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Schedule 1 to the Minutes of the Development Permit Panel meeting held on Wednesday, March 10, 2010.

RYAN LAW GROUP

BARRISTERS & SOLICITORS

WAYNE RYAN B.A., J.D. wayne@ryanlawgroup.com

To Development Peri	nit Panel
Date: March 10.	2010
Item # 5	
Re: DV 09 - 4800	510
***************************************	5900 No. 3 Rd
	Richmond, B.C. V6X 3P7
	604-271-8078
	fax 604-271-8073

File#

January 20, 2009

City of Richmond

Fax 604-278-5139

Attention: David Weber, Director, City Clerk's Office

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW, If the reader of this mossage is not the intended recipient you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original transmission to us by mail without making a copy

RE: 9700 No. 3 Rd. Applicant Matthew Cheng Architect Inc. Development Permit Panel Meeting March 10, 2010

We act on behalf of Michael Chung the owner of the property adjacent to the subject property.

He and other homes were damaged as a result of the demolition of the existing homes on the subject property. Damage to our client's property exceeds \$80,000.00. At the time of the demolition the owner was told to stop but he proceeded and the damage continued.

We appeared at the last hearing date and were approached by the owner who agreed in writing that he would place in his lawyers trust account the sum of \$50,000.00 as security for the repairs on or before the Friday after the initial planned Panel hearing.

The owner reneged on his legal obligation under the agreement and the monies were not placed in trust as agreed.

As a result of the written agreement we left the meeting.

Please be advised that it is our position that we oppose the application on the grounds that the owner has shown bad faith.

We submit that the granting of the variance is a discretionary matter and that the Panel should not assist the Applicant in any way.

In the alternative, we would ask the Panel to require a formal Bond be posted in the sum of \$100,000.00 to cover the costs or repairs and legal costs before the variance is granted.

In summary, the variance requested is significant and the owner has shown bad faith in failure to deal with the damages sustained.

Respectfully submitted.

Yours truly,

RYAN LAW GROUP...

Wayne Ryan

Cc Matthew Cheng Architect Inc., Michael Chung