



City Council

**Council Chambers, City Hall
6911 No. 3 Road**

**Monday, November 23, 2015
7:00 p.m.**

Pg. # ITEM

MINUTES

1. *Motion to:*

(1) *adopt the minutes of the Regular Council meeting held on November 9, 2015; (distributed previously)*

CNCL-9

(2) *adopt the **minutes** of the Regular Council meeting for Public Hearings held on November 16, 2015; and*

CNCL-15

(3) *receive for information the Metro Vancouver **'Board in Brief'** dated October 30, 2015.*



AGENDA ADDITIONS & DELETIONS

COMMITTEE OF THE WHOLE

2. *Motion to resolve into Committee of the Whole to hear delegations on agenda items.*



3. Delegations from the floor on Agenda items.

PLEASE NOTE THAT FOR LEGAL REASONS, DELEGATIONS ARE NOT PERMITTED ON ZONING OR OCP AMENDMENT BYLAWS WHICH ARE TO BE ADOPTED OR ON DEVELOPMENT PERMITS/DEVELOPMENT VARIANCE PERMITS – ITEM NO. 15.

4. *Motion to rise and report.*



RATIFICATION OF COMMITTEE ACTION

CONSENT AGENDA

PLEASE NOTE THAT ITEMS APPEARING ON THE CONSENT AGENDA WHICH PRESENT A CONFLICT OF INTEREST FOR COUNCIL MEMBERS MUST BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

CONSENT AGENDA HIGHLIGHTS

- Receipt of Committee minutes
- 2016 Japan National Sail Training Institute Visit and 2017 Canada 150 Planning
- Land use applications for first reading (to be further considered at the Public Hearing on December 15, 2015):
 - 2760 Sweden Way – Zoning Text Amendment to IR1 (Pacific Land Resource Group Inc. – applicant)
 - 10340 Odlin Road – Rezone from RS1/B to RS1/K (CIS Homes Ltd. – applicant)
- Carbon Neutrality and Richmond Carbon Marketplace Update

5. *Motion to adopt Items No. 6 through No. 10 by general consent.*



6. **COMMITTEE MINUTES**

That the minutes of:

- CNCL-21 (1) the **Community Safety Committee** meeting held on November 10, 2015;

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|---------|---|
| CNCL-28 | (2) <i>the General Purposes Committee meeting held on November 16, 2015;</i> |
| CNCL-32 | (3) <i>the Planning Committee meeting held on November 17, 2015; and</i> |
| CNCL-37 | (4) <i>the Public Works and Transportation Committee meeting held on November 18, 2015;</i>
<i>be received for information.</i> |



Consent
Agenda
Item

7. **2016 JAPAN NATIONAL SAIL TRAINING INSTITUTE VISIT AND 2017 CANADA 150 PLANNING**
(File Ref. No. 06-2345-01) (REDMS No. 4803582 v. 2)

CNCL-42

See Page CNCL-42 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

That the report titled “2016 Japan National Sail Training Institute Visit and 2017 Canada 150 Planning,” from Councillor Bill McNulty be approved for implementation.



Consent
Agenda
Item

8. **APPLICATION BY PACIFIC LAND RESOURCE GROUP INC. FOR A ZONING TEXT AMENDMENT TO THE INDUSTRIAL RETAIL (IR1) ZONE TO PERMIT RETAIL SALE OF AUTOMOTIVE PARTS AND ACCESSORIES AT 2760 SWEDEN WAY**
(File Ref. No. 12-8060-20-009503; ZT 15-710920) (REDMS No. 4777031)

CNCL-46

See Page CNCL-46 for full report

PLANNING COMMITTEE RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9503, for a Zoning Text Amendment to the “Industrial Retail (IR1)” zone to permit “Retail, general uses, limited to retail sale of automotive parts and accessories” at 2760 Sweden Way, be introduced and given first reading.



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Consent
Agenda
Item

9. **APPLICATION BY CIS HOMES LTD. FOR REZONING AT 10340 ODLIN ROAD FROM SINGLE DETACHED (RS1/B) TO SINGLE DETACHED (RS2/K)**

(File Ref. No. 12-8060-20-009504; RZ 15-693376) (REDMS No. 4795912)

CNCL-58

See Page CNCL-58 for full report

PLANNING COMMITTEE RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9504, for the rezoning of 10340 Odlin Road from “Single Detached (RS1/B)” to “Single Detached (RS2/K),” be introduced and given first reading.



Consent
Agenda
Item

10. **CARBON NEUTRALITY AND RICHMOND CARBON MARKETPLACE UPDATE**

(File Ref. No. 10-6000-01) (REDMS No. 4758152 v. 19)

CNCL-77

See Page CNCL-77 for full report

PUBLIC WORKS AND TRANSPORTATION COMMITTEE RECOMMENDATION

- (1) *That the staff report titled, “Carbon Neutrality and Richmond Carbon Marketplace Update,” from the Director of Engineering, dated October 30, 2015 be received for information; and*
- (2) *That the Chief Administrative Officer and the General Manager, Engineering and Public Works be authorized to negotiate and execute agreements with each of the five prospective Richmond-based business organizations to support community greenhouse gas emissions reductions and to ensure that the City of Richmond corporate carbon neutrality is maintained.*



CONSIDERATION OF MATTERS REMOVED FROM THE
CONSENT AGENDA

NON-CONSENT AGENDA ITEMS

GENERAL PURPOSES COMMITTEE

Mayor Malcolm D. Brodie, Chair

11. **RICHMOND COMMENTS: PROPOSED MINISTRY OF AGRICULTURE BYLAW STANDARDS FOR AGRI-TOURISM AND FARM RETAIL SALES IN THE AGRICULTURAL LAND RESERVE (ALR) AND RELATED MATTERS (ALR WINERIES, MONITORING AND ENFORCEMENT)**

(File Ref. No. 08-4430-03-07) (REDMS No. 4768773)

CNCL-86

See Page CNCL-86 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

Opposed: Cllrs. Au and Loo

- (1) *That regarding the proposed Ministry of Agriculture Bylaw Standards for Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve (ALR), the Minister of Agriculture be requested to:*
 - (a) *specify how agri-tourism is to be subordinate to the principal active farm operation and only augment a farmer's regular farm income, not exceed or replace it;*
 - (b) *provide specific guidelines to determine the appropriate amount to be considered "small-scale (agri-tourism)" based on the size of the farm operation;*
 - (c) *provide more detailed criteria to determine the appropriate size and siting of agri-tourism structures (e.g., the maximum building area and site coverage);*
 - (d) *provide clarification on what types of uses can be permitted in an agri-tourism structure;*
 - (e) *provide specific guidance on the adequate amount of parking necessary for farm retail sales, to avoid excessive paving and minimize negative impacts on farmland;*
- (2) *That regarding ALR wineries, the Minister of Agriculture be requested to:*
 - (a) *amend the Agricultural Land Use, Subdivision and Procedure Regulation of the Agricultural Land Commission Act, to enable Richmond and other municipalities:*

- (i) *to allow only Type 1 Wineries which grow at least 50% of the farm product used to make the wine on the farm where the winery is located; and*
 - (ii) *to not allow Type 2 Wineries which are industrial-scaled operations with limited ALR farming activity;*
- (b) *monitor all ALR farm-based wineries, to ensure that they comply with the 50% on site grow rule and enforce all related Ministry and ALR regulations;*
- (c) *where specific winery operators are already approved to enter into three year contracts with offsite BC farmers, allow them to enter into year to year contracts; not only the current Provincially required three year contracts, to provide more flexibility; and*
- (3) *That regarding ALR regulation monitoring and enforcement, the Minister of Agriculture and the Agricultural Land Commission, as the case may be, be requested:*
 - (a) *to monitor and enforce all Ministry and ALR regulations and requirements, as municipalities have limited resources; and*
 - (b) *to more frequently review the ALR regulations and requirements, in consultation with municipalities, for their effectiveness, practicality and ease of enforceability; and*
- (4) *That the above recommendations and this report be forwarded to the Ministry of Agriculture and the Agricultural Land Commission for a response, as well as Metro Vancouver and Richmond MLAs.*



PLANNING COMMITTEE

Councillor Linda McPhail, Chair

12. **APPLICATION BY MARYEM AHBIB FOR REZONING AT 9131 STEVESTON HWY FROM SINGLE DETACHED (RS1/E) TO COMPACT SINGLE DETACHED (RC2)**

(File Ref. No. 12-8060-20-009505; RZ 15-703150) (REDMS No. 4797211)

CNCL-107

See Page CNCL-107 for full report

PLANNING COMMITTEE RECOMMENDATION

None.

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ITEM

The following staff recommendation was presented to the Planning Committee but was defeated on a tie vote with Cllrs. Au and Day opposed.

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9505, for the rezoning of 9131 Steveston Hwy from “Single Detached (RS1/E)” to “Compact Single Detached (RC2),” be introduced and given first reading.

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PUBLIC DELEGATION ON NON-AGENDA ITEM

13. *Motion to resolve into Committee of the Whole to hear delegations on non-agenda items.*

☐

CNCL-125

Leanne Bird, Richmond resident, and Kathleen Wee, HugABull Advocacy and Rescue Society, to speak on **Animal Control Regulation Bylaw No. 7932** as it relates to the muzzling of dogs.

14. *Motion to rise and report.*

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RATIFICATION OF COMMITTEE ACTION

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PUBLIC ANNOUNCEMENTS AND EVENTS

NEW BUSINESS

BYLAWS FOR ADOPTION

- CNCL-172** Drainage, Dike and Sanitary Sewer System Bylaw No. 7551, Amendment **Bylaw No. 9495**
Opposed at 1st/2nd/3rd Readings – None.

☐

- CNCL-178** Waterworks and Water Rates Bylaw No. 5637, Amendment **Bylaw No. 9496**
Opposed at 1st/2nd/3rd Readings – None.

☐

- CNCL-186** Solid Waste and Recycling Regulation Bylaw No. 6803, Amendment **Bylaw No. 9497**
Opposed at 1st/2nd/3rd Readings – None.

☐

- CNCL-191** Richmond Zoning Bylaw No. 8500, Amendment **Bylaw No. 9209**
(10019 Granville Avenue, RZ 14-671974)
Opposed at 1st Reading – None.
Opposed at 2nd/3rd Readings – None.

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DEVELOPMENT PERMIT PANEL

15. RECOMMENDATION

See DPP Plan Package (distributed separately) for full hardcopy plans

- CNCL-194** (1) *That the **minutes** of the Development Permit Panel meeting held on October 14, 2015, and the Chair's report for the Development Permit Panel meeting held on August 26, 2015 be received for information; and*
- CNCL-197** (2) *That the recommendation of the Panel to authorize the issuance of a Development Permit (**DP 14-672830**) for the property at 10019 Granville Avenue be endorsed, and the Permit so issued.*

☐

ADJOURNMENT

☐



**Regular Council meeting for Public Hearings
Monday, November 16, 2015**

Place: Council Chambers
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail

Michelle Jansson, Acting Corporate Officer

Absent: Councillor Harold Steves

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

1. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9287
(RZ 14-670779)**
(Location: 10551 No. 1 Road; Applicant: 0814948 BC Ltd.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

None.

PH15/10-1

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9287 be given second and third readings.

The question on Resolution No. PH15/10-1 was not called as Council queried the applicant and staff regarding the proposed sun decks for the coach house units.



**Regular Council meeting for Public Hearings
Monday, November 16, 2015**

In reply to queries from Council, David Mander, the applicant, commented that the proposed balcony was consistent with the existing development along the rear laneway and that it may not be feasible to accommodate the outdoor living space on the ground floor. He further commented that orientating the proposed balcony towards the principal residence would impact the privacy of the adjacent properties.

Wayne Craig, Director, Development, advised that the coach house zone requires that private outdoor space be provided and that, should the private outdoor space be in the form of a balcony, the balcony must be oriented towards the lane. Alternatively, he noted that the private outdoor space could be accommodated in the rear yard between the coach house and the principal dwelling. Mr. Craig further noted that, should Bylaw 9287 be given second and third readings, staff would advise on the provision for the private outdoor space when it comes forward for adoption.

Staff was advised to work with the applicant to identify areas for the private outdoor space between the principal building and the coach house.

Discussion ensued regarding the outstanding referral on the siting of sun decks on single-family residences and coach houses. Mr. Craig commented that applicants have been advised that it is preferred that the private outdoor space be accommodated in the rear yard on the ground level; however, he noted that such options are at the applicant's discretion.

In response to a query from Council, Mr. Mander stated that the balcony was included in the design for the proposed coach houses to remain uniform with existing development along the rear laneway and was of the opinion that zoning regulations need to be consistently applied to all development.

The question on Resolution No. PH15/10-1 was then called and it was **CARRIED.**

**2A. PROPOSED AMENDMENT TO SINGLE-FAMILY LOT SIZE
POLICY 5463 (SECTION 13 BLOCK 4 NORTH RANGE 7 WEST)**

**2B. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9292
(RZ 15-691744)**

(Location: 7220 Railway Avenue; Applicant: Maryem Ahbib)

Applicant's Comments:

The applicant was available to respond to queries.



**Regular Council meeting for Public Hearings
Monday, November 16, 2015**

Written Submissions:

- (a) Vladimir Charvat, 7155 Lindsay Road (Schedule 1)

Submissions from the floor:

Sharon Krowchuk, 7171 Lindsay Road, requested clarification as to the lots subject to the proposed Single-Family Lot Size Policy 5463 exclusion and to the proposed future development. She expressed concern with the ongoing street parking issue in the area and was of the view that the City should be cautious in its consideration to increase density in the neighbourhood.

In response to queries from Council, Barry Konkin, Program Coordinator, Development, advised that, in response to concerns raised by Mr. Charvat, the Transportation Department is planning speed limits along the laneway.

In reply to a query from Council, Mr. Craig noted that the City has not introduced "Resident Only Parking" regulations; however, the City's *Traffic Control and Regulation Bylaw No. 5870* limits the duration that a non-resident vehicle can be parked in front of a single-family home. Also, he commented that any concerns regarding parking can be reported to the Community Bylaws Department or the Richmond RCMP.

Staff was directed to provide information related to Bylaw No. 5870 to Mr. Charvat and to the area residents.

PH15/10-2

It was moved and seconded

That Single-Family Lot Size Policy 5463 in Section 13-4-7, adopted by Council on February 19, 1996, be amended to exclude four (4) properties fronting Railway Avenue with existing rear lane access north of Linfield Gate from the Lot Size Policy.

CARRIED

PH15/10-3

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9292 be given second and third readings.

CARRIED



**Regular Council meeting for Public Hearings
Monday, November 16, 2015**

**3. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9487
(ZT 15-695231)**

(Location: 6611, 6622, 6633, 6655, 6688, 6699, 6811, 6877, and 6899
Pearson Way; Applicant: Oval 8 Holdings Ltd.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

None.

PH15/10-4

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 9487 be given
second and third readings.*

CARRIED

ADJOURNMENT

PH15/10-5

It was moved and seconded

That the meeting adjourn (7:22 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
November 16, 2015.

Mayor (Malcolm D. Brodie)

Acting Corporate Officer
(Michelle Jansson)

Schedule 1 to the Minutes of the Public Hearing meeting of Richmond City Council held on Monday, November 16, 2015.

MayorandCouncillors

From: Webgraphics
Sent: November-15-15 5:07 PM
To: MayorandCouncillors
Subject: Send a Submission-Online (response #889)

Categories: 12-8060-20-9292 - RZ 15-691744

To Public Hearing
Date: <u>Nov 16 2015</u>
Item # <u>2</u>
Re: <u>BYLAW 9292</u>
<u>RZ 15-691744</u>

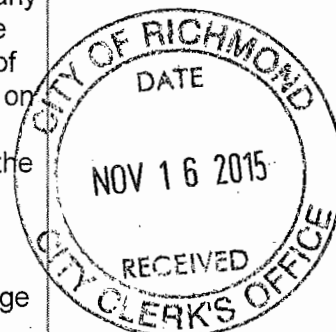
Send a Submission Online (response #889)

Survey Information

Site:	City Website
Page Title:	Send a Submission Online
URL:	http://cms.richmond.ca/Page1793.aspx
Submission Time/Date:	11/15/2015 5:05:37 PM

Survey Response

Your Name	Vladimir Charvat
Your Address	7155 Lindsay Road, Richmond, BC V7C2S5P5
Subject Property Address OR Bylaw Number	7220 Railway Avenue
Comments	<p>I strongly oppose to rezoning this property from RS1/ E to RC2. It will add to already congested area, increase traffic in the lane and affect parking on Lindsay Road. We cannot find parking in front of our houses as it is now, people living in adjacent townhouses dump their cars there freely, leaving them in some cases in front of our houses for many days. It is getting very frustrating for older people like us having to walk to our houses with a load of groceries and other things from far away. Traffic on Lindsay Road is very heavy as it is now and this new development proposal will definitely add to the congestion. Also the lane behind the proposed rezoning property is becoming very dangerous, people speed through it like it was a racetrack, nobody obeys 20km speed limit, including garbage trucks, and sooner or later someone will get hurt. Some day people even park in the lane illegally, we seldom see a bylaw officer in our area to enforce it.</p>



	City MUST install speed bumps in that lane and MUST post speed limit on both ends, and make it possibly only one way lane, before something terrible will happen. Thank You. Vladimir Charvat
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For Metro Vancouver meetings on Friday, October 30, 2015

Please note these are not the official minutes. Board in Brief is an informal summary. Material relating to any of the following items is available on request from Metro Vancouver. For more information, please contact Greg Valou, 604-451-6016, Greg.Valou@metrovancouver.org or Jean Kavanagh, 604-451-6697, Jean.Kavanagh@metrovancouver.org.

Greater Vancouver Regional District - Parks

Kanaka Creek Regional Park – Contribution Agreement for Operation of the Kanaka Creek Bell-Irving Hatchery

APPROVED

The Kanaka Creek Bell-Irving Hatchery has operated for over 30 years in Kanaka Creek Regional Park through a collaboration with Metro Vancouver, the Department of Fisheries and Oceans, and the Kanaka Education and Environmental Partnership Society. In addition to fulfilling fish production and conservation functions, the hatchery has developed a robust educational program and encouraged stewardship activities in the community.

The Board approved a Contribution Agreement with the Kanaka Education and Environmental Partnership Society toward the operation of the Kanaka Creek Bell-Irving Hatchery for a one-year term in the amount of \$21,000, commencing January 1, 2016 and ending on December 31, 2016.

2016 GVRD Budget – Regional Parks

APPROVED

The 2016 Budgets for Metro Vancouver departments represent a \$9 increase to the average regional household (\$760,000 assessed value) for a total cost of \$436 in 2016. Total expenditures are \$669.4 million which is an increase of 2.3% from 2015.

The Board approved the 2016 Revenue and Expenditure Budget, and use of Reserves and Capital Expenditures as presented for Regional Parks.

Greater Vancouver Regional District

Metro Vancouver Public Advisory Committee Policy

APPROVED

The Board approved a policy setting the parameters for the establishment of Public Advisory Committees to provide advice on specific projects, processes, and plans.



Ortho-imagery Acquisition Service

APPROVED

The Board authorized the purchase of high resolution aerial photography (ortho-imagery) within the region on a bi-annual basis to share with member municipalities and other public organizations commencing in 2016.

Coordinating the procurement of a consistent set of high resolution aerial images across the Metro Vancouver region on a regular basis would allow for standardized data collection, efficient management and sharing with our member local governments, and could lead to a regular scheduling of updates in a more-efficient and cost-effective manner than the current ad-hoc arrangements.

Based on the July 2014 Request For Proposal that Metro Vancouver issued to acquire orthoimagery, the proposals to fly the entire region and to license orthoimages for share range from \$150,000 to \$250,000. It is estimated that the annual cost for this service would be \$125,000.

Truth and Reconciliation Commission of Canada Summary Report on Indian Residential Schools

APPROVED

The Board:

- a) endorsed the Truth and Reconciliation Commission of Canada's Summary Report on Indian Residential Schools, and agreed to send letters to the Honourable Minister of Aboriginal Affairs and Northern Development Canada, and the Honourable Minister of Aboriginal Relations and Reconciliation urging them to move forward quickly with the report recommendations; and
- b) directed staff to report back on how the following proposed Metro Vancouver activities may form the basis of the 2016 Aboriginal Relations Committee Work Plan:
 1. Liaise with the Truth and Reconciliation Commission.
 2. Raise awareness about Indian Residential Schools.
 3. Provide cultural competency training.
 4. Strengthen relationships with First Nations.

Analysis of Alternative Goods Movement Scenarios

APPROVED

A proposal was presented for Metro Vancouver to undertake, in cooperation with partner agencies, a comprehensive study of actions to optimize container goods movement and minimize adverse effects on communities.

The Board's interest in goods movement is partially rooted in the expansion plans of the marine terminal tenants of Port Metro Vancouver. Specifically, local governments have longstanding concerns about the adverse effects that increased container traffic would have on communities (i.e. road



congestion, safety, noise) and on the region as a whole (i.e. air emissions, pressures on industrial and agricultural lands).

The Board directed staff to initiate a project to conduct an expanded analysis of alternative goods movement scenarios.

Fraser River Salinity Benchmarking Study

APPROVED

A study from the Delta Farmers' Institute (DFI) will investigate concerns about changing salinity levels in the Fraser River as a result of both climate change and the proposed removal of the George Massey Tunnel.

The Board approved a \$10,000 contribution to the Fraser River Salinity Benchmarking Study.

Metro Vancouver Input to Provincial Climate Leadership Plan Process

APPROVED

The provincial government undertook consultation on its Climate Leadership Plan during a brief period in summer 2015. In order to respond within tight time constraints, Metro Vancouver provided input with two submissions.

The Board will write to the provincial Minister of Environment conveying its support for the Metro Vancouver staff submission of detailed policy comments on the Provincial Climate Leadership Plan. This is a follow-up to the Board's previous communication to the Minister on foundational climate action policies of importance within the Metro Vancouver region.

Delegation Executive Summaries Presented at Committee October 2015

RECEIVED

The Board received a summary report of a delegation visit and report to Metro Vancouver's Inter-government and Finance Committee from the Vancouver Airport Authority (YVR).

2016 GVRD Function Budgets

APPROVED

The 2016 Budgets for all Metro Vancouver departments represent a \$9 increase to the average regional household (\$760,000 assessed value) for a total cost of \$436 in 2016. Total expenditures are \$669.4 million which is an increase of 2.3% from 2015.

The Board approved the 2016 Revenue and Expenditure Budgets and use of Reserves, as presented for Air Quality, E911 Emergency Telephone Service, Electoral Area Service, General Government, Labour Relations, Regional Global Positioning System, and Regional Planning.



Metro Vancouver 2040: Shaping our Future - Amendment to Reflect Accepted Regional Context Statements – “Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1223, 2015”

APPROVED

The Board adopted a bylaw for a Type 3 Minor Amendment to Metro Vancouver 2040: Shaping our Future (Metro 2040), the regional growth strategy.

The bylaw amendment entails incorporating changes to the Metro 2040 regional land use designation maps, the addition of Frequent Transit Development Areas, and addition and deletion of local centres stemming from seven Regional Context Statements accepted by the GVRD Board, and one Regional Context Statement adopted by the Province between early 2014 and early 2015 as well as changes to population, dwelling unit, and employment growth projections.

GVRD Financial Plan Bylaw No. 1225, 2015

APPROVED

The Board adopted a financial plan Bylaw to provide authority for the 2016 operations of the individual GVRD functions, and to conclude the administrative process required regarding the Greater Vancouver Regional District function budgets for 2016 and the financial plan for years 2017 to 2020.

Greater Vancouver Sewage and Drainage District

Region-wide On-site Stormwater Management Baseline

APPROVED

The region-wide baseline for on-site stormwater management is a key to address runoff from single-family type land uses. By continuing to work with member municipalities and consult with relevant stakeholders, a better understanding of the implications of the proposed baseline will be obtained.

The proposed baseline criteria and implementation approaches were developed over the last three years, and included significant technical involvement by municipal staff. The on-site stormwater management baseline and its implementation options are designed to provide long-term stream health benefits.

The Board directed staff to consult with stakeholders on the proposed criteria and implementation options for a region-wide baseline for on-site stormwater management.



Update on Extended Producer Responsibility Programs

RECEIVED

The Board received for information a report summarizing the results of the 2014 Annual Reports published by all Extended Producer Responsibility (EPR) Programs. Notably, Multi Material BC produced an inaugural report on its program that launched on May 19, and achieved a recovery rate of over 80%. The report noted that Encorp Pacific collected and recycled its 15 billionth beverage container.

Food Scraps Campaign Update

RECEIVED

The Board received for information a report on the next phase of the food scraps campaign in support of the Organics Disposal Ban and to increase food scraps recycling.

A humorous food scraps campaign was launched in 2014 using eight unique food 'characters' telling us that "Food Isn't Garbage" and "Food Scraps Belong in Your Green Bin." The campaign's second phase launched on October 15, 2015, introducing five new 'characters' based on food-soiled items like paper plates and napkins, pizza boxes, coffee filters, and seafood shells and sauces. Campaign research shows that these items are not well understood as 'food scraps' that can be put into the green bin. The campaign will be promoted across the region in collaboration with Metro Vancouver member municipalities that will be able to use and leverage the creative materials in their communities and across their own advertising and online channels.

2016 GVS&DD Budgets – Liquid Waste and Solid Waste

APPROVED

The 2016 Budgets for all Metro Vancouver departments represent a \$9 increase to the average regional household (\$760,000 assessed value) for a total cost of \$436 in 2016. Total expenditures are \$669.4 million which is an increase of 2.3% from 2015.

The Board approved the 2016 Revenue and Expenditure Budgets, use of Reserves, and Capital Expenditures as presented for the Liquid Waste Services and Solid Waste Services departments.

2016 Tipping Fee Bylaw

APPROVED

The Board approved changes to the Tipping Fee Bylaw.

Changes include:

- Increasing the tipping fees by \$3 per tonne for small and medium loads with large load rates remaining fixed in 2016.
- A Municipal Tipping fee of \$100 per tonne for single family and local government public works waste.



- The tipping fee for Special Handle Waste increasing by \$50 to \$250 per tonne, and the organics drop off rate increasing by \$1 to \$67 per tonne at all Metro Vancouver facilities except the North Shore Transfer Station.
- Gypsum rates will harmonize with garbage rates.

Greater Vancouver Water District

2016 GVWD Budget

APPROVED

The 2016 Budgets for all Metro Vancouver departments represent a \$9 increase to the average regional household (\$760,000 assessed value) for a total cost of \$436 in 2016. Total expenditures are \$669.4 million which is an increase of 2.3% from 2015.

The Board approved the 2016 Revenue and Expenditure Budgets, use of Reserves, and Capital Expenditures as presented for Water Services, and set the Water Rate for 2016 at:

- \$0.7407 per cubic metre for June through September; and
- \$0.5926 per cubic metre for January through May and October through December.



Community Safety Committee

Date: Tuesday, November 10, 2015

Place: Anderson Room
Richmond City Hall

Present: Councillor Bill McNulty, Chair
Councillor Derek Dang
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Linda McPhail

Also Present: Councillor Carol Day

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the Community Safety Committee held on October 14, 2015, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

December 15, 2015, (tentative date) at 4:00 p.m. in the Anderson Room

PRESENTATIONS

1. (1) Victor Wei, Director, Transportation, and Corporal Tony Bernard, Traffic Unit, Richmond RCMP, briefed Committee on the data collected using the new traffic counters installed along Steveston Highway, highlighting that:

Community Safety Committee

Tuesday, November 10, 2015

- the number of speeding vehicles are typically greater during peak times;
- the data collected can be used to calculate the optimum time for enforcement; and
- the software can calculate the percentage of speeding vehicles at varying thresholds above the posted speed limit.

In reply to queries from Committee regarding the proposed locations for traffic counters in the city, Mr. Wei noted that staff work with the Richmond RCMP to prioritize locations. Corp. Bernard added that the proposed locations are a starting point and that the traffic counters are mobile and can be easily relocated to different areas in the city.

In reply to queries from Committee, Corp. Bernard noted that the Richmond RCMP uses data from traffic surveys, whereas ICBC uses a different methodology to track high-risk traffic areas.

Discussion ensued with regard to the percentage of drivers adhering to the speed limit along Steveston Highway.

- (2) Ed Warzel, Manager, Community Bylaws, highlighted features of the new Online Dog License Module to register dogs, including (i) a user-friendly interface where users can easily input contact and dog information, (ii) a field to input a mailing address for registrants who live outside the city, (iii) fields where individuals can apply for a seniors discount and register a dangerous dog, and (iv) a checkout payment system.

In reply to queries from Committee, Mr. Warzel noted that staff are anticipating that the new Online Dog License Module will attract more registrants and that a news release on the matter is forthcoming.

CHIEF ADMINISTRATOR'S OFFICE

2. **CORPORATE POLICIES: ON-DUTY ATTENDANCES AT FUNERALS, RETIREMENT EVENTS, COMMUNITY AND CHARITY FUNDRAISING EVENTS AND SCHOOL VISITS**

(File Ref. No.) (REDMS No. 4775396 v. 5)

In reply to queries from Committee, John McGowan, Fire Chief, noted that some discretion is used when selecting the on-duty attendances at community events. He added that with respect to member attendance at funerals of retired and active fire service personnel, uniformed on-duty and off-duty members may be provided, given that Richmond Fire-Rescue (RFR) maintains operational readiness.

Community Safety Committee

Tuesday, November 10, 2015

Discussion ensued and concern regarding the presence of a fire truck at a former member's funeral was expressed.

Discussion then ensued with respect to prioritizing events for RFR participation.

In reply to queries from Committee, Fire Chief McGowan noted that event participation by RFR members is evaluated based on the potential educational component and service to the community. He added that events are reviewed weekly with Deputy Chiefs and the General Manager of Law and Community Safety.

Fire Chief McGowan then spoke to the attendance of off-duty RFR members at funerals, noting that the level of service applied to an RFR member fallen in the line of duty may differ compared to fallen retired RFR members or fire personnel from a different municipality.

In reply to queries from Committee, Fire Chief McGowan noted that when RFR receives a new vehicle, older vehicles are placed on reserve or may be disposed.

It was moved and seconded

- (1) *That the staff report titled "Corporate Policies", dated October 27, 2015 from the Chief Administrative Officer be received for information; and*
- (2) *That the matter be referred to staff to consult with IAFF Local 1286 regarding:*
 - (a) *the staff report titled "Corporate Policies", dated October 27, 2015 from the Chief Administrative Officer; and*
 - (b) *the potential to acquire a surplus vehicle.*

CARRIED

LAW AND COMMUNITY SAFETY DIVISION

3. COMMUNITY BYLAWS MONTHLY ACTIVITY REPORT – SEPTEMBER 2015

(File Ref. No.) (REDMS No. 4748908 v. 4)

Mr. Warzel highlighted the increase in this year's parking meter revenue over the same time last year and attributed that increase to the technological benefits of the new parking meters.

Mr. Warzel then noted that the new parking meters have been tampered with, however, Richmond RCMP have apprehended a suspect related to the incidents.

3.

Community Safety Committee
Tuesday, November 10, 2015

In reply to queries from Committee, Mr. Warzel noted that all parking meters have been replaced with new meters and that the City is working with the provider to further reinforce them to prevent tampering.

It was moved and seconded

That the staff report titled "Community Bylaws Monthly Activity Report – September 2015," dated October 14, 2015, from the General Manager, Law & Community Safety, be received for information.

CARRIED

4. RICHMOND FIRE-RESCUE MONTHLY ACTIVITY REPORT - SEPTEMBER 2015

(File Ref. No. 09-5000-01) (REDMS No. 4767107)

Fire Chief McGowan commented on the September 2015 activity report, noting that a large portion of the reported activity was related to medical incidents and that fire-related incidents were minimal.

It was moved and seconded

That the staff report titled "Richmond Fire-Rescue Monthly Activity Report - September 2015," dated October 19, 2015, from the Fire Chief, Richmond Fire-Rescue, be received for information.

CARRIED

5. RCMP'S MONTHLY REPORT - SEPTEMBER ACTIVITIES 2015

(File Ref. No. 09-5000-01) (REDMS No. 4747612)

Eric Hall, Inspector, Operations Support Officer, Richmond RCMP, briefed Committee on the September 2015 Activity Report.

In reply to queries from Committee, Insp. Hall noted that the Richmond RCMP has introduced a new initiative where community policing volunteers go door-to-door in areas identified to be subject to break-ins to distribute flyers and direct business owners and residents to the City's website where they can access additional crime prevention information.

Discussion ensued regarding the variances in Auxiliary Constable volunteer hours and in reply to queries from Committee, Insp. Hall noted that Auxiliary Constables participate in a variety of community events that are similar year over year.

Also, Insp. Hall noted that the Richmond RCMP is making an effort to recruit more participants for the City's Block Watch program.

Committee wished to express their appreciation for the memorial service in honour of Constable Agar, who passed away in the line of duty 35 years ago.

Community Safety Committee

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Discussion ensued with regard to a comprehensive statistical breakdown of Auxiliary Constables' volunteer hours, and in reply to queries from Committee, Insp. Hall noted that there is a minimum number of hours required of Auxiliary Constables, however, the minimum is often exceeded.

Discussion then ensued regarding new marking technology that can be used to trace stolen property and in reply to queries from Committee, Insp. Hall noted that the Richmond RCMP is examining the new technology and will present potential options to Committee.

In reply to queries from Committee, Insp. Hall advised that recent incidents of sexual assaults in the city are still under investigation. He added that the Richmond RCMP has issued a press release to increase awareness personal safety measures.

Discussion then ensued with regard to gang activity in the city and Insp. Hall noted that the level of such activity in the city is comparable to that of other Lower Mainland municipalities.

As a result of the discussion, staff were directed to provide an update on gang activity in the city at a future Committee meeting.

It was moved and seconded

That the report titled "RCMP's Monthly Report – September Activities 2015," dated October 5, 2015, from the Officer in Charge, Richmond RCMP, be received for information.

CARRIED

6. **FIRE CHIEF BRIEFING**

(Verbal Report)

(i) *Holiday Season Safety*

Fire Chief McGowan spoke on Christmas tree safety, reminding residents that (i) artificial trees should be fire retardant, (ii) Christmas lights should be turned off when unsupervised, (iii) Christmas trees should be positioned away from any open flame or combustibles, (iv) trees should be disposed of properly at the end of the season, and (v) IAFF Local 1286 hosts an annual Christmas tree chipping event at the end of the season.

(ii) *Fire Hall Christmas Lighting / Open House Event*

Fire Chief McGowan commented on the Christmas lighting events at the fire halls, noting that Fire Hall No. 5 will be hosting an open house event.

(iii) *Halloween 2015*

Fire Chief McGowan highlighted that Halloween night was relatively uneventful and the presence of Community Bylaws, RFR members, and the Richmond RCMP contributed to the success of the evening.

Community Safety Committee
Tuesday, November 10, 2015

7. RCMP/OIC BRIEFING
(Verbal Report)

Insp. Hall also spoke to Halloween night, noting a slight increase in calls.

Insp. Hall then distributed a flyer (attached to and forming part of these minutes as Schedule 1) and advised that the Richmond RCMP will be hosting a toy drive on Saturday, November 21, 2015 at Ironwood Mall.

8. MANAGER'S REPORT

(i) Lafarge Training Facility

Kim Howell, Deputy Fire Chief, updated Committee on the Lafarge Training Facility, highlighting that the site should be ready for use in early December 2015.

(ii) CN Railway Ties Stockpile

Kevin Gray, Deputy Fire Chief, advised that the pile height size has been met and CN Rail has made a commitment to keep the site manageable. He added that RFR staff will perform on-site inspections and that a Fire Safety Plan is the only remaining requirement left to be delivered.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:05 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Community Safety Committee of the Council of the City of Richmond held on Tuesday, November 10, 2015.

Councillor Bill McNulty
Chair

Evangel Biason
Legislative Services Coordinator (Aux.)



Schedule 1 to the Minutes of the
Community Safety Committee
meeting of Richmond City
Council held on Tuesday,
November 10, 2015.



Richmond RCMP **TOY DRIVE**

Join us at Ironwood Mall on Saturday, November 21, between 8:00am and 12:00pm.

"Stuff the Squad Car" with a new, unwrapped toy and receive a

FREE PANCAKE BREAKFAST

All proceeds support the Richmond Christmas Fund

* Pancake breakfast for first 300 toy donations OR a suggested minimum cash donation of \$5





General Purposes Committee

Date: Monday, November 16, 2015

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the General Purposes Committee held on November 2, 2015, be adopted as circulated.

CARRIED

COUNCILLOR BILL McNULTY

1. **2016 JAPAN NATIONAL SAIL TRAINING INSTITUTE VISIT AND
2017 CANADA 150 PLANNING**

(File Ref. No. 06-2345-01) (REDMS No. 4803582 v. 2)

It was moved and seconded

That the report titled "2016 Japan National Sail Training Institute Visit and 2017 Canada 150 Planning," from Councillor Bill McNulty be approved for implementation.

CARRIED

General Purposes Committee
Monday, November 16, 2015

PLANNING AND DEVELOPMENT DIVISION

2. RICHMOND COMMENTS: PROPOSED MINISTRY OF AGRICULTURE BYLAW STANDARDS FOR AGRI-TOURISM AND FARM RETAIL SALES IN THE AGRICULTURAL LAND RESERVE (ALR) AND RELATED MATTERS (ALR WINERIES, MONITORING AND ENFORCEMENT)

(File Ref. No. 08-4430-03-07) (REDMS No. 4768773)

It was moved and seconded

(1) That regarding the proposed Ministry of Agriculture Bylaw Standards for Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve (ALR), the Minister of Agriculture be requested to:

- (a) specify how agri-tourism is to be subordinate to the principal active farm operation and only augment a farmer's regular farm income, not exceed or replace it;*
- (b) provide specific guidelines to determine the appropriate amount to be considered "small-scale (agri-tourism)" based on the size of the farm operation;*
- (c) provide more detailed criteria to determine the appropriate size and siting of agri-tourism structures (e.g., the maximum building area and site coverage);*
- (d) provide clarification on what types of uses can be permitted in an agri-tourism structure;*
- (e) provide specific guidance on the adequate amount of parking necessary for farm retail sales, to avoid excessive paving and minimize negative impacts on farmland;*

(2) That regarding ALR wineries, the Minister of Agriculture be requested to:

- (a) amend the Agricultural Land Use, Subdivision and Procedure Regulation of the Agricultural Land Commission Act, to enable Richmond and other municipalities:*
 - (i) to allow only Type 1 Wineries which grow at least 50% of the farm product used to make the wine on the farm where the winery is located; and*
 - (ii) to not allow Type 2 Wineries which are industrial-scaled operations with limited ALR farming activity;*

General Purposes Committee
Monday, November 16, 2015

- (b) monitor all ALR farm-based wineries, to ensure that they comply with the 50% on site grow rule and enforce all related Ministry and ALR regulations;*
- (c) where specific winery operators are already approved to enter into three year contracts with offsite BC farmers, allow them to enter into year to year contracts; not only the current Provincially required three year contracts, to provide more flexibility; and*
- (3) That regarding ALR regulation monitoring and enforcement, the Minister of Agriculture and the Agricultural Land Commission, as the case may be, be requested:*
 - (a) to monitor and enforce all Ministry and ALR regulations and requirements, as municipalities have limited resources; and*
 - (b) to more frequently review the ALR regulations and requirements, in consultation with municipalities, for their effectiveness, practicality and ease of enforceability; and*
- (4) That the above recommendations and this report be forwarded to the Ministry of Agriculture and the Agricultural Land Commission for a response, as well as Metro Vancouver and Richmond MLAs.*

The question on the motion was not called as discussion ensued on the importance of ensuring that breweries, distilleries and meaderies in Richmond are designated farm uses if at least 50% of the farm crops used to make their products are grown on the same farm. Also, it was suggested that the staff report be forwarded to Metro Vancouver members.

In reply to queries from Committee, Terry Crowe, Manager, Policy Planning, commented on the Ministry of Agriculture's and the Agricultural Land Commission's (ALC) potential activities as it relates to monitoring and enforcing their agri-tourism regulations on Agricultural Land Reserve (ALR) lands. Mr. Crowe noted that the City does not have the authority to regulate neither the Ministry's nor the ALC's regulations.

Discussion then took place on existing businesses that do not meet the 50% threshold, and it was noted that these businesses would be grandfathered.

With regard to protecting farmland throughout BC, it was noted that much of Richmond's ALR lands are categorized as class 1 soil, meaning that they are suitable for food production, whereas much of the soil in the Okanagan is not; thus it is imperative that Richmond's food producing ALR lands be protected.

