



General Purposes Committee

- Date: Monday, November 17, 2008
- Place: Anderson Room
Richmond City Hall
- Present: Mayor Malcolm D. Brodie, Chair
Councillor Linda Barnes
Councillor Cynthia Chen
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Rob Howard
Councillor Bill McNulty
Councillor Harold Steves
- Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

1. It was moved and seconded
That the minutes of the meeting of the General Purposes Committee held on Monday, October 20, 2008, be adopted as circulated.

CARRIED

BUSINESS & FINANCIAL SERVICES DEPARTMENT

2. **ROKAPA MANAGEMENT LTD., DOING BUSINESS AS WELL PUB
6511 BUSWELL STREET - RE-LOCATION OF LIQUOR PRIMARY
LICENCE**
(Report: October 15, 2008, File No.: 12-8275-30-032) (REDMS No. 2514674)

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Glen Jensen, owner of Legends Pub, accompanied by Ronnie Patterson, the applicant, and owner of Rokapa Management Limited, advised the Committee that the objective of the proposed application was to allow for a new Liquor Primary Licence operation by re-designating the existing 65 seat restaurant area (which currently has a Food Primary Liquor Licence) to a maximum 100 seat pub operation. The 115 seat 'Legends Pub' Liquor Primary Licence, at the same location would remain in operation.

In response to the area residents' concerns related to the possibility of increased noise resulting from the approval of this application, Mr. Jensen remarked that the level of noise was not anticipated to increase, rather it would likely remain the same as now. He also commented that many of the noise related issues were a result of a bus stop located outside of the establishment.

Mr. Patterson further advised that there was a possibility that the neighbourhood residents had misinterpreted the intent of the proposed application, as no additional seats or building modifications were being proposed, and the applicant was only seeking to remove 100 seats from the Food Primary Licensing designation for relocation to Liquor Primary Licensing designation.

In response to a query, Mr. Jensen provided clarification that the applicants' intention was to relocate an existing, non-operational Liquor Primary Licence from the location at 8220 Lansdowne Road to the Legends location at 6544 Buswell Street.

A discussion ensued, and in answer to several questions, Chief Licence Inspector, Amarjeet S. Rattan, provided the following advice:

- it was possible to extend Council's response timeline to the Provincial Liquor Control and Licensing Branch (LCLB) with regard to this application;
- although only ten letters were received from area residents in response to the application, one of the letters was from a Strata Management, representing 124 strata lots;
- in reference to the report about the proposed application, staff were permitted to include only written comments received from area residents, and information related to the phone calls received by City staff in association with the application did not form part of the report;
- staff would contact the RCMP to obtain official incident reports related to the Legends Pub for Committee members to review;
- the most recent reported incidents at the Pub included a patron who had smashed a bottle over a bouncer's head, as well as a large group of people smoking outside of the pub;

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- a Food Primary License allows a family restaurant operation, including service to children, under which patrons may order both food and alcoholic beverages, however, patrons may not order alcohol without ordering food; and
- a Liquor Primary License allows patrons to order alcohol without ordering food.

In answer to a question, the applicants advised that they were willing to keep the minimum number of seats allowed (12 seats), for the restaurant operation. As a result of the discussion, the following **referral** motion was introduced:

It was moved and seconded that

That the application by Rokapa Management Ltd. be referred to staff to (i) obtain further input and clarification from the applicants, as well as interested agencies, including the RCMP; and (ii) to discuss various options with the applicants, and report back to Committee prior to the expiration of any deadlines related to the current application to the Liquor Licensing Branch.

The question on the motion was not called, as further discussion took place about the confusion related to the proposed application. It was also noted that modifications to the original application may result in the applicant having to make a new submission.

The question on the motion was then called, and it was **CARRIED**.

3. **BUSINESS LICENCE BYLAW NO. 7360, AMENDMENT BYLAW 8443**

(Report: November 6, 2008, File No.: 12-8060-20-8443; XR-12-8060-20-7360) (REDMS No. 2514528)

It was moved and seconded

That Bylaw 8443, which amends Business Licence Bylaw 7360 to create revised fee schedules, be given first, second and third readings.

