



**To:** Planning Committee  
**From:** Suzanne Smith  
Acting Director, Development  
**Date:** January 29, 2024  
**File:** AG 22-009023  
RZ 22-009024  
**Re:** Application by Jason Levelton for an Agricultural Land Reserve Non-Adhering Residential Use and Rezoning at 18431 Westminster Highway from "Agriculture (AG1)" to "Agriculture (AG3)"

**Staff Recommendation**

1. That the application by Jason Levelton for an Agricultural Land Reserve Non-Adhering Residential Use to allow seasonal farm labour accommodation at 18431 Westminster Highway be forwarded to the Agricultural Land Commission; and
2. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10534, for the rezoning of 18431 Westminster Highway from "Agriculture (AG1)" to "Agriculture (AG3)", be introduced and given first reading.

Suzanne Smith  
Acting Director, Development

WC:sds  
Att. 6

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Fire Rescue	<input checked="" type="checkbox"/>	
Building Approvals	<input checked="" type="checkbox"/>	

## **Staff Report**

### **Origin**

Jason Levelton (East Richmond Nurseries) has submitted an Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) application (AG 22-009023) and a rezoning application (RZ 22-009024) from the “Agriculture (AG1)” zone to the “Agriculture (AG3)” zone to allow the existing seasonal farm labour accommodation at 18431 Westminster Highway. A location map and aerial photograph are provided in Attachment 1. The subject property is currently occupied by two single-family dwellings, an active farm operation, and associated farm buildings and seasonal farm labour accommodation.

### **Background**

As part of the subject farm operation’s participation in the Federal Government’s Seasonal Agricultural Worker Program (SAWP), Richmond Fire-Rescue (RFR) inspected the seasonal farm labour accommodation on the subject site in 2022. Although all deficiencies from a life and safety perspective were addressed, it was identified that the existing seasonal farm labour accommodation on-site required applicable Agricultural Land Commission (ALC) and City approvals, including an ALR NARU application and rezoning application. The subject site is currently zoned “Agriculture (AG1)”, which does not permit seasonal farm labour accommodation. The purpose of the ALC NARU application and the rezoning to the “Agriculture (AG3)” zone is to allow the existing seasonal farm labour accommodation on-site.

### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 2).

### **Surrounding Development**

To the North: Property zoned “Agriculture (AG1)” and located in the Agricultural Land Reserve (ALR) associated with the subject farm operation.

To the South: Across Westminster Highway, properties zoned “Agriculture (AG1)” and located in the ALR.

To the East: A religious assembly building on a property split-zoned “Assembly (ASY)” and “Agriculture (AG1)”.

To the West: Property zoned “Agriculture (AG1)” and located in the ALR.

### **Related Policies & Studies**

#### **Official Community Plan/Farming First Strategy**

The subject site is designated “Agriculture (AGR)” in the Official Community Plan (OCP), which includes those areas where the principal use is agriculture and food production, but may

include other land uses as permitted under the *Agricultural Land Commission Act* (ALCA). The proposal is consistent with this designation.

The OCP and Farming First Strategy also include policy indicating that seasonal farm labour accommodation, as an additional residential use, may be considered so long as the accommodation is accessory to the principal agricultural purposes and helps to support a farm operation in the Agricultural Land Reserve (ALR). The proposal is consistent with this policy.

#### Ministry of Transportation and Infrastructure

As the subject site is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, this proposal was referred to the Ministry of Transportation and Infrastructure (MOTI). Confirmation has been received from MOTI indicating no objection to the proposal. Final approval from MOTI is required prior to final adoption of the rezoning bylaw.

#### Floodplain Management Implementation Strategy

The proposal must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

#### Heritage

The building containing the seasonal farm labour accommodation is listed on the City's Heritage Inventory (Beckwith Barn). Assets listed on the City's Heritage Inventory do not have any formal heritage protection measures. The Beckwith Barn is proposed to remain, with minor interior and exterior changes required to accommodate BC Building Code requirements (no Heritage Alteration Permit (HAP) required). The building was renovated in the early 2000s, however a number of key character-defining elements, including the gambrel roof form and the rectangular barn plan, have remain unchanged. The property owner has agreed to register a legal agreement on Title prohibiting demolition or exterior changes to the "Beckwith Barn" building without consent from the City to ensure heritage character defining elements are maintained.

A second building (Beckwith House) which is located on the property, is also listed on the City's Heritage Inventory. This second building is not associated with the proposed seasonal farm labour use, and there are no proposed changes to that building.

#### Food Security & Agricultural Advisory Committee

The proposal was reviewed and supported by the Food Security and Agricultural Advisory Committee (FSAAC) at its meeting held on September 28, 2023. An excerpt from the September 28, 2023 FSAAC meeting minutes is provided in Attachment 3.

#### **Public Consultation**

In accordance with the City's Early Public Notification Policy, notice of the rezoning application was provided to residents within 100 metres of the subject site. In addition, a rezoning sign has

been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the early public notification or placement of the rezoning sign on the property. Public notification is not required for the application to the Agricultural Land Commission (ALC).

Should the Planning Committee endorse the rezoning application and Council grant 1<sup>st</sup> reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the *Local Government Act* and the City's *Zoning Bylaw 8500*.

## **Analysis**

### **Application to the Agricultural Land Commission**

The purpose of the application to the Agricultural Land Commission (ALC) is to allow the existing seasonal farm labour accommodation on-site. As per the *Agricultural Land Commission Act* (ALCA), agricultural land may have no more than one residence per parcel unless permitted by the Commission or the regulations. The ALR Use Regulation permits an additional residence if certain conditions are met. If an owner wishes to construct an additional residence not permitted by the regulations, the owner must submit a Non-Adhering Residential Use (NARU) application to the ALC. The ALCA also states that the Commission must not grant permission for an additional residence unless the additional residence is necessary for farm use. In considering whether an additional residence is necessary for farm use, the Commission will assess the scale and intensity of the farm operation.

ALC approval of the NARU application is required prior to final adoption of the rezoning bylaw.

### **Farm Operation**

The family-owned farm operation (East Richmond Nurseries) farms approximately 25 acres (10 hectares) and consists of 18431 & 18531 Westminster Highway. The minimum size of a farm operation associated with seasonal farm labour accommodation is 8.09 hectares, as per the AG3 zone.

