



**Special Council  
Tuesday, October 10, 2017**

Place: Anderson Room  
Richmond City Hall

Present: Mayor Malcolm D. Brodie  
Councillor Chak Au  
Councillor Derek Dang  
Councillor Ken Johnston  
Councillor Alexa Loo  
Councillor Bill McNulty  
Councillor Linda McPhail  
Councillor Harold Steves

Corporate Officer – David Weber

Absent: Councillor Carol Day

Call to Order: Mayor Brodie called the meeting to order at 4:00 p.m.

RES NO.    ITEM

**COMMUNITY SAFETY DIVISION**

1. **BUSINESS LICENCE CANCELLATION FOR BEST HOME INN,  
OPERATING FROM A PREMISES AT 10660 WESTMINSTER HWY**  
(File Ref. No.: 12-8275-06; 12-8275-20-2017001100 Ref#13649994) (REDMS No. 5411434 v. 2;  
5340376; 5385404; 5548845)

Mayor Brodie noted that the business operator of Best Home Inn is now in compliance with City regulations and therefore no further action is required.

SP17/4-1

It was moved and seconded

*That the staff report titled Business Licence Cancellation for Best Home Inn, Operating from a Premises at 10660 Westminster Hwy., from the Acting Senior Manager, Community Safety, Policy and Programs and Licensing, dated September 25, 2017, be received for information.*

**CARRIED**



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**2.    BUSINESS LICENCE CANCELLATION AND NOTICE AGAINST  
TITLE FOR THE STONE HEDGE B&B, OPERATING FROM A  
PREMISES LOCATED AT 5511 CATHAY ROAD**

(File Ref. No.: 12-8275-06; 12-8275-20-2012603710) (REDMS No. 5411431 v. 3; 5341047; 5547966; 5587731; 5587758)

Carli Edwards, Acting Senior Manager, Community Safety, Policy and Program and Licensing, noted that staff has been working with the business owners on compliance since February 2017 and that staff are reviewing a building permit application recently submitted by the business owners. She added that staff are recommending that a statutory notice be placed on-title relating to the non-compliance with the City's building and zoning regulations. Also, Ms. Edwards noted Council has the option to consider a business license suspension or to defer consideration of cancellation to a later date.

An aerial image of the property was distributed (attached to and forming part of these minutes as Schedule 1).

In reply to queries from Council, staff, noted that:

- staff were aware of the compliance issues on January 2017 and that staff identified violations that contravene the previous Zoning and Business Licence Bylaws in place at that time;
- staff have indicated that there are no imminent safety issues with the buildings on-site;
- a detached poolside structure is being used as part of the bed and breakfast operation, and as a result is in violation of zoning bylaws prohibiting habitable space in detached structures;
- the detached poolside structure encroaches on a City utility Right-of-Way (ROW);
- options to attach the poolside structure to the main building are not possible as it will exceed the Floor Area Ratio (FAR) permitted for the site;



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- the business owner has suggested that a portion of the poolside structure over the ROW can be removed and staff have advised that a variance would be required given the proximity of the structure to the lot line;
- the City's zoning bylaws limit living space in the principal unit;
- the garage was converted into living space without permits; and
- it is possible to add an extra bedroom to the main building with the proper permits.

Brian Cooper, owner and operator of the Stone Hedge Bed and Breakfast, read from his submission, (attached to and forming part of these minutes as Schedule 2), noting that (i) an architect and contractors were hired to initiate the process to meet compliance upon the issuance of the notice, (ii) approximately 70% of the works required have been completed, (iii) a building permit application has been submitted, (iv) letters of support from neighbours have been provided, and (v) once cancelled, a short-term rental business license cannot be re-issued for Stone Hedge Bed and Breakfast under the City's short-term rental regulations since there are three new bed and breakfast businesses within 500 metres of the site.

Mr. Cooper expressed willingness to comply and has suggested the following options to continue bed and breakfast operations:

- operate as a two bedroom bed and breakfast, by (i) bringing the main building, including the two bedrooms used for the bed and breakfast to compliance within two weeks, (ii) removing the living space in the garage, and (iii) converting the detached poolside structure to an amenity room and bring it to compliance; or
- maintain the three bedroom license with a six month deferral to allow for compliance.

