



To: Mayor and Councillors **Date:** May 25, 2018
From: Barry Konkin **File:** 08-4430-03-10/2018-Vol 01
Manager, Policy Planning
Re: **Response to Referral – Agricultural Advisory Committee Comments on Additional Dwellings for Farm Workers and Proposed Agricultural Building and Greenhouse Regulations**

Origin

This memo responds to the referrals arising from the May 14, 2018 Council meeting:

Referral – Additional dwelling for farm workers

“(6) That the staff report and the above recommendation be forwarded to the Agricultural Advisory Committee for their input prior to the June Public Hearing.”

Referral – Proposed agricultural building and greenhouse regulations

“(3) To protect the long-term viability of soil-based agriculture:

- (a) That Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, to regulate large agricultural buildings and greenhouses, be introduced and given first reading;*
- (b) Whereas Section 463 of the Local Government Act allows the withholding of building permits that conflict with bylaws in preparation;*

Whereas Council has granted first reading to a bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses;

Therefore be it resolved that staff bring all building permit applications for agricultural buildings and greenhouses in the Agriculture (AG1) zone, received more than 7 days after the date of first reading, forward to Council to determine whether such applications are in conflict with the proposed bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses; and

- (c) That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the province impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production;*

be referred to staff to report back prior to the Public Hearing scheduled for June 18, 2018."

Council also directed that the staff report be forwarded to the Agricultural Advisory Committee for their input prior to the June Public Hearing on proposed regulations for agricultural buildings and greenhouses.

Agricultural Advisory Committee (AAC)

The AAC met on May 23, 2018 to review and provide feedback on

- Additional dwellings for farm workers; and
- The proposed regulations on agricultural buildings and greenhouses.

The AAC passed the following draft motion in relation to additional dwellings for farm workers:

That the Agricultural Advisory Committee supports the motion moved by Council at the May 14, 2017 Council meeting, including the removal of the contiguous farm home plate requirement.

The AAC passed the following draft motion in relation to proposed regulations on agricultural buildings and structures

The Agricultural Advisory Committee does not support the draft regulations for agricultural buildings, structures and greenhouses, contained in Bylaw 9861 as:

- 1. the proposed regulations are contrary to all types of agricultural viability over the short, medium and long term;*
- 2. concrete slab and related structures are essential to modern and current agricultural practices, which includes greenhouses, for the purposes of food safety, bio-security, productivity, worker safety, equipment storage and handling, amongst others; and*
- 3. in keeping with the 2041 Official Community Plan and the 2003 Richmond Agricultural Viability Strategy, the Agricultural Advisory Committee supports all types of agricultural activities, not just soil-based agriculture.*

As stated above, the Agricultural Advisory Committee does not support size limits of agricultural buildings and structures, including greenhouses; however, if Council wishes to proceed with regulations on agricultural buildings, structures and greenhouses, the maximum outright permitted size of an agricultural building, structure or greenhouse should not be less than 2,000 m² per building.

Additional Staff Comments

Staff have confirmed with the City's Building Approvals Division (Manager, Plan Review; Architect, AIBC and Code Engineer, P. Eng) on the ability to utilize the construction methods outlined in the proposed agricultural building regulations contained in the drafted Bylaw 9861 to construct these types of buildings.

Options

In response to Council's referral and consultation with the AAC, staff have prepared three options for Council's consideration. For the options requiring resolutions of Council, the recommended wording of the resolutions is contained in the following sections including a resolution to temporarily withhold building permits where applicable and a resolution to send a letter to government officials pertaining to the production of cannabis in the Agricultural Land Reserve.

Option 1: Move forward with the regulations for agricultural buildings and greenhouses proposed in the original staff report (Bylaw 9861)

This option is consistent with the original recommended regulations (Bylaw 9861 – Attachment 1) contained in the staff report considered at the May 14, 2018 Council meeting, which would prohibit the use of concrete slab floors and strip footing type construction for agricultural building and greenhouses. Construction methods that limit individual concrete footings and restricts impermeable surfaces for agricultural buildings only are permitted under the draft bylaw. Agricultural buildings with a lot coverage of less than 300 m² are exempted from the regulations (cumulative lot coverage of all existing and proposed agricultural buildings).

Council approval would be required for farmers wishing to construct a building that does not comply with the above regulations.

This option provides for maximum protection of high-quality soils for soil-based agriculture.

The recommended wording of resolutions for Option 1 is as follows:

1. *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, to regulate large agricultural buildings and greenhouses, be introduced and given first reading.*
2. *Whereas Section 463 of the Local Government Act allows the withholding of building permits that conflict with bylaws in preparation;
Whereas Council has granted first reading to a bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses;
Therefore be it resolved that staff bring all building permit applications for agricultural buildings and greenhouses in the Agriculture (AG1) zone, received more than 7 days after the date of first reading, forward to Council to determine whether such applications are in conflict with the proposed bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses.*
3. *That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the province impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production.*

Option 2: Introduce a new Bylaw 9890 that regulates agricultural buildings and greenhouses with a lot coverage greater than 2,000 m² per building

This option maintains the restrictions on the use of concrete slab floors and concrete strip footings and allowance for limited concrete footings for supports. The key revisions in the new bylaw (Bylaw 9890 – Attachment 2) are summarized as follows:

- It allows for significantly larger agricultural buildings with a lot coverage equal to or less than 2,000 m² to be exempted from the regulations.
- A greenhouse building is included in the exemption.
- The exemption is determined on a per building basis.