The farm operation is a nursery, including trees, shrubs, perennials and ground covers. The family-owned farm has existing on the site since the 1940s under a number of different operations, establishing the current nursery operation in 1987. The applicant has provided evidence the site is classified as farm under the *BC Assessment Act*.

### **Seasonal Farm Labour Accommodation**

The farm operation includes a total of 6 seasonal farm labourers, provided through the Federal Government's Seasonal Agricultural Worker Program (SAWP). The applicant has provided evidence that the application to this program was approved by the Federal Government. The applicant has indicated that the seasonal farm labourers are needed to assist with growing the

nursery stock. The applicant has also indicated that previous attempts to hire locally resulted in no responses.

The building used to house the workers is the existing barn located along Westminster Highway. The barn is approximately 400 m<sup>2</sup> (4,302 ft<sup>2</sup>) in total floor area, with 105 m<sup>2</sup> (1,126 ft<sup>2</sup>) used for the purposes of accommodating the temporary farm workers. The size per worker is approximately 17.5 m<sup>2</sup> (188 ft<sup>2</sup>) of floor area. This is consistent with the City's AG3 zone which requires a minimum floor area of 10.0 m<sup>2</sup> (108 ft<sup>2</sup>) per occupant. The location and photos of the seasonal farm labour accommodation are provided in Attachment 4.

Richmond Fire-Rescue (RFR) inspected the accommodations in 2022 and all deficiencies from a life and safety perspective had been addressed. In addition, a Code Report was submitted by the applicant and reviewed by the City's Building Approvals Department, which identified remaining upgrades to achieve compliance, including interior improvements and new external access (Attachment 5). A Building Permit is required to address these upgrades and legitimize the existing seasonal farm labour accommodation. Prior to final adoption of the rezoning bylaw, a Building Permit is required to be submitted consistent with the submitted Code Report and to the satisfaction of the Director, Building Approvals.

### Rezoning Application

The City's "Agriculture (AG1)" zone limits the number of residences to one residence per parcel. The City's "Agriculture (AG3)" zone allows seasonal farm labour accommodation, in addition to a principal residence, subject to specific conditions. The proposal includes rezoning the subject site from "Agriculture (AG1)" to "Agriculture (AG3)" in order to allow the existing seasonal farm labour accommodation. The AG3 zone also includes a number of provisions related to seasonal farm labour accommodation, including:

- Minimum farm operation size of 8.09 ha;
- Seasonal farm labour accommodation must be located on the same lot as an existing single detached house;
- Only one seasonal farm labour accommodation permitted per farm operation;
- A building used for seasonal farm labour accommodation shall not exceed 400 m<sup>2</sup>;
- Minimum floor area per occupant of 10 m<sup>2</sup>; and
- A building used for seasonal farm labour accommodation is considered a dwelling with all regulations relating to density, minimum and maximum setbacks, and height to apply.

In addition, a legal agreement is required to be registered on title prior to final adoption of the rezoning bylaw to secure the following requirements as identified in the AG3 zone:

- must adhere to all relevant components of the Building Code and the City's Building Regulation;
- subject to inspections by the City during any 12 month period to ensure that occupation is in compliance with the regulations;

- does not need to be removed when not occupied by seasonal farm labour if the use is required on an ongoing, annual basis for the agricultural purpose of the farm operation;
- if no longer required for the farm operation, all area used for seasonal farm labour accommodation must be removed and restored to its original state; and
- costs of removal of the seasonal farm labour accommodation and restoration to its original state are to be the responsibility of the property owner.

As per the AG3 zone, if seasonal farm labour accommodation is no longer required for the farm operation, all area used for seasonal farm labour accommodation must be removed and restored to its original state.

### **Financial Impact**

None.

### **Conclusion**

Jason Levelton (East Richmond Nurseries) has submitted an Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) application (AG 22-009023) and a rezoning application (RZ 22-009024) to allow the existing seasonal farm labour accommodation at 18431 Westminster Highway.

The proposal complies with the applicable policies and land use designations contained in the Official Community Plan.

The list of rezoning considerations is included in Attachment 6, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that the ALR NARU application be forwarded to the Agricultural Land Commission (ALC) and that Richmond Zoning Bylaw 8500, Amendment Bylaw 10534 be introduced and given first reading.