In reply to queries from Council, Mr. Cooper noted that (i) the portion of the detached poolside structure over the ROW can be removed, (ii) the works can be completed during the low season, (iii) the garage can be converted back into garage space to fall within the permitted FAR for the site, and (iv) more time is required to meet compliance.



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Brittany Cooper, Stone Hedge Bed and Breakfast, spoke in support of maintaining operation of the bed and breakfast, and expressed that (i) the living space in the garage can be converted back into garage space, (ii) there have been no safety issues with the building, (iii) it may not be feasible for the business owners to stay in the property if the business shuts down, and (iv) the business owners have shown diligence in their efforts to bring the property to compliance.

In reply to queries from Council, Ms. Edwards noted that plumbing and gas permits were issued for furnace and bathroom works and were completed, however, configuration issues involving living space in the garage and the detached poolside structure remain unresolved. She added that the recently submitted building permit is under staff review.

Discussion ensued with regard to (i) options to allow the business to operate as a two bedroom bed and breakfast during the process to meet compliance, (ii) options to convert the garage as a third bedroom, and (iii) deferring the consideration of business license cancellation to January 15, 2018.

Mayor Brodie noted that Council has the option to extend the deferral if work to meet compliance is nearing completion at that time.

SP17/4-2

It was moved and seconded

- (1) *That consideration of the cancellation of the business licence of The Stone Hedge B&B, operating from a premises located at 5511 Cathay Road, be deferred until January 15, 2018, given that operation of the detached poolside structure cease; and*
- (2) *That, according to section 57 of the Community Charter, City staff be directed to file a notice against land title that building regulations have been contravened in respect to the building located at 5511 Cathay Road.*

**CARRIED**

**3. BUSINESS LICENCE CANCELLATION AND NOTICE AGAINST  
TITLE FOR SEABREEZE GUEST HOUSE, OPERATING FROM A  
PREMISES LOCATED AT 3111 SPRINGSIDE PLACE**

(File Ref. No.: 12-8275-06; 12-8275-20-2011561391) (REDMS No. 5409168 v. 4; 5341019; 5398923; 5405723; 5548741)



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Carli Edwards, Acting Senior Manager, Community Safety, Policy and Program and Licensing, advised that (i) the business owner has obtained all required permits to proceed with the work and work to bring the building to compliance is underway, (ii) the secondary suite on-site has been removed, (iii) the City requires that the business operator of a bed and breakfast live on-site, (iv) the business was transferred to the owner's mother who lives on-site.

John Falcus, Seabreeze Guest House, spoke on the process to meet compliance, noting that (i) drawings were submitted to the City in April 2017 and have since been approved, (ii) habitable space was reduced by 150 ft<sup>2</sup>, (iii) construction is nearing completion and final inspection can be arranged.

Mr. Falcus requested a deferral to the cancellation of the business license in order to complete the required work.

Discussion ensued with regard to deferring the consideration of the cancellation of the business license to January 15, 2018. Ms. Edwards noted that Council will be informed should the Seabreeze Guest House remain non-compliant by January 15, 2018.

SP17/4-3

It was moved and seconded

- (1) *That consideration of the cancellation of the business licence of Seabreeze Guest House, operating from a premises located at 3111 Springside Place, be deferred until January 15, 2018; and*
- (2) *That, according to section 57 of the Community Charter, City staff be directed to file a notice against land title that building regulations have been contravened in respect to the building located at 3111 Springside Place.*

**CARRIED**

**ADJOURNMENT**

SP17/4-4

It was moved and seconded

*That the meeting adjourn (4:54 p.m.).*

**CARRIED**



City of  
Richmond

Minutes

**Special Council**  
**Tuesday, October 10, 2017**

RES NO.    ITEM

Certified a true and correct copy of the  
Minutes of the Special meeting of the  
Council of the City of Richmond held on  
Tuesday, October 10, 2017.

