



Regular Council Meeting

Monday, June 28, 2010

Time: 7:00 p.m.

Place: Council Chambers
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Linda Barnes
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Greg Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Ken Johnston
Councillor Bill McNulty
Councillor Harold Steves

Director, City Clerk's Office – David Weber

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

RES NO. ITEM

MINUTES

R10/11-1 1. It was moved and seconded

That:

(1) *the minutes of the Regular Council Meeting held on Monday, June 14, 2010,*

(2) *the minutes of the Regular Council Meeting for Public Hearings held on Monday, June 21, 2010,*

each be adopted as circulated.

CARRIED



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AGENDA ADDITIONS & DELETIONS

R10/11-2 It was moved and seconded
That "UBCM Resolution on Victim Services" be added to the Council Agenda as Item No. 30A.

CARRIED

PRESENTATION

With the aid of a PowerPoint presentation (on file, City Clerk's Office), Tom Stewart, Director, Public Works Operations and Doug Anderson, Manager, Water Services, presented the findings of the 2009 Annual Water Quality Report.

In reply to queries from Council, Mr. Anderson advised that: (i) Richmond's water is regularly tested and monitored and it is difficult to determine how long water has been bottled; and (ii) turbidity is typically caused by the infiltration of soil materials into water reservoirs during heavy rainfall.

COMMITTEE OF THE WHOLE

R10/11-3 2. It was moved and seconded
That Council resolve into Committee of the Whole to hear delegations on agenda items (7:23 p.m.).

CARRIED

3. Delegations from the floor on Agenda items.

Item No. 11 – Application by John Falcus for Rezoning at 3111 Springside Place from Single Detached (RS1/E) To Single Detached (RS3/E)

John Falcus, 3111 Springside Place, owner of Seabreeze Guest House, provided background information and listed the tasks he has undertaken in an effort to comply to all City bylaws. Mr. Falcus described his bed and breakfast (B&B) as a 'home away from home' for his guests and noted that typically, his clients are middle-aged, retired individuals, not party-goers.



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Mr. Falcus hoped that his application, the first of its kind, would help create standards among other B&Bs in Richmond and a sense of community. He spoke of economic benefits B&Bs can provide to Richmond and that they are great alternatives to big hotels.

Mr. Falcus concluded by requesting that his application be sent to a Public Hearing and that Council consider his application carefully as he was of the opinion that his application was not merely about his B&B operation, but also about other future B&B applications.

In reply to queries from Council, Mr. Falcus advised that he is open to amending his application to reflect a maximum of two rooms / four guests and that he was willing to work with the City and his neighbours to ensure his B&B is run professionally.

In response to queries from Council, staff advised that: (i) the current zoning bylaw permits two boarders in any given single-family dwelling; (ii) it is difficult to fine B&Bs for too many guests as is it difficult to differentiate between paying guests, and family and friends.

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Gloria Gausboel, 3131 Springside Place, spoke in opposition to the application and stated that she would not have purchased the adjoining property had she known of Mr. Falcus' B&B. Ms. Gausboel was of the opinion that Mr. Falcus' B&B has been running above capacity with at least six guests staying there on a regular basis at any given time. She commented on a petition submitted to the Community Bylaws division in 2006. Ms. Gausboel spoke of the inconveniences the B&B has brought into the cul-de-sac, noting traffic, parking, and noise as primary concerns.

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Tracy Lakeman, representing Tourism Richmond, asked that Council carefully consider Mr. Falcus' application and wished to see it go to Public Hearing.



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Ms. Lakeman was of the opinion that B&Bs are integral to tourism and worth a lot to the local economy. She reiterated that she wished that the proposed application go forward to Public Hearing as she felt it would be a good forum for both sides to be heard and this process would help ensure Richmond B&Bs are professional and an enterprise Richmond could be proud of.

In reply to queries from Council, Ms. Lakeman commented that she hoped the current application's process would not deter other B&Bs from coming forward and noted that many B&Bs adhere to codes of conduct under the Ministry of Tourism, Culture and the Arts.

In response to a query from Council, Brian J. Jackson, Director of Development, advised that the new zoning bylaw created a new zone for B&Bs and noted that the new zone does not include location criteria for B&Bs, however there is a parking provision.

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Lesley Kemp, 10020 Nishi Court, owner/operator of a local B&B, provided background information and noted that when she started her B&B business, there was no formal process for B&Bs in Richmond. She referred to correspondence received from Tourism Richmond advising that her B&B could no longer advertise on Tourism Richmond's website as her B&B offered more beds than are allowed under Richmond's new zoning bylaw.

Ms. Kemp referenced a letter she had sent to the City that included research on licence fees, safety and parking requirements and so forth from other municipalities in the lower mainland that regulate B&Bs. She concluded by stating that many B&Bs are seasonal, and cannot afford to go through the rezoning process.



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Julie Bell, 12411 Trites Road, owner/operator of Seaside Marketing, noted that many of Steveston’s businesses are seasonal and that B&Bs offer an opportunity to positively showcase the community to visitors. She stated that the cul-de-sac where the Seabreeze Guest House is located is large, and the home is pristine. She was of the opinion that Mr. Falcus’ B&B is beneficial to the community, in particular Steveston Village. Also, Ms. Bell believed that Mr. Falcus’ application would set standards for other local B&Bs.

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Brian Cooper, Stone Hedge B&B, provided background information and noted that when he established the Stone Hedge B&B, there were no formal rules, policies, or licences for B&Bs. Mr. Cooper spoke of large illegal boarding houses and was of the opinion that the criticism of B&Bs originated with the criticism surrounding the illegal boarding houses. He concluded by stating that other lower mainland municipalities have successfully addressed the issues surrounding B&Bs and Richmond should follow.

