



**Regular Council meeting for Public Hearings
Tuesday, February 19, 2019**

Place: Council Chambers
Richmond City Hall

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

Claudia Jesson, Acting Corporate Officer

Absent: Councillor Bill McNulty

Call to Order: Mayor Brodie opened the proceedings at 7:00 p.m.

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 Councillor Day left the meeting – 7:02 p.m.

1. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9898**
(Location: 13333 Princess Street; Applicant: City of Richmond)

Applicant's Comments:

Staff were available to respond to queries.

Written Submissions:

Diane Blackstock, 13251 Princess Street (Schedule 1).



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Submissions from the floor:

Gerald and Rosanne Blair, 1333 Princess Street, offered comments on the rezoning application, noting that the site-specific zoning that allowed for a five room bed and breakfast was in place when they purchased the property in 2016. They further advised that the zoning had been in exchange for formal heritage protections as part of the restoration project for the house on site (Abercrombie House) and expressed concern regarding its removal in 2017 as part of rezoning amendments to address the proliferation of illegal short term rentals. Mr. and Ms. Blair further spoke in support of restoring the provision.

In reply to questions from Council, Carli Williams, Manager, Community Bylaws and Licencing advised that staff reviewed parking for the site and there is sufficient parking on site to support a five room bed and breakfast.

PH19/2-1

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9898 be given second and third readings.

CARRIED

PH19/2-2

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9898 be adopted.

CARRIED

Councillor Day returned to the meeting –7:09 p.m.

**2. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9956
(ZT 18-801900)**

(Location: 13020 Delf Place; Applicant: Wensley Architecture Ltd.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

Kathy Yung, 19-12920 Jack Bell Drive (Schedule 2).

Submissions from the floor:

None.



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PH19/2-3

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9956 be given second and third readings.

The question on the motion was not called as in reply to questions from Council, Wayne Craig, Director, Development advised that (i) should this application proceed, a development permit would be required and detailed landscaping, light spill-over, and site irrigation would be addressed through the development permit process, (ii) landscaping would potentially address any issues with light pollution to the neighbouring properties and Jacombs Road, (iii) staff consider the proposed special marked crosswalk to be sufficient to address pedestrian safety and meets City standards, and (iv) if directed, a different design for the crosswalk could be reviewed however there would be an operating budget impact to maintain an enhanced design.

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

PH19/2-4

It was moved and seconded

That staff be directed to review the proposed crosswalk across Jacombs Road for an alternative design that embeds lights into the crosswalk and report back.

The question on the motion was not called as, in reply to queries from Council, Lloyd Bie, Director, Transportation commented that while additional embedded lights could be installed, there is no evidence that an enhanced crosswalk would affect safety in the area and the proposed marked crosswalk meets City standards. Mr. Bie further remarked that the proposed crosswalk would have flashing beacons that light up on activation and would be apparent to drivers.

The question on the referral motion was then called and it was **DEFEATED ON A TIE VOTE** with Mayor Brodie and Cllrs. Loo, McPhail, and Steves opposed.

Discussion further took place on crosswalk enhancements on Jacombs Road and direction was given to staff to follow up one year post occupancy and provide Council with information regarding the effectiveness of the crosswalk and if improvements are warranted.

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



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**3. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9960
(RZ 16-742260)**

(Location: 9820 Alberta Road; Applicant: 0855855 B.C. Ltd.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

None.

PH19/2-5

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9960 be given second and third readings.

CARRIED

**4. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9975
(RELATED TO BYLAW 9973) AND RICHMOND ZONING BYLAW
8500, AMENDMENT BYLAW 9973 (RZ 17-768134)**

(Location: Bylaw 9975: City-wide and Bylaw 9973: 4226 Williams Road; Applicant: Bylaw 9975: City of Richmond and Bylaw 9973: Landcraft Homes Ltd.)

Applicant's Comments:

Staff were available to respond to queries.

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

None.

PH19/2-6

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9975 be given second and third readings.

The question on the motion was not called as discussion took place on the proposed parking for the development.



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

PH19/2-7

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9973 be given second and third readings.