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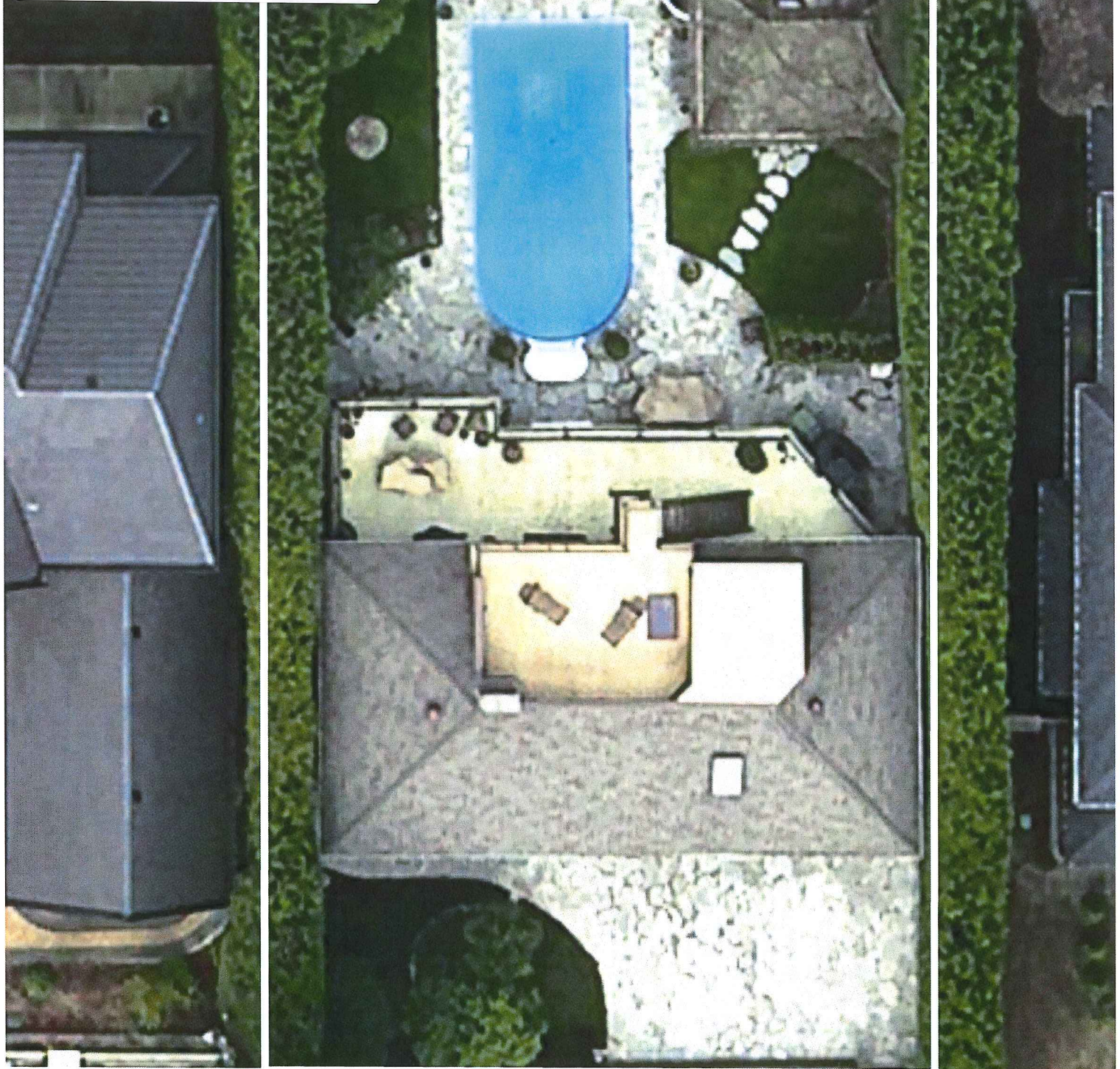
Mayor (Malcolm D. Brodie)

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Corporate Officer (David Weber)



Schedule 1 to the Minutes of the Special meeting of Richmond City Council held on Tuesday, October 10, 2017.



-  5511 Cathay Rd
-  Properties
-  ROWs

CSGEO  
Community Safety  
Geospatial  


**5511 Cathay Rd**

Note:  
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## Proposal to Council – 10<sup>th</sup>. of Oct 2017

### The Stone Hedge Bed & Breakfast

#### Plan “A”

- 6 month Deferral to allow for compliance

Maintaining our 3 Bed Room License

#### Plan “B”

##### Step 1

- Have the main building (2 bedrooms) approved as per the registered building permit within 2 weeks.
- Change the usage of The Safari House back to an amenity room & stop taking reservations.

