



# City of Richmond

## Report to Committee

**To:** Planning Committee  
**From:** John Hopkins  
Director, Policy Planning

**Date:** December 12, 2024  
**File:** 08-4403-03-07/2024-Vol  
01

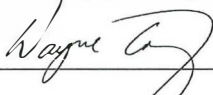


**Re: Referral Response: Bylaw 9861 – Greenhouses with Concrete Footings**

### Staff Recommendation

That the report entitled “Referral Response: Bylaw 9861 – Greenhouses with Concrete Footings”, dated December 12, 2024, from the Director, Policy Planning, be received for information.

John Hopkins  
Director, Policy Planning  
(604-276-4279)

JH:  
Att. 1

REPORT CONCURRENCE		
<b>ROUTED TO:</b> Development Applications	<b>CONCURRENCE</b> <input checked="" type="checkbox"/>	<b>CONCURRENCE OF GENERAL MANAGER</b> 
<b>SENIOR STAFF REPORT REVIEW</b>	<b>INITIALS:</b> 	<b>APPROVED BY CAO</b> 

## Staff Report

### Origin

On June 24, 2024, Council made the following referral:

*That staff evaluate Bylaw 9861, that restricts concrete footings, and report back to Council.*

This report supports Council's Strategic Plan 2022-2026 Focus Area # 2 Strategic and Sustainable Community Growth:

*Strategic and sustainable growth that supports long-term community needs and a well-planned and prosperous city.*

*2.3 Ensure that both built and natural infrastructure supports sustainable development throughout the City.*

This report supports Council's Strategic Plan 2022-2026 Focus Area #5 A Leader in Environmental Sustainability:

*Leadership in environmental sustainability through innovative, sustainable and proactive solutions that mitigate climate change and other environmental impacts.*

*5.2 Support the preservation and enhancement of Richmond's Natural environment.*

This report responds to the June 24, 2024 Council referral to evaluate Bylaw 9861.

### Background

On June 18, 2018, Council adopted Bylaw 9861 for the purpose of protecting high-quality soils for soil-based agriculture by regulating the amount of concrete that can be used in an agricultural building and prohibiting the construction of greenhouses with impermeable floors, footings, and constructions (i.e., sunken into, at, or below the natural grade of the site).

The primary purpose of Bylaw 9861 is to protect and encourage soil-based agriculture in the City of Richmond. Bylaw 9861 was adopted at a time when cannabis production became legalized and there were additional concerns of large concrete floor greenhouses proliferating on agricultural land. Based on current Provincial regulations and the City's Zoning Bylaw, new greenhouses with any amount of concrete flooring are prohibited to be used for cannabis production. Cannabis production is only permitted in the following situations:

- Outdoors in a field;
- Inside a structure with a base consisting entirely of soil; or
- Inside a structure constructed prior to July 13, 2018, that was constructed for the purpose of growing crops, and has not been altered since that date.

To ensure that the new regulations did not create a hardship for farmers, a Council policy was introduced that provided a fast tracked development application process whereby applicants wanting to build a greenhouse with concrete floors or footings may apply to construct these structures, subject to Council approval. Fast tracked greenhouse applications are subject to Council review and approval through a rezoning (i.e., zoning text amendment) application process. These applications have a low fee (\$200), take approximately three (3) months to process and include a fast tracked review by the City's Food Security and Agricultural Advisory Committee (FSAAC). An applicant can apply for a fast tracked application and corresponding building permit application at the same time. The intent is to allow for processing of both applications concurrently, so as to not create a hardship or delays for farmers who legitimately require the use of concrete for their greenhouses.

Since adoption of Bylaw 9861, the City has received only one fast tracked greenhouse development application:

- ZT 24-035934: for a site-specific zoning text amendment to the Agricultural (AG1) zone at 12800 No. 2 Road to permit the use of an 81 m<sup>2</sup> (872 ft<sup>2</sup>) greenhouse with concrete footings.

On June 24, 2024, Council granted first reading to Zoning Bylaw 8500 Amendment Bylaw 10567 (ZT 24-035934) and made the referral directing that staff evaluate Bylaw 9861 and report back to Council. Staff received the application on April 2, 2024, and the application was brought to Planning Committee within the 3 month fast-tracked time period.

## **Analysis**

### Policy and Regulatory Framework for Greenhouses

The Provincial Ministry of Agriculture's *Food and Fisheries Guide for Bylaw Development in Farming Areas* recommends that bylaws should allow a lot coverage of no less than 75% of a parcel to be occupied by greenhouses. The *Agricultural Land Reserve Use Regulation* identifies farm buildings, including greenhouses, as a permitted farm use, and therefore, a local zoning bylaw cannot prohibit farm buildings and greenhouses in the Agricultural Land Reserve (ALR).

The City of Richmond's Official Community Plan (OCP) identifies soil-based agriculture as a priority, and has a policy stating:

*Encourage soil-based farming by regulating the amount of hard surfacing in agricultural buildings, structures, and greenhouses.*

In addition, the OCP includes an objective to work with upper levels of government to address agricultural-related issues including:

*Improved regulations for non-soil based greenhouses and limiting such structures to area with lower soil class agricultural land (e.g., Class 4 or lower);*

Richmond's Agriculture (AG1) zone is consistent with the OCP policy and provincial regulatory framework.

