



Planning Committee

Date: Tuesday, July 6, 2021

Place: Council Chambers
Richmond City Hall

Present: Councillor Linda McPhail, Chair (by teleconference)
Councillor Alexa Loo (by teleconference)
Councillor Carol Day (by teleconference)
Councillor Bill McNulty (by teleconference)
Councillor Harold Steves (by teleconference)

Also Present: Councillor Chak Au (by teleconference)
Councillor Andy Hobbs (by teleconference)
Councillor Michael Wolfe (by teleconference)

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded
*That the minutes of the meeting of the Special Planning Committee held on
June 23, 2021, be adopted as amended.*

CARRIED

NEXT COMMITTEE MEETING DATE

July 21, 2021, (tentative date) at 4:00 p.m. in Council Chambers.

The Chair advised that the order of the agenda would be varied to consider Item No. 3 first.

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AGENDA ADDITION

It was moved and seconded

That Tree Retention Referral be added to the agenda as Item No. 4A.

CARRIED

PLANNING AND DEVELOPMENT DIVISION

3. ASSEMBLY (ASY) ZONED SITES IN THE AGRICULTURAL LAND RESERVE

(File Ref. No. 08-4050-10) (REDMS No. 6690742)

Staff reviewed the report and noted that (i) this is a companion report to the Official Community Plan (OCP) No. 5 Road Backlands Policy and related Zoning Bylaw amendments approved in May 2021, (ii) this report addresses the 9 assembly (ASY) zoned sites in the Agricultural Land Reserve that are located outside of the OCP No. 5 Road Backlands Policy, and (iii) the proposed changes to land use regulations will allow for uniform zoning regulations for all assembly sites, specifically removing school as a permitted use.

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10279, which revises the:

- (a) *“Assembly (ASY)” zoning district to restrict the permitted and secondary uses for sites located in the Agricultural Land Reserve and grant a site-specific allowance for an education use; and*
- (b) *purpose statement in the “Religious Assembly (ZIS7) – No. 5 Road” zoning district,*

be introduced and granted first reading.

CARRIED

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1. **APPLICATION BY CHRISTIAN & MISSIONARY ALLIANCE – CANADIAN PACIFIC DISTRICT FOR AN AGRICULTURAL LAND RESERVE NON-FARM USE AT 11371 NO. 3 ROAD**

(File Ref. No. AG 19-853589) (REDMS No. 6482489)

Staff reviewed the application and noted that (i) the purpose of the application to the Agricultural Land Commission (ALC) is to allow the existing school and daycare to continue to operate, (ii) the non-farm use application was requested by ALC Enforcement and Compliance staff as they identified that the school and daycare were not consistent with the conditions of the original ALC approval, (iii) after the 1992 expansion, the growth of the church was not anticipated, therefore the church leader leased out space to tenants, (iv) in 2007 a Building Permit and business licences were issued for the school use, (v) the Food Security and Agricultural Advisory Committee encouraged the applicant to include an agricultural component that will be incorporated into the school curriculum.

In reply to queries from Committee, staff advised that Building Permits and Business Licences were issued as the zoning permitted education use at the time those permits were applied for.

Kevin Krause, Applicant, Christian & Missionary Alliance - Canadian Pacific District, and Adina Priel, Noah's Ark Montessori Reggio School, advised that (i) the garden plots would consist of vegetables and fruits as the land is located above a septic field, (ii) approximately 20% of the schools families receive financial support from the Province, (iii) the fruits and vegetables will be consumed by the student and families of the school and the remainder will be donated to the Richmond Alliance Church and the Food Bank, and (iv) many of the families that are a part of the school come from a farming background.

Pastor Ron Redekop, Richmond Alliance Church, provided a history of the property and noted that (i) the Church would not have purchased the property had they known it would come into ALR zoning, (ii) when the school applied for the permits in 2007 there was no reason to check the original ALR agreement as education use was permitted, (iii) the building is there and should be used, and (iv) the oversight is costing the school.

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Adina Priel, Noah's Ark Montessori Reggio School, advised that (i) the school is in a difficult position due to this oversight, (ii) it is not easy to find school space with assembly zoning, (iii) business licences were issued every year and fees were collected by the City and the school needs to recoup those costs, (iv) the Ministry of Education requires a compliance letter from the city they are located and a letter was issued yearly, and (v) no funding is received from the Province, therefore families are supporting and choosing to send their children to this school.

It was moved and seconded

That the application by Christian & Missionary Alliance – Canadian Pacific District for an Agricultural Land Reserve non-farm use to allow the existing education and child care use at 11371 No. 3 Road be forwarded to the Agricultural Land Commission.

CARRIED

2. **APPLICATION BY BRIAN DAGNEAULT FOR AN AGRICULTURAL LAND RESERVE TRANSPORTATION, UTILITY, AND RECREATIONAL TRAIL USE APPLICATION AT 6808 FINN ROAD**

(File Ref. No. AG 21-933868) (REDMS No. 6676798)

Staff reviewed the application and noted that (i) the application is to seek Council approval to apply to the Agricultural Land Commission (ALC) to open and improve a portion of Finn Road that is currently not a constructed municipal road, (ii) should the application be approved by Council and the ALC, it would permit building permits for agricultural or residential buildings, (iii) the proposal is contrary to the Official Community Plan and Farming First Strategy which discourage the construction of new roads in the Agricultural Land Reserve (ALR), and (iv) the proposal has potential implications regarding residential development on other no access properties in the ALR.