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

General Purposes Committee
Monday, November 16, 2015

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:18 p.m.).

CARRIED

Certified a true and correct copy of the
Minutes of the meeting of the General
Purposes Committee of the Council of the
City of Richmond held on Monday,
November 16, 2015.

Mayor Malcolm D. Brodie
Chair

Hanieh Berg
Legislative Services Coordinator



Planning Committee

Date: Tuesday, November 17, 2015

Place: Anderson Room
Richmond City Hall

Present: Councillor Linda McPhail, Chair
Councillor Bill McNulty
Councillor Chak Au
Councillor Carol Day

Absent: Councillor Harold Steves

Also Present: Councillor Derek Dang

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the Planning Committee held on November 3, 2015, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

December 8, 2015, (tentative date) at 4:00 p.m. in the Anderson Room

Planning Committee
Tuesday, November 17, 2015

PLANNING AND DEVELOPMENT DIVISION

1. **APPLICATION BY PACIFIC LAND RESOURCE GROUP INC. FOR A ZONING TEXT AMENDMENT TO THE INDUSTRIAL RETAIL (IR1) ZONE TO PERMIT RETAIL SALE OF AUTOMOTIVE PARTS AND ACCESSORIES AT 2760 SWEDEN WAY**

(File Ref. No. 12-8060-20-009503; ZT 15-710920) (REDMS No. 4777031)

Wayne Craig, Director, Development, briefed Committee on the proposed application, noting that the proposed zoning text amendment would allow for retail sale of automotive parts and accessories and that the applicant would provide for on-site landscape improvements.

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9503, for a Zoning Text Amendment to the "Industrial Retail (IR1)" zone to permit "Retail, general uses, limited to retail sale of automotive parts and accessories" at 2760 Sweden Way, be introduced and given first reading.

CARRIED

2. **APPLICATION BY CIS HOMES LTD. FOR REZONING AT 10340 ODLIN ROAD FROM SINGLE DETACHED (RS1/B) TO SINGLE DETACHED (RS2/K)**

(File Ref. No. 12-8060-20-009504; RZ 15-693376) (REDMS No. 4795912)

Cynthia Lussier, Planner 1, spoke on the proposed application, noting that (i) the proposed application would facilitate the subdivision of the property into two lots, (ii) the proposed application is consistent with the land use designation in the area plan, and (iii) the applicant will retain seven trees on-site.

In reply to queries from Committee, Mr. Craig advised that there are other sizeable lots along Odlin Way that have the potential to be rezoned and subdivided.

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9504, for the rezoning of 10340 Odlin Road from "Single Detached (RS1/B)" to "Single Detached (RS2/K)," be introduced and given first reading.

CARRIED

Planning Committee
Tuesday, November 17, 2015

3. APPLICATION BY MARYEM AHBIB FOR REZONING AT 9131 STEVESTON HWY FROM SINGLE DETACHED (RS1/E) TO COMPACT SINGLE DETACHED (RC2)

(File Ref. No. 12-8060-20-009505; RZ 15-703150) (REDMS No. 4797211)

Mr. Craig briefed Committee on the proposed application, noting that (i) the City secured a Statutory Right-of-Way (SRW) that is registered on the title of the lots at 9093 and 9097 Steveston Highway in 2004 to establish access to Steveston Highway from the rear lane, (ii) proposed future extensions of the rear lane would extend from the canal to Mortfield Gate as redevelopment occurs, and (iii) Mortfield Gate is intended to be signalized in the future.

In reply to queries from Committee, Mr. Craig noted that should the application proceed, the applicant would be required to construct the rear lane behind the subject property.

Nisha Cyril, 9097 Steveston Highway, spoke on the proposed application and expressed concern with regard to granting public access to the rear lane using the SRW and the estimated value of the land under the SRW.

In reply to queries from Committee, Mr. Craig noted that when the City secures a SRW, it is registered on the property's title.

In reply to queries from Committee, Ms. Cyril noted that her legal consultation prior to purchasing the property did not indicate the SRW was for public access. Also, she expressed concern of the potential increase in traffic and the difficulties of accessing the SRW from Steveston Highway.

In response to queries from Committee, Mr. Craig noted that no consent from adjacent property owners is required for the City to utilize the SRW. He added that the width of the SRW is approximately the same width of the rear lane.

Qaiser Iqbal, 9093 Steveston Highway, spoke on the proposed application and expressed concern with regard to granting public access to the rear lane using the SRW and information related to the SRW that is publically available.

In reply to queries from Committee, Mr. Craig noted that legal advice related to the SRW provided by the City's Law Department is subject to solicitor-client privilege.

Discussion ensued with regard to potential alternative solutions, and in reply to queries from Committee, Mr. Iqbal noted that to his knowledge, the SRW would only be used for utilities and that his preference would be that the SRW remain only for private access.

Discussion then ensued with respect to the information provided to potential property buyers by realtors and lawyers regarding the SRW and the potential to establish a late-comers fee or alternative funding mechanism to compensate the affected property owners.

Planning Committee
Tuesday, November 17, 2015

In reply to queries from Committee, Mr. Craig noted that it may be possible to develop a funding strategy for the acquisition of the current SRW; however, acquiring the SRW would potentially make the existing homes at 9093 and 9097 Steveston Highway non-conforming. He further noted that the SRW was secured as a condition of the rezoning that created the four existing rear lane access lots and that the SRW was intended to provide future access to other lots as redevelopment occurs.

In reply to queries from Committee, Joe Erceg, General Manager, Planning and Development, noted that the (i) incremental building of the rear lane is a viable approach and has been done in other parts of the city, (ii) the City cannot force properties to rezone and subdivide, and (iii) the SRW was secured by the City as part of a rezoning application that proceeded through the Public Hearing process and was adopted in 2004.

Discussion ensued with regard to (i) referring the application back to staff to discuss potential solutions, (ii) disclosing the SRW on title to potential buyers, and (iii) establishing a funding mechanism as a possible option to compensate the property owners.

In reply to queries from Committee, Mr. Erceg noted that referring the application back to staff would delay the application.

In reply to queries from Committee, Mr. Craig advised that a late-comers fee (i) may only be used in specific circumstances, (ii) is limited to a specific timeframe and is dependent on the development of adjacent lots, and (iii) is required to be adopted by bylaw.

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9505, for the rezoning of 9131 Steveston Hwy from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)," be introduced and given first reading.

The question on the motion was not called as discussion ensued with respect to discussing possible solutions with the applicant and property owners and proceeding with the application process.

The question on the motion was then called and it was **DEFEATED ON A TIE VOTE** with Cllrs. Au and Day opposed.

Discussion then ensued with regard to discussing possible solutions with the applicant and property owners.

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

It was moved and seconded

That staff examine potential access options through a Statutory Right-of-Way for utilities and a public-right-of-passage that is registered on title of the lots at 9093 and 9097 Steveston Highway, with the property owners of 9093 and 9097 Steveston Highway, and report back.

CARRIED

4.

Planning Committee
Tuesday, November 17, 2015

4. MANAGER'S REPORT

Resettlement of Syrian Refugees

Lesley Sherlock, Planner 2, briefed Committee on the Metro Vancouver response to resettle Syrian refugees in the province noting that, (i) approximately 3000 refugees will be arriving in the province, (ii) the City is not expected to receive a significant number of refugees, (iii) refugees coming to the province will enter through Vancouver International Airport, and (iv) initial assessments of the refugees may take up to two months.

In reply to queries from Committee, Ms. Sherlock noted that housing affordability could be a factor in determining where the refugees ultimately settle in the province.

Discussion ensued with regard to the role of the City in the resettlement of the refugees.

In reply to queries from Committee, Ms. Sherlock advised that information on the resettlement of the refugees will be available on the City website.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:04 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, November 17, 2015.

Councillor Linda McPhail
Chair

Evangel Biason
Legislative Services Coordinator (Aux.)



Public Works and Transportation Committee

Date: Wednesday, November 18, 2015

Place: Anderson Room
Richmond City Hall

Present: Councillor Chak Au, Chair
Councillor Derek Dang
Councillor Ken Johnston
Councillor Alexa Loo

Absent: Councillor Harold Steves

Also Present: Councillor Carol Day

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the Public Works and Transportation Committee held on October 21, 2015, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

January 20, 2016, (tentative date) at 4:00 p.m. in the Anderson Room

Public Works & Transportation Committee
Wednesday, November 18, 2015

ENGINEERING AND PUBLIC WORKS DIVISION

1. UPDATE ON 2015/2016 SNOW AND ICE RESPONSE PREPARATIONS

(File Ref. No.) (REDMS No. 4757418)

It was moved and seconded

That the staff report titled "Update on 2015/2016 Snow and Ice Response Preparations," dated October 23, 2015, from the Director, Public Works Operations be received for information.

CARRIED

2. 2016 PAVING PROGRAM

(File Ref. No. 10-6340-01) (REDMS No. 4757078)

It was moved and seconded

That the staff report titled, "2016 Paving Program," dated October 28, 2015, from the Director, Engineering be received for information.

CARRIED

3. COMMUNITY ENERGY AND EMISSIONS PLAN – 2015 UPDATE

(File Ref. No. 10-6125-07-02) (REDMS No. 4748952 v. 4)

In reply to queries from Committee, Brendan McEwen, Manager, Sustainability, and Victor Wei, Director, Transportation, provided the following information:

- the competitiveness of solar electricity systems to that of other energy systems is estimated to be reached in approximately 5 to 10 years; however, some analysts predict that this will be achieved sooner;
- staff are continually evaluating green building standards such as Passive House, and would report to Committee with any proposed recommendations;
- rapid transit stations have been identified as ideal locations for various improvements such as bicycle parking and better sidewalks in an effort to encourage active transportation; and
- complementary parking for low emitting modes of transportation such as scooters has not been examined.

Discussion took place on the potential to lobby other levels of government to provide incentives for developers to build "solar hot water ready" homes, and Mr. McEwen advised that there are a number of other avenues in which action on such an initiative can be pursued.

Public Works & Transportation Committee
Wednesday, November 18, 2015

In reply to a query from the Chair, Mr. Russell provided background information regarding discussions with the Ministry of Environment, noting that staff provided comments to the Climate Action Secretariat on the provincial "Climate Leadership Plan Discussion Paper" in September 2015; a draft Plan is anticipated to be released by the Ministry of Environment in the near future.

Discussion took place on electric vehicle usage in the city and Robert Gonzalez, General Manager, Engineering and Public Works, advised that statistical information regarding the use of such vehicles throughout the city would be provided to Council.

Discussion then ensued regarding the City's district energy utilities and in particular how the City compares to other regional municipalities and the level of customer satisfaction with the City's service. Mr. Russell commented on district energy utilities operated by other municipalities, and highlighted that the City is the regional leader in relation to the scale and number of connections for district energy use.

John Irving, Director, Engineering, advised that the City's district energy utilities currently service approximately 2,500 customers, noting that the City has not yet achieved a steady state in service delivery. Mr. Irving remarked that as service grows and matures, customer satisfaction data would be valuable in understanding how the service is performing.

The Chair requested that staff continue to monitor the progress of the City's district energy utilities and advise Council when it is appropriate to survey users on its performance.

It was moved and seconded

That the staff report titled "Community Energy and Emissions Plan – 2015 Update," dated October 24, 2015, from the Director, Engineering, be received for information.

CARRIED

4. CARBON NEUTRALITY AND RICHMOND CARBON MARKETPLACE UPDATE

(File Ref. No. 10-6000-01) (REDMS No. 4758152 v. 19)

Levi Higgs, Corporate Energy Manager, provided background information, and in reply to a query from Committee, advised that submitted projects are verified and confirmed as eligible by a third party based on the provincial framework, which utilizes international protocols.

Public Works & Transportation Committee
Wednesday, November 18, 2015

In reply to comments regarding the notion of purchasing carbon credits from other organizations to achieve carbon neutrality for the City, Mr. Irving advised that the Richmond Carbon Marketplace program was envisioned as a means to reduce greenhouse gas (GHG) emissions and invest in Richmond organizations through the purchase of carbon reduction credits for completing GHG emissions reducing projects.

It was moved and seconded

- (1) *That the staff report titled, "Carbon Neutrality and Richmond Carbon Marketplace Update," from the Director of Engineering, dated October 30, 2015 be received for information; and*
- (2) *That the Chief Administrative Officer and the General Manager, Engineering and Public Works be authorized to negotiate and execute agreements with each of the five prospective Richmond-based business organizations to support community greenhouse gas emissions reductions and to ensure that the City of Richmond corporate carbon neutrality is maintained.*

CARRIED

5. MANAGER'S REPORT

(i) Appreciation for Public Works Crew

On behalf of a Seniors Advisory Committee member, Councillor Johnston thanked the City's Public Works staff for repairing an uneven sidewalk with expediency.

(ii) George Massey Tunnel Replacement Project

Discussion took place on the potential to examine connecting Rice Mill Road to the east side of Highway 99 at Steveston Highway in light of the proposed timeline for completion of the George Massey Tunnel replacement project.

Mr. Wei spoke to the need of a business case for such a project, noting that a technical analysis would be critical in determining its feasibility and whether or not it is required should the Highway 99 interchange at Steveston Highway be completely rebuilt.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:40 p.m.).

CARRIED

Public Works & Transportation Committee
Wednesday, November 18, 2015

Certified a true and correct copy of the Minutes of the meeting of the Public Works and Transportation Committee of the Council of the City of Richmond held on Wednesday, November 18, 2015.

Councillor Chak Au
Chair

Hanieh Berg
Legislative Services Coordinator



City of Richmond

Report to Committee

To: General Purposes Committee

Date: November 10, 2015

From: Bill McNulty
Councillor

File: 06-2345-01/2015-Vol
01

Re: 2016 Japan National Sail Training Institute Visit and 2017 Canada 150
Planning

Recommendation

That the report “2016 Japan National Sail Training Institute Visit and 2017 Canada 150 Planning,” from Councillor Bill McNulty be approved for implementation.

Bill McNulty
Councillor
(604-276-4134)

Origin

At the November 9, 2015, Council meeting as part of the report 2017 Canada 150th Steveston Ships to Shore Events the following recommendation was approved by Council:

1. That the proposed 2017 Tall Ship and Ships to Shore celebrations as detailed in the staff report titled "2017 Canada 150th Steveston Ships to Shore Events," from the Senior Manager, Parks, dated October 8, 2015, be endorsed for the purposes of event planning and budget preparation;
2. That \$895,000 be transferred from the Council Community Initiatives Fund in 2016 to support the event delivery for the 2017 Canada 150th Steveston Ships to Shore Events and that the 2017 Canada 150th Steveston Ship to Shore Events be considered in the 2016 budget process; and
3. That Staff make the necessary arrangements for meeting with the National Sail Training Institute in Japan in April 2016 to finalize negotiations as part of the 2017 Tall Ships recruitment process.

The purpose of this report is in response to the above approved Council resolutions and to seek approval for travel to Japan in 2016 for one councilor, staff support and an interpreter to continue and finalize ship recruitment and celebration planning for Canada 150 Celebrations in May 2017.

This report supports Council's 2014-2018 Term Goal #2 A Vibrant, Active and Connected City:

Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond's demographics, rich heritage, diverse needs, and unique opportunities, and that facilitate active, caring, and connected communities.

2.3. Outstanding places, programs and services that support active living, wellness and a sense of belonging.

2.4. Vibrant arts, culture and heritage opportunities.

Analysis

The 2017 arrival of the Kaiwo Maru is fitting to celebrate Richmond's connection to the Pacific Rim and Japan. In addition to 2017 being Canada's 150th anniversary, it is also the 140th anniversary of the arrival of Mr. Manzo Nagano, the first Japanese settler to BC who transited up the Fraser River (Mount Nagano is named after him on the Central Coast of BC), and the 130th anniversary of Mr. Gihei Kuno (Kuno Gardens at Garry Point Park) from Wakayama prefecture, near Richmond's sister City.

2016 Liaison with Japanese National Sail Training Institute

Since April 2015, staff have been in contact with the Japanese National Sail Training Institute (NIST) and the City has now received a positive formal response indicating that the necessary preparations have begun for sending the tall ship Kaiwo Maru to Richmond in the first or second week of May 2017. Planning with NIST will continue in 2015 to 2016. Detailed discussions are proposed to occur at the NIST federal naval offices to ensure the required coordination for a successful arrival of the vessel 12 months prior to the planned arrival in 2017. Approximately 200 crew and officers will be visiting Richmond on the vessel and planning for the arrival is essential to ensure a safe and successful celebration for all.

In addition, an invitation has been received from a City Councilor in Nagasaki, Japan inviting representatives to visit the 2016 Nagasaki Tall Ship festival where vessels from Japan (including the Kaiwo Maru), Russia and other countries will be present and discussions and ship recruitment will occur. Nagasaki is also the home city of Manzo Nagano.

Proposed 2016 Japan Ship to Shore Recruitment Program

The proposed 2016 Japan Ships to Shore recruitment program includes following key objectives:

- Continued relationship development with the Japanese Sail Training Institute;
- Specific and detailed negotiations, detailed planning and logistics for the Canada 150 celebrations in May 2017;
- Relationship development with other Pacific Rim tall ship ports (Japan, Russia and Korea) through attendance and meetings at a Tall Ship festival;
- A best practice visit and attendance at the Nagasaki Tall Ship festival to meet with the City event organizers and captain's on board the vessels;
- A courtesy visit to Wakayama Richmond's sister City; and
- Research for 2017 event planning.

Proposed 2016 Program Itinerary and Costing:

Key to the timing of this opportunity is the upcoming Nagasaki Tall Ship festival where many international vessels will be in attendance from April 21 to 25, 2016.

Date	Itinerary
April 17	Depart YVR
April 18	Arrive in Tokyo next day.
April 19	Travel to Yokohama – Naval Sail Training Institute/Maritime Museum visit.
April 20	Yokohama/Tokyo
April 21	Travel to Wakayama – courtesy visit to Mayor and Council and Sister City.
April 22	Travel Day to Nagasaki by train, evening arrival.

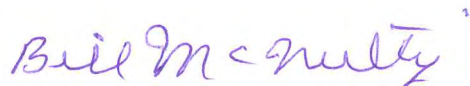
	Nagasaki Tall Ship Festival – Meet City staff and visit on Kaiwo Maru present letters of invitation/introduction to vessels in attendance: Korea, Russia, Japan.
April 23	Nagasaki Tall Ship Festival Meeting on Kaiwo Maru with NIST officers.
April 24	Nagasaki Tall Ship Festival Meeting with City of Nagasaki and participation festival.
April 25	Nagasaki – area and closing event or travel day to be confirmed.
April 26	Tokyo – Transit Day.
April 27	Train to airport/flight to Tokyo/YVR
April 28	Arrive YVR

Financial Impact

The proposed travel expenses for the April 2016 Japan visit are \$30,000. This includes airfare, accommodation, rail passes, transit, meals, car rental, and insurance costs for the delegation. Existing approved funding for 2017 Ships to Shore recruitment is \$19,450 and as part of the 2016 Council approved 2017 Ships to Shore Canada Day program the remainder of the funding is included within the 2017 Ship recruitment budget. Donations will be solicited for financial support including rail pass sponsorship for the delegation.

Conclusion

This report details a proposed 2016 program for on-going relationship development for 2017 ship recruitment and best practises in Japan for April 2016.



Bill McNulty
Councillor
(604-276-4134)



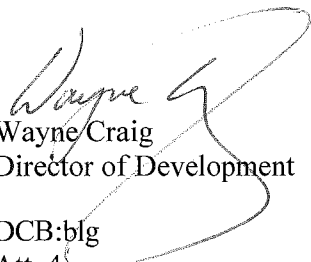
City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director of Development
Date: November 9, 2015
File: ZT 15-710920
Re: Application by Pacific Land Resource Group Inc. for a Zoning Text Amendment to the Industrial Retail (IR1) Zone to Permit Retail Sale of Automotive Parts and Accessories at 2760 Sweden Way

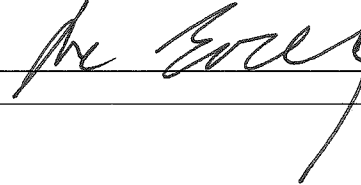
Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9503, for a Zoning Text Amendment to the "Industrial Retail (IR1)" zone to permit "Retail, general uses, limited to retail sale of automotive parts and accessories" at 2760 Sweden Way, be introduced and given first reading.


Wayne Craig
Director of Development
DCB:blg
Att. 4

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER



Staff Report

Origin

Pacific Land Resource Group Inc. has applied for permission to amend zoning district “Industrial Retail (IR1)” of Zoning Bylaw 8500 to add “Retail, general uses, limited to retail sale of automotive parts and accessories” as a site specific permitted use at 2760 Sweden Way (Attachment 1). The intent of the amendment is to accommodate the relocation of Lordco Auto Parts warehouse and retail sales operation.

Findings of Fact

Lordco Auto Parts currently operates from a facility at 5355 No. 3 Road, but needs to relocate as the owners of that site are demolishing the existing structures and have applied to the City for a rezoning from Auto-oriented Commercial (CA) to a zone for mixed-use commercial and residential development (RZ 15-692485). This application is currently under staff review and will be presented to Planning Committee at a later date upon completion of the application review. Lordco has advised staff that they need to relocate and start operating by the end of January, 2016.

The proposed site is occupied by two (2) existing buildings; one (1) stand-alone building with an existing 330 m² (3,555 ft²) McDonald’s outlet, and a larger 5,443 m² (58,580 ft²) building with an existing Staples Business Depot retail store; 2,330 m² (25,080 ft²) and a currently vacant 3,113 m² (33,510 ft²) space previously occupied by Future Shop. Lordco proposes to the former Future Shop unit.

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

Surrounding Development

Surrounding development is as follows:

To the North: A Home Depot retail store on a 3.55 ha (8.78 ac) site zoned “Industrial Retail (IR1)”.

To the South: Bridgeport Road; then two (2) lots of approximately equal size 0.39 ha (0.97 ac) and both are zoned “Industrial Retail (IR1)”.

To the East: A 0.4 ha (0.98 ac) strata lot zoned Light Industrial (IL) and a larger 0.89 ha (2.2 ac) site owned by SW BC Properties Inc. and zoned “Light Industrial (IL)”.

To the West: Along the west side of Sweden Way are two (2) large lots (1.75 ha/4.33 ac, 0.71 ha/1.76 ac respectively), both of which are zoned “Industrial Retail (IR1)”. The shops located on these lots are retail operations; selling home lighting, carpet and flooring, home furnishings, etc.

Related Policies & Studies

Official Community Plan/Bridgeport Area Plan

The subject property is designated in the Official Community Plan (OCP) for “Mixed Employment”. This designation applies *where the principal uses are industrial and stand-alone office development, with a limited range of support services. In certain areas, a limited range of commercial uses are permitted; such as the retail sale of building and garden supplies, household furnishings and similar warehouse goods.* The proposed automotive parts retail and warehouse operation conforms to the OCP designation.

The site is within the Bridgeport Road Corridor identified in the Bridgeport Area Plan; which designates this location primarily for light industrial and certain retail uses, noting that this corridor has developed mainly as an automobile-oriented commercial strip. The proposed Lordco retail and industrial facility will conform to the Area Plan’s land use designation.

Zoning Amendment

Under the City’s Zoning Bylaw (No. 8500), the subject site is currently zoned “Industrial Retail (IR1)”. The proposed use is regulated under two (2) Zoning Bylaw defined uses, “industrial, general” and “retail, general”. “Industrial, general” is already permitted in the IR1 zone and accommodates the warehouse and wholesale component of the Lordco operation. The addition of “Retail, general, limited to retail sale of automotive parts and accessories” is being requested by the applicant to permit the retail sales portion of their operation. As proposed, this amendment will be a site specific amendment applying solely to the subject site. Additionally, retail sales will be restricted to the sale of automotive parts and accessories only.

If approved, the Lordco Auto Parts facility will utilize approximately 1,114 m² (12,000 ft²) of the 3,112 m² (33,500 ft²) unit for retail sales of auto parts. The remaining 1,997 m² (21,500 ft²) will be dedicated to wholesaling and warehouse sales. Exterior changes to the facades of the building are proposed to include updating of exterior signage and new painting on portions of the facades. Updating to a segment of the free-standing sign is also proposed.

The main building has suitable loading areas typical of larger retail operations and the combined uses on the site share approximately 250 parking spaces for clients and staff – The available parking is sufficient to accommodate a large customer base and will exceed the Zoning Bylaw (No. 8500) requirements for the overall site.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. A flood indemnity covenant is currently registered on Title for this site and conforms to the bylaw requirements.

Aircraft Noise

The subject site is located within Richmond's Aircraft Noise Sensitive Land Use Area 1A, which indicates an area with a Noise Exposure Forecast rating greater than 35 NEF. The subject site will not contain aircraft noise sensitive land uses (e.g. residential, school, daycare or hospital uses) and no specific measures are required to accommodate the proposed retail/warehouse uses.

Public Consultation

As an Official Community Plan (OCP) amendment is not required for the proposed Zoning Text Amendment, no additional public consultation beyond the standard Public Hearing is required or warranted. To time of writing, no comments have been received from the public.

Analysis**Built Form and Architectural Character**

As noted earlier, Lordco is proposing only minor changes to the unit's exterior facades including updating of exterior signage and new painting on portions of the facades. Updating to a segment of the free-standing sign is also proposed.

The proposed changes to the exterior of the building are not anticipated to be significantly different than those of other retail/industrial buildings in the surrounding area and are oriented toward establishing the Lordco Auto Parts branding and colors. Staff anticipate that the unit's appearance will be compatible with the existing retail stores in the area. If the exterior changes are less than \$75,000, then a Development Permit may not be required as per the Official Community Plan's Development Permit Guidelines.

Transportation and Site Access

No changes are required to either the number of parking stalls or site accesses to accommodate the proposed uses at the subject site. The overall client base for Lordco is anticipated to be less than that over the previous tenant Future Shop. Transportation staff have, however, identified a need for a minor land dedication along the southern property boundary to facilitate future improvements to the turning lane off Bridgeport Road. The area of the "sliver" of land to be dedicated is approximately 20 m² (215 ft²). This dedication requirement is included in the Rezoning Considerations (Attachment 4) and is to be addressed prior to final adoption.

Landscaping Enhancements

The applicant has agreed to provide landscaped islands using planters or in-ground area at the ends of the rows of parking in the site's parking lot. These new planting areas will provide a minimum of 15 new trees and shrubs on the site. The Rezoning Considerations includes a requirement for the submission of an acceptable landscape plan and associated landscape security prior to Bylaw adoption.

Site Servicing and Frontage Improvements

Engineering and Building Approvals staff have not identified any needed servicing requirements for the proposed project. The existing services in the area have been determined to be sufficient to accommodate the proposed development.

Financial Impact or Economic Impact

None.

Conclusion

The purpose of the Zoning Text Amendment is to amend zoning district "Industrial Retail (IR1)" of Zoning Bylaw 8500 to add "Retail, general uses, limited to retail sale of automotive parts and accessories" as an Additional Use to permit retail sales at 2760 Sweden Way.

The proposed amendment will allow Lordco Auto Parts Ltd. to relocate from their existing facility at 5355 No. 3 Road to the subject site, thereby keeping their operation within Richmond. The proposed retail sales limited to automotive parts and accessories and warehousing uses are seen by staff to be reasonably compatible fit to the existing uses in the area, while at the same time, not inserting a new competitive use to the existing businesses.

Staff recommend support for the proposed Zoning Text Amendment that will permit general retail uses at 2760 Sweden Way and that Zoning Bylaw 8500 Amendment Bylaw 9503 be introduced and given first reading.



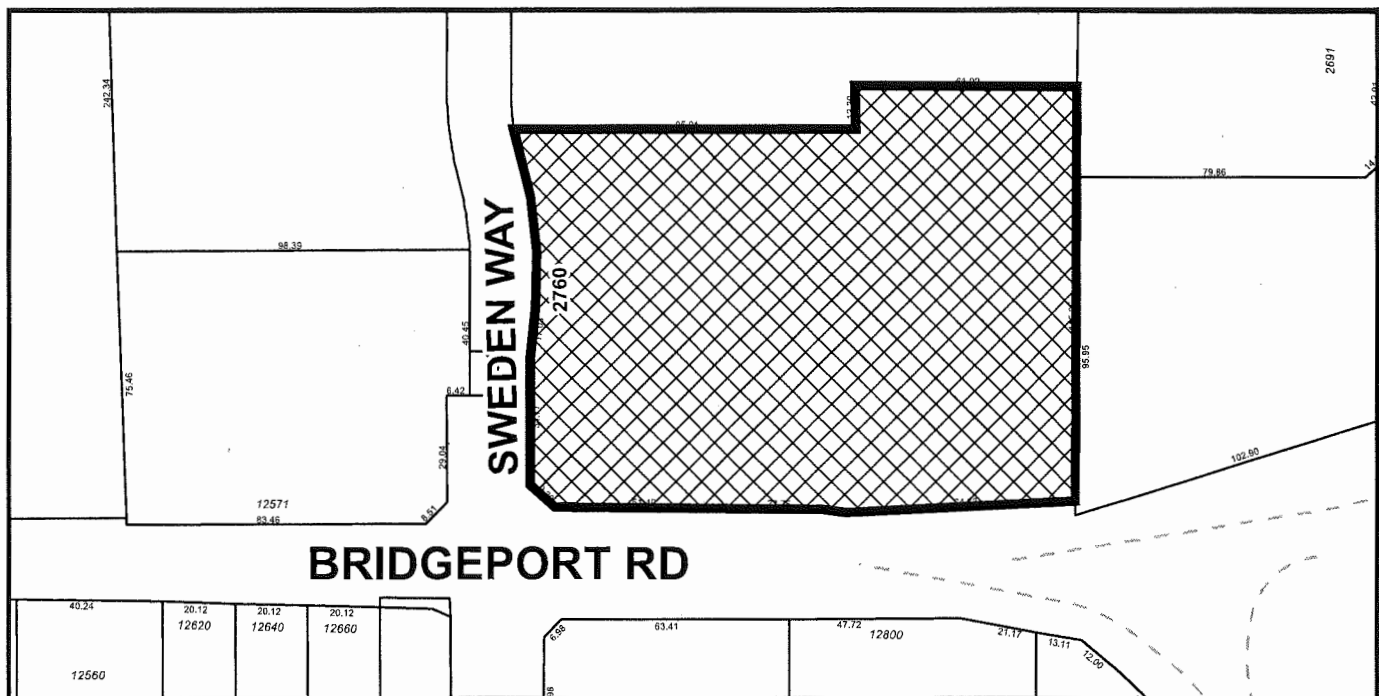
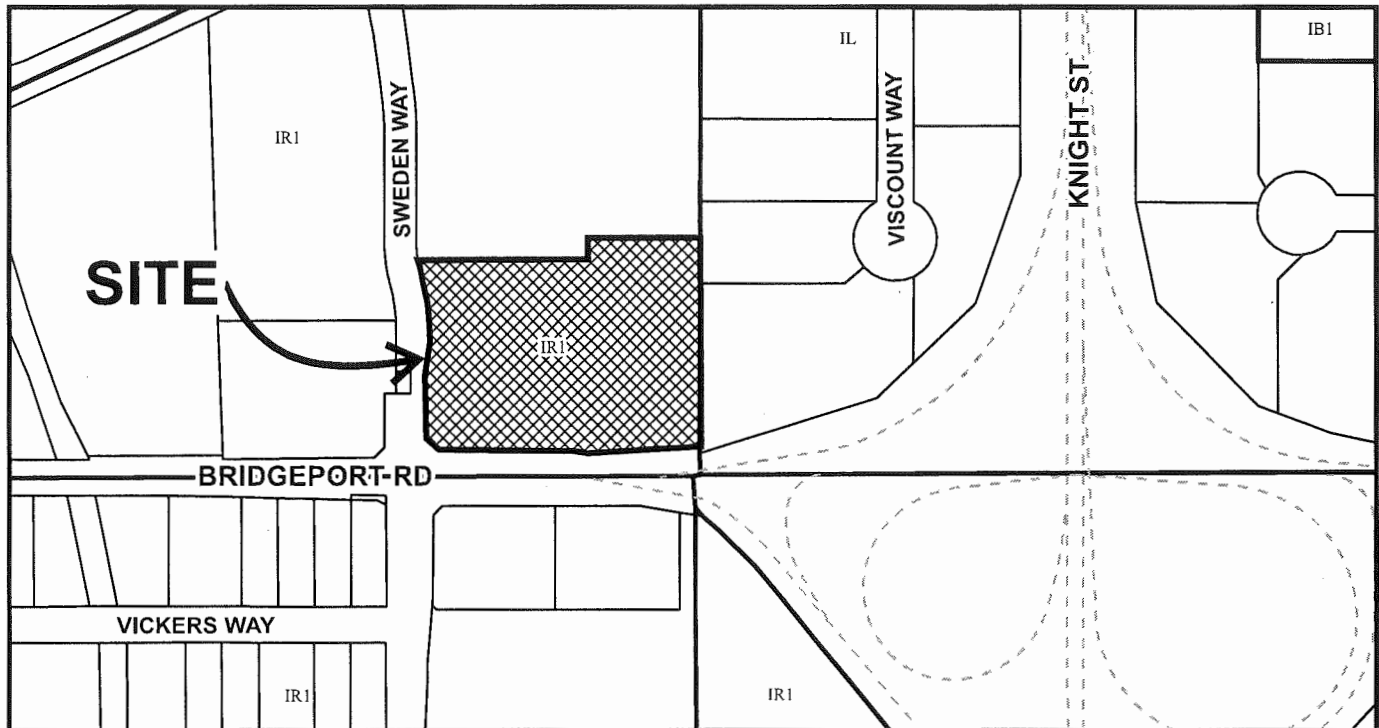
David Brownlee
Planner 2

DCB:blg

- Attachment 1: Location Map
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Rezoning Considerations



City of
Richmond



ZT 15-710920

Original Date: 10/13/15

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



ZT 15-710920

Original Date: 10/13/15

Revision Date:

Note: Dimensions are in METRES

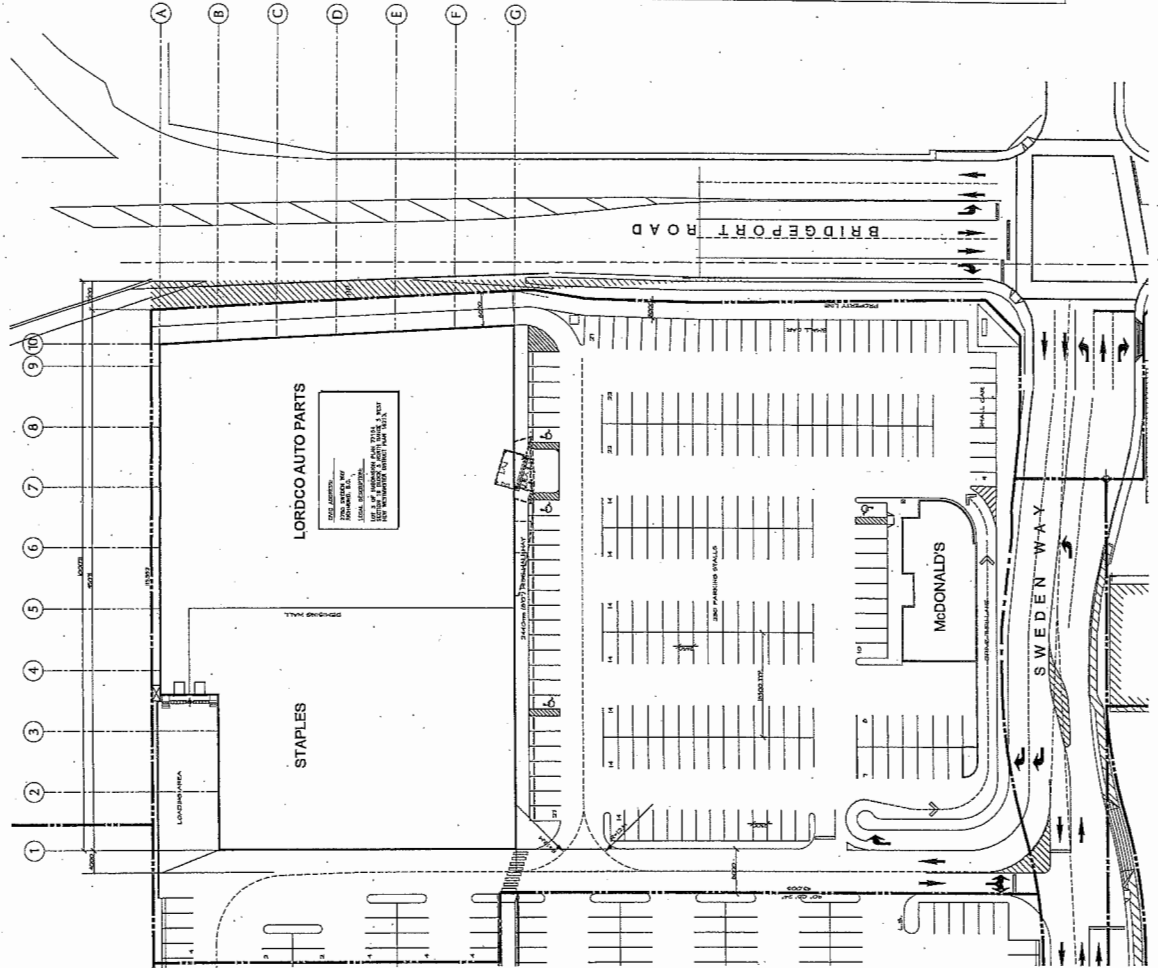
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TOTAL BUILDING SOLUTIONS
10000 10th Avenue SE
Suite 100
Burien, WA 98148
Tel: 206.835.1000
Fax: 206.835.1001
www.omicronbuilding.com

Project: Lordco Auto Parts
Client: Dayhu Investments Ltd.
Date: 10/10/12

Dayhu Investments Ltd.
LORDCO AUTO PARTS
2780 Sweden Way

Scale: 1" = 40' - 0"
Sheet: 10/10/12
Page: 1 of 1

A1.1.2



PROPERTY STATISTICS

EXISTING		NEW		TOTAL	
AREA	sq. ft.	AREA	sq. ft.	AREA	sq. ft.
BUILDING AREA - EXISTING					
WAREHOUSE	13,100	0	0	13,100	0
OFFICE	1,100	0	0	1,100	0
RETAIL	1,100	0	0	1,100	0
LANDSCAPE	1,100	0	0	1,100	0
TOTAL	16,400	0	0	16,400	0
BUILDING AREA - PROPOSED					
WAREHOUSE	13,100	0	0	13,100	0
OFFICE	1,100	0	0	1,100	0
RETAIL	1,100	0	0	1,100	0
LANDSCAPE	1,100	0	0	1,100	0
TOTAL	16,400	0	0	16,400	0
CONCRETE					
EXISTING	1,100	0	0	1,100	0
PROPOSED	0	0	0	0	0
TOTAL	1,100	0	0	1,100	0
PARKING					
EXISTING	1,100	0	0	1,100	0
PROPOSED	0	0	0	0	0
TOTAL	1,100	0	0	1,100	0
RECALCULATED PARKING RATIO					
EXISTING	1,100	0	0	1,100	0
PROPOSED	0	0	0	0	0
TOTAL	1,100	0	0	1,100	0
LEASE REQUIREMENT					
EXISTING	1,100	0	0	1,100	0
PROPOSED	0	0	0	0	0
TOTAL	1,100	0	0	1,100	0
RESTRICTIVE COVENANT RELEASE NOTICE (C/L)					
EXISTING	1,100	0	0	1,100	0
PROPOSED	0	0	0	0	0
TOTAL	1,100	0	0	1,100	0
STAPLES					
EXISTING	1,100	0	0	1,100	0
PROPOSED	0	0	0	0	0
TOTAL	1,100	0	0	1,100	0
McDONALD'S					
EXISTING	1,100	0	0	1,100	0
PROPOSED	0	0	0	0	0
TOTAL	1,100	0	0	1,100	0

PRELIMINARY

ENLARGED SITE PLAN



ZT 15-710920

Attachment 3

Address: 2760 Sweden Way

Applicant: Pacific Land Resource Group Inc.