Steven De Sousa  
Planner 3

SDS:cas

Attachment 1: Location Map & Aerial Photo

Attachment 2: Development Application Data Sheet

Attachment 3: Excerpt from the September 28, 2023 FSAAC Meeting Minutes

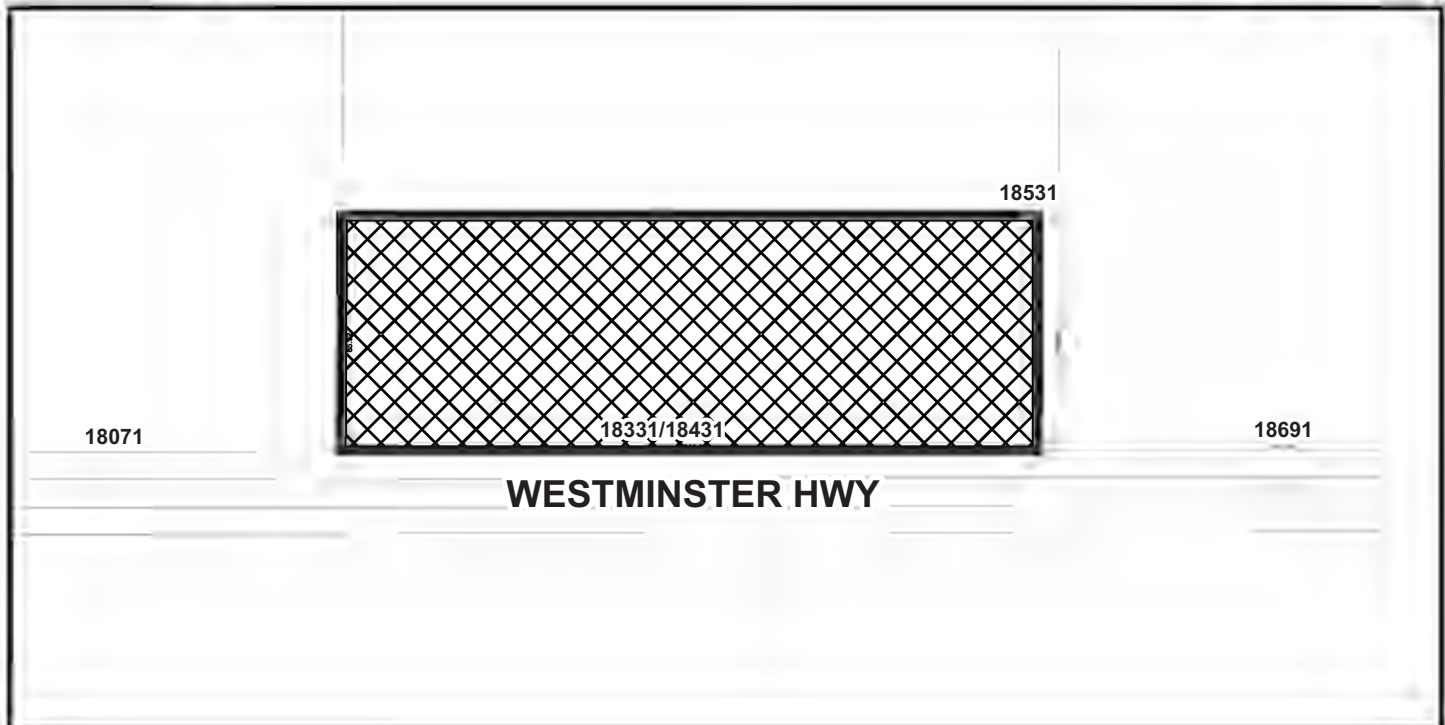
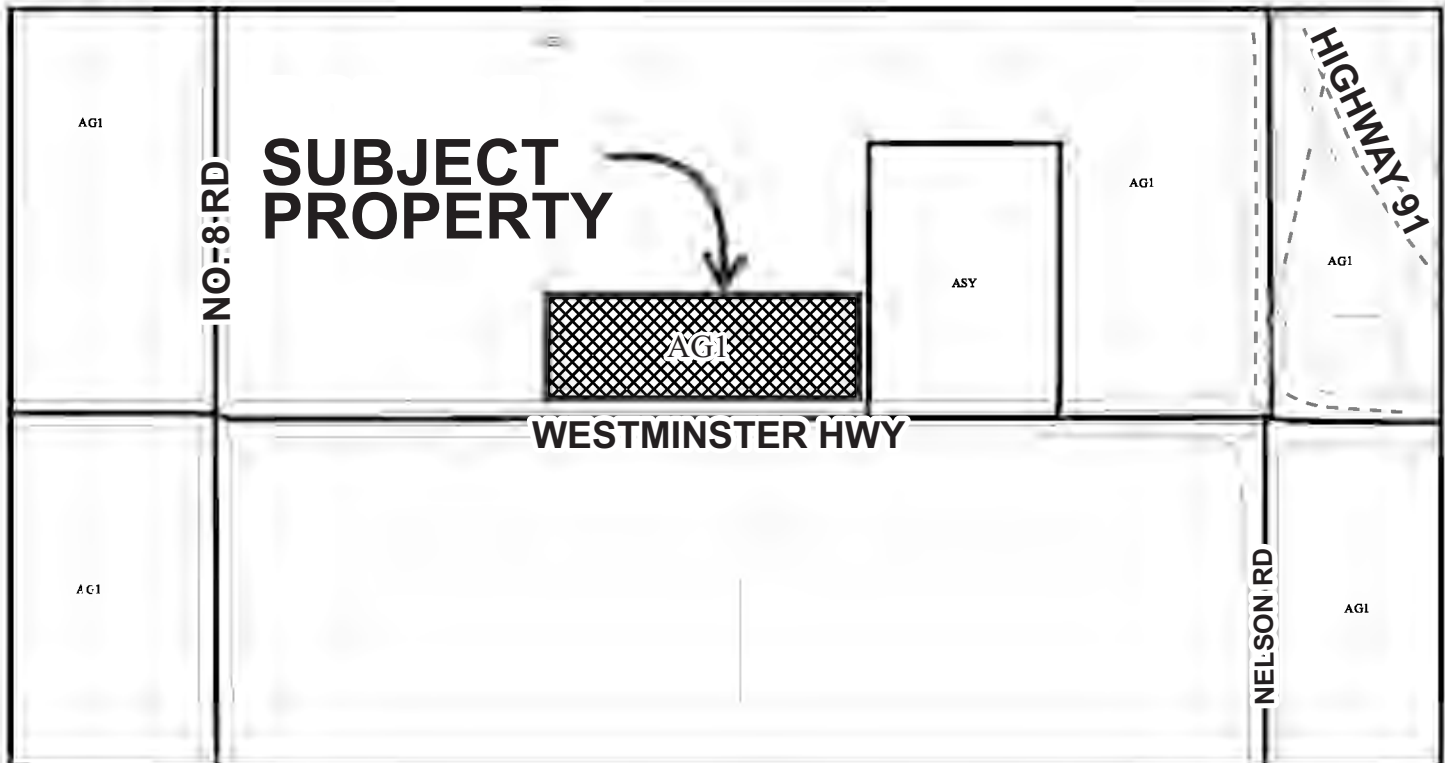
Attachment 4: Location and Photos of the Seasonal Farm Labour Accommodation

