



Regular Council

Tuesday, April 23, 2019

Place: Council Chambers
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Carol Day
Councillor Kelly Greene
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves
Councillor Michael Wolfe

Corporate Officer – David Weber

Call to Order: Mayor Brodie called the meeting to order at 7:00 p.m.

RES NO. ITEM

MINUTES

R19/7-1 1. It was moved and seconded

That:

- (1) *the minutes of the Regular Council meeting held on April 8, 2019, be adopted as circulated; and*
- (2) *the minutes of the Regular Council meeting for Public Hearings held on April 15, 2019, be adopted as circulated.*

CARRIED



**Regular Council
Tuesday, April 23, 2019**

COMMITTEE OF THE WHOLE

- R19/7-2 2. It was moved and seconded
That Council resolve into Committee of the Whole to hear delegations on agenda items (7:01 p.m.).

CARRIED

3. Delegations from the floor on Agenda items.

Item No. 17 – Non-Farm Use Fill Application – 21800 River Road (Yee)

Stephen Easterbrook, Richmond resident, farmer and member of the Agricultural Advisory Committee, spoke in favour of the non-farm use fill application. He noted that the subject site does not lend itself well to farming due to the grade of the soil and as a result of previous improper fill. Mr. Easterbrook stated that the applicant is proposing to bring in fertile top soil, and the soil will be approved by an agrologist. He then remarked that the applicant is seeking a modest amount of fill (approximately 0.6 meters) and highlighted that the soil to be deposited will render the subject site farmable.

- R19/7-3 4. It was moved and seconded
That Committee rise and report (7:12 p.m.).

CARRIED

CONSENT AGENDA

- R19/7-4 5. It was moved and seconded
That Items No. 6 through No. 16 be adopted by general consent.

CARRIED

6. **COMMITTEE MINUTES**

That the minutes of:

- (1) the Community Safety Committee meeting held on April 9, 2019;*



Regular Council
Tuesday, April 23, 2019

- (2) *the General Purposes Committee meeting held on April 15, 2019;*
 - (3) *the Special Finance Committee meeting held on April 15, 2019;*
 - (4) *the Planning Committee meeting held on April 16, 2019;*
 - (5) *the Public Works and Transportation Committee meeting held on April 17, 2019;*
- be received for information.*

ADOPTED ON CONSENT

7. IMPERIAL PARKING CANADA CORPORATION CONTRACT RENEWAL

(File Ref. No. 03-1000-20-4688) (REDMS No. 6023553 v. 5; 4214152)

- (1) *That the City enter into a five year-renewal contract (2019-2023) with Imperial Parking Canada Corporation, as outlined in the staff report titled, “Imperial Parking Canada Corporation Contract Renewal”, dated March 19, 2019, from the General Manager, Community Safety; and*
- (2) *That the General Manager of Community Safety be authorized to execute the contract with Imperial Parking Canada Corporation.*

ADOPTED ON CONSENT

8. HOMELESS CAMPS IN HAMILTON

(File Ref. No. 08-4057-11-01)

That staff be directed to conduct a public meeting with Hamilton area residents regarding the homeless camp as soon as possible.

ADOPTED ON CONSENT



**Regular Council
Tuesday, April 23, 2019**

9. APPLICATION FOR A NEW FOOD PRIMARY LIQUOR LICENCE WITH PATRON PARTICIPATION ENTERTAINMENT ENDORSEMENT FOR KARAOKE AND EXTENDED HOURS FROM 1091919 BC LTD., AT 3300 - 4000 NO. 3 ROAD

(File Ref. No. 12-8275-30-001) (REDMS No. 6150172 v. 2)

- (1) *That the application from 1091919 BC Ltd, operating at 3300 – 4000 No. 3 Road, requesting a Food-Primary Liquor Licence with Entertainment Endorsement for Patron Participation to enable karaoke at the establishment, be supported;*
- (2) *That a letter be sent to Liquor and Cannabis Regulation Branch advising that:*
 - (a) *Council supports the application for a Food Primary Liquor Licence with:*
 - (i) *Patron Participation Entertainment Endorsement which ends at Midnight;*
 - (ii) *hours of liquor service, Monday to Sunday, from 9:00 AM to 2:00 AM;*
 - (b) *person capacity will be set at 120 seats and 20 staff for total capacity of 140 persons;*
- (3) *Council's comments on the prescribed criteria (Section 71 of the Liquor Control and Licensing Regulations) are as follows:*
 - (a) *the potential for additional noise and traffic in the area was considered;*
 - (b) *the impact on the community was assessed through a community consultation process;*
 - (c) *given that this business is new, there is no history of non-compliance with the operation, the addition to permit patron participation entertainment endorsement under the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose;*