Planning Area(s): Bridgeport

	Existing	Proposed
Owner:	Dayhu Investments Ltd	No Change
Site Size (m²):	1.6754 ha (16,754 m ²)	1.6754 ha (16,734 m ²) net of road dedication along Bridgeport Road
Land Uses:	Industrial and Retail	No Change
OCP Designation:	Mixed Employment	No Change
Area Plan Designation:	Light industrial and certain retail uses	No Change
Zoning:	Industrial Retail (IR1)	Industrial Retail (IR1) with amendment to add "Retail, general uses, limited to retail sale of automotive parts and accessories" as a site specific use
Other Designations:	NEF Area 1 A	No Change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.0	0.35	none permitted
Lot Coverage – Building:	Max. 60%	Approx. 35%	none
Lot Size (min. dimensions):	No Minimum	N/A	none
Setback – Front and Exterior Side Yards (m):	Min. 3.0 m	More than 3.0 m.	none
Setback – Interior Side Yards (m):	No minimum	N/A	none
Height (m):	12 m	10 m	none
Off-street Parking Spaces	237 (full site)	250	none
Tandem Parking Spaces:	permitted	None	none
HC Parking Spaces (for unit only)	3	3	none
Loading Stalls	1 large / 2 medium	1 large / 2 medium	none
Bicycle Parking: (for unit only)	Class 1: 9 Class 2: 10	Class 1: 9 Class 2: 10	none



City of
Richmond

Rezoning Considerations
Development Applications Department
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 2760 Sweden Way

File No.: ZT 15-710920

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9503, the developer is required to complete the following:

1. Dedication of a narrow sliver of land of approximately 20 m² (215 ft²) along a portion of the southern property line adjacent to Bridgeport road to facilitate future road improvements.
2. Submit a Landscape Security to the satisfaction of the Director of Development. The Security is to be based on 110% of the cost estimate covering materials and installation costs provided by the Landscape Architect related to the installation of landscaping islands at the ends of the vehicle parking rows.

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

1. Submit proof that a minimum of 9 Class One and 10 Class 2 bicycle spaces have been installed in compliance with Zoning Bylaw 8500.

Note:

- 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 _____

Date _____



Richmond Zoning Bylaw 8500
Amendment Bylaw 9503 (ZT 15-710920)
2760 Sweden Way

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

1. Richmond Zoning Bylaw 8500 is amended by inserting the following clauses and renumbering Section 12.4.11 Other Regulations in the Industrial Retail (IR1) zone accordingly;
 - “6. Notwithstanding Section 12.4.11.5, **Retail, general uses, limited to retail sale of automotive parts and accessories** shall be permitted only at the following site(s):

2760 Sweden Way
P.I.D. 024-886-271
Lot 3 Section 19 Block 5 North Range 5 West New Westminster District Plan LMP47838”
2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9503**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED by <i>AB</i>
APPROVED by Director or Solicitor <i>BK</i>



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee

Date: November 4, 2015

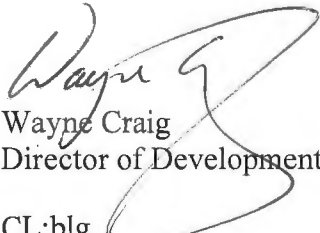
From: Wayne Craig
Director of Development

File: RZ 15-693376

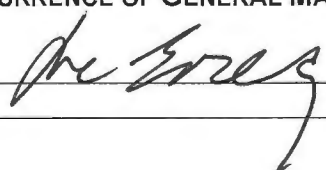
Re: Application by CIS Homes Ltd. for Rezoning at 10340 Odlin Road from Single Detached (RS1/B) to Single Detached (RS1/K)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9504, for the rezoning of 10340 Odlin Road from "Single Detached (RS1/B)" to "Single Detached (RS1/K)", be introduced and given first reading.


Wayne Craig
Director of Development

CL:blg
Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	

Staff Report

Origin

CIS Homes Ltd has applied to the City of Richmond for permission to rezone the property at 10340 Odlin Road from the “Single Detached (RS1/B)” zone to the “Single Detached (RS2/K)” zone, to permit the property to be subdivided to create two (2) lots (Attachment 1). A site survey showing the proposed subdivision plan is included in Attachment 2.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North, East, and West, are dwellings on lots zoned “Single Detached (RS1/B)”.
- To the South, is a dwelling on a lot zoned “Single Detached (RS1/B)”, which fronts Hayne Court.

Related Policies & Studies

Official Community Plan/West Cambie Area Plan

The Official Community Plan (OCP) land use designation for the subject property is “Neighbourhood Residential”.

The subject property is located in the Odlinwood Neighbourhood of the West Cambie Area Plan (Attachment 4). The Area Plan land use designation for the subject property is “Residential (Single-Family only)” (Attachment 5).

The Odlinwood Neighbourhood was primarily developed during the 1990’s and into the early 2000’s, and includes both multi-family and single-family housing at a range of densities and lot sizes (e.g., from 0.55 to 0.78 FAR; and, with lots of 9.0 m in width and 270 m² in area). The Area Plan provides for infill residential development that is compatible with the character of existing development in the neighbourhood. This proposal to rezone the subject property to the “Single Detached (RS2/K)” zone is consistent with policies and land use designation contained in the Area Plan, as well as with the character of existing development in the surrounding neighbourhood, as it would permit the creation of two (2) lots each approximately 10 m wide and 357 m² in area.

Aircraft Noise Sensitive Development Policy

The subject site is located within the Aircraft Noise Area 2. In accordance with the Aircraft Noise Sensitive Development Policy (ANSND) in the OCP, applications involving rezoning from one (1) single-family sub-zone to another may be considered in this aircraft noise sensitive area [e.g., “Single Detached (RS1/B)” to “Single Detached (RS2/K)”]. Prior to final adoption of the rezoning bylaw, the applicant is required to register an aircraft noise sensitive use covenant on Title to address public awareness and to ensure aircraft noise mitigation is incorporated into dwelling design and construction.

Floodplain Management Implementation Strategy

The proposed redevelopment 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.

Ministry of Transportation and Infrastructure Approval

As the subject site is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, this redevelopment proposal was referred to the Ministry of Transportation and Infrastructure (MOTI). Confirmation has been received from MOTI indicating that they have no objections to the proposed redevelopment and that preliminary approval has been granted for a period of one year. Final approval from MOTI is required prior to final adoption of the rezoning bylaw.

Public Consultation

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 placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and should Council grant 1st reading to the rezoning bylaw, a Notice of Public Hearing will be sent to all residents and property owners of land within 50 m of the subject site, with instructions on how to participate in the public process.

Analysis**Site Planning and Vehicle Access**

A conceptual site plan for the proposed lots is included in Attachment 6.

Vehicle access to the proposed lots is from Odlin Road via separate driveway crossings located at either end of the frontage to facilitate tree retention and maximize opportunities for on-street parking on Odlin Road.

Tree Retention and Replacement

A Certified Arborist's Report was submitted by the applicant; which identifies tree species, assesses their structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses 19 trees on-site and two (2) trees off-site.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted visual tree assessment, and concurs with the Arborist's recommendations to:

- Retain seven (7) trees on-site along the north property line and in the rear yard due to their good condition and location outside of the proposed building footprints (Trees # 601, 602, 603, 604, 605, 616, 617).
- Retain off-site Tree "A", due to its location to the northeast of the subject site, away from proposed development, and to retain off-site Tree "B", located on the neighbouring property to the south at 10251 Hayne Court, due to its good condition.
- Remove (9) trees from the subject site due to either poor condition or conflict with the proposed development (Trees # 607, 610, 611, 612, 613, 614, 615, 618, and 619).
- Remove (3) trees from the subject site (Trees # 606, 608, and 609). Although these trees are in fair condition, they are in conflict with proposed vehicular access to the subject site and should be removed and replaced.

The proposed Tree Management Drawing is shown in Attachment 7.

For the removal of the 12 trees from the subject site, the OCP tree replacement ratio goal of 2:1 requires 24 replacement trees. Due to the size of the proposed lots and the effort required to be taken by the applicant to retain seven (7) trees on-site, staff recommend that only 10 replacement trees be required. The applicant's Arborist has indicated that a total of three (3) replacement trees can be accommodated on the proposed lots in the rear yards (as shown in Attachment 7); therefore, the applicant has agreed to plant and maintain three (3) replacement trees and provide a contribution of \$3500 prior to final adoption of the rezoning bylaw to the City's Tree Compensation Fund in-lieu of planting the balance of replacement trees on-site.

To ensure that the three (3) replacement trees are planted on-site at development stage, the applicant is required to submit a Landscaping Security in the amount of \$1,500 (\$500/tree) prior to final adoption of the rezoning bylaw.

To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete following items prior to final adoption of the rezoning bylaw:

- Submission of a contract with a Certified Arborist for supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.

- Submission of a survival security in the amount of \$8,300. The security will not be released until an acceptable impact assessment report is submitted and a landscaping inspection has been passed by City staff. The City will release 70% of the security after construction and landscaping on-site has been completed, and the remaining 30% of the security retained for a 1-year maintenance period to ensure that the trees have survived.

Prior to demolition of the existing dwelling on the subject site, the applicant is required to install tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and must remain in place until construction and landscaping on-site is completed.

Existing Legal Encumbrances

There is an existing statutory right-of-way for utilities registered on Title of the subject property. Encroachment into the right-of-way is not permitted. The owner is aware of the charge on Title and the preliminary concept plans for the dwellings do not encroach into the right-of-way.

Affordable Housing Strategy

The Affordable Housing Strategy for single-family rezoning applications received prior to September 14, 2015 requires a secondary suite or coach house on 50% of new lots, or a cash-in-lieu contribution of \$1.00/ft² of total buildable area towards the City's Affordable Housing Reserve Fund.

The applicant proposes to provide a legal secondary suite on one (1) of the two (2) lots proposed at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. Registration of this legal agreement is required prior to final adoption of the rezoning bylaw. This agreement will be discharged from Title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Site Servicing and Frontage Improvements

At future development stage, the applicant must pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with completion of the required servicing works and frontage improvements as described in Attachment 8.

Financial Impact

This redevelopment proposal results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

Conclusion

The purpose of this rezoning application is to rezone the property at 10340 Odlin Road from the "Single Detached (RS1/B)" zone to the "Single Detached (RS2/K)" zone, to permit the property to be subdivided to create two (2) lots.

This rezoning application complies with the land use designations and applicable policies for the subject site contained within the OCP.

The list of rezoning considerations is included in Attachment 8, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Zoning Bylaw 8500, Amendment Bylaw 9504 be introduced and given first reading.



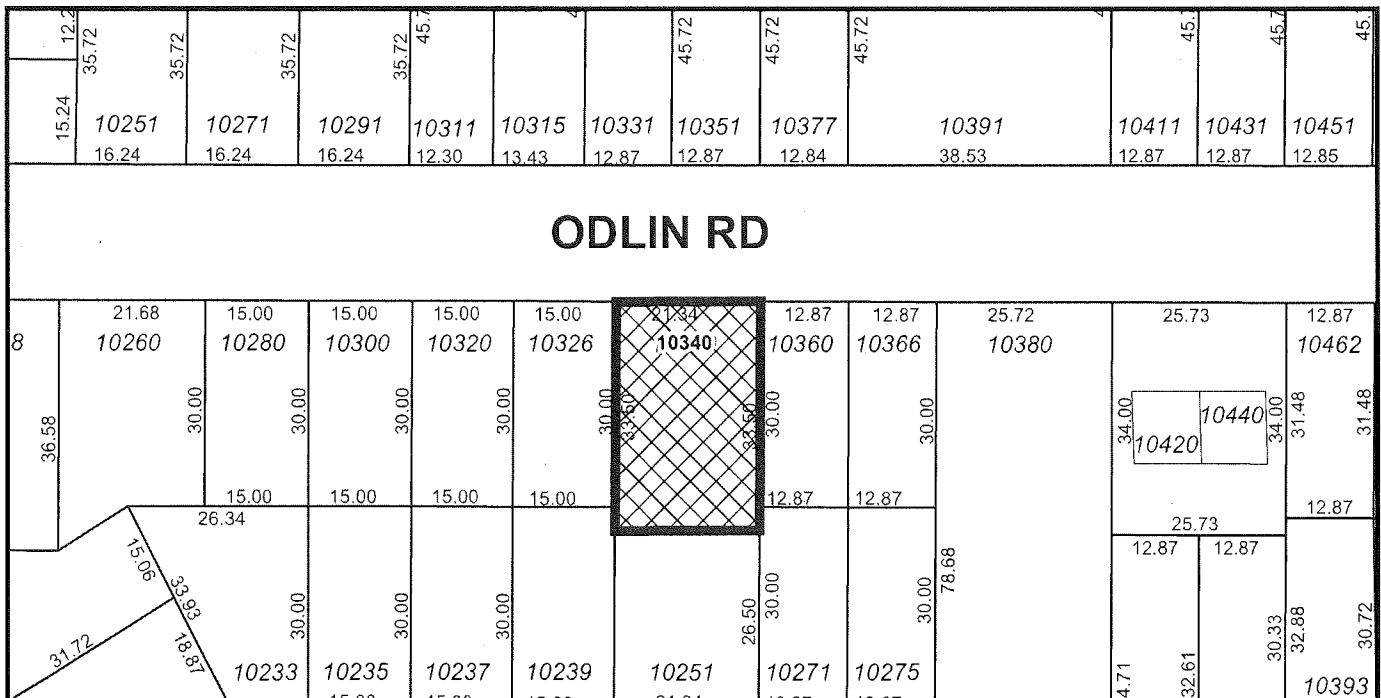
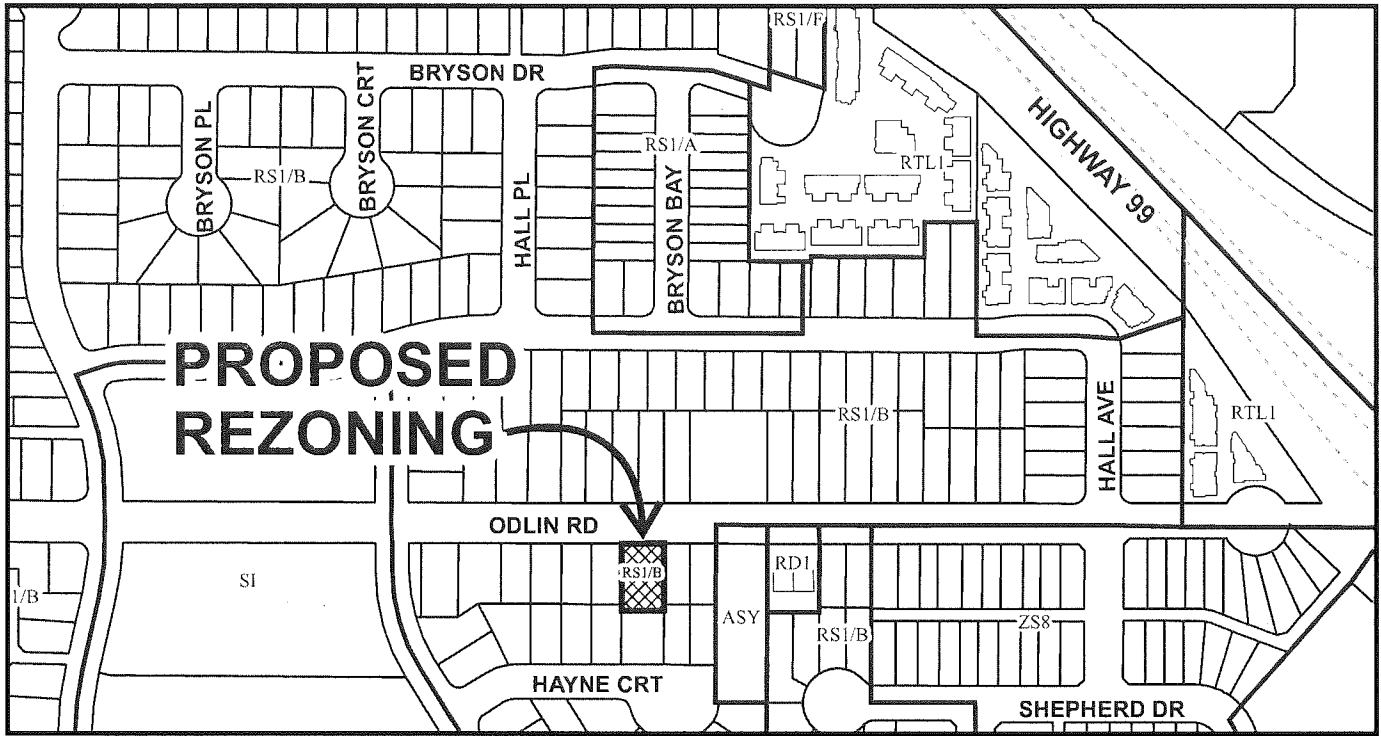
Cynthia Lussier
Planning Technician

CL:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Site survey and proposed subdivision plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: West Cambie Neighbourhood Map
- Attachment 5: West Cambie Land Use Map
- Attachment 6: Conceptual Site Plan
- Attachment 7: Proposed Tree Management Drawing
- Attachment 8: Rezoning Considerations



City of Richmond



RZ 15-693376

Original Date: 06/22/15

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 15-693376

Original Date: 06/22/15

Revision Date:

Note: Dimensions are in METRES

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 1 SECTION 35 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN LMP10584

#10340 ODLIN ROAD,
RICHMOND, B.C.
P.I.D 018-267-645

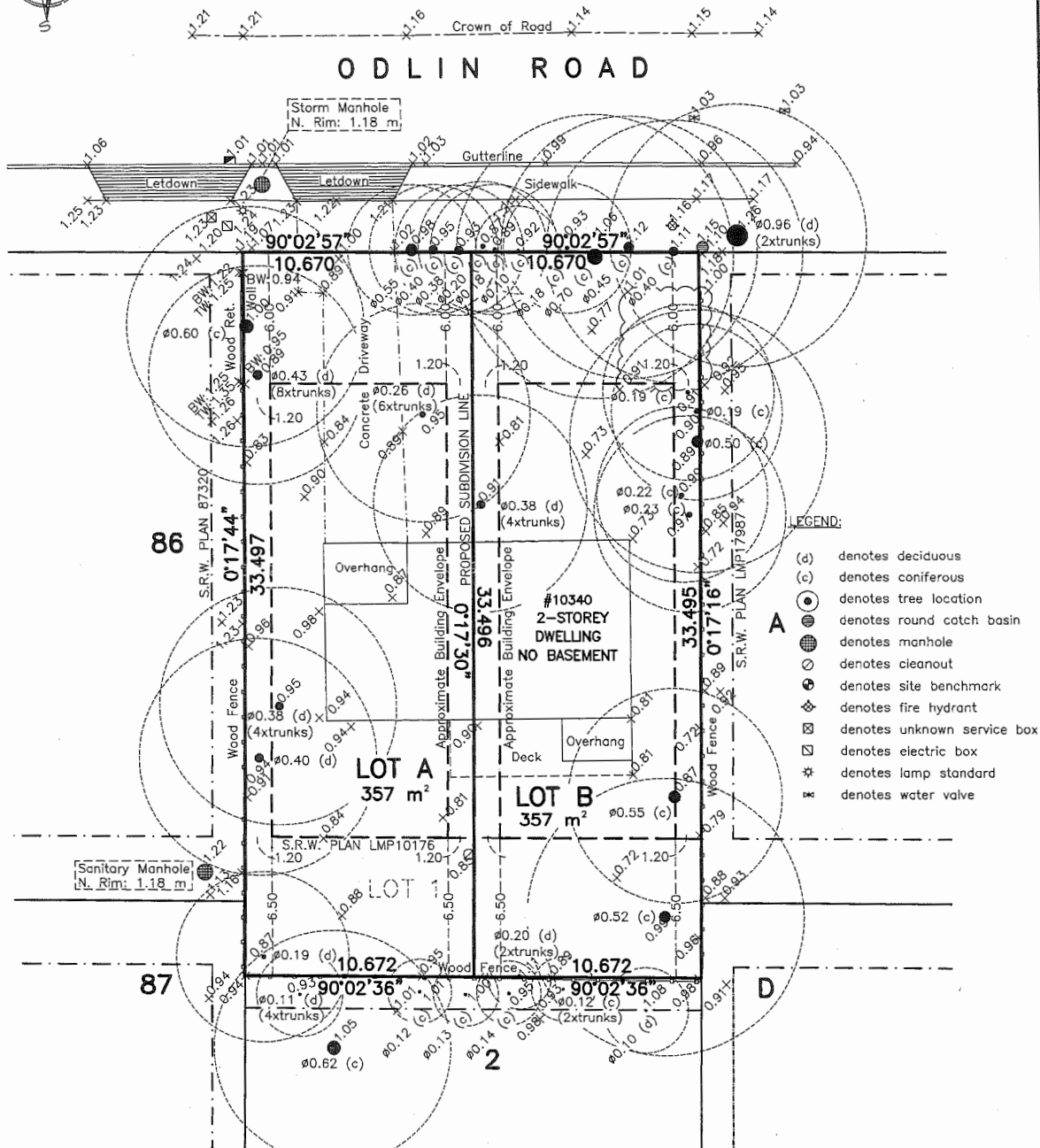
SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



Benchmark: Nail in
Aluminum Tag #331
Elevation: 1.04 m



© copyright
J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: (604) 214-8928
Fax: (604) 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 5907
FB-273 P71-75
Drawn By: WK

NOTE:

Elevations shown are based on City of
Richmond HPN Benchmark network.
Benchmark: HPN #202,
Control Monument 77H4623
Elevation = 1.452 metres
Benchmark: HPN #196,
Control Monument: 77H4970
Elevation: 1.793 metres

USE SITE BENCHMARK
CONSTRUCTION ELEVATION CONTROL

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

[Signature]
JOHNSON C. TAM, B.C.L.S.

FEBRUARY 23rd, 2015

DWG No. 5907-TOPO

CNCL - 66

NTS



RZ 15-693376

Attachment 3

Address: 10340 Odlin Road

Applicant: CIS Homes Ltd.

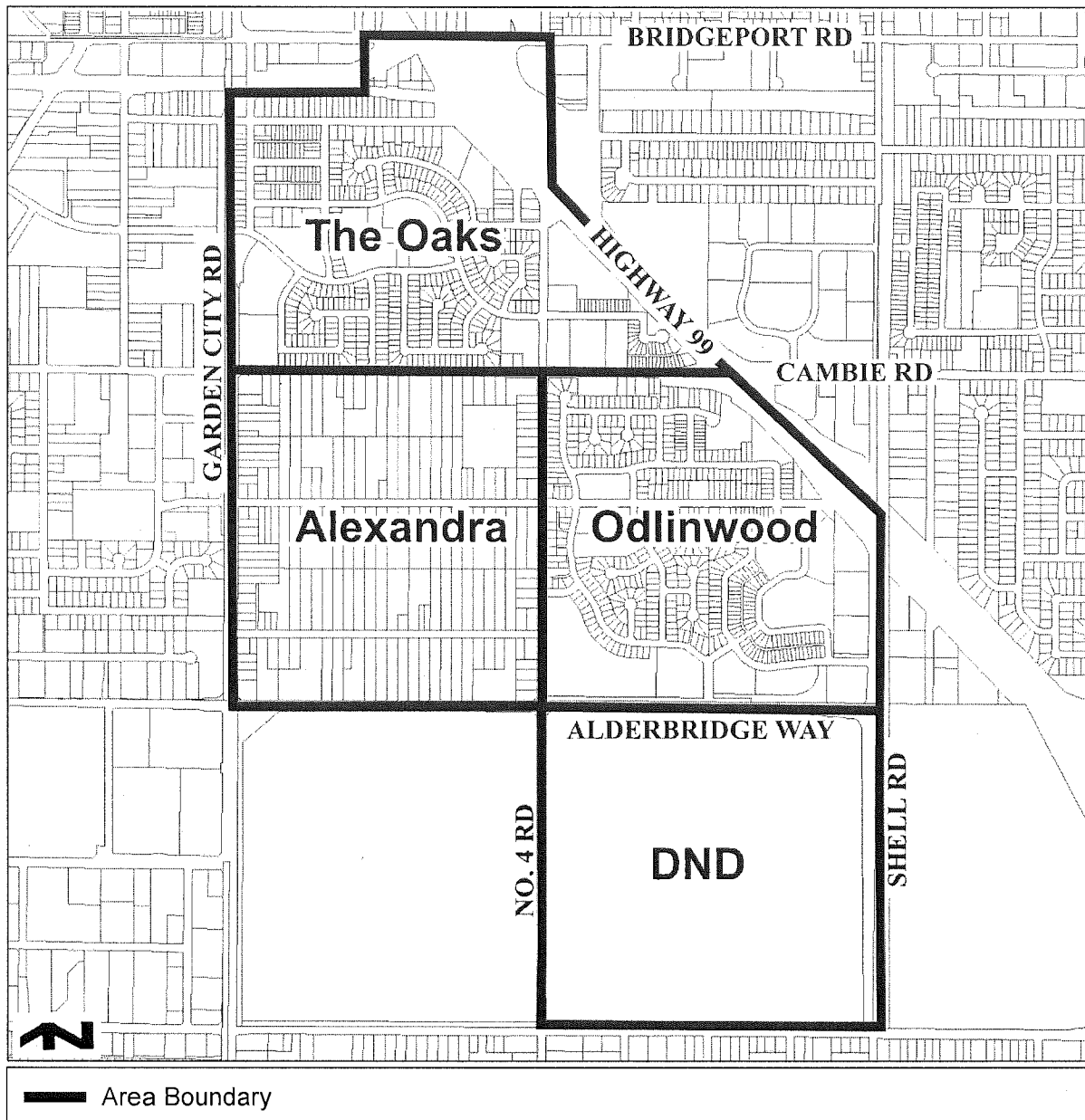
Planning Area(s): West Cambie (Odlinwood Neighbourhood)

	Existing	Proposed
Owner:	Guo J Li Shan S. Ruan	To be determined
Site Size (m ²):	714 m ² (7,685 ft ²)	Two (2) lots, 357 m ² each
Land Uses:	One (1) single detached dwelling	Two (2) residential lots
OCP Designation:	Neighbourhood Residential	No change
Area Plan Designation:	Residential (Single Family only)	No change
Zoning:	Single Detached (RS1/B)	Single Detached (RS2/K)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Size (min. dimensions):	315 m ²	357 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2 ½ Storeys	2 ½ Storeys	none

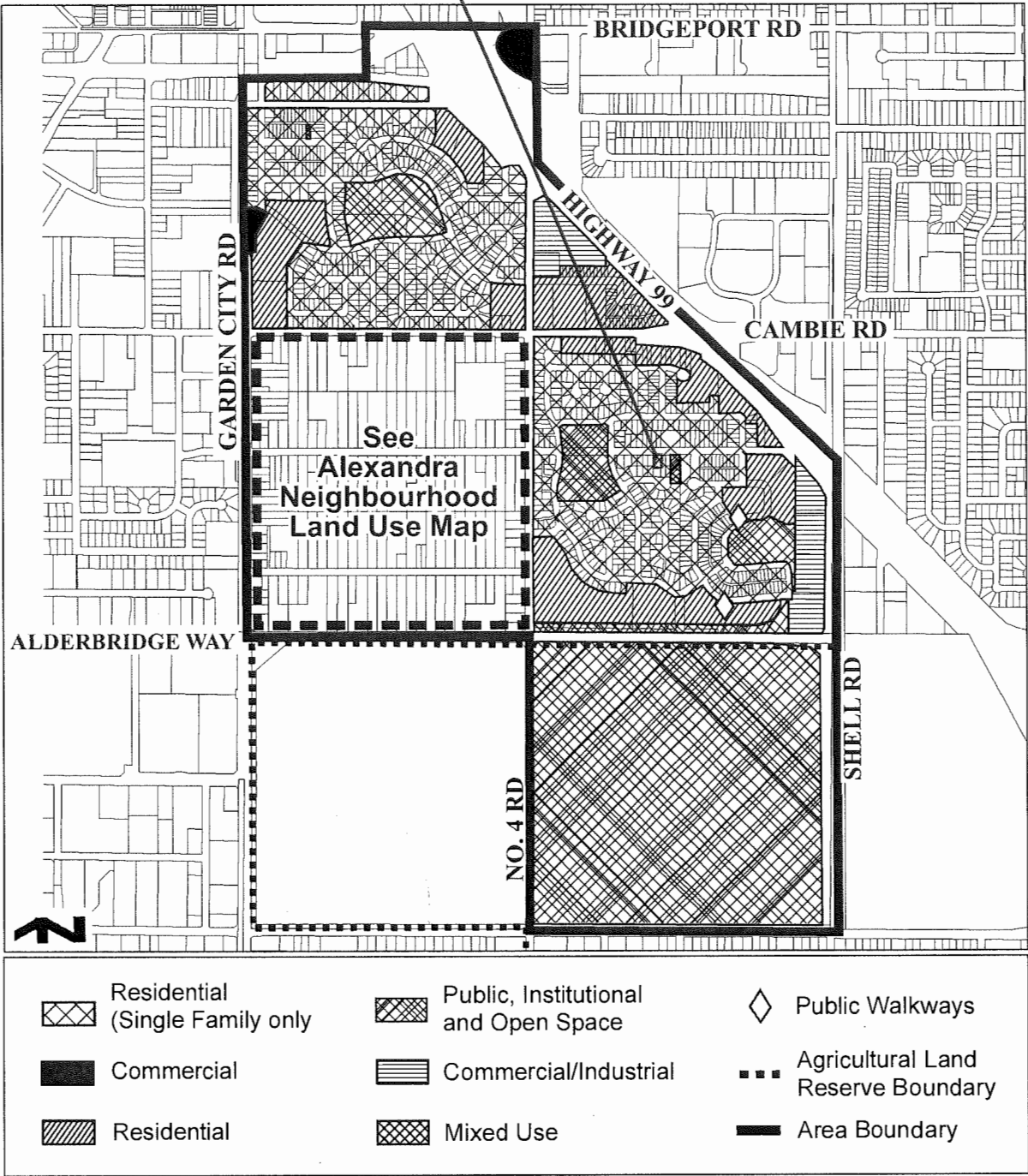
Other: Tree replacement compensation required for loss of bylaw-sized trees.

West Cambie Neighbourhood Map



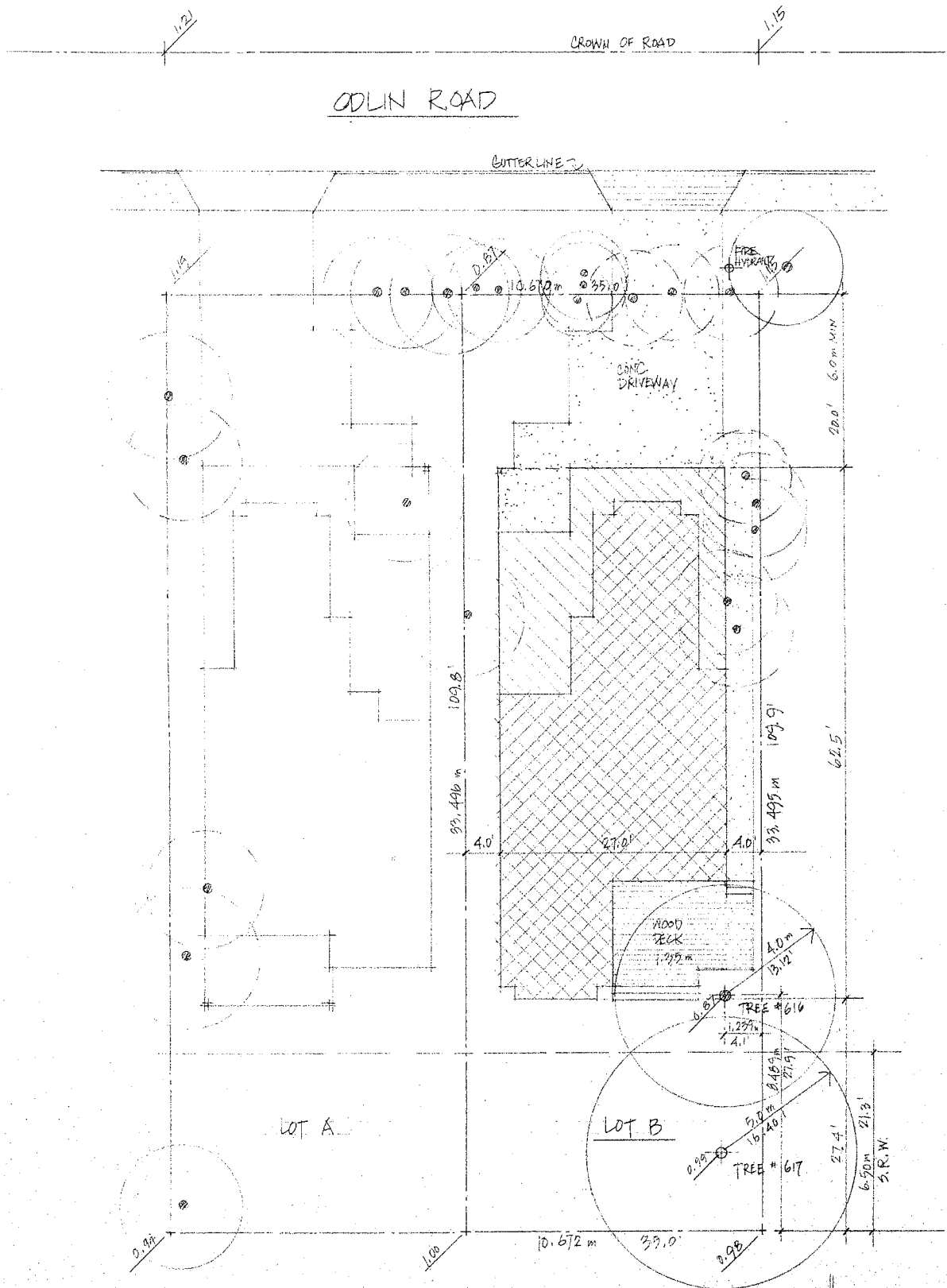
City of Richmond

Land Use Map



CONCEPTUAL SITE PLAN

ATTACHMENT 6



CROWN OF ROAD: 1.21m
 MAIN FLOOR SLAB: 1.51m
 FINISH GRADE: 1.31m
 AVERAGE EXISTING GRADE: 1.00m
 AVERAGE GRADE: 1.15m

SITE PLAN LOT B
 1/8" = 1'-0"

CNCL - 70

PROPOSED RESIDENCE
 10340 ODLIN RD
 RICHMOND, BC

SCALE AS NOTED
 SEPT '15

PLAN NOTE:
The plan, layout or drawings supplied by the project engineer (PE), Engineer (P) and/or other Design Professional (DP) are to be used as a guide only. The PE, Engineer (P) and/or other Design Professional (DP) shall be responsible for the accuracy of the information and data provided. The PE, Engineer (P) and/or other Design Professional (DP) shall be responsible for the accuracy of the information and data provided. The PE, Engineer (P) and/or other Design Professional (DP) shall be responsible for the accuracy of the information and data provided.

NOTE: TREES 601 TO 604:
• HATCHED AREA DENOTES THE TREE PROTECTION MANAGEMENT ZONE FOR DRIVEWAY RENOVATION (REMOVAL AND REPLACEMENT).
• THE NEW DRIVEWAY WILL NEED TO HAVE A RETAINING WALL BUILT WITH A NO-EXCAVATION STANDARD ALONG ITS EAST EDGE.
• THE REMAINING TPZ WILL BE REQUIRED TO BE LEFT AT EXISTING GRADE AND MAINTAINED AS A SOFT LANDSCAPE FINISH.

NOTE TREE A:
• ROOT PRUNING BY ARBORIST WILL BE REQUIRED FOR NEW DRIVEWAY, AND RETAINING WALL AT THE ALIGNMENT OF THE TREE PROTECTION ZONE.
• THIS TREE WILL BE RE-ASSESSED FOR STRUCTURAL CONDITION AT THE TIME OF THE REMOVAL OF ON-SITE TREES AND ANY TREATMENTS REQUIRED WILL BE COORDINATE THROUGH PARKS DEPT. THROUGH TPZ WILL REQUIRE AIR-SPADE, STORM CONNECTION DEPT. THROUGH TPZ WILL REQUIRE AIR-SPADE, HYDRO-VAC OR OTHER LOW IMPACT TRENCH TO BE DIRECTED BY THE PROJECT ARBORIST AT THE TIME OF INSTALLATION.

GENERAL NOTES:
DEMOLITION WILL REQUIRE SUPERVISION BY THE PROJECT ARBORIST.

• IN ORDER TO AVOID DAMAGE TO RETAINED TREES, THE REMOVAL OF TREES AND STUMPS FROM WITHIN OR FROM WITHIN 2 M AWAY FROM TPZ'S, WILL REQUIRE THE EXPERTISE OF A QUALIFIED TREE SERVICE CONTRACTOR (I.E. NOT TO BE REMOVED BY MACHINERY PULLING THE TREES DOWN AND DIGGING THE STUMPS OUT).
• PRUNING OF ANY RETAINED TREES MUST BE COMPLETED BY A QUALIFIED TREE SERVICE CONTRACTOR WORKING UNDER THE DIRECTION OF THE PROJECT ARBORIST.
• ALL LANDSCAPE FINISHING WITHIN TPZ'S WILL REQUIRE SUPERVISION BY THE PROJECT ARBORIST.

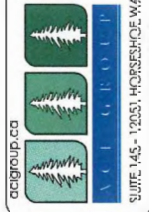
NOTE TREE 616:
• THE FOOTINGS FOR THE NEW HOUSE ARE TO BE "L-SHAPED" TO MINIMIZE OVER-EXCAVATION NEEDS.
• THE EXCAVATION FOR THE FOUNDATION AND THE PERIMETER DRAINAGE IS TO BE SUPERVISED AND ROOT PRUNED BY THE PROJECT ARBORIST.

NOTE TREE 6161:
• THE TPZ IS TO BE KEPT INTACT THROUGH ENTIRE CONSTRUCTION PHASE UNTIL WOOD DECK CONSTRUCTION IS STARTED.
• THE POSTS FOR THE WOOD DECK ARE TO BE HAND DUG UNDER THE SUPERVISION OF THE PROJECT ARBORIST.
• THE WOOD DECK CONSTRUCTION IS TO BE SUPERVISED BY THE PROJECT ARBORIST, AND WITH BEST MANAGEMENT PRACTICES FOR LOW IMPACT TO THE ROOTS OF THE TREE.

LEGEND:

- denotes TAG NUMBER or ID REFERENCE.
- denotes PRIORITY RANKING for treatment planning consideration.
- denotes DRIFTLINE (spread of the branches and foliage) of the tree.
- denotes RETENTION tree (proposed).
- denotes REMOVAL tree (proposed).
- denotes HIGH RISK REMOVAL tree (proposed).
- denotes OFF-SITE tree (to be protected and/or owner contacted as noted).
- denotes NON-TY LAW under tree (as measured by project arborist).
- denotes SITE or STUDY AREA BOUNDARY.
- denotes TREE PROTECTION ZONE (TPZ) setback alignment as specified by project arborist.
- denotes REPLACEMENT tree proposed (conceptual location - see plant list for details).

SEE SHEET 1 FOR TREE DATA AND SPECIFICATIONS



SUITE 145 - 12051 HORSESHOE WAY, RICHMOND, BC V7A 4V4 P 604 273 3464

TREE MANAGEMENT DRAWING

PROJECT: PROPOSED 2-LOT SUBDIVISION
ADDRESS: 10340 ODIN ROAD, RICHMOND
CLIENT: CIS HOMES LTD
ACL FILE: 15220

SHEET: 2 OF 2

REV #	DATE	COMMENTS
1	SEP 24, 2015	REVISED TO REFLECT CITY COMMENTS
0	JUN 18, 2015	INITIAL SUBMISSION



Address: 10340 Odlin Road

File No.: RZ 15-693376

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9504, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Submission of a Landscaping Security in the amount of \$1,500.00 to ensure that a total of three (3) replacement trees are planted and maintained on the proposed lots (minimum 6 cm deciduous calliper or 3 m high conifers).
3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of all works conducted within, or in close proximity to, the tree protection zone of Trees # 601, 602, 603, 604, 605, 616, 617, and off-site Trees A and B. The Contract must include the scope of work to be undertaken, including: the proposed number of site monitoring inspections (at specified stages of construction), any special measures required to ensure tree protection, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
4. Submission of a Tree Survival Security to the City in the amount of \$8,300.00 for the seven (7) trees to be retained on-site and for Tree A off-site in the boulevard on City-owned property.
5. City acceptance of the developer's offer to voluntarily contribute \$3,500.00 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
6. Registration of an aircraft noise sensitive use covenant on title to address public awareness and to ensure aircraft noise mitigation is incorporate into dwelling design and construction.
7. Registration of a flood indemnity covenant on title.
8. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

At Demolition Permit* stage, the following requirements must be completed:

- Installation of tree protection fencing around all trees to be retained, i.e., on-site Trees # 601, 602, 603, 604, 605, 616, 617, and off-site Trees A and B. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and must remain in place until construction and landscaping on-site is completed.

At Subdivision* and Building Permit *stage, the following requirements must be completed:

- Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and costs associated with completion of the following servicing works and frontage improvements:

Water Works:

- Using the OCP Model, there is 507.2 L/s of water available at a 20 psi residual at the Odlin Road frontage. Based on your proposed development, your site requires a minimum fire flow of 95.0 L/s.
- At Building Permit stage, the applicant is required to submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.

- At the applicant's cost, the City is to:
 - Cut and cap the existing water service connection at the watermain along the Odlin Road frontage.
 - Install two (2) new 25 mm water service connections complete with meters and meter boxes along the Odlin Road frontage.

Storm Sewer Works:

- The applicant is required to retain the existing storm service connections at the northeast and northwest corners of the subject site.
- At the applicant's cost, the City is to assess the existing storm service connections and upgrade as required to City standards.

Sanitary Sewer Works:

- At the applicant's cost, the City is to upgrade the existing sanitary service connection and inspection chamber complete with new inspection chamber and dual service connections, located within the statutory right-of-way along the south property line of the subject site.

Frontage Improvements:

- To maximize opportunities for on-street parking, provide two 4.0 m wide driveways (one for each lot proposed), either located next to each other or at either end (similar to the driveways at 10462/10468 Odlin Road).
- The applicant is to coordinate with BC Hydro, Telus and other private communication service providers.
 - To underground proposed Hydro service lines.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc).

General Items:

- Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. The Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.
- 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.

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 original on file)

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9504 (RZ 15-693376)
10340 Odlin Road**

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 **"SINGLE DETACHED (RS2/K)"**.

P.I.D. 018-267-645

Lot 1 Section 35 Block 5 North Range 6 West New Westminster District Plan LMP10584

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9504"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED
by

APPROVED
by Director or Solicitor


MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee

To: Public Works and Transportation Committee
From: John Irving, P.Eng., MPA
Director, Engineering
Date: October 30, 2015
File: 10-6000-01/2014-Vol
01
Re: Carbon Neutrality and Richmond Carbon Marketplace Update

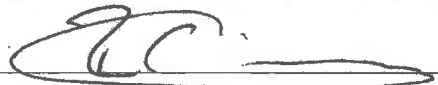

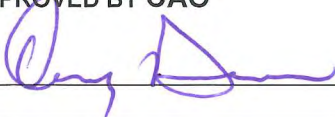
Staff Recommendation

That:

1. The staff report titled, "Carbon Neutrality and Richmond Carbon Marketplace Update," from the Director of Engineering, dated October 30, 2015 be received for information.
2. The Chief Administrative Officer and the General Manager, Engineering and Public Works be authorized to negotiate and execute agreements with each of the five prospective Richmond-based business organizations to support community greenhouse gas emissions reductions and to ensure that the City of Richmond corporate carbon neutrality is maintained.

John Irving, P.Eng. MPA
Director, Engineering
(604-276-4140)

Att. 1

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 
APPROVED BY CAO 	

Staff Report

Origin

The City of Richmond has committed to maintaining carbon neutral corporate operations, which was first achieved in 2013. The purpose of this report is to present to Council a carbon neutrality update, and seek approval to develop and execute partnership agreements with Richmond-based organizations, as part of the Richmond Carbon Marketplace (RCM) pilot program.

This report supports Council's 2014-2018 Term Goal #4 Leadership in Sustainability:

Continue advancement of the City's sustainability framework and initiatives to improve the short and long term livability of our City, and that maintain Richmond's position as a leader in sustainable programs, practices and innovations.

4.1. *Continued implementation of the sustainability framework.*

4.2. *Innovative projects and initiatives to advance sustainability.*

The continued successful implementation of the City's corporate carbon neutral strategy also plays a minor part in achieving the Community Energy and Emission Plan goal of 33% reduction by 2020 and 80% reduction by 2050 in community GHG emissions, as compared to 2007 levels (corporate emissions represent approximately 1% of the overall community total).

Background

In September 2008, Council signed the BC Climate Action Charter, voluntarily committing the City to carbon neutral corporate operations. Carbon neutral corporate operations means that the City will reduce GHG emissions generated from its own operations and invest in additional projects, outside of the City's traditional operations, to compensate for emissions that cannot be avoided at this time. In 2013 Richmond City Council adopted the "*Towards Carbon Neutrality: Implementation Strategy*," which put in place an effective carbon neutrality strategy framework, which includes four key steps towards carbon neutrality; Measure, Reduce, Compensate or Offset, and Report.

Key mechanisms that were identified in the 2013 strategy to address the need for compensation included; assessing and quantifying beyond "business as usual" corporate activities that reduce GHG emissions, and the implementation of the Richmond Carbon Marketplace pilot program to purchase offsets from Richmond-based projects.

City of Richmond Carbon Neutral Achievement to Date

The City was recognized for achieving carbon neutral status in its corporate operations for the 2013 and 2014 reporting years. Ongoing corporate GHG emissions reductions from a continued focus on the City's Energy Management Program, Green Fleet Action Plan implementation, and High Performance Building Policy implementation, were contributors to achieving this status. Other contributors included achieving carbon offsets by undertaking actions that went beyond 'business as usual', e.g. expanded residential organics collection, organics drop-off service, and participating in the Vancouver Landfill gas capture optimization project. The success of these projects has enabled the City to carry forward a surplus of carbon credits into future years.

For the 2015 reporting year, the City is carrying forward a surplus of 5,332 tonnes of carbon dioxide equivalent (tCO₂e) credits accumulated from previous reporting years. This current surplus will help the City to maintain carbon neutral status through the 2016 reporting year. Due to Provincial regulation changes to landfill gas capture requirements (January 1, 2016); the City will not receive GHG emissions reduction credits from the Vancouver Landfill project after 2015. If further GHG emissions credits are not obtained in those years, it is projected that the City will be in a corporate carbon credit deficit starting in 2017.

Table 1: Projected Corporate GHG Emissions and Credits (tCO₂e)

	2016	2017	2018
Corporate Carbon Credits	10,471	7,682	6,016
Corporate Emissions	8,522	8,522	8,522
Net Corporate Emissions	(1,949)	-840	-2,506

Building on the 2013 carbon neutrality framework, City staff are focusing on three main actions to maintain corporate carbon neutral operations after 2016:

1. Reduce and optimize GHG emissions from existing City operations, e.g. heating and ventilation optimization at Watermania, right sizing and downsizing City fleet vehicles, and LEED Gold energy efficient replacement infrastructure.
2. Identify and quantify GHG emissions reduction activities from City operations that are beyond business as usual and outside of traditional services, e.g. district energy, concrete and asphalt recycling at Sidaway yard, and bog land conservation. Current estimates for offsets from these projects ranges from 550 to 2,000 tCO₂e potential credits. Quantification of these projects are underway with expected completion in 2016.
3. Seek community partnerships and support GHG emissions reduction in Richmond-based projects by purchasing carbon offsets through the Richmond Carbon Marketplace.

Analysis

Richmond Carbon Marketplace Pilot Program Projects

The Richmond Carbon Marketplace (RCM) pilot program is a tool to reduce GHG emissions and build community resilience by investing in Richmond-based projects through the purchase of carbon offsets for completing emissions reduction projects. When the pilot was introduced, Council endorsed a funding strategy for purchasing offsets that uses funds gained through the Province's Climate Action Revenue Incentive Program. The RCM pilot program was previously approved by Council, and is currently being implemented in a phased approach:

- Phase 1: Determine the Potential for Local GHG Reduction Projects (through outreach)
- Phase 2: Identify Potential Local GHG Reduction / Offset Projects, and complete pre-feasibility assessments
- Phase 3: Complete final assessments and quantify the RCM submissions, and enter into agreements with proponents to offset corporate GHG emissions
- Phase 4: Maintain corporate carbon neutrality
- Phase 5: Continue to help grow the City's low carbon economy

Staff have completed Phase 1 and Phase 2 of this pilot project, and are seeking approval to complete Phase 3.

Five submissions were received as part of this pilot program, and project summaries for each submission are listed below for Council consideration. For further description and information on each organization and submission, please see Attachment 1.

Table 2: Community Project Submissions for Richmond Carbon Marketplace Funding

Proponent	Project Description	Project Status	Est. GHG emissions reduction available (tCO₂e)	Max Funding (\$25/tCO₂e)
1. EcoWaste Industries	Enhanced landfill re-vegetation and carbon sequestration	Initial implementation underway – not yet fully implemented	200	\$5,000
2. Harvest Power	Packaged organics separation and recycling	Not yet implemented	1,000-1,500	\$37,500
3. Pacific Gateway Hotels	Building energy efficiency retrofits	Completed in 2015	200	\$5,000
4. RDH Building Engineering	Building energy renewal and retrofits in Richmond	Not yet implemented	300-500	\$12,500
5. TnT Supermarkets	Organic waste diversion and bio-digester, to achieve a zero waste grocery operation	Initial testing underway – not yet fully implemented	400-800	\$20,000
Total			2,100-3,200	\$80,000

The GHG emissions reduction associated with the projects listed above, once verified and confirmed as eligible, could qualify to be used to offset the City's corporate emissions and help maintain carbon neutral status in the long term. In order to be used to offset corporate emissions, project funding agreements will need to be developed with each proponent for the associated GHG emissions reductions only. These agreements will stipulate, but will not be limited to the following items:

1. Project schedule and timeline,
2. Quantification methodology and confirmation of eligibility requirements
3. GHG emission credit amount,
4. Funding amount (not to exceed \$25/tCO₂e),
5. Clear transfer of GHG emissions credit ownership to the City

The total maximum City funding commitment under these agreements would be \$80,000 in the 2015/16 operating years, as identified in Table 2. Depending on project completion dates, the earliest that associated GHG emissions reductions from these projects could be applied to reduce corporate emissions, would be for the 2016 reporting year. Any surplus carbon credits that the City obtains in any given year can be carried over to the following reporting years. Agreements to purchase GHG emissions credits through this pilot program will be time specific based on the calendar year or years, e.g. Jan 1 to Dec 31, 2016. If further credits were sought by the City from these projects after these initial agreements are executed, additional agreements would need to be drafted and approved by Council.

Based on the City's own experience and investments in corporate energy projects, staff estimate that for every tonne of carbon, valued at \$25/tonne, that was reduced, \$100 will be invested by the private sector in new equipment, technology, and/or services.

The funding for this pilot program, allocated from the Provincial Climate Action Revenue Incentive Program grant, was previously approved in the 2014 operating budget process (\$200,000), and remains in place to fulfill the completion of these potential funding agreements. Once the community projects are completed, it is envisioned that the City will recognize the pilot program participants for their commitment to sustainability and community GHG emission reductions.

Additional Benefits to the City

Additional benefits for purchasing community-based carbon offsets for each project is listed in Attachment 1, but in general relate to the following:

- Reductions in organic waste at the landfill, supporting regional landfill diversion targets
- Increase in local generation of renewable energy
- Enhanced landfill reclamation that improves discharge water quality, reduces dust control issues, increases wildlife habitat
- Investments in energy efficiency upgrades that support local jobs and reduce energy related costs for Richmond building owners.
- Reduced truck traffic and exhaust, through the reduction of waste pick-ups and deliveries.

Staff believe the Richmond Carbon Marketplace is a viable tool for delivering community-based carbon offset projects over time. Staff intend to continue issuing calls for proposals of offset reduction projects as needed; this is a key strategy for increasing awareness over time and growing the list of potential projects active in the program.

Financial Impact

None at this time. Should Council approve the recommendation to purchase community GHG emission reduction credits, approved funding for the maximum total of \$80,000 is already in place to execute the agreements.

Conclusion

The City of Richmond continues to meet its commitments as a signatory of the BC Climate Action Charter. City staff will continue to work towards Council's objective of maintaining the City of Richmond's carbon neutral status in the long term and support community-based GHG emission reduction projects. Through the continued strategic implementation of its carbon neutral plan, the City is well positioned to maximize corporate and community benefits of transitioning towards lower carbon energy sources and a low carbon economy.



Levi Higgs
Corporate Energy Manager, Sustainability and District Energy
(604-244-1239)

Att. 1: Richmond Carbon Marketplace Pilot Program - Submission Summary



Proponent Submissions Summary

A formal request for community greenhouse gas (GHG) emissions reduction project plans was issued publicly in the June of 2015, as part of the Richmond Carbon Marketplace pilot program. The purpose of this request was to determine the scale of the potential opportunity for the City to invest in community based projects that result in quantifiable GHG emissions reductions, which then could be used to offset the City's corporate GHG footprint.

Five submissions were received as part of this pilot program, and detailed project summaries and organization information is indicated below.

1. Ecowaste Industries

- **Business type:** Ecowaste Industries is a waste management group specializing in construction and demolition waste, and recyclables. They have been operating in Richmond since 1971.
- **Location:** Ecowaste Landfill, Triangle Road, Richmond
- **Type of Project:** Enhanced landfill reclamation through re-vegetation and carbon sequestration – Option 2
- **Project Description:** In 2008 Ecowaste initiated an innovative, value added phytoremediation system to the capped areas of the Ecowaste landfill in Richmond. By 2013, an enhanced reclamation process was fully implemented using hybrid coppice willow and poplar, as well as grasses to sequester both above ground and below ground carbon. Currently, the reclamation areas are irrigated, using partially treated leachate collected from the landfill, which helps to accelerate plant growth. The reclamation plants are easily harvested and will be used for composting purposes to return sequestered carbon to soils. In addition, engineered and fabricated soils are used to support this plant biomass system and help to capture fugitive methane that can leak through the landfill cap. Both the irrigation system and the biomass systems are considered to be significant incremental improvements beyond the business as usual landfill reclamation processes. Business as usual practices for landfill reclamation is to cap with a layer of soil, which is then fertilized and seeded with grasses only. The enhanced landfill reclamation areas are part of the long term leachate management and development strategy for the landfill, and are expected to remain in place for over 20 years. The project quantification will assess the difference in GHG emissions between the enhanced landfill reclamation process and business as usual reclamation.
- **Pre-feasibility Estimated GHG Emissions Reduction:** 170 tCO₂e per year
- **Project Timeline:** Full project implementation date was in 2013, with further enhancement reclamation work occurring in the fall of 2015. The baseline carbon sequestration monitoring period will be conducted for 12 months between the end of 2015 and 2016, with the first sequestration report completed at the end of 2016. After this report, a sequestration report will be completed every three years over the life of the system.

- **Additional Community Benefits:** Enhanced landfill reclamation improves the ecosystem quality of the overall property, improving the water discharge quality, reducing dust control issues, increasing wildlife habitat, and improving the overall aesthetics of the land.

2. Harvest Power

- **Business type:** Harvest Power is an organics and food waste recycling company with locations throughout North America, including Richmond. Harvest Power purchased Fraser Richmond Soil and Fibre, and the existing composting site in East Richmond in 2009. In 2013 Harvest Power opened North America's first large scale high solids bio-digester, called the Energy Garden that began converting food waste to an energy source.
- **Location:** 7028 York Road, Richmond
- **Type of Project:** Packaged organics separation and recycling – Option 1 or 2
- **Project Description:** This project involves the separation of packaged organic material from its packaging to allow for the recycling of both the packaging and organics/food waste. This material and organics recycling is a separate stream than the municipal organics and food waste recycling that is also conducted on-site. Presently there are few recycling options in the region for intermingled packaging and organics waste. With this project Harvest Power will open up new sectors of organics recycling market. The organic material will be introduced as feedstock into the Energy Garden's anaerobic digester, where it will be used to produce biogas and then electricity (which is made available to the main BC Hydro power grid). The project quantification will assess the difference in GHG emissions between business as usual landfilling of the packaged organic material and emissions from the de-packaging and recycling of the waste.
- **Pre-feasibility Estimated GHG Emissions Reduction:** 1,000 tCO₂e per year
- **Project Timeline:** The de-packing operation is currently completing its permitting process and is anticipated to start operation before the end of 2015.
- **Additional Community Benefits:** Reduce landfilling of inorganic packaging resources and increased renewable energy production through the facility's Energy Garden.

3. Pacific Gateway Hotel

- **Business type:** Pacific Gateway Hotel is a 374 room hotel, resort, and marina operation on Sea Island in Richmond. The hotel is affiliated with Preferred Hotels and Resort International, which represents a global collection of 650 independent hotels in 85 countries.
- **Location:** 3500 Cessna Drive, Richmond
- **Type of Project:** Building energy efficiency retrofits – Option 1
- **Project Description:** The facility has undergone and is continuing to conduct energy efficiency upgrades to the building structure and systems to reduce energy use and GHG emissions, including;
 - Building automation system upgrades
 - Boiler plant replacement with domestic hot water pre-heat
 - Upgrade and replacement of make-up air units and exhaust fans
 - Lighting re-lamp and retrofit
 - Resealing the building envelope to decrease conditioned air leaks.

The project quantification will assess the difference in GHG emissions between business as usual energy use of the building as compared to the post energy efficiency retrofit operation.

- **Pre-feasibility Estimated GHG Emissions Reduction:** 80 tCO₂e per year
- **Project Timeline:** Most of the energy efficiency upgrades will be completed by the end of 2015, with some building envelope work being conducted in separate phases in 2016 and 2017.
- **Additional Community Benefits:** Economic investments in energy efficiency upgrades at the hotel help support local jobs and economy.

4. RDH Building Engineering

- **Business type:** RDH Building Engineering is a building engineering and science consultant firm that specializes in energy efficiency integration for existing and new buildings. The firm was founded in 1997 and has its head office in Vancouver, with energy efficiency projects located throughout the Province.
- **Location:** Various multi-family residential buildings in Richmond
- **Type of Project:** Building energy efficiency retrofits – Option 1
- **Project Description:** RDH Building Engineering proposes to aggregate the emissions reductions of several multi-family residential building energy efficiency projects in the City of Richmond that have not yet been completed. RDH will be partnering with building owners to develop and deliver these Richmond based GHG emissions reduction projects. The project quantification will assess the difference in GHG emissions between business as usual energy use of the buildings as compared to their post energy efficiency operations.
- **Pre-feasibility Estimated GHG Emissions Reduction:** 300 tCO₂e per year
- **Project Timeline:** This project has not yet been implemented.
- **Additional Community Benefits:** Reduced energy related costs for Richmond building owners.

5. T & T Supermarkets

- **Business type:** T & T Supermarkets is a supermarket chain, which is headquartered in Richmond, BC, and has locations throughout Canada. The first T & T Supermarket was opened in 1993. The supermarket chain was purchased by Loblaw Companies in 2009.
- **Location:** Unit #1000 – 3700 No.3 Rd, Richmond
- **Type of Project:** Organic and Waste Reduction and Recycling – Option 2
- **Project Description:** T&T Supermarkets have been working on creating a zero waste grocery store at the Richmond location for a number of years. One of the keys to this zero waste initiative is to employ on-site technology that can digest organic food waste and in turn produce a liquid fertilizer for agricultural use. T & T Supermarkets have been testing devices that can process on-site organic waste into liquid fertilizer since 2012. Another key component of the T&T Supermarket zero waste strategy is to convert unrecyclable waste into solid recovered fuel pellets that can be used to replace fossil fuels typically used to operate cement kilns (e.g. Lafarge cement plant in East Richmond). The project quantification will assess the difference in GHG emissions between business as usual organic waste and

unrecyclable material disposal, and emissions of the on-site processing of organic waste and the processing and reuse of unrecyclable material.

- **Pre-feasibility Estimated GHG Emissions Reduction:** 100-650 tCO₂e per year
- **Project Timeline:** The project has been undergoing testing and refinement of the digester system since 2012, but has not been fully implemented yet. The processing of the non-recyclable waste into fuel pellets has not yet been implemented, but is anticipated to be initiated before the end of 2015.
- **Additional Community Benefits:** Reduced truck traffic and exhaust, through the reduction of waste pick-ups and deliveries.



To: General Purposes Committee **Date:** October 27, 2015
From: Joe Erceg, MCIP **File:** 08-4430-03-07/2015-
General Manager, Planning and Development Vol 01
Re: **Richmond Comments: Proposed Ministry of Agriculture Bylaw Standards for Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve (ALR) and Related Matters (ALR Wineries, Monitoring and Enforcement)**

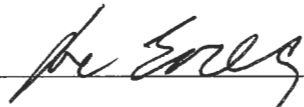


Staff Recommendation

1. That regarding the proposed Ministry of Agriculture Bylaw Standards for Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve (ALR), the Minister of Agriculture be requested to:
 - a) specify how agri-tourism is to be subordinate to the principal active farm operation and only augment a farmer's regular farm income, not exceed or replace it;
 - b) provide specific guidelines to determine the appropriate amount to be considered "small-scale (agri-tourism)" based on the size of the farm operation;
 - c) provide more detailed criteria to determine the appropriate size and siting of agri-tourism structures (e.g., the maximum building area and site coverage);
 - d) provide clarification on what types of uses can be permitted in an agri-tourism structure;
 - e) provide specific guidance on the adequate amount of parking necessary for farm retail sales, to avoid excessive paving and minimize negative impacts on farmland;
2. That regarding ALR wineries, the Minister of Agriculture be requested to:
 - a) amend the Agricultural Land Use, Subdivision and Procedure Regulation of the Agricultural Land Commission Act, to enable Richmond and other municipalities:
 - i) to allow only Type 1 Wineries which grow at least 50% of the farm product used to make the wine on the farm where the winery is located, and
 - ii) to not allow Type 2 Wineries which are industrial-scaled operations with limited ALR farming activity.
 - b) monitor all ALR farm-based wineries, to ensure that they comply with the 50% on site grow rule and enforce all related Ministry and ALR regulations;

- c) where specific winery operators are already approved to enter into three year contracts with offsite BC farmers, allow them to enter into year to year contracts; not only the current Provincially required three year contracts, to provide more flexibility; and
3. That regarding ALR regulation monitoring and enforcement, the Minister of Agriculture and the Agricultural Land Commission, as the case may be, be requested:
- a) to monitor and enforce all Ministry and ALR regulations and requirements, as municipalities have limited resources, and
 - b) to more frequently review the ALR regulations and requirements, in consultation with municipalities, for their effectiveness, practicality and ease of enforceability.
4. That the above recommendations and this report be forwarded to the Ministry of Agriculture and the Agricultural Land Commission for a response.



Joe Erceg, MCIP
General Manager, Planning and Development

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER	
	
REVIEWED BY STAFF REPORT AGENDA REVIEW SUBCOMMITTEE	INITIALS: 
APPROVED BY CAO 	

Staff Report

Origin

The Ministry of Agriculture has prepared a Discussion Paper that contains a draft set of criteria to assist local governments when they prepare bylaws regarding agri-tourism, agri-tourism accommodation and farm retail sales in the Agricultural Land Reserve (ALR) (Attachment 1).

The Deputy Minister of Agriculture sent the Discussion Paper to the Mayor and Councillors by email on October 6, 2015 and requested feedback on all sections of the paper, specifically the proposed criteria, by November 30, 2015.

Findings of Fact

Context

The Discussion Paper was prepared following the Ministry of Agriculture's consultation, conducted from July 22 to August 22, 2014, on potential changes to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation of the *Agricultural Land Commission Act*. One of the consultation questions asked during the consultation process was:

Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so, what parameters should be established?

The Ministry received strong support from local governments to provide clearer parameters and guidelines for permitted agri-tourism activities in the ALR.

The purpose of the Ministry's Discussion Paper is to provide greater clarity on what constitutes agri-tourism, agri-tourism accommodation and farm retail sales, and provide guidance for local governments to address issues related to agri-tourism and farm retail sales in their community.

Once approved, these clearer standards will be incorporated into the Ministry's Guide for Bylaw Development in Farming Areas, to assist municipalities when preparing and amending bylaws affecting farming areas.

Analysis

Agri-Tourism, Agri-Tourism Accommodation and Retail Sales in the ALR

Agri-tourism is permitted to allow farmers to increase the economic viability of the farms. It must be accessory to land classified as a farm under the *Assessment Act*, must be temporary and seasonal, and promote or market farm products grown, raised or processed on the farm.

Agri-tourism and retail sales are defined as farm uses by the Agricultural Land Reserve Use, Subdivision and Procedure Regulation of the *Agricultural Land Commission Act*. As these uses are designated farm uses, they can be regulated but cannot be prohibited.

On the other hand, agri-tourism accommodation is considered a non-farm use that is permitted in the ALR and can be either regulated and/or prohibited by local governments.

The City of Richmond's Zoning Bylaw permits all three uses in the "Agriculture (AG1)" zone.

Discussion Paper

The Discussion Paper provides more detailed definitions and a set of criteria to help guide local governments in managing agri-tourism and farm retail sales.

Part 3 of the Discussion Paper introduces a set of criteria which local governments will be encouraged to consider when preparing or amending their own bylaws. The proposed set of criteria includes:

- New definitions of various terms, specifically definitions of "accessory", "temporary" and "seasonal", to clarify what constitutes agri-tourism activities
- Examples of permitted agri-tourism activities and those activities that require ALC's non-farm use approval
- A set of recommended standards for agri-tourism accommodation (e.g., the total developable area for agri-tourism accommodation buildings)
- Standards for parking and loading areas associated with agri-tourism
- Criteria for signage, lighting and noise
- Clarification on how areas (both indoors and outdoors) of farm retail sales should be calculated

Richmond Agri-Tourism Comments

Staff have reviewed the Discussion Paper and have the following comments focusing on the proposed set of criteria and definitions.

1. "Accessory (Agri-Tourism)" Definition

The proposed definition of "accessory (agri-tourism)" is as follows:

"Accessory" means that the agri-tourism is subordinate to the active farm operation on the same lot. Agri-tourism uses and activities only augment a farmer's regular farm income, not exceed or replace it.

The City of Richmond requests that the Ministry and ALC, as the case may be, monitor and enforce the requirement that agri-tourism is subordinate to the active farm operation and only augments a farmer's regular farm income, not exceed or replace it.

2. "Small-Scale (Agri-Tourism)" Definition

The proposed definition of "small-scale (agri-tourism)" is as follows:

"Small-scale (agri-tourism)" means to be minor, or limited in size, scope or extent (local governments could specify amounts).

The City of Richmond requests that the Ministry provide specific guidelines, to determine the appropriate amount to be considered “small-scale” based on the size of the farm operation.

3. Agri-Tourism Structure

The Discussion Paper notes that site coverage and setbacks for agri-tourism structures must follow the standards for farm structures provided in Part 2 of the “Guide for Bylaw Development in Farming Areas”. It also notes that agri-tourism facilities should be located to minimize the coverage of farm land and minimize disturbance to the present and potential future operation of the farm, neighbouring farms and nearby urban uses (e.g., be close to the road, and/or clustered with other farm structures).

It is requested that more detailed criteria be provided to determine the appropriate size and siting of agri-tourism structures (e.g., the maximum building area and site coverage) and to clarify what types of uses can be permitted in an agri-tourism structure (e.g., administration office).

4. Parking For Retail Sales Area

The City of Richmond requests the Ministry to provide specific guidance on the amount of parking necessary for farm retail sales to avoid excessive paving and minimize potential impact on farmland.

5. Monitoring and Enforcement

The City of Richmond requests that the Ministry and / or ALC, as the case may be, monitor and enforce the proposed agri-tourism and farm retail sales regulations and requirements, as municipalities have limited resources.

Richmond Additional Comments

In responding to the Ministry’s consultation on agri-tourism and farm retail sales, staff suggest that Council take this opportunity to share its concerns regarding the ALR farm-based wineries, breweries, distilleries, cideries and meaderies, as they also affect farming in the ALR.

1. Clarifying The 50% Requirement for ALR Breweries, Wineries and Distilleries

On September 28, 2015, Richmond Council made the following referral:

That staff investigate the requirements for microbreweries, wineries and distilleries on farmland in Richmond to determine whether the City can require that they be required to produce at least 50% of their product in Richmond. (Note that in the ALR regulations “microbreweries” are just called “breweries”).

Staff advise that, in the ALR, breweries, distilleries and meaderies (honey) are designated farm uses, if at least 50% of the farm product used to make the beer, spirits, or mead produced each year is grown on the farm on which the brewery, distillery or meadery is located. Thus, they are required to produce at least 50% of their product in Richmond.

2. Encouraging Only Certain Wineries in the ALR

On October 20, 2015, Richmond Planning Committee requested staff to advise the Ministry of Agriculture that Richmond would like ALR wineries and distilleries to provide a minimum of 50% of agricultural product on the site. As stated above, distilleries must meet the 50% requirement.

Currently, two types of farm-based wineries are permitted in the ALR:

- Type 1 Wineries: at least 50% of the farm product used to make the wine produced each year is grown on the farm on which the winery is located.
- Type 2 Wineries: the farm on which the winery is located is more than 2 ha in area and at least 50% of the farm product used to make the wine produced each year is grown:
 - a) on the farm, or
 - b) both on the farm and another farm located in British Columbia that provides that farm product to the winery under a contract having a term of at least three years.

Richmond City Council has expressed that they prefer Type 1 Wineries as they promote the best farming. Council does not wish to consider additional Type 2 Wineries, as their operations are often on an industrial scale.

On October 21, 2015, staff attended a Professional Development Session organized by the Ministry of Agriculture with ALC staff in attendance at the Metro Vancouver office, to state that:

- the City of Richmond would like to allow only Type 1 wineries where at least 50% of the farm product used to make the wine be produced on the farm where the winery is located, and
- as the City has limited resources, the Ministry and ALC should monitor and enforce Provincial ALR guidelines and requirements (e.g., the amount of winery farm products provided under contracts, and whether the contracts are properly renewed). Other municipalities attending the Session agreed with this approach.

3. ALR Wineries, ALR Monitoring and Enforcement Recommendations

As staff could not address all of Richmond's concerns at the Session, it is recommended that Council make the following requests to the Ministry of Agriculture and Agricultural Land Commission (ALC):

1. That the City of Richmond have:
 - (a) the authority to allow only Type 1 Wineries which grow at least 50% of the farm product used to make the wine on the farm where the winery is located, and
 - (b) the authority to not allow Type 2 Wineries which are industrial-scaled operations with limited ALR farming activity.
2. That, as some current ALR winery operators have indicated that off site farm wine product growers are willing to provide only a year to year supply contract, rather than the Provincially required three year minimum, one year contracts be allowed.
3. That the Ministry and / or ALC staff:
 - (a) monitor and enforce all Provincial ALR Ministry and ALC regulations, and requirements, as municipalities have limited resources, and
 - (b) review Provincial ALR Ministry and ALC regulations more frequently in consultation with municipalities to determine their effectiveness, practicality and ease of enforceability.

Financial Impact

None.

Conclusion

The Ministry of Agriculture has prepared a Discussion Paper to assist local government in preparing agri-tourism, agri-tourism accommodation and farm retail sales bylaw amendments, and has requested that comments be provided by November 30, 2015.

Staff recommend that the Ministry and ALC be requested to make changes to the proposed ALR agri-tourism and farm retail sales criteria, clarify ALR winery requirements and take the lead role in ALR regulation monitoring and enforcement, as municipalities have limited resources.



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Minhee Park
Planner 1
(604-276-4188)

MP:cas

Attachment 1: Discussion Paper and Proposed Minister's Bylaw Standards



**Regulating
Agri-tourism and Farm Retail Sales
in the Agricultural Land Reserve**

**DISCUSSION PAPER AND PROPOSED MINISTER'S BYLAW
STANDARDS**

September 14, 2015

**Prepared by:
Strengthening Farming Program
Innovation and Adaptation Services Branch**

Executive Summary

This discussion paper ('white paper') has been prepared by the B.C. Ministry of Agriculture (AGRI) Strengthening Farming Program, Innovation and Adaptation Branch for input on the establishment of a Minister's Bylaw Standard to assist local government bylaw development regarding agri-tourism, agri-tourism accommodation and farm retail sales.

Its preparation follows the 2014 AGRI's consultation on the Agricultural Land Reserve (ALR) Use, Subdivision and Procedure Regulation (ALR USP Regulation) in which local governments expressed strong support for AGRI to provide greater clarity in guidance to local government bylaws on agri-tourism.

The proposed Minister's Bylaw Standard criteria, set out in Part 3.0, result from input contributed by the Agricultural Land Commission (ALC), local governments and the agricultural sector. While the proposed Minister's Bylaw Standard provisions apply to land in the Agricultural Land Reserve (ALR), local governments may also wish to adopt for all agriculturally zoned property.

AGRI invites local governments to review the proposed Minister's Bylaw Standard and provide feedback to the contact listed on page 13 by November 30, 2015. Feedback received will be analysed by AGRI staff, with updates and improvements made to the proposed Minister's Bylaw Standard in preparation for the Minister of Agriculture's (Minister) consideration.

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Introduction

This paper outlines draft criteria to assist local governments in regulating their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, aiming to encourage further discussion on the matter with local governments, the ALC and the farm sector. It is important that the bylaw standard criteria effectively guide local government land use regulations within the context, and intents, of the *Agricultural Land Commission, Farm Practices Protections (Right to Farm)*, and *Local Government and Community Charter Acts* and their regulations. The draft criteria reflect analysis undertaken by AGRI staff, previous consultations with local governments, the ALC, industry, and the Ministry of Community, Sport and Cultural Development (CSCD).

1.0 Part one – The Criteria Development Process

This paper explores and proposes land use regulation and policy guidance for local governments to address agri-tourism and farm retail sales issues in their communities, while recognizing these uses are permitted (with exceptions) within the ALR.

Following consultation with stakeholders and approval by the Minister, the bylaw criteria will become a Minister's Bylaw Standard and incorporated within the "Guide for Bylaw Development in Farming Areas" (Bylaw Guide).¹

1.1 Purpose and Goals

The purposes of establishing land use regulation criteria to address local government concerns regarding agri-tourism and farm retail sales are to:

1. Establish a Minister's Bylaw Standard that provides flexibility for local governments to shape agri-tourism activity in their community while ensuring that agriculture in the ALR continues as a priority use;
2. Address the needs of the agriculture sector/industry to supplement farming income;
3. Minimize the impact of agri-tourism and retail sales on farm practices and farming potential in farming areas;
4. Minimize loss and/or fragmentation of farmland due to agri-tourism and retail sales uses;
5. Reduce the financial imbalance that results from large scale commercial operations locating inexpensively in the ALR and outcompeting those that have located in appropriate commercial zones; and
6. Minimize the risk of agri-tourism and farm retail sales buildings and structures being used for non-farm purposes.

1.2 Stakeholders

Stakeholders involved in developing these Bylaw Standard criteria include:

¹ Under the *Local Government Act* (Part 26, Division 8, Section 916), the Minister responsible for the *Farm Practices Protection (Right to Farm) Act* can develop bylaw standards to guide the development of zoning and farm bylaws. Development of provincial standards is intended to promote consistency in the regulation of, and planning for, farming. However, provision has been made under Section 916(3) to allow the standards to differ, if necessary, to respond to BC's diverse farming industry and land base.

- a) Local governments and their Agricultural Advisory Committees (AAC);
- b) Agriculture industry;
- c) ALC;
- d) Strengthening Farming Directors Committee,
- e) CSCD; and
- f) Ministry of Jobs, Tourism and Skills Training.

1.3 Objectives of the Process

The objectives of the process are to:

1. Create a set of Bylaw Standard criteria for stakeholder review;
2. Consult with stakeholders; and
3. Develop a Minister's Bylaw Standard that local governments can apply as regulation or policy.

1.4 Key Steps

The key steps in creating the Minister's Bylaw Standard are:

1. Review relevant literature including AGRI and ALC policies;
2. Review and compare local government regulations and policies;
3. Develop draft criteria;
4. Consult with internal and external stakeholders on the draft criteria;
5. Revise criteria for consideration by the Minister;
6. Seek Minister's approval; and
7. Encourage local governments to adopt and apply criteria.

1.5 Current Status (August 2015)

AGRI staff have:

- Reviewed previous agri-tourism and farm retail sales consultations with local governments, industry, the ALC and CSCD;
- Reviewed existing ALC policies on agri-tourism, agri-tourism accommodation and farm retail sales; and,
- Prepared this draft discussion 'white paper' on agri-tourism and farm retail sales land use bylaw guidance for further local government consultations over the 2015/2016 fall and winter.

1.6 Context for Bylaw Standard Establishment

AGRI has initiated Minister's Bylaw Standards in the past for three significant agricultural issues which have been approved by the Minister. AGRI staff use the Minister's Bylaw Standards to encourage local governments to adopt them into their land use bylaws. They are:

- Regulating Medical Marihuana Production Facilities in the ALR (2014);
- Combined Heat and Power Generation at Greenhouses in the ALR (2013); and

- Siting and Size of Residential Uses in the ALR (2011).

These Minister's Bylaw Standards can be found in AGRI's "Guide for Bylaw Development in Farming Areas" with additional information at:

<http://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards-and-farm-bylaws>.

2.0 Part two - Background

2.1 Context

Farmers throughout B.C. are looking for options to increase their economic viability, including agri-tourism and farm retail sales. These two particular issues have become more prominent in recent years and local governments are amending their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, sometimes causing frustration with farmers and the public. Sometimes there may be conflicting community views on what actually constitutes agri-tourism activities, and what 'accessory', 'seasonal', and 'temporary' within this context really mean.

While the ALC provides direction regarding agri-tourism and farm retail sales in the ALR, one of the questions asked during the Ministry's 2014 ALR USP Regulation consultation process included agri-tourism, with local governments indicating strong support for AGRI to develop greater clarity in bylaw guidance for agri-tourism. Incorporating analysis from previous consultation, AGRI staff anticipate strong response from stakeholders on the subject.

Ideally, developing this new Minister's Bylaw Standard will assist in balancing stakeholder concerns, minimize community frustration, and provide greater certainty while maintaining the flexibility required for local government community decision making and variation. The proposed Minister's Bylaw Standard applies to property in the ALR. Given, however, that agricultural activity in B.C. takes place both on ALR and non-ALR property, local governments with agriculturally zoned land may also consider adopting it.

2.2 Current Policy, Legislation and Regulation

Agri-tourism and farm retail sales are defined as farm uses by the ALR USP Regulation² of the *Agriculture Land Commission Act* where a farm use means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*:

- Agri-tourism is a tourist activity, service or facility accessory to ALR land classified as a farm under the *Assessment Act*, if the use is **temporary and seasonal**, and promotes or markets farm products grown, raised or processed on the farm.
- Farm retail sales if all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place

² B.C. Reg. 171/2002 Agricultural Land Reserve Use, Subdivision and Procedure Regulation. Last retrieved August 24, 2015 from <http://www.alc.gov.bc.ca/alc/content.page?id=A631A2319799460A98F62978A2FE60E3>

and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m².

Local governments cannot prohibit agri-tourism activities, other than agri-tourism accommodation, or farm retail sales regulated by the ALR USP Regulation unless by a Farm Bylaw designated by the Minister by Section 917 of the *Local Government Act*.

The ALC also publishes several policy documents on agri-tourism, agri-tourism accommodation and farm retail sales with respect to land in the ALR.

“The policies of the Commission provide interpretation and clarification of the regulations; outline guidelines, strategies, rules or positions on various issues and provides clarification and courses of action consistently taken or adopted, formally or informally.”³ - ALC

These ALC policies include their terms of ‘seasonal’ and ‘temporary’:

- **Temporary** – means a use or activity in a facility or area that is established and used on a limited time basis for agri-tourism activities. If a building or structure is required for this use, temporary use of the building or structure means a use for agri-tourism for less than 12 months of the year. The building or structure may be used for other permitted uses during the course of, or for the remainder of the year.
- **Seasonal** - means a use or activity in a facility or area for less than 12 months of the year.⁴

A recent 2015 B.C. Supreme Court ruling *Heather Hills Farm Society v. Agricultural Land Commission*, addresses the subject of agri-tourism, and in this case whether a particular golf course and sheep pasture is a permitted agri-tourism use. Interestingly, within the reasons for judgement that ultimately dismisses the petition; the judge also references what cannot be described as reasonably temporary, with respect to what is written in the ALR USP Regulation:

[51] The Regulation also requires that an agri-tourism use be temporary and seasonal. A golf course requires alteration of the land in the form of particular landscaping, sand traps, water hazards etc. Photographs that were put into evidence show changes of precisely that kind to the petitioners’ property. Those changes must remain in place as long as operation of the golf course continues and cannot reasonably be described as temporary.⁵

The intent of this proposed Bylaw Standard is to provide greater clarity on what constitutes agri-tourism, agri-tourism accommodation, farm retail sales, and the definitions of temporary and seasonal.

³ ALC. *Legislation and Regulation*. Last retrieved August 24, 2015 from

<http://www.alc.gov.bc.ca/alc/content.page?id=4179AB0F33494261A5B6CEF2A4F8F296>

⁴ ALC. *Policy #4 Activities designated as Farm Use: Agri-tourism Activities in the ALR*, 2003. Last retrieved August 24, 2015 from

http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=9A907E9B31224D808675BE2E5D78ADBB&filename=policy_4_agri-tourism_activities.pdf

⁵ *Heather Hills Farm Society v. Agricultural Land Commission*, 2015 BCSC 1108

For farm retail sales, the processing/marketing of off-farm products may not be protected under the *Farm Practices Protection Act* unless there are limits prescribed by the Minister under the *Farm Practices Protection Act*.⁶ This has implications for farms considering those options.

3.0 Part three – Proposed Set of Criteria

Part three introduces a set of criteria in which local governments would be encouraged to consider when developing or amending their own bylaws on agri-tourism, agri-tourism accommodation and farm retail sales. A rationale is provided for why certain criteria provisions should be introduced and a proposed list is summarized of criteria and definitions.

3.1 Proposed Definitions

Accessory (agri-tourism)	means that the <i>agri-tourism</i> is subordinate to the active <i>farm operation</i> on the same lot. <i>Agri-tourism</i> uses and activities only augment a farmer's regular farm income, not exceed or replace it.
Agri-tourism	is travel that combines agricultural or rural settings with products of agricultural operations – all within a tourism experience that is paid for by visitors. It is a tourist activity, service or facility which is <i>accessory</i> to a <i>farm operation</i> , as defined in the <i>Farm Practices Protection (Right to Farm) Act</i> , where the land is classified as a farm under the <i>Assessment Act</i> ; and, where the farm is in active operation each year.
Off-farm and non-farm products	means products that are not from the <i>farm unit</i> of which the subject property is part.
Regular Seasonal (agri-tourism)	means the occurrence over the same <i>season(s)</i> , or at the same time, each year.
Season (agri-tourism)	means: one of the four periods of the year: spring, summer, autumn or winter; the period of the year when something that regularly occurs every year happens; e.g. pumpkin festival before Halloween; and/or the period(s) when most people take their holidays, go to visit places, or take part in an activity outside of work.
Seasonal (agri-tourism)	means: relating to, dependant on, determined by, or characteristic of a particular <i>season</i> of the year; fluctuating according to the <i>season</i> ; and/or

⁶ For more information, readers may wish to review the September 7, 2011 BC Farm Industry Review Board decision *Maddalozzo v. Pacific Coast Fruit Products Ltd* last retrieved September 8, 2015 from http://www2.gov.bc.ca/assets/gov/business/natural-resource-industries/agriculture/agriculture-documents/bc-farm-industry-review-board-docs/maddalozzo_v_pcfp_dec_sep7_11.pdf

available, or used, during one or more *seasons*, or at specific times of the year - for less than twelve months of the year.

Small-scale (agri-tourism)

means to be minor or limited in size, scope, or extent. [Local governments could specify amounts.]

Temporary (agri-tourism)

means having a limited duration, lasting or designed to last for only a limited time each week, month, or year. E.g. an activity occurs each year at the same time at a nearby festival, or other event, or only a maximum duration of three days at a time.

3.2 Accessory Farm Activity

Local governments should identify *agri-tourism* as a permitted *accessory* use in all zones where agriculture or farming is a permitted use. *Accessory agri-tourism* use in the ALR is subordinate and customarily incidental to the active *farm operation* on the same lot. **Agri-tourism uses and activities only augment a farmer's regular farm income, rather than exceed or replace it.**

Table 1. Examples of Agri-Tourism and Farm Incomes

Column A	Column B
Agri-tourism Income	Farm Income
Entry or participation fees, tour fees	Primary agricultural production income
Fees for tours, services and workshops related to the farm operation	Value-added operations: processing of <i>own farm products</i>
Retail sales of <i>off-farm</i> or <i>non-farm products</i>	Retail sales of <i>own farm products</i>
Agri-tourism accommodation charges	

To be considered *accessory*, the annual income from *agri-tourism* [Column A] must be no more than the annual regular farm income [Column B]. The ALC may allow a larger proportion of *agri-tourism* activity on a farm, if the farmer applies for a non-farm use approval.

Examples include a farmer intending to regularly host special events such as commercial weddings, conferences or an annual music festival. A local government could decide whether to support those commercial activities in its zoning if it is authorized by the ALC.

3.3 Farm Class

Income from *accessory agri-tourism* activities is not used to define *farm class* under the *Assessment Act* (Sec 23 and Farm Class Reg. 411/95). Income for the purposes of *farm class* is calculated based on the farm gate amounts for qualifying agricultural products and must be generated in one of two relevant reporting periods (i.e., once every two years).

3.4 Agri-tourism Temporary and Seasonal Use in the ALR

Local governments should regard *agri-tourism* uses as a *temporary* and *seasonal* use. See the definitions for guidance on defining these terms.

3.5 Permitted and ALC approval required agri-tourism activities

Table 2. Tiers of Agri-tourism Activities

Activities	Tier 1 Permitted Agri-tourism activities	Tier 2 Activities/events that require ALC approval
On-farm	<ul style="list-style-type: none"> • educational tours – general public, school children • on-farm marketing, including U-pick and pumpkin patches • temporary corn maze or Christmas tree maze • agricultural heritage events • ranch or farm tours • livestock shows • harvest festivals • on-farm classes and/or workshops related to the farm operation • farm stays or B&B • on-farm processing facility tours 	<ul style="list-style-type: none"> • Non-farm-uses and commercial entertainment activities which do not have an agricultural component: • e.g., paint ball course, dirt bike trails, all-terrain vehicles trails, mini-train parks, remote control runways, helicopter tours, etc. • event and facility rentals • concerts, theatre or music festivals • commercial weddings, banquets, celebrations and any other commercial assembly activity
Parking	<ul style="list-style-type: none"> • self-contained, off-road parking • some overflow could be on neighbouring farm(s) provided it's for infrequent events, no permanent alterations to the agricultural land, and no resurfacing such as with gravel or asphalt paving • allow for school and tour buses • on-road parking at the discretion of the local government or Ministry of Transportation in Regional Districts 	<ul style="list-style-type: none"> • Off-site overflow parking that is used on a frequent basis or that requires resurfacing
ALC non-farm use application approval or local government	<ul style="list-style-type: none"> • No local government temporary use or rezoning permits required,; outright use is permitted 	<ul style="list-style-type: none"> • ALC non-farm use application approval • Local government non-agriculture related activities or

permit requirements	<ul style="list-style-type: none"> No ALC non-farm use application approval 	<p>events may also require a separate zone or temporary use permit</p> <ul style="list-style-type: none"> Special local government permits - per event or per day, or both
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3.6 Agri-tourism Accommodation

Section 3 of the ALR USP Regulation permits *accessory* accommodation for agri-tourism on a farm in the ALR, but allows a local government to regulate and/or prohibit the use.

Where accommodation for agri-tourism is allowed by a local government the following standards are recommended:

- Total developed area for buildings, landscaping and access to the accommodation must be no more than 5% of the parcel area;
- Could include a maximum of 10 sleeping units composed of:
 - Seasonal* campsites, *seasonal* cabins, or bed-and-breakfast (B+B) bedrooms (**maximum of four**) B+B bedrooms per legal parcel is recommended);
 - Unless ALC consent is received, accommodation must not include cooking facilities because doing so may result in long term rental housing on farm land;
 - The local government could specify the number of persons per unit;
 - Should an operator wish to have more than 10 sleeping units, he/she could apply to the local government and the ALC;
 - On smaller lots, a local government may wish to set a lower number of allowed sleeping units;
 - The BC Building Code should be the minimum standard applied for sleeping units such as cabins.
- Should be located close to the front of the lot, or an adjacent side road, and clustered with the *home plate(s)* of the farm residence(s). A farmer may wish to vary this location to minimise impact on his/her farm.
- Depending on the location of the farm, the *agri-tourism* accommodation may need to be available during more than one *season*, or its availability may vary with the *seasons*; e.g., horseback riding on trails in spring, summer, and fall, and cross-country skiing in the winter.
- Occupation of a lot *by agri-tourism* accommodation are only permitted to be *temporary*, *seasonal*, and/or *regular seasonal*, to a maximum stay per person or per family of 30 consecutive days in any 12 calendar-month period. The ALC may allow longer occupation if the farmer applies for a non-farm use; local zoning would also have to allow it.
- Each local government which permits *agri-tourism* accommodation could develop a monitoring methodology to ensure the occupation meets the above criteria.

3.7 Other Agri-tourism Criteria

3.7.1 Off-street Loading Areas and Parking

Off-street loading areas may be needed to transfer field products to a market stand/shop, and to the customer's vehicle. For criteria, see Part 2 of the "Guide for Bylaw Development in Farming Areas".

All vehicles visiting the *agri-tourism* activities must be parked on site, or as otherwise permitted by the local government. The parking capacity could be based on the average daily vehicle numbers (recommended); local parking bylaws may have a different measure and short term events with large numbers of people may require different parking standards. Overflow parking occurs on public roads should adhere to local bylaws including clearances for emergency vehicles and farm machinery.

For farm site parking overflow situations, *agri-tourism* operators should provide alternate means of transportation, such as shuttles, bicycle parking, or horse corrals and off-site horse trailer parking areas.

To minimise impacting farm land, parking should be along field edges, adjacent to farm roads, farm yard areas near farm structures.

- The parking and loading area surfaces should maximize infiltration of precipitation to limit impacting a farm's ground and surface water; pavement may not be appropriate.
- The depth and type of fill for *agri-tourism* parking and loading areas should facilitate possible future removal e.g., if the *agri-tourism* activity ceases.

3.7.2 Site Layout for Agri-tourism Activities

Site coverage and setbacks for *agri-tourism* structures must follow the standards for farm structures provided in Part 2 of the "Guide for Bylaw Development in Farming Areas". *Agri-tourism* facilities should be located to minimize coverage of farm land and minimise disturbance of the present and potential future operation of the farm, neighbouring farms or nearby urban uses; e.g., close to the road, and/or clustered with other farm structures.

3.7.3 Lights

Floodlights and spotlights for *agri-tourism* activities should be directed away and/or screened from adjacent farms and other land uses.

3.7.4 Signage

Each *agri-tourism* and farm retail operation, and the farm itself, should be allowed at least one sign of at least 1.0 square metre. Normally, signs are located at the farm entrance, but variation should be allowed for different building and site layouts and to ensure traffic safety. Third-party signs and lighting of signs should follow local bylaws.

3.7.5 Noise

Loudspeakers and other noise sources associated with the *agri-tourism* activity could be regulated with local government noise bylaws.

3.8 Farm Retail Sales and Marketing

For on-farm retail marketing, farmers sell their own *farm products*, and may sell some *off-farm or non-farm products* directly from the *farm unit* and may require a retail indoor and/or outdoor sales and display area.

Areas necessary for on-farm retail sales but not calculated as part of the on-farm retail sales area are:

- storage space for products awaiting display and/or bulk sales; larger storage areas may be available in a barn;
- an office area for doing sales and farm-related paperwork;
- washrooms;
- driveways, parking and loading areas; and
- some preparation space where products are put in packages for display or shipping.

Local governments should not limit retail sales area of a farmer's own *farm products* i.e. the *direct farm marketing area*. The ALR USP Regulation does not state an upper limit.

Local government regulations must allow for the possibility of a retail sales area for complementary *off-farm or non-farm products*. The ALR USP Regulation requires at least 50% of the total retail sales area be devoted to that farm's products, and where both *farm products* and *off-farm or non-farm products* being sold, the allowed upper limit of the total of the indoor and outdoor sales area is 300 square metres. This should be adopted by local governments and not reduced.

To develop a larger retail sales area, or to sell less than 50% of that farm's *farm products*, a farmer must have both local government and ALC non-farm use application approval.

3.9 Local Government Permits and Fees

Other than the usual permits and fees required for construction, local governments should only require permits and fees for operations that require a non-farm application to the ALC and should not require the use of temporary (commercial) use permits.

Local governments should only request reimbursement of extra local government costs generated by the event or operation; e.g., policing, fire service, road clean-up, and/or traffic management.

3.10 Commercial Weddings

The use of the ALR for commercial weddings is considered a non-farm use which requires approval of the ALC. Where a farm has received non-farm use approval from the ALC, the local

government may require a rezoning or temporary use permit. Temporary use permits are the preferred method of dealing with this use as the local government can place additional controls on the use that are not possible through zoning. These requirements could include hours of operation.

3.11 Bistros and Restaurants

Bistros, cafes and restaurants are considered in most cases non-farm uses which require non-farm use approval of the ALC. Under specific criteria in the ALR USP Regulation, however, winery, brewery, cidery, distillery, and meadery lounges are permitted which do not require non-farm use approval.

4.0 Ministry Contact Information

Stakeholders are welcome to provide feedback on the content of this discussion by email or letter.

Email: AgriServiceBC@gov.bc.ca
Mailing Address: Ministry of Agriculture, Strengthening Farming Program
1767 Angus Campbell Road
Abbotsford, B.C. Canada V3G 2M3



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee

Date: November 5, 2015

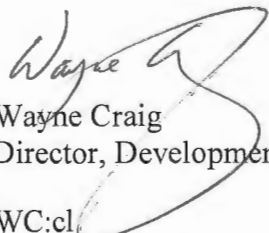
From: Wayne Craig
Director, Development

File: RZ 15-703150

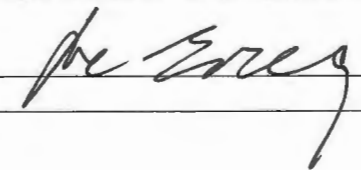
Re: Application by Maryem Ahbib for Rezoning at 9131 Steveston Hwy from Single Detached (RS1/E) to Compact Single Detached (RC2)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9505, for the rezoning of 9131 Steveston Hwy from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.


Wayne Craig
Director, Development

WC:cl
Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	

Staff Report

Origin

Maryem Ahbib has applied to the City of Richmond for permission to rezone the property at 9131 Steveston Hwy from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone, to permit the property to be subdivided to create two (2) lots with vehicle access to/from Steveston Hwy via an established lane system to the west that must be extended to service the subject site (Attachment 1). A site survey showing the proposed subdivision plan is included in Attachment 2.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

Surrounding Development

Existing development immediately surrounding the subject site is as follows:

- To the North are two (2) dwellings on lots zoned “Single Detached (RS1/E)”, which front Ryan Crescent.
- To the South, immediately across Steveston Hwy, is the International Buddhist Society Temple on a lot that is split-zoned “Agriculture (AG1)” and “Assembly (ASY)”, and is in the Agricultural Land Reserve.
- To the East, is a dwelling on a lot zoned “Single Detached (RS1/E)”.
- To the West, are four (4) dwellings on lots zoned “Compact Single Detached (RC1)”, which were created through rezoning and subdivision in 2004, and which have vehicle access to/from a lane connecting to Steveston Hwy.

Related Policies & Studies

Official Community Plan

The Official Community Plan (OCP) land use designation for the subject site is “Neighbourhood Residential”. The proposed redevelopment is consistent with the land use designation.

Arterial Road Policy

The subject property is undesignated on the Arterial Road Policy Development Map. The Arterial Road Policy allows the consideration of a rezoning application to permit subdivision of an undesignated lot subject to dedication and construction of a fully operational municipal lane.

The proposed redevelopment is consistent with the Arterial Road Policy because it involves dedication and construction of a rear lane to connect to a lane system that is already established to the west of the subject site. The applicant intends to access the established lane from

Steveston Hwy via a statutory right-of-way (SRW) for utilities and public-right-of-passage (BW406323) that is registered on title of the lots at 9093 and 9097 Steveston Hwy.

The SRW at 9093 and 9097 Steveston Hwy was secured through the redevelopment proposal that created four (4) lots at 9091, 9093, 9097, and 9099 Steveston Hwy in 2004 (RZ 04-268084/SD 03-232827). The SRW was designed and constructed as a vehicle lane as part of a Servicing Agreement (SA 04-287038), and includes an asphalt driving surface and lane lighting (Attachment 4).

During the application review process for the 2004 proposal, it was identified that the purpose of the SRW was to provide the City with access to utility infrastructure to be located within that portion of the lands, and to provide temporary public vehicle access to adjacent lots created through rezoning and subdivision in that block of Steveston Hwy until an alternative permanent public vehicle access was established. Over time, it is envisioned that redevelopment of this block of Steveston Hwy will occur in accordance with the Arterial Road Policy and that the dedicated east-west City rear lane that runs parallel to Steveston Hwy will be extended to Mortfield Gate.

The proposed redevelopment at 9131 Steveston Hwy is in keeping with what was envisioned for the redevelopment of this block of Steveston Hwy, and will provide for an extension of the existing City rear lane further east through a 6 m lane dedication prior to final adoption of the rezoning bylaw.

Agricultural Land Reserve (ALR) Buffer

Consistent with the OCP guidelines, the applicant is required to register a covenant on title prior to rezoning to secure a 4.0 m wide landscaped ALR buffer (as measured from the south property line) along the Steveston Hwy frontage to ensure that landscaping planted within the ALR buffer is maintained and will not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.

Floodplain Management Implementation Strategy

The proposed redevelopment 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.

Public Consultation

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 placement of the rezoning sign on the property.

As part of the rezoning application review process, staff advised the applicant to discuss their intent to use the SRW that is registered on title of the lots at 9093 and 9097 Steveston Hwy for vehicle access to proposed lots at the subject site. The property owners at 9093 and 9097

Steveston Hwy have indicated that they are not supportive of the applicant using the SRW for access, citing concerns with the potential amount of vehicle traffic over the lane that would be generated by the proposed development.

Staff from the City's Transportation department have reviewed the rezoning application at the subject site and provide the following comments regarding vehicular access:

- As Steveston Hwy is a major arterial road, vehicular access to the subject site via the established lane system is intended to reduce vehicle conflicts, and frontage improvements along Steveston Hwy are intended to provide for a more pedestrian-oriented public realm. Frontage improvements required with redevelopment include permanently closing the existing driveway crossings to the subject site through removal and replacement with a barrier curb and gutter, and installation of a treed and grass boulevard, and a sidewalk connecting to the existing sidewalk east and west of the site.
- Vehicular access to the subject site is required to be provided via the driveway crossing and lane between 9093 and 9097 Steveston Highway. The rezoning applicant is required to enter into a legal agreement with the City to be registered on title prior to final adoption of the rezoning bylaw to acknowledge that:
 - they wish to make use of the statutory right-of-way agreement (BW406323) that is registered on title at 9093/9097 Steveston Highway for vehicular access to the subject site until an alternative exists; and,
 - that use of the lane is subject to the terms and conditions of the statutory right-of-way agreement (BW406323).

Should the Planning Committee endorse this application and should Council grant 1st reading to the rezoning bylaw, a Notice of Public Hearing will be sent to all residents and property owners of land within 50 m of the subject site, with instructions on how to participate in the public hearing process.

Analysis

Existing Legal Encumbrances

There is an existing statutory right-of-way on title for utilities located along the north property line of the subject site. The applicant is required to dedicate a 6.0 m wide portion of land along the entire north property line prior to final adoption of the rezoning bylaw to provide a lane to connect to an established rear lane to the west. Following lane dedication, the utilities will be located within the City's road network and the right-of-way will not be applicable to the subject site.

Site Access and Frontage Improvements

Consistent with the City's Transportation department requirements, vehicle access to the subject site is proposed via an established lane system that must be extended eastbound to service the subject site.

Access to the established east-west lane is proposed from Steveston Hwy via a SRW for utilities and a public-right-of-passage that is registered on title of the lots at 9093 and 9097 Steveston Hwy (BW406323). The applicant is required to register a legal agreement on title prior to final adoption of the rezoning bylaw to acknowledge that they wish to make use of the statutory right-of-way agreement (BW406323) registered on title at 9093/9097 Steveston Highway for vehicular access to the subject site.

Lane improvements

The applicant is required to dedicate a 6.0 m wide portion of land along the entire north property line to the City prior to final adoption of the rezoning bylaw for the design and construction of a rear lane to current City standards. The lane design is to connect to and match the lane works completed to the west as part of the Servicing Agreement associated with redevelopment of 9091, 9093, 9097, and 9099 Steveston Hwy (SA 04-287038). The rear lane design is to include (but is not limited to), rollover curb and gutter, asphalt paving, drainage, and lane lighting. The scope of works is to be determined through the Servicing Agreement design review process required prior to subdivision.

Road improvements

Required frontage improvements along Steveston Highway include, but are not limited to:

- Permanent closure and removal of the existing driveway crossings providing access to the subject site from Steveston Highway.
- Removal of the existing sidewalk located at the curb along the entire site frontage and backfilling of the area to provide a minimum 1.5 m wide grass/treed boulevard (width of the boulevard is exclusive of the 0.15 m wide top of curb).
- Construction of a new 1.5 m wide concrete sidewalk behind the new boulevard along the entire site frontage, connecting to the existing sidewalk east and west of the subject site.
- Street lighting and other utility requirements may be required as part of the frontage improvements, as determined through the Servicing Agreement design review process.

Tree Retention and Replacement

A Certified Arborist's Report was submitted by the applicant, which identifies on-site and off-site tree species, assesses their structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses four (4) trees on the subject property, one (1) tree along the front property line that is shared with the City, and two (2) trees and a shrub on the adjacent property to the east.

The City's Tree Preservation Coordinator and Parks Department Arborist have reviewed the Arborist's Report, conducted visual tree assessment, and provide the following comments:

- Four (4) fruit trees located on the subject site have all been previously topped and are not good candidates for retention (tag # 1, 5, 6 & 7).
- One (1) fruit tree (tag # 2) along the front property line that is shared with the City is in poor condition, is not suitable for retention, and is in conflict with the required frontage improvements along Steveston Hwy.
- Two (2) trees (tag # 3 and 4) and a Rhododendron shrub (tag # 8) located on the neighbouring property to the east at 9151 Steveston Hwy are identified by the applicant's Arborist to be in poor condition. If the applicant wishes to seek the removal of these

neighbouring trees, they must first obtain written permission from the adjacent property owner(s) and then obtain a valid tree removal permit (under the address on which the trees are located). If permission to remove the trees is not granted, the applicant is required to retain and protect the trees to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03.

The proposed Tree Retention Plan is included in Attachment 5.

To ensure protection of the off-site trees and shrub at 9151 Steveston Hwy (tag # 3, 4, and 8), the applicant must submit a contract with a Certified Arborist for supervision of all on-site works conducted within close proximity to tree protection zones. The contract must include the scope of work, including the number of proposed monitoring inspections at specified stages of construction, any special measures to ensure tree protection, and a provision for the Arborist to submit a post-construction impact assessment report to the City for review.

For the removal of the four (4) trees from the subject site (tag # 1, 5, 6, and 7), the OCP tree replacement ratio of 2:1 requires eight (8) replacement trees. Due to the compact size of the proposed lots, staff recommends that the applicant plant and maintain a total of six (6) replacement trees on the subject site [i.e., two (2) trees in the front yard and one (1) tree in the rear yard of each lot proposed], and provide a contribution in the amount of \$1,000.00 to the City's Tree Compensation Fund prior to final adoption of the rezoning bylaw in-lieu of planting the balance of replacement trees on-site.

For the removal of the tree along the front property line that is shared with the City (tag # 2), the Parks Department requires the applicant to submit a contribution to the City's Tree Compensation Fund in the amount of \$650 prior to final adoption of the rezoning bylaw, for the planting of trees in the City. The applicant is required to contact the City's Parks Department four (4) business days prior to tree removal to enable proper signage to be posted.

To ensure that the required replacement trees are planted and maintained, and that the front yards of the proposed lots are enhanced, the applicant is required to submit a Landscape Plan prepared by a Registered Landscape Architect along with a Landscaping Security based on 100% of a Cost Estimate prepared by the Landscape Architect for the works (including all materials, installation, and a 10% contingency). The Landscape Plan, Cost Estimate, and Security are required to be submitted prior to final adoption of the rezoning bylaw. The Security will be reduced by 70% after construction and landscaping at the subject site is completed and a landscaping inspection has been passed by City staff. The City will retain 30% of the Security for a 1-year maintenance period to ensure that the landscaping survives.

Affordable Housing Strategy

The Affordable Housing Strategy for single-family rezoning applications received prior to September 14, 2015, requires a secondary suite or a coach house on 50% of new lots, or a cash-in-lieu contribution of \$1.00/ft² of total buildable area towards the City's Affordable Housing Reserve Fund.

The applicant proposes to provide a legal secondary suite on one (1) of the two (2) lots proposed at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on title stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. Registration of this legal agreement is required prior to final adoption of the rezoning bylaw. This agreement will be discharged from title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Site Servicing

There are no servicing concerns with the proposed rezoning. Prior to subdivision, the applicant is required to:

- Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees.
- Enter into a Servicing Agreement for the design and construction of water, storm, and sanitary service connections, lane drainage, and upgrades described in Attachment 6.
- Pay servicing costs associated with the water, storm, and sanitary works identified in Attachment 6.

Financial Impact

This rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees, and traffic signals).


Conclusion

The purpose of this application is to rezone the property at 9131 Steveston Hwy from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, to permit the property to be subdivided to create two (2) lots with vehicle access to/from an established lane system that must be extended to service the subject site.

This rezoning application complies with the land use designations and applicable policies for the subject site contained within the OCP.

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 Zoning Bylaw 8500, Amendment Bylaw 9505 be introduced and given first reading.



Cynthia Lussier
Planning Technician

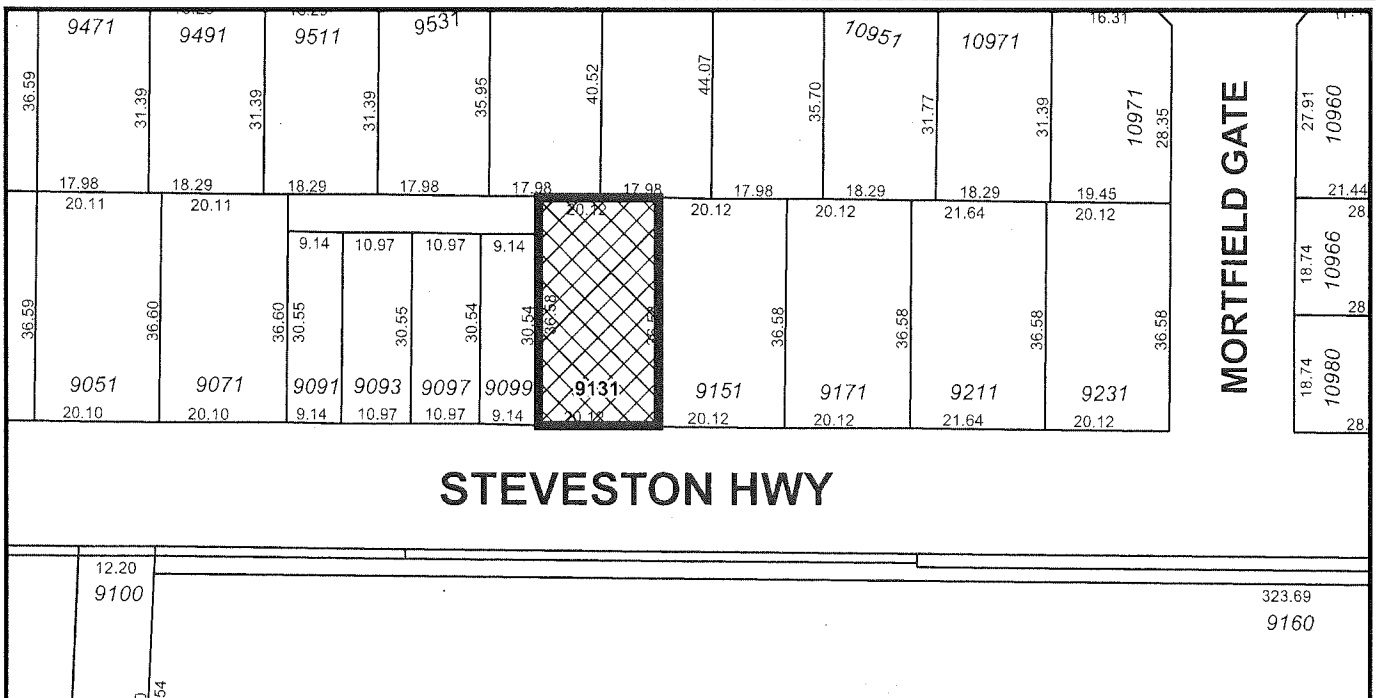
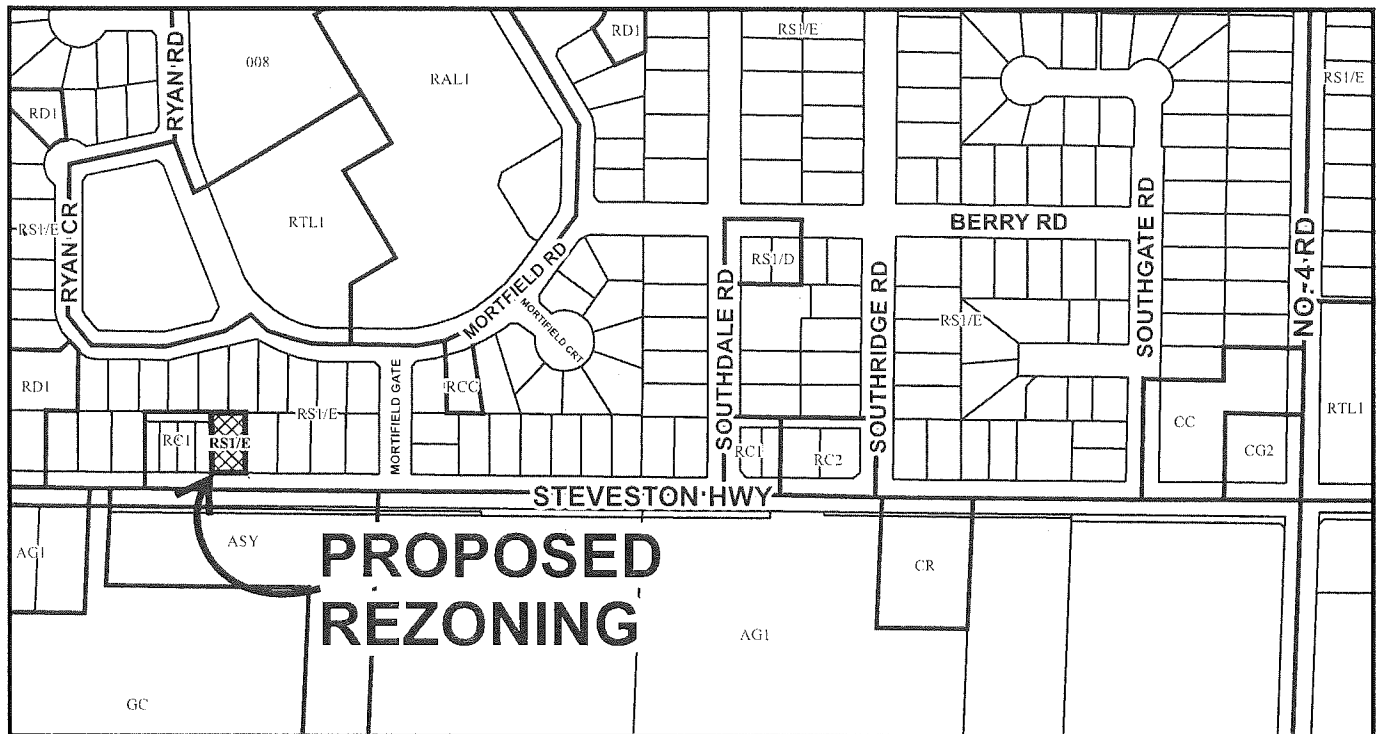
CL:rg

Attachments:

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Site survey and proposed subdivision plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Plans illustrating established lane system
- Attachment 5: Proposed Tree Retention Plan
- Attachment 6: Rezoning Considerations



City of Richmond



RZ 15-703150

Original Date: 07/21/15

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 15-703150

Original Date: 07/21/15

Revision Date:

Note: Dimensions are in METRES

**SURVEY PLAN OF LOT 10 SECTION 34
BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 16935**
PARCEL IDENTIFIER (PID): 001-270-800

CIVIC ADDRESS:
9131 STEVESTON HIGHWAY
RICHMOND, B.C.

SCALE 1:125

ALL DISTANCES ARE IN METRES

ELEVATIONS ARE IN METRES AND ARE DERIVED FROM
CITY OF RICHMOND HPN MONUMENT #204 (02H2452)
WITH AN ELEVATION OF 1.559 METRES.

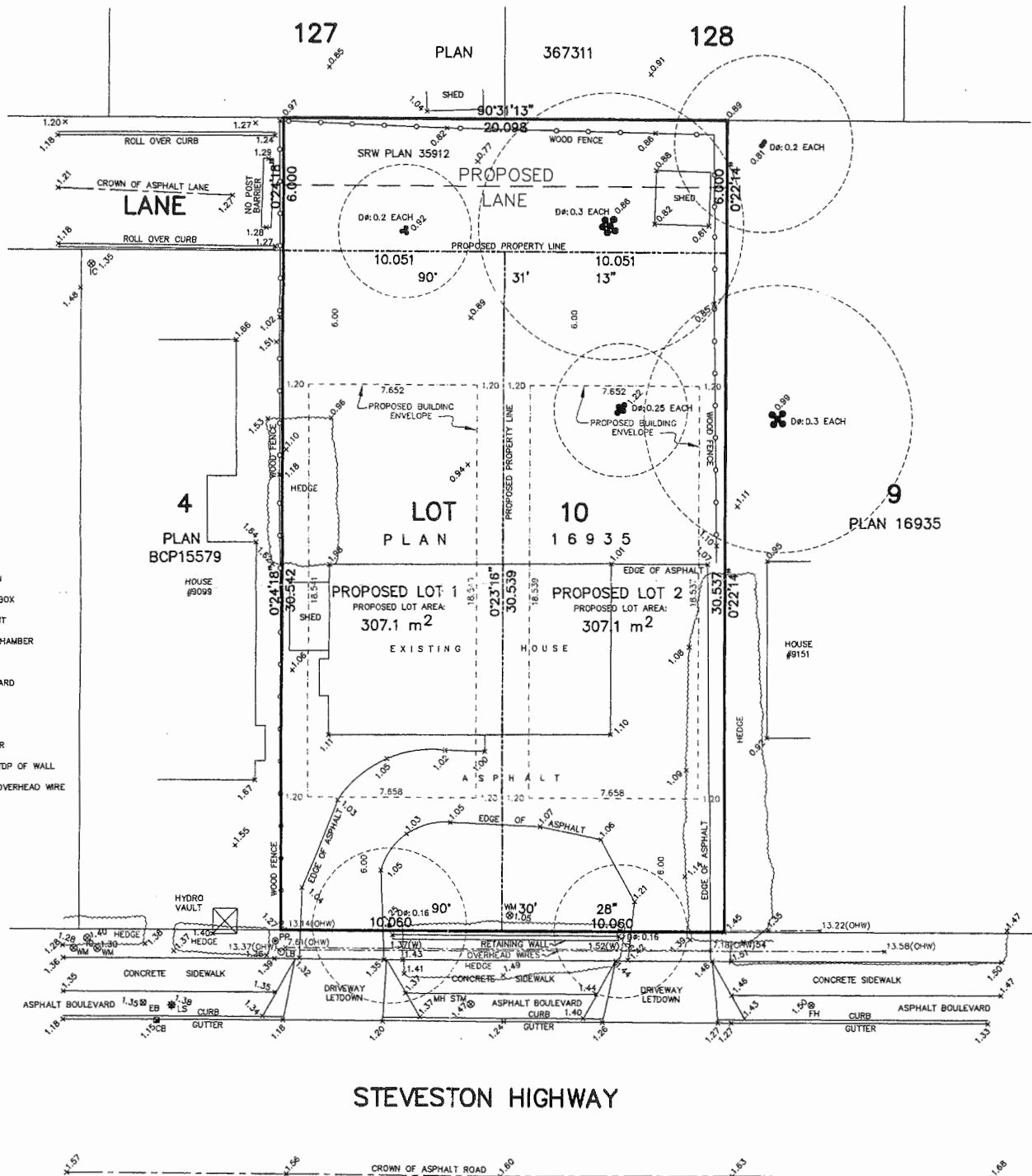
PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND
TITLE AND SURVEY AUTHORITY OF BC RECORDS AND
LEGAL FIELD SURVEYS.

ALL DESIGNATED TREES AS DEFINED BY CITY OF
RICHMOND BYLAW NO. 8057, ARE SHOWN HEREON.



LEGEND:

- CB DENOTES CATCH BASIN
- EB DENOTES ELECTRICAL BOX
- FH DENOTES FIRE HYDRANT
- IC DENOTES INSPECTION CHAMBER
- LB DENOTES LAWN BASIN
- LS DENOTES LAMP STANDARD
- MH DENOTES MANHOLE
- PP DENOTES POWER POLE
- WM DENOTES WATER METER
- (W) DENOTES ELEVATION TDP OF WALL
- (OHW) DENOTES ELEVATION OVERHEAD WIRE



STEVESTON HIGHWAY

© COPYRIGHT

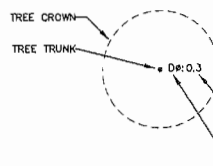
MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
#320 - 11120 HORSESHOE WAY
RICHMOND, B.C.

V7A 5H7
PH: 604.270.9331
FAX: 604.270.4137

CADFILE:17872-1-TPG.DWG

R-15-17872-1-TPG

TREE SYMBOLOLOGY



CNCL - 117

CERTIFIED CORRECT
THIS 6th DAY OF JUNE, 2015

[Signature]
S.C.L.S.

DATE OF SURVEY: JUNE 2, 2015



RZ 15-703150

Attachment 3

Address: 9131 Steveston Hwy

Applicant: Maryem Ahbib

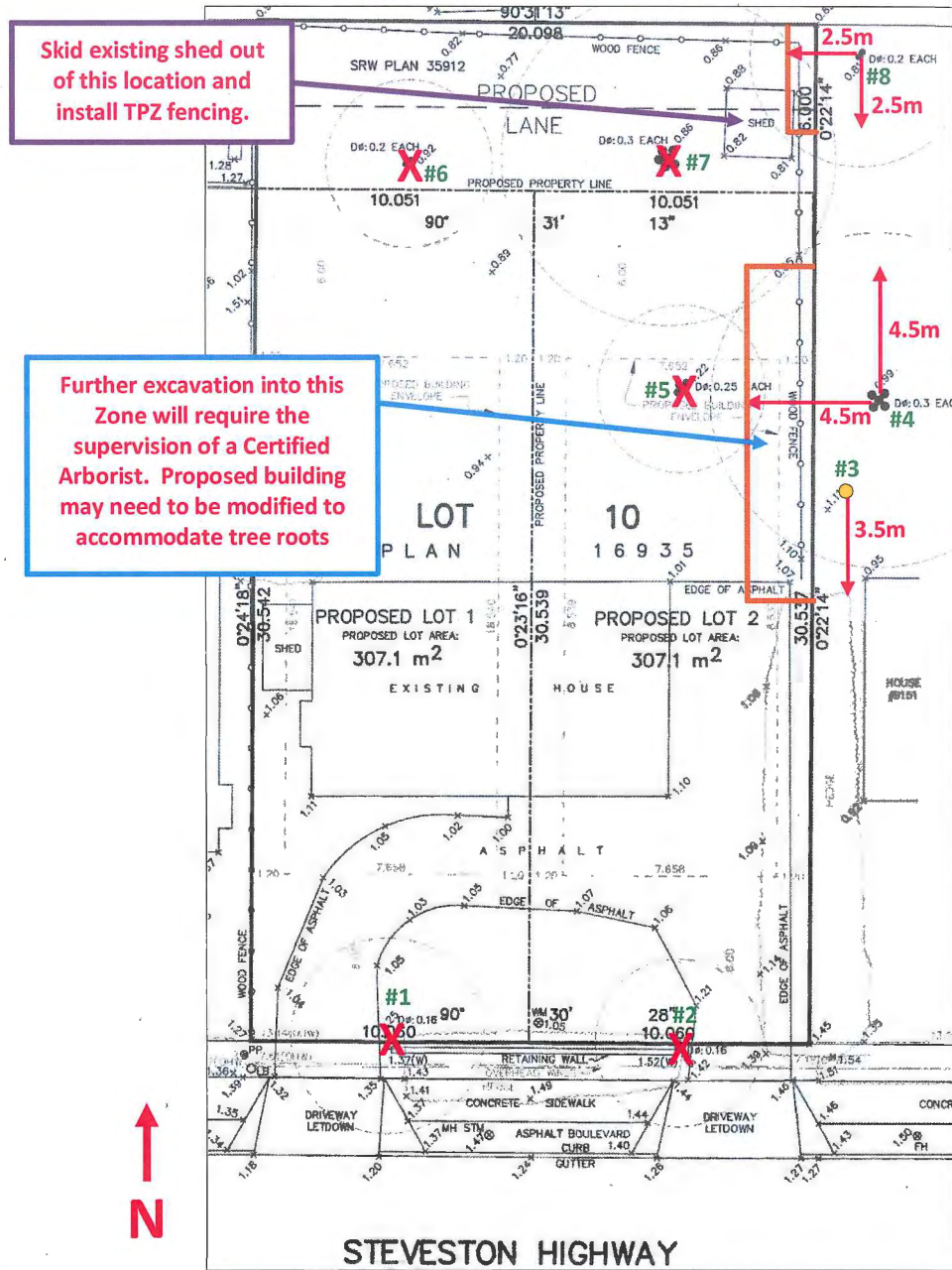
Planning Area(s): Broadmoor

	Existing	Proposed
Owner:	Jacqueline Wanda D'Odorico	To be determined
Site Size (m²):	Approximately 735 m ² (7,911 ft ²)	Two (2) lots, each approximately 307 m ² , after road dedication
Land Uses:	Single-detached dwelling	Two (2) residential lots, each with a single detached dwelling
OCP Designation:	Neighbourhood Residential	No change
Zoning:	Single Detached (RS1/E)	Compact Single Detached (RC2)
Other Designations:	The Arterial Road Policy permits the consideration of rezoning and subdivision applications along this block Steveston Highway subject to dedication, design, and construction of a fully operational lane.	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60	Max. 0.60	none permitted
Lot Coverage – Building:	Max. 50%	Max. 50%	none
Lot Coverage – Buildings, Structures, and Non-Porous Surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Live plant material:	Min. 20 %	Min. 20 %	none
Lot Size (min. dimensions):	270 m ²	307 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2 ½ storeys	2 ½ storeys	none

Other: Tree replacement compensation required for loss of bylaw-sized trees.

Tree Retention & Removal Plan, Scale 1:250



SUITABLE REPLACEMENT TREES (Botanical name)
Stewartia (<i>Stewartia pseudocamellia</i>)
Dik's Weeping Cypress (<i>Chamaecyparis lawsoniana</i> 'Dik's Weeping')
Purple Fountain European Beech (<i>Fagus sylvatica</i> 'Purple Fountain')
Japanese Tree Lilac 'Ivory Silk' (<i>Syringa reticulata</i> 'Ivory Silk')
Globe Norway maple (<i>Acer platanoides</i> 'Globosum')

TREE #	TREE SPECIES (Botanical name)	DBH (cm)	SPREAD (m) Radius
1	Plum (<i>Prunus sp.</i>)	16	3.5
2	Plum (<i>Prunus sp.</i>)	15	3.5
3	Cedar (<i>Thuja plicata</i>)	59	4
4	Cherry (<i>Prunus sp.</i>)	95 comb.	6
5	Cherry (<i>Prunus sp.</i>)	80 comb.	3
6	Pear (<i>Pyrus sp.</i>)	45 comb.	2.75
7	Apple (<i>Malus sp.</i>)	101 comb.	5.5
8	Rhododendron (<i>Rhododendron sp.</i>)	49 comb.	3.75



Address: 9131 Steveston Hwy

File No.: RZ 15-703150

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9505, the developer is required to complete the following:

1. 6.0 m wide lane dedication along the entire north property line.
2. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
 - include a mix of coniferous and deciduous trees;
 - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
 - include the six (6) required replacement trees (minimum 6 cm deciduous caliper or 3 m high conifer).
3. City acceptance of the developer's offer to voluntarily contribute \$1,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
4. City acceptance of the developer's offer to voluntarily contribute \$650 to the City's Tree Compensation Fund for the removal of the tree along the front property line that is shared with the City (tag # 2).
5. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained (off-site tree tags# 3, 4, and 8). The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections at specified stages of construction, any special measures to ensure tree protection, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
6. Registration of a flood indemnity covenant on title.
7. Registration of a legal agreement on title to ensure that landscaping planted along a 4.0 m wide ALR buffer (as measured from the south property line) along the Steveston Hwy frontage is maintained and will not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.
8. Registration of a legal agreement on title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
9. Registration of a legal agreement on title to acknowledge that the applicant wishes to make use of the statutory right-of-way agreement (BW406323) registered on title at 9093/9097 Steveston Highway for vehicular access to the subject site until an alternative exits.

Prior to removal of the tree on the boulevard in City-owned property (tag # 2), the applicant is required to:

- Contact the City's Parks Department (604-244-1208 ext 1314) four (4) business days prior to tree removal to enable proper signage to be posted.

At demolition* stage, the following is required:

- Installation of tree protection fencing on-site around the dripline of the off-site trees to be retained (tags # 3, 4, and 8). Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 and must remain in place until construction and landscaping on-site is completed.

At subdivision* stage, the following is required:

- Entrance into a Servicing Agreement* for the design and construction of off-site servicing and road improvements, including (but not limited to):
 - A rear lane along the north property line to current City standards, to connect to and match the lane works completed to the west as part of the Servicing Agreement associated with redevelopment of 9091, 9093, 9097, and 9099 Steveston Hwy (SA 04-287038). The rear lane design is to include (but is not limited to), rollover curb and gutter, asphalt paving, drainage, and lane lighting. The scope of works is to be determined through the Servicing Agreement design review process.
 - Permanent closure and removal of the existing driveway crossings providing access to the subject site from Steveston Highway.
 - Removal of the existing sidewalk located at the curb along the entire site frontage and backfilling of the area to provide a minimum 1.5 m wide grass/treed boulevard (note: the width of the boulevard is exclusive of the 0.15 m wide top of curb).
 - Construction of a new 1.5 m wide concrete sidewalk behind the new boulevard along the entire site frontage, connecting to the existing sidewalk east and west of the subject site.
 - Street lighting and other utility requirements may be required as part of the frontage improvements, as determined through the Servicing Agreement design review process.

Water Works:

- Using the OCP Model, there is 1029.0 L/s of water available at a 20 psi residual at the Steveston Hwy frontage. Based on your proposed development, your site requires a minimum fire flow of 95.0 L/s.
- The developer is required to Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs.
- At the developer's cost, the City is to:
 - Cut and cap the existing water service connection at the watermain, along the Steveston Hwy frontage.
 - Install two (2) new 25 mm water service connections complete with meters and meter boxes along the Steveston Hwy frontage.

Storm Sewer Works:

- The developer is required to extend the existing 200 mm storm sewer east approximately 20 m within the proposed lane complete with inspection chambers as required.
- At the developer's cost, the City is to:
 - Cut and cap the existing storm service connections at the southwest and southeast corners of the development site.
 - Upgrade the existing storm service connection complete with inspection chamber and dual connections at the adjoining property line of the proposed lots.

Sanitary Sewer Works:

- The developer is required to provide a 1.5 m x 1.5 m statutory right-of-way (SRW) for the location of a sanitary inspection chamber at the adjoining property line of the newly subdivided lots.
- At the developer's cost, the City is to:
 - Cut and cap the existing sanitary service connection at the northeast corner of the development site.
 - Install (one) 1 new sanitary inspection chamber and dual connections at the adjoining property line of the newly subdivided lots, within the proposed statutory right-of-way (SRW).

General Items:

- The developer is required to coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground Hydro service lines (if applicable).
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages (if applicable).
 - To determine if above ground structures are required and coordinate their locations on-site (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc, if applicable).
- The Developer is required to enter into, if required, 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, 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.
- Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. The Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

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 original on file)

Signed

Date
CNCL - 123



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9505 (RZ 15-703150)
9131 Steveston Hwy**

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 **"COMPACT SINGLE DETACHED (RC2)"**.

P.I.D. 001-270-800

Lot 10 Section 34 Block 4 North Range 6 West New Westminster District Plan 16935

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9505"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER



Leanne & Shaun Bird

220 - 5800 Andrews Road, Richmond, BC, V7E 6M2

Tel: 778-384-7880

Email: lbird@cfmrlaw.com

November 17, 2015

**LETTER VIA EMAIL: mayorandcouncillors@richmond.ca
& communitybylaws@richmond.ca
Original and enclosures to follow by mail**

City of Richmond (the "City")
6911 No. 3 Road
Richmond, BC V6Y 2C1

Re: Third Request for an amendment to City of Richmond's Animal Bylaws

We are writing to address Council again, this time jointly with HugABull Advocacy and Rescue Society ("HugABull"). Together with 612 other Richmond Residents, who have signed a petition in our support, we are applying to Council for a fair and open review of the City of Richmond's animal bylaws.

In speaking with City staff over this past year, it was suggested that making a change like the one we've requested would be a lot of work, would require lawyers, and was not worth it for only one family's request. This inspired us to start an online petition to find out how many other Richmond residents felt the way we did about our current animal bylaws. In addition to receiving a significant amount of support from the public, HugABull has agreed to support us in this application.

In order to show you how other B.C. municipalities have dealt with this issue fairly and flexibly, we have enclosed with this letter the animal bylaws for two other cities in British Columbia, Nanaimo & New Westminster.

Nanaimo, which still has breed specific legislation, allows for exemptions through Canine Good Neighbour ("CGN") Certification. Details on the CGN program have been previously provided and can also be found at the following website:

<http://www.ckc.ca/en/Raising-My-Dog/Responsible-Ownership/Canine-Good-Neighbour-Program>

Attached please find a full printed copy of our online petition with over 6,100 signatures, as well as 6 hard copies of the petition, which were circulated throughout Richmond. A total of 612 of the signatures were from Richmond residents would like to see a change to the current bylaws and in particular, something similar to what the City of Nanaimo currently has.

For your further information, I have also enclosed all of the comments posted to online petition. I have highlighted some of the comments from Richmond residents, as well as comments from residents in surrounding communities stating that until the City of Richmond changes its current animal bylaws, they will not be spending any time or money in our City. The overwhelming response that the petition has received confirms that this is an issue that is very important not just for us, but to many other dog owners, and not just Richmond residents but those that visit Richmond as well.

Other municipalities have taken it a step further and moved towards making their bylaws breed neutral, including New Westminster, which recently updated their animal bylaws to this effect. Since our petition was initiated, we have been made aware that the City of Nanaimo is also considering changing their current bylaws to completely remove all BSL and go "breed neutral".

We can also confirm that Amy Morris at the B.C. SPCA has recently written to the City also requesting a change to the animal bylaws, and recommends the adoption of New Westminster's updated bylaws. Their Position Statement and Model Animal Responsibility Bylaw package is also enclosed for your review.

HugABull is one of BC's most established animal rescue groups, working with bull breeds in our province. Over the last 12 years they have collaborated with many municipalities and community groups to provide education concerning animal control bylaws. They, like so many animal welfare groups, take the position that breed-neutral, evidence-based bylaws that target owner behaviour are the only proven way to keep the community safer and reduce dog bites. They point to New Westminster's bylaws as one of the most progressive and effective in BC.

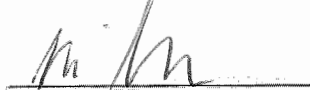
There is also a growing body of academic research showing that while there are certain predictors for dog aggression, breed is not one of them. Perhaps the most extensive is the 2012 study by the American Veterinary Medical Association. The AVMA published a meta-analysis of three dozen academic studies that sought to study breed and bite rate. Depending on the study, breeds as diverse as German Shepherds, pit bulls, Jack Russell Terriers, and Chows were identified as most likely to bite. The study concluded that the likelihood and severity of injury was not related to breed, but instead to a constellation of factors like size, individual temperament, owner behaviour, and victim circumstances.

Simply stated, breed specific legislation has not been shown to work. We've enclosed an information package on this with details about the determination of breeds, bite statistics and the evidence to back it all up. It also includes information on other cities in B.C. and pitbulls in general.

In addition to all of the above, the Canadian Kennel Club is also willing to work with committees and individuals across the country to assist in the development of legislation that is reasonable and enforceable. Their policy statement is enclosed for your review.

While we are pleased that Richmond has begun to make great strides in animal welfare by banning the sale of animals in pet stores, it's time for Richmond to follow the lead of surrounding communities who have taken the time to review the data on dog aggression and change their bylaws to be breed-neutral, focusing on owner behavior and responsible ownership. Thank you once again for your consideration. We look forward to discussing this further with you at our November 23rd appearance before counsel, and note that a representative from the B.C. SPCA will also be available to answer questions.

Yours truly,



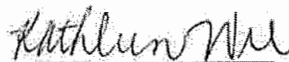
Shaun Bird



Leanne Bird

HugABull Advocacy and Rescue Society

Per:



Authorized Signatory

cc: morsetti@richmond.ca, ewarzel@richmond.ca, hberg@richmond.ca

“LICENCING AND CONTROL OF ANIMALS BYLAW 1995 NO. 4923”

Consolidated Version

2015-JUL-20

Includes Amendments: 4991, 5285, 5399, 5431, 5727, 4923.06, 4923.07, 4923.08, 4923.09,
4923.10

CITY OF NANAIMO

BYLAW NO. 4923

A BYLAW TO PROVIDE FOR THE LICENCING AND CONTROL OF ANIMALS
WITHIN THE CITY OF NANAIMO

WHEREAS the Council may, pursuant to Section 524 of the *Municipal Act*, provide for the licencing of dogs and for the establishment and collection of licence fees; and

WHEREAS the Council may, pursuant to Section 932(q)-(s) of the *Municipal Act* control animals, prohibit cruelty to animals and provide for the destruction of animals suffering from an incurable disease; and

WHEREAS the Council may, pursuant to Sections 933(1)(d)-(i), (2)-(4) and 934.1 of the *Municipal Act* regulate or prohibit, by area, the keeping of animals, bees and kennels; control, impound and detain animals unlawfully at large; establish, maintain and operate a pound facility; regulate and fix fines and fees; sell or destroy impounded animals; and provide for the laying of an information pursuant to the *Municipal Act* and the *Offence Act*.

THEREFORE BE IT RESOLVED that the Municipal Council of the City of Nanaimo in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

Title

1. This Bylaw may be cited for all purposes as the "LICENCING AND CONTROL OF ANIMALS BYLAW 1995 NO. 4923".

Interpretation

2. In this Bylaw unless the context otherwise requires:

"Adequate Ventilation" (Bylaw No. 4923.10)	means fresh air ventilation by means of open windows or operating mechanical device that supplies fresh or cooled air.
"Animal Control Officer" (Bylaw No. 4923.10)	means any person appointed from time to time by Council to administer and enforce the provisions of this Bylaw and includes Bylaw Enforcement Officers and Peace Officers
"Animal" (Bylaw 5727)	includes a Dog, Cat, Household Animal, Rabbit, Deer, Poultry, Bird and Livestock.
"At Large"	means being elsewhere than on the lands or premises owned or occupied by the Dog Owner and not on a Leash.

"Bee"	means any of a various winged, hairy-bodied insects of the order Hymenoptera, characterized by specialized structures for gathering nectar and pollen from flowers.
"Bird"	means a member of the class Aves, which includes warm-blooded, egg-laying, feathered vertebrates having forelimbs modified to form wings.
"Cat"	means a carnivorous mammal, <i>Felis Catus</i> or <i>Felis Domesticus</i> , domesticated as a pet, or any other animals of the family Felidae.
"Choke Collar" (Bylaw No. 4923.10)	means a slip collar or chain that may constrict around the animal's neck as a result of pulling on one end of the collar or chain and includes pinch or prong collars but does not include a martingale collar
"City"	means the City of Nanaimo.
"Collector"	means the collector of the City.
"Council"	means the Municipal Council of the City.
"Deer"	means a hoofed ruminant mammal of the family Cervidae.
"Dog" (Bylaw 5727)	means a male or female animal of the species canine.
"Dog Licence"	means a licence for a Dog for the current licencing year that has been paid for and that has been issued by the City.
"Dog Owner"	means any person: <ul style="list-style-type: none"> (a) whose name appears on a Dog Licence; (b) who is in possession of a Dog; (c) who has the care, custody or control of a Dog; or (d) who possesses, harbours or allows a Dog to remain about a house, land or premises owned or occupied by that person.
"Enclosure"	means a fence or structure of at least six (6) feet in height forming an enclosure capable of preventing the entry of a child under the age of 10 years and adequately constructed to prevent a Dog from escaping.
"Feral Rabbit" (Bylaw 4923.07)	means a domestic rabbit that is not harboured and confined to the owner's property as a pet.
"Highway"	includes every highway within the meaning of the <i>Highways Act</i> and every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles and every place or passage-way owned or operated by the City for the purpose of providing off-street parking or for the use of pedestrian or bicycle traffic.
"Household Animal" (Bylaw 4923.06)	means a domesticated animal kept by a household, which is used or the product of which is used primarily and directly by the household and not for sale or profit, and includes dogs and cats, but specifically excludes Poultry and Livestock.
"Impounded"	means seized and delivered into the Pound or in the custody of the Poundkeeper.

"Leash"	means a line, thong or chain that does not exceed a length of 6 feet or 183 centimetres that is of sufficient strength to restrain a Dog without breaking.								
"Licenced Dog"	means a Dog that is wearing, either on its collar or harness, a metal tag on which is stamped figures corresponding to a Dog Licence for that specific Dog.								
"Licencing Year"	shall mean January 1st to December 31st in any year.								
"Livestock" (Bylaw 5727)	means a domesticated animal normally raised or kept for food, milk or as a beast of burden and, without limiting the foregoing, includes: <table><tr><td>cattle</td><td>mules</td><td>donkeys</td><td>oxen</td></tr><tr><td>goats</td><td>sheep</td><td>horses</td><td>swine</td></tr></table> but specifically excludes dogs or cats.	cattle	mules	donkeys	oxen	goats	sheep	horses	swine
cattle	mules	donkeys	oxen						
goats	sheep	horses	swine						
"Peace Officer" (Bylaw 4923.07)	means a bylaw enforcement officer or person appointed from time to time by resolution of the City of Nanaimo or an RCMP officer.								
"Poultry"	means a domestic fowl, a duck, a goose, a turkey, a pigeon, etc.								
"Pound"	means premises used by the Poundkeeper to harbour and maintain Animals pursuant to this Bylaw or any vehicle used by the Poundkeeper.								
"Poundkeeper" (Bylaw No. 4923.10)	means the person appointed as Poundkeeper by Council and any person or persons appointed from time to time by Council for the purpose of administering, enforcing and carrying out the provisions of this Bylaw								
"Rabbit"	means a burrowing gregarious herbivorous mammal of the hare family.								
"Restricted Dog"	means: <table><tr><td>(a)</td><td>a Pit Bull Terrier, an American Pit Bull Terrier, a Pit Bull, a Staffordshire Bull Terrier or an American Staffordshire Terrier; or</td></tr><tr><td>(b)</td><td>a dog of mixed breeding which breeding includes the blood line of the breeds referred to in (a).</td></tr></table> A Dog is not a "Restricted Dog" if the Dog is registered with the Canadian Kennel Club, the burden or proof of which registration is on the Dog Owner or the Dog/Dog Owner has successfully completed the tests required to qualify for the Canine Good Citizen (CGC) Certification. (Bylaw 5399)	(a)	a Pit Bull Terrier, an American Pit Bull Terrier, a Pit Bull, a Staffordshire Bull Terrier or an American Staffordshire Terrier; or	(b)	a dog of mixed breeding which breeding includes the blood line of the breeds referred to in (a).				
(a)	a Pit Bull Terrier, an American Pit Bull Terrier, a Pit Bull, a Staffordshire Bull Terrier or an American Staffordshire Terrier; or								
(b)	a dog of mixed breeding which breeding includes the blood line of the breeds referred to in (a).								
"Tether or Tethering" (Bylaw No. 4923.10)	means to be hitched, tied or fastened by a securing device.								
"Unlicenced Dog"	means a Dog which is not a Licenced Dog.								
"Vicious Dog"	means a Dog which <table><tr><td>(a)</td><td>has bitten a human without provocation;</td></tr><tr><td>(b)</td><td>has bitten an Animal without provocation; or</td></tr><tr><td>(c)</td><td>has a known propensity, tendency or disposition to attack or aggressively pursue without provocation a human, or an Animal; or</td></tr><tr><td>(d)</td><td>a Restricted Dog.</td></tr></table>	(a)	has bitten a human without provocation;	(b)	has bitten an Animal without provocation; or	(c)	has a known propensity, tendency or disposition to attack or aggressively pursue without provocation a human, or an Animal; or	(d)	a Restricted Dog.
(a)	has bitten a human without provocation;								
(b)	has bitten an Animal without provocation; or								
(c)	has a known propensity, tendency or disposition to attack or aggressively pursue without provocation a human, or an Animal; or								
(d)	a Restricted Dog.								

3. General

- (1) The Council does hereby authorize:
 - (a) the establishment, maintenance and operation of facilities for the impounding of Animals at such place or places and upon such premises, as the Council may determine, by resolution.
 - (b) the appointment, by resolution, of a Poundkeeper to maintain and operate the Pound or Pounds established under this Bylaw.
 - (c) the making of an agreement with such persons, firms, societies or corporations as may be fit for the purpose of maintaining and operating a Pound, for regulating the conduct of the Pound, and providing for the collection, distribution and payment of revenue and expenditures derived from the operation of the Pound.
- (2) Any Poundkeeper in charge of the Pound shall impound and detain all Animals delivered to him and shall furnish them with reasonable food, water, shelter and care.
- (3) The raising or slaughter of household animals for meat or consumption is prohibited. *(Bylaw 5727)*

PART I - CONTROL, PROTECTION, LICENCING AND IMPOUNDING OF DOGS *(Bylaw 4923.10)*

4. Control of Dogs

Except as otherwise permitted by this Bylaw:

Offences

- (1) A Dog Owner shall not permit, suffer or allow a Dog to be At Large.
- (2) A Dog Owner of a Vicious Dog or a Restricted Dog shall at all times, while the dog is anywhere else than on lands or premises owned or occupied by the Dog Owner, keep the Dog muzzled to prevent it from biting another Animal or human. *(Bylaw 4991)*
- (3) A Dog Owner of a Vicious Dog or a Restricted Dog shall at all times, while the Dog is on land or premises owned or occupied by the Dog Owner, keep the Dog securely confined either indoors or in an Enclosure.
- (4) Notwithstanding Section 4(2) of this Bylaw, the Dog Owner of a Vicious Dog or Restricted Dog which is participating in dog training or dog trials held by or sanctioned by the Association of Island Obedience Clubs or the Canadian Kennel Club is exempt from Section 4(2) while participating in such events, the burden of proof of which participation is on the Dog Owner.
- (5) A Dog Owner shall not permit, suffer or allow a Dog to be in a City cemetery, more particularly 555 Bowen Road, 1598 Townsite Road (Chinese Cemetery) or 4700 Ledgerwood Road (Wellington Cemetery). *(Bylaw 5285)*

- (6) Any owner, harbourer, or possessor of a vicious dog shall advise the Poundkeeper within one (1) week of any change of address within the City of Nanaimo which involves the relocation of the dog. (*Bylaw 5399*)

5. Licencing of Dogs

Offences

- (1) No person shall own, possess or harbour an Unlicensed Dog within the boundaries of City.

Requirements

- (2) A person who owns, possesses or harbours any Dog before the first day of January in each year, shall obtain a Dog Licence in accordance with the provisions of this Bylaw.
- (3) A Dog Licence issued pursuant to this Bylaw is valid for the Licencing Year in which it is purchased and shall expire on the 31st day of December in that Licencing Year.
- (4) Applications for and the issuance of a Dog Licence shall be the responsibility of the Collector, the Poundkeeper and such other persons as may be appointed by Council.
- (5) Every person who obtains a Dog Licence shall be given a metal tag which shall be, at all times, fastened to a collar or harness worn by the Dog for which the Dog Licence was obtained.
- (6) The number on the Dog Licence shall correspond to the stamped number on the metal tag.
- (7) Any person holding a licence under the provisions of the *Livestock Protection Act* or under a Bylaw of any other municipality of the Province of British Columbia shall not be liable to pay any Dog Licence fee pursuant to this Bylaw with respect to the same Dog for the unexpired portion of the period for which such Dog Licence shall have been issued. This provision shall not apply to any person who has obtained such licence elsewhere than from the City while residing within the City.
- (8) Where a Dog Owner finds that the metal tag issued by the City has been lost, destroyed or mutilated, the Dog Owner shall acquire for the remainder of the current licencing year a replacement tag, upon producing proof of purchase of a valid Dog Licence and upon payment of a prescribed fee.
- (9) The Dog Licence fees pursuant to this Bylaw shall be those set out in Schedule 'A' attached to and forming part of this Bylaw.
- (10) Notwithstanding Section 5(1) and Section 5(2) of this Bylaw, the following Dogs need not have a Dog Licence:
- (a) a trained guide Dog owned or utilized by a blind person; and
 - (b) a Dog owned and utilized as an R.C.M.P. service dog.
 - (c) a Dog under the age of 12 weeks. (*Bylaw 5727*)

6. Care and Standards (Bylaw No. 4923.10)

No person shall cause, allow or permit a dog to be:

- (1) confined in a vehicle where there is no adequate ventilation or where the internal vehicle temperature exceeds twenty-three (23) degrees celsius.
- (2) tethered to a fixed object in such a way that the dog is able to leave the owner's property.
- (3) tethered to a fixed object or vehicle where:
 - (a) a choke collar forms part of the securing apparatus, or
 - (b) where a rope, cord or chain is tied directly around the dog's neck; or,
 - (c) the collar is not properly fitted or attached in a manner that will not injure the dog or enable the dog to injure itself by pulling on the tether.
- (4) tethered to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the dog.
- (5) tethered to a fixed for longer than nine (9) hours within a 24 hour period.
- (6) tethered to traffic control device or support thereof; any fire hydrant or fire protection equipment, handrails or any other object in such a way as to obstruct the public or create a nuisance.
- (7) tethered within three (3) metres of an entrance or exit from any public building
- (8) transported in a vehicle outside of the passenger compartment unless the dog is:
 - (a) confined in a pen or cage which is securely fastened to the vehicle, or,
 - (b) secured in a body harness or tethered pursuant to Section 6(3) of this Bylaw; or,
 - (c) within a closed vehicle canopy;to prevent it from jumping or falling off the vehicle or otherwise injuring itself.

7. Impounding (Bylaw No. 4920.10)

- (1) The Animal Control Officer may seize and impound any dog which is found by him to be at large within the City.
- (2) The Animal Control Officer, upon seizure and impoundment of a dog at large, shall make every effort to inform the dog owner, if known, that the dog has been seized and impounded.
- (3) The Animal Control Officer, where it is believed that a dog is subject to suffering, may impound the dog and:
 - (a) transport the dog to a veterinarian and where the veterinarian determines that the dog's suffering cannot be reasonably addressed the dog may be destroyed in a humane manner; or,
 - (b) where the veterinarian determines that the dog's suffering may be addressed, the dog may be treated and released to the owner upon payment of the impound fees.

- (4) If a dog is impounded pursuant to this section and not claimed by the owner within 72 hours of notification or attempted notification in any manner, the dog shall be destroyed or adopted for sale.
- (5) The Poundkeeper shall maintain a log book, in which will be recorded the description of every dog impounded; the name of the person who impounded the dog; the time and location of the impoundment; all fees and costs owing and the adoption information or manner of disposal of the impounded dog.
- (6) The impoundment and maintenance fees for dogs, shall be those set out in Schedule 'B', attached to and forming part of this bylaw.

PART II - CONTROL AND IMPOUNDING OF LIVESTOCK, POULTRY, AND RABBITS

8. (a) Control of Livestock

Offences

No person shall suffer or permit any Livestock owned by him or in his charge to:

- (1) stray or trespass on a Highway;
- (2) stray or trespass in a public place;
- (3) stray or trespass on private property;
- (4) graze on unfenced land, unless they are securely tethered.
- (5) be in any City cemetery, more particularly 555 Bowen Road, 1598 Townsite Road (Chinese Cemetery) or 4700 Ledgerwood Road (Wellington Cemetery). (Bylaw 5285)

(b) Control of Poultry/Rabbits

Offences

No person shall suffer or permit any Poultry or Rabbits owned by him or in his charge to:

- (1) stray or trespass on a Highway;
- (2) stray or trespass in a public place;
- (3) stray or trespass on private property;
- (4) graze on unfenced land;
- (5) be released or abandoned on land within the municipality. (Bylaw 4923.07)

(c) Control of Bees

Offences

- (1) No person shall keep or harbour Bees in excess of three (3) beehives on any parcel of land under one (1) acre.
- (2) On parcels of land greater than one (1) acre, no person shall keep or harbour Bees in excess of three (3) beehives per acre.
- (3) No restrictions shall apply to parcels of land zoned agriculturally (A-1, A-2 or A-3).

9. (a) No person shall keep or harbour any Livestock, Poultry or Rabbit on any parcel of land unless the said parcel has an area of not less than one (1) acre).
- (b) Notwithstanding Section 8(a) of this Bylaw, a person who is a member of a certified pigeon racing club may keep up to a maximum of fifty (50) racing pigeons, the burden of proof of which membership in a certified pigeon racing club is on such person.
- (4923.08)(c) Notwithstanding Section 8(a), a maximum of six (6) chickens or ducks may be kept on a lot less than 0.4 Hectares (1 acre) in size but where the lot is less than 450 m² (4843.75 ft²) no more than four (4) chickens or ducks may be kept, provided that:
- (1) No roosters, cocks, or cockerels, or peacocks, and the like, are kept on the property;
 - (2) A minimum enclosure of 0.37 m² (4 ft²) must be provided per chicken or duck;
 - (3) Any structure containing chickens or ducks, whether portable or stationary is subject to the setback requirements of the zone;
 - (4) Structures housing chickens or ducks must be kept clean, dry, and free of odours;
 - (5) Areas within and around structures are kept free of vermin;
 - (6) Any diseased chicken or duck is killed and the carcass destroyed;
 - (7) No slaughtering of chickens or ducks occurs on the property;
 - (8) Chicken and duck manure and waste products are composted or disposed of to prevent odours; and,
 - (9) Chickens or ducks are not permitted within a dwelling unit.

10. Impounding of Livestock, Poultry, Rabbits and Bees

- (1) The Poundkeeper or any other designated person may seize and impound Livestock, Poultry, Rabbits or Bees found in contravention of Sections 7 and 8 of this Bylaw.
- (2) Impounded Livestock, Poultry or Rabbits may be reclaimed by their owner, upon proof of ownership and paying to the Poundkeeper the impoundment fees and maintenance fees for Livestock, Poultry or Rabbits as set out in Schedule 'C'.
- (3) The Poundkeeper shall inform the owner, if known, of the impoundment of their Livestock, Poultry or Rabbits.
- (4) If, after the expiration of not less than seventy-two (72) hours, the Impounded Livestock, Poultry or Rabbits have not been claimed and the impoundment fees and the maintenance fees not paid, the Poundkeeper may destroy or advertise for sale such Livestock, Poultry or Rabbits by public auction, for the best price that can be obtained provided such price exceeds the amount of the impoundment fees and the maintenance fees.
- (5) A sale shall be deemed to be duly advertised by publishing notice of the sale in at least one issue of a newspaper circulating in the City. There shall be at least three (3) business days between the date of the notice and the date of the sale.
- (6) The Poundkeeper shall maintain a log book in which he shall record the number and description of Impounded Livestock, Poultry or Rabbits; the date, time and

location of the impoundment; and the impoundment fees and maintenance fees owing.

PART III – WILDLIFE (Bylaw 4923.07)

11. No person shall feed a deer or feral rabbit within the municipality.

PART IV - CATS

12. No person shall keep, harbour or have in his possession any Cat suffering from any infectious or contagious disease, unless such Cat is in isolation and under treatment for the cure of such disease.

PART V - ENFORCEMENT

13. The *Offence Act*, where applicable, shall apply to proceedings under this Bylaw.

14. Penalty

- (1) A person or property owner who contravenes, violates or fails to comply with any provision of this bylaw, or who suffers or permits any act of thing to be done in contravention or violation of this bylaw, or who fails to do anything required by this bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$10,000.00 and not less than the fines prescribed in Schedule "D" of this Bylaw, the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter* or *Offence Act*.
- (2) Each day that an offence against this bylaw continues or exists shall be deemed to be a separate and distinct offence

15. Inspection

The Poundkeeper may enter, at all reasonable times, upon any property subject to this Bylaw in order to ascertain whether this Bylaw is being obeyed.

16. Repeal

"LICENCING AND CONTROL OF ANIMALS BYLAW 1987 NO. 3230" and all amendments thereto is hereby repealed in its entirety.

SCHEDULE 'A'

CITY OF NANAIMO LICENCING AND CONTROL OF ANIMALS BYLAW

DOG LICENCE FEES

Dog Licence fees, pursuant to Section 5(9), shall be:

- (a) \$30.00 for each Dog. A licence fee shall be subject to a discount of \$5.00 if paid on or before the 28th day of February of the year in which the licence is effective. Each licence fee shall be payable for the Licensing Year in which the Licence shall be applied for regarding of the date within that year when the application for the Licence shall be made.
- (b) Notwithstanding (a) if a person becomes the owner of a dog after the 1st day of July in the Licensing Year, the fee shall be \$20.00.

(Bylaw 4923.09)

SCHEDULE 'B'

LICENCING AND CONTROL OF ANIMALS BYLAW

DOG IMPOUND FEES

A Dog Owner may reclaim their Impounded Dog upon proving ownership and upon paying to the Poundkeeper the following impound fees, maintenance fees and any overdue dog licence fees pursuant to Schedule 'A'.

- (a) An impoundment fee in respect of a Licenced Dog:
- | | |
|-------------------------------------|----------|
| - First impoundment | \$ 50.00 |
| - Second impoundment | 100.00 |
| - Third and subsequent impoundments | 200.00 |
- (b) An impoundment fee in respect of an Unlicenced Dog:
- | | |
|-------------------------------------|-----------|
| - First impoundment | \$ 150.00 |
| - Second impoundment | 200.00 |
| - Third and subsequent impoundments | 300.00 |
- (c) A maintenance fee in respect of each day or part of a day of the impoundment period
- | | |
|--|----------|
| | \$ 15.00 |
|--|----------|
- (d) An impoundment fee for a Vicious Dog or Restricted Dog
- | | |
|----------------------|-----------|
| - First impoundment | \$ 500.00 |
| - Second impoundment | 1000.00 |
- (e) An impoundment fee in respect of a Vicious or Restricted Dog which has caused injury to a person or animal
- | | |
|--|------------|
| | \$ 1000.00 |
|--|------------|
- (f) An impoundment fee in respect of a dog confined in a vehicle without adequate ventilation: *(Bylaw No. 4923.10)*
- | | |
|------------------------------|-----------|
| - First Impoundment of a Dog | \$ 200.00 |
| - Subsequent Impoundment | \$ 300.00 |

(Bylaw 4923.09)

SCHEDULE 'C'
LICENCING AND CONTROL OF ANIMALS BYLAW
LIVESTOCK, POULTRY OR RABBITS IMPOUND FEES

An owner may reclaim their Impounded Livestock, Poultry or Rabbit upon proving ownership and paying to the Poundkeeper, the following impound fees and maintenance fees for each:

- (a) An impoundment fee in respect of:
 - (i) any Livestock \$50.00 per day per animal
 - (ii) any Poultry \$10.00 per day per animal
 - (iii) any Rabbit \$10.00 per day per animal

- (b) A maintenance fee in respect of each day or part of a day of the impoundment period:
 - (i) any Livestock \$10.00 per day per animal
 - (ii) any Poultry \$5.00 per day per animal
 - (iii) any Rabbit \$5.00 per day per animal

SCHEDULE 'D'
LICENCING AND CONTROL OF ANIMALS BYLAW
FINE SCHEDULE

<u>Description of Offence</u>	<u>Section #</u>	<u>Amount of Fine</u>
Slaughter of household animals for meat or consumption	3(3)	\$ 500.00
Dog at Large	4(1)	100.00
Restricted/vicious dog not muzzled	4(2)	500.00
Fail to enclose restricted/vicious dog	4(3)	500.00
Dog in a cemetery	4(5)	100.00
Fail to advise Poundkeeper of change of address within one week	4(6)	100.00
Fail to licence a dog	5(1)	50.00
Fail to display a dog licence	5(5)	50.00
Dog without adequate ventilation (Bylaw No. 4923.10)	6(1)	500.00
Dog able to leave property (Bylaw No. 4923.10)	6(2)	100.00
Dog tethered incorrectly (Bylaw No. 4923.10)	6(3)	100.00
Dog movement restricted (Bylaw No. 4923.10)	6(4)	100.00
Dog tethered over allowable time (Bylaw No. 4923.10)	6(5)	100.00
Dog tethered obstructing public (Bylaw No. 4923.10)	6(6)	100.00
Dog tethered within 3 metres (Bylaw No. 4923.10)	6(7)	100.00
Dog transported incorrectly (Bylaw No. 4923.10)	6(8)	200.00
Livestock running at large	7(a)	50.00
Livestock in a cemetery	7(a)(5)	100.00
Poultry/rabbits running at large	7(b)	50.00
Release or abandon a rabbit on land within the municipality (4923.07)	Sec. 7(b)(5)	100.00
Exceed maximum number of chickens or ducks	8(c)	100.00

Exceed 3 beehives under 1 acre	7(c)(1)	100.00
Exceed 3 beehives per acre	7(c)(2)	100.00
Keep livestock, poultry or rabbits	8(a)	100.00
Feed a deer or feral rabbit within the municipality (<i>Bylaw 4923.07</i>)	10	100.00
Keep cat suffering from infectious disease	11(1)	100.00

**CORPORATION OF THE CITY OF NEW WESTMINSTER
BYLAW NO. 7586, 2013**

A bylaw to regulate the keeping of animals, establish and operate
the Animal Shelter, provide for the licensing of dogs and for the
impounding and prevention of cruelty to animals

WHEREAS the Community Charter SBC 2003, Chapter 26 authorizes a local government to regulate, prohibit and impose requirements in relation to animals;

NOW THEREFORE the City Council of the Corporation of the City of New Westminster in open meeting assembled **HEREBY ENACTS AS FOLLOWS:**

1. This bylaw may be cited as **“Animal Care and Control Bylaw NO. 7586, 2013”**
2. Animal Control Bylaw 7037, 2005 Bylaw and amendments thereto are hereby repealed.

