

CITY OF RICHMOND
REPORT TO COMMITTEE

TO: Planning Committee

FROM: Harold Steves, Chair, Planning Committee

RE: RIVER ROAD PROPERTIES:

THE RIVER ROAD PROPERTIES HAVE A LONG HISTORY OF CONTROVERSY AND NON COMPLYING USE

Attached is a colour map showing the "filled and debilitated land" along River Road. The two additional maps of Area A and Area B show the street numbers. These maps were attached to the Jan 31, 2000 Planning Committee report recommending the rezoning of 16540 River Road and the block exclusion of Area A; 16360 River Road to 17360 River Road. Those lots I have marked with an X were owners opposed to the rezoning and block exclusion. Naturally they are unhappy with the unchecked non-farm uses and fill going in around them on both the Ag 1 and the ALR land.

I have reports going back to 1982 when property owners even further west were in the ALR:

- * Oct. 16, 1982 - letter asking to take 16020 out of the ALR
- * June 18, 1982 - report from Planning Committee (H. Steves, Chair) noting that an appeal to exclude 16211 to 16240 from the ALR was "sent to the GVRD and ALC with a recommendation that it not be approved." The report went on to recommend "rezoning all non-agriculturally zoned land in the ALR to a zone consistent with ALR policy".
- * Dec. 15, 1986 - report to Planning Committee recommending that application to remove 16360 River Road from the ALR not be granted.
- * Oct. 21, 1986 - letter from 21 property owners between 16240 and 17720 River road asking for exclusion from the ALR.
- * Mar. 22, 1988 - letter from the ALC noting that 16020 to 16240 River Road block had been removed from the ALR and suggesting there could be approval of an ALR exclusion for lands between 16360 and 17360 River Road (Area A) but not 17340 to 17740 River Road (Area B). Richmond did not concur. The Land Commission suggested the establishment of an "Agri-industrial service" area for "facilities similar to the existing BC Coast Vegetable Co-Op, and BC Blueberry Co-Op, other cold storage and agricultural warehousing, the sale and repair of farm equipment, and given the location of the railway, trans-shipment facilities for agricultural products."

- * Mar. 23, 1989 - report to Planning Committee recommending that the properties from 16360 to 17740 River Road be changed in the Official Area Plan from "Area Under Study" to Agriculture. (That's both Area "A" and Area "B") (It would appear that this recommendation may not have been approved by Council)
- * Apr. 21,1989 - report to Planning Committee recommending that application for exclusion of 16360 River Road (Berane Construction) from ALR be denied.
- * Apr. 21, 1993 - Land Commission Application by Berane Construction for non-farm use at 16360 River Road for a golf driving range. City staff recommended approval. Planning Committee recommended it be forwarded to the ALC without recommendation. (Evelina Halsey-Brandt, Chair) The ALC approved the change to Ag2 on Oct. 22,1993.
- * July 12, 1994 - application by Berane Construction for a rezoning of 16360 River Road from Agricultural District (Ag1) to Golf Course District (Ag 2) with the Public Hearing deferred pending land surveys. The report states: "Mr. Mike Petrich of Berane Construction Ltd., inquired about rezoning the property to Industrial storage District (I5) for the purposes of developing the site for industrial storage, a common use along this section of River Road. Mr. Petrich was told that staff would not support this type of use, but would, however, support a driving range. Mr. Petrich argued, and continues to argue, that many neighbouring properties along River Road (i.e., those in the ALR) are actively used for industrial purposes and he does not understand why he cannot do the same. The Permits and Licences Department, at the prompting of Mr. Petrich, has investigated several properties along River Road in order establish the legal status of these land uses and have subsequently determined that there are several instances of apparently illegal uses. In the near future, these matters are to be resolved in court.
- * Mar. 18,1997 - Land Commission Application by 431686 BC Ltd. for non-farm use at 17600 River Road for designation as "a site for which temporary industrial use permits can be issued in order to use it for storage of industrial materials. Staff recommended that the application to apply to the ALC "be denied". The report states: "They were charged with violations of the Zoning and Development Bylaw prior to submitting the current application. The Property Use Division advises that the owner has removed the offending materials and are no longer in violation of the by-law."

"The applicants only applied for a temporary use permit after being charged for using the land improperly. The issuance of a permit would reward them for their actions and send the message to others that it was acceptable behavior to ignore City regulations. This makes it more difficult for the property use inspectors to do their job properly."

Planning Committee Recommendation: "That authorization be given to apply to the Provincial Land Commission for non-farm use at 17600 River Road."
(Corisande Percival Smith, Chair)

* Jan. 31,2000 - application to Planning Committee for;

-Viridi Holdings Ltd for rezoning 16540 from Agricultural District (Ag1) to Light Industrial district (I2) – approved

- Block ALR Exclusion of 16360 to 17360 River Road (Area A) - approved.

- Owners request for exclusion 17340 to 17740 River Road (Area B) - denied.