**Regular Council
Tuesday, April 23, 2019**

- (d) *as the operation of a licenced establishment may affect nearby residents, businesses and property owners, the impact assessment was conducted through the City's community consultation process as follows:*
 - (i) *residents, businesses and property owners within a 50 meter radius of the subject property were notified by letter. The letter provided information on the application with instructions on how to submit comments or concerns; and*
 - (ii) *signage was posted at the subject property and three public notices were published in a local newspaper. The signage and public notice provided information on the application with instructions on how comments or concerns could be submitted;*
- (e) *Council's comments and recommendations respecting the view of the residents, businesses and property owners are as follows:*
 - (i) *the community consultation process was completed as part of the application process; and*
 - (ii) *that based on the number of letters sent and the few opposed responses received and significant supporting responses received from all public notifications, Council considers that the approval of this application is acceptable to the majority of the residents, businesses and property owners in the area and the community;*
- (f) *Council recommends the approval of the Food Primary Liquor Licence with patron participation entertainment for the reasons that the application is acceptable to the majority of the residents, businesses and property owners in the area and the community.*

ADOPTED ON CONSENT

10. 2019 ANNUAL PROPERTY TAX RATES BYLAW
(File Ref. No. 12-8060-20-010016) (REDMS No. 6152233 v. 4; 6151947)

That the Annual Property Tax Rates (2019) Bylaw No. 10016 be introduced and given first, second and third readings.

ADOPTED ON CONSENT



**Regular Council
Tuesday, April 23, 2019**

**11. APPLICATION BY THE CITY OF RICHMOND FOR A
TEMPORARY COMMERCIAL USE PERMIT AT 8620 AND 8660
BECKWITH ROAD**

(File Ref. No. TU 18-841880) (REDMS No. 6139926)

- (1) *That the application by the City of Richmond for a Temporary Commercial Use Permit for the properties at 8620 and 8660 Beckwith Road to allow non-accessory parking as a permitted use be considered for a period of three years; and*
- (2) *That this application be forwarded to the May 21, 2019 Public Hearing at 7:00 pm in the Council Chambers of Richmond City Hall.*

ADOPTED ON CONSENT

**12. VANCOUVER AIRPORT AUTHORITY'S PROPOSED AIRPORT
ZONING REGULATIONS: PROPOSED AMENDMENTS TO THE
CITY CENTRE AREA PLAN AND ZONING BYLAW**

(File Ref. No. 01-0153-01, 12-8060-20-0010020/21 Xr: 01-0153-01) (REDMS No. 6150504 v. 3, 6155467, 6156349)

- (1) *That Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 10020, be introduced and given first reading;*
- (2) *That Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 10020, having been considered in conjunction with:*
 - (a) *the City's Consolidated 5 Year Financial Plan and Capital Program; and*
 - (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;*

is hereby found to be consistent with said program and plans, in accordance with Section 477(3)(a) of the Local Government Act;

- (3) *That Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 10020, having been considered in accordance with Section 475 of the Local Government Act and the City's Official Community Plan Bylaw Preparation Consultation Policy 5043, is found not to require further consultation; and*



**Regular Council
Tuesday, April 23, 2019**

- (4) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 10021, be introduced and given first reading.*

ADOPTED ON CONSENT

13. ICBC-CITY OF RICHMOND ROAD IMPROVEMENT PROGRAM – 2019 UPDATE

(File Ref. No. 01-0150-20-ICBC1-01, 03-1000-03-006) (REDMS No. 6143801)

- (1) *That the list of proposed road safety improvement projects, as described in Attachment 2 of the staff report titled “ICBC-City of Richmond Road Improvement Program – 2019 Update,” dated March 27, 2019 from the Director, Transportation be endorsed for submission to the ICBC 2019 Road Improvement Program for consideration of cost-share funding; and*
- (2) *That should the above applications be successful, the Chief Administrative Officer and General Manager, Planning and Development be authorized to negotiate and execute the cost-share agreements, and that the Consolidated 5 Year Financial Plan (2019-2023) be amended accordingly.*

ADOPTED ON CONSENT

14. ANNUAL REPORT 2018: RECYCLING AND SOLID WASTE MANAGEMENT – BUILDING MOMENTUM TOWARDS 80% DIVERSION

(File Ref. No. 10-6370-01) (REDMS No. 6149029 v. 3)

