



General Purposes Committee

Anderson Room, City Hall
6911 No. 3 Road

Tuesday, November 6, 2018
4:00 p.m.

Pg. # ITEM

MINUTES

- GP-6** *Motion to adopt the **minutes** of the meeting of the General Purposes Committee held on October 15, 2018.*



ENGINEERING AND PUBLIC WORKS DIVISION

1. **FEEDBACK ON THE ORGANIC MATTER RECYCLING REGULATION (OMRR) INTENTIONS PAPER 2018**
(File Ref. No. 10-6175-02-01) (REDMS No. 5972541 v. 7)

GP-21

See Page GP-21 for full report

Designated Speaker: Peter Russell

STAFF RECOMMENDATION

That the comments in the report titled “Feedback on the Organic Matter Recycling Regulation (OMRR) Intentions Paper 2018” from the Senior Manager, Sustainability and District Energy, dated October 3, 2018 be forwarded to the BC Minister of Environment and Climate Change Strategy.



2. **WESPAC TILBURY MARINE JETTY PROJECT- APPLICATION COMMENTS FOR THE BRITISH COLUMBIA ENVIRONMENTAL ASSESSMENT PROCESS**

(File Ref. No. 10-6125-30-007) (REDMS No. 6004736 v. 3)

GP-27

See Page GP-27 for full report

Designated Speaker: Chad Paulin

STAFF RECOMMENDATION

That the comments regarding the WesPac Tilbury Marine Project Environmental Assessment Application to the BC Environmental Assessment Office for the proposed Liquefied Natural Gas Birthing and Loading Facility identified in the “WesPac Tilbury Marine Jetty Project – Application Comments for the British Columbia Environmental Assessment Process” report dated October 16, 2018, from the Director, Engineering, be endorsed for submission to the BC Environmental Assessment Office.



3. **PROPOSED ROAD SECTION TO BE ADDED TO TRANSLINK'S MAJOR ROAD NETWORK**

(File Ref. No. 01-0154-04) (REDMS No. 6017892)

GP-33

See Page GP-33 for full report

Designated Speaker: Victor Wei

STAFF RECOMMENDATION

That the section of Cambie Road between No. 3 Road and No. 6 Road be added to TransLink's Major Road Network as described in the report titled “Proposed Road Section to be Added to TransLink's Major Road Network” dated October 31, 2018 from the Director, Transportation.



COMMUNITY SERVICES DIVISION

4. **MINORU PLACE ACTIVITY CENTRE PROGRAM OPTIONS AS ARTS SPACE**

(File Ref. No. 06-2050-20-MP) (REDMS No. 5848811 v. 17)

GP-37

See Page GP-37 for full report

Designated Speaker: Liesl Jauk

STAFF RECOMMENDATION

- (1) *That the recommended option, Option 1: Community Arts Education and Program Space with Pottery and Culinary Arts Studio, be approved as the preferred program of the Minoru Place Activity Centre as detailed in the staff report titled “Minoru Place Activity Centre Program Options as Arts Education and Program Space,” dated August 29, 2018, from the Director, Arts, Culture and Heritage; and*
- (2) *That a Capital request be considered during the 2019 budget process.*



PLANNING AND DEVELOPMENT DIVISION

5. **CANNABIS RELATED OFFICIAL COMMUNITY PLAN AND ZONING BYLAW AMENDMENTS IN RESPONSE TO CHANGES TO PROVINCIAL AGRICULTURAL LAND RESERVE LEGISLATION**

(File Ref. No. 08-4430-03-10; 12-8060-20-009928/009929) (REDMS No. 5962868 v. 1; 5994957; 5962994)

GP-59

See Page GP-59 for full report

Designated Speaker: Barry Konkin

STAFF RECOMMENDATION

- (1) *That Richmond Official Community Plan (OCP) Bylaw 9000, Amendment Bylaw 9928, to revise Section 3.6.5 of Schedule 1 of the OCP on the City's land use policies for the management of cannabis production in response to changes to Provincial Agricultural Land Reserve (ALR) Regulation, be introduced and given first reading;*
- (2) *That Bylaw 9928, having been considered in conjunction with:*
 - (a) *The City's Financial Plan and Capital Program; and*
 - (b) *The Greater Vancouver Regional District Solid Waste and Liquid Waste and Management Plans;**is hereby found to be consistent with the said programs and plans, in accordance with Section 477(3)(a) of the Local Government Act;*
- (3) *That Richmond Official Community Plan 9000, Amendment Bylaw 9928, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043 and Section 477(3)(b) of the Local Government Act, be forwarded to the Agricultural Land Commission for comment in advance of the Public Hearing;*

- (4) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9929, to amend Section 3.4 and Section 5.13 of the Zoning Bylaw related to the production of cannabis in response to changes to Provincial ALR legislation, be introduced and given first reading.*



COUNCILLOR HAROLD STEVES

6. RESIDENTIAL DEVELOPMENT ON AGRICULTURALLY ZONED LAND

(File Ref. No. 08-4050-10; 04-4057-10) (REDMS No. 6013170; 5766488)

GP-82

See Page GP-82 for staff memorandum

GP-84

See Page GP-84 for previous staff report dated March 13, 2018

RECOMMENDATION

- (1) *That staff be directed to prepare a bylaw that limits residential development on lots 0.2 ha (0.5 acres) or larger in the Agriculture (AG1) zone, in accordance with Option 1 presented in Table 1 of the staff report titled “Agriculturally Zoned Land: Summary of Public Consultation on Limiting Residential Development in the AG1 Zone for Properties that are 0.2 ha (0.5 acres) or Larger” dated March 13, 2018 from the Manager, Policy Planning, and specifically in accordance with the following provisions:*
- (a) *a maximum house size of 500 m² (5,382 ft²);*
 - (b) *a maximum two storey building height;*
 - (c) *a maximum house footprint of 60% of the total floor area;*
 - (d) *a maximum farm home plate of 1000 m² (10,764 ft²); and*
 - (e) *requiring the septic field to be located within the farm home plate;*
- (2) *That staff be directed to prepare a bylaw that limits residential development on lots less than 0.2 ha (0.5 acres) in the Agriculture (AG1) zone in accordance with the following provisions:*
- (a) *a maximum two storey building height;*
 - (b) *a maximum house footprint of 60% of the total floor area; and*
 - (c) *requiring the septic field to be located within the farm home plate;*

(3) *That the aforementioned bylaws be brought forward to the November 13, 2018 Regular Open Council agenda for Council consideration;*

(4) *Whereas Section 463 of the Local Government Act allows the withholding of building permits that conflict with bylaws in preparation; and*

Whereas Council has directed staff to prepare bylaws further limiting residential development in the AG1 Zone:

Therefore be it resolved that staff bring forward all building permit applications for residential development lots in the Agriculture (AG1) zone, received more than 7 days after the passage of this resolution, to determine whether such applications are in conflict with the proposed bylaws to limit residential development for properties zoned AG1.



FINANCE AND CORPORATE SERVICES DIVISION

7. **2019 COUNCIL MEETING SCHEDULE**

(File Ref. No. 01-0105-01) (REDMS No. 5927023 v. 2)

GP-133

[See Page GP-133 for full report](#)

Designated Speaker: Claudia Jesson

STAFF RECOMMENDATION

That the 2019 Council and Committee meeting schedule as shown in Attachment 1 to the staff report dated October 18, 2018, from the Director, City Clerk's Office, be approved with the following revisions as part of the regular August meeting break and December holiday season:

(1) *That the Regular Council meetings (open and closed) of August 12, August 28, and December 23, 2019 be cancelled; and*

(2) *That the August 19, 2019 Public Hearing be rescheduled to September 3, 2019 at 7:00p.m. in the Council Chambers at Richmond City Hall.*



ADJOURNMENT





General Purposes Committee

Date: Monday, October 15, 2018

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 October 1, 2018, be adopted as circulated.

CARRIED

1. **APPLICATION TO AMEND FOOD PRIMARY LIQUOR LICENCE - KIZAMI JAPANESE CUISINE LTD. DOING BUSINESS AS: KIZAMI AT 120 - 8031 LESLIE ROAD**

(File Ref. No. 12-8275-30-001) (REDMS No. 5981322)

It was moved and seconded

- (1) *That the application from Kizami Japanese Cuisine Ltd., operating at 120 – 8031 Leslie Road, requesting to increase their hours of liquor service under Food Primary Liquor Licence No. 307680, from 9:00 AM to Midnight, Monday to Sunday, to 9:00 AM to 2:00 AM Monday to Sunday, be supported;*

General Purposes Committee

Monday, October 15, 2018

- (2) *That a letter be sent to the Liquor and Cannabis Regulation Branch advising that:*
 - (a) *Council supports the amendment for an increase in liquor service hours on Food Primary Liquor Licence No. 307680 as the increase will not have a significant impact on the community; and*
 - (b) *The total person capacity will remain the same at 60 persons;*
- (3) *That Council's comments on the prescribed criteria (Section 71 of the Liquor Control and Licensing Regulations) are as follows:*
 - (a) *The potential for additional noise and traffic in the area was considered;*
 - (b) *The impact on the community was assessed through a community consultation process; and*
 - (c) *Given that there has been no history of non-compliance with the operation, the amendment to permit extended hours of liquor service under the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose;*
 - (d) *As the operation of a licenced establishment may affect nearby residents, businesses and property owners, the impact assessment was conducted through the City's community consultation process as follows:*
 - (i) *Residents, businesses and property owners within a 50 meter radius of the subject property were notified by letter. The letter provided information on the application with instruction on how to submit comments or concerns; and*
 - (ii) *Signage was posted at the subject property and three public notices were published in a local newspaper. The signage and notice provided information on the application with instructions on how comments or concerns could be submitted;*
 - (e) *Council's comments and recommendations respecting the views of the residents, businesses and property owners are as follows:*
 - (i) *The community consultation process was completed as part of the application process; and*
 - (ii) *The community consultation process resulted in one supporting view submitted from a Richmond resident; and*

General Purposes Committee
Monday, October 15, 2018

- (f) Council recommends the approval of the permanent change to increase the service hours to the Food Primary Licence for the reasons that the addition of the service hours proposed is acceptable to the majority of the residents, businesses and property owners in the area and the community.*

CARRIED

2. APPLICATION FOR A PERMANENT CHANGE TO FOOD PRIMARY LIQUOR LICENCE # 307401 - MIDAM CAFE RICHMOND LTD., DOING BUSINESS AS: MIDAM CAFE & BISTRO RICHMOND - 1110 - 4651 GARDEN CITY ROAD

(File Ref. No. 12-8275-30-001) (REDMS No. 5983320)

It was moved and seconded

- (1) That the application from Midam Café Richmond Ltd., doing business as : Midam Café & Bistro Richmond, operating at 1110 – 4651 Garden City Road, requesting to increase their hours of liquor service under Food Primary Liquor Licence No. 307401, from 9:00 AM to Midnight, Monday to Sunday, to 9:00 AM to 2:00 AM Monday to Sunday, be supported;*
- (2) That a letter be sent to the Liquor and Cannabis Regulation Branch advising that:*
- (a) Council supports the amendment for an increase in liquor service hours on Food Primary Liquor Licence No. 307401 as the increase will not have a significant impact on the community; and*
- (b) The total person capacity will remain the same at 89 persons;*
- (3) That Council's comments on the prescribed criteria (Section 71 of the Liquor Control and Licensing Regulations) are as follows:*
- (a) The potential for additional noise and traffic in the area was considered;*
- (b) The impact on the community was assessed through a community consultation process;*
- (c) Given that there has been no history of non-compliance with the operation, the amendment to permit extended hours of liquor service under the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose; and*

3.

General Purposes Committee
Monday, October 15, 2018

- (d) As the operation of a licenced establishment may affect nearby residents, businesses and property owners, the impact assessment was conducted through the City's community consultation process as follows:*
 - (i) Residents, businesses and property owners within a 50 meter radius of the subject property were notified by letter. The letter provided information on the application with instruction on how to submit comments or concerns; and*
 - (ii) Signage was posted at the subject property and three public notices were published in a local newspaper. The signage and notice provided information on the application with instructions on how comments or concerns could be submitted;*
- (e) Council's comments and recommendations respecting the views of the residents, businesses and property owners are as follows:*
 - (i) The community consultation process was completed as part of the application process; and*
 - (ii) The community consultation process resulted in no submissions or comments from Richmond residents, businesses or property owners; and*
- (f) Council recommends the approval of the permanent change to increase the service hours to the Food Primary Licence for the reasons that the addition of the service hours proposed is acceptable to the majority of the residents, businesses and property owners in the area and the community.*

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S OFFICE

3. RICHMOND'S SUBMISSION TO TRANSPORT CANADA ON THE PORT AUTHORITY REVIEW

(File Ref. No. 01-0025-01) (REDMS No. 5976606 v. 2)

Denise Tambellini, Manager, Intergovernmental Relations and Protocol Unit, advised that the Port of Vancouver Board of Directors have formally requested a meeting with Richmond City Council to review some of the issues identified through the review process and it was requested that a meeting be set up in the near future.

4.

General Purposes Committee

Monday, October 15, 2018

Discussion took place on referring the report back to staff to provide further analysis and comments on (i) the need for a clear understanding of the Vancouver Fraser Port Authority's conflicts of interest, and in particular in relation to the jet fuel line in their capacity as the regulating authority over the Fraser River and as the landlord, (ii) the need for greater emphasis on the inclusion of local representation in the overall governance of the Port of Vancouver, (iii) the need for the reformation of the Fraser River Estuary Management Program to review environmental concerns for any projects along the Fraser River, and (iv) the Port of Vancouver's land acquisition in Richmond.

In response to comments from Committee, Ms. Tambellini remarked that the new Port of Vancouver Board of Directors is composed of eight members from the Lower Mainland, one member from Victoria, and one member from Alberta.

Further discussion ensued amongst Committee regarding the Port of Vancouver's accumulation of land in Richmond and comments regarding the Port Authority Review were distributed on table (attached to and forming part of these minutes as Schedule 1.)

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

It was moved and seconded

That the staff report titled, "Richmond's Submission to Transport Canada on the Port Authority Review" from the Director of the Corporate Programs Management Group, be referred back to staff to provide further analysis.

CARRIED

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:10 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, October 15, 2018.

Mayor Malcolm D. Brodie
Chair

Amanda Welby
Legislative Services Coordinator

Carol Day : Comments on the Port of Vancouver for the Port Authority Review Oct 15, 2018

Port of Vancouver Land Bank :

Port of Vancouver formally named Port Metro Vancouver has leased land to Harvest power and the operation has resulted in years of complaints from people living though out Richmond. (See Graph)

Port of Vancouver has leased land to the VAFFC (Vancouver Fuel Facilities Corporation) to build 6 six storey tall tanks which will contain 80 million liters of Jet fuel. The fiduciary responsibility of the Port of Vancouver is to support port operations, this agreement is a for profit arrangement and has been opposed by the City of Richmond, City Council and thousands of people living in Metro Vancouver.(see photo)

Port of Vancouver purchased the Auto Carrier lot located at 13800 and 14000 Steveston hwy and the lot across the street and it owns a large lot to the east of the River port condo complex. The port should be working with the City of Richmond and respecting the OCP and not be buying land in the agricultural land reserve such as the Gilmore farm and then declaring it a study area.

After removing log debris from 70 acres of habitat the Department of Fisheries and Oceans gave the port 66 hectares of land to use as a habitat credit for highly destructive projects such as a new container port at Roberts Bank. (attached Richmond News Mar 14, 2014)

The practices of Port of Vancouver have caused a great deal of concern to the City of Richmond and her residents. The Federal government needs to remove some of the authority the Port of Vancouver has and force it to work with local government.

The CEO of the Port Authority Robin Silvester after speaking to agricultural land owners about their concerns for land in the ALR is quoted as saying " I don't think we would be bound by the Agricultural Land Commission", .. " We have supremacy ." (attached Country Life story by Peter Milham.)

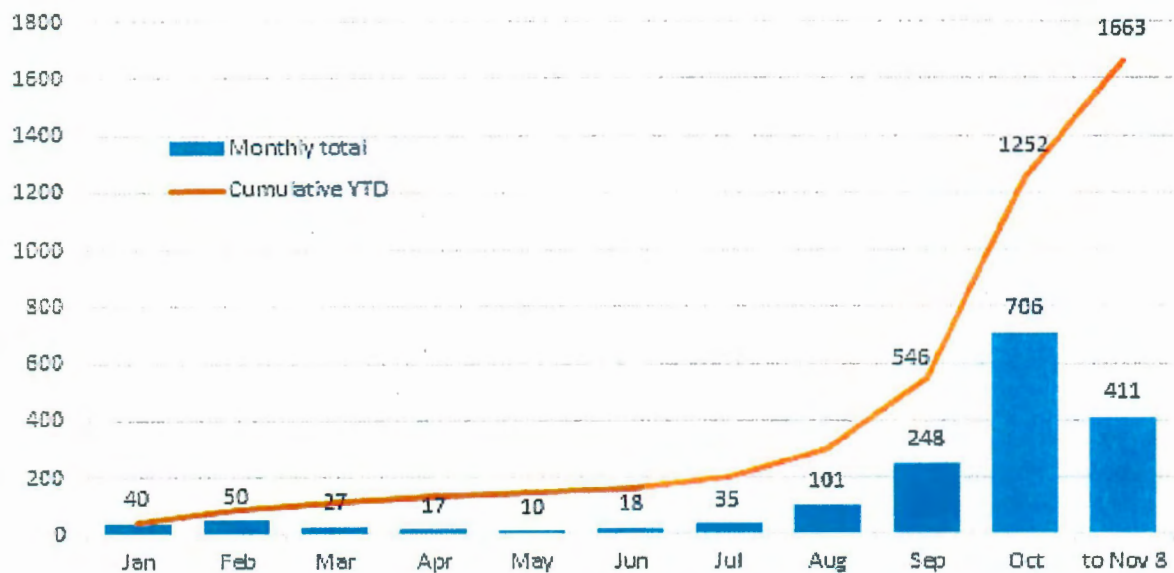
to testing of odour emissions. Harvest Power's arguments for the Board setting aside or striking certain parts of the Permit centre around the District Director erring in issuing the Permit that adds to the various requirements for the Facility where the authorized emission volumes and rates are neither necessary nor advisable for the protection of the environment and requires testing which is unreasonable, arbitrary, vague and made without jurisdiction.

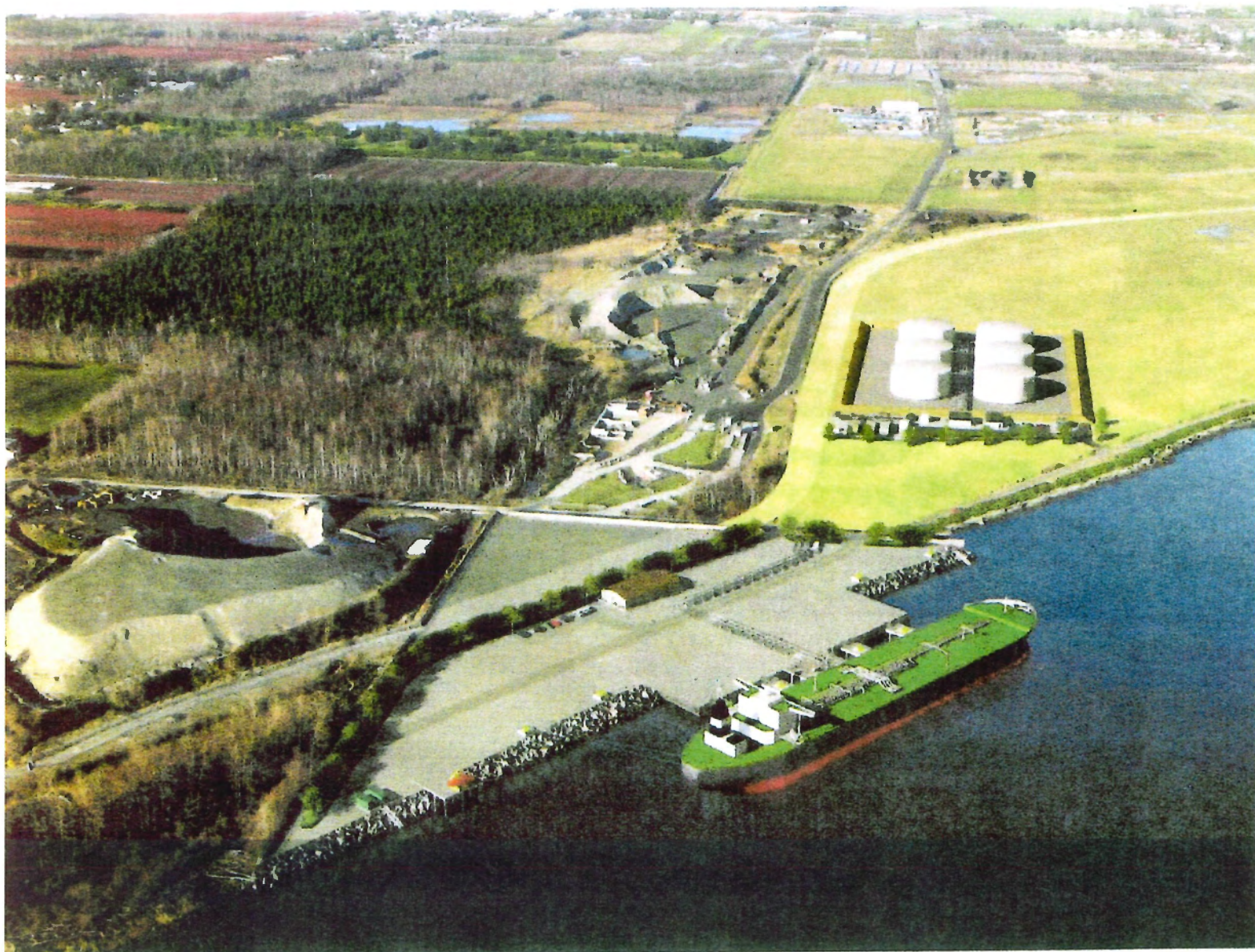
Analysis

Complaints

Odour issues and complaints from citizens have persisted prior to and following the issuance of the new Permit. The total number of complaints received by Metro Vancouver from January 1, 2016 to November 8, 2016 naming Harvest Power as the suspected source of odour emissions is 1663 (see Figure 1 below). In the first 8 days of November alone, 411 complaints have been made.

Figure 1: 2016 Complaints naming Harvest Power as the suspected source of odours. (Source: Metro Vancouver)





Do not dial 911 to ask for a morning wake-up call.

Or to discipline your children. Or to ask permission to use the HOV lane to get to an important meeting.

Those are a few fresh examples of jaw-droppingly inappropriate 911 calls made by Lower Mainland residents in 2013 that offer strong evidence some people are too dumb to possess a cellphone or at least discern what's a real emergency.

The list was released Monday by E-Comm and is just a taste of what staff regularly field at south-western B.C.'s emergency communications centre.

In the No. 1 spot this year was a call E-Comm received from a caller wanting to rent a fire truck to block off a street for a party.

"My son won't give me the remote control," another caller reported to an emergency to a 911 call-taker.

"Can an officer come over to tell my kids to go to bed?" asked another. E-Comm spokesperson Jody Robertson said people who make nuisance calls to 911 are tying up valuable resources for people with real life-and-death emergencies.

"There are many documented cases of children as young as two and three years old properly making emergency calls," she said. "Little ones seem to get it. Other

Longtime car importer runs out of gas

Fraser Wharves closes down, sells Riverport property to Port Metro Vancouver

by **Matthew Hoekstra**

Staff Reporter

A Richmond business that has supplied vehicles to car dealerships for 42 years has sold its Riverport property to Port Metro Vancouver and ceased operation.

Fraser Wharves Ltd. closed its doors last week, a company official confirmed. The firm sold its 26.6-hectare (65.6-acre) property, at 13800 and 14000 Steveston Hwy., to the port March 15, 2013.

Fraser Wharves was the first of two automobile terminals to operate on the Fraser River, importing approximately 200,000 Japanese and General Motors vehicles each year.

It was only three years ago Fraser Wharves held a groundbreaking ceremony marking the replacement of an original building with a new facility for its 100 employees. Now it's unclear what the future holds for the land.

Accounting manager Liza Tse said Fraser Wharves closed due to a decision from the Japanese parent company, Mitsui & Co. Ltd. Tse said she's unaware of future plans for the site, but said an auction of the company's

A recent land use plan update from the port identified the South Arm as a key shipping route facing pressures from "the continued conversion of existing industrial uplands to residential and non-industrial uses by neighbouring municipalities."

The Fraser Wharves property is one of three deep-sea terminals on the South Arm. Fraser Surrey Docks and Wallenius Wilhelmsen Logistics—the region's other auto terminal in New Westminster—are the others.

The port now owns land on either side of the Riverport condo community of Waterstone Pier, having purchased a property to the east in 2007 to accommodate a jet fuel offloading facility as part of a planned \$100-million pipeline to the airport.

Another drive to further industrialize the area is underway. Across Steveston Highway to the north, Steveston No. 6 Limited Partnership has applied to rezone a vacant site to light industrial, which would allow a single-storey warehouse distribution centre development.

The land is currently zoned as Agricultural and Golf Zones/Entertainment and Athletics.



Fraser Wharves photo
Hulking deep-sea vessels berthing at Fraser Wharves was a regular sight.

porttalk.ca website.

In a September interview with B.C. Shipping News, port CEO Robin Silvester said buying properties such as Fraser Wharves allows the port to ensure industrial lands are maintained.

"Had we not done that, those sites might have been sold and rezoned into other commercial or residential use and lost from the industrial land base. That would have been terrible," he said.

remaining assets is set for Jan. 9, 2014.

Although the port didn't respond to requests for comment this week, days following the sale community engagement advisor Frances Tang-Graham said in an online post that a change in use "is not expected at this time."

"The purchase of the Fraser Wharves facility ensures terminal capacity continues to be available for port activity," she wrote on Port Metro Vancouver's

PMV's habitat banking scheme on slippery slope

GUESTSHOT / RICHMOND NEWS
MARCH 14, 2014 12:00 AM

Email

Print

In 2012, Port Metro Vancouver (PMV) and the Department of Fisheries and Oceans (DFO) signed an agreement whereby PMV will be given habitat credits to remove logs and debris from Fraser River estuary marshes.

Credit is then banked and entitles PMV to destroy an equivalent amount of habitat capacity in other areas of the estuary.

15

Since there will always be wood debris on marshes as long as there are trees and wood processing plants along the river, the opportunity to 'clean' one hectare, then totally destroy another could eventually eliminate much of the food producing habitat of the river and estuary for the fish, birds and mammals dependent on it.

It has to be appreciated that we now only have remnant marsh and habitats remaining along the river. Only about 20 percent of what existed over 100 years ago remains.

Why would the federal government design a program that will nibble away at this last 20 percent? Work on this new program began in Boundary Bay late last year and DFO gave the port 66 hectares of habitat credit for removing logs from 70 hectares.

This means the port can now use 66 hectares of habitat for highly destructive projects, such as a new container port on Roberts Bank or sell to others wanting to build.

PMV has plans to do more of this questionable marsh clean-up and enhancement in good habitat areas in Vancouver, Richmond and Delta. Many of these areas have evolved good marsh or riparian (shoreline) vegetation around the wood debris through years of natural processes.

The plan to create marshes by engineering new habitat on top of what now exists is a form of habitat destruction. Often mudflats and riparian brush are replaced by marsh in the belief that this is more productive for fish.