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Daren Foster, Vice President of International Pacific, advised that he resides on Vancouver Island, but works regularly in Richmond and as such, has stayed at the Seabreeze Guest House every week for the past five years. Mr. Foster was of the opinion that the guests are mostly professional, middle-aged people. He sympathized with the residents within the cul-de-sac and spoke of Mr. Falcus’ efforts to appease his immediate neighbours. Mr. Foster remarked that he would like to continue to stay at the Seabreeze Guest House as he enjoys its access to the dyke, the proximity to Steveston Village, and the quiet atmosphere.



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Dianne Milsom, 10591 Springhill Crescent, spoke in favour of the application and stated that over the last five years, she has watched Mr. Falcus' property transform from a single-family home into an attractive B&B. Ms. Milsom questioned some remarks made by other neighbours in opposition to the proposed rezoning and stated that the cul-de-sac is very large, and it is not always full of cars. A copy of Ms. Milsom's submission is attached to and forming part of these Minutes as Schedule 1.

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Dianne van Houten, 5880 Dover Crescent, was in favour of the application and stated that she is a friend of the applicant. She spoke of Mr. Falcus' character and noted that his B&B offers reasonable accommodations and encourages tourism. Ms. van Houten noted several events that take place in Steveston Village and questioned where visitors would stay as there is only one hotel in Steveston.

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Lance Carey, 10595 Springhill Crescent, spoke in favour of the application and stated that Mr. Falcus is an excellent, considerate neighbour. Mr. Carey read from his submission, attached to and forming part of these Minutes as Schedule 2.

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Sherry Lazaruk, 3180 Springside Place, spoke in opposition to the application. As a long-time cul-de-sac resident, she spoke of her children safely playing in the cul-de-sac and enjoying the tranquility of the cul-de-sac. Ms. Lazaruk noted that since the establishment of the B&B, traffic in the cul-de-sac has increased immensely by not only guests, but by taxis too. Ms. Lazaruk was of the opinion that neighbours not living within the cul-de-sac may not be affected by the traffic as they do not experience it first hand. She believed that Mr. Falcus is regularly over the allowable B&B capacity.



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Ms. Lazaruk concluded by remarking that she is not against B&Bs, but believed that there is a place for them, and a quiet cul-de-sac is not one of them. Also, she felt the B&B devalued her property.

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John Gausboel, 3131 Springside Place, spoke in opposition of the application. He stated that he has complained about the B&B to Community Bylaws and was disappointed with the lack of response to a petition signed by the neighbours. He provided background information and noted that he would never have bought the adjacent lot and built his home there had he known the property next door was a B&B. Mr. Gausboel was of the opinion that Mr. Falcus' business is not a small B&B, but rather a large operation and that he is inconsiderate of the cul-de-sac neighbours.

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Mathieu Pilon, 3140 Springside Place, spoke in opposition to the application. He commented on the benefits of B&Bs for local tourism and economy, but stated that local residents' needs should not be forgotten as they deserve a certain quality of life. He wished that his neighbourhood remain strictly residential. Mr. Pilon was of the opinion that a B&B would be better suited at a nearby commercial zoned lot. Also, he spoke of the lack of trust between cul-de-sac neighbours and Mr. Falcus and believed that the relationship between the two parties is broken beyond repair.

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Robert Falcus, 5600 Andrews Road, spoke in favour of his brother's application and believed that the cul-de-sac neighbours were attacking his brother's character. Mr. Falcus spoke of a family gathering at his brother's home and assured Council that it was a respectful event. Also, he provided background information in relation to several comments made by opposing neighbours and questioned whether all the bridges along the west dyke would have to be Engineer certified.



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Brian Coleman, 10740 Rosecroft Crescent, was in favour of the proposed application and advised that he was Mr. Falcus' friend, and described Mr. Falcus as friendly, calm and thoughtful. He believed that Richmond needed more B&Bs like Mr. Falcus'.

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Judy van Houten, Skagit Drive resident, was in favour of the application. Ms. van Houten stated that she has referred friends to Mr. Falcus' B&B and has heard wonderful things of their stay, particularly about its location and the neighbourhood's serenity. She concluded by stating that Mr. Falcus is respectful, polite and operates a wonderful B&B that she is proud to refer people to. A copy of Ms. van Houten's submission is attached to and forming part of these Minutes as Schedule 3.

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Shane Dagan, Steveston Seafood House, supported the application. He noted that he is familiar with the B&Bs clientele as they often dine at his restaurant, and believed they were not problematic.

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Colleen Boyle, 3088 Francis Road, was in favour of the application and stated that Mr. Falcus is considerate of others. Ms. Boyle advised that she lives in a cul-de-sac and her cul-de-sac also sees lots of traffic, teenagers late at night and so forth. She believed that the B&B's operations were unrelated to the problems in the cul-de-sac. A copy of Ms. Boyle's submission is attached to and forming part of these Minutes as Schedule 4.



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Bryan Ralphs, 4280 Moncton Street, spoke in favour of the application and noted that he works in tourism and is family friends with the Falcus family. Mr. Ralphs stated that Mr. Falcus takes pride in his home and commented that he once had friendly relations with his cul-de-sac neighbours. Mr. Ralphs questioned how the neighbourly friendship ended and noted that Mr. Falcus simply wants to keep his home and B&B operation well maintained.

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Tamara Ahara, 3071 Springfield Drive, was in favour of the application and advised that she has heard great things of Mr. Falcus' B&B. She stated that the B&B's guests are mostly middle-aged and the B&B does not have parties. She supported Mr. Falcus and wished to see the application go forward to a Public Hearing.

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Sandy Falcus, Richmond resident, supported her brother-in-law's proposed application and stated that Mr. Falcus has declined business opportunities to host events in light of the situation with his cul-de-sac neighbours. She spoke of the B&B's aesthetics and asked that the proposed application be considered based on its merits and not on what has been said by irate neighbours.