### Staff Comments

City Council adopted Bylaw 9861 to encourage soil-based farming by limiting the amount of hard surfacing in agricultural buildings and greenhouses. Given the established OCP policy encouraging soil-based farming, relaxing the current restrictions on hard surfacing in greenhouses may pose a risk to the long-term viability of soil-based farming for the following reasons:

- Greenhouses are permitted on any classification of soil (including Class 1 to 3 – the best soils, which are capable of supporting a wide range of crops).
- Through zoning, greenhouses may have a lot coverage of up to 75% on a parcel based on provincial regulations. The negative impacts of opening avenues for increased greenhouse use with concrete, considering the large area of land they are permitted to occupy, have not been thoroughly considered (soil-based greenhouses occupying up to 75% of the parcel would still be permitted).
- The City's AG1 zoned land located within the ALR has agricultural soil capability classifications that are able to support a wide range of soil-based crops with minimal improvements.

Careful management of existing native soil on farmland is critical to being able to undertake viable soil-based farming over the long-term. Large commercial greenhouses can negatively impact the soil capability of land and limit the ability to undertake soil-based farming in the future. Negative impacts to the native soil and agricultural capability of the land may arise as follows:

- Land and site preparation activities needed in advance of construction of buildings, including removal of existing native soil and required fill activities.
- The actual buildings and structures, concrete slabs/footing, and other infrastructure that become permanent fixtures on farmland with no provision for removal of the structure and site remediation at the end of the building life span.
- Resulting compaction of the underlying sub-soils.

Land preparation works intended to support agricultural buildings and commercial greenhouses typically result in full removal of the native soil to level the site to enable installation of concrete footings and slabs on harder ground to support the building. Native soil removal, in conjunction with construction of agricultural buildings with impermeable surfaces, can also have impacts on stormwater drainage. This may have considerable negative impacts on the agricultural capability of the soil for large areas around the agricultural building unless substantial infrastructure and capital investment is implemented by the farmer to manage on-site drainage.

In the event that an owner/farmer wished to remove agricultural buildings or commercial greenhouses, significant work and investment would be required to revert and remediate the site to allow soil-based agriculture. When building and foundation removal and remediation

activities are completed, the soils are likely to be at a lower agricultural capability when compared to the previous undisturbed soils.

Since Bylaw 9861 was adopted in 2018, there has been one application that has gone through the fast-tracked process for a rezoning to allow a greenhouse to be constructed with concrete or hard surfacing. As there has been a limited number of applications to go through the fast tracked process, updating the existing regulations is not required at this time. The fast tracked process, by nature, is an expedited process with a minimal application fee (\$200), and current processing times and processing costs would not act as a deterrent to farming operations that legitimately require concrete constructions for their farming business.

### Options for Consideration

In response to Council's referral and consultation with the Food Security and Agricultural Advisory Committee, staff have prepared three options for Council's consideration.

#### ***Option 1: Maintain current regulations, which restrict the use of concrete in greenhouses (recommended).***

This option is consistent with City policy that encourages soil-based farming by regulating the amount of hard surfacing in greenhouses. Council approval would be required for farmers wishing to construct a greenhouse with the use of concrete construction, through a fast tracked rezoning application. Staff will continue to monitor the amount of applications for greenhouses with the use of concrete, and can report back to Council if a proliferation of applications are submitted to the City.

#### ***Option 2: Amend the AG1 zone to permit greenhouses to use concrete footings, but continue to prohibit concrete floors.***

This option enables farmers wishing to construct greenhouses with the use of concrete footings, to proceed directly to a Building Permit application, but would require Council approval for farmers wishing to construct a greenhouse with the use of concrete slabs and concrete floors. Council approval would be required for farmers applying to construct a greenhouse with the use of concrete floors through a fast tracked rezoning application. If there were support from Council on this option, staff would require direction to prepare the necessary bylaw amendments to the Zoning Bylaw.

#### ***Option 3: Amend the AG1 zone to permit greenhouses with a cumulative lot coverage equal to or less than 750 m<sup>2</sup> in total area to use concrete floorings and footings.***

This option enables farmers wishing to utilize the use of concrete in greenhouses provided they have a cumulative coverage equal to or less than 750 m<sup>2</sup> (8,072 ft<sup>2</sup>) to proceed directly to a Building Permit application. The 750 m<sup>2</sup> limitation on a concrete floor is what is currently permitted for agricultural buildings and structures, other than greenhouses, within the AG1 Zone. This option would provide consistency amongst the regulations for use of concrete for agricultural buildings within the AG1 Zone. Council approval would be required for farmers applying to construct a greenhouse with the use of concrete floors with a cumulative area

coverage of over 750 m<sup>2</sup> (8,072 ft<sup>2</sup>). If there were support from Council on this option, staff would require direction to prepare the necessary bylaw amendments to the Zoning Bylaw.

