



# City of Richmond

## Report to Committee

**To:** Community Safety Committee

**Date:** April 26, 2010

**From:** Phyllis L. Carlyle  
General Manager, Law & Community Safety

**File:** 12-8060-02-01/2009-  
Vol 01

**Re:** **Bed & Breakfast Operations**

### Staff Recommendation

That the Bed & Breakfast Operations report (dated April 26, 2010 from the Manager, Community Bylaws) be received for information.

Phyllis L. Carlyle  
General Manager, Law & Community Safety  
(604.276.4104)

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ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Business Licences.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Fire Rescue.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Law.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Building Approvals.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Development Applications.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
<b>REVIEWED BY TAG</b>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<b>REVIEWED BY CAO</b>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

## Staff Report

### Origin

During the September 29, 2009 meeting of the Parks, Recreation & Cultural Services Committee, the following referral motion was introduced and carried:

*That staff investigate and report back, on a priority basis:*

(i) *the discrepancy between provisions related to Bed and Breakfast businesses as contained in the Zoning Bylaw and in the Residential Tenancy Act; and*

(ii) *potential additional licensing costs for Bed and Breakfasts;*

*both of which may impact Richmond during the 2010 Winter Olympic games.*

During the October 5, 2009 meeting of the General Purposes Committee, further discussion took place requiring this report.

### Analysis

In July 2009, fourteen establishments in the City were advertising the provision of "Bed & Breakfast" accommodation. Initial investigation determined that none of these establishments possessed a valid business licence, as required under the Business Licence Bylaw No 7360.

Further discussion with each of the operators resulted in the following:

- eleven of the establishments either pre-date the existing zoning requirements, and are permitted as a legal non-conforming use, or are permitted, with no rezoning required, under the 'boarders and lodgers' provisions in the repealed Zoning & Development Bylaw No 5300 and under the Zoning Bylaw No 8500 adopted by Council on November 16, 2009;
- two establishments are located in the Agricultural Land Reserve;
  - one has stated that they are operating under the 'Agri-tourism' provisions of the *Agricultural Land Commission Act* with a 'Farm Class' designation under BC Assessment;
  - the other is applying for a 'Farm Class' designation under BC Assessment;
  - these cases are being explored further with ALC and City staff to address conditions set out in the Zoning Bylaw No 8500 and to ensure the establishments obtain business licences ; and
- one remaining operation is within a residential zone in the City and has applied for rezoning with the City under the Zoning Bylaw No 8500 -- this application (RZ 10-511408) is still under staff review and will be brought forward to Planning Committee / Council for consideration upon completion of the staff review - and to ultimately obtain a business licence.

One of the major concerns voiced by the operators during meetings was the expected influx of visitors during the 2010 Winter Olympic & Paralympic Games.

There were two major areas which have been monitored by City staff:

- fire safety requirements set out in the B.C. Fire Code based on the size of the operation with regard to fire extinguishers, smoke alarms, fire alarm systems, emergency egress plans, etc.
- the neighbourhood impact of full 'Bed & Breakfast' operations including parking, noise, transient activity, etc

Under the City's Business Licence Bylaw No 7360, all commercial operations for gain or profit are required to apply for, and obtain, a business licence once all other bylaw requirements have been satisfied. This applies in all cases, whether the business is a legal non-conforming use or complies with the current zoning.

Building Approvals indicated that the existing operations, based on the size of their operations, would appear to comply with all permit situations from a safety perspective and Building Approvals staff will be involved in any re-zoning applications.

The *Residential Tenancy Act* specifically states that the Act does not apply to '*living accommodation occupied as vacation or travel accommodation*'.

#### **Financial Impact**

None.

#### **Conclusion**

A balanced approach has been taken to the requirements of City bylaws to address the safety of visitors who are being accommodated in 'Bed and Breakfast' lodging or rooming house operations; to mitigate any potential impacts on neighbourhoods and the viable operation of 'Bed and Breakfast' operations in Richmond.



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WGM:wgm