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John Caruso, 3180 Springford Avenue, spoke in favour of the application and was of the opinion that the concerns raised by the cul-de-sac residents are not related to Mr. Falcus' B&B operation. He commented on neighbours' complaints and questioned whether the City wished to see B&Bs in residential neighbourhoods or not.



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Chelsea Roisum, 11020 4th Avenue, was in favour of the application and spoke of Mr. Falcus’ character stating that he is a friendly person. Ms. Roisum remarked that the B&B is wonderful and noted that she is now hesitant to visit Mr. Falcus as she does want to upset his neighbours if she parks on the street.

R10/11-4 4. It was moved and seconded
That Committee rise and report (9:26 p.m.).

CARRIED

R10/11-5 It was moved and seconded
That Item 11 “Application by John Falcus for Rezoning at 3111 Springside Place from Single Detached (RS1/E) to Single Detached (RS3/E)” be considered next.

CARRIED

11. APPLICATION BY JOHN FALCUS FOR REZONING AT 3111 SPRINGSIDE PLACE FROM SINGLE DETACHED (RS1/E) TO SINGLE DETACHED (RS3/E)

(File Ref. No.: 12-8060-20-8621, RZ 10-511408) (REDMS No. 2902086, 2908289)

R10/11-6 It was moved and seconded
That Bylaw No. 8621, for the rezoning of 3111 Springside Place from “Single Detached (RS1/E)” to “Single Detached (RS3/E)”, be denied.

The question on Resolution R10/11-6 was not called as discussion ensued and Council members commented on the most appropriate step for the proposed application. It was noted that Mr. Falcus is now willing to amend his application and address the cul-de-sac’s concerns.

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

R10/11-7 It was moved and seconded
That Bylaw No. 8621, for the rezoning of 3111 Springside Place from “Single Detached (RS1/E)” to “Single Detached (RS3/E)”, be referred back to staff to investigate the following:

- (a) locational criteria;



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- (b) performance standards;*
- (c) industry consultation;*
- (d) street parking;*
- (e) expansion impacts;*
- (f) safety;*
- (g) licence fees; and*
- (h) the difference between B&Bs and boarding houses.*

The question on **referral** motion R10/11-7 was not called as staff were asked to assist with communication between the applicant and the neighbours if it was desired by the parties.

The question on **referral** motion R10/11-7 was then called and it was **CARRIED** with Cllr. G. Halsey-Brandt opposed.

CONSENT AGENDA

- R10/11-8 5. It was moved and seconded
That Items 6 through 25 be adopted by general consent, with the removal of Item No. 11.

CARRIED

6. COMMITTEE MINUTES

That the minutes of:

- (1) the Community Safety Committee meeting held on Tuesday, June 15, 2010;*
- (2) the General Purposes Committee meeting held on Monday, June 21, 2010;*
- (3) the Planning Committee meeting held on Tuesday, June 22, 2010; and*
- (4) the Public Works & Transportation Committee meeting held on Wednesday, June 23, 2010;*



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be received for information.

ADOPTED ON CONSENT

7. **IMPOSED CLEAN UP OF AN UNSIGHTLY PROPERTY - CIVIC ADDRESS: 23060 WESTMINSTER HIGHWAY - LEGAL DESCRIPTION: LOT 41, SEC 36 BLK5N RG4W, PLAN 8421**
(File Ref. No.: 12-8080-05, UP 09-476230) (REDMS No. 2882707, 2880877)

- (1) *That Walden Disposal and Tractor Service, as contractor for the City, be authorized to remove and dispose of all discarded materials on or after July 15, 2010 at 23060 Westminster Hwy, Richmond, in accordance with the "Order to Comply" dated April 22, 2010 issued under the Unsightly Premises Bylaw No. 7162 and section 17(1) of the Community Charter; and*
- (2) *That the final cost of this removal and disposal, estimated at \$4299.75 (including fees and taxes), be invoiced to the registered owner of the property located at 23060 Westminster Hwy.*

ADOPTED ON CONSENT

8. **VIAL OF LIFE PROGRAM – RICHMOND FIRE-RESCUE SUPPORT**
(File Ref. No.: 07-3040-17) (REDMS No. 2907371)

That:

- (1) *the in-kind support of Richmond Fire-Rescue staff time to the Vial of Life Program be approved, and staff report back on the success of the program by June 2011 and the time requirement of the Program; and*
- (2) *a one-time \$3,000 contribution to the Vial of Life Program be supported and the amount be funded from the Council Contingency Fund account.*

ADOPTED ON CONSENT

9. **SOIL PROCESSING NON-FARM USE APPLICATION KUTNY'S LANDSCAPING LTD., 9811 NO. 6 ROAD**
(File Ref. No.: 08-4105-20, NF 10-531483) (REDMS No. 2860186)

That the soil processing non-farm use application submitted by Kutny's Landscaping Ltd. for their topsoil business at 9811 No 6 Road be endorsed.

ADOPTED ON CONSENT



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10. **CORPORATE SUSTAINABILITY FRAMEWORK – CLIMATE CHANGE STRATEGIC PROGRAM**
(File Ref. No.: 01-0340-03-01) (REDMS No. 2918570)
- (1) *That the Corporate Climate Change Strategic Program, as presented in Attachment 1 of the report dated June 1, 2010 entitled “Corporate Sustainability Framework – Climate Change Strategic Program” be endorsed;*
 - (2) *That funds from the Climate Action Revenue Incentive Program be placed in a Carbon Neutral Provisional Fund and used to support greater Corporate GHG reduction actions;*
 - (3) *That the Mayor send a letter to the Premier of BC with copies to the Minister of Environment and the Minister of State for Climate Action and local MLAs requesting that the Province reinstate funding for the Climate Change Showdown initiative; and*
 - (4) *That a copy of this report be forwarded to the Richmond Board of Trustees and John Yap, MLA and Minister of State for Climate Action.*

