement expressly prohibits parking on vehicular access routes.

If the valet operation is not contemplated by the easement, or if it conflicts with access, safety, or reasonable use requirements, additional approvals such as a variance or amendment may be necessary. In the absence of such approvals, adjustments to, or cessation of, valet operations may be required to ensure compliance.

Yours truly,

**Thinkspace Architecture® Planning Interior Design**



Katherine Hadzipetros, RPP, MCIP  
Planner

Appendix A: Curriculum Vitae

Appendix B: Markup on Sketch Showing 'Easement Lands' over a portion of Lot 1, Section 21, Block 5 North, Range 6 West, New Westminster District, Plan EPP37734, Except Air Space Plan EPP73985, dated January 7, 2026



## KATHERINE HADZIPETROS

RPP, MCIP

### PLANNER

#### EDUCATION

2022

Master of Urban Design,  
University of British Columbia,  
Vancouver, BC

2020

Bachelor of Environmental  
Studies, Honours Planning, Co-op,  
University of Waterloo, Waterloo,  
ON

#### PROFESSIONAL AFFILIATIONS

Member, Canadian Institute of  
Planners

Registered Professional Planner,  
Planning Institute of British  
Columbia

Originally from Toronto, Katherine completed her undergraduate degree at the University of Waterloo in Urban Planning. With an interest in how the design of the built environment can affect human emotions and behaviour, she decided to pursue a Master of Urban Design from the University of British Columbia.

Katherine's passion for planning and design stems from her desire to create successful spaces in both form as well as function. She believes in the built environments power to create a strong public realm and respond to its context with good design, creating spaces for people to live, work, play, learn, and connect. Katherine's unique background in urban planning and urban design allows her to use her expertise to offer a unique perspective to design problems. She believes in the integration of planning and architecture, and that capturing the synergies between these intersecting fields is imperative in order to offer the best possible solutions for clients and stakeholders.

#### SELECTED EXPERIENCE

- Smith Campus Middle and Secondary School, Langley BC
- University of Alberta Strategic Campus Plan Figures, Edmonton, AB
- Northern Lights College, Space Study and Future Planning, Fort St John, BC
- Hazel Trembath ES PDR, Port Coquitlam, BC
- RE Mountain SS PDR, Langley, BC
- Alpha SS PDR, Burnaby, BC
- Keyano College, Facilities Master Plan and Implementation, Fort McMurray, AB
- Northwestern Polytechnic Master Plan, Grande Prairie, AB
- Northeast Coquitlam Middle School Project Request Fact Sheet, Coquitlam, BC
- Stellat'en First Nation Youth Centre Feasibility Study, Stellako, BC
- Kwantlen Park Secondary School Addition, Surrey, BC
- Lakeland College Farm Master Plan, Vermillion, AB
- City of West Kelowna, Community Centre Study, West Kelowna, BC
- Mackenzie Daycare Feasibility Study, Mackenzie, BC
- BCIT Guichon Pavilion Feasibility Study, Burnaby, BC
- St. Michael's Centre Feasibility Study, Burnaby, BC
- LifeSpring Church Feasibility Study, Abbotsford, BC
- Our Lady of Sorrows Campus Master Plan & Business Case, Vancouver, BC
- Our Lady of Fatima Elementary Portable and CMP, Coquitlam, BC
- Yorkson Community Park Fieldhouse Study, Langley, BC



SKETCH SHOWING 'EASEMENT LANDS' OVER A PORTION OF LOT 1, SECTION 21, BLOCK 5 NORTH, RANGE 6 WEST, NEW WESTMINSTER DISTRICT, PLAN EPP37734, EXCEPT AIR SPACE PLAN EPP73985