- (1) *That the annual report titled, “Report 2018: Recycling and Solid Waste Management – Building Momentum Towards 80% Diversion” be endorsed and be made available to the community on the City’s website and through various communication tools including social media channels and as part of community outreach initiatives; and*
- (2) *That the annual report titled, “Report 2018: Recycling and Solid Waste Management – Building Momentum Towards 80% Diversion” be forwarded to the Council/School Board Liaison Committee.*

ADOPTED ON CONSENT



Regular Council
Tuesday, April 23, 2019

15. MITCHELL ISLAND ENVIRONMENTAL STEWARDSHIP INITIATIVES

(File Ref. No. 10-6175-01, 10-6125-11-06) (REDMS No. 6121739 v. 5)

That the outreach initiatives proposed within the staff report titled “Mitchell Island Environmental Stewardship Initiatives” dated March 11, 2019 from the Senior Manager, Sustainability and District Energy, be endorsed.

ADOPTED ON CONSENT

16. WATER METER PROGRAM AND SEWER RATE UPDATE

(File Ref. No. 10-6650-02) (REDMS No. 6037213 v. 8)

That Option 3 – Sewer Rate Cap, as outlined in the report titled “Water Meter Program and Sewer Rate Update” dated March 21, 2019, from the Acting Director, Engineering, be endorsed for use in the preparation of the 2020 utility rate options.

ADOPTED ON CONSENT

MONTHLY PARKING PERMIT FEE AT 8620 AND 8660 BECKWITH ROAD

(File Ref. No. 12-8060-20-008636)

Discussion took place on the cost of a monthly parking permit fee of \$41 and in reply to a query from Council, Wayne Craig, Director, Development, advised that the fee is in accordance with the Consolidated Fees Bylaw No. 8636. As a result of the discussion, the following **referral motion** was introduced:

R19/7-5

It was moved and seconded

That staff review the parking rates in the Consolidated Fees Bylaw No. 8636 in relation to 8620 and 8660 Beckwith Road and report back through Committee.

CARRIED



**Regular Council
Tuesday, April 23, 2019**

NON-CONSENT AGENDA ITEMS

**GENERAL PURPOSES COMMITTEE –
Mayor Malcolm D. Brodie, Chair**

17. **NON-FARM USE FILL APPLICATION - 21800 RIVER ROAD (YEE)**
(File Ref. No. 12-8080-12-01, 12-8350-05-CD43803, 08-4105-04-04) (REDMS No. 6112332 v. 17;
5981518, 5981518)

R19/7-6

It was moved and seconded

That the Non-Farm Use Fill Application proposed for the purpose of developing a vegetable farm and the corresponding staff report titled “Non-Farm Use Fill Application for the Property Located at 21800 River Road (Yee)”, dated November 14, 2018 (Attachment 1), be referred to the Agricultural Land Commission (ALC) for the ALC’s review and decision as all reporting requirements specified by the City have been satisfied by the proponent.

The question on Resolution R19/7-6 was not called as discussion took place and the following Council comments were noted:

- farmland should be farmed based on what the land’s soil is conducive to growing in an effort to eliminate the need for soil deposits;
- due to rising sea level, it is a matter of time until the subject site will have to be raised;
- the Applicant has followed the City’s process and met all its conditions;
- there is uncertainty with regard to the integrity of the soil to be deposited as a result of past illegal fill on this site and throughout the city;
- the Applicant’s projected earnings are much less than the potential amount of tipping fees that may be collected; and
- the Applicant is seeking a modest amount of fill (approximately 0.6 meters).



**Regular Council
Tuesday, April 23, 2019**

In reply to queries from Council, staff advised that the Applicant wishes to grow vegetables on the subject site, and the proposed soil deposit would render the subject site's soil rating to a Class 4 from its current Class 2 rating.

The question on R19/7-6 was then called and it was **DEFEATED** with Cllrs. Au, Day, Greene, McNulty, Steves, and Wolfe opposed.

PUBLIC DELEGATIONS ON NON-AGENDA ITEMS

- R19/7-7 18. It was moved and seconded
That Council resolve into Committee of the Whole to hear delegations on non-agenda items (8:00 p.m.).