Attachment 5: Code Report

Attachment 6: Rezoning Considerations



City of  
Richmond



AG 22-009023  
RZ 22-009024  
PLN - 95

Original Date: 03/07/22

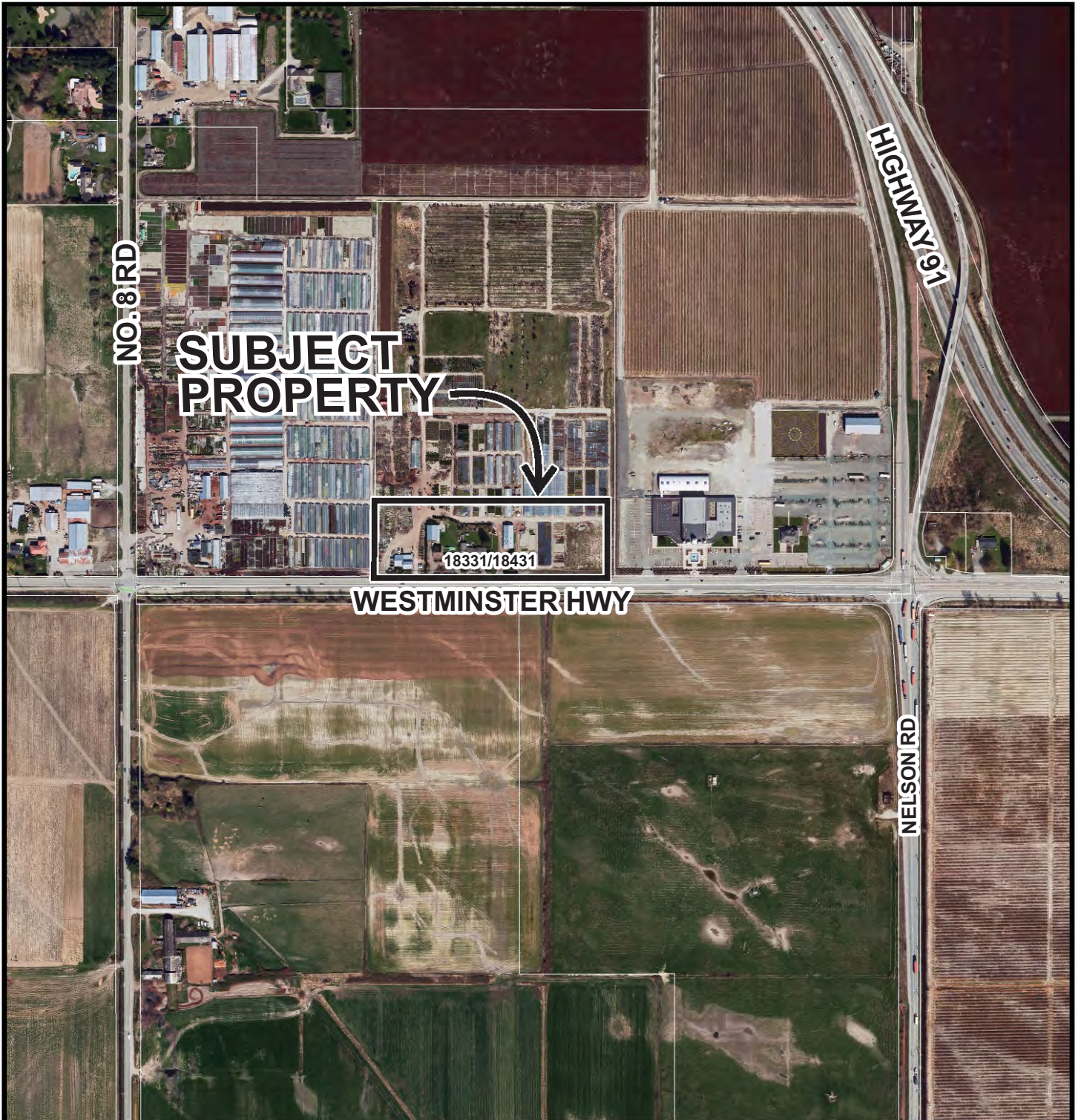
Revision Date:

Note: Dimensions are in METRES





# City of Richmond



AG 22-009023  
RZ 22-009024  
PLN -96

Original Date: 03/07/22

Revision Date: 03/08/22

Note: Dimensions are in METRES





AG 22-009023 / RZ 22-009024

Attachment 2

Address: 18431 Westminster Highway

Applicant: Jason Levelton

Planning Area(s): East Richmond

	Existing	Proposed
<b>Owner:</b>	Jason & Jane Levelton	No change
<b>Site Size:</b>	25 acres (10 hectares)	No change
<b>Land Uses:</b>	Farm business and seasonal farm labour accommodation	No change
<b>OCP Designation:</b>	Agriculture (AGR)	No change
<b>Zoning:</b>	Agriculture (AG1)	Agriculture (AG3)
<b>Other Designations:</b>	Agricultural Land Reserve (ALR)	Non-Adhering Residential Use for seasonal farm labour accommodation

Seasonal farm labour accommodation	Bylaw Requirement	Proposed	Variance
Farm Operation Size:	Min. 8.09 ha	25 ac (10 ha)	None
Location of seasonal farm labour accommodation:	On the same lot as an existing single detached housing	Complies	None
Number of seasonal farm labour accommodation:	Max. 1	1	None
Floor Area – Building:	Max. 400 m <sup>2</sup>	105 m <sup>2</sup> (used for seasonal farm labour accommodation)	None
Floor Area – Occupant:	Min. 10 m <sup>2</sup> per occupant	17.5 m <sup>2</sup>	None
Density, setbacks, and height:	Consistent with single detached housing requirements	Complies	None

**Excerpt from the Meeting Minutes of the  
Food Security and Agricultural Advisory Committee (FSAAC)**

**Thursday, September 28, 2023 (7:00 pm)  
Webex**

**ALR Non-Adhering Residential Use and Rezoning Application at 18431 Westminster Highway for Seasonal Farm Labour Accommodation**

Steven De Sousa, Planner 3, Policy Planning, introduced the ALR Non-Adhering Residential Use and Rezoning applications and provided the following comments:

- The proposal includes two applications, a Non-Adhering Residential Use application to the Agricultural Land Commission (ALC) and a rezoning application, which are being processed concurrently;
- The purpose of the applications is to allow seasonal farm labour accommodation on the subject site;
- During an inspection of the accommodation by Richmond Fire-Rescue (RFR), it was identified that the existing seasonal farm labour accommodation on-site required an application to the ALC and rezoning application;
- The farm operation includes 6 seasonal farm labourers, provided through the Government of Canada Seasonal Agricultural Worker Program. The applicant has provided evidence that the Application for this program was approved by the Federal Government; and
- RFR has inspected the accommodations and all deficiencies from a life and safety perspective have been addressed. Additional reports are also required and will be reviewed by staff to assess compliance to BC Building Code to determine if any further upgrades are needed.

The applicant provided the following additional comments:

- The farm operation has employed and accommodated seasonal farm labour on-site since 2006;
- The farm operation experienced significant difficulty acquiring labour locally and the seasonal farm labour program through the Federal Government has provided much needed labour; and
- Attempts to house the seasonal farm workers in a single-family home off-site presented challenges due to the short-term nature of the accommodation.

In response to questions from Councillor Gillanders, Planning staff indicated that the AG3 zone was introduced in the early 2000s and provided an opportunity for farms with seasonal farm labour accommodation to rezone on a case-by-case basis.

In response to questions from the Committee, the applicant indicated that the accommodation is provided free of charge.

The Committee expressed that the acquisition of farm labour is a significant issue for many farm operations.