LACK OF BY-LAW ENFORCEMENT

Two years ago I requested City staff to enforce Richmond's zoning by-laws, soil by-laws, road load limits and road maintenance and clean up by-laws due to complaints from neighbourhood residents. I was told that a rezoning application was pending for one of the properties. I made the same request in late January 2007. A month later, when no action was taken, I asked our CAO George Duncan to have Richmond's by-laws enforced. I was assured by Mr. Duncan that he had instructed staff to do so and still no action was taken.

If Richmond Council does receive a rezoning application for any of the River Road properties there is no guarantee that it will be approved, particularly when the law has been broken. Council could approve rezoning from Agriculture to industrial, deny rezoning from agricultural to industrial, or set up a new Ag2 zone for an "Agri-industrial service area" as suggested by the ALC in 1988.

Even in the March 1997 case of 17600 River Road, after charges were laid the offending materials were removed. Regardless of whether land is in the ALR or not in the ALR or whether or not a rezoning application is being proposed Richmond's by-laws should not be violated. City staff are mandated to enforce City by-laws without prejudice.

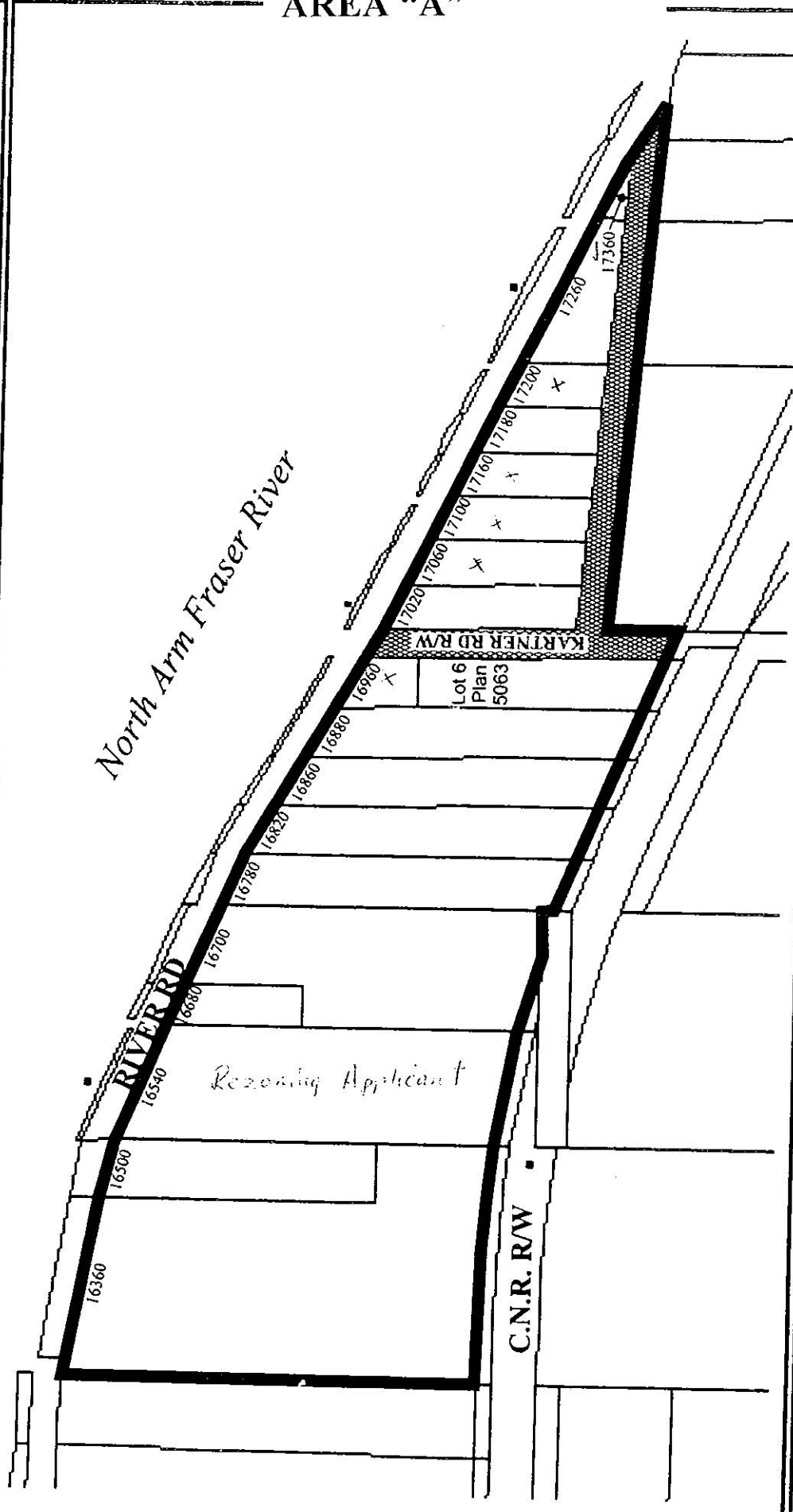
RECOMMENDATION:

That the City Of Richmond document any by-law infractions in the River Road area and enforce the law.