3. DEFINITIONS

3.1 In this bylaw, unless the context otherwise requires:

“Aggressive Behaviour” includes snarling, growling, baring teeth or pursuing another animal or person;

“Aggressive Dog” means a dog that:

- i. has, without provocation, displayed aggressive behaviour toward a person or domestic animal; or
- ii. has, without provocation, caused a minor injury to a person or domestic animal;

“Animal” means any member of the animal kingdom, other than a human being;

“Animal Control Officer” means a person appointed by Council for the purpose of administering the provisions of this bylaw;

“Animal Shelter” means the City facility established for the holding of impounded animals as set out in this bylaw;

“At Large” means:

- i. when not on the property of the owner;

- ii. uncontained and not under the immediate charge and control of a responsible person and/ or competent person; or
- iii. not under the direct control or within the immediate vicinity of the owner or responsible person in an authorized off leash area;

"Bylaw Officer" means a member of the New Westminster Police Department or such person appointed by council as a Bylaw Officer, Animal Control Officer, or Parking Patrol Officer;

"Cat" means a member of the felis catus family and commonly known as the domestic house cat;

"City" means the Corporation of the City of New Westminster and the geographical area within the boundaries of the City;

"Continuous Sound" means any noise or sound continuing for a period of, or periods totaling, three minutes or more of any fifteen minute period;

"Community Charter" means the Community Charter, SBC 2003, Chapter 26, as amended from time to time;

"Council" means the Municipal Council of the City;

"Dangerous Dog" means a dangerous dog as defined in the Community Charter;

"Dog" means any animal of the canine species irrespective of age or sex;

"Domestic Animal" means an animal that is tame or kept, or that has been or is being sufficiently tamed or kept, to serve some purpose for people;

"Enclosure" means a structure at least 1.8 meters in height having a concrete or asphalt floor and wire or steel mesh sides and roof, which is adequate to prevent the entry of young children or the escape of a dog enclosed therein;

"Fees and Rates Bylaw" means the current City Fees & Rates Bylaw No. 7553, 2013 as amended by Council from time to time;

"Hen" means a domesticated female chicken;

"Identification" means:

- i. a collar or tag worn by a cat or dog which includes the name, current address and telephone number or the owner;

- ii. a traceable tattoo;
- iii. a traceable microchip; or
- iv. a valid dog licence issued by a municipality;

"Impound" means seize, deliver, receive, or take into the pound or other suitable place of confinement by the Bylaw Officer;

"Keep" means harbour, house, and display, possess or offer for sale;

"Licence" means a licence tag for a dog issued by the City of New Westminster;

"Leash" means a device of sufficient strength and design to restrain the animal for which it is being used, where one end is securely affixed to the animal and the other end is being securely held by the owner of the animal;

"Minor Injury" means a physical injury to a person or domestic animal that consists of pinches, minor localized bruising, scratches, shallow punctures, or lacerations in one direction only;

"Muzzled" means prevented from biting by means of a humane fastening or covering device, of adequate strength, placed securely over the mouth;

"Off Leash Area" means an area of City-owned property designated by signs, which defines the geographic area and or times that dogs are permitted to be unrestrained by a leash;

"Owner" means any natural person or body corporate:

- i. who is the licensed owner of an animal;
- ii. who has legal title to an animal;
- iii. who has possession or custody of an animal, either temporarily or permanently;
- iv. who harbours an animal;
- v. who allows an animal to remain on their premises; or
- vi. where an animal is being kept or harboured by or in the possession or custody of a person under the age of 18 years, the custodial parent or legal guardian of that person;

"Peace Officer" means a member of the New Westminster Police Department, Bylaw Officer, Animal Control Officer, Parking Patrol Officer, or other person so employed for the preservation and maintenance of public peace;

"Poultry" means domesticated fowl collectively; especially those valued for their meat and eggs, such as chickens, turkeys, ducks, geese, and guinea fowl;

"Public Place" means a highway, street, lane, boulevard, park, or any other real property owned, held, vested in, or operated, managed or administered by, the City or by a school located within the City;

"Serious Injury" means a physical injury to a person or domestic animal that:

- i. consists of deep punctures, lacerations in more than one direction, or broken bones; or
- ii. requires sutures or cosmetic surgery;

"Service Dog" means any dog trained by a recognized and accredited institution:

- i. as a law enforcement dog; or
- ii. to provide assistance to a hearing or visually impaired, physically or developmentally challenged person;

"Sterilized" means spayed or neutered;

"Supervisor" means the Senior Animal Control Officer; Coordinator, Parking and Animal Services; or Supervisor, Parking and Animal Services;

"Under Control" means, in respect of any dog, such circumstances where the dog:

- i. immediately returns when called or signaled by the owner of the dog;
and
- ii. is not displaying aggressive behaviour

"Unlicensed Dog" means any dog for which the licence fee for the current year has not been paid, or any dog which is not wearing a licence tag for the current year;

"Vicious Dog" means a dog that:

- i. has, without provocation, caused a serious injury to another domestic animal or a human being;

- ii. has a known propensity, tendency or disposition to attack without provocation other animals or humans; or
- iii. displays unprovoked aggressive behavior;

"Wild Animal" means those animals listed in Schedule "A" attached to and forming part of this bylaw, whether bred in the wild or in captivity, and includes their hybrids with domestic species.

4. LICENSING AND IDENTIFICATION OF ANIMALS

4.1 Every owner shall obtain a valid licence for the dog(s) by applying in writing to the City of New Westminster on the form provided and paying the prescribed fee as set out in the Fees and Rates Bylaw.

4.1.1 Every licence issued under this bylaw shall be for that calendar year specified thereon and shall expire on December 31 of that year.

4.1.2 The owner shall securely affix and keep affixed the licence tag to the dog's collar.

4.1.3 Every owner applying for a licence for a sterilized dog must present a certificate from a qualified veterinarian confirming that the dog has been sterilized.

4.1.4 Every owner of a dog that been certified by a qualified veterinarian as being too old or physically unable to undergo the necessary surgery to sterilize the dog shall be able to obtain a licence for a sterilized dog.

4.2 Every owner of a cat shall ensure that the cat has identification at all times.

4.3 The City shall issue to an owner of a dog a replacement licence upon payment of the fee set out in the Fees and Rates Bylaw after being satisfied that the original licence has been lost or stolen.

4.4 Licence fees are not refundable or pro-rated.

4.5 An owner of a dog may transfer a valid licence, only if:

4.5.1 the dog is currently licenced by another municipality in the Province of British Columbia and the owner surrenders such licence and pays the fee set out in the Fees and Rates Bylaw; or

4.5.2 the owner replaces a licenced dog which has died, applies with the City for a transfer of the licence and pays any applicable fees.

- 4.6 The City shall maintain a record of all licences issued pursuant to this bylaw, including the names and addresses of all dog owners, the description and licence number of all dogs, and the date that the licence was issued and the fee which was paid.
- 4.7 No person shall without lawful excuse, remove, obscure or deface a valid licence which has been affixed to a dog's collar, or any identification worn by any other animal.
- 4.8 A licence issued pursuant to this bylaw shall be valid from the 1st day of January and shall expire on the 31st day of December of the year in which it is issued.

5. CONTROL

- 5.1 Every owner of an animal shall:

- 5.1.1 ensure that the animal is not at large in the City or trespass on any private property;

- 5.1.2 ensure that the animal is not on any property that is unfenced and not able to securely contain the animal while unattended.

- 5.2 Owners of sterilized and identified cats are exempt from the requirements of Section 5.1.

- 5.3 Every owner of a dog shall:

- 5.3.1 have in their possession, a suitable means of facilitating the removal of the dog feces when on any place off the owner's property;

- 5.3.2 provide proof of compliance with section 5.3.1 when requested by a bylaw officer; and

- 5.3.3 immediately remove and dispose of, in a waste container or by other sanitary means, any feces deposited by the dog on any place off the owner's property.

- 5.4 Except when in a designated off leash area, every owner of a dog shall secure the dog by a collar and leash and keep the dog under control while not on the owner's property.

- 5.5 When in a designated off leash area, every owner of a dog, may allow their dog to be off-leash provided that the owner:

- 5.5.1 carry a leash;

- 5.5.2 keep the dog in view at all times;

- 5.5.3 keep the dog under control; and
- 5.5.4 immediately leash the dog if it displays any aggressive behavior.
- 5.6 Every owner shall ensure that their dog does not:
 - 5.6.1 display aggressive behavior towards a person or domestic animal;
 - 5.6.2 cause a minor injury to a person or domestic animal; or
 - 5.6.3 cause a serious injury to a person or domestic animal.
- 5.7 Section 5.6 does not apply to a peace officer acting in the course of his duty.
- 5.8 Every owner of a female dog in heat must:
 - 5.8.1 while on the premises of the owner, confine the dog in an enclosed pen or other structure that is adequately constructed to prevent the female dog in heat from escaping and prevent the entry of any other dog from gaining access to it; and
 - 5.8.2 keep the dog out of all designated off leash areas.
- 5.9 Every owner of a whelping female dog must, where the dog has, at any time during the whelping period or any previous whelping period, displayed aggressive behaviour, keep the dog confined to premises under the control of the owner.
- 5.10 Every owner of a diseased animal must, where the disease poses a threat to the health or safety of a person or domestic animal, ensure that the diseased animal does not leave the property or premises of the owner other than for the purpose of visits of a veterinarian, in which case the animal must be transported in a manner as to ensure that it does not come into contact with another person or domestic animal.

6. AGGRESSIVE DOGS

- 6.1 Where a dog meets the definition of an aggressive dog, the bylaw officer may issue written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to aggressive dogs.
- 6.2 Every owner of an aggressive dog shall:
 - 6.2.1 secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - 6.2.2 ensure that the dog is not at large within the City at any time;

- 6.2.3** keep the dog muzzled when in a designated off leash area; and
 - 6.2.4** within thirty (30) calendar days of receiving notice that their dog is an aggressive dog, ensure the dog has permanent identification and provide the identification information to the bylaw officer.
- 6.3** After one year of receiving notice that their dog is an aggressive dog, the owner of the aggressive dog may apply to the supervisor for relief from the requirements of sections 6.2.1 and 6.2.3 provided that:
 - 6.3.1** the City has received no further complaints in regard to that dog's aggressive behaviour;
 - 6.3.2** proof and documentation is provided that the owner and the dog have successfully completed a course by a recognized and accredited institution or trainer to address the dog's aggressive behaviour.
- 6.4** If a dog displays aggressive behavior again after relief has been granted pursuant to section 6.3, the requirements of section 6.2 shall permanently apply.

7. VICIOUS DOGS

- 7.1** Where a dog meets the definition of a vicious dog, the bylaw officer may issue written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to vicious dogs.
- 7.2** Every owner of a vicious dog shall:
 - 7.2.1** secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - 7.2.2** ensure that the dog is not at large within the City at any time;
 - 7.2.3** ensure that the dog is not in a designated off leash area in the City at any time;
 - 7.2.4** keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;
 - 7.2.5** post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a vicious dog on the premises;

- 7.2.6 at all times while the vicious dog is on the person's premises, keep the vicious dog securely confined indoors or confined outdoors in an enclosed pen or other structure that is adequately constructed to prevent the entry of any unauthorized person including small children or to prevent the vicious dog from escaping.
- 7.2.7 within thirty (30) calendar days of receiving notice that their dog is a vicious dog, ensure the dog has permanent identification and provide the identification information to the bylaw officer.

8. DANGEROUS DOGS

- 8.1 Where a dog meets the definition of a dangerous dog, the bylaw officer may issue written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to dangerous dogs.
- 8.2 Every owner of a dangerous dog shall:
 - 8.2.1 secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - 8.2.2 ensure that the dog is not at large within the City at any time;
 - 8.2.3 ensure that the dog is not in a designated off leash area in the City at any time;
 - 8.2.4 keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;
 - 8.2.5 post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a dangerous dog on the premises;
 - 8.2.6 at all times while the dog is on the person's premises, keep the dog securely confined indoors or confined outdoors in an enclosure;
 - 8.2.7 within thirty (30) calendar days of receiving notice that their dog is a dangerous dog, ensure the dog has permanent identification and provide the identification information to the bylaw officer;
 - 8.2.8 have the dangerous dog photographed and the photo retained at the animal shelter for identification purposes; and
 - 8.2.9 provide to the bylaw officer proof of liability insurance in the amount of not less than one million (\$1,000,000) dollars for the period of the dog license, over the

premises where the dangerous dog is kept, to cover any claims arising out of dog bites or dog attacks that could be caused by the dog.

- 8.4** The bylaw officer and supervisor are hereby designated by Council as animal control officers for the purposes of section 49 of the Community Charter.

9. GUARD DOGS

- 9.1** Every owner of a guard dog shall:

- 9.1.1** prevent the dog from leaving the property of the owner by ensuring:

9.1.1.1 the dog is confined within the premises and such premises are reasonably secure against unauthorized entry;

9.1.1.2 the premises is completely fenced by means of a 1.8 meter fence constructed in accordance with City bylaws and any gates in such fence are reasonably secured against unauthorized entry; or

9.1.1.3 the dog is securely confined in an area within the property that is adequate to ensure that the dog cannot escape;

- 9.1.2** post warning signs advising of the presence of a guard dog on the, with lettering clearly visible from the lesser of the curb line of the property and 50 feet from the premises, are posted at each driveway or entranceway to the property and at all exterior doors of the premises; and

- 9.1.3** notify the supervisor before bringing the dog onto premises under control of the owner;

9.1.3.1 of the address of the property which the guard dog will be guarding, the approximate hours during which the guard dog will be performing guard duties, the breed, age, sex and dog licence number of the dog and the full names, addresses and telephone numbers of the owner and any other individual who will be responsible for the guard dog while it is on guard duty; and

9.1.3.2 written approval has been granted by the supervisor.

10. PROHIBITION OF CRUELTY AND PERFORMANCES INVOLVING ANIMALS

- 10.1** Every owner shall provide to the animal:

- 10.1.1** clean potable drinking water at all times and suitable food of sufficient quality and quantity to allow for normal growth and maintenance of normal body weight;
 - 10.1.2** food and water receptacles which are kept clean and disinfected and located so as to avoid contamination by excreta; and
 - 10.1.3** the opportunity for daily exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area for a reasonable length of time each day, while not running at large.
- 10.2** No person shall leave an animal unattended while:
 - 10.2.1** chained or tethered;
 - 10.2.2** muzzled;
- 10.3** No person shall cause an animal to be tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope, chain or cord is directly tied around the animal's neck.
- 10.4** Every owner must provide immediate veterinary medical care when an animal exhibits signs of pain or suffering.
- 10.5** No owner shall keep an animal outside for extended periods of time unless the animal is provided with outside shelter that:
 - 10.5.1** ensures protection from heat, cold, water, or water vapor and that is appropriate to the animal's weight and type of coat; and
 - 10.5.1.1** is in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times; and
 - 10.5.1.2** provides sufficient space to allow the animal the ability to turn about freely and to easily stand, sit, and lie in a normal position; and
 - 10.5.1.3** the shelter is at least 2 times the length of the animal and at least the animal's length in width, and at least as high as the animal's height measured from the floor to the highest point of the animal when standing normal position, plus 10%; and
 - 10.5.2** is regularly cleaned and sanitized and from which all excreta is removed at least once a day.

- 10.6** No owner shall cause an animal to be confined in an enclosed space, including a motor vehicle or boat, without adequate ventilation.
- 10.7** No person shall transport a living animal on the running board, fender, hood, truck bed or other exterior part of a motor vehicle unless a suitable cage, carrier or guard rail is provided and is attached adequately to protect that animal from falling or being thrown from the vehicle or otherwise injuring itself.
- 10.8** No person shall operate or carry on any show, exhibition, performance, carnival or circus within the City where any animals, including, without limitation, wild animals perform, fight or otherwise participate except for;
- 10.8.1** an agricultural fair, pet show, magician show or children's petting zoo in which domestic animals or companion animals perform or are exhibited, provided that;
- 10.8.1.1** the supervisor has been provided with written notice dated no more than three (3) months earlier than the day of the proposed performance, certifying that the domestic animals or companion animals are in good health; and
- 10.8.1.2** written approval has been granted by the supervisor.
- 10.9** No person shall keep any wild animal within the City.
- 10.10** No person in care and control of an animal shall abandon that animal within the City.
- 10.11** No person shall keep a rooster within the City.

11. IMPOUNDING OF ANIMALS

- 11.1** A bylaw officer may seize and impound any animal:
- 11.1.1** which is unlicensed, if there is a requirement that it be licensed;
- 11.1.2** unlawfully at large on a highway or in a public place;
- 11.1.3** straying or trespassing on private property;
- 11.1.4** on unfenced land and not securely tethered or contained; or
- 11.1.5** that is subject to, or appears to be, suffering that the bylaw officer considers cannot be otherwise reasonably addressed.

- 11.2** An animal that is seized pursuant to section 11.1.5 may be destroyed if the bylaw officer considers that the animal is subject to, or appears to be, suffering that the bylaw officer considers cannot be otherwise reasonably addressed.
- 11.3** If an impounded animal is known to have inflicted a bite on another animal or person, it may be kept in isolation, and if it is determined that the animal is suffering from rabies or any other incurable disease, the bylaw officer may immediately bring such animal to a qualified veterinarian to be humanely destroyed;
- 11.3.1** Except where the bylaw officer has made an application to the Provincial Court for an order that a dangerous dog be destroyed or has determined that the dangerous dog suffers from rabies or other incurable disease and is to be destroyed, the owner of a dangerous dog impounded pursuant to the provisions of Section 11.1 of this bylaw, may reclaim such dangerous dog after the twenty-one (21) day impounding period, or at such earlier time as the bylaw officer may determine, on application to the bylaw officer and upon establishing proof of ownership of the dangerous dog, payment of the fees set out in the Fees and Rates Bylaw and delivery to the bylaw officer of an executed statement in the form prescribed by Schedule "B" attached to and forming part of this bylaw;
- 11.3.2** If the dangerous dog which has been impounded pursuant to the provisions of Section 11.1 of this bylaw is not reclaimed after the twenty-one (21) day impounding period, or at such earlier time as the bylaw officer may, at any time thereafter, cause such dangerous dog to be destroyed; except that where the owner of such dangerous dog requests a further period of time in which to construct an enclosure for the dangerous dog, the bylaw officer may extend the time limited to reclaim the dangerous dog for a period of not more than thirty (30) calendar days upon receiving payment in advance of all fees prescribed in the Fees and Rates Bylaw.
- 11.4** The City shall keep every impounded animal in the animal shelter for a minimum of ninety-six (96) hours after impoundment unless:
- 11.4.1** it is reclaimed sooner by the rightful owner; or
- 11.4.2** it is suffering from an incurable disease or severe injury.
- 11.5** Subject to the provisions of this bylaw, an impounded animal may be reclaimed by an owner after:
- 11.5.1** providing satisfactory proof of ownership and where applicable, proof of sterilization of the animal;

- 11.5.2** paying the impoundment and maintenance fees as set out in the Fees and Rates Bylaw, and;
- 11.5.3** paying, in addition to the impoundment and maintenance fees, the required licence fee for any unlicensed dog.
- 11.6** The sole cost and expense of an impounded or detained animal is the responsibility of the animal's owner, and must be paid in full before the animal is released, if the City deems it necessary that the animal:
- 11.6.1** requires any treatment deemed necessary by the City;
- 11.6.2** requires an examination by a veterinarian;
- 11.6.3** requires urgent veterinary care to alleviate any pain or suffering as recommended by a veterinarian; or
- 11.6.4** is subject to, or appears to be, suffering that the bylaw officer considers cannot be otherwise reasonably addressed.
- 11.7** The City may have the animal humanely destroyed, offered by sale, or transfer to another animal shelter, any impounded animal which remains unclaimed after the expiration of the minimum impoundment period.
- 11.8** The City may remove and have cremated any animal received from an owner after payments of fees set out in the Fees and Rates Bylaw are made to the City.

12. PENALTIES AND ENFORCEMENT

- 12.1** Every bylaw officer is authorized in accordance with section 16 of the Community Charter at all reasonable times and with reasonable notice to enter onto any property within the City, for the purposes of ascertaining whether the provisions of this bylaw are being complied with.
- 12.2** A bylaw officer is hereby authorized to issue orders in writing to every person who owns, keeps, or has custody, care or control of an animal which is in contravention of this bylaw, and said person shall be responsible for the carrying out every requirement of every such order.
- 12.3** No owner shall keep more than three (3) dogs on any parcel of land or real property.
- 12.4** Every owner of an animal, other than a service animal, must obey all posted signs in a public place.

12.5 Every owner of an animal shall ensure that the animal does not produce any noise or continuous sound which disturbs or tends to disturb the quiet, peace, rest, comfort, convenience or enjoyment of the neighbourhood or of persons in the vicinity.

12.6 Every person who takes any animal, or attempts to take any animal that is lawfully in the custody of a bylaw officer, or who interferes with, obstructs or impedes a bylaw officer in lawful performance of their duties is guilty of an offense under this bylaw.

12.7 Every owner of an animal shall, at the request of a bylaw officer, produce identification and state correctly his or her name and address.

12.7.1 If the owner cannot produce identification, then the owner shall state correctly his or her name and address.

12.8 Every person who violates any of the provisions of this bylaw or who suffers or permits anything to be done in contravention or violation of this bylaw, or who neglects or refrains from doing anything required to be done under the provisions of this bylaw shall be guilty of an offense punishable on a summary conviction and liable to a fine not exceeding the maximum set out in the Offence Act, as amended;

12.8.1 a violation that is committed or continued on more than one day constitutes a separate violation for each day on which it is committed or continued.

13. EXEMPTIONS FOR WILD ANIMALS

13.1 This bylaw does not apply to the premises of a City facility.

13.2 The prohibition against keeping wild animals in Schedule "A" of this bylaw does not apply to:

13.2.1 the premises of a veterinarian if the veterinarian is providing temporary care for a wild or exotic animal.

14. GENERAL

14.1 If any Court of competent jurisdiction declares any phrase, sentence or section of this Bylaw invalid, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

SCHEDULE "A"

NEW WESTMINSTER ANIMAL CARE AND CONTROL BYLAW 7586, 2013

WILD OR EXOTIC ANIMALS

The following list of animals, and any hybrids thereof, constitutes "wild or exotic animals" for the purposes of this Bylaw. The words in parentheses are intended to act as examples only, and are not to be construed as limiting the generality of the group.

1. Alligators, caimans, crocodiles (crocodilia);
2. apes, lemurs, gorillas and monkeys (primates); excludes humans;
3. anteaters, armadillos, and sloths (edentata);
4. badgers, polecats, otters, wolverines, weasels (mustelidae); excludes descended skunks and domestic ferrets, minks and ermines;
5. bats (chiroptera);
6. bears (carnivora);
7. beavers, porcupines, squirrels, muskrat, marmots, and gophers (rodentia); excludes domestic hamsters, guinea pigs, chinchillas, rats and mice;
8. cassowaries, ostriches, emus, rheas (struthioniformes);
9. cats, including but not limited to, servals, lions, jaguars, cheetahs, tigers, hyenas, mountain lions, lynxes, bobcats, ocelots and leopards (feloidea); excludes domestic cats;
10. civets, genets, meerkat, mongooses (viverrids);
11. camel, hippopotamus, tapir, rhinoceros or hyrax (ungulata); excludes domestic goats, sheep, pigs, cattle, horses, llamas, alpacas, mules and donkeys;
12. dogs, including bush dogs, dingos, racoon dogs, African wild dogs, coyotes, jackals, foxes and wolves; excludes domestic dogs;
13. dolphins, porpoises and whales (cetaceans);
14. elephants including Asian and African (proboscidae);
15. falcons, peregrines, gyrfalcons, kestrels, hawk, condor, eagle, vultures (falconiformes);
16. hares, pikas and rabbits (lagomorpha); excludes domestic rabbits;
17. hedgehogs, moles and shrews (insectivora); excludes African Pygmy Hedgehogs;
18. kangaroos, wombats, bandicoots, opossums (marsupialia); excludes sugar gliders;
19. owls (strigiformes);
20. raccoons and coatimundi (procyonids);
21. seals and walrus (pinnipedia);

- 22. snakes (excludes non-venomous snakes native to British Columbia) and venomous retiles, boas, pythons (serpentia);
- 23. venomous, frogs and salamanders (amphibia);
- 24. venomous lizards and skinks (sauria);
- 25. venomous turtles, tortoises and terrapins (chelonina).

SCHEDULE "B"

NEW WESTMINSTER ANIMAL CARE AND CONTROL BYLAW 7586, 2013

APPLICATION FOR RELEASE OF DANGEROUS DOG

1. I, _____,
(Name of Owner)

Of _____,
(Address of Owner)

in the City of New Westminster, British Columbia, apply for the release of a

(Colour, Breed, and Sex of Dog)

which has been impounded pursuant to the Community Charter SBC 2003,
Chapter 26.

2. I am the owner of the above-described dog.
3. I am aware that the dog is a "dangerous dog" within the meaning prescribed by the Community Charter, and I am aware of the responsibility and potential liability which rests with me in keeping or harbouring such dog.
4. In consideration of the release of such dog to me, I acknowledge, covenant, and agree with the City of New Westminster that I:
 - (a) have constructed on the premises where such dog will be kept an "enclosure" within the meaning prescribed by Bylaw No. 7586, 2013;
 - (b) will, at all times when the said dog is not effectively muzzled, on a leash and under the direct and continuous charge of a person who is competent to control the dog, keep such dog indoors or within a securely closed and locked enclosure;

SCHEDULE "B"

NEW WESTMINSTER ANIMAL CARE AND CONTROL BYLAW 7586, 2013

APPLICATION FOR RELEASE OF DANGEROUS DOG (cont'd)

- (c) will save harmless and indemnify the City of New Westminster, its bylaw officer, and any of its officers, employees, agents, or elected or appointed officials from and against any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs or expenses whatsoever and whomsoever brought in any way arising from or caused by the release of such dog to me or in the keeping or harbouring of such dog by me and, without limiting the generality of the foregoing, for any personal injury or death inflicted on any other animal or any person by such dog or any damage to property caused by such dog; and
 - (d) am aware that if such dog is ever again found to be at large or not confined as hereinbefore provided, the dog may be seized and an application made to the Provincial Court for an order that the dog be destroyed.
 - (e) will provide to the supervisor proof of liability insurance in the amount of not less than one million (\$1,000,000) dollars for the period of the dog license, over the premises where the dangerous dog is kept, to cover any claims arising out of dog bites or dog attacks that could be caused by the dangerous dog.
5. I submit the sum of \$ _____ in payment of all impounding fees payable by me pursuant to Bylaw No. 7586, 2013.
6. The dangerous dog has been photographed and the photo retained at the Animal Shelter for identification purposes.

Signature of Owner

Dated this _____ day of _____, 20____.

Signature of Animal Control Officer
(or authorized agent)



**BRITISH COLUMBIA
SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**

POSITION STATEMENT

DANGEROUS DOGS AND PUBLIC SAFETY

The BC SPCA recognizes that inappropriate aggression by dogs against people and other animals is a serious threat to public safety, and that this issue must be addressed if we are to create humane societies where humans and dogs co-exist and enrich each other's lives. The BC SPCA opposes breed banning as a strategy for addressing incidents of aggression and reducing dog bites. Rather, the Society believes that the most effective way to address public safety concerns is for humane organizations, other animal stakeholder organizations, municipalities and the provincial government to work together on multi-faceted strategies that identify and address dangerous dogs of all breeds.

Background/Comment

Suggested Strategies:

Successful models for dealing with canine aggression do exist in other countries. These models focus on legislation, education and the creation of remedial resources for aggressive dogs. The BC SPCA believes the most effective approach to dealing with the issue of inappropriate canine aggression in our communities is to develop an approach based on these models. Strategies may include:

Legislation:

- Development and enforcement of harmonized animal control bylaws which promote spaying and neutering, make pet identification mandatory, restrict the keeping of backyard dogs and place the burden of responsibility for an animal's actions on the guardian, not the dog;
- Creation of tougher laws to address the animal neglect that contributes to canine aggression;
- Development of effective licensing schemes that regulate breeding facilities, pet shops, trainers and others in the animal sector who influence canine behaviour;
- Registration of aggressive dogs through reporting by veterinarians, groomers, police, postal carriers, animal control officers, meter readers, and humane organizations;

- Creation of a centralized, accessible database that accurately records dog bite incidents;
- Promotion of mandatory remediation by certified specialists for dogs reported as dangerous;

Education/Remediation:

- Commitment to education on responsible pet guardianship, canine behaviour and dog bite prevention;
- Creation of resources for guardians of dogs with aggression problems, including the identification and certification of specialists who can provide remedial measures for canine aggression.

Note: It is essential that sufficient resources be allocated to ensure that the strategies outlined above can be implemented and enforced effectively.

Addressing the Root Causes of Aggression:

The BC SPCA believes it is important that any approach to the issue of dangerous dogs consider the range of factors which play a key role in canine aggression, including:

- **Genetic factors:** Fearful and aggressive dogs are more likely to have aggressive offspring than other dogs, regardless of the breed.
- **Sexual status:** Un-neutered males are involved in 70-76 % of dog bite incidents. Un-spayed females encourage roaming and aggressive behaviour in males, regardless of breed.
- **Early experience:** Puppies are more likely to be aggressive if they are raised by irresponsible breeders who do not provide them with proper socialization and who later sell or give them away to people without proper matching or guardian education.
- **Later socialization, training & proper care:** Dogs are more likely to become dangerous if they live with irresponsible guardians who do not provide them with proper training, socialization, medical care and adequate living conditions.
- **Victim behaviour:** Some people get bitten because they are unfamiliar with canine behaviour and do not behave safely around dogs.
- **Lack of remedial expertise:** There is currently a lack of certified specialists available for pet guardians who are seeking help to remediate aggressive behaviour in their dog.
- **Unaddressed pain, injury and disease.**

Breed Specific Legislation:

The BC SPCA opposes breed specific legislation as a strategy for reducing inappropriate aggression and dog bites for the following reasons:

- Breed specific legislation ignores the fact that aggressive behaviour can occur in any breed and therefore does not protect the public.
- There are no efficient methods to determine a dog's breed in a way that can withstand legal challenge or be a foolproof method for deciding whether a guardian is in compliance or violation of laws. Any breed ban bylaw inevitably results in the creation of subjective, arbitrary factors to determine breed.
- Popularity of breeds changes over time -- what is identified as a "dangerous breed" today, may be different tomorrow. Some countries with breed laws now have upwards of 30 breeds on record, all of which require enforcement.
- People who want aggressive dogs simply switch to another breed or select a cross-breed that cannot effectively be identified as belonging to or looking like a specific breed. Breed specific restrictions in bylaws do nothing to discourage irresponsible behaviour by individuals who breed, train, sell or possess dangerous dogs not covered by the breed specific legislation.
- There is no reliable way to identify the number of dogs of a particular breed in the canine population at any given time making financial planning for enforcement of breed legislation nearly impossible.
- Breed specific legislation treads upon the rights of responsible dog guardians who cherish a non-aggressive pet whose breed may fall under the legislation. Conversely, the guardian of an aggressive pet whose breed does not fall within the legislation will not be subject to appropriate legislative remedies.

*Approved by the Board of Directors – October 13, 2004
Background updated November 14, 2013*

Think breed restrictions make communities safer?

Think again.

Some people perceive that specific breeds – like pit bulls – are more likely to be aggressive and cause injury. Citing public safety, they call for breed specific legislation (BSL) where certain breeds are muzzled, restricted, or banned. Although these measures were widely implemented in the late 80s and 90s, they are being reversed all over North America and Europe, because they have been shown to be ineffective, expensive, and inhumane.

There is no conclusive way to determine a dog's breed.

Unless you have access to a dog's pedigree, you are relying on visual clues like body shape and coat to identify a breed. A recent study in the Journal of Applied Welfare Science showed that even trained shelter workers are wrong up to 87.5% of the time when they guess at a dog's breed. Try for yourself online at

<http://stopbsl.org/bslovelview/impossibleid>

Or take a look through the photos along the right side of this document. Try to identify which were identified by shelter professionals as pit bulls or pit bull mixes – answer is at the end.

BSL is expensive.

In jurisdictions like Ontario and Denver, Colorado, where there are full breed bans, it has been a costly endeavour with no demonstrated impact on bite rate. More animal control officers are required to seize, police, and investigate reports of "pit bulls", and there is legal challenge after legal challenge, as well as negative public relations associated with killing puppies and family dogs.

<http://stopbsl.com/bslovelview/expensive>

<http://network.bestfriends.org/11240/news.aspx>

In Ontario, the bill has been consistently in court, with the first lawsuit filed the very day it was enacted: August 29, 2005. It's been taken to the Supreme Court, changed, and challenged again. There are lawsuits from individual owners whose dogs have been seized – resulting in damages paid out and thousands of dollars in impound fees while the dog's fate is determined. After one such case, Councillor Carolyn Parrish commented, "We've learned from this that this law is very difficult to enforce and it breaks people's hearts. Saying that something looks like something else is a very poor basis for a law." The city of Ottawa has given up altogether on trying to enforce the ban because of cost and logistics. <http://goo.gl/Bqxmdp>

By contrast, the City of Calgary targets known risk factors and owner behaviour without any breed restrictions – and has made a **profit** from increased fines and policing of licensing fees. Proceeds from licensing and fines have paid for dedicated Animal Control truck fleet with a networked computer system, expanded shelter facility, and public education and subsidy programs.



There are factors that make dogs more likely to bite.

Breed isn't one of them.

You may be surprised to learn that despite certain breeds being targeted as more dangerous, there is no conclusive data showing that specific breeds bite more, or do more damage when they attack.

In 2012, the American Veterinary Medical Association analyzed three dozen studies on the topic of breed and bite that had been published over the last 40 years. These studies various identified German Shepherds, pit bulls, Rottweilers, Jack Russell Terriers, Chows or other breeds/mixes with the highest bite rates. The AVMA concluded that severity of injury was linked to dog's size, temperament, owner's management, and proper supervision of children. It did not support the targeting of breed, and noted that if breed-specific legislation was based on data, a significant group of large breeds, including Shepherd categories, would need to be targeted.

<https://www.avma.org/KB/Resources/Backgrounders/Pages/The-Role-of-Breed-in-Dog-Bite-Risk-and-Prevention.aspx>

In Canada, there have been 36 fatalities attributed to dog attacks since 1983. Only one was a pit bull breed. <http://www.chicobandido.com/2012/03/dbrf-201202/>

While some articles circulate the internet with staggering claims about injury and death due to pit bull bites, they don't stand up to scrutiny. Most are based on anecdotal or media reports, which are not a reliable source of data. A December 2013 study in the American Veterinary Medical Association examined the issue of media breed reporting by comparing animal control reports, breeding background, DNA reports, and examination by veterinary professionals. A reliable breed descriptor was determined in only 18% of fatal dog attacks. It was found that at least 40% of the time, media reports did not agree with other sources, and the media had a habit of reporting mixed breeds as single breeds.

<http://www.nationalcanineresearchcouncil.com/blog/potentially-preventable-husbandry-factors-co-occur-in-most-dog-bite-related-fatalities/>

The data shows unequivocally that there are identifiable, interacting causes that contribute to dog aggression. Numerous studies in the American and Canadian Veterinary Journals, among others, correlate dog bites to factors like sexually intact status, poor breeding and early socialization, health status, and victim's age and behaviour (i.e., most dog bites are to children).

BSL addresses none of these factors. Even if it causes pit bull type dogs to be removed from irresponsible owners, it does nothing to prevent that individual from failing another dog – whether another restricted breed or another “power” breed that is easier to obtain.



The bottom line? BSL doesn't work.

In places as diverse as the Netherlands, Italy, Spain, the UK and the United States, dog bites have continued and sometimes even increased under BSL:

<http://stopbsl.com/bsloverview/the-failure-to-improve-safety/>

This is true in Canada as well. In February 2013, the Canadian Veterinary Journal published a study comparing bite rates in Canadian municipalities. Cities with breed specific legislation did not have lower bite rates. Factors that contributed to safer dog/human relations included public education, active animal control enforcement, and increased animal control resources.

http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3552590/pdf/cvj_02_145.pdf

As governments begin to recognize the flawed logic and poor track record of BSL, more and more jurisdictions are adopting breed-neutral legislation. Recognizing that BSL is dangerous, some places are outlawing breed discrimination itself! A total of 17 American states have legislation that forbids any kind of breed discrimination. The White House has also published a statement against BSL.

<http://now.msn.com/breed-specific-legislation-condemned-by-white-house-cdc>

The following Lower Mainland municipalities have removed breed-specific language from their municipal bylaws in recent years:

- 2005 – BSL reversed in Vancouver
- 2009 – BSL reversed in North Vancouver
- 2010 – BSL reversed in Delta, rejected in Port Coquitlam
- 2011 – BSL reversed in Castlegar, Cumberland, Coquitlam, and White Rock
- 2012 – BSL rejected in Maple Ridge
- 2013 – BSL reversed in Pitt Meadows and New Westminster

What do the experts say?

Organizations like the Canadian and American Kennel Clubs, the BC and Canadian Veterinary Associations, Humane Societies, and the SPCA do not support BSL. Even organizations that do not have an animal-related mandate have spoken out against BSL as a legal and public health mistake, including the American Bar Association and the Centers for Disease Control.

<http://stopbsl.com/bsloverview/the-lack-of-professional-support/>

What does work?

Promoting responsible ownership and targeting behaviour – not breed – is the only proven way to reduce dog bites and make communities safer. This is known as “Dangerous Dog Legislation” and the City of Calgary has been a leader in its successful implementation. Dog bites have decreased by 75% since 1985, while population has increased dramatically. Calgary currently has the lowest bite rate in North America – possibly the world.

http://www.calgarysun.com/news/columnists/michael_platt/2009/07/12/10104761-sun.html

All major public health and animal welfare groups support **Dangerous Dog Legislation**, with proven measures to increase public safety including

- Mandatory leashing of dogs in public or shared areas
- Spay and neuter incentives
- Laws against tethering, chaining, or unreasonable restraint of dogs
- Active ticketing and enforcement, with visible Animal Services presence in the community
- Public education and encouraging community members to report bad owner behaviour.



Breed Specific Legislation in Metro Vancouver. Who has it?

- Burnaby
- Richmond
- West Vancouver

More importantly, who doesn't?

- Abbotsford
- Aldergrove
- Chilliwack
- Coquitlam
- Delta
- Hope
- Langley
- Maple Ridge
- Mission
- New Westminster
- North Vancouver
- Pitt Meadows
- Port Coquitlam
- Port Moody
- Squamish
- Surrey
- Vancouver
- Whistler
- White Rock

About pit bulls

A "pit bull" is not a breed, but rather a general term to describe three types of dogs. Three breeds are generally defined as "pit bulls" under bylaws, although there are many cases where breeds like American Bulldogs, Bull Terriers, or mastiff breeds lumped in under the term.

- American Pit Bull Terriers
- American Staffordshire Terriers
- Staffordshire Bull Terriers

By its breed standard, a pit bull is expected to be extremely loving towards people. Human aggression is not considered part of this breed, and any instances of this can be attributed to mistreatment and/or unscrupulous breeding.

The American Temperament Test (ATT) has been a gold standard in canine temperament testing for over 30 years. Over 28,000 dogs have been exposed to a standard set of challenges and assessed for traits like shyness, aggressiveness, and friendliness. Pit bull breeds have a higher pass rate than common breeds like Border Collies, English Sheepdogs, and Boxers. <http://www.atts.org/statistics.html>

A 2011 UBC study published in *Animal Welfare* compared pit bull breeds with similar-sized breeds adopted through the shelter system. For the most part, the two groups scored similarly on measures of friendliness to humans, tolerance of other animals, excitability, and other areas. The statistically significant differences appeared in only a few areas: pit bulls were less likely to be returned to the shelter because of aggression, less likely to be described as aggressive, more likely to sleep on the owner's bed, and more likely to cuddle with their owners. <http://www.ingentaconnect.com/content/ufaw/aw/2011/00000020/00000004/art00001>

Pit bulls used to be a popular family dog, best illustrated by canine nanny "Petey" in the Our Gang TV show. One of the most decorated war dogs of all time is "Sergeant Stubby," who served in WW2. Today they work as therapy dogs, search and rescue dogs, service animals, actors, sports champions and beloved companions all over the world. <http://www.pbrc.net/misc/PBRCHeros.pdf>



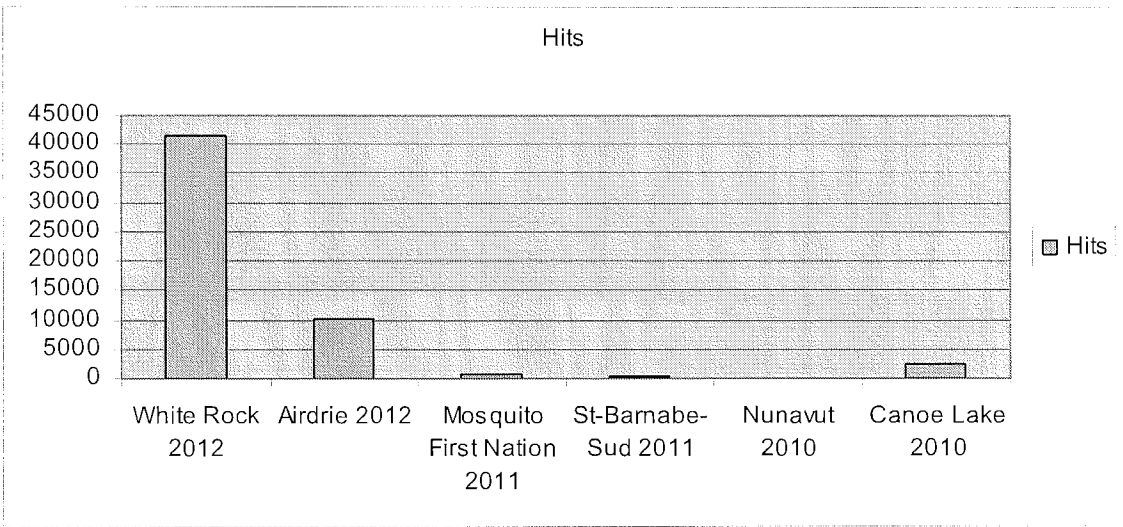
So Why the Bad Rap?

A once much-loved breed has been failed in three ways:

Irresponsible breeding. When people are drawn to the dog for its image, they support breeders who are not breeding to fill the demand for a “tough dog”, not for correct health or temperament. If individual aggressive dogs are allowed to remain in the breeding pool, that is only going to put more aggressive dogs into the population. This is true (and observed) in all breeds.