CARRIED

Opposed: Cllrs. Day
Wolfe

PH19/2-8

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9975 be adopted.

CARRIED

Opposed: Cllrs. Day
Wolfe

5. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9976 (RELATED TO BYLAW 9974) AND RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9974 (RZ 17-768762)

(Location: Bylaw 9976: City-wide and Bylaw 9974: 5751 Francis Road; Applicant: Bylaw 9976: City of Richmond and Bylaw 9974: Landcraft Homes Ltd.)

Applicant's Comments:

Staff were available to respond to queries.

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

Harvey Yee, 5760 Cantrell Road, expressed concern regarding the proposed development's setback, impact of light pollution, and height of the development and commented that it may block out sunlight from the neighbouring properties. Mr. Yee further expressed concern on building a triplex on an arterial road, noting that he was of the opinion that duplexes provide less impact to traffic.



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In response to questions from Council, Mr. Yee remarked that changing the location of the planned driveway would still have an impact to the neighbouring properties and expressed further concern regarding insufficient parking for the site.

In response to comments from the delegation, Mr. Craig advised that in the proposed site plan, the driveway would not extend to the rear property line and would be located on the east side of the site, not adjacent to the church. Mr. Craig further noted that the rear yard setback from the north property line is approximately 10 metres to the ground floor and 10.7 metres to the second floor. In response to questions from Council, Mr. Craig advised that as a part of any development permit, headlight pollution would be addressed to ensure no spillover to adjacent lots and landscaping along the perimeter would be provided.

PH19/2-9

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9976 be given second and third readings.

The question on the motion was not called as, in response to queries from Council, Mr. Craig noted that the location of the driveway is to allow separation between the existing driveways. Mr. Craig further remarked that locating the driveway to the east side of the site allows the driveway to serve the adjacent site to the east which is set for future redevelopment.

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

PH19/2-10

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9974 be given second and third readings.

CARRIED

Opposed: Cllr. Day

PH19/2-11

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9976 be adopted.

CARRIED

Opposed: Cllr. Day



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**6. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9978
(RZ 18-811041)**

(Location: 23000 Fraserwood Way (Units 105, 110 and 115); Applicant: Rosebud Productions Inc.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

None.

PH19/2-12

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9978 be given second and third readings.

The question on the motion was not called as discussion took place regarding a visit conducted by some members of Council to the BlissCo facility in Langley. In reply to questions from Council, Justin Dhaliwal, applicant, advised that part of the requirements for this facility would include Ultraviolet light within the exhaust system similar to those utilized by BlissCo. Mr. Dhaliwal further commented that charcoal odour control would also be utilized within the facility and all exhaust would be treated to ensure adequate odour control for all air leaving the building. Mr. Dhaliwal also remarked that their focus is on medicinal cannabis, noting that there is a higher demand for medical pharmaceutical grade oil products and they want to ensure that their facility can adapt accordingly and gear their products towards the pharmaceutical demand.

In response to queries from Council, Mr. Craig commented that the current provisions in the Official Community Plan allow Council to consider additional medical cannabis production facilities on a case by case basis.

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



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**7. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9981
(ZT 18-818164)**

(Location: 5660 Parkwood Way; Applicant: Christopher Bozyk Architects Ltd.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

None.

PH19/2-13

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 9981 be given
second and third readings.***

CARRIED

**8. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9982
(RZ 16-733904)**

(Location: 5631, 5635, 5651, 5691, 5711, 5731 and 5751 Steveston Highway; Applicant: Interface Architecture Inc.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

Martin Woolford, 5951 Egret Court (Schedule 3).

Submissions from the floor:

None.

PH19/2-14

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 9982 be given
second and third readings.***

The question on the motion was not called as in reply to queries from Council, Mr. Craig advised that pre-consultation focused on the properties immediately adjacent to the site and that notices were mailed to properties on the opposite (south) side of Steveston Highway. Discussion then took place regarding the potential impact to congestion in the area.



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The question on the motion was then called and it was **CARRIED** with Cllrs. Greene and Wolfe opposed.