This option provides for protection of high-quality soils for soil-based agriculture while also taking into account the feedback from the AAC about the need for larger agricultural buildings and greenhouses (with up to 2,000 m² lot coverage per building) to support all types of agricultural activities.

Council approval would be required for farmers wishing to construct an agricultural building or greenhouse greater than 2,000 m² lot coverage that do not comply with the regulations in the draft Bylaw 9890.

The recommended wording of resolutions for Option 2 is as follows:

1. *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9890, to regulate large agricultural buildings and greenhouses with a lot coverage greater than 2,000 m² per building, be introduced and given first reading.*
2. *Whereas Section 463 of the Local Government Act allows the withholding of building permits that conflict with bylaws in preparation;
Whereas Council has granted first reading to a bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses;
Therefore be it resolved that staff bring all building permit applications for agricultural buildings and greenhouses in the Agriculture (AG1) zone, received more than 7 days after the date of first reading, forward to Council to determine whether such applications are in conflict with the proposed bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses.*
3. *That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the province impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production*

Option 3: Do not move forward with any regulations for agricultural buildings and greenhouses

This option maintains existing regulations in the Agriculture (AG1) zoning district and does not propose any further changes. Based on the motion passed by the AAC on May 23, 2018, Option 3 is consistent with the position and comments from the Committee.

No resolution on regulations for agricultural buildings and greenhouses from Council is required for Option 3. A resolution would be required to request from the Province of BC a temporary moratorium on cannabis production in the Agricultural Land Reserve (ALR) as follows:

That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the province impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production

Conclusion

This memo responds to the referrals from the May 14, 2018 Council meeting on additional dwellings for farm workers and proposed regulations to agricultural buildings and greenhouses. Staff met with the AAC on May 23, 2018 to discuss these referrals with the AAC passing two motions included in this memo.

In relation to proposed regulations to agricultural buildings and greenhouses, three options are proposed by staff and summarized as follows:

- Option 1: Move forward with the regulations for agricultural buildings and greenhouses proposed in the original staff report (Bylaw 9861)
- Option 2: Introduce a new Bylaw 9890 that regulates agricultural buildings and greenhouses with a lot coverage greater than 2,000 m² per building
- Option 3: Do not move forward with any regulations for agricultural buildings and greenhouses

In addition, a letter to the Province is included as a resolution in each of the three options requesting a temporary moratorium on the use of lands in the ALR for cannabis production.


Barry Konkin
Manager, Policy Planning

BK:ke

Att. 1 – Bylaw 9861

Att. 2 – Bylaw 9890

pc: SMT
John Hopkins, Planner 3
Kevin Eng, Planner 2



City of
Richmond

Bylaw 9861

**Richmond Zoning Bylaw 8500
Amendment Bylaw 9861
(Agricultural Building and Greenhouse Regulations)**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500 is amended by repealing and replacing and adding text to various sections of Richmond Zoning Bylaw 8500 as follows:
 - i) Add the following clauses into Section 14.1.4 (Permitted Density Section in the Agriculture (AG1) zone):
 - “4) **Agricultural buildings and structures** and greenhouses solely for supporting a **farm business** or for growing, producing, raising or keeping animals and plants are not permitted to have concrete construction, **hardsurfacing** or other impermeable **structure** or construction sunk into, at or below the **natural grade** of the **site** except:
 - a) Where **Agricultural buildings and structures**, excluding greenhouses, are supported by a system of columns or posts, where each supporting column or post has a minimum radius of 3 m to the next adjacent column or post and that the maximum footprint area for each concrete footing associated with each column or post is 0.5 m²; and
 - b) Concrete grade beams connecting concrete pad foundations are not permitted.
 - 5) **Agricultural buildings and structures**, excluding greenhouses, are permitted a maximum of 10% coverage of the **gross floor area** at the ground level of the **building** to be covered by impermeable surfaces.
 - 6) The provisions of Section 14.1.4.4 and 14.1.4.5 do not apply for:
 - b) **Agricultural buildings and structures** on a **lot**, excluding greenhouses, with a cumulative **lot coverage** equal to or less than 300 m² in total area for all existing and proposed **agricultural buildings and structures**.”
2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9861**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by <i>JE</i>
APPROVED by Director or Solicitor <i>BK</i>

MAYOR

CORPORATE OFFICER



City of
Richmond

Bylaw 9890

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 - a) Where **Agricultural buildings and structures**, excluding greenhouses, are supported by a system of columns or posts, where each supporting column or post has a minimum radius of 3 m to the next adjacent column or post and that the maximum footprint area for each concrete footing associated with each column or post is 0.5 m²; and
 - b) Concrete grade beams connecting concrete pad foundations are not permitted.
 - 5) **Agricultural buildings and structures**, excluding greenhouses, are permitted a maximum of 10% coverage of the **gross floor area** at the ground level of the **building** to be covered by impermeable surfaces.
 - 6) The provisions of Section 14.1.4.4 and 14.1.4.5 do not apply for:
 - b) **Agricultural buildings and structures** and greenhouses with a **lot coverage** equal to or less than 2,000 m² for each **building**.”
2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9890**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by VE
APPROVED by Director or Solicitor PK

MAYOR

CORPORATE OFFICER