ADOPTED ON CONSENT

11. **APPLICATION BY JOHN FALCUS FOR REZONING AT 3111 SPRINGSIDE PLACE FROM SINGLE DETACHED (RS1/E) TO SINGLE DETACHED (RS3/E)**
(File Ref. No.: 12-8060-20-8621, RZ 10-511408) (REDMS No. 2902086, 2908289)
See Page 10 for action taken on this matter.
12. **APPLICATION BY QUADRA COAST CARRIERS FOR REZONING AT 16780 RIVER ROAD FROM AGRICULTURE (AG1) TO A PROPOSED NEW INDUSTRIAL STORAGE (IS1) SUB-ZONE**
(File Ref. No.: 12-8060-20-8634/8635, RZ 09-503308) (REDMS No. 2912879, 2915328, 2914386, 2303774)
- That:**
- (1) *Bylaw No. 8634 to create the Industrial Storage (IS1) sub-zone, be introduced and given first reading; and*



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- (2) *Bylaw No. 8635 for the rezoning of 16780 River Road from "Agriculture (AG1)" to "Industrial Storage (IS1)", be introduced and given first reading.*

ADOPTED ON CONSENT

- 13. **APPLICATION BY SHERMAN PENG FOR REZONING AT 8120 HEATHER STREET FROM SINGLE DETACHED (RS1/E) TO SINGLE DETACHED (RS2/A)**

(File Ref. No.: 12-8060-20-8622, RZ 10-515821) (REDMS No. 2908306, 2908757)

That Bylaw No. 8622, for the rezoning of 8120 Heather Street from "Single Detached (RS1/E)" to "Single Detached (RS2/A)", be introduced and given first reading.

ADOPTED ON CONSENT

- 14. **APPLICATION BY NINDS DULAY FOR REZONING AT 3640/3660 BLUNDELL ROAD FROM TWO-UNIT DWELLINGS (RD1) TO SINGLE DETACHED (RS2/B)**

(File Ref. No.: 12-8060-20-8623, RZ 10-522209) (REDMS No. 2909012, 2909980)

That Bylaw No. 8623, for the rezoning of 3640/3660 Blundell Road from "Two-Unit Dwellings (RD1)" to "Single Detached (RS2/B)", be introduced and given first reading.

ADOPTED ON CONSENT

- 15. **APPLICATION BY CHRIS STYLIANOU AND MICHAEL STYLIANOU FOR REZONING AT 9451 NO. 1 ROAD FROM SINGLE DETACHED (RS1/E) TO COACH HOUSE (RCH)**

(File Ref. No.: 12-8060-20-8624/8625, RZ 10-510756) (REDMS No. 2901156, 2908955, 2908706)

- (1) *That Bylaw No. 8624, to amend Section 8.3.4.2 of Richmond Zoning Bylaw 8500 to clarify the permitted density under the Coach House (RCH) zone, be introduced and given first reading; and*
- (2) *That Bylaw No. 8625, for the rezoning of 9451 No. 1 Road from "Single Detached (RS1/E)" to "Coach House (RCH)", be introduced and given first reading.*

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16. **APPLICATION BY PARMJIT RANDHAWA FOR REZONING AT 12120 WOODHEAD ROAD FROM SINGLE DETACHED (RS1/F) TO SINGLE DETACHED (RS2/B)**
(File Ref. No.: 12-8060-20-8627, RZ 08-437228) (REDMS No. 2910682, 1077644, 2910679)

That Bylaw No. 8627, for the rezoning of 12120 Woodhead Road from "Single Detached (RS1/F)" to "Single Detached (RS2/B)", be introduced and given first reading.

ADOPTED ON CONSENT

17. **APPLICATION BY PETER CHAN FOR REZONING AT 9840 ALBERTA ROAD FROM SINGLE DETACHED (RS1/F) TO TOWN HOUSING (ZT60)**
(File Ref. No.: 12-8060-20-8628, RZ 07390155) (REDMS No. 2909921, 2911138)

That Bylaw No. 8628, for the rezoning of 9840 Alberta Road from "Single Detached (RS1/F)" to "Town Housing (ZT60)", be introduced and given first reading.

ADOPTED ON CONSENT

18. **CENTRO PARKSIDE DEVELOPMENT LTD. HAS APPLIED TO THE CITY OF RICHMOND FOR PERMISSION TO REZONE 9651 ALBERTA ROAD FROM SINGLE DETACHED (RS1/F) TO HIGH DENSITY TOWNHOUSES (RTH1) IN ORDER TO DEVELOP A 22 UNIT 3 STOREY TOWNHOUSE DEVELOPMENT.**
(File Ref. No.: 12-8060-20-8630/8631, RZ 10-518827) (REDMS No. 2907657, 2912046, 2912015)

That:

- (1) *Richmond Official Community Plan Bylaw 7100 Amendment Bylaw No. 8630 proposing to amend the Land Use Map of Schedule 2.10C (McLennan North Sub-Area Plan) by redesignating the section of Birch Street between Hemlock Drive and Alberta Road from Principal Road to Trail, be introduced and given First Reading;*
- (2) *Bylaw No. 8630, having been considered in conjunction with:*
- (a) *the City's Financial Plan and Capital Program;*
 - (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;*

is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act;



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- (3) *Bylaw No. 8630 having been considered in accordance with the City Policy on Consultation During OCP Development, is hereby deemed not to require further consultation; and*
- (4) *Bylaw No. 8631 for the rezoning of 9651 Alberta Road from “Single Detached, (RS1/F)” to “High Density Townhouses (RTH1)”, be introduced and given first reading.*

ADOPTED ON CONSENT

- 19. **PAUL GOODWIN (GBL ARCHITECTS) HAS APPLIED TO THE CITY OF RICHMOND FOR PERMISSION TO REZONE 9340, 9360 AND 9400 ODLIN ROAD FROM SINGLE DETACHED (RS1/F) TO LOW RISE APARTMENT (ZLR24) ALEXANDRA NEIGHBOURHOOD (WEST CAMBIE) TO DEVELOP 221 APARTMENT UNITS, INCLUDING 10 AFFORDABLE HOUSING UNITS, OVER ONE LEVEL OF PARKING.**

(File Ref. No.: 12-8060-20-8610, RZ 09-453123) (REDMS No. 2887749, 2807960, 2912014)

That Bylaw 8610 for the rezoning of 9340, 9360 and 9400 Odlin Road from “Single Detached (RS1/F)” to “Low Rise Apartment (ZLR24) – Alexandra Neighbourhood (West Cambie), be introduced and given first reading.