Engineered replacement habitat to get credits to destroy other areas is irresponsible.

G If removing logs could increase productivity then do it for that reason alone and not to further the goals of a PMV determined to industrialize the river and estuary with new coal ports, jet fuel terminals and container ports. What is planned next? Plans are to engineer marshes on the booming ground mudflats near Wreck Beach, the riverside treed area at McDonald Beach and an area adjacent to Westham Island. This misguided program undermines years of positive protection and restoration in the estuary. In 1988, the North Fraser Harbour Commission and the DFO Minister, Tom Siddon, signed the first harbour management agreement in Canada.

As part of the agreement, the Harbour Commission accepted marsh cleanup and protection as part of their corporate responsibility and not for habitat credits.

If they wanted to gain habitat credits they had to develop habitat where it had not existed or had been destroyed such as by the dykes after the 1948

flood.

Past programs and policies of DFO supported the principle of no net loss for habitat. What the new conglomerate PMV is doing, with the cooperation of the new DFO, is a program of half net loss.

PMV and DFO are indeed taking us and the habitat that still supports world class populations of wildlife and salmon down a slippery slope.

In 2012, the Harper government took habitat out of the Fisheries Act. It also dissolved FREMP, an overarching agency designed in the 1980s to coordinate various agencies with regulatory powers in the estuary and to ensure that development could take place without harming the environment.

Obviously that is a program of days past. To add insult to injury, the federal government has delegated the Canadian Environmental Assessment Act to PMV.

Now the port is the developer who does environmental reviews and approvals of projects they will promote and profit from.

PMV, with the help of the DFO, is now essentially free to commodify publicly held habitat and sell it in the market place.

If the port carries on with its mad rush to industrialize the estuary, future generations will wonder - what ever happened to the migratory birdlife, the salmon and the whales? The public, environmental groups, municipalities and fish and game clubs have to join forces to rein in what is now the single biggest threat to the river: Port Metro Vancouver.

Otto Langer is a respected environmentalist and retired DFO senior biologist.

Port development trumps BC agriculture: federal minister MacAulay

Senior level of gov't has the right to exclude BC farms from land reserve

Stories by PETER MITHAM

VANCOUVER – Lower Mainland farmland could be sacrificed to ensure agri-food exports can move to market quickly and efficiently, federal agriculture minister Lawrence MacAulay told *Country Life in BC*.

"We do not want to lose agricultural land but it's no good producing products that you can't move, either," MacAulay said, answering a question from *Country Life in BC* following a presentation to Greater Vancouver Board of Trade members on September 12. "So it's one way or the other – the port in Vancouver has to be efficient to move the products to market. The Asian market is a big market, only going to get larger, and we want to be there."

MacAulay was in Vancouver as part of a tour of Western Canada that stretched from Saskatchewan grainfields to a craft brewery on Vancouver Island.

Opportunities to boost agri-food exports figured prominently in his West Coast itinerary, with an address to the Greater Vancouver Board of Trade and an endorsement of the new catalogue of export-ready agri-food products BC has published with funding from

Growing Forward 2.

But the thrust of his remarks focused on Vancouver's port facilities and the launch pad those provide for Asia-bound products.

"We have to make sure that they can handle the products as fast as they possibly can and as efficiently as they possibly can," he said.

MacAulay's comments won't sit well with municipalities such as Richmond or local farmland advocates who have challenged the Port of Vancouver's plans to tap local farmland for port-related uses.

Yet the port, as a federal entity, holds the trump card: while it has pledged to file exclusion applications to remove protected farmland from the province's Agricultural Land Reserve, it's under no obligation to do so as an arm of the senior level of government.

"I don't think we would be bound [by the Agricultural Land Commission]," Robin Silvester, president and CEO of the port authority, said earlier this year. "We have supremacy."

Site Economics Ltd. prepared a report for

the port authority in October 2015 that estimates port activities will require approximately 2,700 acres by 2030. The demand could cost Delta alone 1,500 acres of productive farmland, according to the Delta Farmers' Institute.

Agriculture is "almost meaningless"

Silvester believes local agriculture is "almost meaningless" when it comes to local food security but that stance is at odds with MacAulay's message to the Greater Vancouver Board of Trade.

Responding to a question from the audience regarding organic production, MacAulay said his job is to ensure farmers in Canada are capturing local markets before venturing into exports.

"There are products that we aren't producing enough of, and I want to help you produce those products so that you receive the benefit," he told his audience, which included very few farmers. "My responsibility is to help you, and I want to do it."



City of Richmond

Report to Committee

To: General Purposes Committee
From: John Irving, P.Eng, MPA
Director, Engineering
Date: October 3, 2018
File: 10-6175-02-01/2018-
Vol 01
Re: **Feedback on the Organic Matter Recycling Regulation (OMRR) Intentions
Paper 2018**

Staff Recommendation

That the comments in the report titled "Feedback on the Organic Matter Recycling Regulation (OMRR) Intentions Paper 2018" from the Senior Manager, Sustainability and District Energy, dated October 3, 2018 be forwarded to the BC Minister of Environment and Climate Change Strategy.

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

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

Staff Report

Origin

The BC Minister of Environment and Climate Change Strategy (the Ministry) will be revising the Organic Matter Recycling Regulation made under the *Environmental Management Act* and the *Public Health Act*. On September 7th, 2018, the Ministry released an Intentions Paper referred to as the “*Organic Matter Recycling Regulation Policy Intentions Paper*” detailing the Ministry’s objectives and the proposed changes to the current *Organic Matter Recycling Regulation* (OMRR). The Ministry is seeking feedback on items detailed in the Intentions Paper on the proposed revisions from all interested parties, including First Nations, local governments, stakeholders and the public. The Ministry expects to amend and implement the revised regulation in 2019.

This report summarizes staff comments on the Intentions Papers concerning key regulatory actions that can be undertaken to support the City’s objective to eliminate odours from composting facilities in Richmond and Metro Vancouver.

This report supports Council’s 2014-2018 Term Goal #6 Quality Infrastructure Networks:

Continue diligence towards the development of infrastructure networks that are safe, sustainable, and address the challenges associated with aging systems, population growth, and environmental impact.

6.1. Safe and sustainable infrastructure.

Background

As part of its active involvement in addressing odour issues from composting operations in Richmond, the City of Richmond wrote to the Ministry requesting that new or amended legislation be introduced regionally and provincially to address odours from composting facilities. The province has recognized that greater emphasis on sound operating protocols for composting facilities is needed, and has moved to make changes to OMRR.

British Columbia does not have a province-wide regulation specific to odour. Odorous air contaminants may be regulated under various regulations and codes or site-specific authorizations such as permits. Current provincial regulations include the *Environmental Management Act* (EMA), the OMRR and the *Waste Discharge Regulation* (WDR), which are the principal pieces of legislation for air quality in BC. Enacted in 2002, OMRR governs the construction and operation of composting facilities and the production, distribution, sale, storage, use, and land application of biosolids and compost. Currently, the OMRR sets conditions to facilitate the recycling of organic material, but does not include specific air quality criteria for waste management or composting facility operations.

The current OMRR does not include definitions of odour or air contaminants. In Part 5 of the OMRR “Composting Facility Requirements,” there are general requirements which include performance and emission criteria for composting facilities. OMRR section 24, paragraph 2.d states that plans and specifications must include “an odour management plan which stipulates how air contaminants from the composting facility will be discharged in a manner that does not cause pollution.” However, there are no specific outcome-based requirements or criteria for odour management as it relates to nuisance levels of odours that can negatively impact communities.

From 2005 through to 2017, the Province undertook reviews of the OMRR and issued Intentions Papers (2006, 2011, 2016) with the intention of amending the OMRR to include criteria for odour management. The amendments within OMRR have not included any standards or criteria for odour. To date the Province still has not directly regulated odour with clear criteria and standards.

On April 6th, 2018, Council endorsed a staff recommendation to send a letter to the Ministry requesting that:

- The definition of odour as an air contaminant be included in the *Environmental Management Act* and in the *Organic Matter Recycling Regulation*;
- The *Organic Matter Recycling Regulation* includes a specific Odour Management Regulation establishing criteria and standards with clear limits in terms of concentration and frequency for odorant emissions from composting facilities and defines performance criteria for composting facility operations;
- That specific standards for how odours shall be monitored, managed, treated, and discharged in a manner that minimizes the impacts associated with odorous air contaminants be included in the regulation.

On September 7th, 2018, the Ministry issued an Intentions Paper detailing the Ministry’s objectives, and proposed changes to the current OMRR. The amendments in the OMRR were reviewed in a webinar delivered by the Ministry on October 2, 2018. Comments regarding the proposed intentions of the Ministry will be considered in the development of the proposed amendments.

Analysis

An overview of the Intentions Paper including a summary of staff feedback is provided below.

1. Composting Threshold Feedstock

At present, requirements for composting facilities are set based on either design production capacity or annual production capacity, both being measures of the amount of finished compost produced (measured in dry weight) and corresponding facility size.

The Province proposes that composting facility authorization (registration instead of notification) and planning requirements would be set based on the total annual mass of wet tonnes of the intake feedstock per calendar year rather than the annual production capacity. Any facility receiving a total annual mass of 15,000 tonnes or greater (wet weight) of feedstock is proposed to be required to obtain a permit, approval or operational certificate. The new potential metric to categorize composting facilities will provide more clarity on the true plant capability to process organic

waste. This requirement expands the authorization of OMRR to focus on the operational process and facility performance.

2. Registration and Notification

The Ministry is proposing to support transparency of information under the regulation by introducing revisions that the requirement to “give notice of operation” would be replaced by a registration process for all composting facilities that do not currently require a permit, approval or operational certificate. The Ministry is proposing to require all plans, reports and specifications required under the OMRR, and any additional information requested by a Director be submitted as part of the registration process, including a sign off by a qualified professional.

To track biosolids growing medium (BGM) facilities, the Ministry is proposing to amend the definition of “discharger” in OMRR to include “an owner of a facility that produces BGM” to require a writing notice of operation be given by facilities using more than 5 m³ of biosolids at a site per calendar year”. The Ministry is also proposing to clarify in the regulation that BGM may only be derived from certain materials.

3. Composting Facility Requirements

The Ministry is intending to address standards, practices and expectations of composting facilities through broadened facility planning requirements. The Ministry aims to consolidate requirements into the Facility Environmental Management Plan (FEMP) with the proposal that all composting facilities would be required to prepare an odour management plan, operating plan, and leachate management plan. Composting facilities receiving a total annual mass of 15,000 tonnes or greater (wet weight) of feedstock would also require an environmental impact study which would combine an odour management plan including odour modelling, odour impact assessment, a monitoring and maintenance plan, and a process for tracking and addressing odour complaints. In addition, all new facilities that process food waste or biosolids and which receive 15,000 tonnes or greater (wet weight) of feedstock per year may be required to compost in-vessel or contain facilities and operations within fully enclosed structures, including receiving, processing and storage. Within 10 years, all existing composting facilities would be required to do the same.

The Ministry states in the paper that as composting operations have the potential to produce objectionable odours, it is important that odour is managed effectively. Ministry guidance would be updated to address the odour management plan and odour modelling studies requirements. The Province also aims to include requirements for tracking and addressing odour complaints, and the submission of an annual monitoring and maintenance report. The facility environmental management plan would be required to be prepared by a qualified professional(s); and composting facility operators would be required to comply with the facility environmental management plan.

4. Land Application

The Ministry is proposing that the requirement to give notice in writing would be replaced by a registration process for land application of managed organic matter. The registration would be in the name of both the generator of the managed organic matter as well as the registered owner of the land upon which the managed organic matter will be applied. Farm activities are not affected by this requirement.

Summary Comments

The proposed amendments represent positive progress toward improving overall operations of composting facilities while also helping to level the playing field for operators. The improvements are targeted at increasing accountability and odour mitigation. These changes will be beneficial to host communities as part of co-existing with composting facilities, which supports sound waste management practices. These higher performance standards would increase costs for managing composting materials but with overall community livability benefits.

The unique nature of odours and individual sensitivities are complicating factors when it comes to managing odours generated by facilities. Best practices for facility odour management are necessary. A complicating factor, however, relates to effective odour measurement techniques. The Intentions Paper does not include amendments to incorporate in the OMRR the definition of odour as an air contaminant, odour management criteria and standards with clear limits concerning concentration and frequency for composting odorant emissions. Further, OMRR does not define specific rules for how odours shall be monitored, managed, treated, and discharged in a manner that minimizes the impacts associated with odorous air contaminants. Guidelines in this regard are needed to remove the current subjectivity measures for operators as well as create acceptable public standards.

Suggested feedback to the Ministry on the proposed revisions includes:

- Addition of a definition of odour as an air contaminant be included in the Organic Matter Recycling Regulation;
- The Organic Matter Recycling Regulation include a specific criteria and standards for odour management plan establishing clear limits in terms of concentration and frequency for odorant emissions from composting facilities;
- The Organic Matter Recycling Regulation defines specific standards for how odours shall be monitored, managed, treated, and discharged in a manner that minimizes the impacts associated with odorous air contaminants.

With Council's endorsement the above comments will be sent to the Ministry.

Financial Impact

None.

Conclusion

Managing odours is a crucial priority for the City as the number of odour complaints from the public has increased in recent years. The amendments identified in the Intentions Papers consolidate the regulation of organic matter recycling and composting facility management. Staff have identified a number of recommendations for the Ministry which would support the City's objective to eliminate odours from composting facilities in Richmond and Metro Vancouver.



Peter Russell
Senior Manager, Sustainability and District Energy
(604-276-4130)

MB:mb



City of Richmond

Report to Committee

To: General Purposes Committee

Date: October 16, 2018

From: John Irving, P.Eng. MPA
Director, Engineering

File: 10-6125-30-007/Vol 01

Re: WesPac Tilbury Marine Jetty Project – Application Comments for the British Columbia Environmental Assessment Process

Staff Recommendation

That the comments regarding the WesPac Tilbury Marine Project Environmental Assessment Application to the BC Environmental Assessment Office for the proposed Liquefied Natural Gas Birthing and Loading Facility identified in the “WesPac Tilbury Marine Jetty Project – Application Comments for the British Columbia Environmental Assessment Process” report dated October 16, 2018, from the Director, Engineering, be endorsed for submission to the BC Environmental Assessment Office.

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

Att. 2

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

Staff Report

Origin

During the Regular Council Meeting held on June 22, 2015 it was resolved that Richmond City Council requests a full federal Environmental Assessment and review of the Delta Liquefied Natural Gas project to consider:

1. Effects on dredging a deeper wider shipping channel;
2. Effects on diking;
3. Effects on the habitat of the estuary and the Fraser River fishery; and
4. Safety concerns, climate change and the industrialization of the Fraser River Estuary due to the cumulative effect of coal, jet fuel, LNG and possibly oil shipments on the Fraser River;

and that copies of the resolution be sent to neighboring municipalities, and local MPs and MLAs.

Staff acted accordingly since 2015 to present the City's concerns through participation in the Working Group and Council was subsequently updated through multiple memoranda.

Staff received a letter dated October 12, 2018 from Wespac Midstream – Vancouver LLC (WesPac) indicating that a copy of the the Environmental Assessment Certificate Application for its proposed WesPac Tilbury Marine Jetty Project (Project) was available for review by the City as part of the legislated 30-day screening period pursuant to the BC *Environmental Assessment Act*.

This report supports Council's 2014-2018 Term Goal #6 Quality Infrastructure Networks:

Continue diligence towards the development of infrastructure networks that are safe, sustainable, and address the challenges associated with aging systems, population growth, and environmental impact.

6.1. Safe and sustainable infrastructure.

The purpose of this report is to seek Council's endorsement of staff comments on the completeness of the application to be sent to the BC Environmental Assessment Office.

Background

The Project is located in the South Arm of the Fraser River on Tilbury Island in the City of Delta (Attachment 1). Although the project has no operating footprint within the City of Richmond, the Project will increase shipping traffic in the South Arm of the Fraser River.

The Project will support the delivery of liquefied natural gas (LNG) to foreign markets supported by the recent expansion of a pre-existing FortisBC LNG Facility. The Project consists of the following components:

- Marine Jetty
- LNG Transfer System
- On shore LNG Pipeline Connecting Storage Tank and Jetty
- Closed-loop Boil Off Gas Management System
- Process Control and Power Supply Systems
- Fire Protection and Emergency Systems
- Project Access (access road and parking)

The Project requires a federal environmental assessment under the *Canadian Environmental Assessment Act* as the project is designed to receive vessels larger than 25,000 DWT (deadweight tonnes). The project also requires a provincial environmental assessment under BC's *Environmental Assessment Act* as the project exceeds the maximum dredging threshold of two (2) hectares. The Federal Minister of the Environment approved the BC Environmental Assessment Office (BC EAO) to lead a substituted assessment on behalf of the Canadian Environmental Assessment Agency.

Wespac Midstream – Vancouver LLC (WesPac) submitted a Project Description for the Project to the BC EAO and the Canadian Environmental Assessment Agency on April 30, 2015. Stakeholder consultation began in May 2014 with a series of public and governmental agency meetings undertaken by Wespac to introduce the Project. In addition, two open houses were led by the BC EAO to provide the public with opportunities to review and comment on the Project. These occurred in Delta on December 2, 2015 and in Richmond on December 3, 2015.

A draft Application Information Requirements document was submitted by WesPac to the BC EAO in 2015 and was approved on November 26, 2016. Canada's National Energy Board issued WesPac a licence to export natural gas from Canada on May 26, 2016. The licence permits WesPac to export a maximum annual volume of 4.76 billion cubic metres of natural gas and was issued for a 25-year term.

WesPac retained the services of a Qualified Environmental Professional to collect baseline data and prepare the Project's Environmental Assessment Certificate Application (Application). Baseline data was collected in 2015, 2017 and 2018 in anticipation of submitting the Application to the BC EAO in fall 2018.

Analysis

The Project has been modified from a single berth to a tandem birth configuration since 2016 (Attachment 2). The modifications are proposed to allow for improvements to vessel transfer capacity, vessel approach routes and vessel departure routes and are not intended to increase traffic volume.

WesPac has circulated an Application to the BC EAO and the Working Group for review and comment, which initiated the legislated 30-day screening period that is anticipated to expire on November 16, 2018. The purpose of screening is to determine whether the Application contains the information outlined in the Application Information Requirements document in sufficient detail that BC EAO can undertake a more detailed review of the Application and conclude on the significance of potential adverse effects.

Staff Comments

Staff assessed WesPac's Application for completeness based on the City's concerns and recommend the following comments be endorsed by Council to support the application screening period:

1. That the City's flood protection infrastructure (dikes and drainage pump stations) be included as a Valued Component, as changes in river processes may have a profound effect on the morphology of the river bed, and in turn the stability of the existing and future dikes;
2. That a liquefaction and geotechnical analysis be done to quantify the effects of dredging on the City's existing and future dikes;
3. That the cumulative effects of all modifications occurring in the Fraser River is quantified; and
4. That the Provincial requirements for Climate Change mitigation be included in the review.

Next Steps

The BC EAO will collect all of the stakeholder information within 30 days to determine if WesPac's Application is complete. If the Application is deemed acceptable for review by the BC EAO, the Project will enter the legislated 180-day review stage of the BC *Environmental Assessment Act*. During this phase, the City will have the opportunity to review the technical information in greater detail and submit additional comments and/or information request regarding the Project to the BC EAO.

Financial Impact

None.

Conclusion

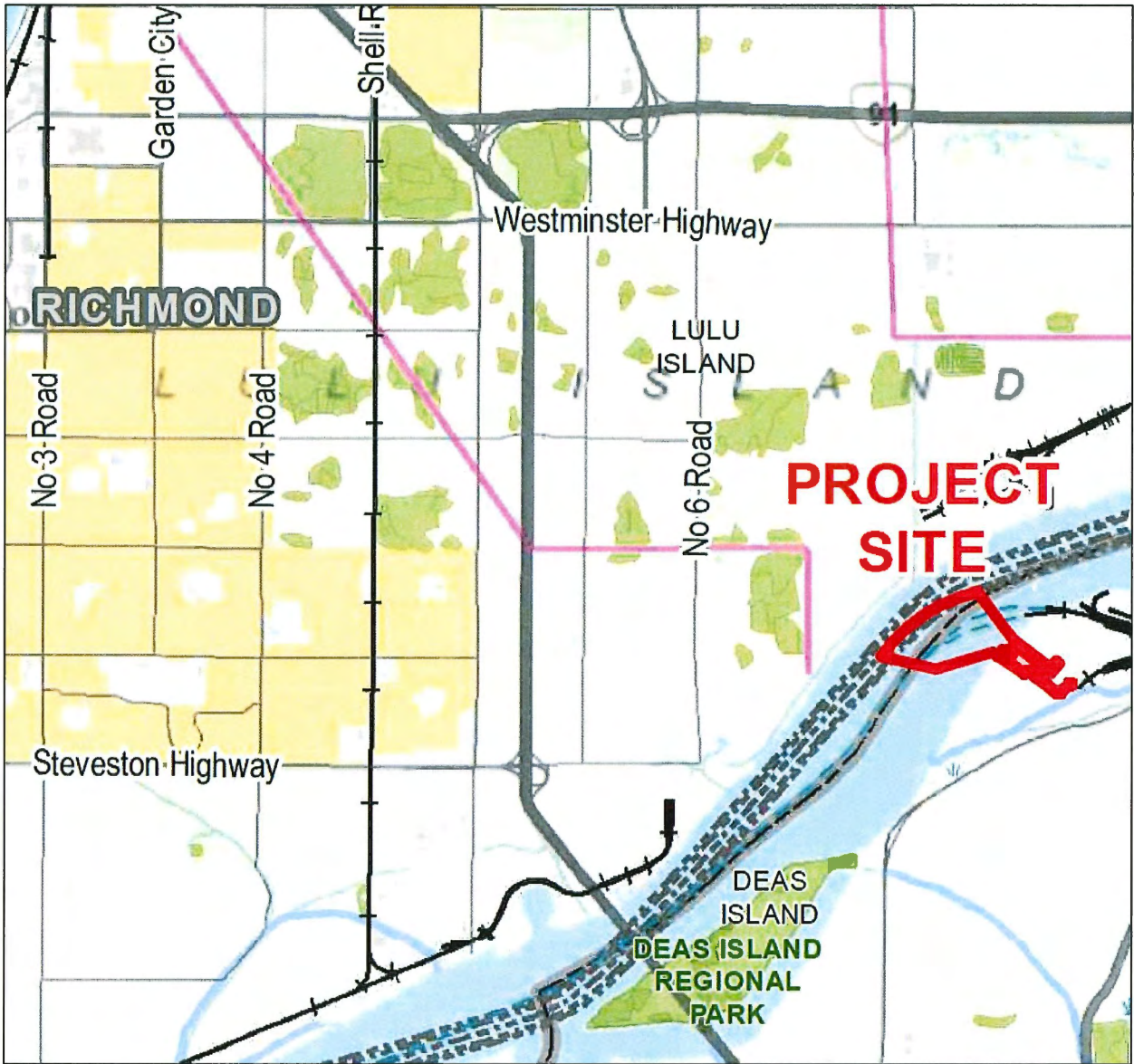
The BC EAO deadline for screening is November 16, 2018. Staff recommend that Council endorse the comments in this report for submission to the BC EAO.



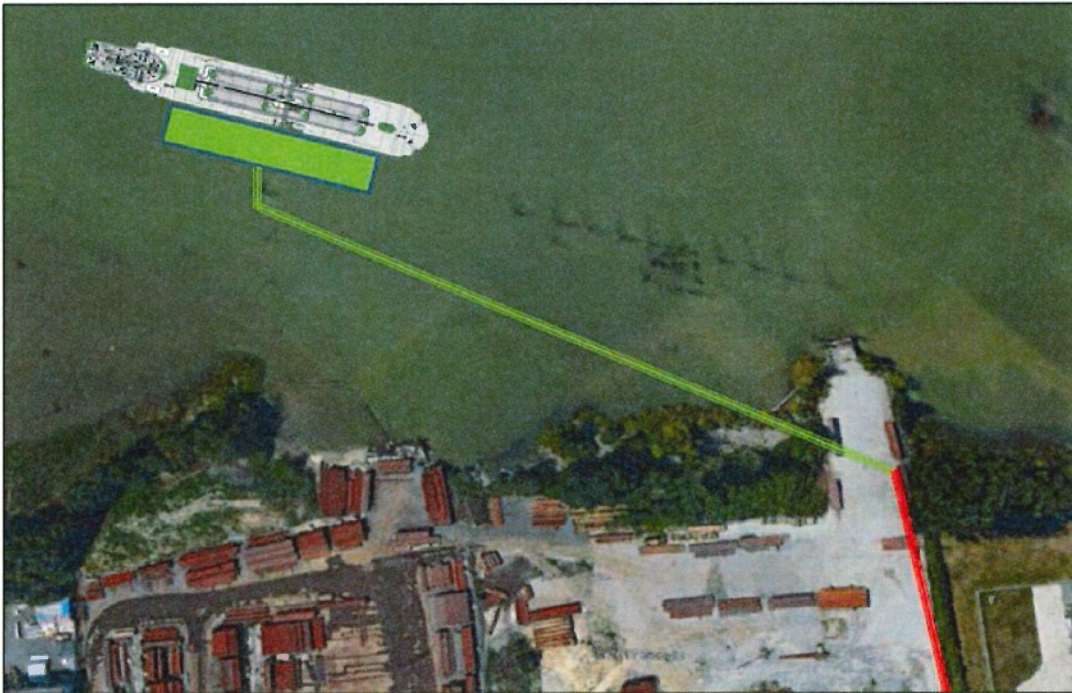
Chad Paulin
Manager, Environment
(604-247-4672)

Att. 1: WesPac Tilbury Marine Jetty Project Map
Att. 2: WesPac Tilbury Marine Jetty Project Configuration

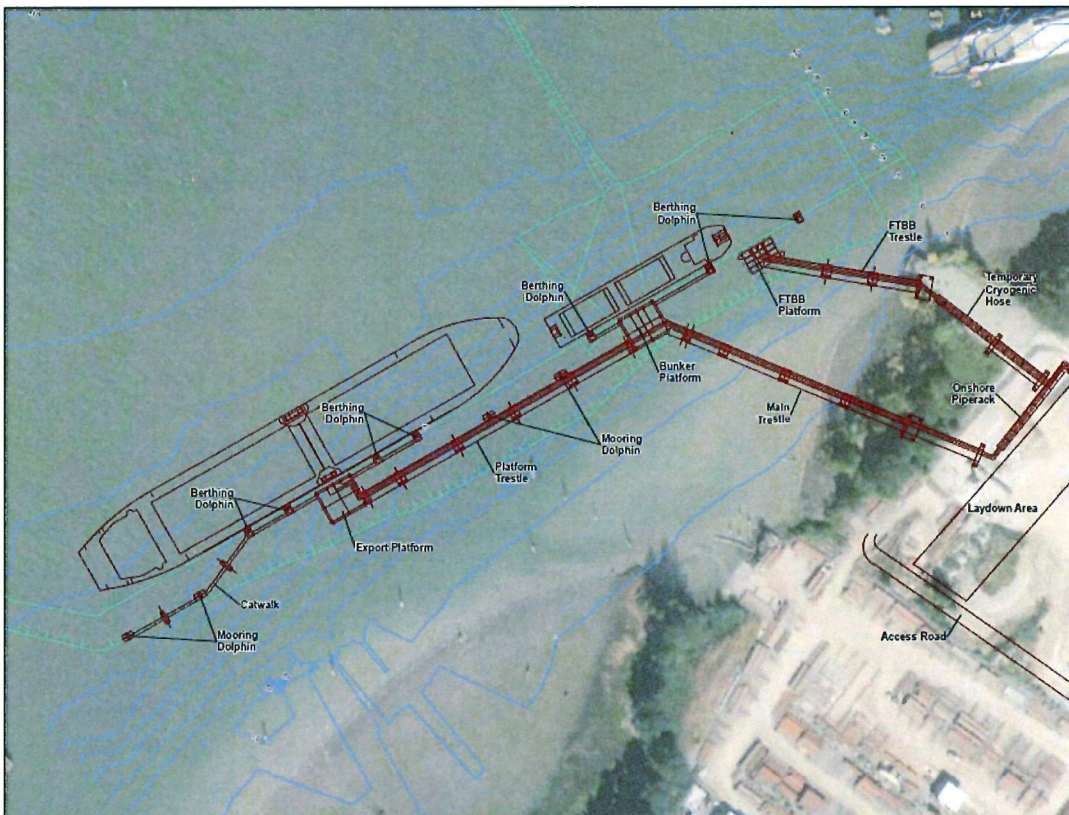
Attachment 1: WesPac Tilbury Marine Jetty Project Map



Attachment 2: WesPac Tilbury Marine Jetty Project Configuration



Original Jetty design with one main berth



2018 Project design with two berths. One primary berth for large vessels and one for smaller vessels.



City of Richmond

Report to Committee

To: General Purposes Committee

Date: October 31, 2018


From: Victor Wei, P. Eng.
Director, Transportation

File: 01-0154-04/2018-Vol
01

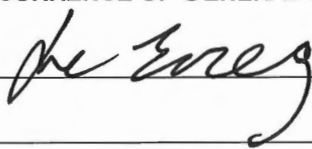

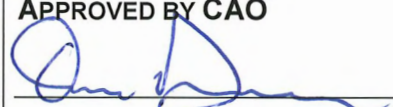
Re: Proposed Road Section to be Added to TransLink's Major Road Network

Staff Recommendation

That the section of Cambie Road between No. 3 Road and No. 6 Road be added to TransLink's Major Road Network as described in the report titled "Proposed Road Section to be Added to TransLink's Major Road Network" dated October 31, 2018 from the Director, Transportation.