9. OFFICIAL COMMUNITY PLAN BYLAW 9000, AMENDMENT BYLAW 9984 AND RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9985 (ADDITIONAL DWELLINGS IN THE AGRICULTURAL LAND RESERVE)

(Location: City-wide; Applicant: City of Richmond)

Applicant's Comments:

Staff were available to respond to queries.

Written Submissions:

Comments from the Agricultural Land Commission (ALC) (Schedule 4).

Submissions from the floor:

Lauren May, Richmond resident, expressed concern regarding the proposed Official Community Plan and Zoning Bylaw amendments, commenting that removing the provision for secondary dwellings on agriculturally zoned land would make it more difficult for farmers to find and attract affordable labour.

In response to questions from Council, Barry Konkin, Manager, Policy Planning advised that (i) an application for non-farm use to permit a secondary dwelling would be required for an additional dwelling on agriculturally zoned land approved first by the City prior to consideration by the Agricultural Land Commission (ALC), (ii) the staff memorandum dated February 13, 2019 in the agenda package included a suggested amended Bylaw 9984 which includes a minimum lot size criteria of 20 acres or greater as well as further criteria which Council previously expressed concern, and (iii) the proposed bylaw amendments would be consistent with Bill 52 (ALC Act, 2018) and any amount of acreage could proceed with an application.

PH19/2-15

It was moved and seconded

That Official Community Plan Bylaw 9000, Amendment Bylaw 9984 be given second and third readings.

CARRIED

Opposed: Cllrs. Loo
McPhail



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PH19/2-16 It was moved and seconded
*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9985 be given
second and third readings.*

CARRIED
Opposed: Cllrs. Loo
McPhail

PH19/2-17 It was moved and seconded
*That Official Community Plan Bylaw 9000, Amendment Bylaw 9984 be
adopted.*

CARRIED
Opposed: Cllrs. Loo
McPhail

PH19/2-18 It was moved and seconded
That Richmond Zoning Bylaw 8500, Amendment Bylaw 9985 be adopted.

CARRIED
Opposed: Cllrs. Loo
McPhail

ADJOURNMENT

PH19/2-19 It was moved and seconded
That the meeting adjourn (7:52 p.m.).

CARRIED

Certified a true and correct copy of the
Minutes of the Regular meeting for Public
Hearings of the City of Richmond held on
Tuesday February 19, 2019.

Mayor (Malcolm D. Brodie)

Acting Corporate Officer
(Claudia Jesson)

Schedule 1 to the Minutes of the
Public Hearing meeting of
Richmond City Council held on
Tuesday, February 19, 2019.

CityClerk

To Public Hearing	
Date:	FEBRUARY 19, 2019
Item #	1
No:	BYLAW 9898

From: Diane Blackstock <dianelblackstock@gmail.com>
Sent: Tuesday, 12 February 2019 17:07
To: CityClerk
Subject: Richmond Zoning Bylaw 8500, Amendment Bylaw 9898

To whom this may concern,

Re: Reinstating a provision to allow a 5-room bed and breakfast business at 13333 Princess Street.

As a next door neighbour and President of Nakade Strata BCS 3256 at 13251 Princess Street, I wish to register our concern about the parking hardship this would create if this business becomes active.

As it stands now, there are not enough spots for 3 guest cars plus 2 owner cars on this property, as the garage is being used for storage. There are 3 owner cars in the driveway which one of the 3 cars is 'vintage' and does not move from the driveway.

This area we live in is at its maximum parking availability. We lost one spot to accommodate the delivery trucks for the business to the north of us.

If we were able to angle park in the areas that allow for this space-wise, then this would help us as of today. With 3 to 5 more cars in the future looking for spots, if the B&B guest cars aren't parked on the property, parking becomes unattainable for local residents.

Thank you for your attention to this matter.