ADOPTED ON CONSENT

- 20. **HOUSING AGREEMENT BYLAW NO. 8626 TO PERMIT THE CITY TO ENTER INTO A HOUSING AGREEMENT TO SECURE AFFORDABLE HOUSING UNITS- 9340-9400 ODLIN ROAD**

(File Ref. No.: 12-8060-20-8626, RZ 09-453123) (REDMS No.2909730, 2909825, 2910370)

That Bylaw No. 8626 be introduced and given first, second and third readings to permit the City, once Bylaw No. 8626 has been adopted, to enter into a Housing Agreement substantially in the form attached hereto, in accordance with the requirements of s. 905 of the Local Government Act, to secure the Affordable Housing Units required by Rezoning Application No. 09-453123 and the associated Bylaw No. 8610.

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21. **HOUSING AGREEMENT BYLAW NO. 8620 TO PERMIT THE CITY TO ENTER INTO A HOUSING AGREEMENT TO SECURE AFFORDABLE HOUSING UNITS- 6951 ELMBRIDGE WAY**
(File Ref. No.: 12-8060-20-8620, RZ 07-380222) (REDMS No. 2907767, 2907923, 2907251)

That Bylaw No. 8620 be introduced and given first, second and third readings to permit the City once Bylaw No. 8620 has been adopted, to enter into a Housing Agreement substantially in the form attached hereto, in accordance with the requirements of s. 905 of the Local Government Act to secure the Affordable Housing Units required by Rezoning Application No. 07-380222 and the associated Bylaw No. 8604 and Bylaw No. 8605.

ADOPTED ON CONSENT

22. **PROPOSED CITY-OWNED CHILD CARE FACILITY, TRANSLINK SITE: CONSULTATION WITH HAMILTON COMMUNITY ASSOCIATION**
(File Ref. No.: 12-8060-20-8557, Xr.: 07-3070-03-01) (REDMS No. 2907876, 2884543, 2907876, 2905467, 2873262, 2838968, 2867990)

That the Community Amenity Benefits negotiated through the TransLink site rezoning be used, as proposed in the Director of Development's report to Planning Committee dated December 10, 2009, for the establishment of a City-owned child care facility on the Community Amenity Lands given that, prior to opening the facility, staff have addressed safety concerns raised by the Hamilton Community Association in the following ways:

- (1) vehicular access to the Community Amenity Lands be situated at the north-east corner of the site on Westminster Highway;*
- (2) an asphalt walkway with extruded curb be provided on the north side of Westminster Highway, from the western edge of the Community Amenity Lands to Smith Crescent, at the estimated cost of \$45,000;*
- (3) a special crosswalk with advanced warning signage be installed on Westminster Highway at Smith Crescent, at the estimated cost of \$40,000;*
- (4) an extruded curb be installed between the existing eastbound travel lane and shoulder on the east side of Westminster Highway, from Smith Crescent to Gilley Road, to create a delineated walkway and cycling path at the estimated cost of \$70,000;*



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RES NO. ITEM

- (5) *a new bus stop for the westbound bus be located in close proximity to the Community Amenity Lands on Westminster Highway; and*
- (6) *staff comment on the issues surrounding the pedestrian improvements on the north side of Westminster Highway.*

ADOPTED ON CONSENT

23. TRANSLINK SMART CARD AND FAREGATE PROJECT - IMPLEMENTATION SCHEDULE
(File Ref. No. 01-0154-04) (REDMS No. 2898166)

- (1) *That staff continue to work with TransLink to facilitate the implementation of a smart card fare collection system including electronic faregates at all Canada Line rapid transit stations; and*
- (2) *That a letter be sent to the Minister of Transportation, TransLink, and local MLAs stressing the importance and Richmond City Council's support for smart cards and faregates.*

ADOPTED ON CONSENT

24. FUNDING AND CONDITION OF ROADS
(File Ref. No.: 10-6060-05-01) (REDMS No. 2894287)

That \$574,000 be allocated to rehabilitation of No. 4 Road from Westminster Highway to Granville Avenue from the Asphalt Paving Provision Account.

ADOPTED ON CONSENT

25. 2009 ANNUAL WATER QUALITY REPORT
(File Ref. No.: 10-6650-08-01) (REDMS No. 2875876, 2816251)

That the 2009 Annual Water Quality Report dated June 4, 2010 be approved.

ADOPTED ON CONSENT



**Regular Council Meeting
Monday, June 28, 2010**

RES NO. ITEM

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

26. **YVR'S REQUEST FOR UBCM RESOLUTIONS SUPPORT**
(File Ref. No.: 01-0153-01)

R10/11-9

It was moved and seconded

That the following resolution as presented in the letter dated June 18, 2010 from YVR's Senior Vice President Marketing and Business Development, entitled "Elimination of Provincial Fuel Tax on International Passenger Flights" be supported and submitted to the Union of British Columbia Municipalities:

WHEREAS local airports and communities recognize and appreciate that the Province eliminated fuel taxes on international cargo operations, and that the carbon tax is not applicable to international flights;

AND WHEREAS other provincial jurisdictions have eliminated fuel tax on international flights, placing them in a more competitive position to significantly enhance new opportunities and gain new business;

THEREFORE BE IT RESOLVED that the Government of British Columbia eliminate the fuel tax on all international passenger flights, which would cost the government approximately \$20 million annually in forfeited revenue but the growth in international travel would quickly offset this amount and generate a net increase in government's overall revenues, as well as supporting economic development in airport communities and improving BC's international connectivity, building a base for future growth.