The Committee passed the following motion:

*That the Food Security and Agricultural Advisory Committee support the ALR Non-Adhering Residential Use and Rezoning Application at 18431 Westminster Highway for Seasonal Farm Labour Accommodation (AG 22-009023 / RZ 22-009024).*

*Carried Unanimously*





# 18431 Westminster Highway



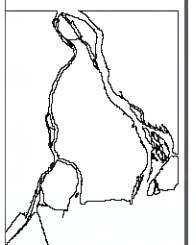
PLN - 100

Location of Seasonal  
Farm Labour  
Accommodation



Print Date: 2023-09-11

Note:  
This map is a general representation of the site and is not intended to be used for any other purpose. The City of Richmond does not warrant, express or implied, the accuracy of the information provided on this map. Users are advised to verify the information on this map with the City of Richmond. This is NOT a legal document. It is published for information and reference only. All rights reserved. Not to be reproduced or distributed without permission.





## Photos of Seasonal Farm Labour Accommodation - 18431 Westminster Highway







Code Analysis

9.10.2.4. Major Occupancies above Other Major Occupancies  
1) Except as permitted in Article 9.10.2.4., in any building containing more than one major occupancy in which one major occupancy is located entirely above another, the requirements of Article 9.10.8.1. for each portion of the building containing a major occupancy shall be applied to that portion as if the entire building was of that major occupancy.  
- **two major occupancies, business (D) and residential (C)**

9.10.8. Fire Resistance and Combustibility in Relation to Occupancy, Height and Supported Elements  
Table 9.10.8.1.  
Fire-Resistance Ratings for Structural Members and Assemblies Forming Part of Sentence 9.10.8.1.(1)  
Residential (Group C)

Floors Except Floors over  
Basement Spaces  
45  
Roofs  
--

All other occupancies  
Maximum Building Height,  
storeys  
3  
Floors Except Floors over  
Basement Spaces  
45  
Roofs  
45

9.10.8.3. Fire-Resistance Ratings for Walls, Columns and Arches  
1) Except as otherwise provided in this Subsection, all loadbearing walls, columns and arches in the storey above the ground floor or assembly shall have a fire-resistance rating of not less than that required for the supported floor or roof assembly.

9.10.9. Fire Separations between Rooms and Spaces within Buildings  
9.10.9.2. Continuous Barrier  
1) Except as permitted in Article 9.10.9.3., a wall or floor assembly required to be a fire separation shall be constructed as a continuous barrier against the spread of fire and retard the passage of smoke.  
- **to be provided between two suites and office area**

9.10.9.1.1. Separation of Residential Occupancies  
1) Except as provided in Sentence (2), residential occupancies shall be separated from all other major occupancies by a fire separation having a fire-resistance rating of not less than 1 h.

- 1 Hr FR to be provided
- All walls, load bearing and separations,
    - internal, 1 layer 5/8" Type X GWB on each side of wood framed walls
    - exterior walls, 1 layer 5/8" Type X on the inside of wood framed walls
    - max. stud spacing 400 mm [16"]
  - Basis for walls, Appendix D, BCBC
  - 2 layers 5/8" Type X GWB under wood framing, with or without furring channels
    - 2 layers 5/8" Type X GWB under wood framing, with or without furring channels
    - members framing only, floor material is not required
    - 2 layers 5/8" Type X GWB on ceiling
    - 2 layers 5/8" Type X GWB on ceiling

9.10.13. Doors, Dampers and Other Closures in Fire Separations

9.10.13.1. Closures  
1) Except as provided in Article 9.10.13.2., openings in required fire separations shall be protected with a closure conforming to Table 9.10.13.1. and shall be installed in conformance with Chapters 2 to 14 of NFPA 80 - Fire Doors and Other Opening Protective, unless otherwise specified herein. (See also Article 9.10.3.1.)

Required Fire-Resistance Rating of Fire Separation

Minimum Fire-Protection  
Rating of Closure  
20 min (1)  
45 min (1)  
1 h

- 45 min doors to be provided in all fire rated separations
- all rated doors to have lever type handles
  - all rated doors to have panic bolts, not other locks
  - all rated doors to have closers



The Barn Building at East Richmond Nurseries

Project Description

Documentation of Employee Housing within the existing Barn Building at East Richmond Nurseries. Code review for essential health and life safety and proposed work to be accomplished.

Code Review

Basis: BCBC 2018  
Three (3) Storey Office and Residential Use  
Combustible construction  
Not sprinklered

All residential units have washrooms / kitchens / access to washer + dryer

Units are not accessible

- the two units are for seasonal farm employees

All bedrooms have operable windows

All units have fire extinguishers in the kitchen or living room or main.

All units have handiomed smoke detectors

All units have physically mounted fire extinguishers

- checked each year by ACME Fire and Safety Co. Ltd.

All units appear structurally sound

- no change proposed

All units are tight to the weather

- no leaks or weather damage was observed on the inside of this building

All units have electric baseboards for heating only

- no change proposed

No hazardous nor flammable materials are stored in any storage room in this building.

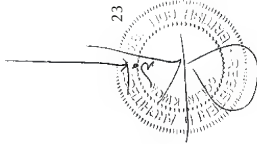
Note, Office currently shares the lower kitchen area and washroom with the lower unit

Proposed work

- definition of exiting for two separate suites
- fire rated walls / floors
- complete with fire rated doors

East Richmond Nurseries  
18431 Westminster Hwy  
Richmond, BC, Canada. Earth

19 Jul 2023. Issued for Review.  
26 Sept 2023. Issued for Review.  
17 Oct 2023. Issued for Review.  
23 Nov 2023. Issued with Additional Code Notes.