Sincerely,
Diane Blackstock

Sent from my iPad

Sent from my iPad

CityClerk

From: Kathy Yung <kacheeyung@hotmail.com>
Sent: Monday, 18 February 2019 17:02
To: CityClerk
Subject: RE: Amendment Bylaw 9956

To Public Hearing	
Date:	<u>FEB. 19, 2019</u>
Item #	<u>2</u>
Re:	<u>BYLAW 9956</u>

Hi there,

I am writing to oppose the amendment of the building zoning at 13020 Delf Place. As a long time resident at 12920 Jack Bell Drive, I found this change of zoning could draw unnecessary crowd to this quiet neighbourhood, especially drive through restaurant near a secondary school. There are already restaurants (including drive-through) within close distance, so I believe another restaurant is not needed in this case.

Regards,

Kathy Yung
19-12920 Jack Bell Drive,
Richmond, BC
V6V 2V9
604-376-1530

Schedule 3 to the Minutes of the
Public Hearing meeting of
Richmond City Council held on
Tuesday, February, 2019.

To Public Hearing	
Date:	FEB. 19, 2019
Item #	8
Re:	BYLAW 9982

MayorandCouncillors

From: Martin Woolford <martin_woolford@telus.net>
Sent: Sunday, 17 February 2019 18:25
To: MayorandCouncillors
Subject: FW: Re: Richmond Zoning Bylaw 8500 Amendment Bylaw #9982 (RZ 16-733904)

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

February 16, 2019

Re: Richmond Zoning Bylaw 8500 Amendment Bylaw #9982 (RZ 16-733904)

Mayor: Malcolm Brodie and Councillors, Chak Au, Carol Day, Kelly Greene, Alexa Loo, Bill McNulty, Linda McPhail, Harold Steves and Michel Wolfe

Mayor and Councillors:

I would like to express my concerns regarding the proposed rezoning of 5631, 5635, 5651, 5691, 5711, 5731, and 5751 Steveston Highway to Medium Density Townhouses (RTM2)

My concerns are two-fold:

(1) The increased congestion added to Steveston Highway at the vehicular entrance location proposed in the development outline.

and

(2) The inadequacy of the on-site parking allowances allowed in the current zoning for this development's location and the predictable effect it will have on adjacent side streets and properties.

Road Congestion:

The vehicular access to the proposed development is from Steveston Highway and is located on the north side between No. 2 Road to the east, and Kingfisher Drive to the west, which is on the south side of the highway.

Steveston Highway is the main East-West Arterial route in this sector of Richmond. The No. 2 Road intersection is controlled by traffic signals and contains the access to Fire Hall #2. Kingfisher Drive is the main entrance to the Westwind subdivision, and at this intersection a centre left turn lane is provided to facilitate access the road. Steveston Highway is consistently congested in this section of the highway, especially during rush hour periods, school drop-off/pickup periods and fire emergencies. A high percentage of the vehicles turn right on Steveston from No.2 Road and immediate maneuver to turn left onto Kingfisher and enter the Westwind subdivision. Providing a traffic access to the proposed development in this location, even though a "right in right out only" one, will lead to even more congestion and accidents. This congestion will even intensify further with the plan that the development's access point will to be used to service the future envisioned townhouse projects within the same block.

One would hope that The City and its traffic department will at least review this proposed location again. A need for a well thought out solution is needed, which will be adequate, adaptable and safe to handle all the planned scenarios, on this and other sections of Steveston Highway, slated for redevelopment. We have already had a multi traffic light approach proposed, this was met with public displeasure and disapproval and thankfully eventually abandoned.

Over the years, it appeared The City was concerned about exiting more traffic from renewal and development directly onto the Arterial roads. It had supported and tried to introduce laneways and accesses to allow traffic dispersal into the adjoining sub-divisions prior to entering the Arterial road system. This original philosophy was sound, with the intent of keeping traffic flow fluent on the arterial road system and minimize the number of incumbencies created from adjoining driveways etc. onto these roads directly. This philosophy now seems to have been abandoned in The City's quest for development and densification.

Parking Allowances:

In the proposed development, the on-site parking allowances planned are not adequate for this development's siting and location. I realise that spaces proposed do satisfy the requirements as set out by the City of Richmond, but the actual site location and available adjacent street parking has not been taken into consideration when setting the specific requirements for this actual development.

