



City of Richmond

Report to Council

To: Richmond City Council
From: Joe Erceg
Chair, Development Permit Panel
Date: September 1, 2020
File: DP 19-876647
Re: **Development Permit Panel Meetings Held on May 27, 2020 and June 10, 2020**

Staff Recommendation

That the recommendation of the Panel to authorize the issuance of a Development Permit (DP 19-876647) for the property at 17720 River Road be endorsed, and the Permit so issued.

For/Joe Erceg
Chair, Development Permit Panel
(604-276-4083)

SB:blg

Panel Report

The Development Permit Panel considered the following item at its meetings held on May 27, 2020 and June 10, 2020.

DP 19-876647 – EASTERBROOK MILLING CO. LTD. – 17720 RIVER ROAD
(May 27, 2020 and June 10, 2020)

The Panel considered a Development Permit (DP) application to permit the construction of a single detached house on a site zoned “Agriculture (AG1)” and designated as an Environmentally Sensitive Area (ESA). A variance is included in the proposal for increased maximum farm house footprint to accommodate a secondary suite on the ground floor for farm workers.

The application was considered at both the May 27, 2020 and June 10, 2020 Development Permit Panel meetings. At the time of the meeting held on May 27, 2020, the application included variances for increased maximum farm house footprint to accommodate a secondary suite on the ground floor for farm workers and increased maximum building height.

At the May 27, 2020 meeting, the applicant, Stephen Easterbrook, provided a brief presentation, including:

- The applicant has been engaged in farming operation in the area for a significant period of time, including, among others, an organic egg farm and multiple organic crop farming.
- The proposed single detached family house will replace the existing single-family dwelling on the subject site and is intended for the use of the applicant and his family and existing farm workers who will be accommodated in the proposed secondary suite.
- A farm house footprint variance is requested to accommodate the proposed secondary suite for farm workers; however, the proposed development still complies with the maximum floor area and farm home plate area in the “Agriculture (AG1)” zone.
- The proposal would help address farm security and biosecurity concerns in the area.
- The organic farm operation on the subject site could mitigate the loss of on-site Environmentally Sensitive Area (ESA) as a result of constructing the proposed residential development.

In response to Panel queries, Stephen Easterbrook acknowledged that: (i) farm workers are currently living in the existing single-family dwelling and will be accommodated in the secondary suite of the proposed residential development; and (ii) the location of the secondary suite on the ground floor will provide adequate living space for the farm workers and privacy to the applicant’s family.

In response to Panel queries, staff confirmed that: (i) the proposed residential development will be located on an ESA; (ii) the City’s Food Security and Agricultural Advisory Committee considered and supported the proposal, including the farm home plate orientation; and (iii) the building height is measured to the top of the chimney.

Staff noted that: (i) approximately 80 percent of the subject site is designated as an ESA, (ii) the City's Official Community Plan (OCP) exempts agricultural activities from ESA compensation requirement; (iii) staff reviewed the proposed ESA compensation for the residential development portion of the subject site; (iv) the proposed ESA compensation scheme includes native planting within the Riparian Management Area (RMA) along the front of the subject property and installing a linear hedgerow along the east property line; (v) the proposed ESA compensation planting plan was prepared by a Qualified Environmental Professional (QEP) and reviewed by staff; (vi) there is a legal agreement to ensure a three-year annual monitoring of the ESA planting by a QEP, (vii) appropriate securities are required to ensure the planting and retention of the new ESA through the development permit process, (viii) the maximum farm house footprint or the ground floor area will be increased by approximately 12 percent to accommodate the secondary suite; (ix) the proposed building height variance includes the top of the chimney; and (x) neighbours have expressed support for the proposed design of the residential development.

Discussion ensued regarding potential design options for the residential development including an alternate location for the secondary suite that would not require any variance. It was also noted that: (i) Council's decision limiting home sizes on agricultural lands should inform the consideration of the proposed variances; (ii) there appears to be no compelling argument to support the proposed variance to the maximum house footprint in order to accommodate a secondary suite; (iii) there is a lack of guarantee for the continued use of the secondary suite by farm workers in the future; and (iv) redesigning the proposed residential development could eliminate the need for a height variance.

The Panel referred the application back to staff and to the following Development Permit Panel meeting, in order for staff to work with the applicant to consider: (i) negotiating a restrictive covenant limiting the use of the proposed secondary suite on the ground floor exclusively for farm workers; and (ii) redesigning the proposed single detached housing in order to comply with the Richmond Zoning Bylaw's maximum height requirement and not require a height variance.

At the June 10, 2020 Development Permit Panel meeting, a revised house design was considered. The revised design retained the proposed variance to increase the maximum farm house footprint to accommodate a secondary suite on the ground floor for farm workers, however, the variance to increase the maximum building height was no longer proposed.

John Roston, of 12262 Ewen Avenue, submitted correspondence regarding the Development Permit application. Staff noted that Mr. Roston provided background information on previous Council decisions regarding house size on Agricultural Land Reserve (ALR) areas and expressed his general support for the proposed variances in the applicant's original submission.

Richmond Farm Watch submitted correspondence regarding the Development Permit application. Staff noted the organization included: (i) acknowledgement of the applicant as a long-term bona fide farmer in Richmond; (ii) their expression of support for the proposed variances in the applicant's original submission; and (iii) concern regarding the legal agreement that would restrict occupancy of the secondary suite to foreign farm workers. In response to this concern, staff confirmed that the legal agreement that would be secured as a condition for approval of the subject application does not deal whatsoever with the immigration status of farm workers.

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In response to a Panel query, staff confirmed that staff is recommending that the legal agreement allow occupancy of the secondary suite to either farm labourers working on a farm operation associated with the subject site or the immediate family of the property owner.

The Panel expressed support for the proposed changes to the applicant's original submission, noting that: (i) there have been extensive discussions and debates in the community regarding farm house size where different views were expressed; and (ii) the application will move forward for Council consideration.

The Panel recommends the Permit be issued.