Food Security and Agricultural Advisory Committee (FSAAC)

The FSAAC met on November 7, 2024 to review and provide feedback on three potential options as they relate to concrete use in greenhouses:

1. Maintain regulations for greenhouses as currently applied;
2. Amend the AG1 zone to permit greenhouses to use concrete footings, but continue to prohibit concrete floors; and
3. Amend the AG1 zone to permit greenhouses with a cumulative lot coverage equal to or less than 750 m<sup>2</sup> (8,072 ft<sup>2</sup>) in total area to use concrete floorings and footings.

The Committee considered all three options and the majority supported Option 2 to permit the use of concrete footings in greenhouse. The Committee was not unanimous in this decision as some members supported maintaining the current regulations for greenhouses, and some members supported permitting up to 750 m<sup>2</sup> (8,072 ft<sup>2</sup>) of cumulative concrete flooring. Meeting minutes from the November 7, 2024 FSAAC meeting can be found in Attachment 1.

**Financial Impact**

None.

**Conclusion**

This report responds to the referral from Council on June 24, 2024, directing staff to evaluate Bylaw 9861, which restricts greenhouses with concrete foundations on agricultural properties and provides a fast-tracked site-specific rezoning process for farmers wanting to use hard surfacing. In consultation with FSAAC, staff prepared three options for Council's consideration, including maintaining current regulations, permitting concrete footings, and permitting concrete floors with a cumulative coverage of up to 750 m<sup>2</sup> (8,072 ft<sup>2</sup>). Of these, staff recommend maintaining Bylaw 9861's current regulations as they best support City policy aimed at encouraging soil based agriculture by limiting hard surfacing. Moreover, the fast tracked rezoning process, as currently applied, does not act as a barrier to farmers who legitimately require hard surfacing for their farm operations. Therefore, it is recommended that the AG1 zoning and Council policy be maintained, and this staff report be received for information.



James Hnatowich  
Planner 1  
(604-247-4911)

JSH:cas

Att. 1: FSAAC Minutes



## Food Security and Agricultural Advisory Committee (FSAAC)

Held Thursday, November 7, 2024 (7:00 pm)  
Microsoft Teams

### In Attendance:

Members: Mike Bomford (Chair); Abu Jahangir; Bill McKinney; Lynn Kemper; Cory May, Vida Rose, Leslie Williams, Cynthia Zhou

Non-Members: James Hnatowich (Policy Planning); Steven De Sousa (Policy Planning);

### Regrets:

Members: Phil Carriere; Allen Rose;

Non-Members: Councillor Laura Gillanders (Council Liaison); Drew Bondar (Ministry of Agriculture); Mike Bandy (Agricultural Land Commission)

### 1. Policy 9861 Referral- Greenhouses with Concrete

James Hnatowich, Planner 1, Policy Planning, introduced a referral to evaluate Bylaw 9861, that restricts concrete footings, and report back to Council. Planning Staff provided the following 3 options to be reviewed by FSAAC for comments and considerations:

- Option 1 (Status Quo): This option maintains regulations for greenhouses as currently applied. Individuals wanting to construct a greenhouse with the use of concrete would have to do so through a “fast tracked” application.
- Option 2 (Allow concrete footings): This option amends the AG1 zone to permit greenhouses to use concrete footings, but would require individuals wanting to construct a greenhouse with the use of concrete floors to do so through a “fast tracked” application.
- Option 3 (Permit concrete in greenhouses for a cumulative total area of 750 m<sup>2</sup>): This option permits the use of concrete for greenhouses with a cumulative area of 750 m<sup>2</sup> or less, but undermines City Policy encouraging protection of soil based agriculture. Individuals wanting to construct a greenhouse with the use of concrete in excess of 750 m<sup>2</sup> would do so through a “fast tracked” application.

In response to questions from the Committee, staff provided the following additional comments:

- This referral is coming to FSAAC due to the recent “fast-tracked” application that was completed. Since the City has had an opportunity to work through the process, Council determined now was an appropriate time to revisit Bylaw 9861.
- The City regulates and restricts cannabis production to the fullest extent that is allowed, based on regulations by the Agricultural Land Commission and the Agricultural Land Reserve.
- The 750 m<sup>2</sup> value listed in Option 3 was provided to be consistent with similar existing regulations the City has for concrete use in agricultural buildings.
- With any option, farm operations requiring the use of concrete in excess of what the option could permit, would still be able to do so through the “fast-tracked” application process pending Council approval.

The Committee discussed concerns over restricting farmer’s ability to grow crops on their land via restrictions on concrete, potential safety concerns restricting concrete footings as concrete footings can provide structural stability to greenhouses, and expressed concerns over the possibility of having abandoned greenhouses with concrete floors not being removed.

The Committee passed the following motion:

*That the Food Security and Agricultural Advisory Committee support Option 1 (Status Quo) maintaining regulations for greenhouses as currently applied.*

*Defeated  
With Cynthia Zhou and Abu Jahangir in favour*

The Committee then passed the following motion:

*That the Food Security and Agricultural Advisory Committee support Option 2 which would permit the use of concrete footings in greenhouses.*

*Carried  
With Cory May abstained and Lynn Kemper and Bill McKinney opposed*