The development contains a mix of housing containing 3- and 4-bedroom units, plus some with supplementary suites. These units could be single family, rented or shared. Even with adequate alternate transit options, the ownership and use of automobiles still exists in today's world. The spaces provided on-site would seem insufficient, resulting in using nearby available adjacent street parking.

A good example for this assumption would be to use the recent townhouse development in the 6000 block of Williams Road at No.2 Road. The result of inadequacy of the on-site parking provided, cars overflow onto and line adjacent Parsons Road for the length of the street. the adjacent. This amount of street parking congestion did not exist before the development was completed.

The proposed development site frontage is on Steveston Highway, and the closest bordering streets are No.2 Road and Lassam Drive. Steveston Highway and No. 2 Road are both deemed Arterial roads, and do not permit any on street parking. Lassam Drive has been "road calmed" providing limited available on street parking. The only on street parking available close to the development would be across Steveston Highway, in the Westwind subdivision, on Kingfisher Drive and further west on Swallow Drive.

The present day use of street parking, by the existing Steveston Highway residences on these two and other adjacent streets, has been, and still is, a problem for the Westwind property owners in the area of Steveston Highway. This street parking also adds to the traffic congestion entering and exiting the Westwind subdivision. The new development(s) this will only increase and aggravate the situation.

Swallow Drive will also be affected by a development presently under construction on Steveston Highway across from it, this will also add to the mixture on Kingfisher Drive.

We need a solution now, to address a problem that will continue to be a nuisance and aggravation with redevelopment in Richmond not only to the residents of our area, the Westwind sub-division, but other similar locations in the city under redevelopment from what was their original planned intent. The street parking and traffic congestion problems will have to be addressed by The City after they happen. Wouldn't it be prudent to try to solve them now before, instead of after? One that just doesn't satisfy the needs of each piecemeal development as it unfolds.

I would also like to point out it appears that when the Developer canvased the adjacent property holders, there was no attempt made to contact property holders on the opposite (south) side of Steveston Highway for their comments and input.

Yours sincerely
Martin Woolford
(martin_woolford@telus.net)
5951 Egret Court

Richmond. B.C.
V7E 3W2
604 2746165

Schedule 4 to the Minutes of the
Public Hearing meeting of
Richmond City Council held on
Tuesday, February, 2019.

TO Public Hearing
Date: Feb. 19, 2019
Item # 9
Re: BYLAW 9984
BYLAW 9985

CityClerk

From: Mark, Kamelli ALC:EX <Kamelli.Mark@gov.bc.ca>
Sent: Friday, 8 February 2019 09:45
To: CityClerk
Cc: Fox, Alison AGRI:EX; Geesing, Dieter AGRI:EX
Subject: ALC Comments re: OCP Amendment Bylaw 9984 and Zoning Amendment Bylaw 9985 for Feb 19 Public Hearing
Attachments: 46523m2, 46428m1 ALC Response to Amendment Bylaws 9984 & 9985.pdf
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: Printed for Public Hearing

Hello,

Thank you for forwarding a copy of OCP Amendment Bylaw 9984 and Zoning Amendment Bylaw 9985 to the ALC for review and comment prior to the Public Hearing scheduled for February 19, 2019; the ALC's response is attached.

Best regards,

Kamelli Mark | Regional Planner | Agricultural Land Commission
201 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7005 | F 604.660.7033
kamelli.mark@gov.bc.ca | www.alc.gov.bc.ca

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To Public Hearing
Date: <u>FEB. 19, 2019</u>
Item # <u>9</u>
Re: <u>BYLAWS 9984 B</u>
<u>9985: ADDITIONAL</u>
<u>DWELLINGS IN THE ALR.</u>

Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

February 8, 2019

Reply to the attention of Kamelli Mark
ALC Planning Review: 46523 & 46428
Local Government File: Bylaw 9984 & 9985

City of Richmond
City Clerk's Office

Delivered Electronically

Re: **Official Community Plan Bylaw 9000, Amendment Bylaw 9984 and Zoning Bylaw 8500 Amendment Bylaw 9985 Additional Dwellings in the ALR**

Thank you for forwarding a copy of Amendment Bylaw 9984 and Amendment Bylaw 9985 (the "Bylaws") for review and comment by the Agricultural Land Commission (ALC) in advance of the Public Hearing scheduled on February 19, 2019. The following comments are provided to help ensure that the Bylaws are consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the "Regulation"), and any decisions of the ALC.