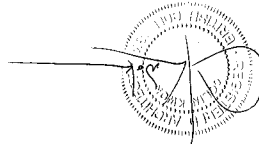
23 November 2023

Floor Plans  
[Photo of the floor plans]

1/4" = 1' - 0" (when printed at 1: scale)



A Z U R E A N ARCHITECTURE INC.  
EXACTITUDE PASSION TRUTH  
1105 Seymour Dr. West Vancouver, V8V 2B9, Canada, Earth  
+1 (604) 762-1341 | [operations@azuren.ca](mailto:operations@azuren.ca)



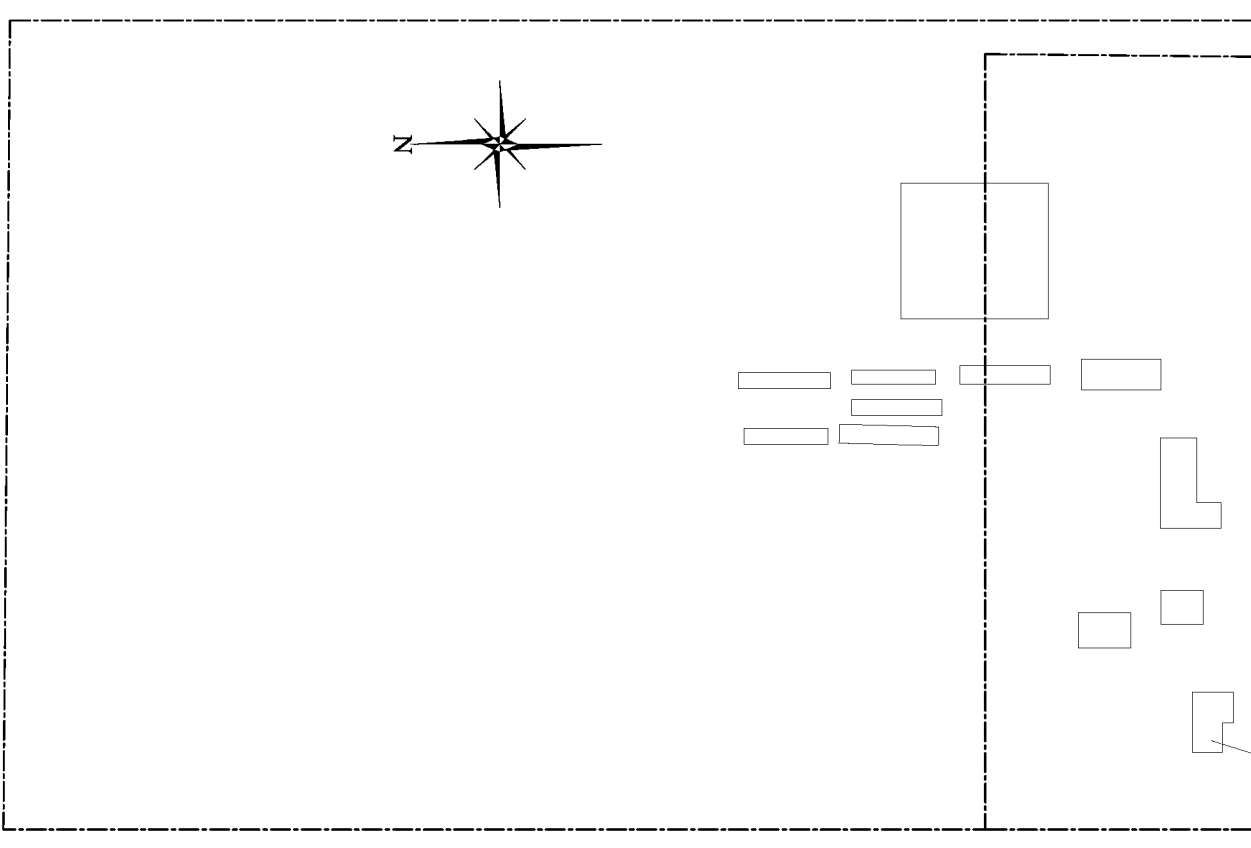
East Richmond Nurseries  
23 November 2023

East Richmond Nurseries  
18431 Westminister Hwy  
Richmond, BC, Canada, Earth

19 Jul 2023. Issued for Review.  
26 Sept 2023. Issued for Review.  
17 Oct 2023. Issued for Review.  
23 Nov 2023. Issued with Additional Code Notes.

Flöte Plans  
(Kingtonel P/posed)

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Applied 1:1500 (when printed at 11 x 17)



Westminister Highway

The Barn Building at East Richmond Nurseries  
[Aerial photo courtesy of Google Maps]



The Barn Building at East Richmond Nurseries  
[Aerial photo courtesy of Google Maps]

PLN - 103





All handrails to be reviewed on site to conform to code

Section One

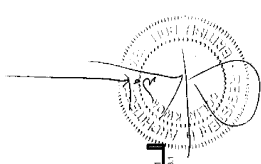
## Section Two

## Second Floor

Ground Floor



AZUREAN ARCHITECTURE INC.  
EXACTITUDE PASSION TRUTH  
1105 Elmwood Dr. West Vancouver, V8B 2B9, Canada, Earth  
+1 (604) 762-1341 | operations@azurean.ca