Victor Wei, P. Eng.
Director, Transportation
(604-276-4131)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Engineering Roads & Construction	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO 

Staff Report

Origin

At the June 25, 2012 Council meeting, Council endorsed a number of road segments proposed to be added to TransLink's Major Road Network (MRN). This report seeks endorsement for an additional road segment, Cambie Road between No. 3 Road and No. 6 Road, proposed to be added to the MRN.

This report supports Council's 2014-2018 Term Goal #3 A Well-Planned Community:

Adhere to effective planning and growth management practices to maintain and enhance the livability, sustainability and desirability of our City and its neighbourhoods, and to ensure the results match the intentions of our policies and bylaws.

3.3. Effective transportation and mobility networks.

This report supports Council's 2014-2018 Term Goal #5 Partnerships and Collaboration:

Continue development and utilization of collaborative approaches and partnerships with intergovernmental and other agencies to help meet the needs of the Richmond community.

5.2. Strengthened strategic partnerships that help advance City priorities.

Analysis

Expansion of MRN

Established in 1999, the MRN consists of approximately 600 road-km (2,300 lane-km) of arterial roads and bridges stretching across the region that carry the majority of the region's commuter, bus transit and truck traffic. While ownership of and operational responsibility for the MRN remains with each municipality, TransLink provides funding for the operations, maintenance and rehabilitation of the MRN, and shares in the cost of eligible capital improvements.

TransLink initiated a review of the management and funding of its Major Road Network (MRN) in 2010. One component of the package of changes, approved by the TransLink Board at its May 2012 meeting, was a process to increase the size of the MRN by up to 10% in lane-kilometres based on requests from member municipalities. At that time in June 2012, Council endorsed a number of road segments to be added to the MRN (see green lines in Attachment 1), which did not include Cambie Road between No. 3 Road and No. 6 Road.

Subsequently, Phase One of the Mayors' Vision 10-Year Investment Plan included a 10% expansion of the total MRN lane-km, which will result in approximately 237 lane-km of new MRN, to be selected through a performance-based evaluation process. Through working group sessions for this process over the past year, staff put forward an additional road segment in Richmond, Cambie Road between No. 3 Road and No. 6 Road, upon learning this segment would meet the updated eligibility criteria (see pink line in Attachment 1).

Vis-à-vis other municipalities, Richmond's proportion of the MRN expansion is greater than 10%, which reflects the relatively high level of regional significance and multi-modal activity on the proposed roadway segments including frequent bus service and truck traffic as well as general purpose traffic.

Richmond currently has 131 lane-km in the MRN and receives a total of \$2.73 million in annual maintenance-related funding payments from TransLink comprised of:

- Operation and Maintenance: \$12,025 per lane-km or \$1.58 million; and
- Rehabilitation: \$8,585 per lane-km or \$1.15 million.

The additional roadway segments in Richmond proposed to be added to the MRN total approximately 37.6 lane-km. On that basis, the City would be eligible for annual additional payments of approximately \$452,000 in operations and maintenance funding, and \$323,000 in rehabilitation funding for a total of \$775,000.

TransLink's approval process requires Council endorsement of the proposed road segments to be added to the MRN prior to TransLink staff presenting a report to the TransLink Board for approval of MRN expansion in December 2018.

Financial Impact

None. Should any requested roadway sections be added to the MRN, the additional annual funding from TransLink, estimated at \$775,000, will be reflected in future operating budgets.

Conclusion

TransLink intends to increase the size of the MRN by up to 10% in lane-kilometres. As part of the MRN evaluation process, an additional road segment in Richmond, Cambie Road between No. 3 Road and No. 6 Road, is eligible to be added to the MRN. To facilitate TransLink's approval process and secure annual funding to the City for the operations, maintenance and rehabilitation of the MRN, staff seek formal Council endorsement of the Cambie Road segment for inclusion in the MRN.

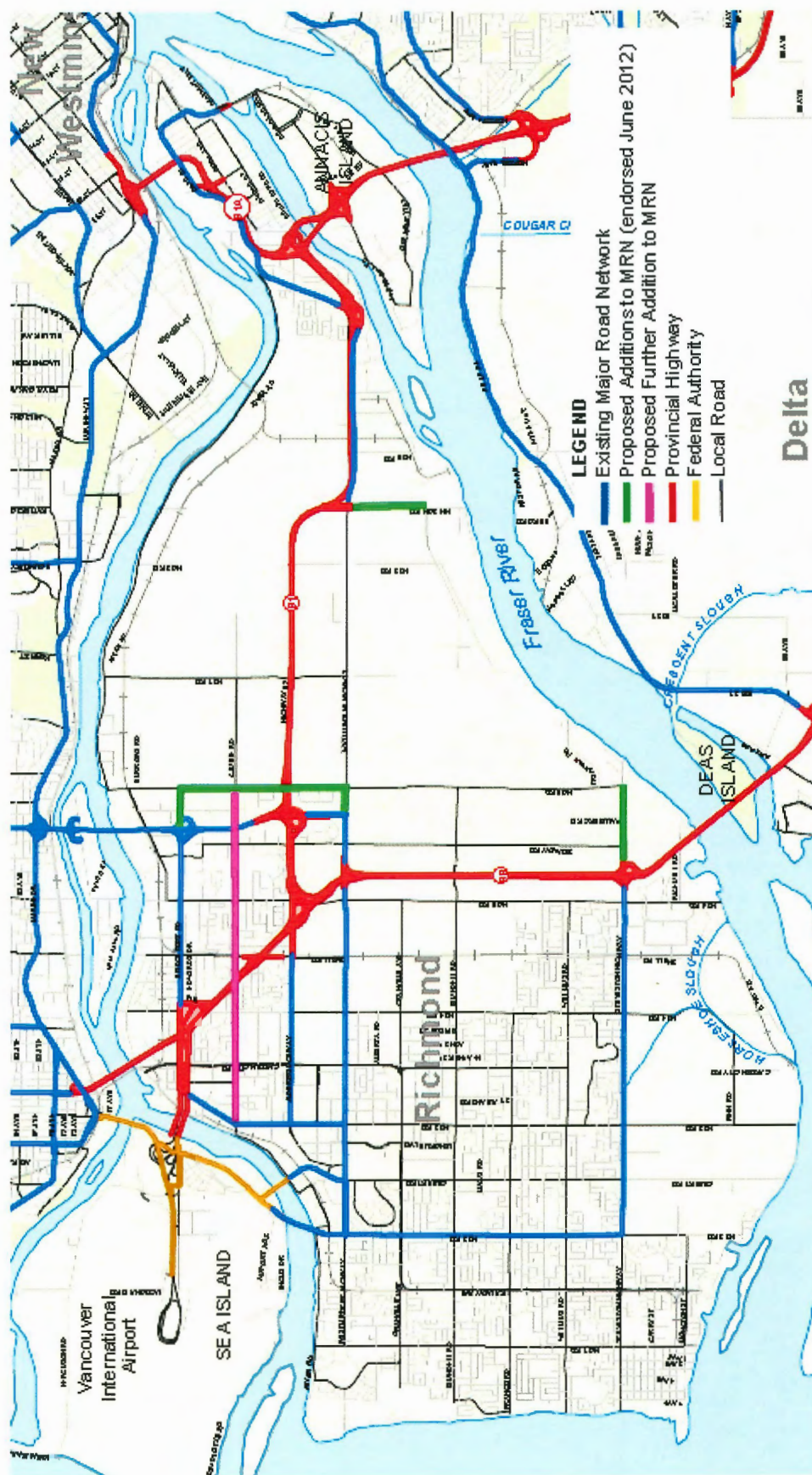


Joan Caravan
Transportation Planner
(604-276-4035)

JC:jc

Att. 1: Existing and Proposed MRN Roadway Sections in Richmond

Existing and Proposed Major Road Network Roadway Sections in Richmond





City of Richmond

Report to Committee

To: General Purposes Committee

Date: August 29, 2018

From: Jane Fernyhough
Director, Arts, Culture and Heritage Services

File: 06-2050-/20-MP/Vol 01

Re: Minoru Place Activity Centre Program Options as Arts Education
and Program Space

Staff Recommendations

1. That the recommended option, Option 1: Community Arts Education and Program Space with Pottery and Culinary Arts Studio, be approved as the preferred program of the Minoru Place Activity Centre as detailed in the staff report titled "Minoru Place Activity Centre Program Options as Arts Education and Program Space," dated August 29, 2018, from the Director, Arts, Culture and Heritage.
2. That a Capital request be considered during the 2019 budget process.

Jane Fernyhough
Director, Arts, Culture and Heritage Services
(604-276-4288)

Att. 6

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Finance Department	<input checked="" type="checkbox"/>	
Project Development	<input checked="" type="checkbox"/>	
Facility Services	<input checked="" type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	
REVIEWED BY SMT	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

At the Council meeting of November 27, 2017, Council adopted the following recommendations and referral:

1. *That the recommended option, Option 1: Community Education and Arts Space, be approved as the preferred reuse of the Minoru Place Activity Centre as detailed in the staff report titled "Minoru Place Activity Centre Reuse Options," dated October 31, 2017, from the Interim Director, Parks and Recreation;*
2. *That the recommended option, Option 1: Community Education and Arts Space, be considered as part of the Minoru Park Vision Plan, as detailed in the staff report titled "Minoru Place Activity Centre Reuse Options," dated October 31, 2017, from the Interim Director, Parks and Recreation; and*
3. *That staff consider the financing for the use and restoration of the Minoru Place Activity Centre, the specific uses within community education and arts usage of the building, and accommodating other community groups with space needs.*

The purpose of this report is to propose programming and finance options for the restoration and repurposing of the Minoru Place Activity Centre in response to the above recommendations and referral.

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.*

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.*

This report supports Council's 2014-2018 Term Goal #5 Partnerships and Collaboration:

Continue development and utilization of collaborative approaches and partnerships with intergovernmental and other agencies to help meet the needs of the Richmond community.

5.2. *Strengthened strategic partnerships that help advance City priorities.*

This report supports Council's 2014-2018 Term Goal #6 Quality Infrastructure Networks:

Continue diligence towards the development of infrastructure networks that are safe, sustainable, and address the challenges associated with aging systems, population growth, and environmental impact.

6.1 *Safe and sustainable infrastructure.*

This report supports Council's 2014-2018 Term Goal #7 Strong Financial Stewardship:

Maintain the City's strong financial position through effective budget processes, the efficient and effective use of financial resources, and the prudent leveraging of economic and financial opportunities to increase current and long-term financial sustainability.

7.2. *Well-informed and sustainable financial decision making.*

This report supports the goals of the Richmond Arts Strategy, Community Wellness Strategy, Youth Service Plan, Museum and Heritage Strategy, Seniors Service Plan, Community Services Facilities Strategic Plan and Minoru Park Vision Plan.

Background

Since the Richmond Cultural Centre was opened in 1993, there has been no major capital investment for additional arts facilities. During this 25-year period, the City has experienced a 68% increase in population overall (with the highest percentage increase in the City Centre) and a significant shift in demographics. This has brought a commensurate increased need for (and higher expectations of) arts programs and spaces for arts activities.

Located in the Cultural Centre, the Arts Centre, which operates the City's arts education hub and the Media Lab, is also the home of eleven community organizations known as "resident art groups" who offer programs and activities for their members as well as the public. In recent years, while the Arts Centre has been challenged to meet community demand (particularly for dance and pottery programs) many of these community groups have reached the limits of their ability to meet demand for their activities, as they cannot find larger spaces, nor increase their access to existing spaces.

Last year, Council received more than 40 letters from members of the following organizations: Richmond Potters Club, Richmond Arts Coalition, Richmond Singers, Richmond Photo Club and Richmond Adult Ballet Company, attesting to the community need for additional spaces, and which in many cases must be purpose-built for specific activities; e.g., pottery requires dedicated

space with sinks, kilns and wheels as well as well-ventilated areas; a dance studio needs change rooms, warm-up area, mirrored walls and barres; a community art gallery must have open floor space, flat white walls and track lighting.

Moreover, like community centres, arts facilities play a key role in creating an inclusive, safe and accessible community. They help promote liveability and individual well-being by encouraging social inclusion through the provision of community spaces and affordable programs and services. They are key places for positive social interaction and creative expression that can transcend language, of particular importance to new immigrants and youth. The arts are integral to vibrant and healthy communities.

Based upon consultation with community cultural stakeholder groups, including the eleven Arts Centre resident art groups, regarding immediate space needs for community arts education, performance and presentation (see Attachment1 – Community Groups Consultation), staff have prepared three detailed space plans with cost analyses for building upgrades and ongoing operations to occupy the Minoru Place Activity Centre for at least 10 years.

Given the condition of the building and its particular design, it is recommended that rather than committing to a substantial capital investment to upgrade the building for long-term use, the City invest in the upgrades as required to extend its use for up to 10 years. This approach presents the opportunity to address immediate space needs while planning for future facilities that will be more programmatically and operationally optimal and address future needs. Taking into consideration the above, the provided costing for the three programming options outlined herein, will reflect what is necessary to support programming for the next 10 years.

Analysis

Building Construction Needs

A detailed building analysis report was completed to assess the building for its potential to be repurposed. A team was retained to complete an assessment of the structural, mechanical, electrical, roof, building envelope and code compliance.

Minoru Place Activity Centre was built in 1986 and the mechanical and electrical systems of the building are mostly original and in need of replacement. Given the condition of the building, it is recommended that the City invest in the modest upgrades required to extend its use for up to 10 years. This includes mechanical (e.g., HVAC, plumbing), electrical (e.g., lighting, fire alarm, controls) and architectural (e.g., doors, flooring, fixtures, t-bar ceiling, finishes, windows, roofing) systems. With the exception of those required to reopen the building for arts program use, these upgrades would be done on an as-needed basis during the term of use.

Proposed Program

Responding to identified community need, there are three proposed program options taking into account the building's size, configuration and condition, with the intention to maximize existing features (Attachment 2 – Current Floor Plan) to reduce building costs, enable programming synergies and find appropriate operational efficiencies.

Proposed Base Program for All Three Reuse Options that respond to community need

Table 1 summarizes the base program options that have been considered for all options.

Current Space	Proposed Base Program - All Options
<i>Stage & Gyms</i>	Dance Studios (2) with ancillary spaces
<i>Billiard Room or Kitchen/Cafeteria</i>	Pottery Studio
<i>Lounge 115</i>	Flex Lobby Space
<i>Multipurpose 125</i>	Museum Programs/Multipurpose Room
<i>Workshop</i>	Workshop/Multipurpose Room
<i>Office/Reception</i>	Reception and Administration

Table 1 – Program base for all options

All three proposed options include the following base program and amenities.

1. Two Dance Studios. Two self-contained dance studios would have adjacent change rooms for all genders, a warm-up area, storage space and access to washrooms. The walls would be soundproof to enable concurrent programs that require music.

In 2017, the Richmond Arts Centre had 225 waitlisted participants for Dance and Performing Arts programs. With two new dance studios, the Arts Centre can relieve waitlists, particularly for the School Year Dance Program, as well as ensure that both Arts Centre dance companies (Richmond Youth Dance and Richmond Adult Ballet) have their rehearsal space needs met and address the challenge of insufficient change rooms for all genders.

The dance studios could be shared with community performing arts organizations that are facing space challenges, such as the Richmond Reelers Scottish Country Dancing, Gateway Theatre and Richmond Delta Youth Orchestra.

These two new dance studios are expected to provide the following benefits:

- 240 registration spaces created annually
- Potential to expand and diversify dance program offerings
- Improved service to community groups
- Significantly improved customer service and operations with appropriate change room spaces and adjacent washrooms

2. Pottery Studio. This Pottery Studio would double the space currently provided for public pottery programs in Richmond. The space -- to be outfitted with 12 wheels, 2 kilns, and other specialized pottery equipment -- is proposed to be operated by the Richmond Potters Club to provide public programs, and the existing space in the Cultural Centre be operated by the Arts Centre. The Potters Club would be responsible for purchase, maintenance and renewal of all equipment, materials and supplies in the new studio and, as a Resident Art Group, receive

preferential rental rate to use this space. The two entities would work collaboratively to offer complementary programs and services to the general public.

Due to the nature of the art form (pottery requires both specialized equipment and extended time periods for the process of creation) and increased demand, both the Potters Club and Arts Centre have exceeded the capacity available through sharing a single studio. Increased demand in pottery is due to a range of factors including population growth and, among recent retirees and millennials alike, a resurgence in art forms that provide a respite from an increasingly fast-paced and digital world. Moreover, home studios are less feasible due to increased housing costs necessitating downsizing to smaller living spaces.

This conversion is expected to provide the following benefits:

- Increased opportunities for potters of all ages, with 170 new registration spaces created annually for children and adults
- address current waitlists, including over 100 for children's Ceramics classes at the Arts Centre and 45 for adult programs (operated by the Potters Club and promoted solely through word-of-mouth)
- increase programming opportunities in the Arts Centre to offer new, specialized courses for adults during daytime (school) hours

3. Flex Lobby/Gathering Space. This flex space offers a comfortable location for waiting caregivers and other community members and could also be booked free-of-charge for intimate, low-tech/no-tech performances and events. The existing recessed space immediately inside the bay window provides a natural staging area to install a low riser for performances; basic A/V equipment would be available to rent at a nominal cost for those wishing to host spoken word, music and other events in this new open public venue.

This conversion is expected to provide the following benefits:

- Improved service/comfort for community members
- Addition of a new venue for groups wishing to perform or gather for activities where the public is welcome to watch or participate such as knitting circles, literary readings, open mic events, etc.
- New exhibition space on walls for work by local artists

4. Museum Programs/Multipurpose Room. This space would include artefact cases, storage, and furniture appropriate for school programs. Because there is no dedicated space at the Richmond Museum, these programs currently require supplies to be carried to and from the Atrium space for each class. The demand for this activity continues to grow as demonstrated by a 20% increase in school programs last year. When not programmed by the Museum, it would be rented to accommodate programs, meetings and classes by community groups.

This conversion is expected to provide the following benefits:

- Increased and enhanced Museum education activities including curriculum-linked school programs, specialized spring break and summer programs, as well as public programs.
- Improved service to community groups.

5. Workshop/Multipurpose Room. This space would be maintained as a workshop for the construction of Museum, Arts Centre and Art Gallery exhibition set pieces that are currently being built in the loading bay of the Cultural Centre, where this creates challenging logistical issues to cordon off the area from other staff, delivery personnel and occasionally general public. When not in use for this purpose, the space could be used for community programs.

This conversion is expected to provide the following benefits:

- Increased and enhanced opportunities for programming by Arts Centre.
- Improved service to community groups.
- Improved working conditions.

6. Office and Meeting space to meet administrative needs.

Three Reuse Options for Arts Education Facility Program

OPTION 1 (Recommended)

	Current Space	Proposed Program - Option 1	Benefits
BASE PROGRAM	Stage & Gyms	Dance Studios (2) with ancillary spaces	<ul style="list-style-type: none"> • 240 dance registration spaces • 170 pottery registration spaces • 75 new youth media arts spaces • Significantly improved customer service for dance programs with appropriate change rooms and washrooms • Increased and improved service and spaces for community organizations • New small-scale performance/public gathering venue • New exhibition space for visual art • Expanded and diversified Arts Centre programs
	Multipurpose 125	Museum Programs/Multipurpose Room	
	Workshop/	Workshop/Multipurpose Room	
	Billiard Room	Pottery Studio	
	Office/Reception	Reception and Administration	
	Lounge 115	Flex Lobby Space	
PLUS		Feature Art Wall	<ul style="list-style-type: none"> • Increased and enhanced museum education activities • Improved working conditions • Innovative partnership with post-secondary education and First Nations • Improved healthy food options for public • Uses existing kitchen
	Kitchen	Culinary Arts/Commissary Kitchen	
	Multipurpose 127/130	Media Arts Studio	
	Cafeteria	Multipurpose Room	

Table 2 – Option 1

In addition to the proposed base program described in table 2 above, this option includes the following (as per Attachment 3 – MPAC Option 1 Floor Plan):

1. Culinary Arts/Commissary Kitchen. The existing commercial kitchen provides an opportunity to work with Lelem (Seyem' Quantlen Business Group) to operate a teaching and commissary kitchen. Lelem has been in discussions with Trinity Western University to partner on a teaching certificate program in culinary arts, as well as with Kwantlen Polytechnic University sustainable foods program to use food grown in the Richmond Farm School. Lelem is also interested in partnering with both universities to complete research into traditional indigenous foods that can be grown and incorporated into Lelem's offerings.

Lelem currently operates the "coffee cart" space at the Cultural Centre and has been recently awarded the contract to provide food service to patrons of Watermania. When not in use for educational programs, the kitchen would be used to prepare fresh food for both locations to broaden the menu choices and eliminate the need to deliver food from Fort Langley where it is currently being prepared. Lelem would also be able to increase services to the Cultural Centre by providing a boxed lunch program for children's summer and spring break camp programs.

Lelem would cover the costs for any upgrades required for the kitchen and pay rent to the City for the use of the space.

This use of the kitchen space is expected to provide the following benefits:

- Innovative collaborative partnership of City, post-secondary education and First Nations sectors
- Improved food services for public and arts programs patrons, as well as Watermania
- Saves the cost of demolishing the kitchen and making good the space
- Healthy eating programs in support of the Community Wellness Strategy

2. Media Arts Studio. It is proposed that the Media Lab move from its small, narrow location in the Cultural Centre to this larger space with an open plan to better serve the growing demand for the youth programs. The larger space would provide approximately 50% higher room capacity. Given last year's 59% increase in participation and 77% increase in program revenue, it is evident that the current space will not be sufficient to meet community need over the next ten years.

The Media Arts Studio would also better serve community groups that specialize in media arts, namely the Cathay Photographic Society and Richmond Photo Club, who are currently using Cultural Centre spaces that are not well-suited for their activities.

The current Media Lab space in the Cultural Centre could be easily repurposed to provide much needed additional space for Museum and Heritage Services.

Moving the Media Lab to this building is expected to provide the following benefits:

- Increased opportunities for youth engagement, with 75 new spaces annually for drop-in and registered programs combined
- Increased opportunities for intergenerational programs by external partners

- Improved service to community groups: in particular, Cathay Photographic Society, Richmond Photo Club, Cinevolution Media Arts Society and Richmond Youth Media Program

3. Multipurpose Program Room. This space (next to the kitchen) would be for music, visual art and other arts education programs as well activities of community groups, such as Gateway Theatre and Richmond Delta Youth Orchestra. It would also provide occasional classroom space for the Culinary Arts program.

This conversion is expected to provide the following benefits:

- Improved service to Resident Art Groups and other community groups
- Increased Arts Centre programs

4. Feature Art Wall. A single free-standing wall at the back of the Flex Lobby/Gathering Space would offer an especially high profile exhibition space for local visual artists to display work on both sides.

OPTION 2

	Current Space	Proposed Program - Option 2	Benefits
BASE PROGRAM	<i>Stage & Gyms</i>	Dance Studios (2) with ancillary spaces	<ul style="list-style-type: none"> • 240 dance registration spaces • 170 pottery registration spaces • 75 new youth media arts spaces • Significantly improved customer service for dance programs with appropriate change rooms and washrooms • Increased and improved service and spaces for community organizations • New small-scale performance/public gathering venue • New gallery for visual art • Expanded and diversified Arts Centre programs • Increased and enhanced museum education activities • Improved working conditions
	<i>Lounge 115</i>	Flex Lobby Space	
	<i>Kitchen & Cafeteria</i>	Pottery Studio	
	<i>Multipurpose 125</i>	Museum Programs/Multipurpose Room	
	<i>Workshop</i>	Workshop/Multipurpose Room	
	<i>Office/Reception</i>	Reception and Administration	
PLUS	<i>Billiard Room</i>	Community Art Gallery	
	<i>Multipurpose 127/130</i>	Media Arts Studio	

Table 3 – Option 2

In addition to the proposed Base Program described in table 3 above, this option includes the following (as per Attachment 4 – MPAC Option 2 Floor Plan):

1. Community Art Gallery. With additional white walls and exhibition-quality lighting, the City can address a long-standing demand from local visual artists for a space to show and sell their work in a professional gallery setting. This room is well-situated near the main entrance of the building and has large windows to provide high visibility to the artwork within.

This conversion is expected to provide the following benefits:

- provide a much-desired space for local artists to professionally exhibit and sell their work
- provide an exciting new arts space for residents and visitors to discover local talent

2. Media Arts Studio. As described in Option 1.

The Pottery Studio would be located in the kitchen and cafeteria space in this option.

This Option is not recommended as it incurs the cost to demolish the kitchen before refurbishing the space and significant additional annual operating costs for the gallery. While the Feature Art Wall in Option 1 does not fulfill community demand for a gallery, it does provide a new, high profile location to exhibit two-dimensional work to complement existing exhibition opportunities offered at community centres, City Hall galleries, Public Art columns and other programs.