CARRIED

With the aid of a PowerPoint presentation (copy on file, City Clerk's Office), Gordon Cornwall, Volunteer, West Coast Environmental Law, spoke on recovering climate costs and the West Coast Environmental Law's "Climate Law in our Hands" campaign and the following information was highlighted:

- the costs of climate change are significant;
- Richmond is at risk of flooding due to rising sea level and the costs of raising the dike to protect the city fall on its taxpayers;
- fossil fuel corporations profit without sharing the costs of the pollution caused by their operations and their products;
- a number of cities in the United States are managing their exposure by suing companies that have contributed to climate change; and
- in Ontario, Bill 21 – *Liability for Climate-Related Harms Act* – proposed to provide that a fossil fuel producer is strictly liable for climate-related harms that occur if the producer is responsible for greenhouse gas emissions at a globally detectable level.

Mr. Cornwall concluded by requesting that Council send climate accountability letters to the 20 largest fossil fuel companies and a letter to the Honourable John Horgan, Premier of British Columbia, requesting the introduction of climate liability legislation.



Regular Council
Tuesday, April 23, 2019

In response to queries from Council, Mr. Cornwall, accompanied by Dustin Klaudt, Lawyer, Power Law, and Anna Barford, Fossil Fuel Moratorium Community Organizer, Georgia Strait Alliance, provided the following information:

- support at the municipal level is key in garnering support at the Lower Mainland Local Government Association (LMLGA), the Union of British Columbia Municipalities (UBCM), and the Federation of Canadian Municipalities (FCM);
- sample letters to fossil fuel companies were included for reference as part of the agenda materials;
- the Province of BC has indicated that it would support the direction of BC municipalities; and
- an economic impact analysis has not been conducted.

In reply to further queries from Council, Mr. Klaudt commented on various arguments with regard to liability and negligence litigation, noting that recovering climate costs is a novel form of litigation.

- R19/7-8 19. It was moved and seconded
That Committee rise and report (8:38 p.m.).

CARRIED

Discussion took place on the non-agenda delegation and the following Council comments were noted:

- the matter is of a political nature and therefore a referral to staff is unnecessary;
- Council should (a) send climate accountability letters to the 20 largest fossil fuel companies, (b) send a letter to the Honourable John Horgan, Premier of British Columbia, requesting the introduction of climate liability legislation, (c) submit a resolution to UBCM, and (d) join other municipalities in seeking damages if the Province of BC does not act;
- it would be valuable for Council to review a draft letter to the Province of BC; and



Regular Council
Tuesday, April 23, 2019

- a draft resolution to UBCM should accompany any staff report back to Council on the matter.

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

R19/7-9

It was moved and seconded

That the presentation titled “Recovering Climate Costs” by Gordon Cornwall be referred to staff to:

- (1) examine how it aligns with City policies and strategies;*
 - (2) provide an analysis of the impacts of any proposed legislation;*
 - (3) prepare a draft letter to the Province of BC; and*
 - (4) prepare a draft resolution to UBCM;*
- and report back.*

CARRIED

Opposed: Cllrs. Day
Greene
Steves
Wolfe

PUBLIC ANNOUNCEMENT

Mayor Brodie announced that Contract 6512Q for the On-Call Repair and Maintenance Services for Refrigeration Systems at the Richmond Ice Centre and Minoru Arenas has been awarded to Cimco Refrigeration, for a five-year term in the estimated average annual amount of \$150,000, for an estimated total of \$750,000.



**Regular Council
Tuesday, April 23, 2019**

BYLAWS FOR 2ND AND 3RD READINGS

R19/7-10

It was moved and seconded

- (1) *That Development Cost Charges Imposition Bylaw No. 9499, Amendment Bylaw No. 10003 be given second and third readings; and*
- (2) *That Building Regulation Bylaw No. 7230, Amendment Bylaw No. 10013 be given second and third readings.*

CARRIED

DEVELOPMENT PERMIT PANEL

R19/7-11

20. It was moved and seconded

- (1) *That the minutes of the Development Permit Panel meeting held on April 10, 2019, and the Chair's report for the Development Permit Panel meeting held on April 10, 2019 be received for information; and*
- (2) *That the recommendations of the Panel to authorize the issuance of:*
 - (a) *a Development Variance Permit (DV 18-829639) for the property at 7266 Lynnwood Drive; and*
 - (b) *a Development Permit (DP 18-835560) for the property at 5991 No. 3 Road;**be endorsed, and the Permits so issued.*

CARRIED

ADJOURNMENT

R19/7-12

It was moved and seconded

That the meeting adjourn (8:58 p.m.).

CARRIED



City of
Richmond

Minutes

**Regular Council
Tuesday, April 23, 2019**

Certified a true and correct copy of the Minutes of the Regular meeting of the Council of the City of Richmond held on Tuesday, April 23, 2019.

Mayor (Malcolm D. Brodie)

Corporate Officer (David Weber)