



Special Council
Monday, March 11, 2019

Place: Anderson Room
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 (entered at 4:06 p.m.)

Corporate Officer – David Weber

Call to Order: Mayor Brodie called the meeting to order at 4:02 p.m.

RES NO. ITEM

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared a conflict of interest as her husband owns a licenced bed and breakfast and left the meeting (4:03 p.m.).

COMMUNITY SAFETY DIVISION

- 1. **APPEAL OF BUSINESS LICENCE REJECTION FOR LULU BED AND BREAKFAST – 9371 BECKWITH ROAD**

(File Ref. No.: 12-8275-09) (REDMS No. 6119487)



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Carli Williams, Manager, Chief Licence Inspector, provided background information regarding the bed and breakfast business licence application for 9371 Beckwith Road, noting that the Applicant's initial application was rejected due to building deficiencies, and the Applicant's subsequent application was denied as the property is owned by a corporation and not an individual person.

Councillor Wolfe entered the meeting (4:06 p.m.).

In reply to queries from Council, Ms. Williams advised that the property is now in compliance with the City's Building Regulation Bylaw No. 7320 and, in accordance with the City's Zoning Bylaw, a bed and breakfast use is permitted only where the operator is the individual registered owner of the dwelling.

Lucas Li, Applicant and owner of 9371 Beckwith Road, stated that when he first applied for a business licence for a bed and breakfast, he was advised that he had to submit a BC Company Summary as the property was registered under his company. Following an inspection by the City's Licence Inspector, he spent approximately two to three months addressing building deficiencies in an effort to comply with the City's Building Regulation Bylaw. Mr. Li then remarked that upon his second application, he was advised that a business licence cannot be issued for a bed and breakfast as the property is owned by a corporation.

Mr. Li then advised that he is now the sole shareholder of the company listed as the registered owner of 9371 Beckwith Road and provided an updated Notice of Articles for 1074193 B.C. Ltd. (copy on file, City Clerk's Office).

In reply to queries from Council, Mr. Li provided the following information:

- he resides at 9371 Beckwith Road;
- he is the sole owner and director for 1074193 B.C. Ltd.;
- he was not aware that a business licence cannot be issued for a bed and breakfast for a property that is owned by a corporation;
- it would be costly to transfer the property title to his personal name; and
- he has invested approximately \$20,000 in renovations in an effort to address building deficiencies.



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Ms. Williams then advised that a business licence is issued to an individual, and regular business licence renewal protocol often discover any changes in business ownership.

In reply to queries from Council, Anthony Capuccinello Iraci, City Solicitor, advised that, should Council wish to issue a business licence to the Applicant, a bylaw amendment would be required.

Discussion took place and Council commented on the need to have updated information with regard to the Notice of Articles for 1074193 B.C. Ltd prior to consideration of the business licence appeal. The Chair directed staff to provide an updated corporate search and to examine corporate records to determine the identity of the company's (1074193 B.C. Ltd.) shareholder(s). Also, it was noted that it would be valuable to know if other properties are owned by 1074193 B.C. Ltd. and if Council wished to consider amending the regulations with regard to property ownership for bed and breakfast businesses, what procedure would be required.

Discussion then took place on Council's intent with regard to the City's regulation that corporations may not be operators of bed and breakfast businesses. It was noted that there are beneficial financial protections with incorporating a business and Council discussed whether a company that owns a property as a sole proprietorship should be issued a business licence.

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

SP19/2-1

It was moved and seconded

That the application for a business licence for Lulu Bed and Breakfast at 9371 Beckwith Road be deferred to a Special Council meeting scheduled for March 25, 2019 in the Anderson Room at City Hall and that staff provide:

- (1) updated information with regard to the Notice of Articles for 1074193 B.C. Ltd;***
- (2) corporate records to determine the identity of 1074193 B.C. Ltd.'s shareholder(s) and whether 1074193 B.C. Ltd. owns any other property; and***



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- (3) *information on what procedure would be required if Council wished to consider amending the regulations with regard to property ownership for bed and breakfast businesses.*

CARRIED

ADJOURNMENT

SP19/2-2

It was moved and seconded
That the meeting adjourn (4:27 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the Special meeting of the Council of the City of Richmond held on Monday, March 11, 2019.

Mayor (Malcolm D. Brodie)

Corporate Officer (David Weber)