OPTION 3

	Current Space	Proposed Program - Option 3	Benefits
BASE PROGRAM	<i>Stage & Gyms</i>	Dance Studios (2) with ancillary spaces	<ul style="list-style-type: none"> • 240 dance registration spaces • 170 pottery registration spaces • Significantly improved customer service for dance programs with appropriate change rooms and washrooms • Increased and improved service and spaces for community organizations • New small-scale performance/public gathering venue • Expanded and diversified Arts Centre programs • Increased and enhanced museum education activities • Improved working conditions • Innovative partnership with post-secondary education and First Nations • Improved food services for public • Uses existing kitchen
	<i>Lounge 115</i>	Flex Lobby Space	
	<i>Billiard Room</i>	Pottery Studio	
	<i>Multipurpose 125</i>	Museum Programs/Multipurpose Room	
	<i>Workshop</i>	Workshop/Multipurpose Room	
	<i>Office/Reception</i>	Reception and Administration	
PLUS	<i>Cafeteria</i>	Multipurpose Room	
	<i>Kitchen</i>	Culinary Arts/Commissary Kitchen	
	<i>Multipurpose 127/130</i>	Multipurpose Room	

Table 4 – Option 3

In addition to the proposed base program described in table 4 above, this option includes the following (as per Attachment 5 – MPAC Option 3 Floor Plan):

1. **Culinary Arts/Commissary Kitchen.** As described in Option 1.
2. **Two Multipurpose Program Rooms.** With benefits as described in Option 1.

This Option is not recommended because it will not meet the growing demand for Media Lab youth programs. This option also does not include a built-in stage for the lobby area, nor a feature art wall.

Level of Service

Given the proximity of the Minoru Place Activity Centre to the existing Cultural Centre, the new arts education facility would be operated and managed by existing staff with additional support as follows:

1. Operation with efficiencies realized from the coordination and combined supervision of the two facilities;
2. Proposed core building operation staff would consist of one Regular Full Time (RFT) Recreation Facility Clerk, one Regular Part Time (RPT) Cultural Centre Attendant, two RFT Building Service Workers (one of which would be shared with Cultural Centre during the day). Additional Attendants and Building Service Workers would be hired on an Auxiliary basis.
3. Proposed programming staff would consist of two RFT Recreation Arts Leaders, plus one RPT Ceramics and Visual Arts Technician for Options 1 & 2. Option 2 would also require one additional RPT Preparator to operate the gallery.
4. Hours of operation, Monday to Friday 9:00 a.m. to 9:30 p.m.; Saturday and Sunday 10.00 a.m. to 5:00 p.m. (same as Cultural Centre)

Table 5 summarizes the required staffing levels for the proposed program options.

Additional Staffing Levels	OPTION 1- Recommended	OPTION 2	OPTION 3
Core Building Operation	<ul style="list-style-type: none"> • One (1) RFT Facility Clerk • One (1) RPT Attendant • Two (2) Building Service Workers (one shared with Cultural Centre) • Plus Auxiliary 		
Programming	<ul style="list-style-type: none"> • Two (2) RFT Arts Leaders • One (1) RPT Ceramics Technician 	<ul style="list-style-type: none"> • Two (2) RFT Arts Leaders • One (1) RPT Ceramics Technician • One (1) RPT Preparator 	<ul style="list-style-type: none"> • Two (2) RFT Arts Leaders • One (1) RPT Ceramics Technician

Table 5 – Staffing levels

This additional Arts Education facility in the heart of the City contributes to the Minoru Park Vision Plan to establish an Arts and Culture District in the south east corner of Minoru Park. The facility is anticipated to provide a continuation of and enhancement to existing services provided across the plaza in the Richmond Cultural Centre, including programs offered by the Richmond Arts Centre, Richmond Museum and dozens of community cultural groups.

Parking

As per the report dated October 31, 2017, based on preliminary assessment, this proposed reuse is estimated to generate the need for an additional 44 parking spaces based on the City's parking bylaw using the Indoor Recreation Classification.

In the short-term (before the existing Minoru Aquatic Centre is demolished) and on weekdays before 5pm, when parking demand is typically low, the additional parking requirement (44 stalls) can be accommodated by the existing parking stalls located on the south side of the existing Minoru Aquatic Centre site. These stalls are currently reserved for senior pass holders and will be made available to the general public upon opening of the Minoru Centre for Active Living at which time the parking reserved for seniors will be located closer to the new facility. During peak periods (on weekdays after 5pm and on weekends), parking at the City Hall Annex, which is currently reserved for staff during City Hall hours, can serve as an overflow parking site. Staff will develop and install signage at Minoru Park that clearly identifies the location and availability of the parking at the City Hall Annex.

After the Minoru Aquatic Centre is demolished, the site remediation works will include 13 additional parking stalls and green park space, which will provide an overall net gain of green space within Minoru Park. At this time, the parking at the City Hall Annex could continue to be used as an overflow parking site during peak periods on weekends and after 5pm on weekdays.

It is worth noting that options for the long-term use of the existing Minoru Aquatic Centre site is being considered as part of the Minoru Park Vision Plan which will be presented to Council in a separate report.

Financial Implications

The November 20, 2017, report to General Purposes Committee identified the costs to repurpose the Minoru Place Activity Centre to a Community Arts and Education Space to be \$3.7M based on a preliminary estimate at which time the program was not detailed.

Table 6 below summarizes the estimated Arts Program-related building costs for the proposed options including direct costs (eg, construction and design), indirect costs (eg, project management, permits, insurance, etc.) and FF&E (Furniture, Fixtures and Equipment).

	OPTION 1- Recommended	OPTION 2	OPTION 3
Arts Program-Related *	\$2,511,000	\$2,553,000	\$2,464,000

* estimates are in 2019 dollars.

Table 6 – Estimated Arts Program-Related Building Costs

As per a detailed building analysis report, to continue to occupy the building for the next 10 years, some internal and exterior building maintenance and repair would be required, regardless of the program needs. This work would be phased over the next 5-10 years as needed.

As part of the detailed design process and in accordance with the City's High Performance Building Policy, opportunities to increase energy use efficiency and reduce greenhouse gas (GHG) emissions through the replacement and upgrade of mechanical and lighting systems in the building will be maximized where possible. Reducing GHG emissions associated with building operations will help the City achieve its corporate building reduction target of 65% reduction by 2020 from 2007 levels. Some of the incremental costs for the high efficiency equipment could be offset by funding from available Fortis BC & BC Hydro incentive programs.

Operating Budget Impact

The annual facility cost (regardless of programming) is \$109,400 for utilities, garbage collections, security, wi-fi, etc. This would be a new cost as the existing facilities budget for the Seniors Centre is transferred to that of the Minoru Centre for Active Living. The estimated service levels' cost to operate the building is \$368,000 which includes front desk/reception staff, supplies, janitorial services and copier lease. The annual programming costs options below include staff, registration, instructors, marketing, equipment maintenance and supplies.

Table 7 below summarizes the estimated Operating budget impact for the proposed options.

Operating Budget Impact (OBI)	OPTION 1- recommended	OPTION 2	OPTION 3
Facility	\$109,400	\$109,400	\$109,400
Operation	\$368,000	\$368,000	\$368,000
Programming	\$371,000	\$436,000*	\$371,000
<i>Total Estimated OBI</i>	<i>\$848,400</i>	<i>\$913,400</i>	<i>\$848,400</i>
REVENUE			
Registrations	\$475,000	\$459,000	\$475,000
Rentals	\$49,000	\$27,000	\$49,000
<i>Total Estimated Revenue</i>	<i>\$524,000</i>	<i>\$486,000</i>	<i>\$524,000</i>
Total Estimated Net OBI	\$324,400	\$427,400	\$324,400

Table 7 – Operating Budget Impact

*For Option 2, the Art Gallery operating/programming model would be determined in consultation with community stakeholders; however, it would be expected to incur an operational cost estimated at \$65,000 annually, assuming that the Richmond Art Gallery absorbs much of the operations. This would include attendant staffing and/or volunteer coordination, installation and removal of exhibitions (including didactic panels, signs, plinths, painting, etc.),

marketing and publicity, special events/catering such as opening receptions and administration and coordination related to programming and/or booking of the space.

A summary of all three options regarding programming space use and financial implications is provided in Attachment 6.

Financial Impact

Should Council approve the recommended Option 1, a capital submission for \$2,511,000 will be submitted for consideration in the 2019 Capital Budget process for detailed design and implementation to complete the work required for the reuse of the Minoru Place Activity Centre. Funds could be allocated from the developer-funded Leisure Facilities Development Reserve.

Funding for parking (addition of 13 stalls in the existing aquatic and senior parking lot) and landscape improvements for the Minoru Park Cultural Precinct was previously approved by Council in November 2017 as part of the 2018 capital budget for the amount of \$800,000.

The net operating budget impact is estimated at \$324,400 which would have a tax impact of approximately 0.12 per cent.

Conclusion

The recommended option will renovate the Minoru Place Activity Centre building to benefit the maximum number of students and community arts groups, help to alleviate waiting lists for dance and pottery classes, provide programming space for the Richmond Museum and introduce a new culinary arts program operated through a partnership with Lelem (Seyem' Quantlen Business Group), Trinity Western University, and Kwantlen Polytechnic University.

Council recommended that Community Arts Education and Program space be the preferred reuse of the building. The overall demand from arts and culture community groups, including the Resident Art Groups that collectively represent over 640 members, is greater than the capacity of the space and well suited for co-location with Arts Centre programs. Revenue through rentals and complementary programming with these community partners would also augment revenue to offset the OBI. In addition, when available, many of the rooms would be accessible to other community groups not specifically identified in this report.

By converting the Minoru Place Activity Centre into a Community Arts Education Space, the City will address a number of immediate space needs and allow the City to plan for more suitable, purpose-built facilities to meet long term needs. Moreover, the addition of a new,

vibrant arts education and presentation facility will add vitality to the Arts and Culture district proposed in the Minoru Park Vision Plan.

A handwritten signature in black ink, appearing to read 'L. Jauk', with a stylized, flowing script.

Liesl G. Jauk, M.A.
Manager, Arts Services
(604-204-8672)

- Att. 1: Community Groups Consultation
- 2: MPAC – Current Plan
- 3: MPAC – Option 1 Plan
- 4: MPAC – Option 2 Plan
- 5: MPAC – Option 3 Plan
- 6: Summary of Options

Attachment 1**2018 Resident Art Group Consultation**

Since the opening of the Richmond Cultural Centre in 1993, the City has hosted Resident Art Groups (previously called User Groups) that were instrumental to the creation of the facility. With decades of history in Richmond, the groups represent a wide range of local arts practice. In return for special rates, long-term regular bookings and services, the groups are expected to have over 60% Richmond membership, actively increase and diversify their membership and engage in public presentations of their work.

The 11 current Richmond Arts Centre Resident Art Groups are:

- Cathay Photographic Society (55 members)
- Richmond Artists Guild (70 members)
- Riverside Art Circle (34 members)
- Richmond Chinese Artist Club (78 members)
- Richmond Chinese Calligraphy and Painting Club (78 members)
- Richmond Potters Club (65 members)
- Richmond Gem and Mineral Society (106 members)
- Richmond Reelers Scottish Country Dancers (30 members)
- Richmond Weavers and Spinners Guild (30 members)
- Textile Artist Guild of Richmond (38 members)
- Richmond Photo Club (61 members)

Staff and Resident Arts Group representatives have been working together for several years balancing the increasing demand on space and time at the Richmond Arts Centre. Membership and activities among these groups have significantly increased, particularly in recent years.

Through a combination of discussions at bi-annual Resident Art Group meetings, one-on-one conversations and a recent survey, it is evident that groups are anxious about their future while they understanding the need to adapt to increased demands for space. The prospect of Minoru Place Activity Centre becoming an arts space is unanimously regarded as a welcome, albeit temporary, solution to current challenges.

Based on feedback received, 100% of the Resident Art groups believe that having more space would:

- allow for more medium and long-term planning,
- reduce worry about increased competition for studio time at the Arts Centre,
- provide space to increase the number of community members served, and
- increase their ability to offer more programs and community engagement.

Four of these groups (Richmond Artists Guild, Riverside Art Circle, Richmond Photo Club and Richmond Potters Club) identified more space and time as an *immediate* priority as their membership has outgrown the current time and room capacity that is available to them.

In addition to the Resident Art Groups, staff have identified other community arts organizations with similar space concerns, including the following:

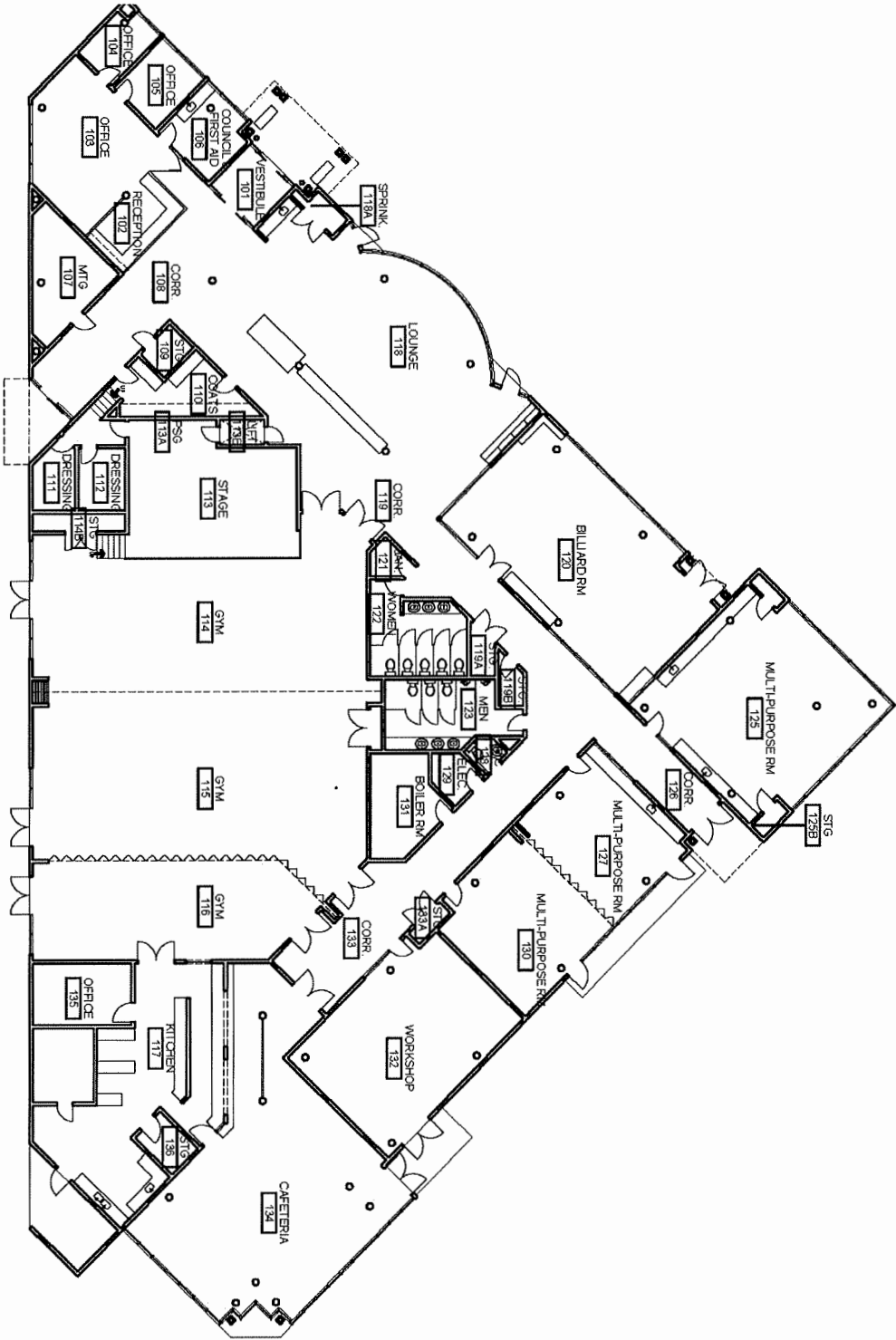
- Richmond Delta Youth Orchestra is in need of additional space for orchestra rehearsals and children/youth music classes.
- Gateway Theatre is in need of additional space for theatre rehearsals and workshops as well as classes for the Gateway Academy.

With the exception of classroom space for the Gateway Academy, it is anticipated that some of the needs of these groups can be met with new space in the Minoru Place Activity Centre.

On a regular basis, the City's Arts Services programs also partner with many other arts and non-arts community organizations and local enterprises that will benefit with increased space and/or programs made possible with the proposed reuse of the Minoru Place Activity Centre. These include:

- Richmond Addiction Services
- Vancouver Coastal Health
- Pathways
- Byte Camp
- Visual Math
- Art About Finn Slough
- City Centre Community Centre
- Richmond Public Library
- Vancouver Cantonese Opera
- SD38

Minoru Place Activity Centre
Current Plan



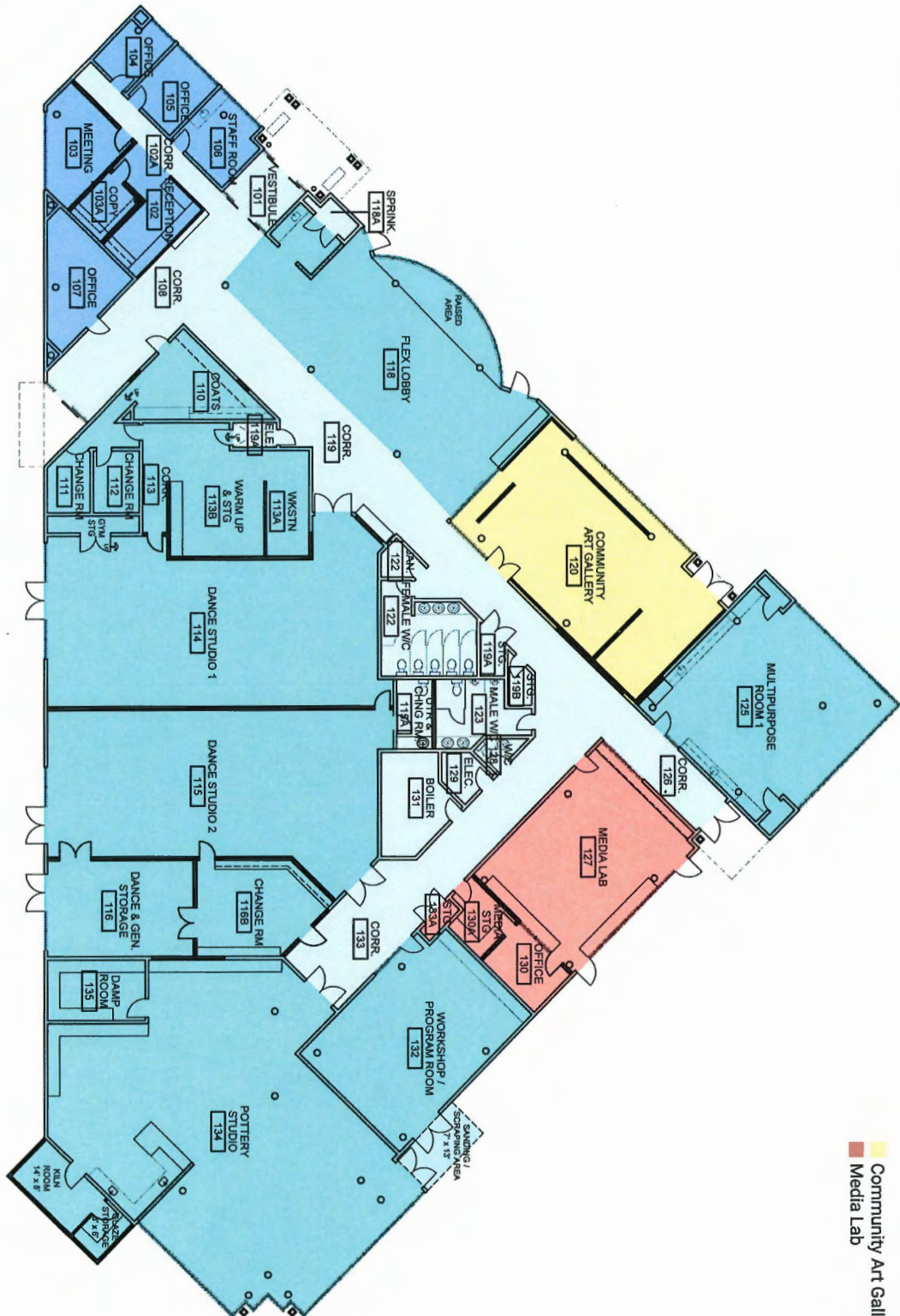
Attachment 3
Program Option 1



LEGEND

- Circulation, washrooms & service space
- Admin space
- Program Space (the same on each plan)
- Multipurpose Room
- Culinary Arts Kitchen
- Media Lab

Attachment 4
Program Option 2



LEGEND

- Circulation, washrooms & service space
- Admin space
- Program Space (the same on each plan)
- Community Art Gallery
- Media Lab

Attachment 5
Program Option 3



- LEGEND
- Circulation, washrooms & service space
 - Admin space
 - Program Space (the same on each plan)
 - Multipurpose Room
 - Culinary Arts Kitchen

SUMMARY OF OPTIONS**Attachment 6**

Current Space	Option 1- Recommended	Option 2	Option 3
<i>Stage & Gyms</i>	Dance Studios (2) with ancillary spaces	Dance Studios (2) with ancillary spaces	Dance Studios (2) with ancillary spaces
<i>Lounge 115</i>	Flex Lobby Space Feature Art Wall	Flex Lobby Space	Flex Lobby Space
<i>Multipurpose 125</i>	Museum Programs / Multipurpose Room	Museum Programs / Multipurpose Room	Museum Programs / Multipurpose Room
<i>Workshop</i>	Workshop / Multipurpose Room	Workshop / Multipurpose Room	Workshop / Multipurpose Room
<i>Office/Reception</i>	Reception and Administration	Reception and Administration	Reception and Administration
<i>Billiard Room</i>	Pottery Studio	Community Art Gallery	Pottery Studio
<i>Cafeteria</i>	Multipurpose Room	Pottery Studio	Multipurpose Room
<i>Kitchen</i>	Culinary Arts / Commissary Kitchen		Culinary Arts / Commissary Kitchen
<i>Multipurpose 127/130</i>	Media Arts Studio	Media Arts Studio	Multipurpose Room
CAPITAL COST	\$2,511,000	\$2,553,000	\$2,464,000
TOTAL NET OBI	\$324,400	\$427,400	\$324,400



City of Richmond

Report to Committee

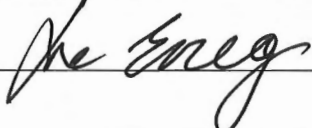

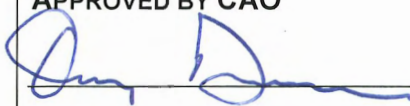
To:	General Purposes Committee	Date:	October 23, 2018
From:	Barry Konkin Manager, Policy Planning	File:	08-4430-03-10/2018- Vol 01
Re:	Cannabis Related Official Community Plan and Zoning Bylaw Amendments in Response to Changes to Provincial Agricultural Land Reserve Legislation		

Staff Recommendations

1. That Richmond Official Community Plan (OCP) Bylaw 9000, Amendment Bylaw No. 9928, to revise Section 3.6.5 of Schedule 1 of the OCP on the City's land use policies for the management of cannabis production in response to changes to *Provincial Agricultural Land Reserve (ALR) Regulation*, be introduced and given first reading.
2. That Bylaw 9928, having been considered in conjunction with:
 - The City's Financial Plan and Capital Program; and
 - The Greater Vancouver Regional District Solid Waste and Liquid Waste and Management Plans;is hereby found to be consistent with the said programs and plans, in accordance with Section 477(3)(a) of the *Local Government Act*.
3. That Richmond Official Community Plan 9000, Amendment Bylaw No. 9928, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043 and Section 477(3)(b) of the *Local Government Act*, be forwarded to the Agricultural Land Commission for comment in advance of the Public Hearing.
4. That Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9929, to amend Section 3.4 and Section 5.13 of the Zoning Bylaw related to the production of cannabis in response to changes to Provincial ALR legislation, be introduced and given first reading.


Barry Konkin
Manager, Policy Planning

Att.

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

Staff Report

Origin

On July 13, 2018, the Province of British Columbia announced changes to the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* regarding cannabis production in the Agricultural Land Reserve (ALR). These new regulations identified that the lawful production of medical and non-medical (recreational) cannabis is a farm use if it occurs:

1. Outdoors in a field or in a building or structure with a soil base; or
2. In an existing building or structure (or under construction) used for the purpose of growing crops.

Council directed staff to review existing City Bylaws in relation to cannabis and report back. We note that the recommended amendments in this report have no impact on Council's recent amendments regarding concrete-slab greenhouses, and would maintain Council's prohibition on retail of cannabis in the City. Council received a letter from Honourable Lana Popham, BC Minister of Agriculture dated October 2, 2018 regarding amendments to the City's Zoning Bylaw regarding greenhouse construction. Staff have been in contact with Ministry representatives and have requested an opportunity to discuss the City's desire to protect agricultural land, and ways in which the Ministry of Agriculture can do more to prevent the destruction of high-quality agricultural soils by the construction of large concrete-slab greenhouses.

This report outlines proposed amendments to the Official Community Plan (OCP) Bylaw 9000 and Richmond Zoning Bylaw 8500, which are proposed in order to bring related City Bylaws into compliance with the changes to provincial regulation while maintaining the City's existing restrictive regulatory framework.

This report supports Council's 2014-2018 Term Goal #1 A Safe Community:

Maintain emphasis on community safety to ensure Richmond continues to be a safe community.

- 1.1. *Policy and service models that reflect Richmond-specific needs.*
- 1.2. *Program and service enhancements that improve community safety services in the City.*

This report supports Council's 2014-2018 Term Goal #3 A Well-Planned Community:

Adhere to effective planning and growth management practices to maintain and enhance the livability, sustainability and desirability of our City and its neighbourhoods, and to ensure the results match the intentions of our policies and bylaws.

- 3.1. *Growth and development that reflects the OCP, and related policies and bylaws.*

Change to Provincial Legislation

On July 13, 2018, the Province of BC amended the *ALR Use, Subdivision and Procedure Regulation* to define how cannabis may be lawfully grown as a permitted farm use (Attachment 1 is a copy of the ALC Information Bulletin 04 on this matter).

The lawful production of cannabis is a designated farm use under the ALR regulations as follows:

- Growing and cultivation of cannabis outdoors in an open field or within a structure/building occurring entirely on a native soil base.
- Growing and cultivation of cannabis in a structure that was either fully constructed or under construction, with required permits in place, prior to the revised ALR regulations coming into effect for the purpose of growing crops.

The legislative changes enable local government to prohibit cannabis production on ALR lands not consistent with the ALR regulations (i.e. concrete slab, industrial type cannabis production facilities).

Existing OCP and Zoning Bylaw Regulations Related to Cannabis Production

OCP Policy

The OCP limits the proliferation of medical and non-medical cannabis production and cannabis research and development facilities city-wide by restricting any such facility to a site designated as “Mixed Employment” or “Industrial”. The OCP policy also limits any type of cannabis production or cannabis research and development facility to one facility only city-wide.

Zoning Bylaw 8500

Richmond Zoning Bylaw 8500 currently has land use definitions for a “medical cannabis production facility”, “non-medical cannabis production facility” and “cannabis research and development facility”. None of these identified land uses are permitted in any zoning-district city-wide, and a rezoning application is required to allow City Council to consider the site-specific requirements of the use. Furthermore, the land use definitions for “farm business” and “agriculture” explicitly exclude cannabis related activities.