23 November 2023

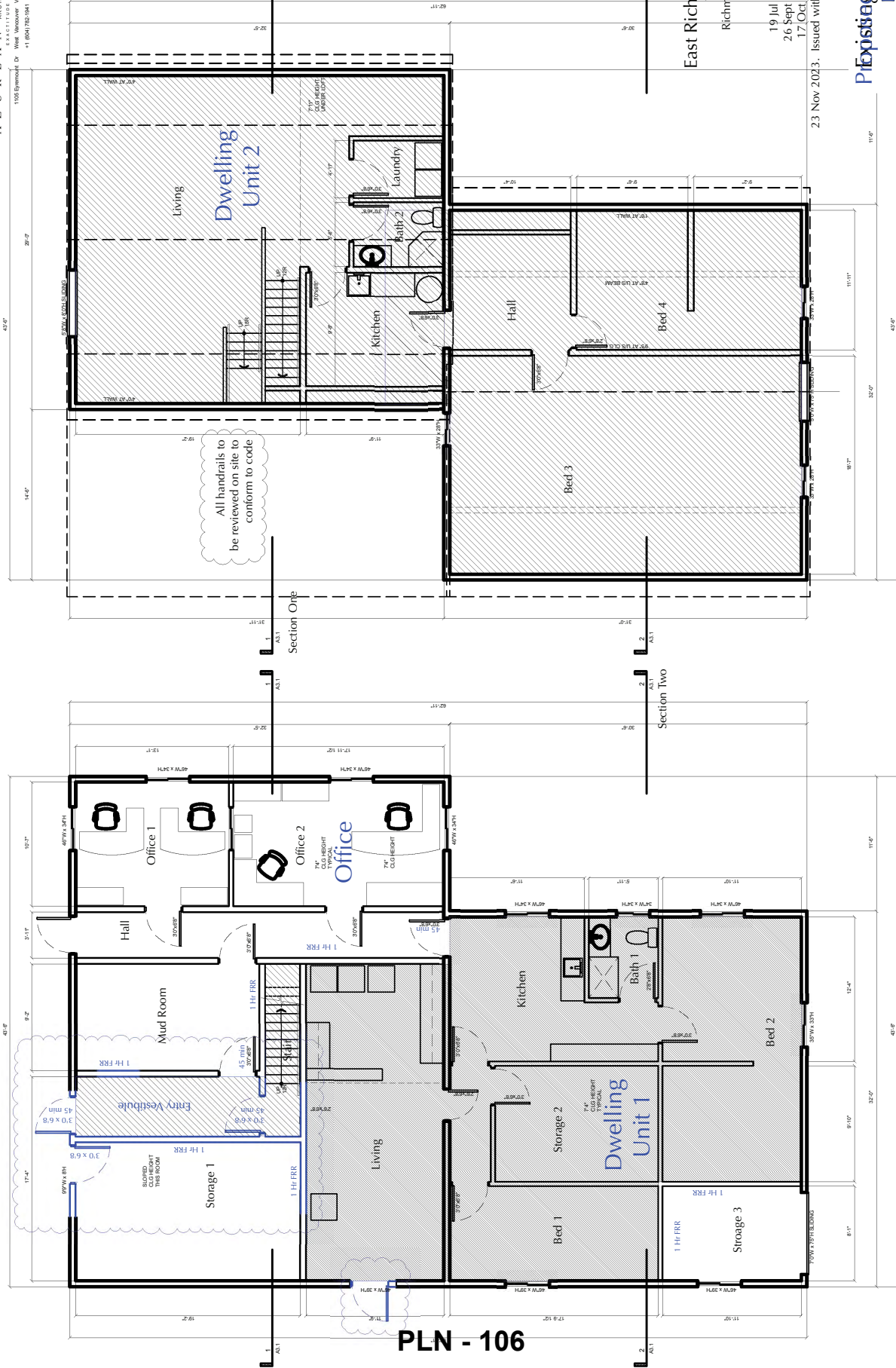


East Richmond Nurseries  
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19 Jul 2023, Issued for Review.  
26 Sep 2023, Issued for Review.  
17 Oct 2023, Issued for Review.  
23 Nov 2023, Issued with Additional Code Notes.

Existing Floor Plans  
[Ground + Second]

A 1.00  
1/8" = 1'-0" (when printed at 11 x 17)



Ground Floor

All Load Bearing Walls and Fire Separations to be confirmed on site by the Architect.  
Note: all load bearing walls are 1 Hr FRR, only new walls and partitions which may or may not be loadbearing are noted.

Second Floor

All Load Bearing Walls and Fire Separations to be confirmed on site by the Architect.





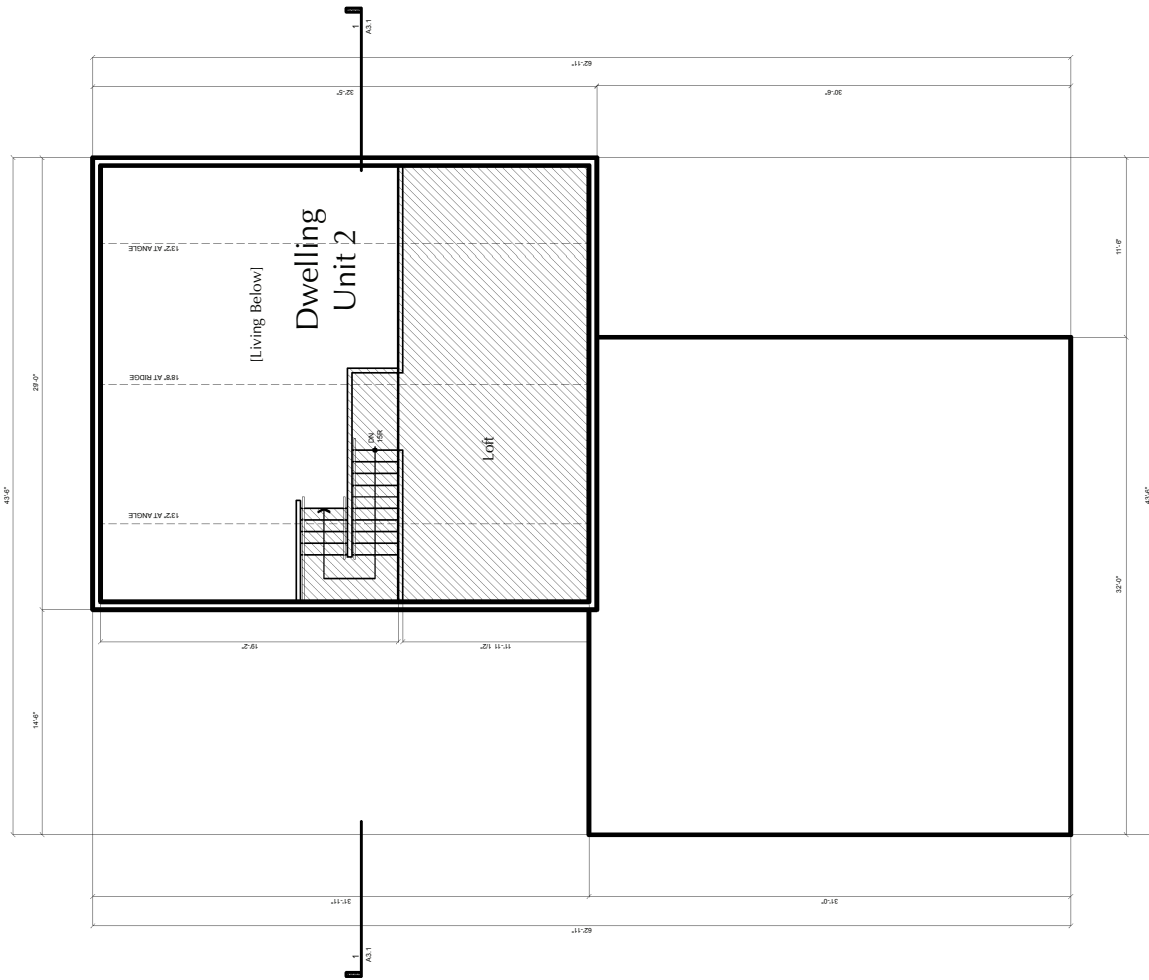
**East Richmond Nurseries**  
18431 Westminster Hwy  
Richmond, BC. Canada. Earth

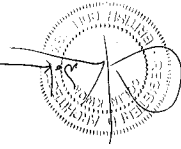
19 Jul 2023. Issued for Review.  
26 Sept 2023. Issued for Review.  
17 Oct 2023. Issued for Review.  
23 Nov 2023. Issued with Additional Code Notes.

