



Special Council Meeting

Monday, September 27, 2010

- Time:** 4:00 p.m.
- Place:** Council Chambers
Richmond City Hall
- Present:** Mayor Malcolm D. Brodie
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Greg Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Ken Johnston
Councillor Bill McNulty
- Director, City Clerk's Office – David Weber
- Absent:** Councillor Linda Barnes
Councillor Harold Steves
- Call to Order:** Mayor Brodie called the meeting to order at 4:00 p.m.

RES NO. ITEM

DELEGATION

Allen Shen, owner of properties at 9271 Alberta Road and 9611 Alberta Road, accompanied by Kenneth Heung, Property Manager, addressed Council regarding Items 1 and 2 on the agenda. Mr. Shen indicated that he normally complies with the City's Unsightly Property Regulation Bylaw, however, he was refusing to comply with the bylaw with respect to the properties at 9271 and 9611 Alberta Road. Mr. Shen stated that he did not want to remove the overgrown vegetation and bushes because it would expose the property, making it easier for trespassers to gain access. He questioned the necessity of removing the bushes and stated that if there had been a security concern related to the bushes, he would remove them, otherwise he would not.



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Mr. Shen expressed his belief that he was being singled out by the City's Bylaw department, and mentioned that there were other properties in the area that had overgrown bushes. Mr. Shen also advised that discussions about developing the properties are currently underway with developers. In conclusion, Mr. Shen requested that Council give consideration to his submission, dated September 20, 2010 before making its decision.

Mr. Shen also provided a written submission, dated September 27, 2010, which is attached to and forms a part of these minutes (Schedule 1).

In answer to queries, Wayne G. Mercer, Manager, Community Bylaws and Magda Laljee, Supervisor, Community Bylaws provided the following information:

- the vegetation and bushes may act as a barrier to the properties, but they also act as a cover up for many materials that have been left on the property. There are unsafe items that are not visible because they are covered up by the overgrown vegetation;
- the properties are located close to a school, and in their current state, pose a safety concern for students who may wander onto the properties;
- Mr. Shen is not being singled out by the City's Bylaw Department, as all properties in Richmond get the same level of enforcement with regard to the City's Unsightly Premises Regulation Bylaw. In the months of June, July and August 2010, a total of 115 unsightly properties have been brought to the Bylaw Department's attention;
- the quote from the Walden Disposal Services is for cleaning the perimeter of the property. This would include removal of the debris and possibly the bushes. The amount of debris hidden on the property will need to be determined first. If there is not much debris, then the quote will include removing the bushes. However, if a large amount of debris is found under the bushes, then some of the bushes may be left on the side of the property; and
- discussions with Richmond Fire and Rescue are expected with regard to securing continuous fencing.



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RES NO. ITEM

- 1 **SITE CLEAN UP OF AN UNSIGHTLY PROPERTY CIVIC ADDRESS:
9271 ALBERTA ROAD LEGAL DESCRIPTION: EAST HALF OF LOT
25 BLOCK "B" SECTION 10 BLOCK 4 NORTH RANGE 6 WEST NW
DISTRICT PLAN 1305**

(File Ref. No.: 12-8080-05 / UP 2010-531626) (REDMS No. 2933529, 2919099, 2914103, 2902414, 2914104, 2914107, 2914109, 2914112, 2927020, 2905201)

Schedule 2 – Photos taken of 9271 Alberta Road on September 24, 2010

SP10/11-1

It was moved and seconded

- (1) *That the appeal submitted by Mr. Allan Shen, on behalf of registered owner Wayne Shen of 9400 Alberta Road, against the "Order to Comply" issued on May 25, 2010 regarding the unsightly condition of 9271 Alberta Road pursuant to the Unsightly Premises Regulation Bylaw No. 7162 and section 17(1) of the Community Charter, be denied;*
- (2) *That on or after October 4, 2010, Walden Disposal Services, as contractor for the City, be authorized to remove the overgrowth of vegetation consisting of weeds and long grass and conduct a perimeter cut of all black berry bushes encroaching neighbouring fences at 9271 Alberta Rd in accordance with the "Order to Comply" of May 25, 2010 issued under the Unsightly Premises Bylaw No. 7162 and section 17(1) of the Community Charter; and*
- (3) *That the final cost of this remediation, estimated at \$8,937.60 (including fees and taxes), be invoiced to the registered owner of the property located at 9271 Alberta Road.*

The question on the motion was not called, as a comment was made that overgrown bushes may also lead to problems related to rodents and other pests. The question on the motion was then called, and it was **CARRIED**.