Analysis

OCP Amendments

Amendments to the OCP are needed for Section 3.6.5 regarding the production of cannabis and related activities so that they are coordinated with the proposed Zoning Bylaw changes (summarized in the following section).

The following additional policy statements are proposed to be added to Section 3.6.5 of the OCP to clarify the types of lawful cannabis production permitted in the ALR and maintain the City’s approach to restrict forms of cannabis production not permitted in the ALR regulations:

“The lawful production of cannabis in the Agricultural Land Reserve is considered a permitted farm use only if produced outdoors in a field, inside a structure that has a base consisting entirely of soil, or inside in a building or structure constructed for the purpose of growing crops or under construction for the purpose of growing crops in accordance with the Agricultural Land Reserve Regulations, as amended.”

“Use of OCP designated Agriculture areas for a medical cannabis production facility, non-medical cannabis production facility or cannabis research and development facility is not supported as these industrial-style cannabis facilities are not considered farm uses.”

It is noted that the *ALR Use, Subdivision and Procedure Regulation* – and the amendments outlined in this report – are clear that the conversion of existing structures that were not originally built for raising crops (barns, sheds, out buildings, storage buildings and the like) are not permitted to be used for the indoor growing of cannabis.

Zoning Bylaw Amendments

Amendments to Richmond Zoning Bylaw 8500 are proposed to address the production of cannabis both inside and outside of the ALR in response to changes to the Provincial ALR legislation. A table summarizing the City’s regulatory framework in relation to cannabis production and related activities is contained in Attachment 2 and includes the proposed Zoning Bylaw amendments recommended in this report.

To ensure that the City’s regulatory framework for cannabis is consistent with the ALR legislation for the production of cannabis as a permitted farm use, the following Zoning Bylaw amendments are proposed:

- Amend the definition of “farm business” to be consistent with the ALR regulation to allow the production of cannabis:
 - outside in an open field or within a structure/building occurring entirely on a native soil base; or
 - in a building/structure that was either fully constructed or under construction for the purpose of growing crops, from the date this Richmond Zoning Bylaw 8500 amendment comes into effect.
- Amend the definition of “medical cannabis production facility” and “non-medical cannabis production facility” to differentiate these uses from the production of cannabis considered to be a farm use under the ALR legislation.

Through the staff review of appropriate bylaw responses to the new provincial ALR regulations, it became apparent that the City’s Zoning Bylaw did not have regulations to address proposals involving commercial cannabis production outdoors or production in a soil based structure for areas outside of the ALR (i.e. larger industrial zoned and designated parcels). In response, a new “commercial cannabis cultivation” use definition is proposed with details provided below. Other Zoning Bylaw amendments are proposed to maintain Richmond City Council’s desired approach to regulate the production of cannabis that is not a farm use in the ALR and City-wide. A summary of the proposed Zoning Bylaw amendments are as follows:

- Create a use definition of “commercial cannabis cultivation” that would not be permitted in any zoning district; which will address the commercial cultivation of cannabis outside of the ALR via unenclosed outdoor cultivation or cultivation in any type of building or structure with a soil base and any related accessory uses. This use would require a rezoning approved by Council.
- The City’s Zoning Bylaw currently allows “agriculture” as a permitted secondary use in all zones, so long as it occurs in conjunction with the principal use (i.e. urban agriculture as a secondary use to a principal industrial or residential use). “Farm business” generally applies to “Agriculture (AG1)” zoned property in the ALR and allows for a wide range of farm uses and related activities to occur.
- Zoning Bylaw 8500, Amendment Bylaw 9929 proposes to amend the “agriculture” definition and section (5.13.4) of the bylaw that permits “agriculture” as a permitted secondary use in all zones to not permit the production of cannabis under this land use definition.
- The “greenhouse & plant nursery” definition applies to commercial/retail establishments generally involved in the household plant and bedding business that operate outside of the ALR (i.e. garden centres attached to home improvements stores). The proposed changes would amend this definition to not permit the lawful production of cannabis and “commercial cannabis cultivation” from occurring under this use.

If the proposed bylaw amendments are approved by Council, no approvals would be required from the Agricultural Land Commission (ALC) or City for a property owner to grow cannabis in open cultivation or within a building with a soil floor in the ALR. In addition, the bylaw amendments outlined in this staff report will ensure that large-scale concrete floor industrial-type buildings, outside the ALR would require Council approval of a rezoning application (refer to Attachment 2).

It is noted that the amendments proposed in this report are intended to reflect the recently amended *ALR Use, Subdivision and Procedure Regulation*. The proposed regulations have no bearing on the Federal and Provincial regulations which permit the personal growing of up to 4 cannabis plants per household. The role of municipal government is limited to land use and business licensing regulations and the authority to regulate the provisions to grow up to 4 cannabis plants is a Federal and Provincial responsibility.

Conversion of Existing Agricultural Buildings and Greenhouses

The July 13, 2018 changes to the provincial ALR regulations allow for the production of cannabis in existing buildings, which were specifically constructed (with valid building permits) for crop production either fully constructed or under construction, as of July 13, 2018. Agricultural buildings used for crop production proposed to be converted for the production of cannabis could have concrete floors or footings, depending on the method of original construction. Agricultural buildings purpose-built for crops cannot be altered to increase the size of its base or to change the material used at its base.

Application Process – Cannabis Production and Related Activities Outside of the ALR

The proposed OCP and Zoning Bylaw amendments contained in this report maintains the existing City approach to require rezoning for any type of commercial cannabis production activities outside of the ALR (refer to Attachment 2).

Impacts to Existing Rezoning Application – 5960 No. 6 Road

Council granted third reading to a rezoning application at 5960 No. 6 Road (RZ 14-665028; Zoning Amendment Bylaw 9592) on September 6, 2016. If the Zoning Bylaw amendments proposed in this report are approved, minor amendments to the Zoning Amendment Bylaw 9592 associated with the rezoning will need to occur prior to adoption.

Public Consultation

Staff have reviewed the proposed OCP and Zoning Bylaw amendments, with respect to the *Local Government Act* and the City's OCP Consultation Policy No. 5043 requirements. As the amendments proposed in this report are required (the City must amend the Richmond Zoning Bylaw to be in alignment with the new ALC Regulations) staff have not yet referred to external stakeholders or Richmond's Agricultural Advisory Committee (AAC).

Should the recommended amendments be supported, staff will forward the proposed bylaws to the Agricultural Land Commission, and the City's Agricultural Advisory Committee and secure their input prior to the Public Hearing in accordance with Section 477(3)(b) of the *Local Government Act* and the City's OCP Consultation Policy No. 5043.

A Public Hearing will be held for the proposed bylaws, which will give all interested parties an opportunity to provide Council with their input, and the Public Hearing notice will be placed in the local newspapers in compliance with the requirements of the *Local Government Act*.

Financial Impact

None.

Conclusion

On July 13, 2018, the ALR regulations were amended by the province to designate the lawful production of cannabis as a farm use if produced outdoors in a field or inside soil-based structures or structures purpose built for the production of crops that were existing or under construction at the time of the legislation change. The provincial amendment to the ALR regulations also has the effect of allowing local governments to prohibit concrete-slab, industrial type cannabis production facilities.

In response to the provincial legislation, this report recommends that Richmond Official Community Plan Bylaw 9000, Amendment Bylaw No. 9928 and Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9929 be introduced and given first reading to comply with the new ALR regulations and not permit industrial type cannabis production facilities on agricultural land.

A handwritten signature in black ink, appearing to read 'K. Eng', with a stylized flourish extending to the right.

Kevin Eng
Planner 2

KE:cas

Attachment 1: ALC Information Bulletin 04 – Cannabis Production in the ALR

Attachment 2: Summary Table – Cannabis Production Activities and Proposed Regulatory Approach



**INFORMATION BULLETIN 04
CANNABIS PRODUCTION IN THE ALR**

August 15, 2018

SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (**ALCA**) and the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, BC Reg. 171/2002 (the **ALR Regulation**), in relation to cannabis production in the agricultural land reserve (**ALR**). The ALCA and ALR Regulation will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA and the ALR Regulation. All other applicable laws, regulations and bylaws related to cannabis production must also be complied with.

RECENT REGULATORY CHANGES

The ALR Regulation has recently been amended. The changes came into force on July 13, 2018. Section 2(2)(p) of the ALR Regulation, which designated as farm use "the production of marihuana in accordance with the Marihuana for Medical Purposes Regulation, SOR/2013-119 (Canada)", has been repealed. The following has been added as **section 2(2.5)** to the ALR Regulation:

The lawful production of cannabis is designated as farm use for the purposes of the [ALCA] if produced outdoors in a field or inside a structure

- (a) that has a base consisting entirely of soil, or
- (b) that was, before the date on which this section came into force,
 - (i) constructed for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis, or
 - (ii) under construction for the purpose referred to in subparagraph (i), if that construction
 - (A) was being carried out in accordance with all applicable authorizations and enactments, and
 - (B) continues without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry, and

that has not been altered since that date to increase the size of its base or to change the material used as its base.

Section 2(1.1) of the ALR Regulation provides:

The activities designated under [section 2 of the ALR Regulation] as farm uses for the purposes of the [ALCA] must not be prohibited

- (a) by any local government bylaw except a bylaw under section 552 of the *Local Government Act*, or
- (b) by a law of the applicable treaty first nation government, if the activity is undertaken on treaty settlement lands.

GENERAL INTERPRETATIVE PRINCIPLES

The ALCA prohibits “non-farm use” of land in the ALR unless the owner of the land successfully makes an application to the Agricultural Land Commission for permission to undertake that use or that use is expressly permitted under section 3 of the ALR Regulation: ALCA, section 20. Sections 20(3), 25 and 34 of the ALCA and Part 10 of the ALR Regulation are among the provisions relevant to non-farm use applications.

A “non-farm use” is a “use of land other than a farm use”: ALCA, s. 1.

The form of cannabis production described in section 2(2.5) of the ALR Regulation is designated as farm use. Therefore, producing cannabis on the ALR in the manner described in section 2(2.5) of the ALR Regulation does not require a non-farm use application to the Agricultural Land Commission.

However, section 2(2.5) of the ALR Regulation does not designate as farm use:

- cannabis production that does not meet the description in section 2(2.5). Having regard to the regulatory framework, this information bulletin treats forms of cannabis production that are not described in section 2(2.5), together with all activities associated with forms of cannabis production not described in section 2(2.5), as non-farm uses.
- non-production activities associated with the cannabis production described in section 2(2.5). Having regard to the regulatory framework, this information bulletin treats those activities as non-farm uses except to the extent that they fall into exceptions found elsewhere in section 2 or 3 of the ALR Regulation.

PLACEMENT OF FILL IN THE ALR

Placement of fill onto land in the ALR for any reason related to cannabis production, **whether it is a form of production described in section 2(2.5) of the ALR Regulation or not**, cannot be undertaken without a successful non-farm use application to the Agricultural Land Commission. That is, if a producer wishes to place fill on the land even for the purpose of cannabis production described in section 2(2.5) of the ALR Regulation, he or she will not be able to do so without obtaining permission from the Agricultural Land Commission through a non-farm use application.

This is because section 20(2) of the ALCA generally defines the placement of fill as a non-farm use, subject to certain exceptions. Those exceptions do not apply to cannabis production.

Though sections 2(4) and (5) of the ALR Regulation designate as farm use certain fill placement related to uses designated under sections 2(2)-(2.2) of the ALR Regulation, cannabis production is addressed in section 2(2.5), so sections 2(4) and (5) do not apply. Please consult the Agricultural Land Commission's Bylaw No. 2 – Placement of Fill in the ALR and Policy L-23 – Placement of Fill for Soil Bound Agricultural Activities.

CANNABIS PRODUCTION IN THE ALR

Section 2(2.5) of the ALR Regulation requires that to be designated as farm use, production of cannabis must meet various requirements including that the production is "lawful". The production of cannabis is not lawful unless it is licensed by the Government of Canada (excluding exemptions for personal cultivation). As such producers need to be very careful about taking steps in reliance on section 2 of the ALR Regulation without first ensuring that federal preconditions (as well as preconditions that other governments may impose) are or will be met before production occurs.

Field Production

Lawful production of cannabis in the ALR **outdoors in a field** is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission.

Soil Based Structure Production

Lawful production of cannabis in the ALR **inside a structure that has a base consisting entirely of soil** is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission. Note:

- The base – that is, what the structure rests on – must be "entirely" of soil in order for production in it to qualify under section 2(2.5)(a) of the ALR Regulation. Production in a structure that has a base consisting partly of a material other than soil, even if the non-soil material constitutes a very small portion of the base, does not qualify under section 2(2.5)(a) of the ALR Regulation. Structures that do not have a base consisting entirely of soil are structures that have a base consisting partly or entirely of other materials, such as structures with cement footings or a cement floor.
- "Soil" means material native to the property, not material brought onto the property for the purpose of creating the base or for any other purpose. If imported onto the property, the material is "fill", the placement of which requires a non-farm use application: ALCA, section 20.

Production in Existing Structures

Lawful production of cannabis in the ALR **inside a structure that had been, before July 13, 2018, constructed for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis**, is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission. Note:

- Existing structures used for the lawful production of cannabis do not have to have a base made entirely of soil.

- The structure must not have been altered on or after July 13, 2018 to increase the size of its base or to change the material used as its base.
- The structure must have been built for the purpose of growing “crops”. Livestock are not crops and, as such, production of cannabis in a converted livestock barn is not designated as farm use under section 2(2.5) of the ALR Regulation.

Production in Structures that Were Under Construction

If the requirements outlined in the bullet points set out later in this paragraph are met, lawful production of cannabis **inside a structure** (even if its base is not entirely soil) **that was under construction before July 13, 2018 for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis**, is designated as farm use and can be undertaken without a non-farm use application to the Agricultural Land Commission. For a structure to have been “**under construction**” before July 13, 2018, ground disturbance (such as excavation for laying foundation) must have commenced before that date; it would not be sufficient for the property owner to have made a permit application or received a permit for construction before July 13, 2018. The further requirements for lawful cannabis production to be designated under this portion of section 2(2.5) of the ALR Regulation are as follows:

- The pre-July 13, 2018 construction was being carried out in accordance with all applicable authorizations and enactments.
- The construction must continue without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry.
- The construction must not be altered on or after July 13, 2018 to increase the size of the structure’s base or to change the material used as its base.

Other Cannabis Production

Cannabis production not described in section 2(2.5) of the ALR Regulation is not designated as farm use. Neither that production nor activities related to that production (such as the construction, maintenance or operation of a building or structure, or processing of the cannabis) can be undertaken without a successful non-farm use application to the Agricultural Land Commission.

CONSTRUCTING, OPERATING OR MAINTAINING CANNABIS PRODUCTION FACILITIES

A non-farm use application to the Agricultural Land Commission is not required in order to construct, maintain or operate a building, structure, driveway, ancillary service or utility that is **necessary for the lawful production of cannabis described in section 2(2.5) of the Regulation**: ALR Regulation, section 2(3). Note:

- Section 2(2.5)(a) of the ALR Regulation refers to lawful production of cannabis inside a structure “that has a base consisting entirely of soil”. Construction, maintenance or operation of the soil-based structure necessary for that production can be undertaken without applying to the Agricultural Land Commission.

- Section 2(2.5)(b) refers to lawful production of cannabis inside a structure that meets certain requirements addressed earlier in this information bulletin. Completion of the structure referred to in section 2(2.5)(b)(ii), and maintaining and operating either that structure or the structure referred to in section 2(2.5)(b)(i), can be undertaken without applying to the Agricultural Land Commission.
- Other than as described in section 2(2.5) of the ALR Regulation, a building or structure is unlikely to be necessary for the form of cannabis production described there, as section 2(2.5) already addresses where the production is located. Possible exceptions may be a small washroom facility or small office for a required supervisor no greater than necessary for that form of cannabis production to occur on the land.
- Though associated with the form of cannabis production described in section 2(2.5), construction, maintenance or operation (including for a conference centre) of a building, structure, driveway, ancillary service or utility that is not necessary for that production on the land, may not occur without a successful non-farm use application to the Agricultural Land Commission. Proponents of such uses should be prepared to justify in their application materials why such use, both in that nature/scale and at all, is appropriate in the ALR rather than, for example, in an industrial park outside the ALR.

Construction, maintenance or operation of a building, structure, driveway, ancillary service or utility necessary for a form of cannabis production that is not described in section 2(2.5) of the ALR Regulation cannot be undertaken without a successful non-farm use application to the Agricultural Land Commission.

STORING, PACKING, PREPARING OR PROCESSING CANNABIS

Storing, packing, preparing or processing cannabis yielded by the form of cannabis production described in section 2(2.5) of the ALR Regulation (and construction, maintenance or operation of a building, structure, driveway, ancillary service or utility necessary for that storing, packing, preparing or processing) can be undertaken without a non-farm use application to the Agricultural Land Commission if at least 50% of the cannabis being stored, packed, prepared or processed is produced on the "farm" (for this purpose being one or several parcels of land or tenured areas of Crown land that are being occupied or used together for designated or other farm uses), or produced by an association as defined in the *Cooperative Association Act* to which the owner of the farm belongs: section 2(2)(c) of the ALR Regulation.

Storing, packing, preparing or processing cannabis yielded by a form of production not described in section 2(2.5) of the ALR Regulation is not designated as farm use. These activities cannot be undertaken without a successful non-farm use application to the Agricultural Land Commission.

LOCAL GOVERNMENT

Local governments can have an important role to play in the regulatory framework related to cannabis production.

However, local government bylaws may not prohibit the lawful production of cannabis in the ALR if it is produced as described in section 2(2.5) of the ALR Regulation.

Local governments also play a role when non-farm use applications related to cannabis production and associated activities are made to the Agricultural Land Commission. Sections 25 and 34 of the ALCA are among the relevant provisions that they should consult.

FURTHER EXPLANATORY NOTES

Also note the following:

- The word “necessary” (for a designated farm use) figures in several of the above-discussed scenarios. It is within the purview of the Agricultural Land Commission to determine whether and to what extent activities are “necessary”.
- In determining whether an activity is “necessary” to a designated farm use, the Agricultural Land Commission may consider whether the nature and size of the activity are proportionate to the designated farm use.
- If someone claims that an activity is “necessary” for a designated farm use that has not yet commenced, the Agricultural Land Commission may require satisfactory evidence that the proposed use is in fact going to occur, and that the nature and size of activity characterized as “necessary” (such as construction of a driveway) will in fact be necessary to that use.
- Except for exemptions for personal cultivation, the “lawful” production of cannabis required for section 2(2.5) of the ALR Regulation requires licensing at the federal level. As noted earlier in this information bulletin, producers need to be very careful about taking steps in reliance on section 2 of the ALR Regulation without first ensuring that federal preconditions (as well as preconditions that other governments may impose) are or will be met before production occurs.
- For the purposes of sections 2(2)(o) and 4 of the ALR Regulation, structures in which cannabis is produced are not considered to be “greenhouses”. Section 2(2.5) of the ALR Regulation does not use the term “greenhouse” for any of the structures it describes. This indicates that under the ALR Regulation the concepts were to be treated as distinct and not to be confused.

Summary Table of Type of Cannabis Activities and Proposed City Regulatory Approach

Cannabis Production Location		Facility Type/Production Method	Required Development Applications	Permitted use (in Zoning Bylaw)
Production of Cannabis <u>in the ALR</u>	Outright permitted uses; No City approvals required	Open field/soil cultivation	None	Farm business
		In a soil based building/structure	None	Farm business
		Production in existing building or structure considered a farm use under ALR regulations	None	Farm business
	Non-permitted uses; ALC Non-farm use application required; Rezoning required	Production in existing building or structure not used for crops – not considered a farm use under ALR regulations	ALR Non-Farm Use Rezoning	Medical cannabis production facility Non-medical cannabis production facility
		Purpose built facility	ALR Non-Farm Use Rezoning	Medical cannabis production facility Non-medical cannabis production facility
Production of Cannabis in Urban Areas <u>outside of the ALR</u>	City approval required	Purpose built facility	Rezoning	Medical cannabis production facility Non-medical cannabis production facility
		Existing building - Converted	Rezoning	Medical cannabis production facility Non-medical cannabis production facility
		Commercial/industrial type greenhouse	Rezoning	Medical cannabis production facility Non-medical cannabis production facility
		Open field/soil cultivation	Rezoning	Commercial cannabis cultivation
		Building/structure with a soil base	Rezoning	Commercial cannabis cultivation

*Note – If in ALR, also requires ALR Non-Farm Use Application



**Official Community Plan Bylaw 9000
Amendment Bylaw 9928
(Production of Cannabis in the Agricultural Land Reserve and
City-Wide Official Community Plan Policy)**

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

1. Richmond Official Community Plan Bylaw 9000, as amended, is further amended at Section 3.6.5 (Health Canada Licensed Medical Marijuana Production, and Research and Development Facilities) by deleting it in its entirety and replacing it with the following:

“3.6.5 Federally Licensed Medical Cannabis Production, Non-Medical Cannabis Production, Cannabis Research and Development Facilities and Commercial Cannabis Cultivation

OVERVIEW

The City wishes to regulate the location and number of medical and non-medical cannabis production and cannabis research and development facilities and commercial cannabis cultivation activities in Richmond.

Council may consider medical and non-medical cannabis production, research and development and commercial cannabis cultivation related facilities, on a case-by-case review basis, subject to meeting rigorous social, community safety, land use, transportation infrastructure, environmental and financial planning, zoning and other City policies and requirements. This section establishes the policies and requirements, by which such proposed facilities may be considered and, if deemed appropriate, approved.

TERMS

In this section, the following terms apply:

- “Medical Cannabis Production Facility” – means a facility for the cultivation or processing of medical cannabis in a building or structure containing any concrete construction, hardsurfacing or other impermeable structure or construction sunk into, at or below natural grade of the site in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory uses related to cultivation, processing, testing, research and development, packaging, storage, distribution and administrative office functions that are directly related to and in support of cultivation and processing activities.

- “Non-Medical Cannabis Production Facility” – means a facility for the cultivation or processing of non-medical cannabis in a building or structure containing any concrete construction, hardsurfacing or other impermeable structure or construction sunk into, at or below natural grade of the site in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory uses related to cultivation, processing, testing, research and development, packaging and storage and administrative office functions that are directly related to and in support of cultivation and processing activities.
- “Cannabis Research and Development Facility” – means a facility for the research and development, including testing, of cannabis only in a fully enclosed building or structure in accordance with the appropriate federal and provincial legislation and regulations.
- “Commercial Cannabis Cultivation” – means the commercial production of medical or non-medical cannabis located outside of the Agricultural Land Reserve limited to unenclosed outdoor cultivation or cultivation in a building or structure with a base consisting entirely of soil in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory uses related to cultivation, processing, testing, research and development, packaging and storage and administrative office functions that are directly related to and in support of cultivation and processing activities but does not include a Medical Cannabis Production Facility and Non-medical Cannabis Production Facility.

OBJECTIVE 1:

Protect the City’s social, economic, land use and environmental interests when considering proposed medical and non-medical cannabis production facilities, cannabis research and development facilities and commercial cannabis cultivation by preventing their unnecessary proliferation, avoiding long-term negative effects, and ensuring minimal City costs.

POLICIES:

- a) limit a medical cannabis production facility, non-medical cannabis production facility, cannabis research and development facility and commercial cannabis cultivation, through the rezoning process, to a total of one facility only. This single facility will only be permitted in an OCP designated Mixed Employment or Industrial area. Any proposals for additional facilities may be considered on a case-by-case basis and may require additional OCP amendments;
- b) the lawful production of cannabis in the Agricultural Land Reserve is considered a permitted farm use only if produced outdoors in a field, inside a structure that has a base consisting entirely of soil, or inside in a building or structure constructed for the purpose of growing crops or under construction for the purpose of growing crops in accordance with the *Agricultural Land Reserve Regulations*, as amended;

- c) use of OCP designated Agriculture areas for a medical cannabis production facility, non-medical cannabis production facility or cannabis research and development facility is not supported as these industrial-style cannabis facilities are not considered farm uses;
- d) a medical cannabis production facility, non-medical cannabis production facility, cannabis research and development facility or commercial cannabis cultivation that occurs indoors must be located in a stand-alone building, which does not contain any other businesses, in accordance with the appropriate federal and provincial legislation and regulations;
- e) For lands outside of the ALR, all security, community safety, potential noise/odour/lighting impacts and other issues related to outdoor production and cultivation must be addressed for commercial cannabis cultivation that occurs outdoors, in accordance with the appropriate federal and provincial legislation and regulations;
- f) a medical cannabis production facility, non-medical cannabis production facility, cannabis research and development facility or commercial cannabis cultivation must
 - i) have frontage on an existing, opened and constructed City road, to address infrastructure servicing and emergency response requirements;
 - ii) avoid negatively affecting sensitive land uses (e.g., residential, school, park, community institutional);
 - iii) not emit any offensive odors, emissions and lighting to minimize negative health and nuisance impacts on surrounding areas;
- g) applicants shall engage qualified professional consultants to prepare required studies and plans through the City's regulatory processes (e.g., rezoning, development permit, building permit, other as required);
- h) applicants shall ensure that proposals address the following matters, through the City's regulatory processes (e.g., rezoning, development permit, building permit, other):
 - i) compliance with City social, community safety, land use, building, security (e.g., police, fire, emergency response), transportation, infrastructure (e.g., water, sanitary, drainage), solid waste management, environmental (e.g., Environmentally Sensitive Areas, Riparian Management Areas, Ecological Network), nuisance (e.g., noise, odour and emissions) financial and other policies and requirements;
 - ii) compliance with all federal, provincial and regional (e.g., Metro Vancouver) policies and requirements;
 - iii) compliance with the City Building Regulation Bylaw, Fire Protection and Life Safety Bylaw, Noise Regulation Bylaw, Business License Bylaw, Business Regulation Bylaw and other related, applicable City Bylaws;

- iv) compliance with the current BC Building Code, BC Fire Code, BC Fire Services Act, BC Electrical Code, and other related codes and standards;
 - i) the applicant/owner of a Federally licensed and City approved medical cannabis production facility, non-medical cannabis production facility, cannabis research and development facility or commercial cannabis cultivation operation shall be responsible for full remediation of the facility should it cease operations or upon closure of the facility;
 - j) consultation with stakeholders on a proposed facility shall be undertaken as deemed necessary based on the context specific to each proposal.”
2. This Bylaw may be cited as **“Official Community Plan Bylaw 9000, Amendment Bylaw 9928”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

_____	CITY OF RICHMOND

_____	APPROVED by KE
_____	APPROVED by Director or Solicitor BK

MAYOR_____
CORPORATE OFFICER



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9929
(Cannabis Related Zoning Regulations)**

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

1. Richmond Zoning Bylaw 8500 is amended by adding the following use definition in Section 3.4 (Use and Term Definitions):

“Commercial cannabis cultivation

means the commercial production of medical or non-medical cannabis located outside of the **Agricultural Land Reserve** limited to unenclosed outdoor cultivation or cultivation in a **building** or **structure** with a base consisting entirely of soil in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory **uses** related to cultivation, processing, testing, research and development, packaging and storage and administrative **office** functions that are directly related to and in support of cultivation and processing activities but does not include a **Medical Cannabis Production Facility** and **Non-medical Cannabis Production Facility**.”