### Existing and Proposed Floor Plans

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1/8" = 1' - 0" (when printed at 11 x 17)

Case Filed By Date Sent  
23 November 2023

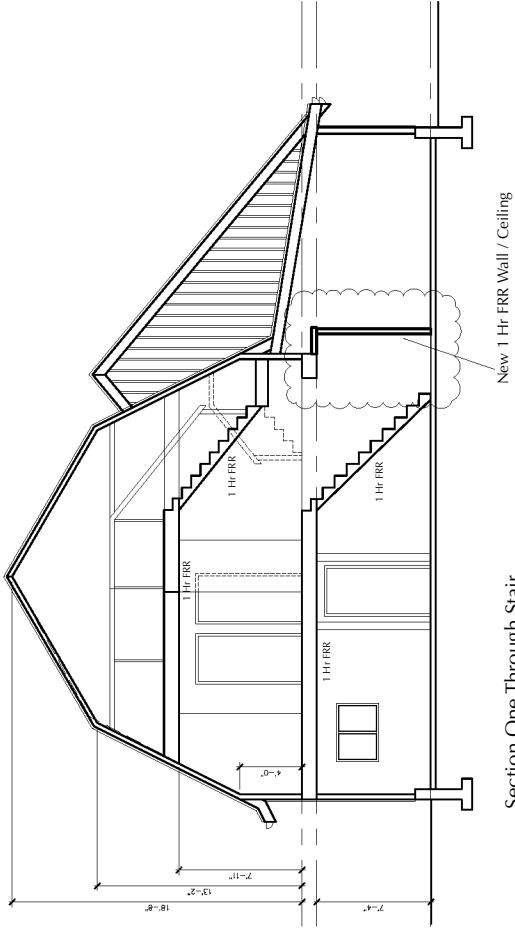




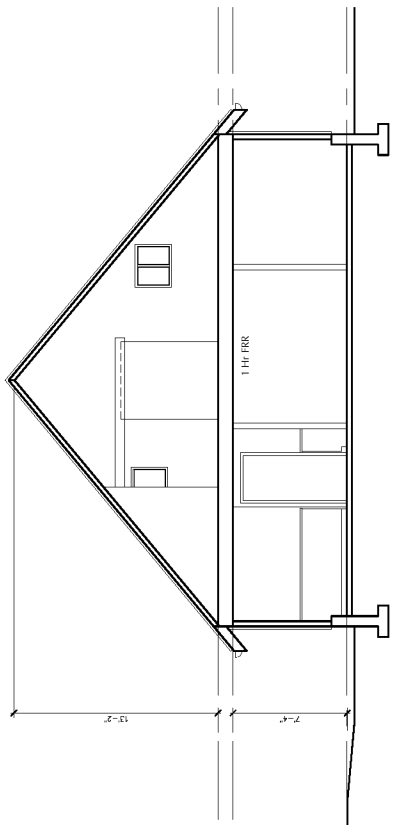
West



A Z U R E A N ARCHITECTURE INC.  
EXACTITUDE PASSION TRUTH  
1105 Seymour Dr. West Vancouver, V8B 2B9 Canada, Earth  
+1 (604) 762-1341 [openings@azurean.ca](mailto:openings@azurean.ca)



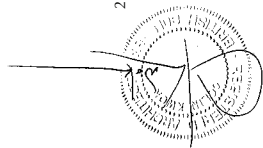
**Section One Through Stair**  
Any wall, interior or exterior supporting the second floor or loft is to be rated 1 hr.



**Section Two Through Office**

**East Richmond Nurseries**  
18431 Westminster Hwy  
Richmond, BC, Canada, Earth

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**Fl o s e c t i o n s**  
**[E x a m p l e P l a n s]**

**A 3.00**  
1/4" = 1'-0" (when printed at 1:1 scale)



**Address:** 18431 Westminster Highway

**File No.:** RZ 22-009024

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10534, the developer is required to complete the following:**

1. Agricultural Land Commission (ALC) Approval of the Non-Adhering Residential Use (NARU) application.
2. Provincial Ministry of Transportation & Infrastructure Approval.
3. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 3.5 m GSC.
4. Submission of a Building Permit application to legitimize the existing seasonal farm labour accommodation consistent with the submitted Code Report (dated November 23, 2023) and to the satisfaction of the Director, Building Approvals.
5. Registration of a legal agreement on title ensuring the following requirements as identified in the AG3 zone:
  - a) must adhere to all relevant components of the Building Code and the City's Building Regulation;
  - b) subject to inspections by the City during any 12 month period to ensure that occupation is in compliance with the regulations;
  - c) does not need to be removed when not occupied by seasonal farm labour if the use is required on an ongoing, annual basis for the agricultural purpose of the farm operation;
  - d) if no longer required for the farm operation, all area used for seasonal farm labour accommodation must be removed and restored to its original state; and
  - e) costs of removal of the seasonal farm labour accommodation area and restoration to its original state are to be the responsibility of the property owner.
6. Payment of all fees in full for the cost associated with the Public Hearing Notices, consistent with the City's Consolidated Fees Bylaw No 8636, as amended.
7. Registration of a legal agreement on title prohibiting demolition or exterior changes to the "Beckwith Barn" building without consent from the City to ensure heritage character defining elements are maintained.

**Prior to Building Permit Issuance, the developer must complete the following requirements:**

1. Building Permit (BP) plans must meet BC Building Code, Zoning Bylaw 8500, and requirements from Richmond Fire-Rescue (RFR).
2. Submission of Building Permit (BP) plans consistent with the associated Agricultural Land Commission (ALC) Non-Adhering Residential Use (NARU) and rezoning applications.

**Note:**

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

[Signed copy on file]

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date





**Richmond Zoning Bylaw 8500  
Amendment Bylaw 10534 (RZ 22-009024)  
18431 Westminster Highway**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it “**AGRICULTURE (AG3)**”.

P.I.D. 003-684-636

PARCEL "H" (EXPLANATORY PLAN 8122) OF PARCEL "C" SECTION 6 BLOCK 4  
NORTH RANGE 4 WEST NEW WESTMINSTER DISTRICT

2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 10534**”.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND  
INFRASTRUCTURE APPROVAL

ADOPTED

\_\_\_\_\_  
MAYOR

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

