



**Special Council
Monday, October 28, 2019**

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Carol Day
Councillor Kelly Greene
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves
Councillor Michael Wolfe

Corporate Officer – Claudia Jesson

Call to Order: Mayor Brodie called the meeting to order at 4:00 p.m.

RES NO. ITEM

FINANCE AND CORPORATE SERVICES DIVISION

**1. PROPERTY MAINTENANCE AND REPAIR BYLAW NO. 7897 11780
KINGFISHER DRIVE FEE APPEAL**

(File Ref. No. 01-0275-20-2019-027; 09-5000-02) (REDMS No. 6262777 v. 6)

Cameron Lee, Legal Counsel, Henderson & Lee Law Corporation, advised that the property owner Jing Cong and her son Andy are present and are available to respond to queries. She provided background information on the property, noting the following information:

- the owner entered into a lease agreement with the tenant that included an addendum stating that the property was not to be sublet to anyone without authorization and no illegal activities were allowed;
- the property manager was to maintain and oversee the property while the owner was overseas, and inspect the property every month;



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- in August the property owner received a letter from the City notifying her of the situation at her property;
- the owner was not afforded the opportunity to have proper representation as she does not speak English, leading to miscommunication;
- the property owner was not provided sufficient time to complete the requested tasks by the City;
- costs associated with RCMP staff time were unclear;
- the City will not issue a building permit as the house is no longer safe to occupy;
- a demolition permit will not be issued by the City until the invoice has been paid;
- the owner has done her due diligence to comply with the bylaw and ensure requests by the City were carried out in a timely manner; and
- the invoice issued to the property owner is unfair and not reflective of the effort and time the owner has put in to comply with the bylaw.

Discussion ensued regarding costs incurred by the property owner in relation to the cleanup of the property.

In reply to queries from Council, staff noted that (i) the invoices were rendered correctly, (ii) the demolition permit was issued on Friday, October 25, 2019, (iii) “Do Not Enter or Occupy” notices were posted on the doors at the site, (iv) stop work orders were issued for City works taking place in the area due to the unsafe conditions, (v) professional contractors are required to remediate the property due to the hazardous materials and a re-occupancy certificate is needed in order to occupy the location again, (vi) overtime hours incurred by the RCMP members are billed to the property owner, (vii) specialized RCMP officers were needed for this event due to the hazardous nature of the situation, (viii) the industrial hygienist company will not issue a certificate of rehabilitation due to the nature of the chemicals used; therefore the owner is unable to rent or sell the property, and (ix) the work performed by contractors hired by the RCMP to remove and dispose of chemicals is different than the remediation work done by professional contractors retained by the property owner.



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As a result of the discussion, the following **motion** was introduced:

SP19/9-1

It was moved and seconded

That the appeal by Jing Cong of fees imposed pursuant to the Property Maintenance and Repair Bylaw No. 7897 in respect to the drug lab located at 11780 Kingfisher Drive, Richmond, B.C., be dismissed.

The question on the motion was not called as discussion took place on the (i) severity of the incident and impacts to the environment and surrounding properties, (ii) impact on the property owner of the costs of RCMP and Richmond-Fire Rescue, and (iii) property owner's efforts to comply with the bylaw to the best of her ability.

The question on the motion was then called and it was **CARRIED** with Mayor Brodie and Cllrs. Au and Loo opposed.

ADJOURNMENT

SP19/9-2

It was moved and seconded

That the meeting adjourn (5:14 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, October 28, 2019.

Mayor (Malcolm D. Brodie)

Corporate Officer (Claudia Jesson)