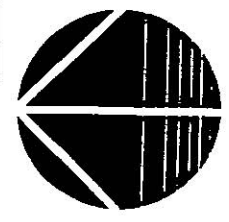


City of Richmond

AREA "A"



Rezoning Applicant



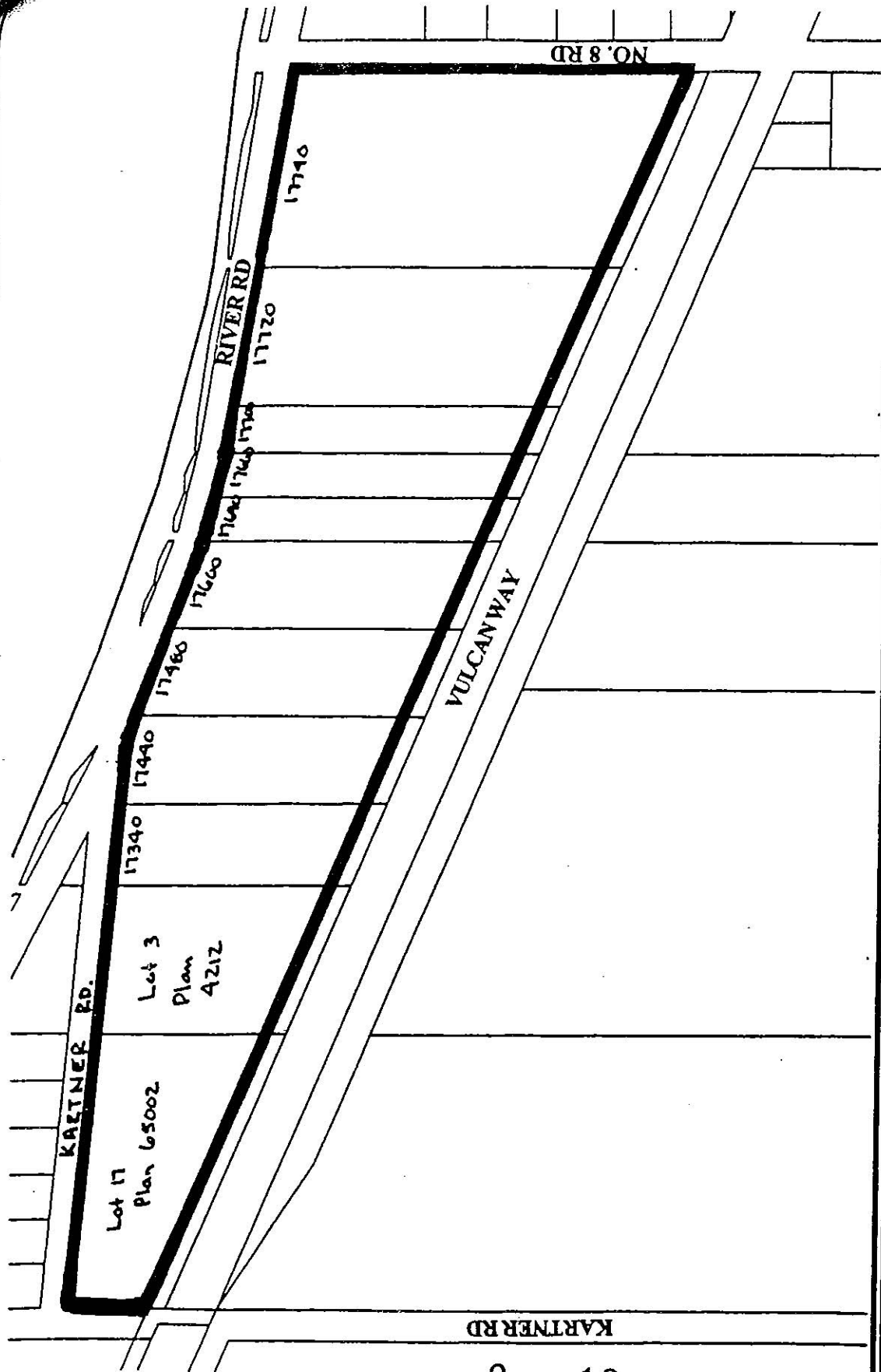
AG 00-084994

Proposed Block Agricultural Land Reserve Exclusion Application by the City of Richmond

Original Date: 12/07/99
Revision Date: 02/03/00
Note: Dimensions are in METRES

AREA "B"

AREA "B"



KARTNER RD.

NO. 8 RD.

RIVER RD.

VULCANWAY

KARTNER RD.

Lot 17
Plan 65002

Lot 3
Plan 4212

17340

17440

17480

17600

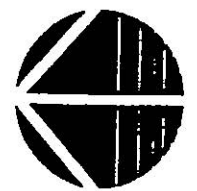
17720

17740

17720

17740

2 19



Proposed Agricultural Land Reserve
Exclusion Request by Property Owners

Date
02/01/00



PRELIMINARY SOIL STATUS MAP FOR RIVER ROAD, RICHMOND

SCALE 1:5,000 (Metric) from 1:10,000 scale Air Photographs, March 10, 2000

AREA "A" RIVER ROAD PROPERTY BLOCK
AREA "B" RIVER ROAD PROPERTY BLOCK

FILLED AND DEBILITATED LAND
NATIVE SOIL AREA