CARRIED

4. **UBCM TOURISM FUNDING - PHASE II APPLICATION**

(Report: November 7, 2008, File No.: 03-1087-01, XR: 08-4150-03-01) (REDMS No. 2525423)

It was moved and seconded

That the City of Richmond apply for Phase II funds in the amount of \$181,000 available through UBCM to implement the development of a comprehensive tourism marketing program in support of corporate and community strategies that will position Richmond as a tourism destination.

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Prior to the question on the motion being called, in answer to questions, the Manager of Economic Development, Neonila Lilova provided the following advice:

- Phase I of the UBCM Tourism Funding had been utilized to hire a team of consultants to develop a comprehensive Community Tourism and Sports Tourism Strategy;
- the request for Phase II of the funding was preceding the presentation of the Community Tourism and Sports Tourism Strategy due to time constraints, as the funding application deadline was November 30, 2008;
- the Community Tourism and Sports Tourism Strategy was anticipated to be forthcoming in January 2009; and
- the City would be leading the majority of the programs outlined in the Strategy, with the possibility of some participation from Tourism Richmond.

The question on the motion was then called, and it was **CARRIED**.

PLANNING AND DEVELOPMENT DEPARTMENT

5. **THE GARDEN CITY LANDS “BLOCK APPLICATION” FOR EXCLUSION FROM THE AGRICULTURAL LAND RESERVE – STATUS UPDATE**

(Report: November 12, 2008, File No.: AG 08-416748) (REDMS No. 2527527)

Joe Erceg, General Manager, Planning and Development, accompanied by Cecilia Achiam, Senior Program Manager, Policy Development, CPMG, advised that at a presentation made on behalf of the City, the Musqueam and the Canada Lands Company (CLC) to the Agricultural Land Commission (ALC) on August 14, 2008, a number of issues were raised by members of the ALC, and that this report responded to several of the issues.

Mr. Erceg further advised that:

- since the August 14, 2008 presentation, ALC staff had been contacting City staff regarding issues of concern;
- it was in the City’s best interest to volunteer additional measures for further improvement and enhancement of agricultural viability;
- in order to enhance and advance programs and initiatives that would provide further benefits to agriculture, the City’s partners (the Musqueam and the CLC) had volunteered additional funds over and above the endowment fund they had previously committed to; and
- the current Council had the choice to deal with the issue now, or to defer it to the new Council.

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Mr. Erceg then summarized the recommendations found in the report, indicating that Council's endorsement was sought for:

- (i) a six month extension to the Purchase and Sale Agreement (PSA), as it would expire on December 31, 2008;
- (ii) authorization for staff to advise the ALC about Council approved initiatives and programs to enhance agriculture;
- (iii) authorization to advise the ALC that the City was prepared to enter into an agreement such as a Memorandum of Understanding with the ALC to commit to the City's proposed initiatives.

Mr. Erceg further advised that there were no guarantees or assurances that the "Block Application" would receive approval from the ALC, even with the inclusion of the additional measures related to enhancement of agriculture. However, he advised that it was likely that the application would not be approved without the provisions for additional measures.

Reference was made to a letter written to the City by the CLC, in response to concerns associated with the proposed agreement and City parkland being "scattered" throughout the Garden City Lands. Mr. Erceg remarked that the letter confirmed the CLC and Musqueam's commitment to provide for a minimum area of 40 acres to be arranged in a continuous area appropriate for the City's program purposes. A copy of the letter is attached as Schedule 1 and forms part of these minutes.

A discussion then took place about:

- the general timing of the report, and the significance of the information contained in the report;
- the feasibility of deferring the report to a future General Purposes Committee meeting for consideration by the new Council;
- the risk associated with the City not securing ownership of half of the Garden City Lands site through the MOU and PSA, prior to pursuing additional ownership;
- the likelihood of the Musqueam Indian Band obtaining the Garden City Lands site by other means, in the event the proposed MOU was not successful;
- the option available to Council to re-designate the City's share of the Garden City Lands as Agricultural Land Reserve; and
- the option of postponing Council's deliberation on the matter until after a meeting has taken place with the two Members of Parliament (MPs) for Richmond.

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During the discussion, reference was made to a letter to the City from both Richmond Members of Parliament, Alice Wong and John Cummins, expressing their opposition to extending the date limit of the PSA, and their support for keeping the Garden City Lands in the ALR. A copy of the letter is attached as Schedule 2 and forms part of these minutes.