Irresponsible ownership. As outlined above, the biggest risk factors for dog bites are improper training, socialization, and management of the dog. Poor treatment of any dog, of any breed, will result in bad behaviour. Pit bulls, due to breed stigma and irresponsible ownership, are by far the most surrendered and abused breed in the shelter system. Breed Specific Legislation works to create a cycle of irresponsible ownership. Laws that tell people that one breed is different/more aggressive than others simply encourage the wrong people to pursue that breed.

Media sensationalism. While there is little formal research in this area, there is a undeniable bias towards “pit bull” stories in the media. There is no evidence to suggest that pit bulls attack more often or more severely than other breeds, yet this is the impression left in the public’s mind when “pit bull” attacks are covered more widely and more breathlessly than the attacks that happen every day by other breeds. In Canada, there have been five children killed by dogs in the last five years. None of these stories received a fraction of the media coverage of a singular incident in White Rock where a child was bitten by a “pit bull” and sustained a deep but not life-threatening wound. In one case, a child’s death warranted only 30 media hits.



This table shows media hits ensuring from each story. The White Rock attack in 2012 was by a pit bull, but non fatal. The other attacks were by Northern Breeds or mixed breeds, and resulted in the death of a young child.

What is the way forward?

From the White House to a growing number of celebrity spokespeople, the world is beginning to recognize the obvious – the pit bull is just a dog. Banning or stigmatizing the breed hurts everyone, and punishes responsible owners.

For more information on pit bull type dogs and better animal control options, visit these sites:

www.nationalcanineresearchcouncil.com

www.hugabull.com

www.animalfarmfoundation.org/pages/Resources

Photos – all of the dogs pictured on these pages were listed on Petfinder as pit bulls or pit bull mixes, sourced in a single search on April 20, 2014.



The Canadian Kennel Club

**Policy Statement -- The Responsible Ownership of Dogs (Dog Legislation)
(Effective December 1992)**

The Canadian Kennel Club fully supports and encourages the adoption of reasonable, enforceable and non-discriminatory laws governing the ownership of dogs. The Canadian Kennel Club believes that dog owners should be responsible for their dogs and that laws should: impose penalties on irresponsible owners; and, establish a well-defined procedure for dealing with dogs proven to be dangerous, which includes, if necessary, the destruction of such animals;

In addition, The Canadian Kennel Club encourages the adoption and enforcement of, among other things:

- Leash laws;
- "Running at large" laws;
- Laws against dogs fighting;
- Laws governing unsanitary conditions caused by irresponsible dog owners;
- Vaccination and quarantine laws;
- Maintenance and care laws;
- Laws governing the local licensing of dogs;

To advance this position The Canadian Kennel Club is willing to work with committees and individuals across the country to assist in the development of legislation that is reasonable and enforceable. This includes strengthening legislation against irresponsible dog owners as well as pointing out the inadequacies of legislation that is vague or breed discriminatory;

To further support this effort, The Canadian Kennel Club will provide assistance in:

- The legal and educational fights against adverse dog legislation;
- Making available an information packet which includes examples of existing legislation that is reasonable, enforceable and non-discriminatory;
- Developing a program to be used in schools and within communities to educate the general public about responsible dog ownership;
- Supplying local newspapers around the country with camera-ready materials promoting responsible dog ownership;

Finally, The Canadian Kennel Club will continue to assist, however possible, those who share in the concern for the protection and advancement of all dogs.

The Canadian Kennel Club

**Policy Statement -- Breed Specific Legislation (Dangerous and/or Vicious Dogs)
(Effective December 1992)**

The Canadian Kennel Club supports dangerous and/or vicious dog legislation, which would serve to protect the public from dangerous dogs. The Canadian Kennel Club does not support breed-specific legislation. The Canadian Kennel Club's opposition to breed-specific legislation is based on the fact that a dangerous temperament is a product of many factors, and not by breed alone. Thus, breed-specific legislation may include dogs which are not dangerous, while excluding those which are.

The Canadian Kennel Club considers banning a particular type of dog as a reactionary measure with little effect, and one that will only serve to push the indiscriminate breeders and/or owners underground, or to another breed not included in the legislation.

The label of "vicious" and/or "dangerous" should be determined by an individual dog's behaviour, and not by its breed or appearance.

The Canadian Kennel Club believes that dog owners should be responsible for the actions of their dogs, and that laws should:

- Impose stern penalties on irresponsible owners;
- Establish a well defined procedure for dealing with dogs proven to be dangerous, which includes, if necessary, the destruction of such animals;
- The Canadian Kennel Club endorses and encourages the enforcement of:
 - Leash laws;
 - "Running at large" laws;
 - Confinement on private property - childproof from the outside and dog-proof from the inside.

The Canadian Kennel Club will continue to support and assist those who share our concern for the protection and advancement of all breeds.



**Drainage, Dyke and Sanitary Sewer Bylaw No. 7551,
Amendment Bylaw No. 9495**

The Council of the City of Richmond enacts as follows:

1. The **Drainage, Dyke and Sanitary Sewer System Bylaw No. 7551**, as amended, is further amended:
 - (a) at Part Two, by deleting section 2.1.2 and substituting the following:

“2.1.2 Every **property owner** whose property has been connected to the **City drainage system** must pay the **drainage system** infrastructure replacement fees specified in Part 1 of Schedule C for the period from January 1 to December 31 of each year.”
 - (b) at Part Four, by deleting section 4.2 and substituting the following:

“4.2 Every **property owner** in the **City** must pay a fee for improvements and upgrades to the **Dyke System** in the amount specified in Part 2 of Schedule C for the period from January 1 to December 31 of each year.”
 - (c) at Part Five, by deleting the definition for Best Management Practices in Section 5.1 and substituting with the following:

“BEST MANAGEMENT PRACTICES

means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the discharge of fat, oil or grease into a sanitary sewer or drainage system, as outlined in Schedule D attached to and forming part of this bylaw.”
 - (d) by deleting Schedule B and Schedule C in their entirety and substituting the schedules attached to and forming part of this Bylaw.
2. This Bylaw comes into force and effect on January 1, 2016.

3. This Bylaw is cited as **"Drainage, Dyke and Sanitary Sewer Bylaw No. 7551, Amendment Bylaw No. 9495"**.

FIRST READING

NOV 09 2015

SECOND READING

NOV 09 2015

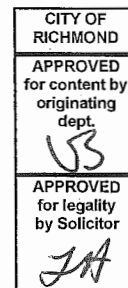
THIRD READING

NOV 09 2015

ADOPTED

MAYOR

CORPORATE OFFICER



SCHEDULE to Bylaw 9495**SCHEDULE B to BYLAW NO. 7551****SANITARY SEWER USER FEES****1. FLAT RATES FOR NON-METERED PROPERTIES**

	Annual Fee Per Unit
(a) Residential Dwellings	
(i) One-Family Dwelling or Two-Family Dwelling	\$448.81
(ii) Multiple-Family Dwellings of less than 4 storeys in height	\$410.64
(iii) Multiple-Family Dwellings 4 or more storeys in height	\$342.01
(b) Public School (per classroom)	\$415.90
(c) Shops and Offices	\$351.22

2. RATES FOR METERED PROPERTIES

Regular rate per cubic metre of water delivered to the property: \$ 1.0946

3. RATES FOR COMMERCIAL, INDUSTRIAL, INSTITUTIONAL AND AGRICULTURAL

Minimum charge in any quarter of a year: \$ 86.00

SCHEDULE B to BYLAW NO. 7551**SANITARY SEWER USER FEES****4. CONSTRUCTION PERIOD – PER DWELLING UNIT**

Month (2016)	One-Family Dwellings & Each Unit in a Two-Family Dwelling (rate per unit)	Start Bill Year	Multi-Family Dwelling Less than 4 Storeys (rate per unit)	Start Bill Year	Multi-Family Dwelling 4 Storeys or More (rate per unit)	Start Bill Year
January	\$449	2017	\$411	2017	\$701	2018
February	\$411	2017	\$808	2018	\$673	2018
March	\$374	2017	\$773	2018	\$644	2018
April	\$337	2017	\$739	2018	\$616	2018
May	\$299	2017	\$705	2018	\$587	2018
June	\$262	2017	\$671	2018	\$559	2018
July	\$224	2017	\$636	2018	\$530	2018
August	\$658	2018	\$602	2018	\$879	2019
September	\$621	2018	\$568	2018	\$850	2019
October	\$583	2018	\$534	2018	\$822	2019
November	\$546	2018	\$500	2018	\$793	2019
December	\$509	2018	\$465	2018	\$765	2019

SCHEDULE C to BYLAW NO. 7551**DRAINAGE AND DYKE SYSTEM FEES**

	Annual Fee Per Unit
1. DRAINAGE SYSTEM FEE	
(a) Residential properties	\$144.79
(b) Agricultural properties	\$144.79
(c) Stratified industrial, commercial and institutional properties	\$144.79
(d) Non-stratified industrial, commercial and institutional properties with lot areas less than 800 m ²	\$144.79
(e) Non-stratified industrial, commercial and institutional properties with lot areas greater than 800 m ²	\$300.00
2. DYKE SYSTEM FEE	
(a) Residential properties	\$11.11
(b) Agricultural properties	\$11.11
(c) Stratified industrial, commercial and institutional properties	\$11.11
(d) Non-stratified industrial, commercial and institutional properties with lot areas less than 800 m ²	\$11.11
(e) Non-stratified industrial, commercial and institutional properties with lot areas greater than 800 m ²	\$22.22

SCHEDULE D to Bylaw No. 7551
BEST MANAGEMENT PRACTICES

FATS, OILS AND GREASE (FOG) CONTROL AT FOOD SECTOR
ESTABLISHMENTS

All **food sector establishments** should implement the provisions of the following **best management practices**:

1) **Installation of Drain Screens**

Drain screens shall be installed on all drainage pipes in food preparation and kitchen areas.

2) **Collection of Waste Cooking Oil**

All **food sector establishment** employees must properly dispose of cooking oil and recycle FOG.

3) **Disposal of Food Waste**

All food waste shall be disposed of directly into the trash or garbage, and not in sinks or toilets.

4) **Food Sector Establishment Employee training**

Persons responsible for operating a **food sector establishment** must ensure that all employees are trained within 180 days of the effective start date of the establishment, and twice each calendar year thereafter, on the following:

i) How to “dry wipe” pots, pans, dishware and work areas before washing to remove grease.

(ii) How to properly dispose of food waste and solids prior to disposal in trash bins or containers to prevent leaking and odours.

(iii) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

(iv) How to properly use a sink strainer, and remove solids from the sink strainer.



**Waterworks and Water Rates Bylaw No. 5637,
Amendment Bylaw No. 9496**

The Council of the City of Richmond enacts as follows:

1. The **Waterworks and Water Rates Bylaw No. 5637**, as amended, is further amended by deleting Schedules A through G and substituting the schedules attached to and forming part of this Bylaw.
2. This Bylaw comes into force and effect on January 1, 2016.
3. This Bylaw is cited as "**Waterworks and Water Rates Bylaw No. 5637, Amendment Bylaw No. 9496**".

FIRST READING

NOV 09 2015

SECOND READING

NOV 09 2015

THIRD READING

NOV 09 2015

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. 
APPROVED for legality by Solicitor 

MAYOR

CORPORATE OFFICER

SCHEDULE "A" to BYLAW NO. 5637**BYLAW YEAR - 2016****FLAT RATES FOR
RESIDENTIAL, AGRICULTURAL, AND INSTITUTIONAL PROPERTIES**

	Annual Fee
A. Residential dwellings per unit	
One-Family Dwelling or Two-Family Dwelling	\$667.72
Townhouse	\$546.59
Apartment	\$352.21
B. Stable or Barn per unit	\$134.54
C. Field Supply – each trough or water receptacle or tap	\$84.11
D. Public Schools for each pupil based on registration January 1 st	\$7.97

SCHEDULE "B" TO BYLAW NO. 5637**BYLAW YEAR 2016****METERED RATES FOR
INDUSTRIAL, COMMERCIAL, INSTITUTIONAL, MULTI-FAMILY,
STRATA-TITLED AND FARM PROPERTIES****1. RATES**

Consumption per cubic metre:	\$1.2575
Minimum charge in any 3-month period (not applicable to Farms)	\$114.00

2. RATES FOR EACH METER

Rent per **water meter** for each 3-month period:

Meter Size	Base Rate
16 mm to 25 mm (inclusive)	\$15
32 mm to 50 mm (inclusive)	\$30
75 mm	\$110
100 mm	\$150
150 mm	\$300
200 mm and larger	\$500

SCHEDULE "C" TO BYLAW NO. 5637**BYLAW YEAR 2016****METERED RATES FOR
ONE-FAMILY DWELLING AND TWO-FAMILY DWELLING****1. RATES**

Consumption per cubic metre:

\$1.2575

2. RATES FOR EACH METERRent per **water meter** for each 3-month period:

<u>Meter Size</u>	<u>Base Rate</u>
16 mm to 25 mm (inclusive)	\$12
32 mm to 50 mm (inclusive)	\$14
75 mm	\$110
100 mm	\$150
150 mm	\$300
200 mm and larger	\$500

SCHEDULE "D" to BYLAW 5637**BYLAW YEAR - 2016****1. WATER CONNECTION CHARGE**

One-Family, Two-Family, Multi-Family, Industrial, Commercial Water Connection Size	Connection Charge	
	Tie In Charge	Price Per Metre of Service Pipe
25mm (1") diameter	\$2,550	\$175.00
40mm (1 ½") diameter	\$3,500	\$175.00
50mm (2") diameter	\$3,650	\$175.00
100mm (4") diameter	\$6,900	\$350.00
150mm (6") diameter	\$7,100	\$350.00
200mm (8") diameter	\$7,300	\$350.00
larger than 200mm (8") diameter	by estimate	by estimate

2. DESIGN PLAN PREPARED BY CITY

Design plan prepared by City for One-Family Dwelling or
Two-Family Dwelling

\$1,000 each

Design plan for all other buildings \$2,000

3. WATER METER INSTALLATION FEE

Install water meter [s. 3A(a)] \$1,000 each

SCHEDULE "E" to BYLAW 5637**BYLAW YEAR - 2016****CONSTRUCTION PERIOD WATER CONSUMPTION RATES –
RESIDENTIAL**

MONTH (2016)	ONE-FAMILY DWELLINGS & EACH UNIT IN A TWO-FAMILY DWELLING (rate per unit)	START BILL YEAR	MULTI- FAMILY LESS THAN 4 STOREYS (rate per unit)	START BILL YEAR	MULTI- FAMILY 4 STOREYS OR MORE (rate per unit)	START BILL YEAR
January	\$668	2017	\$547	2017	\$722	2018
February	\$612	2017	\$1,075	2018	\$693	2018
March	\$556	2017	\$1,029	2018	\$663	2018
April	\$501	2017	\$984	2018	\$634	2018
May	\$445	2017	\$938	2018	\$605	2018
June	\$390	2017	\$893	2018	\$575	2018
July	\$334	2017	\$847	2018	\$546	2018
August	\$979	2018	\$802	2018	\$905	2019
September	\$924	2018	\$756	2018	\$876	2019
October	\$868	2018	\$711	2018	\$846	2019
November	\$812	2018	\$665	2018	\$817	2019
December	\$757	2018	\$619	2018	\$787	2019

**CONSTRUCTION PERIOD WATER CONSUMPTION RATES –
COMMERCIAL AND INDUSTRIAL**

Water Connection Size	Consumption Charge
20mm (3/4") diameter	\$135
25mm (1") diameter	\$270
40mm (1 1/2") diameter	\$675
50mm (2") diameter	\$1,690

SCHEDULE "F" to BYLAW 5637**BYLAW YEAR - 2016****MISCELLANEOUS CHARGES**

1.	For an inaccessible meter as set out in Section 7	\$167 per quarter
2.	For each turn on or turn off	\$96
3.	For each non-emergency service call outside regular hours	Actual Cost
4.	Fee for testing a water meter	\$360
5.	Water Service Disconnections:	
	(a) when the service pipe is temporarily disconnected at the property line for later use as service to a new building	\$165
	(b) when the service pipe is not needed for a future development and must be permanently disconnected at the watermain, up to and including 50mm	\$1,100
	(c) if the service pipe is larger than 50mm	Actual Cost
6.	Troubleshooting on private property	Actual Cost
7.	Fire flow tests of a watermain:	
	First test	\$250
	Subsequent test	\$150
8.	Locate or repair of curb stop service box or meter box	Actual Cost
9.	Toilet rebate per replacement	\$100
10.	Fee for water meter verification request	\$50

SCHEDULE "G" to BYLAW 5637**BYLAW YEAR - 2016****RATES FOR VANCOUVER INTERNATIONAL AIRPORT AUTHORITY (YVR)**

Applicable rate is \$0.7243 per cubic meter of water consumed, plus the following amounts:

- YVR's share of future water infrastructure capital replacement calculated at \$0.3372 per m³
- 50% of the actual cost of operations and maintenance activities on water infrastructure shared by the **City** and YVR, as shown outlined in red on the plan attached as Schedule H
- 100% of the actual cost of operations and maintenance activities on water infrastructure serving only YVR, as shown outlined in red on the plan attached as Schedule H
- 100% of the actual cost of operations and maintenance activities on a section of 1064 m water main, as shown outlined in green on the plan attached as Schedule H from the date of completion of the Canada Line public transportation line for a period of 5 years. After the 5 year period has expired, costs for this section will be equally shared between the **City** and YVR
- 76 m³ of water per annum at rate of \$0.7345 per cubic meter for water used annually for testing and flushing of the tank cooling system at Storage Tank Farm TF2 (in lieu of metering the 200 mm diameter water connection to this facility)

(Note: water infrastructure includes water mains, pressure reducing valve stations, valves, hydrants, sponge vaults and appurtenances)



**Solid Waste & Recycling Regulation Bylaw No. 6803, Amendment
Bylaw No. 9497**

The Council of the City of Richmond enacts as follows:

1. The **Solid Waste and Recycling Regulation Bylaw No. 6803**, as amended, is further amended at Part One:

- a. By deleting section 1.3.1 and substituting the following:

1.3.1 The **City** will provide to the **occupier** of every **single-family dwelling, duplex dwelling, and townhouse development** which receives **City garbage** collection a **garbage cart** of either 46.5L, 80L, 120L, 240L or 360L size. The **occupier** may select their preferred size of **garbage cart** and, if no selection is made, will receive a **garbage cart** of 240L size if a single-family dwelling or a duplex dwelling, or of 120L size if a unit in a **townhouse development**. Once the **garbage cart** has been received, and subject to subsection 1.3.3, the **occupier** may place for collection one **garbage cart** every two weeks. An **occupier** may request a second **garbage cart** by applying to the **City** and paying the applicable additional fees. If a second **garbage cart** is approved, the **occupier** may place for collection two **garbage carts** every two weeks. All **garbage carts** remain the property of the **City**.

- b. By deleting section 1.3.3(b) and substituting the following:

(b) attaches one such tag, in a location easily visible to collectors, to each additional **garbage container** placed out for collection.

- c. By adding section 1.3.4 after section 1.3.3:

1.3.4 **Townhouse developments** may request weekly garbage collection for the entire townhouse complex only, by applying to the **City** and paying the applicable additional fees.

- d. By adding section 1.3.5 after section 1.3.4:

1.3.5 **Non-residential**, commercial businesses may request **garbage** collection and **yard/food waste** collection on a weekly basis or on a twice per week basis by applying to the **City** and paying the applicable additional fees.

e. By adding in section 1.4.1 after the words "**garbage** intended for collection in" the words "a **garbage cart**, and for additional **garbage** for which the **occupier** has purchased a tag pursuant to section 1.3.3 of this bylaw, ".

f. By adding in section 1.4.1(a) before the words "plastic bags" the words "in **garbage containers** consisting of".

g. By adding section 1.4.3 after section 1.4.2:

1.4.3 An **occupier** may request a change in **garbage cart** size by paying the applicable fee.

2. The **Solid Waste and Recycling Regulation Bylaw No. 6803**, as amended, is further amended at Part Five by adding in section 5.1.1, after the words "must maintain all **garbage containers**," the words "including without limitation all **garbage carts**,".
3. The **Solid Waste and Recycling Regulation Bylaw No. 6803**, as amended, is further amended by deleting Schedules A through D and substituting the schedules attached to and forming part of this Bylaw.
4. This Bylaw comes into force and effect on January 1, 2016.
5. This Bylaw is cited as "**Solid Waste & Recycling Regulation Bylaw No. 6803, Amendment Bylaw No. 9497**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

NOV 09 2015

NOV 09 2015

NOV 09 2015



MAYOR

CORPORATE OFFICER

BYLAW YEAR:**2016****SCHEDULE A to BYLAW NO. 6803**

FEES FOR CITY GARBAGE COLLECTION SERVICE	
Annual City garbage collection service fee for each unit in a single-family dwelling, each unit in a duplex dwelling, and each unit in a townhouse development: 80L container	\$ 92.22
Annual City garbage collection service fee for each unit in a townhouse development with weekly collection service: 80L container	\$ 110.66
Annual City garbage collection service fee for each unit in a single-family dwelling, each unit in a duplex dwelling, and each unit in a townhouse development: 120L container	\$ 103.89
Annual City garbage collection service fee for each unit in a townhouse development with weekly collection service: 120L container	\$ 124.67
Annual City garbage collection service fee for each unit in a single-family dwelling, each unit in a duplex dwelling, and each unit in a townhouse development: 240L container	\$ 117.78
Annual City garbage collection service fee for each unit in a townhouse development with weekly collection service: 240L container	\$ 141.34
Annual City garbage collection service fee for each unit in a single-family dwelling, each unit in a duplex dwelling, and each unit in a townhouse development: 360L container	\$ 217.78
Annual City garbage collection service fee for each unit in a townhouse development with weekly collection service: 360L container	\$ 261.34
Annual City garbage collection service fee for each unit in a multi-family dwelling	
- Weekly service	\$ 40.00
- Twice per week service	\$ 78.33
Optional Annual City garbage collection service fee for Commercial customers	
- Weekly service	\$ 72.22
- Cost per additional cart	\$ 28.89
Optional Annual City garbage collection service fee for Commercial customers	
- Twice weekly service	\$ 127.78
- Cost per additional cart	\$ 55.56
Fee for garbage cart replacement	\$ 25.00
Fee for each excess garbage container tag	\$ 2.00
Large Item Pick Up fee	\$ 8.33

SCHEDULE B to BYLAW NO. 6803

FEES FOR CITY RECYCLING SERVICE	
Annual City recycling service fee:	
(a) For residential properties, which receive blue box service (per unit)	\$ 50.00
(b) For multi-family dwellings or townhouse developments which receive centralized collection service (per unit)	\$ 34.56
Annual City recycling service fee:	
(a) For yard and garden trimmings and food waste from single-family dwellings and from each unit in a duplex dwelling (per unit)	\$ 102.22
(b) For yard and garden trimmings and food waste from townhome dwellings that receive City garbage or blue box service (per unit)	\$ 50.56
(c) For yard and garden trimmings and food waste from multi-family dwellings	
- Weekly Service	\$ 33.33
- Twice per week service	\$ 58.89
Cardboard bin recycling service for multi-family dwellings, collected once every 2 weeks	\$ 50.00/bin/month
Fee for yard/food waste cart replacement	\$ 25.00
Annual City recycling service fee for non-residential properties	\$ 2.44
Optional Annual City organics collection service fee for Commercial customers	
- Weekly service	\$ 66.67
- Cost per additional cart	\$ 27.78
Optional Annual City organics collection service fee for Commercial customers	
- Twice weekly service	\$ 105.56
- Cost per additional cart	\$ 44.44
City recycling service fee for the Recycling Depot:	
	\$20.00 per cubic yard for the second and each subsequent cubic yard
(a) (i) for yard and garden trimmings from residential properties	
(ii) for recyclable material from residential properties	\$ 0.00
(b) For yard and garden trimmings from non-residential properties	\$20.00 per cubic yard
(c) For recycling materials from non-residential properties	\$ 0.00

SCHEDULE C to BYLAW NO. 6803

FEES FOR CITY LITTER COLLECTION SERVICE	
Annual City litter collection service fee for both residential properties and non-residential properties	\$ 28.61

SCHEDULE D TO BYLAW 6803

NEW RESIDENTIAL PROPERTY PAYMENT FEE SCHEDULE											
GARBAGE, RECYCLING & LITTER COLLECTION FEE				RECYCLING & LITTER COLLECTION FEE PER STRATA LOT							
Month in Current Year in which Building Permit is Issued	Single-Family Dwellings & Each Unit in a Duplex Dwelling			Townhouse Development			Townhouse Development			Multi-Family Development	
	Prorated Fee Per Unit	Year in which Annual Fee Commences	Prorated Fee Per Unit	Year in which Annual Fee Commences	Prorated Fee Per Unit	Year in which Annual Fee Commences	Prorated Fee Per Unit	Year in which Annual Fee Commences	Prorated Fee Per Unit	Year in which Annual Fee Commences	
January	\$ 138	2017	\$ -	2017	\$ -	2017	\$ -	2017	\$ 44	2018	
February	\$ 115	2017	\$ 203	2018	\$ 109	2018	\$ 37	2018	\$ 37	2018	
March	\$ 92	2017	\$ 185	2018	\$ 99	2018	\$ 30	2018	\$ 30	2018	
April	\$ 69	2017	\$ 166	2018	\$ 89	2018	\$ 22	2018	\$ 22	2018	
May	\$ 46	2017	\$ 148	2018	\$ 79	2018	\$ 15	2018	\$ 15	2018	
June	\$ 23	2017	\$ 129	2018	\$ 69	2018	\$ 7	2018	\$ 7	2018	
July	\$ -	2017	\$ 111	2018	\$ 59	2018	\$ -	2018	\$ -	2018	
August	\$ 258	2018	\$ 92	2018	\$ 49	2018	\$ 83	2019	\$ 83	2019	
September	\$ 235	2018	\$ 74	2018	\$ 40	2018	\$ 75	2019	\$ 75	2019	
October	\$ 211	2018	\$ 55	2018	\$ 30	2018	\$ 68	2019	\$ 68	2019	
November	\$ 188	2018	\$ 37	2018	\$ 20	2018	\$ 60	2019	\$ 60	2019	
December	\$ 164	2018	\$ 18	2018	\$ 10	2018	\$ 53	2019	\$ 53	2019	



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9209 (RZ14-671974)
10019 Granville Avenue**

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

1. Richmond Zoning Bylaw 8500 is amended by:
 - 1) deleting the title of Section 21.8 “Congregate Housing and Child Care (ZR8) – McLennan” and replacing it with “Child Care (ZR8) – McLennan”;
 - 2) deleting Section 21.8.1 and substituting the following:

“21.8.1 **Purpose**

The zone provides for **child care** with an accessory **residential security/operator unit**.”
 - 3) deleting “**congregate housing**” from Section 21.8.2 Permitted Uses;
 - 4) deleting Section 21.8.4.1 and substituting the following:

“1. The maximum **floor area ratio** is 0.50.”
 - 5) deleting Sections 21.8.6.2 and 21.8.6.3 and substituting the following:

“2. The minimum **setback** to the north **property line** is 5 m, except that the minimum **setback** for a garbage and recycling enclosure is 0.9 m.

3. The minimum **setback** to the east **property line** is 21 m, except that the minimum **setback** for a garbage and recycling enclosure is 0.9 m.”
 - 6) deleting Sections 21.8.11.1 to 21.8.11.3 and substituting the following:

“1. **Child care** is limited to a maximum of 88 children.

2. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and Specific Use Regulations in Section 5.0, apply.”

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9209"**.

FIRST READING

FEB 23 2015

PUBLIC HEARING

MAR 16 2015

SECOND READING

MAR 16 2015

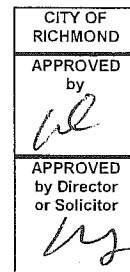
THIRD READING

MAR 16 2015

OTHER CONDITIONS SATISFIED

NOV 17 2015

ADOPTED

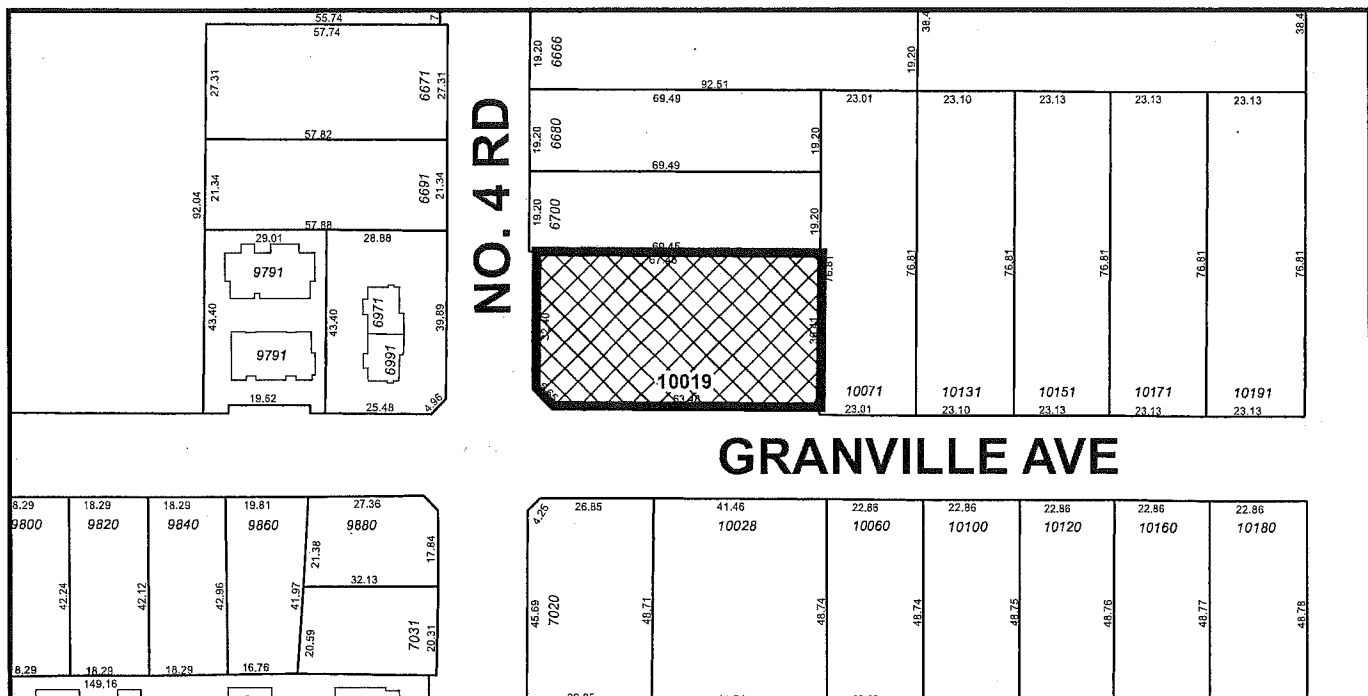
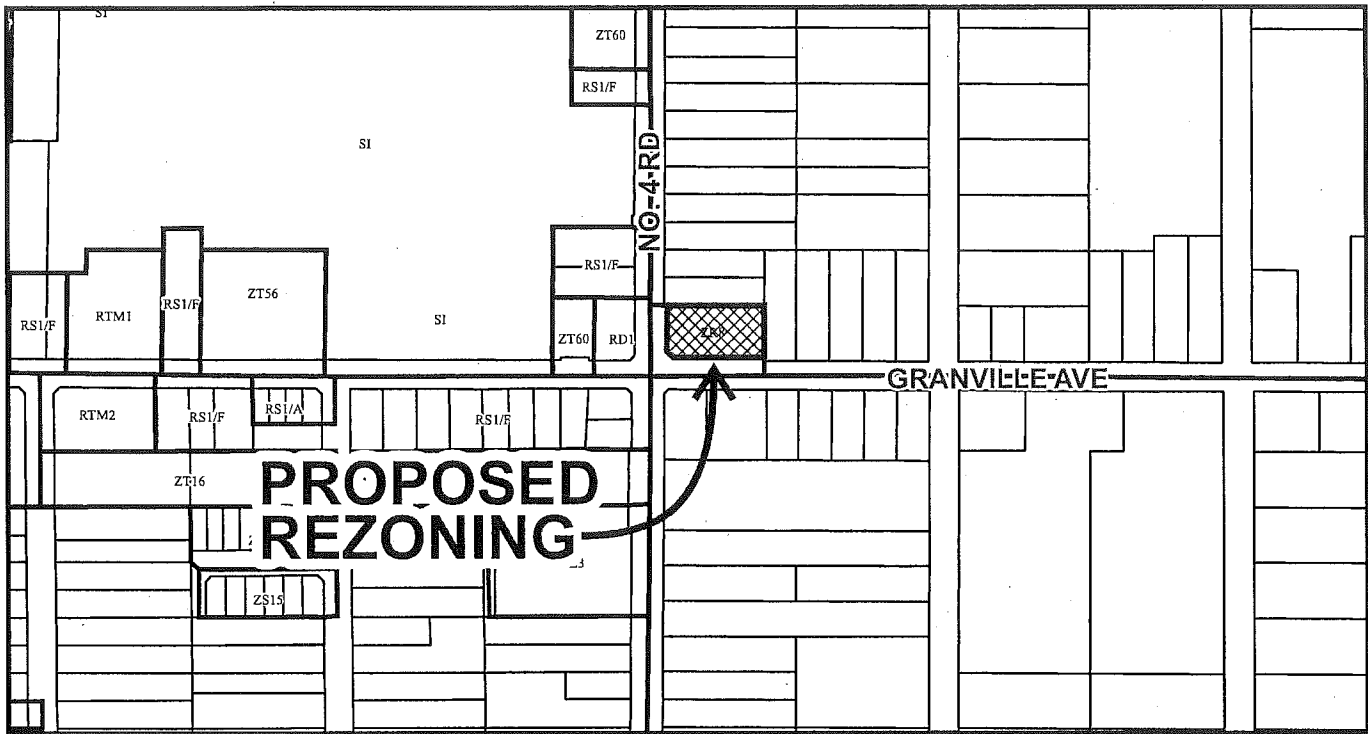


MAYOR

CORPORATE OFFICER



City of Richmond



RZ 14-671974

Original Date: 09/17/14

Revision Date: 02/01/15

Note: Dimensions are in METRES



**Development Permit Panel
Wednesday, October 14, 2015**

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Joe Erceg, Chair
Robert Gonzalez, General Manager, Engineering and Public Works
John Irving, Director, Engineering

The meeting was called to order at 3:30 p.m.

Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on September 16, 2015, be adopted.

CARRIED

1. Development Permit 15-690728
(File Ref. No.: DP 15-690728) (REDMS No. 4669019)

APPLICANT: Casa Mia Projects Ltd.

PROPERTY LOCATION: 8491 Williams Road

INTENT OF PERMIT:

1. Permit the construction of four (4) townhouse units at 8491 Williams Road on a site zoned "Low Density Townhouses (RTL4);" and
2. Vary the provisions of Richmond Zoning Bylaw 8500 to:
 - a) reduce the minimum lot width from 40.0 m to 20.53 m;
 - b) reduce the minimum west side yard setback from 3.0 m to 1.96 m for a single storey porch in front of the mailbox kiosk and garbage/recycling enclosure; and

Development Permit Panel

Wednesday, October 14, 2015

- c) allow four (4) small car parking stalls, one (1) in each of the side-by-side double car parking garages.

Applicant's Comments

Ken Chow, representing Casa Mia Projects Ltd., briefed the Panel on the proposed development, noting that the proposed development will consist of two duplexes and will be adjacent to existing townhouse developments on either side of the site. He added that the site will include a central drive aisle connecting to the adjacent east and west properties. Also, he noted that the duplexes on the north portion site will be two storeys and the duplexes on the south will be 2.5 storeys.

Keith Ross, K.R. Ross and Associates, spoke on the proposed landscape and open space design, highlighting that there will be an amenity area adjacent to the internal drive aisle which will include a play area. He added that the play area will have a rubberized surface and include a play apparatus.

Panel Discussion

In reply to queries from the Panel, Mr. Ross noted that the proposed landscaping will reflect the existing landscaping adjacent to the site and that the visitor parking will be located away from the entry driveway.

Staff Comments

Wayne Craig, Director, Development, summarized the proposed variances, noting that the proposed garbage and recycling enclosure will be approximately 6.3 metres away from the adjacent townhouse unit to the west. He added that the proposed development will be built to EnerGuide 82 standards and will include one convertible unit.

Gallery Comments

Tim Chen, 8391 Williams Road, expressed concern with regard to a potential loss of visitor parking space on the adjacent development and the location of the proposed garbage and recycling enclosure in relation to the adjacent property.

The Chair advised that the proposed development includes visitor parking on-site and the visitor parking is not intended to be shared with the adjacent property.

In reply to queries from the Panel, Mr. Chow noted that the proposed development will have six foot perimeter fencing.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *permit the construction of four (4) townhouse units at 8491 Williams Road on a site zoned "Low Density Townhouses (RTL4);"* and

Development Permit Panel
Wednesday, October 14, 2015

2. *vary the provisions of Richmond Zoning Bylaw 8500 to:*
- a) *reduce the minimum lot width from 40.0 m to 20.53 m;*
 - b) *reduce the minimum west side yard setback from 3.0 m to 1.96 m for a single storey porch in front of the mailbox kiosk and garbage/recycling enclosure; and*
 - c) *allow four (4) small car parking stalls, one (1) in each of the side-by-side double car parking garages.*

CARRIED

2. New Business

It was moved and seconded

That the Wednesday, October 28, 2015 Development Permit Panel meeting be cancelled.

CARRIED

3. Date of Next Meeting: Thursday, November 12, 2015

4. Adjournment

It was moved and seconded

That the meeting be adjourned at 3:42 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, October 14, 2015.

Joe Erceg
Chair

Evangel Biason
Auxiliary Committee Clerk



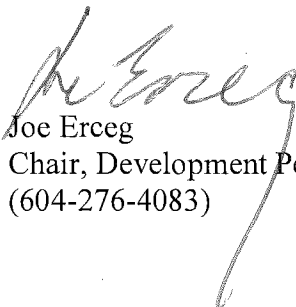
City of Richmond

Report to Council

To: Richmond City Council
From: Joe Erceg
Chair, Development Permit Panel
Date: November 17, 2015
File: 01-0100-20-DPER1-
01/2015-Vol 01
Re: Development Permit Panel Meeting Held on August 26, 2015

Staff Recommendation

1. That the recommendation of the Panel to authorize the issuance of a Development Permit (DP 14-672830) for the property at 10019 Granville Avenue be endorsed, and the Permit so issued.


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

Panel Report

The Development Permit Panel considered the following item at its meeting held on August 26, 2015.

DP 14-672830 – JM ARCHITECTURE – 10019 GRANVILLE AVENUE

(August 26, 2015)

The Panel considered a Development Permit application to permit the construction of a licensed child care facility for a maximum of 88 children with an accessory residential caretaker unit on a site zoned “Child Care (ZR8) – McLennan.” No variances are included in the proposal.

Architect, Joe Minten, of JM Architecture Inc., and Landscape Architect, Meredith Mitchell, of M2 Landscape Architecture, provided a brief presentation, noting that:

- The design has a residential character and a rooftop garden at the second floor level.
- The parking area is located behind the building with accessible parking adjacent to the main entry. There is a mix of deciduous drought tolerant trees in the parking area.
- Landscaped areas will include play areas, shaded areas, artificial berms, a water feature, picnic tables and benches.

Neighbour Sylvia Merces addressed the Panel, expressing concern regarding the (i) proposed on-site septic field, (ii) potential for increase in traffic, and (iii) the historical rezoning of the site.

The Chair advised that the proposed septic field will be located underneath the parking area and was approved by Vancouver Coastal Health. He added that historically, the site was zoned for some commercial use however, was rezoned for childcare and congregate housing. Furthermore, he noted that the proposed development should have a minimal effect on traffic in the area.

No correspondence was submitted to the Development Permit Panel regarding the application.

In response to Panel queries, Mr. Minten and Ms. Mitchell advised that:

- There will be retaining walls with fencing along the north and east side of the site and six foot perimeter fencing with hedges will provide screening for neighbouring homes.
- The parking area will be gated during evening hours.

In response to Panel queries, staff advised that:

- The on-site septic field will be located below the parking area. The septic system will utilize contained concrete treatment areas unlike traditional septic systems.
- As part of proposed frontage improvements, No. 4 Road and Granville Avenue sidewalks will be upgraded and the north side of Granville Avenue will be widened.
- Access to the site will be along Granville Avenue and that there will be a one-way driveway right-turn only exit to No. 4 Road.

The Panel recommends that the Permit be issued.