The ALC wishes to advise the City of Richmond (the "City") that it supports the City's efforts to ensure consistency between the Bylaws and Bill 52 (Agricultural Land Commission Amendment Act, 2018) by proposing the removal of the Bylaws' provisions permitting an additional residence for farm workers on AG1 lots. As per Bill 52, a proposal for an additional residence would require an ALC application for a non-adhering residential use.

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulation, or any Orders of the Commission.

If you have any questions about the above comments, please contact the undersigned at 604-660-7005 or by e-mail (Kamelli.Mark@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Kamelli Mark, Regional Planner

Enclosure: Referral Package for Amendment Bylaw 9984 and Amendment Bylaw 9985

CC: Ministry of Agriculture, attn.: Alison Fox and Dieter Geesing

46523m2, 46428m1



City of Richmond

RECEIVED
PROV. AGRICULTURAL JAN 25 2019
LAND COMMISSION

6911 No. 3 Road,
Richmond, BC V6Y 2C1
www.richmond.ca

January 24, 2019
File: Bylaw 9984 & 9985

Finance and Corporate Services Division
City Clerk's Office
Telephone: 604-276-4007
Fax: 604-278-5139

Agricultural Land Commission
#133 – 4940 Canada Way
Burnaby, BC V5G 4K6

To Whom It May Concern:

**Re: Official Community Plan Bylaw 9000, Amendment Bylaw 9984 and
Zoning Bylaw 8500, Amendment Bylaw 9985
Additional Dwellings in the Agricultural Land Reserve**

This is to advise that Richmond City Council, at the meeting held on January 14, 2019, considered the above matter and the following resolution, in regards to Bylaws 9984 and 9985:

RESPONSE TO REFERRAL: ADDITIONAL DWELLINGS IN THE AGRICULTURAL LAND RESERVE

It was moved and seconded

- (1) That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984, be introduced and given first reading;**
- (2) That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984, having been considered in conjunction with:**
 - (a) the City's 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 No. 9000, Amendment Bylaw No. 9984, having been considered in conjunction with Section 477(3)(b) of the Local Government Act, be referred to the Agricultural Land Commission for comment;**

- (4) *That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw No. 9984, 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*
- (5) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9985, be introduced and given first reading.*

Enclosed for your information and comment is a copy of the above Bylaw as at first reading, along with the relevant staff report. If the Agricultural Land Commission wishes to provide a response to the Public Hearing, it would be most appreciated if your response were received by the City Clerk's Office by Thursday, February 14, 2019 for inclusion in the Public Hearing agenda. However, if you are unable to do so, your response is welcome up to and including the time of the Public Hearing scheduled for 7:00 p.m. on Tuesday, February 19, 2019. Comments can be provided in writing on in-person at the Public Hearing.

Yours truly,



David Weber
Director, Clerk's Office

DW:gb
Enc.

pc: Barry Konkin, Manager, Policy Planning



City of Richmond

Report to Council

To: Richmond City Council
From: Barry Konkin
Manager, Policy Planning
Date: January 8, 2019
File: 08-4057-10/2018-Vol 01
Re: **Response to Referral: Additional Dwellings in the Agricultural Land Reserve**

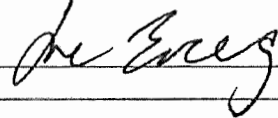
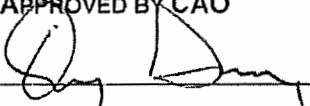
Staff Recommendation

1. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984, be introduced and given first reading;
2. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984, having been considered in conjunction with:
 - a. the City's 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 No. 9000, Amendment Bylaw No. 9984, having been considered in conjunction with Section 477(3)(b) of the Local Government Act, be referred to the Agricultural Land Commission for comment;
4. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw No. 9984, 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
5. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9985, be introduced and given first reading.