CARRIED

Opposed: Cllrs. S. Halsey-Brandt
 Steves



**Regular Council Meeting
Monday, June 28, 2010**

RES NO. ITEM

27. **YVR'S REQUEST FOR UBCM RESOLUTIONS SUPPORT**
(File Ref. No.: 01-0153-01)

R10/11-10

It was moved and seconded

That the following resolution as presented in the letter dated June 18, 2010 from YVR's Senior Vice President Marketing and Business Development, entitled "Provincial Support for Airport Marketing Programs" be supported and submitted to the Union of British Columbia Municipalities:

WHEREAS local communities across British Columbia recognize their airports are a significant economic generator but there is no systematic marketing effort for our airports;

AND WHEREAS recent changes in international agreements will facilitate travel from Asia and the recovering world economy will stimulate new route planning by airlines, and the World Route Development Forum held in Vancouver in September 2010 – in North America for the first time – will give the province additional profile among airlines and travel planners;

THEREFORE BE IT RESOLVED that the Province of British Columbia work with BC airports to create an air service marketing program that would generate awareness of what our province has to offer, leverage financial resources and initiate a greater sharing of information among partners to help improve BC's marketing, and increase international and transborder flights to BC. Such a program, involving the Province, BC Airports and regional economic development agencies as well as Destination Marketing Organizations and tourism agencies, would include promoting British Columbia as Canada's gateway between North America and Asia for air travelers and air cargo, as well as identifying specific target markets in the US and Europe and appropriate promotional materials.

CARRIED

Opposed: Cllr. Steves



**Regular Council Meeting
Monday, June 28, 2010**

RES NO. ITEM

BUSINESS & FINANCIAL SERVICES DEPARTMENT

- 28. **2009 STATEMENT OF FINANCIAL INFORMATION**
(File Ref. No.: 03-1200-03/2010) (REDMS No. 2897083)

R10/11-11

It was moved and seconded
That the attached statements and schedules of Financial Information reported for the year ended December 31, 2009 be approved.

The question on Resolution R10/11-11 was not called as Andrew Nazareth, General Manager, Business & Financial Services replied to queries from Council.

The question on Resolution R10/11-11 was then called and it was **CARRIED.**

R10/11-12

It was moved and seconded
That the Monday, June 28, 2010 Council meeting continue past 11:00 p.m.

CARRIED

- 29. **COUNCIL REMUNERATION AND EXPENSES FOR 2009**
(File Ref. No.: 01-0105-08-01) (REDMS No. 2888732)

R10/11-13

It was moved and seconded
That the Council Remuneration and Expenses report for the year ended December 31, 2009 be received for information.

CARRIED

- 30. **2009 ANNUAL DEVELOPMENT COST CHARGES REPORT**
(File Ref. No.: 03-0900-01) (REDMS No. 2915711, 2908966)

R10/11-14

It was moved and seconded
That the attached 2009 Annual Development Cost Charges report for the year-ended December 31, 2009 be approved.

CARRIED



**Regular Council Meeting
Monday, June 28, 2010**

RES NO. ITEM

30A. **UBCM RESOLUTION ON VICTIM SERVICES**
(File Ref. No.: 03-1000-13-011)

R10/11-15

It was moved and seconded

WHEREAS the cost to municipalities of providing police based victim services continues to escalate due to the increased demand for the service;

AND WHEREAS the Ministry of the Solicitor General initially funded 50% of the cost of the program;

AND WHEREAS the Ministry of the Solicitor General has maintained its funding expenditure at a fixed amount for many years;

AND WHEREAS providing assistance to victims of crime is a social service, which is primarily the financial responsibility of the Province;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities continue to strongly endorse the Victim Services Program and that the Province be requested to fund the program on a 50/50 cost shared basis as it was originally established.

CARRIED

PUBLIC DELEGATIONS ON NON-AGENDA ITEMS

R10/11-16 31. It was moved and seconded

That Council resolve into Committee of the Whole to hear delegations on non-agenda items (11:10 p.m.).

CARRIED

Arzeena Hamir, Richmond Food Security Society, joined by April Reeves, GE Free BC member, distributed a revised resolution (Schedule 5). Ms. Reeves provided background information and noted that her group is seeking a Council resolution for Richmond to be free of genetically engineered plants, trees and crops.



**Regular Council Meeting
Monday, June 28, 2010**

RES NO. ITEM

In response to queries from Council, Ms. Reeves advised that most genetically engineered crops are commodities such as corn, soy, canola and cotton. However, she noted that it is anticipated that vegetables will soon be genetically engineered and the proposed resolution would protect Richmond's farmers.

Ms. Hamir spoke of other genetically engineered foods and provided information on food patents in the United States.

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

R10/11-17

It was moved and seconded

That the proposed resolution from Genetically Engineered Free BC be referred to staff and to the Richmond Agricultural Advisory Committee and other appropriate parties for comment, and to report back through Committee.

The question on **referral** motion R10/11-17 was not called as staff were directed to also advise Council on the City's regulatory authority in relation to this issue.

The question on **referral** motion R10/11-17 was then called and it was **CARRIED**.

R10/11-18 32.

It was moved and seconded

That Committee rise and report (11:30 p.m.).

CARRIED

PUBLIC ANNOUNCEMENTS AND EVENTS

It was announced that Councillor Bill McNulty has been appointed as Richmond's representative to E-Comm until June 23, 2011.



