

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](mailto:kamelli.mark@gov.bc.ca) | [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

*If you are not the intended recipient of this e-mail and attachments please notify the sender by return e-mail and delete the e-mail and attachments immediately. This e-mail and attachments may be confidential and privileged. Confidentiality and privilege are not lost by this e-mail and attachments having been sent to the wrong person. Any use of this e-mail and attachments by an unintended recipient is prohibited.*



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

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](mailto: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

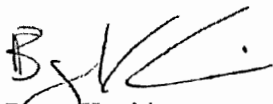


**To:** Richmond City Council  
**From:** Barry Konkin  
 Manager, Policy Planning  
**Date:** January 8, 2019  
**File:** 08-4057-10/2018-Vol 01  
**Re:** Response to Referral: Additional Dwellings in the Agricultural Land Reserve

**Staff Recommendation**

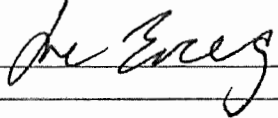
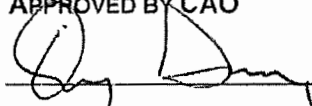
1. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984, be introduced and given first reading;
2. That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9984, having been considered in conjunction with:
  - a. the City's Financial Plan and Capital Program; and
  - b. the 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

- 2 -

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

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 m<sup>2</sup> (3,229 ft<sup>2</sup>); and
- the farm home plate area is no larger than 600 m<sup>2</sup> (6,458 ft<sup>2</sup>).

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
<b>REFER</b>	
Provincial Agricultural Land Commission	Refer to the ALC, consistent with <i>Local Government Act</i> requirements.
<b>NO REFERRAL NECESSARY</b>	
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.

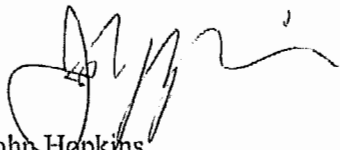
**Financial Impact**

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.



John Hopkins  
Planner 3  
(604-276-4279)

JH:cas

**CNCL - 787**



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

Five horizontal lines for signature or date entry.



MAYOR

CORPORATE OFFICER



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

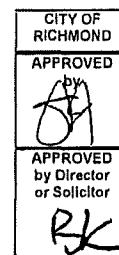
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER