

A dangerous new tactic employed at Salsbury Garden

The owner and would-be Richmond-based developer of the famed unofficial eastside park deploys recruits to clear gardeners and kids off his land

By Alex Tegart

The lovely community sanctuary of Salsbury Garden, located in Vancouver's eastside near Commercial Drive, is not as safe as its patrons and caretakers may have thought. Two mid-thirties men of "home-free status"—as one put it—have been keeping watch over the community-adopted green haven for the past week, on behalf of the owner and would-be developer of the property. According to one of the men, the two were asked to occupy the property by the property developer, and in return, they would be allowed to sleep in the garden and to store their personal belongings on the land there. According to the new tenant, his friend, a six-foot-eight, self-medicating man who suffers from mental illness, sleeps in the community-built cob house found in the back of the garden.

According to one man, they were asked by the owner to "shoo away" the volunteer gardeners and small children who come to play there. One of the men also claims that the developer encouraged them to "explore" the unoccupied homes on the property and to "do whatever you want inside." The developer did not give them a key, but the vacated houses have also not been well-secured—no windows are boarded over. The Republic has tried contacting the owner and developer, Richard Niebuhr, but has not received a reply.

The two homes, which are over one hundred years old, are an example of some of the first pre-fabricated houses to be built in Vancouver. The homes have been identified recently by Vancouver's Heritage Committee on their "top-ten endangered heritage sites." They protectively watch over the garden and shelter the green oasis. Trees that were planted at the turn of the 20th century still stand tall and shade the varied life forms that will soon exist below when summer comes. When Arthur Greenius bought the house in 1918, he planted California Redwood, giant butternut trees, and the California Spice Bush. These trees can still be found in the garden today. The cob house that was built by volunteers was constructed based on an ancient technique designed to be self-sustainable. The temperature inside is self-regulating so it stays cool in the summers and keeps the heat in during the winter.

The garden has been left out of harm's way for the past 80 years, until recently. Members of the community have been fighting a battle with the new owner of the property since last spring over the right to keep this unique

urban escape alive. As reported by the The Republic in September of 2005, citizens of the neighborhood demonstrated their dedication to the preservation of the lush green sanctuary by appealing to the Board of Variance on August 24, 2005, after City Council approved the developer's building permits for the land. The new owner has plans to build two duplexes, which would mean that the existing community garden and the two historically-important homes on the property would be demolished. More than seventy members of the community showed up for the appeal of the permit at the board Board of Variance, and they all stayed until the end of the seven-hour meeting. Their perseverance and passion for fostering community development earned them their park; the board Board ruled three three-to to-one in favour of the citizens' appeal. Normally, a case like this would have been turned down by the Board, but the diligence and love that the community showed for the garden probably won over the Board— but only temporarily, it seems.

On December 9, 2005, five tenants of the homes on the property, among them Ian Marcuse, who had been living there for sixteen years and was instrumental in building the cob house, developing the garden, and alerting a wider public to the crisis, were evicted. Niebuhr claimed that there were repairs that needed to be done and the homes had to be vacated in order to do so.

The residents went to an arbitration hearing where they argued that the proposed renovations of \$10,000 were minor in comparison to what actually needed to be done. They had prepared a series of photos illustrating the dilapidated roof and basement. Niebuhr's affidavit in this lawsuit claimed that he could not do renovations because the houses were too old and in disrepair. Improvements on the kitchen and bathroom have yet to be made.

Niebuhr has now filed a BC Supreme Court appeal against the Board of Variance for rejecting his plans to build. He is arguing that his plans met legal guidelines. If Niebuhr wins the case, the garden and the homes will be destroyed.

However, the garden is still thriving despite Niebuhr's attempts to kill it off. Heaps of twigs bound together with metal, composting away in the shade of the trees, are a recent illustration of the volunteers' hard work and attempts to maintain a self-sustaining habitat. The earth has been freshly rid of the decaying debris of a dark winter and fertile brown earth replenishes the air of the garden. Jagged-edged twigs protruding from the garden, making it resemble a macabre graveyard, are a protective barrier for the onions, potatoes and other vegetables that had been planted last week. They are an innovative gardeners' version of cat repellent. Unfortunately, the sticks only work on cats.

Although the syringes found in the bushes have been discarded, there are still sleeping bags and personal belongings of the "home-free" men to be found in the dark corners of the garden. The new tenant in the cob house still occupies the area. The motivations of the owner of the property in

encouraging these men to sleep under the bushes, go inside the houses, and keep the community gardeners out, cannot be deciphered here. But what we can say with certainty is that one more clean and safe environment in which people can co-exist amidst the chaos of city life, faces severe violation all over again.