B.C.G.S. 92G.015

SCALE: 1:300



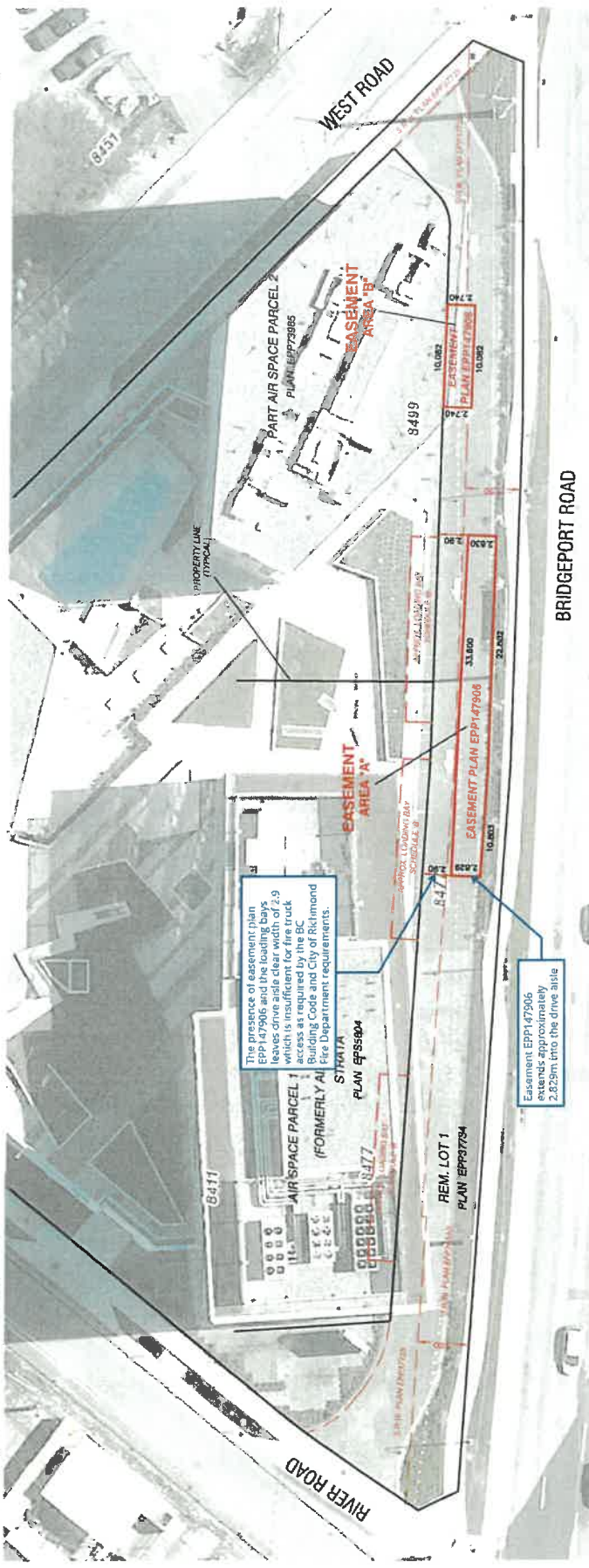
THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN HEIGHT BY 560mm IN WIDTH WHEN PLOTTED AT A SCALE OF 1:300 (C SIZE)

NOTES:

- ALL DISTANCES ARE SHOWN IN METERS.
- INTEGRATED SURVEY AREA No. 18, CITY OF RICHMOND, NAD83(CRS89) 4.0.0.BC.1.MPRD.
- THIS PLAN SHOWS THE RELATIVE POSITION OF PART OF AIR SPACE PLAN EPP73985 AND EASEMENT PLAN EPP147906.
- THIS PLAN HAS BEEN ASSEMBLED ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS ONLY.
- ALL POSITIONS SHOWN HEREIN MUST BE FIELD SURVEYED FOR CONFIRMATION.
- IMAGERY SHOWN HEREIN IS TAKEN FROM CITY OF RICHMOND'S INTERACTIVE MAP.



PARCEL BOUNDARIES ARE SHOWN AT ELEVATION=1.0m FOR REM. LOT 1 AIR SPACE PARCEL 2 STRATA EPP5804



SEC. 21 B5N. R6W. NWD

WATSON & BARNARD  
B.C. LAND SURVEYORS  
1120 56th STREET  
DELTA, B.C. V4L 2A8  
P: 604 943 9433

THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT  
CITY OF RICHMOND

FILE: 41562SK  
PLOT: 2025/01/06  
MAP: RICHMOND