Bill Zylmans, 6808 Finn Road, provided a history of the property and noted that (i) the barn and home were constructed prior to purchase of the property, therefore the land was purchased as a working farm, (ii) the property has been a working farm since 1948, (iii) Finn Road was used as the primary access to the property until today, (iv) the no access parcel was not known until the property was put up for sale, (v) the property will no longer be sold and will be farmed by the family.

In reply to queries from Committee, Mr. Zylmans noted that (i) the neighboring driveway ends 65m away from the subject sites driveway, (ii) trucks and vehicles have used the road for access to the property, (iii) once you pass the homestead driveway the road becomes more narrow, (iv) the city will not allow construction of a new barn until the whole road is up to city standards, and (v) a new barn will be considered in the future.

4.

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In reply to queries from Committee, staff advised that (i) in order to issue a building permit for an agricultural or residential building, road access for emergency vehicles is required, (ii) farm access along these no access parcels is permitted to allow farming onsite but no buildings may be constructed, (iii) should Council wish to grant an extension, only a 20m extension beyond the easternmost property line should be approved to meet the building code requirement, (iv) provided the road is only extended to the extent indicated in the report, there will be no additional development potential beyond the subject site, (v) improvements would go from 20m west of the east property line all the way to Gilbert Road and the applicant would be responsible for the construction costs, (vi) should the applicant not wish to improve the road they will only have access to the road for agricultural activities, (vii) staff discussed securing a legal agreement to limit construction to agricultural buildings only, however, the property owner declined such an arrangement, and (viii) the Building Regulation Bylaw and BC Building Code requires emergency vehicle access to the property which requires certain width of roadway to support the weight of a firetruck.

Committee requested additional information with regard to the 700 other no access road properties that could potentially be in a similar situation.

It was moved and seconded

That authorization for Brian Dagneault to forward an Agricultural Land Reserve Transportation, Utility, and Recreational Trail Use Application to the Agricultural Land Commission, to improve a portion of Finn Road to municipal road standards for 20m west of the east side of the property line with no conditions, be approved.

The question on the motion was not called as in reply to further queries from Committee, staff noted that the motion introduced would allow for a barn and/or a single family dwelling and should the applicant receive approvals they would enter into a Service Agreement with the City for construction of the road and upon completion they can apply for building permits.

As a result of the discussion, an amendment motion to only permit construction of a barn was introduced, but failed to receive a seconder.

The question on the motion was then called and it was **CARRIED** with Cllr. Day opposed.

3. **ASSEMBLY (ASY) ZONED SITES IN THE AGRICULTURAL LAND RESERVE**

(File Ref. No. 08-4050-10) (REDMS No. 6690742)

See Page 2 for action on this matter.

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4. **LOW END MARKET RENTAL UNIT PLACEMENT**

(File Ref. No. 08-4057-05) (REDMS No. 6670870)

It was moved and seconded

That the City continues the practice of permitting clustering of Low End Market Rental (LEMR) units when a partnership with a non-profit housing provider is established, as described in the report titled "Low End Market Rental Unit Placement" dated May 31, 2021 from the Director, Community Social Development.

CARRIED

4A. **TREE RETENTION REFERRAL**

(File Ref. No.)

It was moved and seconded

That staff be directed to create protection for areas where a significant tree is lost during or before construction and that the area the tree covers be preserved as a green space for any future development.

The question on the motion was not called as a discussion on ensuring that significant trees and the greenspace they represent may be conserved despite being damaged or removed prior to or during construction.

In reply to queries from Committee, staff advised that (i) the Tree Protection Bylaw defines damage that is regulated through international standards, and prescribes how many branches can be safely removed and should individuals not adhere to these rules they are fined, (ii) the definition of a significant tree is broad; however, the Tree Protection Bylaw defines it as a tree that is 8 inches in caliper or greater and therefore subject to the provisions of the Tree Protection Bylaw 8057, and (iii) there are regulations in place for developments with regard to front and rear yard setbacks for tree retention, but the Community Charter, which ensures the right to develop in a previously established zone, will allow a single family builder to challenge tree preservation if it limits building to maximum allowable area.

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

It was moved and seconded

That staff explore ways to further protect significant trees and the green space they occupy, and report back.

The question on the referral motion was not called as in reply to further queries from Committee, staff noted that staff will explore options on how to handle individuals that destroy trees.

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

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5. **MANAGER'S REPORT**

(i) Dying Sequoia Tree on Williams Road

Staff advised that a professional arborist firm has been consulted with regard to the dying sequoia tree on Williams Road and an investigation is underway. He then advised that once the results of the investigation are received surrounding neighbours will be consulted.

(ii) New Staff Announcement

Wayne Craig, Director, Development, introduced Viren Kallianpur as the new Senior Urban Designer in Development Applications and noted that he will be focused on major projects in City Centre and the Steveston Village development process.

(iii) Market Rental Housing Workshop

Staff advised that the Market Rental Housing Workshop will be taking place on Thursday, July 8, 2021 and 2 p.m. They noted that the workshop will provide details and allow for question and answer periods prior to moving on to each topic.

ADJOURNMENT

It was moved and seconded
That the meeting adjourn (5:37 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, July 6, 2021.

Councillor Linda McPhail
Chair

Sarah Goddard
Legislative Services Associate