2. Richmond Zoning Bylaw 8500 is amended by repealing and replacing the following use definitions in Section 3.4 (Use and Term Definitions):

“Agriculture

means the **use** of land outside of the **Agricultural Land Reserve** for the growing of crops or the raising of domesticated animals and allotment gardens where land is divided into plots for exclusive **use** as vegetable, fruit or flower gardens such as private and community gardens but does not include a **medical cannabis production facility**, **non-medical cannabis production facility**, the lawful production of cannabis as a **farm business** and **commercial cannabis cultivation**.

Farm business

means a **business** in which one or more of the following farm activities are conducted, and includes a farm education or farm research institution to the extent that the institution conducts one or more of the following farm activities:

- a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- b) clearing, draining, irrigating or cultivating land;
- c) using farm machinery, equipment, devices, materials and **structures**;
- d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
- e) conducting any other agricultural activity on, in or over agricultural land;

- f) intensively cultivating in plantations, any
 - i) specialty wood crops, or
 - ii) specialty fibre crops prescribed by a Minister of the Province of BC;
- g) conducting turf production in an **Agricultural Land Reserve** with the approval under *Agricultural Land Commission Act* of the Provincial Agricultural Land Commission;
- h) aquaculture as defined in the *Fisheries Act* when carried on by a person licensed, under Part 3 of that Act, to carry on the **business** of aquaculture;
- i) raising or keeping game, within the meaning of the *Game Farm Act*, by a person licensed to do so under that Act;
- j) raising or keeping fur bearing animals, within the meaning of the *Fur Farm Act*, by a person licensed to do so under that Act;
- k) processing or direct marketing by a farmer of one or both of
 - i) the products of a farm owned or operated by the farmer, and
 - ii) within limits prescribed by a Minister of the Province of BC, of products not of that farm, to the extent that the processing or marketing of those products is conducted on the farmer's farm, but
- l) the lawful production of cannabis on land inside of the **Agricultural Land Reserve**, if produced outdoors in a field or inside a structure
 - i) that has a base consisting entirely of soil, or
 - ii) that was, before the date this section came into force:
 - (A) constructed for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis or
 - (B) under construction for the purpose referred to in subparagraph (A), if that construction
 - (i) was carried out in accordance with all applicable authorizations and enactments, and
 - (ii) continues without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry, and

that has not been altered since the date this section came into force to increase the size of its base or to change the material used as its base.

farm business does not include:

- a) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the *Forest and Range Practices Act*;
- b) breeding pets or operating a kennel;
- c) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by a Minister of the Province of BC;
- d) a **medical cannabis production facility** except as otherwise expressly permitted under section l) of the definition of **farm business**;
- e) a **non-medical cannabis production facility** except as otherwise expressly permitted under section l) of the definition of **farm business**; and
- f) a **cannabis research and development facility**.

Greenhouse & plant nursery

means a facility for the raising, storage and sale of produce bedding, **household**, ornamental plants and related materials such as tools, soil, fertilizers and garden furniture but does not include a **medical cannabis production facility**, **non-medical cannabis production facility**, the lawful production of cannabis as a **farm business** or **commercial cannabis cultivation**.

Medical Cannabis Production Facility

means a facility for the cultivation or processing of medical cannabis in a **building** or **structure** containing any concrete construction, **hardsurfacing** or other impermeable **structure** or construction sunk into, at or below **natural grade** of the **site** in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory **uses** related to cultivation, processing, testing, research and development, packaging, storage, distribution and administrative **office** functions that are directly related to and in support of cultivation and processing activities.

Non-medical Cannabis Production Facility

means a facility for the cultivation or processing of non-medical cannabis in a **building** or **structure** containing any concrete construction, **hardsurfacing** or other impermeable **structure** or construction sunk into, at or below **natural grade** of the **site** in accordance with the appropriate federal and provincial legislation and regulations, including supporting accessory **uses** related to cultivation, processing, testing, research and development, packaging and storage and administrative **office** functions that are directly related to and in support of cultivation and processing activities.”

3. Richmond Zoning Bylaw 8500 is amended by repealing and replacing clause c) in Section 5.13.4 (Agriculture permitted as a secondary use in all zones) as follows:

“c) A **medical cannabis production facility**, **non-medical cannabis production facility**, **cannabis research and development facility**, the lawful production of cannabis as a **farm business** or **commercial cannabis cultivation** is not permitted.”

4. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9929”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by <i>KE</i>
APPROVED by Director or Solicitor <i>BL</i>

MAYOR

CORPORATE OFFICER



To: Mayor and Councillors
From: Barry Konkin
Manager, Policy Planning
Date: October 31, 2018
File: 08-4050-10/2018-Vol 01
Re: **Single Family Building Permit Activity in the AG1 Zone – 2018 Year to Date**

This memorandum is provided in response to inquiries from some members of Council. The purpose of the memorandum is two-fold:

- to provide Council with an update on single family building permit activity for lands zoned “Agriculture – AG1” for the calendar year of 2018; and
- to provide preliminary analysis of the implications of further regulation of single family houses on lots zoned “Agriculture – AG1” which are **less** than 0.5 ac (0.2 ha).

Building Permit Activity

For the calendar year 2018, there have been a total of 30 building permits (BPs) submitted for properties zoned “Agriculture – AG1”. As a comparison, a total of 43 building permit applications were submitted in 2017.

In addition, there was a clear correlation between the number of BP applications submitted and when Council was considering bylaw amendments for the AG1 zone. Specifically, there was a ‘spike’ in building permit applications, each time that restrictions on single family house size for properties zoned “Agriculture – AG1” were discussed by Council. For this reason, staff is of the opinion that a withholding resolution under Section 463 of the *Local Government Act* should be passed, if there is to be further discussion or review of house size limits for agricultural properties.

For the period between March 3rd and April 3rd, 2017 – the period between initial discussions of establishing limits to maximum permitted house size, and the date when building permits were withheld pending the adoption of bylaw amendments to the Official Community Plan and Zoning Bylaw – 18 building permits were submitted which equates to 42% of the total yearly building applications for the AG1 zone.

A similar increase in the number of building permit applications was experienced in March of 2018 correlating to the date staff reported back to Council the results of the public consultation undertaken in February of 2018. During the month of March 2018, 14 single family building permit applications were submitted which accounts for 47% of the 2018 single family BPs on land zoned AG1 to date.

Should there be direction from Council for staff to re-visit the maximum permitted house size in the AG1 Zone, it is likely that we will experience a similar increase in the number of single family building permit applications for lands zoned “Agriculture – AG1”.

Further Regulation of House Footprint, Maximum Number of Storeys, and Septic Field Location for Lots Less Than 0.2 ha (0.5 ac) in Size

This section of the memorandum provides a summary of possible implications of applying additional regulations to limit house footprint, reduce the number of storeys to 2, and regulate the septic field locations for all lots zoned "Agriculture – AG1" **less** than 0.2 ha (0.5 ac). There are a total of 1,274 properties under this zone, broken out by lot size as follows:

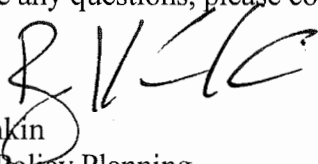
- 263 parcels (21 %) are less than 0.2 ha (0.5 ac)
- 490 parcels (38 %) are between 0.2 ha (0.5 ac) and 1.0 ha (2.5 ac)
- 521 parcels (41%) are greater than 1.0 ha (2.5 ac)

In March 2018, staff outlined a range of house size options, house footprint and septic field locations that would allow construction of a home, associated recreational spaces, and septic field area, which would typically occupy no more than 50% of the total farm home plate area. In the staff report to Planning Committee dated March 13, 2018, a number of options were presented including an option (Option 1) for a maximum farm home plate area of 1,000 m², a maximum house size of 500 m², a maximum house footprint of 60% of the maximum house size, and the septic field located within the farm home plate. These proposed regulations focussed on lots of 0.2 ha (0.5 ac) or larger.

Since that time, staff have been requested to analyze the potential to further regulate the maximum permitted house footprint, the maximum number of storeys, and the septic field location, for lots of less than 0.2 ha (0.5 ac). In staff's assessment, it is feasible to regulate the maximum house footprint to 60% of the maximum permitted house size, limit the number of storeys to 2, and require the septic field to be located within the farm home plate for lots less than 0.2 ha (0.5 ac).

For a modest number of very small lots some flexibility around use of a house footprint less than 60% of the maximum permitted house size, and / or use of an alternative septic system, which can reduce the size of the septic field required. There is also the option that the property owner could apply for a Development Variance Permit, to vary setbacks, or to locate the septic field in a location outside of the farm home plate, in rare or unique situations. Staff anticipate that there will be very few instances where a property owner of a lot less than 0.2 ha (0.5 ac) in size, would not be able to build a new single family dwelling on a property zoned "Agriculture – AG1", and not be able to accommodate the house and septic field within the permitted farm home plate.

If you have any questions, please contact me at 604.276.4139.



Barry Konkin
Manager, Policy Planning

BK:jh

pc: SMT
Wayne Craig, Director of Development
James Cooper, Director of Building Approvals

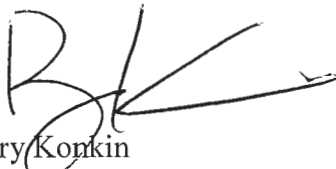


To:	Planning Committee	Date:	March 13, 2018
From:	Barry Konkin Manager, Policy Planning	File:	08-4057-10/2018-Vol 01
Re:	Agriculturally Zoned Land: Summary of Public Consultation on Limiting Residential Development in the AG1 Zone for Properties that are 0.2 ha (0.5 acres) or Larger		

Staff Recommendation

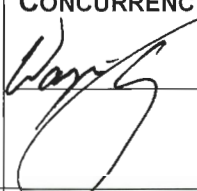

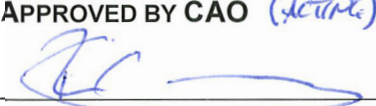
1. That the staff report titled “Agriculturally Zoned Land: Summary of Public Consultation on Limiting Residential Development in the AG1 Zone for Properties that are 0.2 ha (0.5 acres) or Larger” dated March 13, 2018 from the Manager of Policy Planning be received for information;
2. That staff be directed to:
 - a. prepare a bylaw based on an option chosen from the potential options presented in the report “Agriculturally Zoned Land: Summary of Public Consultation on Limiting Residential Development in the AG1 Zone for Properties that are 0.2 ha (0.5 acres) or Larger” dated March 13, 2018 from the Manager of Policy Planning; or
 - b. prepare a customized bylaw with specific direction on:
 - i. maximum permitted house size;
 - ii. maximum house footprint;
 - iii. maximum number of storeys;
 - iv. the location of the septic field in relation to the farm home plate; and
 - v. a maximum permitted farm home plate area; or
 - c. maintain the current bylaw regulations for residential development on the City’s agriculturally zoned land (AG1 zone), as adopted by Council on May 17, 2017;
3. That, following Council’s ratification of any option identified in recommendation 2a or 2b at the March 26, 2018 Regular Council Meeting, staff be directed to bring forward appropriate bylaws for consideration of First Reading to the April 9, 2018 Regular Council Meeting; and

4. That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the Province review their policies on foreign ownership, taxation, enforcing their guidelines on house size and farm home plate, providing greater financial incentives for farmers, and strengthening the Agricultural Land Commission's enforcement actions for non-farm uses.



Barry Konkin
Manager, Policy Planning
(604-276-4139)

Att. 10

REPORT CONCURRENCE		
ROUTED TO: Building Approvals Finance Law	CONCURRENCE <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER  for JOE FREGG
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO (Acting): 

Staff Report

Origin

As part of a six month review of bylaws adopted in May 2017 that established limits to residential development on land in the Agricultural Land Reserve, this report responds to Council's direction on December 20, 2017 which stated:

- (1) That staff be directed to:*
 - (a) conduct public consultation regarding the options presented in this report ("Response to Referral: Options to Limit House Size, Farm Home Plate and House Footprint") regarding house size, farm home plate and house footprint;*
 - (b) receive comments regarding Provincial involvement to encourage farming;*
 - (c) provide a comparison of the proposed options and the Provincial guidelines on the Farm Home Plate and House Footprint;*
 - (d) provide sample pictures of houses with the proposed maximum sizes;*
 - (e) include the maximum house floor area of 5,380 ft² for houses on agricultural land, as noted in the Provincial guidelines, as an option in the public consultation process; and*
 - (f) include the existing regulations on maximum house size on agricultural land as an option in the public consultation process.*

This report summarizes the feedback received from the public consultation process that took place between February 1 and February 18, 2018, and presents a number of options on how Council can address this issue. The consultation process also encouraged feedback on what actions other levels of government should consider to encourage farming activity.

This report supports Council's 2014-2018 Term Goal #3 A Well-Planned Community:

- 3.1. Growth and development that reflects the OCP, and related policies and bylaws.*

This report supports Council's 2014-2018 Term Goal #8 Supportive Economic Development Environment:

- 8.3. The City's agricultural and fisheries sectors are supported, remain viable and continue to be an important part of the City's character, livability, and economic development vision.*

This report supports Council's 2014-2018 Term Goal #9 A Well-Informed Citizenry:

- 9.1. Understandable, timely, easily accessible public communication.*

Findings of Fact

On May 17, 2017, Council adopted a number of bylaw amendments to better preserve land for agriculture by incorporating new regulations for residential development on the City's agriculturally zoned land (AG1 zone). These amendments included establishing a maximum floor area for all residential buildings, including the principal dwelling unit and all residential accessory buildings, and creating a maximum farm home plate area for all residential

improvements (e.g., driveway, decorative landscaping, swimming pools, tennis courts). A summary of these existing zoning regulations as adopted by Council can be found in Attachment 1.

As part of the six month review on the implementation of those bylaw amendments, Council reviewed options on December 20, 2017 to further limit house size (floor area) and farm home plate area, septic field location in relation to the farm home plate, and to consider a maximum house footprint limit on parcels of land zoned Agriculture (AG1) that are 0.2 ha (0.5 acre) or larger. On December 20, 2017, Council directed staff to seek public input on these options. The Council-endorsed consultation was conducted between February 1 and February 18, 2018 through an online LetsTalkRichmond.ca feedback form, and three public open houses which were held on February 7 and 8, 2018 at City Hall, and on February 15, 2018 at the East Richmond Community Hall.

Throughout this process, there was a high level of public interest with over 200 people attending the three public open houses, and a total of 525 completed feedback forms received during the public consultation period. Feedback was also received through letters and emails to Council.

Feedback Form Results

A total of 525 feedback forms were received through the online LetsTalkRichmond.ca and through completed hard copies of the feedback form which were submitted directly to staff, and which were manually input into LetsTalkRichmond.ca. Of those feedback forms:

- 504 indicated they were a Richmond resident, provided a Richmond address and/or a Richmond postal code; and
- Of the remaining 21, 11 indicated an out of town address and 10 indicated an out of town postal code.

Staff analyzed the results of the feedback received from the 504 Richmond residents, which was then broken out into responses from those that self-declared they are a non-farming Richmond resident (408) or a Richmond farmer (96).

A comparison of responses between the 408 Richmond respondents who indicated they are a non-farmer and the 96 who indicated they were a farmer, show clear differences in opinion on further establishing limits on residential development in the AG1 zone.

Key findings in the public feedback received include the following:

All Richmond Respondents (504)	Richmond Non-Farmers (408)	Richmond Farmers (96)
60% indicated they wish to have the farm home plate area reduced	73% indicated they wish to have the farm home plate area reduced	90% indicated they <u>do not</u> wish to have the farm home plate area reduced
56% indicated they wish to have the entire septic systems within the farm home plate area	68% indicated they wish to have the entire septic systems within the farm home plate area	93% indicated they <u>do not</u> wish to have the entire septic systems within the farm home plate area

All Richmond Respondents (504)	Richmond Non-Farmers (408)	Richmond Farmers (96)
64% indicated they support a new regulation to limit the maximum house footprint	77% indicated they support a new regulation to limit the maximum house footprint	91% indicated they <u>do not</u> support a new regulation to limit the maximum house footprint
78% indicated they <u>do not</u> support increasing the house height from 2 ½ to 3 storeys	77% indicated they <u>do not</u> support increasing the house height from 2 ½ to 3 storeys	82% indicated they <u>do not</u> support increasing the house height from 2 ½ to 3 storeys
63% indicated they support reducing the maximum house size	76% indicated they support reducing the maximum house size	93% indicated they <u>do not</u> support reducing the maximum house size
Of the 317 respondents who indicated they support reducing the maximum house size: • 77% indicated support for a house size of 5,382 ft ² or less	Of the 310 respondents who indicated they support reducing the maximum house size: • 78% indicated support for a house size of 5,382 ft ² or less	Of the 7 respondents who indicated they support reducing the maximum house size: • 72% indicated support for a house size of 5,382 ft ² or less

There was a marked difference in opinion between non-farming Richmond residents and Richmond farmers on:

- the maximum house size (reduce size or maintain current regulations);
- introducing a new regulation on limiting the maximum house footprint (include as a new regulation or do not include);
- the size of the farm home plate area (reduce size or maintain current regulations); and
- the location of the septic field in relation to the farm home plate (inside or outside the farm home plate).

The only question that both non-farmers and farmers generally agreed upon was a lack of support to increase the maximum number of storeys of a house from 2 ½ to 3 storeys.

Attachment 2 compares the feedback form results with those who identified themselves as a Richmond resident, but not a farmer, with those who identified themselves as a Richmond farmer. Those results are then compared with the feedback form results of all Richmond residents.

Other Feedback Form Submissions

Through the consultation process, staff were approached by representatives of two Richmond-based farm operations with significant land holdings in Richmond. These land owners requested that they be permitted to submit a feedback form for each parcel of land they own. Accordingly, the requested forms were provided, and 286 additional feedback forms were received.

All 286 feedback forms provided the same comments which included:

1. Maintain the City's existing maximum farm home plate area regulations;
2. Do not include the entire septic system, including the septic field, within the City's farm home plate area;
3. Do not support a new regulation to limit the maximum house footprint;

4. Do not support increasing the maximum house footprint house height from 2 ½ storeys to 3 storeys; and
5. Retain the existing maximum house size of 1,000 m² (10,764 ft²).

The results of one feedback form from each farming operation were included in the total number of feedback forms received on LetsTalkRichmond.ca. The remaining 284 forms were not included in the overall feedback form results, but have been acknowledged as part of the public input into the process.

Stakeholder and Other Submissions

The following letters were received from identified stakeholder organizations requesting that the City maintain the current AG1 house size regulations in Richmond Zoning Bylaw 8500 (Attachment 3):

- 1 letter from the City of Richmond's Agricultural Advisory Committee (AAC);
- 1 letter from the Richmond Farmers Institute (RFI); and
- 1 letter received from the Richmond Farmland Owners Association.

The letters from the AAC and RFI, which can be found in Attachment 3, were the same letters submitted in March 2017 indicating their respective position on establishing limits on residential development. A representative from both the AAC and RFI indicated that their position has not changed since the March 2017 letters were submitted.

To further clarify the position of the AAC, the following motion was passed at their regular meeting on March 7, 2018:

"The Agricultural Advisory Committee supports the current AG1 zoning limitation on residential development and do not support further changes."

7 members supported / 1 member opposed

The following was received from stakeholder organizations requesting that the City reduce the farm home plate and house size regulations in the AG1 zone (Attachment 3):

- 1 letter received from Richmond FarmWatch.

In addition to the letters received as noted above, Council received a petition from a delegation representing the Richmond Citizens Association at the February 26, 2018 Council meeting. The petition had a total of 5,504 names with the following:

- 4,379 names compiled through a digital petition that included names of individuals from all over the world. Of those names 710 (16%) indicated they were from Richmond. Staff note that no specific addresses were recorded as part of this petition.
- 1,125 names were also submitted as part of a second petition. Of those names:
 - 34 indicated they reside outside of Richmond; and
 - of the 1,091 names from Richmond, this represented 981 distinct Richmond households due to multiple names from the same household.

The main focus of the petition was to request Council to implement a moratorium on new building permit applications on ALR land, and to establish a maximum house size of 500 m² (5,382 ft²) for AG1 zoned properties. A copy of the petition is available for viewing at City Hall, in addition to a copy in the Councillors lounge.

As of March 13, 2018, three additional emails to Mayor and Councillors have been received regarding limits on residential development on farmland. The three emails all request Council to consider a smaller house size limit. A copy of those letters can be found in Attachment 4.

Analysis

Profile of Richmond's AG1 Parcels

As background information in this report, Attachment 5 provides a detailed breakdown on the size of Richmond's AG1 zoned parcels with road access.

House Size and Related Regulations: Options for Consideration

Staff were directed by Council to examine potential further limits to house size (floor area), introducing a maximum house footprint limit, determining septic field location in relation to the farm home plate, and further limits to the farm home plate area on parcels of land zoned AG1 that are 0.2 ha (0.5 acre) or larger. The combination of these factors results in a myriad of potential, functional options. As a result, staff have prepared Table 1 below with 12 separate options all of which consider the various parameters.

Table 1 – Options for Consideration (all measurements are in square feet)												
	Option 1	Option 2		Option 3			Option 4			Option 5		
		A	B	A	B	C	A	B	C	A	B	C
Maximum House Size	5,382	6,500		7,500			8,500			10,764		
Number of Storeys *	2	2.5	2.5	2.5	2.5	3	2.5	2.5	3	2.5	2.5	3
Maximum House Footprint (% of floor area) *	60%	45%	40%	45%	40%	40%	45%	40%	40%	45%	40%	40%
Maximum House Footprint (house size x footprint %)	3,229	2,925	2,600	3,375	3,000	3,000	3,825	3,400	3,400	4,844	4,306	4,306
Maximum Septic Field Area (30% of floor area)	1,615	1,950	1,950	2,250	2,250	2,250	2,550	2,550	2,550	3,229	3,229	3,229
Total House Footprint and Septic Field Area (50% of farm home plate)	4,844	4,875	4,550	5,625	5,250	2,250	6,375	5,950	2,550	8,073	7,535	3,229
Farm Home Plate with Septic Field Inside (minimum 10,764 ft ²)	10,764			11,250	10,764		12,750	11,900		16,146	15,070	
Farm Home Plate with Septic Field Outside (minimum 10,764 ft ²)	10,764											

* Attachment 6, 7, 8 and 9 provide conceptual diagrams for a 2-storey, 2 ½ storey and 3 storey house which are meant to illustrate potential building massing based on the maximum house footprint identified in Table 1.

Some additional notes for Table 1 include:

- The septic field area has been calculated as approximately 30% of the overall house floor area. This is based on a correlation between the house floor area and septic field area of Type 2 septic systems, which are the most commonly used septic systems in Richmond, noted through an examination of agricultural building permits from the past 7 years. This calculation has been used to establish a maximum farm home plate area.
- The septic field area and house footprint should not occupy more than 50% of the farm home plate area to allow for setbacks of buildings, driveways, and other recreational areas. This calculation has been used to establish a maximum farm home plate area.
- A 2 storey house would be limited to a maximum house footprint of 60% of the overall floor area on the first storey with the remaining 40% to be on the second storey. The first storey of the house would include the garage floor area and the 60/40 ratio between the first and second storey allows for adequate articulation of the building. See Attachment 6 for a conceptual diagram of a 2 storey house.
- A 2 ½ storey house would include either:
 - a maximum house footprint of 45% of the overall floor area on the first storey, with 38% on the second storey, and 17% on the ½ storey. The ½ storey would be no more than 50% of second floor area to be in keeping with the definition of a ½ storey in Richmond Zoning Bylaw 8500. The first storey of the house would include the garage floor area and the 45/38/17 ratio between the first, second and ½ storey allows for articulation of the building. See Attachment 7 for a conceptual diagram of a 2 ½ storey house with this type of building massing; or
 - a maximum house footprint of 40% of the overall floor area on the first storey, with 40% on the second storey, and 20% on the ½ storey. The ½ storey would be no more than 50% of second floor area to be in keeping with the definition of a ½ storey in Richmond Zoning Bylaw 8500. The first storey of the house would include the garage floor area and the 40/40/20 ratio between the first, second and third storey allows for some articulation of the building. See Attachment 8 for a conceptual diagram of a 2 ½ storey house with this type of building massing.
- A 3 storey house would have a maximum house footprint of 40% of the overall floor area to be on the first storey, with 35% on the second storey, and 25% on the third storey. The first storey of the house would include the garage floor area and the 40/35/25 ratio between the first, second and third storey allows for articulation of the building. See Attachment 9 for a conceptual diagram of a 3 storey house. Note: the current Zoning Bylaw does not currently permit a 3 storey house in the AG1 zone.
- Staff also note that all options in Table 1 would establish a maximum farm home plate area that is less than what is currently permitted in Richmond Zoning Bylaw 8500. Staff do not suggest reducing the maximum farm home plate area to less than 1,000 m² (10,764 ft²) which is half of the Ministry of Agriculture's Guidelines. The Ministry's Guidelines suggest a minimum farm home plate area of 2,000 m² (21,528 ft²) regardless of parcel size.

Discussion of Options

Table 1 provides 12 different options for Council's consideration and includes the five different house size options based on Council's December 20, 2017 referral to staff.

For the 6,500 ft² house size option (Option 2), there are two sub-options for a 2 ½ storey house, each with a different maximum house footprint (40% and 45% of overall house floor area).

For the 7,500 ft², 8,500 ft², and 10,764 ft² house size options (Options 3, 4 and 5), each have 3 sub-options. The first two sub-options are for a 2 ½ storey house with a different maximum house footprint (40% and 45% of overall house floor area). The third sub-option considers a full 3 storey house with a 40% maximum house footprint. The 3 storey option is based on a reduced maximum house footprint, and the maximum height of the house of 10.5 m (34 ft.).

Some of the conclusions with Table 1 include the following:

1	Option 1	Max. house size	5,382 ft ²
		Max. farm home plate with septic field	10,764 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 (could be included in 2 ½ storey)
		Max. house footprint	60% of the total house floor area
2	Option 2A	Max. house size	6,500 ft ²
		Max. farm home plate with septic field	10,764 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	45% of the total house floor area
3	Option 2B	Max. house size	6,500 ft ²
		Max. farm home plate with septic field	10,764 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	40% of the total house floor area
4	Option 3A	Max. house size	7,500 ft ²
		Max. farm home plate with septic field	11,250 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	45% of the total house floor area
5	Option 3B	Max. house size	7,500 ft ²
		Max. farm home plate with septic field	10,764 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	40% of the total house floor area
6	Option 3C	Max. house size	7,500 ft ²
		Max. farm home plate with septic field	10,764 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	3 storey
		Max. house footprint	40% of the total house floor area

7	Option 4A	Max. house size	8,500 ft ²
		Max. farm home plate with septic field	12,750 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	45% of the total house floor area
8	Option 4B	Max. house size	8,500 ft ²
		Max. farm home plate with septic field	11,900 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	40% of the total house floor area
9	Option 4C	Max. house size	8,500 ft ²
		Max. farm home plate with septic field	11,900 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	3 storey
		Max. house footprint	40% of the total house floor area
10	Option 5A	Max. house size	10,764 ft ²
		Max. farm home plate with septic field	16,146 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	45% of the total house floor area
11	Option 5B	Max. house size	10,764 ft ²
		Max. farm home plate with septic field	15,070 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	2 ½ storey
		Max. house footprint	40% of the total house floor area
12	Option 5C	Max. house size	10,764 ft ²
		Max. farm home plate with septic field	15,070 ft ²
		Max. farm home plate without septic field	10,764 ft ²
		Number of storeys	3 storey
		Max. house footprint	40% of the total house floor area

Should Council wish to consider a bylaw amendment to reduce house size and farm home plate, establish a maximum house footprint, indicate the location of the septic field in relation to the farm home plate, and potentially increase the maximum number of storeys, Council can select one of the 12 options from Table 1 in which staff would prepare the necessary bylaw amendment for Council's consideration at the April 9, 2018 Regular Council meeting.