**Regular Council Meeting
Monday, June 28, 2010**

RES NO. ITEM

BYLAWS FOR ADOPTION

R10/11-19 It was moved and seconded
That the following bylaws be adopted:
*Public Parks and School Grounds Regulation Bylaw No. 7310, Amendment
Bylaw No. 8612*
*Municipal Ticket Information Bylaw No. 7321, Amendment Bylaw No.
8613*
*Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 8577
(9171 and 9191 No. 3 Road, RZ 09-494705)*
*Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 8585
(9395 Dixon Avenue, RZ 09-490643)*

CARRIED

ADJOURNMENT

R10/11-20 It was moved and seconded
That the meeting adjourn (11:31 p.m.).

CARRIED

Certified a true and correct copy of the
Minutes of the Regular Meeting of the
Council of the City of Richmond held on
Monday, June 28, 2010.

Mayor (Malcolm D. Brodie)

Corporate Officer (David Weber)

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

Re: Item #1
Council Agenda
June 28, 2010

From: Dianne Milsom [dmilsom@shaw.ca]
Sent: Monday, 28 June 2010 3:34 PM
To: Craig, Wayne
Cc: John Falcus
Subject: Rz10-511408

Schedule 1 to the Minutes of the Regular meeting of Richmond City Council held on Monday, June 28, 2010.

Attention: Wayne Craig

It has come to our attention that there have been some complaints about the Bed and Breakfast at 3111 Springside Place in Richmond. We are also neighbours living at 10591 Springhill Cres. with our back yard bordering on the back yard of the B&B at 3111 Springside Place and have had nothing but positive experiences with John Falcus's business. His clients are respectful of neighbours, his house is very well kept and John has always presented himself as open to listening to complaints or suggestions.

We understand that some of the neighbours who are complaining bought an adjacent lot, and then built and moved into their new home with the knowledge that the house next door was being operated as a bed and breakfast. We believe that if these people had genuinely and meaningfully objected to having such a facility next door, they could have decided not to buy in that location, and had ample opportunity to avoid such a situation. It ill behooves them to complain now.

Sincerely,
Dianne Milsom and John Skapski
Neighbours at 10591 Springhill Cres.
(604) 277-4747

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DIANNE E. MILSOM M.S.,RSLP
CERTIFIED IN SPEECH LANGUAGE PATHOLOGY
UNIT # 110 - 3671 CHATHAM STREET
RICHMOND, BC V7E 2Z1
PHONE: 604-271-7523
FAX: 1-866-565-9842
E-MAIL: dmilsom@shaw.ca
WEBSITE: www.speechandlanguageservice.com



TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

Re: Item # 11
Council Agenda
June 28, 2010

Johnson, Gail

From: lancedcarey [lancedcarey@shaw.ca]

Sent: June 27, 2010 4:25 AM

To: Craig, Wayne

Schedule 2 to the Minutes of the
Regular meeting of Richmond
City Council held on Monday,
June 28, 2010.

Hello Wayne,

My name is Lance Carey and I live at 10595 Springhill Crescent. My wife Nancy and I have lived at this location since January of 1989. John Falcus has been a neighbour of ours for the past 5-7 years. He built a lovely Bed and Breakfast which I think has been in operation for approximately five years. His northern fence line exactly adjoins ours. I guess I should state that I am referring to File # RZ 10-511408.

John, in our opinion has been an excellent neighbour. He is very friendly and has been very co-operative. Like many owners who live along the dyke he has built a bridge to provide access to the dyke for himself, as he is a runner and his guests who then have easy access for a terrific walk. When he built this bridge the height of the top portion obstructed our view so I spoke to John about that and his response was how much would you like me to lower it. He was very thoughtful. I believe twice over the time that he has had the bed and breakfast in operation he has had occasions where there has been a party. On both occasions he sent flyers around the neighbourhood to notify the residents that this was happening. He stated on the flyer that the music and party would end by 11:00pm and it did. I remember the music of the first occasion being so entertaining that Nancy and I sat out on our deck and enjoyed it.

We do see the guests but it has been rather nice. Sometimes there have been children and that is nice. I have often leaned over my fence and spoke with the guests. It is interesting to learn where they are from, offer suggestions as to what to see in Richmond and Greater Vancouver or offer information about the dyke and the distance to Steveston. As far as Nancy and I have been concerned it has been a positive. I can also state very emphatically that the actual structure draws rave reviews from people who walk and cycle the dyke. When I work out in my yard I often hear comments that express great admiration for that building.

I would also like to state that during the time of the Winter Olympics my friend John Caruso arranged that his sister and her friend stay at John Falcus's Bed and Breakfast. They did not have a car. They went to many events and they simply walked the 100 meters to the bus stop caught the bus to the Sky Train and headed downtown. Getting back home was equally as easy. They thought that was super. I believe their event ticket included transportation. I went to Curling with them on one occasion. We had a great day!

So, to Richmond Council I would say that you either want Bed and Breakfasts and devise some simple rules, not re-zoning, to accommodate them or you don't want Bed and Breakfasts at all. For, if you reject this Bed and Breakfast you reject a terrific place for visitors to our community to stay and should not allow any anywhere. Nancy and I are Bed and Breakfast travellers in this world and if we were visitors to Richmond would welcome an opportunity to stay at John Falcus's Bed and Breakfast.

Thank you,
Lance and Nancy Carey



06/28/2010

Re: Item # 11
Council Agenda
June 28, 2010

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

Johnson, Gail

From: Judy van Houten [judyv@shaw.ca]
Sent: June 28, 2010 11:46 AM
To: Craig, Wayne
Subject: Application RZ10-511408

Schedule 3 to the Minutes of the
Regular meeting of Richmond
City Council held on Monday,
June 28, 2010.

Dear Mr. Craig,

This letter is in response to the rezone application at 3111 Springside Place to a commercial B&B. I have lived in the neighbourhood for 18 years and grew up in Richmond. We either jog or walk by this house about 2 times per day every day for that long. I have always seen a clean, well manicured house with only 1 or 2 cars in the driveway. I have never heard anything or seen anyone leave or come into the house.