Barry Konkin
Manager, Policy Planning
(604-276-4139)

January 8, 2019

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REPORT CONCURRENCE		
ROUTED TO: Building Approvals	CONCURRENCE <input checked="checked" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER 
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: OS	APPROVED BY CAO 

CNCL - 784

Staff Report

Origin

At the Special Council Meeting held on Wednesday, December 19, 2018, the following referral was adopted:

- 1) *That staff be directed to bring back bylaws to the January 14, 2019 Regular Council meeting to amend the City's Official Community Plan Bylaw 9000 and the Richmond Zoning Bylaw 8500 to remove the provisions for an additional dwelling for farm workers on AG1 lots located within the Agricultural Land Reserve (ALR); and*
- 2) *That staff be directed to withhold building permits for additional farm dwellings on AG1 lots located in the ALR under Section 463 of the Local Government Act and bring forward building permits that conflict with bylaws in preparation for Council consideration.*

This report is in response to the above noted referral. This report supports Council's 2014-2018 Term Goal #8 Supportive Economic Development Environment:

- 8.3. The City's agricultural and fisheries sectors are supported, remain viable and continue to be an important part of the City's character, livability, and economic development vision.

Analysis

On June 18, 2018, Council adopted Official Community Plan Bylaw 9000, Amendment Bylaw 9869, and Richmond Zoning Bylaw 8500, Amendment Bylaw 9870 to allow a maximum of one additional dwelling unit on Agriculture (AG1) zoned properties, located within the Agricultural Land Reserve (ALR), for full-time farm workers, employed on the subject lot, provided the following requirements are satisfied:

- the lot is zoned AG1 and is at least 8 ha (20 ac.) in area;
- the lot is classified as 'farm' for taxation purposes;
- a signed statutory declaration is submitted indicating that the additional dwelling unit is for full-time farm workers only;
- submission of a signed and sealed report by a certified Agrologist (P.Ag.) that clearly demonstrates the need for an additional dwelling for full-time farm workers to support the farm;
- the house is no larger than 300 m² (3,229 ft²); and
- the farm home plate area is no larger than 600 m² (6,458 ft²).

On November 27, 2018, Bill 52 (*Agricultural Land Commission Amendment Act, 2018*) was given Third Reading and Royal Assent. This Provincial legislation, amongst other things, removes the allowance of additional dwellings for farm workers as a discretionary use for local governments, and now requires approval from the Agricultural Land Commission (ALC) for an additional residence. It is anticipated that the amendments to the *Agricultural Land Commission Act* will come into force in early 2019 when the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* is amended through an Order-in-Council.

In order to be consistent with the upcoming Provincial legislation as directed by Council, staff have prepared Bylaw 9984 and Bylaw 9985 which would amend both the OCP and Zoning Bylaw to remove the provisions that allow an additional dwelling on AG1 zoned land for full-time farm workers.

If the attached bylaws are approved, a property owner who wished to construct an additional residence on AG1 zoned land for full-time farm workers on the subject property would be required to apply for an ALC non-farm use application. The non-farm use application would have to be reviewed and endorsed by Council and if endorsed, approved by the ALC. If approved by the ALC, Council approval of a site-specific rezoning application would also be required.

Withholding Resolution

On December 19, 2018, Council adopted a withholding resolution of building permits that are contrary to the bylaws under consideration. The withholding resolution came into force on December 27, 2018, and any applications that are received by the City that are contrary to bylaws proposed to regulate residential development on land within the ALR are to be withheld and forwarded to Council as per Section 463 of the *Local Government Act*.

A building permit application was submitted on November 9, 2018 for an additional dwelling at 14791 Westminster Highway for full-time farm workers. This application was made immediately following issuance of a building permit for the principal dwelling at the same property. After the initial review, the building permit application was considered to be incomplete and the application was cancelled. The building permit application was re-submitted with all requirements met on December 21, 2018, prior to the enactment of the withholding resolution for an additional dwelling on December 27, 2018. The application will be reviewed under the existing regulations for an additional dwelling.