Maintain a 2 Bed Room License

##### Step 2

- Bring The Safari House in to compliance

Regain our 3 Bed Room License

#### History of The Stone Hedge B&B:

April 2001 – opened, no license required

September 2001 – 9/11

Occupancy averaged 15% (higher in summer, dead in winter)

2010 – Notice to shut down by City of Richmond pre: Olympics

2011 – Given one year to work with City of Richmond  
City of Richmond agrees to create what we believe were the best B&B  
bylaws in the Province.

2012 – We’re the 2<sup>nd</sup> B&B (Sea Breeze was the first) licensed.



2014 – Became full time business & sole income for both Linda & Brian  
Who made retirement plans based on a licensed business legal business.

March 2017 – give a 90 day notice of compliance or closure

May 2017 – given a 90 day extension

September 2017 – Received notice of October 10th meeting and petition to  
cancel license because we had not complied 100%.

We are approximately 70% through the process, with our main building  
having its electrical, plumbing & heating permits approved, building permits  
have been issued and only an inspection needs to be preformed to have it  
signed off on.

Thank you for your consideration.

Linda & Brian Cooper  
The Stone Hedge B&B

October 9, 2017

To: City of Richmond Mayor and Councilors

I have lived across the street from the Cooper Family for over 35 years.

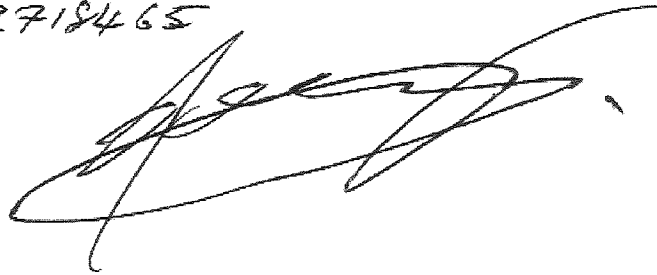
In all this time, they have always been considerate, helpful and kind.

Their cozy Bed and Breakfast is an enhancement to our neighbourhood.

Yours truly,

Amedeo Spenelli  
5480 Cathay Road  
Richmond, B.C.

604-2718465

A handwritten signature in black ink, appearing to be 'Amedeo Spenelli', written over a horizontal line.

October 9, 2017

To: City of Richmond Mayor and Councilors

We have lived across the street to the Cooper Family for 28 years and love the neighbourhood so much we just built our new house on our lot.

Our children went to school together.

They have always been considerate neighbours with their B&B business. They always looked out for their neighbours and are very friendly and helpful when asked. They were the official "Block Parents" in our neighbourhood.

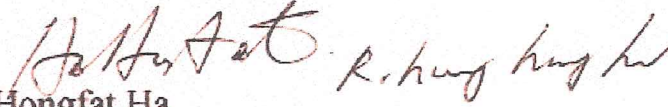
Their Bed and Breakfast is a nice addition to our block.

Please allow them time to come into compliance and maintain their business so that the Coopers will remain a viable part of our community in the future.

As it is our understanding that without the business as part of their retirement plan, they will have to sell and that would be a pity

Please call if you have any questions

Yours respectfully,

  
Hongfat Ha  
Hung Hung Ha  
5460 Cathay Road  
Richmond, B.C.  
V7C 3C8  
778.383.2629

October 9, 2017

To: City of Richmond Mayor and Councilors

We have lived across the street to the Cooper Family for 11 years.

They have always been considerate neighbours with their B&B business. They always looked out for their neighbours and are very friendly and helpful when asked. Their Bed and Breakfast has never been a concern of ours and is a nice addition to our block.

Please allow them time to come into compliance and maintain their business so that the Coopers will remain a viable part of our community in the future.

As it is our understanding that without the business as part of their retirement plan, they will have to sell and we would lose great neighbours.

Yours respectfully,



George M Chen  
8271 Carmel Road  
Richmond, B.C.  
V7C 3R3  
779.837.0602



October 9, 2017

To: City of Richmond Mayor and Councilors


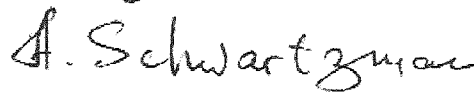
We have lived next door to the Cooper Family for years since we had our home built on the corner of Cathay and Carmel.

They have always been considerate neighbours with their B&B business and we have never had to complain about noise or parking. They always looked out for their neighbours and are very friendly and helpful when asked. They watch out for the neighbours.