This is a wonderful neighbourhood for a B&B because it is so quiet and a beautiful setting. The whole reason for a B&B is to have a quiet location to enjoy yourself. I am in great favour of the B&B. I have also referred a number of people to the B&B and they have said what a wonderful time they had and how respectful John was with them as well as his neighbours.

It is very nice to have this in our neighbourhood because when we have visitors come, they can stay in a location that is going to give them great memories of Canada and still be close to us.

Thank you,
Judy van Houten
778-837-1275

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TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

Re: Item #11
Council agenda
June 28, 2010

From: Colleen Boyle [colleen.boyle@centaurva.com]
Sent: Monday, 28 June 2010 3:33 PM
To: Craig, Wayne
Subject: Re-zoning of John Falcus's B&B

Schedule 4 to the Minutes of the
Regular meeting of Richmond
City Council held on Monday,
June 28, 2010.

My name is Colleen Boyle and I am also a Steveston resident.
I have known John Falcus for the past ten years.

It was very upsetting to hear how his neighbours are trying to shut down his B&B.
John has always run his B&B in a very professional manner.
He has personally invested a lot of time and money to make his B&B a beautiful, unique, quiet place for guest to come and stay.

Steveston is lucky to have such a great B&B in the neighbourhood.
It adds property value to the other homes in the area as his property is kept in excellent condition.
I often hear people stopping in front of his home while they are walking on the dyke and comment on how it is such a beautiful and well kept home.

I have often recommended John's B&B to my colleagues and neighbours family for a place for them to stay while on business or pleasure.
The one main common comment I hear is how it is such a great quiet, peaceful place to stay while in town and return as repeat guests.

I feel the neighbours on the street are falsely accusing John for other problems that may be going on in the cul de sac.
It is an attack on his character and integrity.

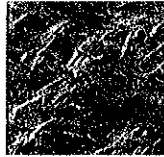
Regards,

Colleen Boyle

Colleen Boyle
Veterinary Sales Representative
Centaur VA Animal Health
Toll-free 1-800-510-8864
Cell #604-308-8985
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Schedule 5 to the Minutes of the Regular meeting of Richmond City Council held on Monday, June 28, 2010.

Resolution for The Municipality of Richmond to be Free of Genetically Engineered Plants, Trees and crops.

WHEREAS, the City of Richmond Councilors retain the right and responsibility to "impose" requirements in relation to:

- (a) the health, safety or protection of persons or property;
- (b) the protection and enhancement of the well-being of its community in relation to nuisances, disturbances and other objectionable situations;
- (c) public health;
- (d) protection of the natural environment and animals;

WHEREAS, The City of Richmond's Official Community Plan states as a Goal in section 1.1 - VISION:

1. "The City of Richmond be the most appealing, livable, and well-managed community in Canada."
2. Statement from Richmond Resident: "I will enjoy a meal that features Richmond produce, and wonder why anyone would want to live anywhere else!... Yes, this may be Utopia, but a journey starts with a single step - in the right direction!"
3. **Productive agricultural land** to justify retaining farmland; improvements to farming viability through better agricultural services; measures to reward productive farm use...

WHEREAS, genetically engineered (G.E.) foods have not been adequately tested by any federal agency for long-term impacts on human and environmental health;

WHEREAS, Health Canada has neither the ability or resources to test for long term impacts on health and environment, and relies on the data presented by the Corporations that hold the GM patents;

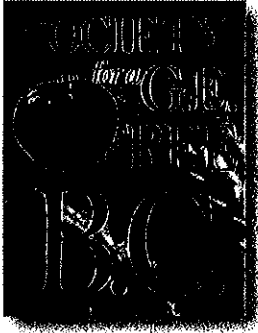
WHEREAS, it is currently not possible to prevent genetically engineered seeds and pollen flow from contaminating non-G.E. conventional and organic plants and trees, and wild plants.

WHEREAS, contamination from patented genetically engineered seeds undermines local farmers' independence and exposes them to legal challenges from biotechnology companies;

WHEREAS, the prohibition of genetically engineered plants and trees would ensure the integrity of conventional and organic plants and trees and give local producers access to a developing and prosperous Non-GE market;

WHEREAS, the regulation of genetically engineered plants and trees is a municipal and/or regional affair and in the public interest;

THEREFORE BE IT RESOLVED that The Municipality of Richmond hereby opposes the cultivation of genetically engineered plants and trees in the Municipality of Richmond, with the exception of 3 existing dairy farm GMO corn crops found prior to this Resolution, and that from this Resolution forward, no further GM crops, trees, or plants will be grown in The Municipality of Richmond. This also includes GM fruit trees, all GM plants and shrubbery, GM vegetables, GM commodity crops and any and all field tests for medical and experimental GM crops.



Resolution for The Municipality of Richmond to be Free of Genetically Engineered Plants, Trees and crops. Page 2 of 2

BE IT FURTHER RESOLVED that the The City of Richmond agrees to revisit this resolution as pertinent new information becomes available that affects this resolution.

BE IT FURTHER RESOLVED that The City of Richmond shall forward copies of this resolution to the Federation of Canadian Municipalities, The Union of B.C. Municipalities, Interior Health, B.C. Ministry of Health, B.C. Ministry of Agriculture and Lands, B.C. Provincial Health Officer, the Prime Minister of Canada, the Canadian Food Inspection Agency, Health Canada, CropLife Canada, Agriculture and Agri-Food Canada, local MLA and MP offices and any interested and related groups.

Definitions:

For the purposes of this resolution the following terms are defined accordingly:

(a) "Genetic Engineering and Modification / Genetically Engineered and Modified (G.E., G.M., G.M.O.)" refers to the direct manipulation of an organism's DNA using recombinant DNA technology. For the purposes of this resolution genetic engineering does NOT include traditional selective breeding, conjugation, fermentation, hybridization, in vitro fertilization, tissue culture, or marker assisted selection.

CONTACT:

April Reeves: 604 233 0781