Bill 52 establishes how in-stream building permits can be considered for compliance with the new Provincial regulations. For an additional dwelling for farm workers in the ALR, a lawfully issued City building permit is required, and the concrete foundations must be poured prior to the amendments to the *Agricultural Land Commission Act* coming into force, which is expected to be in the first quarter of 2019. If these conditions are not met, the building permit application at 14791 Westminster Highway will be cancelled.

Consultation

Staff have reviewed the proposed OCP amendment bylaw with respect to the *Local Government Act* and the City's OCP Bylaw Preparation Consultation Policy No. 5043 requirements and recommend that it be referred to the ALC for comment. As the proposed bylaws are consistent with the new Provincial legislation, staff do not anticipate any concerns from the ALC.

Table 1 clarifies this recommendation. ALC referral comments will be requested prior to the public hearing date. Public notification for the public hearing will be provided as per the *Local Government Act*.

Table 1 – OCP Public Consultation Summary

Stakeholder	Referral Comment
REFER	
Provincial Agricultural Land Commission	Refer to the ALC, consistent with <i>Local Government Act</i> requirements.
NO REFERRAL NECESSARY	
Richmond School Board	No referral necessary, as they are not affected.
The Board of Metro Vancouver	No referral necessary, as they are not affected.
The Councils of Adjacent Municipalities	No referral necessary, as they are not affected.
First Nations (e.g., Sto:lo, Tsawwassen, Musqueam)	No referral necessary, as they are not affected.
TransLink	No referral necessary, as they are not affected.
Port Authorities (Port Metro Vancouver and Steveston Harbour Authority)	No referral necessary, as they are not affected.
Vancouver Airport Authority (VAA) (Federal Government Agency)	No referral necessary, as they are not affected.
Richmond Coastal Health Authority	No referral necessary, as they are not affected.
Community Groups and Neighbours	Community Groups and Neighbours will have the opportunity to comment regarding the proposed OCP amendment (and proposed Zoning Bylaws) at Planning Committee, Council and at a Public Hearing.
All Relevant Federal and Provincial Government Agencies	No referral necessary, as they are not affected.

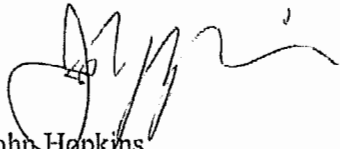
Financial Impact

None.

Conclusion

To respond to Council's referral and to be consistent with the upcoming enactment of Bill 52 (*Agricultural Land Commission Amendment Act, 2018*) which would require approval from the ALC for any additional residences in the ALR, staff recommend that the following bylaws be introduced and given first reading:

1. Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984; and
2. Richmond Zoning Bylaw 8500, Amendment Bylaw 9985.



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JH:cas

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**Richmond Official Community Plan Bylaw 9000
Amendment Bylaw 9984
(Additional Dwellings on Agriculturally Zoned Land)**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Official Community Plan Bylaw 9000, as amended, is further amended at Section 7.1 Protect Farmland and Enhance Its Viability, Objective 1, by deleting policy g) in its entirety and replacing it with the following:

 “g) limit the number of dwelling units to one (1) on lots within the Agricultural Land Reserve (ALR). Any proposal for additional dwelling units would require approval from both Council and the Agricultural Land Commission (ALC).”
2. This Bylaw may be cited as “**Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED



MAYOR

CORPORATE OFFICER



City of
Richmond

Bylaw 9985

**Richmond Zoning Bylaw 8500
Amendment Bylaw 9985
(Additional Single Detached House)**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500, as amended, is further amended by:
 - a) deleting subsection 14.1.4.2 from Section 14.1.4 (Permitted Density) in its entirety and replacing it with the following:
 - "2. The maximum residential density is one principal dwelling unit per lot."; and
 - b) deleting subsection 14.1.4.A.2 from Section 14.1.4.A (Farm Home Plate) in its entirety.
2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9985".

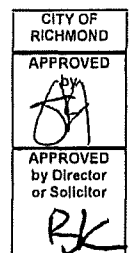
FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED



MAYOR

CORPORATE OFFICER

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