Their Bed and Breakfast is a nice enhancement to our neighbourhood compared to all the multi-million dollar mansions that sit empty on our block.

Yours respectfully,

Mrs. Elena Steele  
A. Swartzman  
8211 Carmel  
Richmond, B.C.

604-241-9367

**Re: Business licence cancellation of Stone Hedge B&B**

9 October 2017

Your Worship, Council members, members of staff, and citizens of the City of Richmond.

It has come to my attention that the City of Richmond is taking action to cancel the business licence for The Stone Hedge Bed & Breakfast at 5511 Cathay Road, and I wish to have my voice heard at this Special Council meeting.

I live at 5440 Cathay Road, and have been for approximately 6 years. In my time of occupancy at this residence, I've witnessed several homes in the area be torn down to make way for a new one. Every one of these new homes has become a home behind a closed gate, with (often) no life being presented. The new neighbours are absent or unapproachable, and the community that my 47 years of living in is rapidly disappearing, if not already considered to be gone. Upon moving in to this home, we were greeted that afternoon by a neighbour, welcoming us to the neighbourhood and expressing joy that the house wasn't another one slated for the wrecking ball. Another neighbour, Brian Cooper, took about a month to meet, because of our respective busy schedules. Since then, we exchange waves, smiles, and even fresh bread, whenever we pass each other now. In fact, shortly after meeting Brian, I was introduced to his wife, Linda, and learned of their bread and breakfast. Our relationship has grown to be what we all want a community of neighbours to be. In several occasions, during a walk outside or just simply being in the yard, we've met clients of The Stone Hedge and shared experiences of our respective areas - theirs often being from abroad. These experiences bring worlds and different cultures together.

Having neighbours like Brian and Linda Cooper, and their clients, in my neighbourhood has allowed me to retain the feeling of community, and has allowed me to remember growing up in the Corporation of the Township of Richmond - a time before City designation. A time when neighbours talked over the fence, if there even was a fence. A time when the children could go next door on the way home from school if Mom or Dad weren't quite home yet. A time before the words "City Hall" brought a furrowed brow to one's face.

It is my opinion and fear that if The Coopers and Stone Hedge Bed & Breakfast cannot continue business, and therefore be faced with a decision to change their residence in the community, the City of Richmond, and my community will suffer a loss and a tragedy will have occurred. I have never had a problem with the operation of The Stone Hedge in my neighbourhood, and ask that Council consider the stake in the community that the Coopers have, their vested interest of creating a self-sustained livelihood, and their contribution to the City. I ask Council to be compassionate for a family that has helped to build Richmond and put another mark on the tourism map.

Thank you kindly



Steve Seaborn

5440 Cathay Road

Richmond, BC

1

**From:** sheilahatswell@shaw.ca  
**Date:** 9/30/2017 11:22:51 AM  
**To:** Linda  
**Subject:** for your penusal :)

Dear Sir,

I have just tried to book a room for next year at my favorite B & B in Richmond, The Stonehedge. I have stayed there at least twice a year on my way to Asia for the past umpteen years. When I called, Linda (the proprietress) informed me that she could take my booking but as a tentative one only. This, she explained, was due to her not knowing if they would even be open next year. She went on to explain that the council in Richmond is looking like they want to close it down!! I am wondering why council would shut down a legitimate B & B, which has a top rating on all travel sites and is such an oasis in the middle of Richmond. I travel a lot and it really is one of the best places I've ever stayed. Linda and Brian both go out of their way to ensure guests are provided with restaurant recommendations and tourist spots to visit in Richmond. If not for these recommendations I would not have even known about some of the places and would not have visited. The Cooper's are good people and neighbours, and have lived in their house for over 30 years. Why you would even consider closing them down is beyond my scope of thinking. You are aware of the numerous (hundreds) of Air B & B listings in Richmond? What, if anything, is being done about those? I find it ridiculous that the council is being so heavy handed with an established business, and one that is the sole income for the Coopers.

I am quite upset about this, and it looks to me like the council is cracking down on legitimate income earning businesses and ignoring the illegal ones. If The Stonehedge is closed down by the council you can bet I will be boycotting all businesses in Richmond, and will be active in spreading the word on social media...especially in my travel groups.

Thank you for reading,  
Sheila Hatswell  
Unit #9- 540 Goldstream Avenue  
Victoria BC  
V9B 2W7

So, let me know.....)