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RES NO. ITEM

- 2. **SITE CLEAN UP OF AN UNSIGHTLY PROPERTY CIVIC ADDRESS:
9611 ALBERTA ROAD LEGAL DESCRIPTION: 19 SEC 10 BLK4N
RG6W PL 1305 SUBURBAN BLOCK B, PART E ½**
(File Ref. No.: 12-8080-05 / UP 2010-510732) (REDMS No. 2914041, 2902411, 2914087, 2914090, 2914091,
2914092, 2914095, 2927000, 2904891)

Schedule 3 – Photos taken of 9611 Alberta Road on September 27, 2010

SP10/11-2

It was moved and seconded

- (1) *That the appeal submitted by Mr. Allan Shen, registered owner of 9611 Alberta Road, against the “Order to Comply” issued on May 25, 2010 regarding the unsightly condition of 9611 Alberta Road pursuant to the Unsightly Premises Regulation Bylaw No. 7162 and section 17(1) of the Community Charter, be denied;*
- (2) *That on or after October 4, 2010, Walden Disposal Services, as contractor for the City, be authorized to remove the overgrowth of vegetation consisting of weeds and long grass and conduct a perimeter cut of all black berry bushes encroaching neighbouring fences at 9611 Alberta Rd in accordance with the “Order to Comply” of May 25, 2010 issued under the Unsightly Premises Bylaw No. 7162 and section 17(1) of the Community Charter; and*
- (3) *That the final cost of this remediation, estimated at \$5,040.00 (including fees and taxes), be invoiced to the registered owner of the property located at 9611 Alberta Road.*

CARRIED

- 3. **SITE CLEAN UP OF AN UNSIGHTLY PROPERTY CIVIC ADDRESS:
13371 BLUNDELL ROAD LEGAL DESCRIPTION: LOT 3, SEC 17
BLK4N RG5W, PLAN 10158**
(File Ref. No.: 12-8080-05 / UP 2010-526391) (REDMS No. 2891888, 2891969, 2937276)

The property owner was not present to speak to the matter.

Schedule 4 – Photos taken of 13371 Blundell Road on September 27, 2010



Special Council Meeting

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RES NO. ITEM

SP10/11-3 It was moved and seconded

That:

- (1) *Walden Disposal Services, as contractor for the City, be authorized to remove and dispose of all discarded materials at 13371 Blundell Road, Richmond, in accordance with the "Order to Comply" dated June 25, 2010 issued under the Unsightly Premises Bylaw No. 7162 and section 17(1) of the Community Charter; and*
- (2) *the final cost of this removal and disposal, estimated at \$4939.20 (including fees and taxes), be invoiced to the registered owners of the property located at 13371 Blundell Road.*

CARRIED

ADJOURNMENT

SP10/11-4 It was moved and seconded

That the meeting adjourn (4:19 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the Special Meeting of the Council of the City of Richmond held on Monday, September 27, 2010.

Mayor (Malcolm D. Brodie)

Corporate Officer (David Weber)

Date: September 27, 2010

To: Richmond City Council

From: Allan Shen

Re: Appeal

In addition to our letter of September 21, 2010, we would like to assure you again that we did comply with City Unsightly Bylaw in the past years for our properties; and we will keep doing it in the future.

Our appeal is not that we do not comply with City Unsightly Bylaw but we do not agree to remove all bushes and vegetation of one acre lot property (This is the first time to be asked by City Bylaw Department to do so) because of bushes and vegetation in the backyard is not a safety concern and it causes no harm to any person. On the contrary, removing bushes and vegetation of one acre lot will develop large piece of a vacant land and this will create safety concern, such as trespassing, illegal dumping, and other illegal activities. Particularly, it is quite to worry about kids from apartment and school will enter into the vacant land and any possible dangerous matters could be happened.

As a matter of fact, fence cannot stop kids or people to enter into a large piece of vacant land but bushes and vegetation can stop it.

Our purpose of appeal is considering to benefit for the community, not refusing to comply with the City Bylaw.

Finally, we want to mention that properties of 9420 Alberta Road (City Property), 9341 Alberta Road, 9341 and 9411 Granville Street, and Garden City Road Park are all full of bushes and vegetation (Please refer to photos) and all are walking distance from our property. We want to ask Bylaw Department that are all of those properties being safety concern and unsightly?

9271 ALBERTA ROAD
PHOTOS TAKEN BY: RON GRAHAM
DATED: SEPTEMBER 24, 2010



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DATED: SEPTEMBER 24, 2010





ADDRESS: 9611 ALBERTA ROAD-Taken by Ron Graham September 27th, 2010

Photo shows the east side of the property with 3 insecure openings



**ADDRESS: 9611 ALBERTA ROAD-EAST VIEW- Taken by Ron Graham September 27th,
2010**



Address: 9611 Alberta Road- North view- Taken by Ron Graham September 27th, 2010

North view showing the vegetation and trees covering the entire lot from the main building

13371 Blundell Rd

Photos Taken By L. Wilson Monday September 27, 2010