As a result of the discussion, the following motion was introduced:

It was moved and seconded

That the report (dated November 12, 2008, from the General Manager, Planning and Development) titled the Garden City Lands "Block Application" for exclusion from the Agricultural Land Reserve – Status Update be referred to a General Purposes Committee meeting to be held before the holiday break for consideration by the new Council.

Prior to the question on the motion being called, staff were requested to:

- provide copies of this report and other relevant reports to Councillors-elect Ken Johnston and Greg Halsey-Brandt;
- contact the two MPs for Richmond in order to set up a meeting with members of City Council regarding the Garden City Lands matter; and
- investigate whether the MPs were aware of any federal legislative process which may be used to return the Garden City Lands to the Crown as outlined in their letter (Schedule 2).

The question on the motion was then called, and it was **CARRIED**.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:43 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, November 17, 2008.

Mayor Malcolm D. Brodie
Chair

Shanan Dhaliwal
Executive Assistant, City Clerk's Office



CANADA LANDS COMPANY
SOCIÉTÉ IMMOBILIÈRE DU CANADA

Monday, November 17, 2008

Joe Erceg
General Manager, Planning & Development
City of Richmond
6911 No. 3 Road,
Richmond, BC V6Y 2C1

Dear Mr. Erceg:

Re: Garden City Lands – Distribution of Open Space

The following statement of clarification is pursuant to the recent discussions between us on the above subject

Further to the Agreement of Purchase and Sale dated December 22, 2005, Clause 4.5, the CLC/Musqueam "Joint Venture" provides the following clarification with respect to the intended distribution of parkland on the "Garden City Lands":

The overall configuration and layout of the "Public Lands" as defined under the terms of the Agreement, will be a major element of the master planning process and will be the subject of a Comprehensive Development Plan approval by the City of Richmond. In response to concerns that have been expressed regarding the potential for City parkland being "scattered" under the above referenced Agreement, CLC/Musqueam hereby advise that a minimum area of 40 acres (comparable in size to Minoru Park) and inclusive of the 15% of the site earmarked for the TEC, will be arranged in a consolidated area with appropriate dimensions for its program purposes to the sole satisfaction of the City of Richmond as the approving authority.

We trust this provides sufficient assurance at this time and have every faith in the quality of the overall plan for the Garden City Lands that will one day emerge from due process.

Yours truly,

CANADA LANDS COMPANY CLC LIMITED

Randy Fasan, MAIBC, MRAIC
Director, Urban Design & Planning

Copy: Ken McGregor – Musqueam Band Manager
Doug Kester – CLC VP Western Region

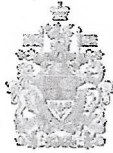
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November 17, 2008

Mayor and Council
City of Richmond
6911 No. 3 Road
Richmond, B.C.
V6Y 2C1

Dear Mayor and Council;

**Re: THE GARDEN CITY LANDS "BLOCK APPLICATION" FOR EXCLUSION
FROM THE AGRICULTURAL LAND RESERVE**

We are writing concerning the item on the agenda for Council's General Purposes Committee meeting today pertaining to a staff recommendation to modify the Agreement of Purchase and Sale for the Garden City Lands to extend the date limit for satisfaction of the Agricultural Land Reserve (ALR) Release Condition from December 31, 2008 to June 30, 2009.

Please be advised that we are both opposed to this modification and the extension of the time limit to appeal to the Agricultural Land Commission (ALR). Overwhelmingly, our constituents have indicated that they do not support the terms of the Agreement of Purchase and Sale and the related Memorandum of Understanding and they wish these lands to remain in the ALR. We reflected this community view in the public position we took in the recent federal election campaign.

Accordingly, with the support of our constituents, it is our intention to work with the Minister responsible for Canada Lands to return the Garden City lands to the Crown so that plans may be made to secure the lands in perpetuity for the benefit of our constituents.

Therefore, we request that you not support this staff recommendation.

Yours truly,

ON BEHALF OF:
(Signature on file)

Alice Wong, M.P.
Richmond

John Cummins, M.P.
Delta-Richmond East