Alternatively, Council could direct staff to prepare a bylaw based on a customized option for consideration with specific direction on:

1. maximum house size;
2. maximum house footprint (as percentage of overall house size);
3. maximum number of storeys;
4. the location of the septic field in relation to the farm home plate; and
5. maximum farm home plate area.

As another alternative, Council could maintain the current bylaw regulations for residential development on the City's agriculturally zoned land (AG1 zone), as adopted by Council on May 17, 2017.

Single Family Residential Building Massing

Since 2015, there have been a series of bylaw amendments that have been adopted by Council that address single family building massing. Most of those regulations apply to all single family dwellings, including single detached homes on AG1 zoned land. Some of the regulations apply to how a half-storey is defined, how the interior ceiling height is measured, how the residential vertical lot width envelope is measured, establishing a 70 m² (753 ft²) maximum area for residential accessory buildings, establishing projection limits on chimney, fireplaces, bay windows and hatches, and setting a maximum projection for an attached garage.

Of the adopted single family massing regulations already in Richmond Zoning Bylaw 8500, only four do not apply to single detached homes in the AG1 zone. They are:

1. Maximum height of 7.5 m (24.6 ft.) for a flat roof house;
2. Regulations on the minimum percentage for front yard landscaping;
3. Establishing a variation for rear yard setbacks for the first storey elevation; and
4. Limiting the length of a continuous wall oriented to an interior side yard to a maximum length of 55% of the total lot depth.

The four regulations listed above were developed to apply to house massing in an urban environment where single detached homes are in closer proximity to each other on smaller lots compared to lots in the AG1 zone. Regulations such as a farm home plate already establish maximum setback limits, and all homes in the AG1 have a maximum 50 m (164 ft.) setback limit from the road. With respect to front yard landscaping, this may be difficult to apply to the AG1 zone if the septic field area is located within the front yard area, in addition to the number of AG1 zoned lots that have Riparian Management Areas within the front yard. As a result, staff to do not recommend applying these regulations to the AG1 zone.

Temporary Withholding of Building Permits

The *BC Local Government Act* in Section 463 allows a local government to withhold issuance of a building permit where the permit would be in conflict with a bylaw(s) under preparation. The provisions under Section 463 allow a permit to be held for up to 90 days (30 day initial hold for review, and then a further 60 days, if so deemed by Council). Staff reports are required for both the initial 30 day hold and requesting the additional 60 day hold, to obtain Council approval of the withholding of the building permit.

Council utilized this provision in 2017 when bylaws were being established to set limits to residential development on farmland. If Council were to proceed with the preparation of a bylaw to further reduce house size and farm home plate area, determine septic field location in relation to the farm home plate, and establish a house footprint regulation for all lots in the AG1 Zone on lots larger than 0.2 ha (0.5 acres), and wished to withhold the issuance of building permits for such properties while the bylaw was under preparation, a resolution would need to be endorsed by Council authorizing the following:

Whereas Section 463 of the Local Government Act allows the withholding of building permits that conflict with bylaws in preparation; and

Whereas Council has directed staff to further review options on reducing house size and farm home plate area, determining septic field location in relation to the farm home plate, and establishing a house footprint regulation for all lots in the AG1 Zone on lots larger than 0.2 ha (0.5 acres).

- (1) That staff be directed to prepare for Council's consideration a bylaw that would further limit house size and farm home plate area, determine septic field location in relation to the farm home plate, and establish a house footprint regulation for properties zoned Agriculture (AG1) on lots 0.2 ha (0.5 acres) or larger; and*
- (2) That staff bring all building permit applications for residential development in the Agriculture (AG1) zone on properties 0.2 ha (0.5 acres) or larger, received more than 7 days after the passage of resolution #1 to Council, to determine whether such applications are in conflict with the proposed bylaw to limit house size, farm home plate area, septic field location in relation to the farm home plate, and house footprint for properties zoned AG1 that are 0.2 ha (0.5 acres) or larger.*

Provincial Actions to Improve Agricultural Viability

The protection and use of farmland is regulated by different levels of government (e.g., local, provincial and federal), but is largely a Provincial responsibility regulated by the *Agricultural Land Commission Act*, and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, and various policies of the Provincial Agricultural Land Commission (ALC). The ALC, in cooperation with local government, regulates and administers the use of land that is located within the Agricultural Land Reserve (ALR). Locally, the City of Richmond has the ability to regulate the siting and massing of residential and agricultural buildings and structures.

The City also collects property taxes based on the assessment value and classification provided by the BC Assessment Authority. Farm classifications are given to properties that are farmed and meet BC Assessment's farming requirements which are then regulated by the Province. The Province also has the ability to set other taxes such as the Property Transfer Tax and the Foreign Buyers Tax.

As part of the public consultation on house size, farm home plate and house footprint regulations in the AG1 zone, staff were directed to ask respondents to list what they think other levels of government should be doing to encourage farming. Attachment 10 provides a summary of the feedback received from the LetsTalkRichmond.ca feedback forms. Most of the feedback received related to possible Provincial actions on foreign ownership and taxation.

Some of the most repeated issues involved the taxation of farmland, foreign ownership, and the need for more incentives for farmers and property owners to ensure agricultural productivity. Particular interest was focussed on the Foreign Buyers Tax which was recently increased from 15% to 20%. The Foreign Buyers Tax only applies to areas of the property that is not assessed as farm. If a property is not assessed for farming, then the Foreign Buyers Tax would apply to the entire property. If a property is assessed for farming and has residential improvements, then

the Foreign Buyers Tax applies to the residential improvements plus 0.5 hectares (1.2 acres) of land. If the entire property is assessed for farming and there are no residential improvements, then the Foreign Buyers Tax would not apply at all.

Listed below are some of the key suggestions from the public consultation feedback that staff recommend be forwarded to the Province:

- Restrict foreign ownership by applying the Foreign Buyers Tax to land that is assessed for farming;
- Review how farmland is taxed by:
 - Increasing the minimum farm income threshold required in declaring farm class status;
 - Revisiting the tax structure for farmland that is not farmed; and,
 - Introducing a tax that would prevent farm properties being resold during a short period of time;
- Introducing enforceable provincial regulations on the maximum house size, farm home plate, and setbacks for houses on farmland;
- Provide greater incentives for farmers (existing and new), including more tax reductions, grants and training opportunities; and
- Strengthen the Agricultural Land Commission's enforcement actions for non-farm uses such as illegal fill and unauthorized uses of farmland and farm buildings.

Staff recommend that a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the Province review their policies on foreign ownership, taxation, enforcing their guidelines on house size and farm home plate, providing greater financial incentives for farmers, and strengthening the ALC's authority and enforcement of non-farm uses.

The timing of this is fortuitous as the BC Ministry of Agriculture is currently seeking strategic advice and policy guidance on measures to revitalize the Agricultural Land Reserve and the Agricultural Land Commission. Staff will be forwarding a staff report requesting Council's endorsement on key issues that should be addressed from the City's perspective as part of the review. The Minister of Agriculture has requested all feedback be provided by April 30, 2018.

At the local level, the City is beginning a review of the City's 2003 Agricultural Viability Strategy. This will help to identify emerging issues and determine priorities and action items to ensure that Richmond's agricultural land is protected, and that there are appropriate incentives to encourage farming activities.

Financial Impact

None.

Conclusion

This report summarizes feedback received throughout the public consultation process on options to further limit house size (floor area) and farm home plate area, septic field location in relation to farm home plate and to consider a maximum house footprint limit on AG1 zoned properties of 0.2 ha (0.5 acres) or larger.

Based on feedback received during the consultation period, there is a difference of opinion between non-farmers and farmers on how to address the size of homes on farmland. Non-farmers are of the opinion that the maximum house should be 500 m² (5,382 ft²) or less, with the septic field area located within a reduced farm home plate. Farmers, on the other hand, would prefer the AG1 regulations on limiting residential development to remain and not be changed.

It is recommended that:

1. this staff report be received for information;
2. staff be directed to:
 - a. prepare a bylaw based on an option chosen from the potential options (Table 1) presented in this report; or
 - b. prepare a customized option with specific direction on:
 - i. maximum permitted house size;
 - ii. maximum house footprint;
 - iii. maximum number of storeys;
 - iv. the location of the septic field in relation to the farm home plate; and
 - v. a maximum permitted farm home plate area; or
 - c. maintain the current bylaw regulations for residential development on the City's agriculturally zoned land (AG1 zone), as adopted by Council on May 17, 2017;
3. following Council's ratification of any option identified in recommendation 2a or 2b, staff be directed to bring forward appropriate bylaws for consideration of 1st Reading to the April 9, 2018 Regular Council Meeting; and
4. a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the Province review their policies on foreign ownership, taxation, enforcing their guidelines on house size and farm home plate, providing greater financial incentives for farmers, and strengthening the Agricultural Land Commission's authority and enforcement actions for non-farm uses.



John Hopkins, MCIP
Senior Planner
(604-276-4279)

JH:cas

- Att. 1: Summary of Existing Regulations that Limit Residential Development on Farmland
- 2: Feedback Form Results Summary
 - 3: Copies of letters received from the Agricultural Advisory Committee, Richmond Farmers Institute, Richmond Farmland Homeowners Association, and Richmond FarmWatch
 - 4: Email Correspondence Sent to Mayor and Councillors
 - 5: Profile of AG1 Zoned Parcels
 - 6: Conceptual Diagram of a 2-Storey House (60/40 ratio between storeys)
 - 7: Conceptual Diagram of a 2 ½-Storey House (45/38/17 ratio between storeys)
 - 8: Conceptual Diagram of a 2 ½-Storey House (40/40/20 ratio between storeys)
 - 9: Conceptual Diagram of a 3-Storey House (40/35/25 ratio between storeys)
 - 10: Summary of Feedback Received on Encouraging Farming

Summary of Existing City of Richmond Regulations that Limit Residential Development on Farmland

1. Maximum House Size

For AG1 zoned properties, the maximum house size is regulated by a floor area ratio (FAR) similar to what is used in the City's single-family (RS) zones. However, for the AG1 zone, the maximum house size is eventually capped at:

- 500 m² (5,382 ft²) if the property is less than 0.2 ha (0.5 acres), and
- 1,000 m² (10,763 ft²) if the property is greater than 0.2 ha (0.5 acres).

In calculating the house size under the AG1 zone, the house, garage floor area, and all residential accessory buildings such as sheds, detached garages or workshops are all included.

The only exemptions from floor area calculations under the AG1 zone, which is consistent with the City's RS zones in the urban areas, include the following:

1. one accessory building if it is less than 10m² (108 ft²);
2. 10% of the overall floor area calculated for the lot which can be used for covered areas of the house which must be open on two or more sides and never enclosed. This is intended to allow for covered entry ways and porches and would include a covered area over a driveway. Any covered area beyond the 10% allowance would be included in the maximum allowable floor area calculations for the house; and
3. A maximum of 10m² (108 ft²) of floor area for areas exclusively used for interior entry and staircase purposes that have a ceiling height greater than 5.0 m (16.4 ft.).

The only difference in floor area exemptions between the AG1 zone and the RS zones is that the RS zones provide for a floor area exemption of up to 50m² (538 ft²) for the garage floor area.

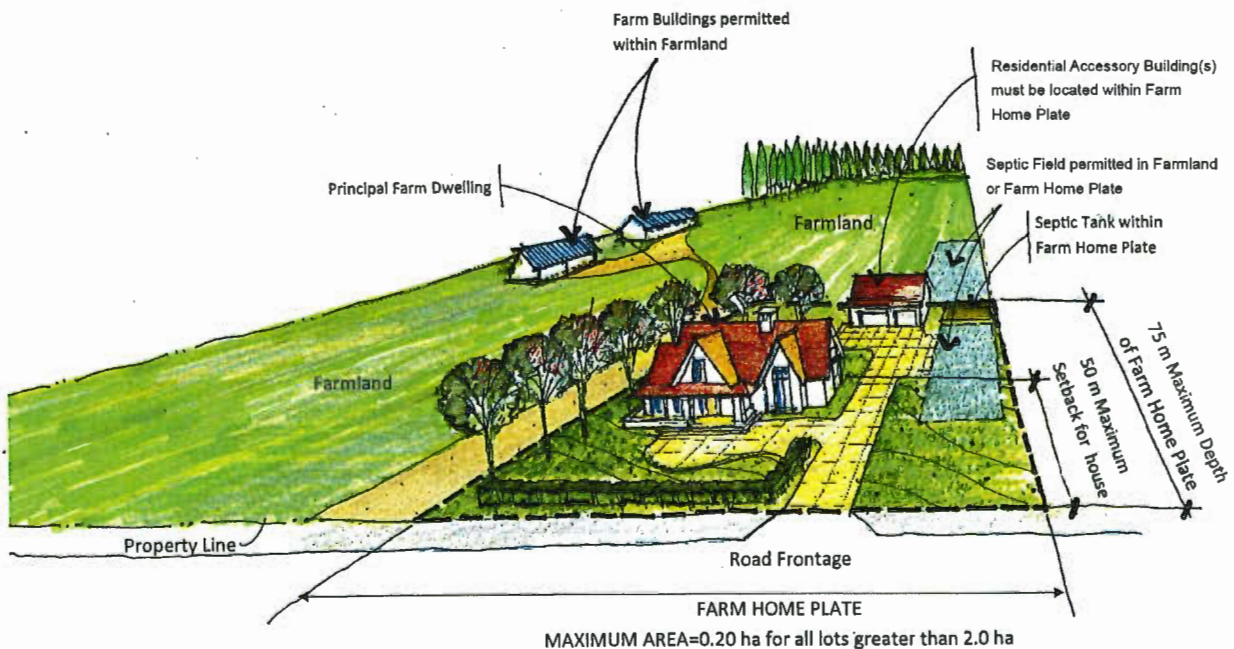
Note: In some municipalities such as Delta and Surrey, the basement floor area may be exempt from the total floor area calculations provided that the majority of the basement floor area is below grade. This is explicitly defined in their respective zoning bylaws as floor area that would be exempt from calculating the overall floor area. In areas where the grade level is at or near the floodplain level which includes most of the agricultural areas in the Greater Vancouver region, a basement may be difficult to achieve.

2. Farm Home Plate

Farm Home Plate Definition: The term 'farm home plate' means the portion of the lot including the principal dwelling unit, any residential accessory buildings or residential accessory structures, including the driveway, decorative lawns and landscaping, artificial ponds and sewerage septic tanks, in one contiguous area. Under the current regulations, the septic field is not included in the farm home plate area. See Figure 1 for an illustration of a typical farm home plate.

Maximum Farm Home Plate Area: The farm home plate regulations are a made-in-Richmond approach that reflects the high number of small agricultural lots, and ensures that every agricultural lot has an area that can be farmed for years to come. For properties that are less than 2.0 ha (4.9 acres), the City's farm home plate regulations are more stringent than the Ministry of Agriculture's Guidelines.

Figure 1: Illustration of a Farm Home Plate

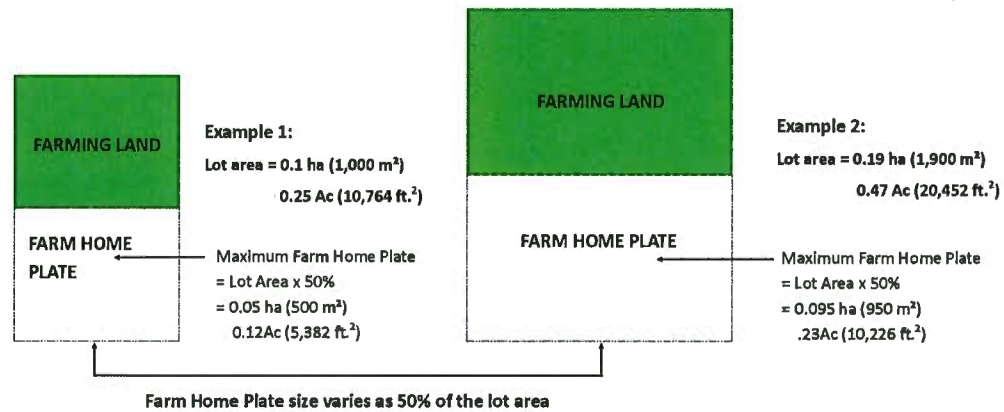


The City's regulations for farm home plate can be broken down into four lot area categories as follows:

1. On lots less than 0.2 ha (0.5 ac.) the farm home plate must not exceed 50% of the lot area as indicated in Figure 2. In this category, a minimum of 50% of the lot would be preserved for farming.

Figure 2: Lots less than 0.2 ha

Maximum Farm Home Plate is 50% of the lot area for the Lots less than 0.2 ha (2,000 m²) or 0.5 Ac (21,528 ft.²).

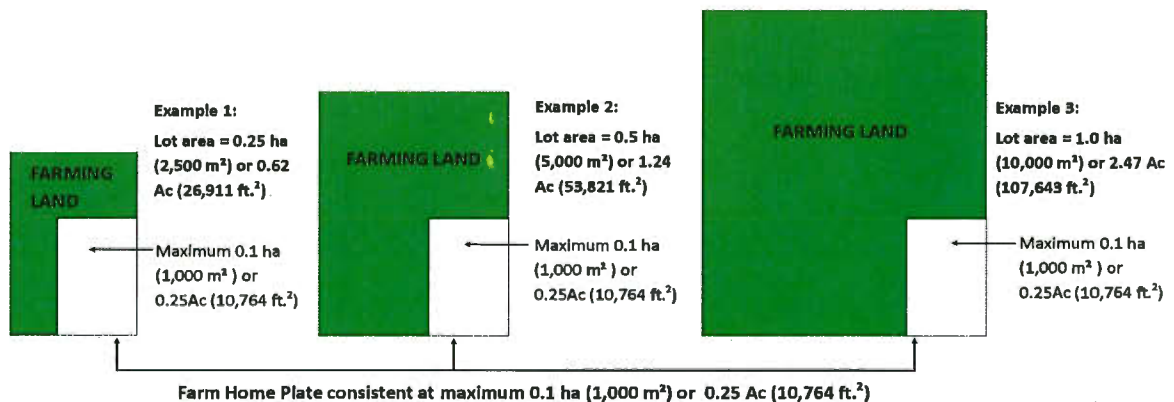


2. On lots that are 0.2 ha (0.5 ac.) to 1.0 ha (2.5 ac.), the maximum farm home plate area is 1,000 m² (10,763 ft.²) as indicated in Figure 3. In this category, the amount of land preserved for farming would range from 50% to 90% of the lot.

Figure 3: Lots between 0.2 (0.5 ac.) to 1.0 ha (2.5 ac.)

Maximum Farm Home Plate is 0.1 ha (1,000 m²) or 0.25 Ac (10,764 ft.²)

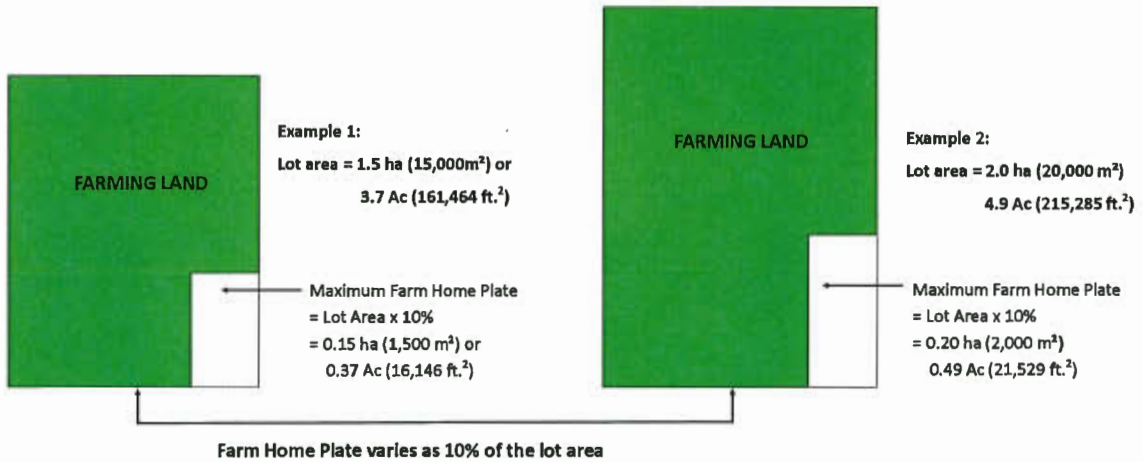
For the Lots between 0.2 ha (2,000 m²) or 0.5 Ac (21,528 ft.²) to 1.0 ha (10,000 m²) or 2.5 Ac (107,643 ft.²)



3. On lots that are 1.0 ha (2.5 ac.) to 2.0 ha (4.9 ac.), the maximum farm home plate must not exceed 10% of the lot area as indicated in Figure 4. In this category, a minimum of 90% of the lot would be preserved for farming.

Figure 4: Lots between 1.0 ha (2.5 ac.) to 2.0 ha (4.9 ac.)

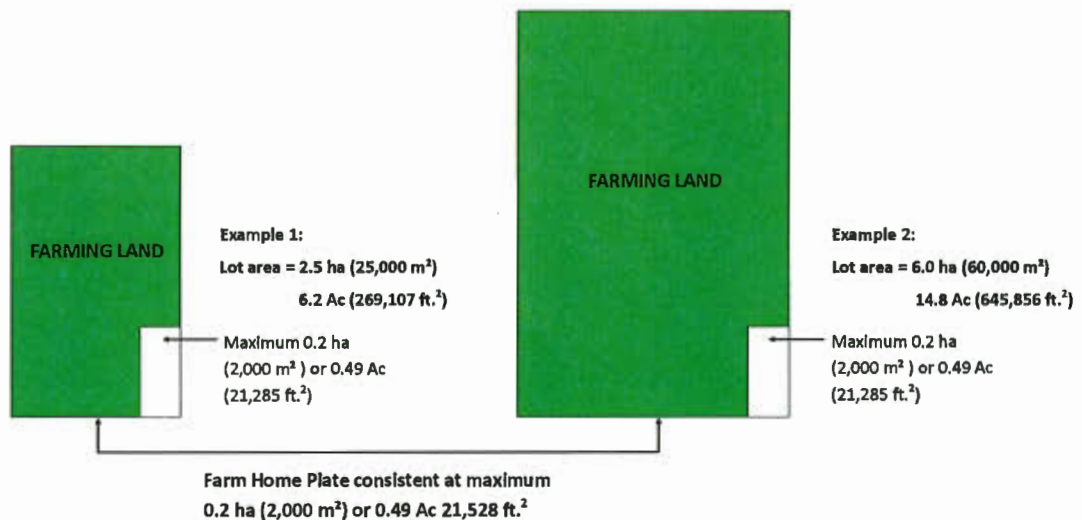
Maximum Farm Home Plate is 10% of the Lot area for the Lots between 1.0 ha (10,000 m²) or 2.5 Ac (107,643 ft.²) to 2.0 ha (20,000 m²) or 4.9 Ac (215,285 ft.²)



4. On lots that are 2.0 ha (4.9 ac.) or greater, the maximum farm home plate area is 2,000 m² (21,527 ft.²) as indicated in Figure 5. In this category, the amount of land preserved for farming would be greater than 90% of the lot.

Figure 5: Lots 2.0 ha (4.9 ac.) or Greater

Maximum Farm Home Plate is 0.2 ha (2,000m²) or 0.49 Ac (21,285 ft.²) for all Lots greater than 2.0 ha (20,000 m²) or 4.9 Ac (215,285 ft.²)



A summary table of the maximum farm home plate and house size regulations can be found below. The number of lots affected include AG1 zoned lots that have road access which is required to support residential development.

Table 1: Summary of Richmond's AG1 Farm Home Plate and House Size Regulations

Lot Size	No. of Lots Affected	Maximum Farm Home Plate (area of land used for residential improvements)	Maximum House Size (total floor area including garage and residential accessory buildings)
Less than 0.2ha (0.5 ac.)	263	50% of lot area (farm home plate would be less than 1,000m ² [10,763 ft ²] of the lot)	*For lots less than 0.128ha (0.32 ac.): <ul style="list-style-type: none"> less than 500m² (5,382 ft²) For lots 0.128ha (0.32 ac.) to 0.2ha (0.5 ac.): <ul style="list-style-type: none"> 500m² (5,382 ft²)
0.2ha (0.5 ac.) to 1.0ha (2.5 ac.)	490	1,000m ² (10,763 ft ²) of the lot	*For lots 0.2ha (0.5 ac.) to 0.29ha (0.73 ac.): <ul style="list-style-type: none"> 716m² (7,708 ft²) to 1,000m² (10,763 ft²) For lots 0.29ha (0.73 ac.) to 1.0ha (2.5 ac.): <ul style="list-style-type: none"> 1,000m² (10,763 ft²)
1.0ha (2.5 ac.) to 2.0ha (4.9 ac.)	189	10% of lot size (farm home plate would be between 1,000m ² [10,763 ft ²] to 2,000m ² [21,527 ft ²])	1,000m ² (10,763 ft ²)
2.0ha (4.9 ac.) or greater	332	2,000m ² (21,527 ft ²)	1,000m ² (10,763 ft ²)

* Derived from the City's floor area ratio of 0.55 for first 464.5 m² (5,000ft²) of lot size, and 0.30 for the remainder of the lot.

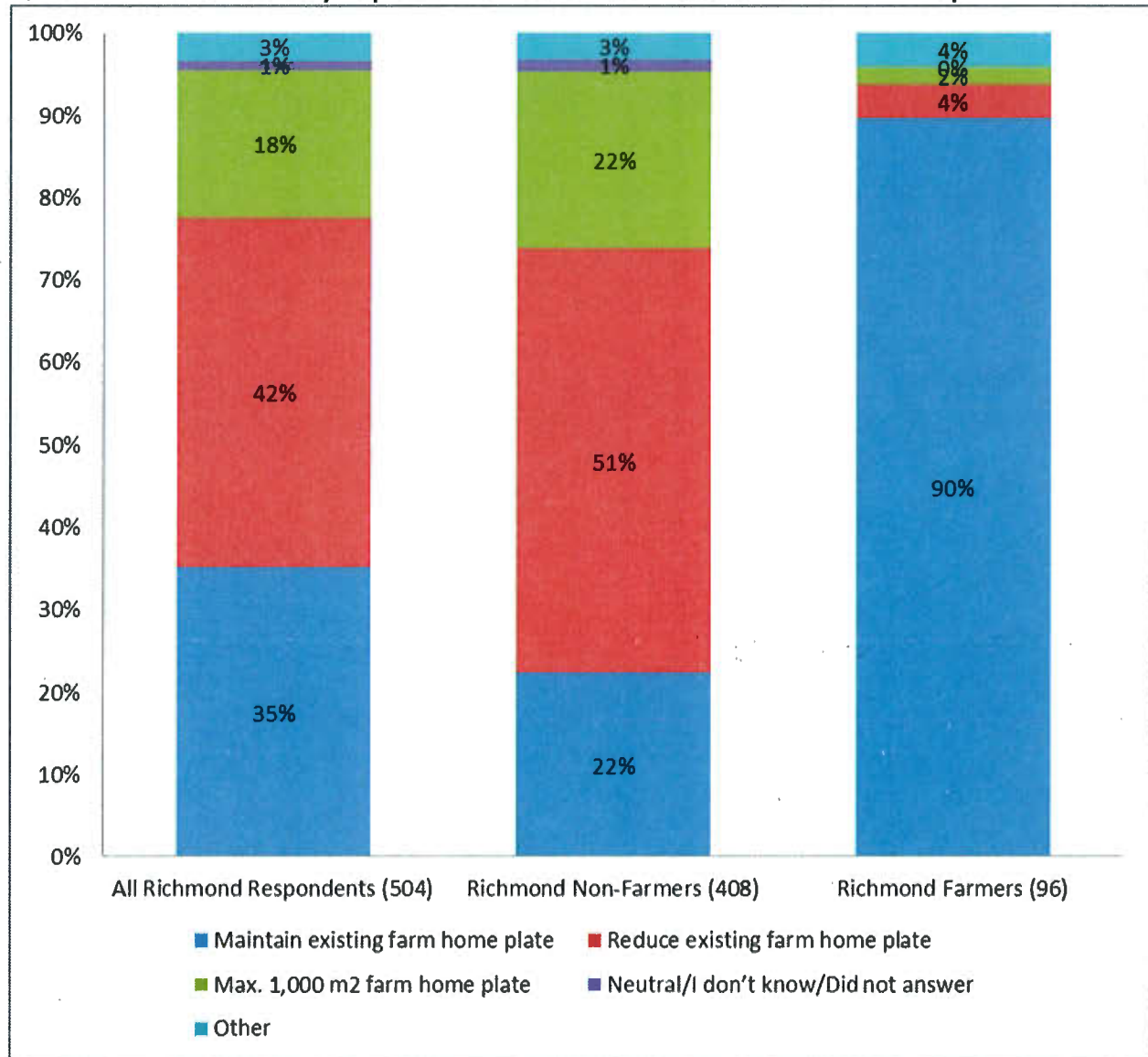
3. Other AG1 Regulations Adopted

The bylaws adopted on May 17, 2017 also established the following:

1. To limit the size of residential accessory buildings, the maximum floor area is 70 m² (753ft²). This floor area would apply to each residential accessory building and would be included in the overall maximum floor area for residential buildings.
2. To ensure that residential improvements are located close to the fronting road providing access to the lot, the farm home plate must not exceed a maximum depth of 75 m from the front property line.
3. To ensure that the house is located close to the fronting road, the back wall of the principal dwelling must not exceed 50 m (164 ft.) as measured from a constructed public road abutting the property.
4. To ensure farm access, the minimum residential side yard setback was increased to 4 m (13ft.) for lots that are less than 0.8 ha (2 ac.). For lots that are greater than 0.8 ha (2 ac.), the minimum side yard setback of 6 m (19.7 ft.) would remain.
5. To limit the number of dwellings on a property, no more than 1 principal dwelling per lot.

Farmland Housing Regulations – Feedback Form Results Summary

Question 1 - What would you prefer for the maximum area of the farm home plate?

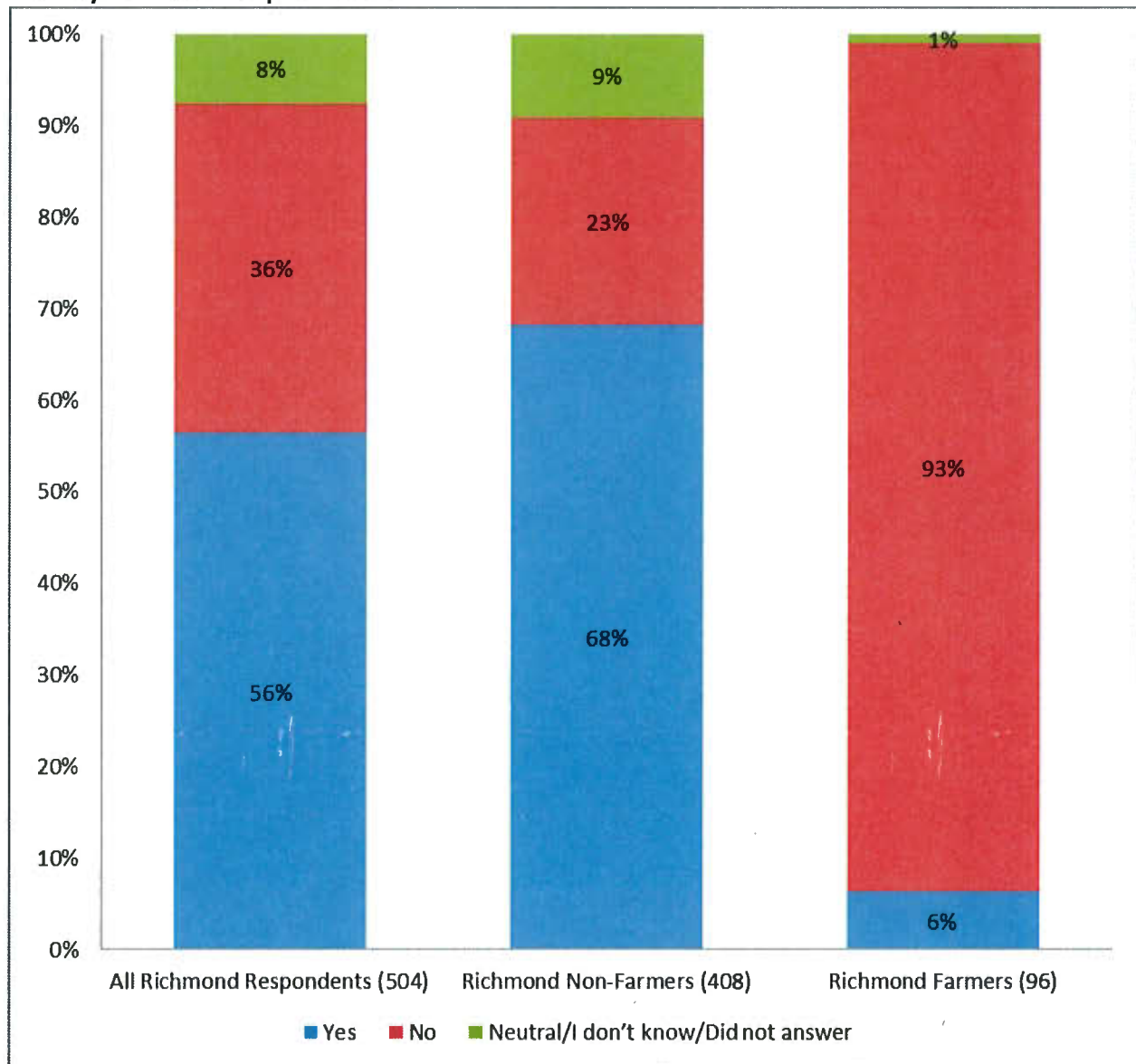


Notes:

- The response 'Max. 1,000 m² farm home plate' was not a set response on the feedback form. There were 90 overall respondents who indicated this response.
- Other comments included:

Other comment	All	Non-farmers	Farmers
Decrease the City's existing maximum farm home plate area regulations	2	2	0
Increase the City's existing maximum farm home plate area regulations	9	6	3
Remove the City's existing maximum farm home plate regulations	2	1	1

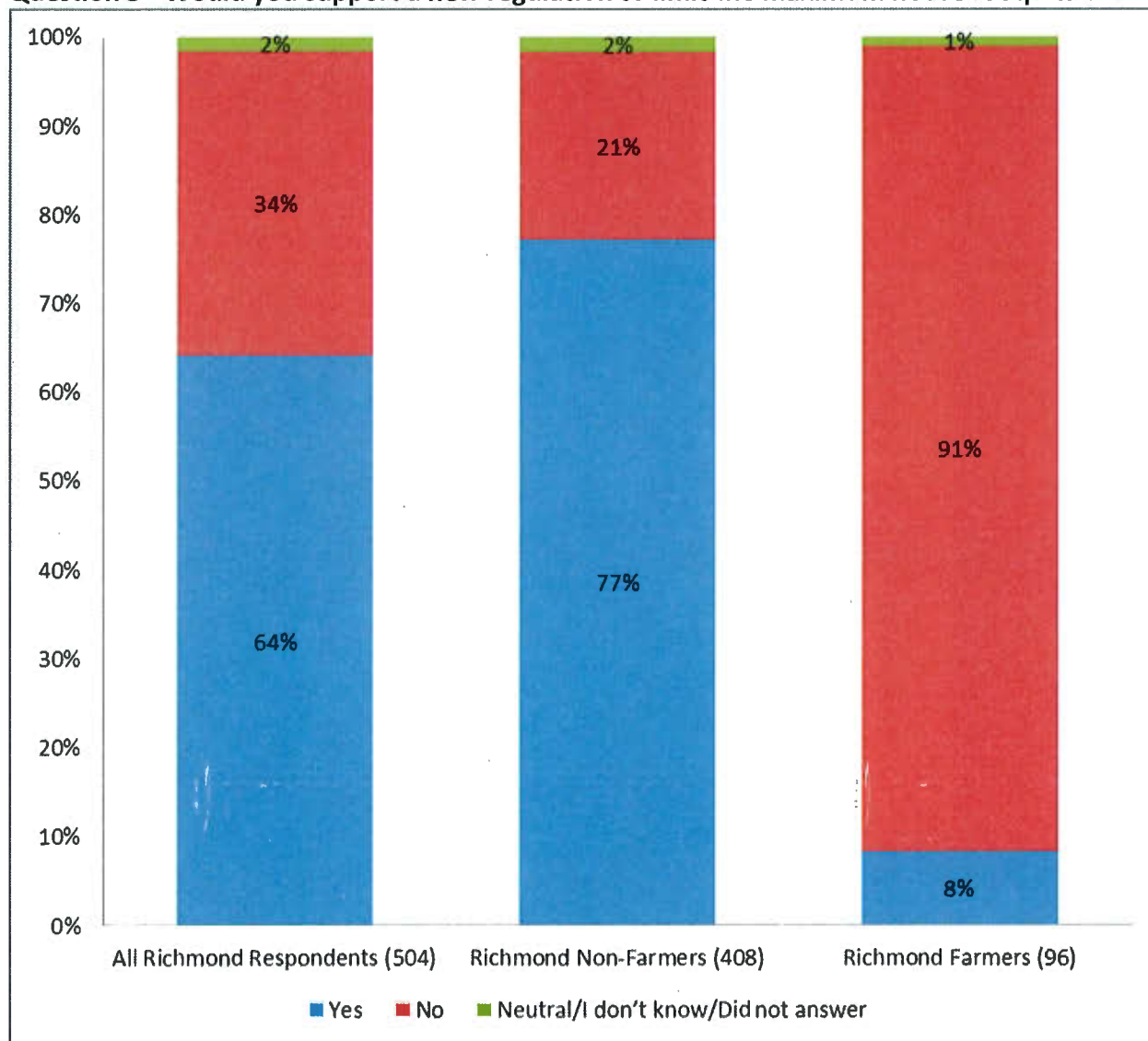
Question 2 - Do you think the entire septic system, including the septic field, should be within the City's farm home plate area?



Notes:

- General comments provided in response to the question included the following:
 - including the entire septic system within the City's farm home plate area will increase the amount of land available for farming (51)
 - the location of the septic system should be determined by the farmer (or property owner) on a case-by-case basis (14)
 - the City's existing farmland housing regulations are sufficient (3)
 - including the septic field within the farm home plate area is not functional (10)
 - Require connection to the City's sanitary sewer system (if within reasonable distance to the property) (6)
 - Require the septic tank in the farm home plate area, but the septic field outside the farm home plate area (4)

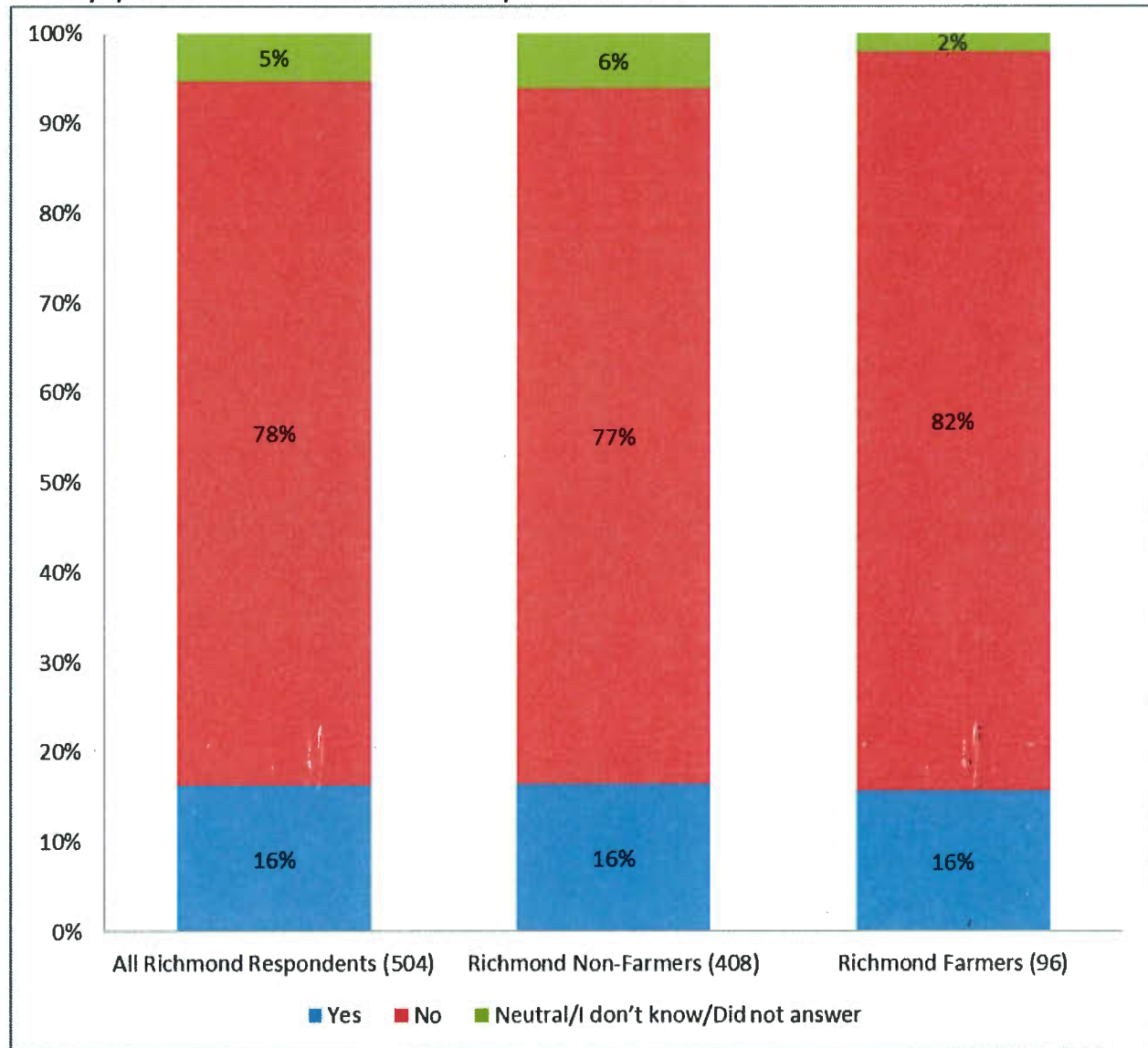
Question 3 - Would you support a new regulation to limit the maximum house footprint?



Notes:

- General comments provided in response to the question included the following:
 - The existing regulations regarding housing on farmland should be more restrictive (76)
 - The maximum house footprint should be approximately 500 m² (5,382 ft²) (3)
 - The existing regulations regarding housing on farmland are adequate (24)
 - The other proposed regulations, including farm home plate area and septic field location, are sufficient (1)
 - There should be different limits to maximum house footprint for a one-storey house and two-storey house to ensure the same buildable floor area (2)

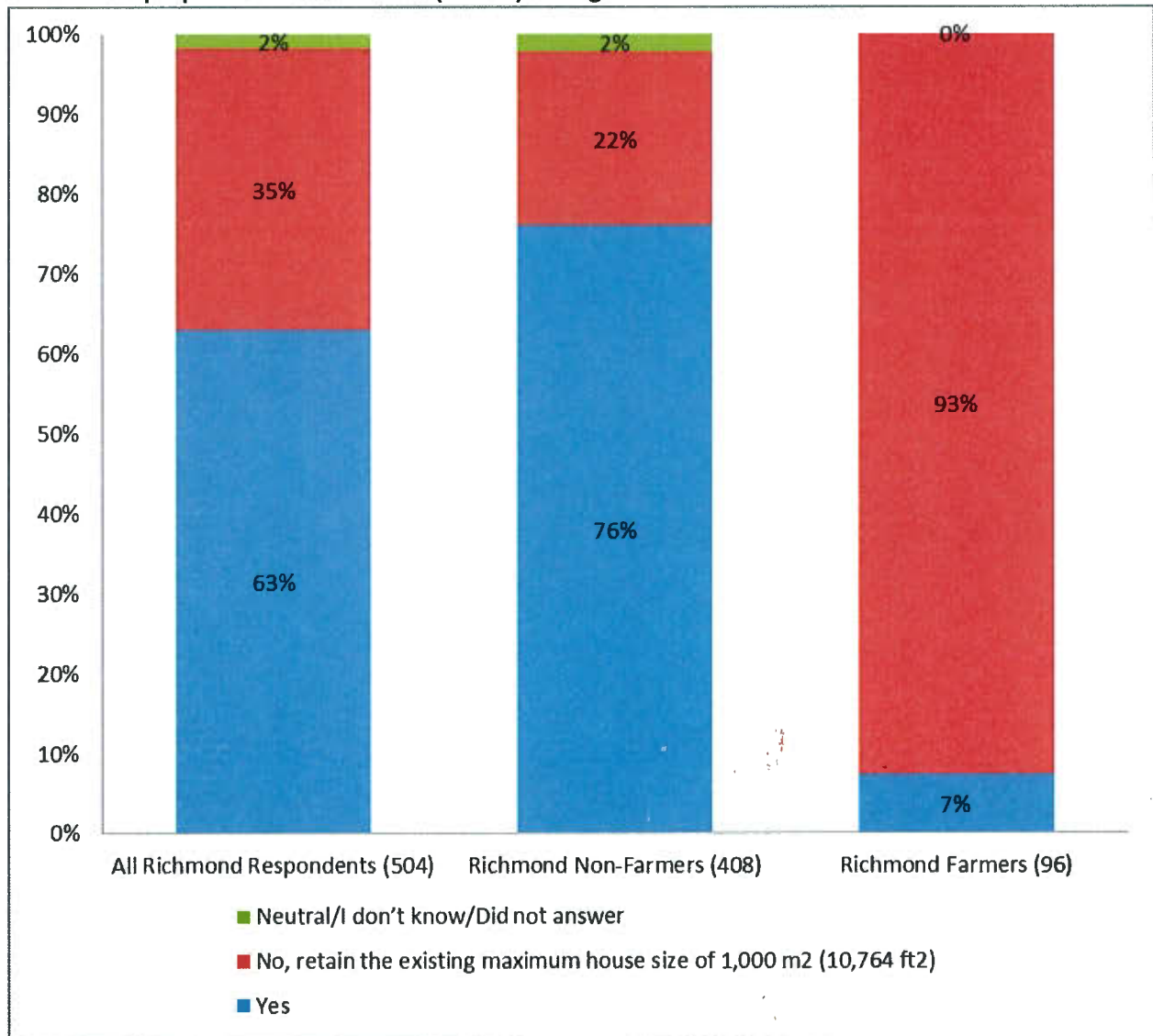
Question 4 - Would you be supportive of increasing the maximum house height from 2 1/2 storeys to 3 storeys provided the maximum house footprint is reduced?



Notes:

- General comments provided in response to the question included the following:
 - increased house heights is not supported and should be consistent with surrounding single-family neighbourhoods (86)
 - reduce the maximum house height further to 2 storeys (5)
 - maintain the maximum house height and provide a maximum house footprint (2)
 - if balanced with a required maximum house footprint (20)
 - increase the maximum house height and do not limit the maximum house footprint (13)

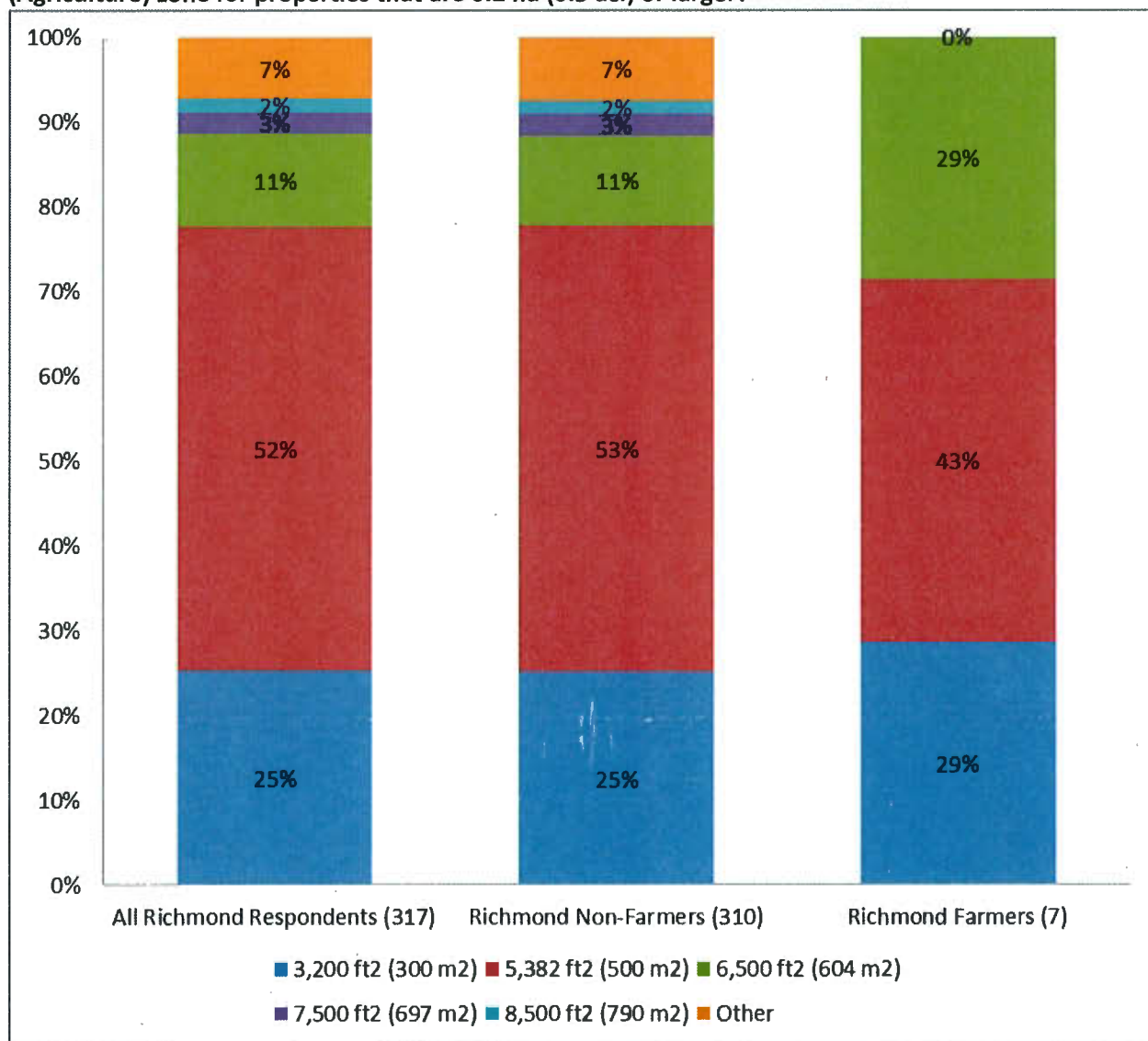
Question 5 - Do you think the maximum house size in the City's AG1 (Agriculture) zone should be reduced for properties that are 0.2 ha (0.5 ac.) or larger?



Notes:

- General comments provided in response to the question included the following:
 - the maximum house size should be reduced (90)
 - maximum house size should not be reduced any further (25)
 - the maximum house size should be increased (4)
 - allow the farmer (or property owner) to determine the size of house to meet their needs (2)
 - Maximum house size should be based on percentage of uses (i.e. living, farming) (1)

Question 6 - If you answers yes to Question 5, which of the following house sizes (total floor area, including garage) do you think would be an appropriate maximum house size limit in the City's AG1 (Agriculture) zone for properties that are 0.2 ha (0.5 ac.) or larger?



Notes:

- The response '3,200 ft² (300 m²)' for maximum house size was not a set response on the feedback form. There were 80 overall respondents who indicated this response.
- Other comments included the following:

Other comments	All	Non-farmers	Farmers
2,500 ft²	1	1	0
4,000 ft²	5	5	0
Not specific, but less than 5,382 ft²	10	10	0
More than 8,500 ft²	3	2	1
No maximum house size limit, instead allow the farmer (or property owner) determine the size of house to meet their needs	1	0	1
No maximum house size limit, instead the total buildable floor area should be proportional to the size of the lot	3	3	0

Richmond Agricultural Advisory Committee

March 11, 2017

Memo to Richmond City Council Re: Proposed Farmland Housing Regulations

The farmers of the AAC are **strongly opposed** to the regulation alternatives proposed by the City. We feel it is important that we come up with a “**made in Richmond**” solution that respects the core nature of our community, that is – a community with a legacy and historic fabric consisting of a well-integrated blend of urban and rural residents. That being said, in respect of the City’s objective to implement some form of regulations that provide reasonable rules with which to administer building applications that protect and preserve Richmond farmland and farming activities we tender the following recommendations.

1) Home Size:

- a) Home size should be limited to 1,150 Square Metres. This size is in line with the current average “approved building permit” applications as specified in the City’s “Open House Summary Presentation”. The document indicates the current average home size in the Richmond ALR / AG1 for 2015/2016 is about 1,100 square meters. We feel it would be highly inappropriate and inconsistent to implement a dramatic reduction in the size of new construction. Implementing the cap of 1,150 square metres will allow fairness and a degree of uniformity to the conditions that currently exist as well as stop the trend of increasing home sizes.
- b) The existing rules have worked well for bona-fide multi-generational farmers, hence we do not want to implement rules that prevent reasonable options to farmers.
- c) Large homes in Richmond’s ALR do not necessarily discourage use of farmland for farming purposes. Cooperation between farmers and non-farming residents that have purchased farmland for the purpose of building a large home often results in the farm back lands being leased to a bona-fide farmer at a low lease rate. The homeowner benefits in reduced taxes on the portion of the land that is farmed and the bona-fide farmer benefits from inexpensive leased farm land on which to farm. In the existing environment it is less likely for a new farmer to purchase Richmond ALR land at current market rates and have an economically viable farming operation. Hence, this symbiotic relationship results in preservation and protection of farmland.
- d) In the case of a farm property owned by a non-farming resident that achieves farm classification by way of leasing its land to a bona-fide farmer, residential property tax rates should be applied to the residential portion of the property and the farm class property tax rate should be applied to the farmed portion of the property.

2) Home Plate Size:

- a. While not in favour of a home plate size restriction we feel the existing building setback limit of 50 metres is effective in preserving land for farming purposes. Therefore, a reasonable home plate size formula should be the lessor of:

- i. 1 Acre or
 - ii. 50 meters x the roadside property width. As an example a property with a 30 metre width x 50 metre setback = a maximum home plate of 1,500 square metres.
 - b. It should be noted that 75% of the ALR / AG1 properties are less than 2 hectares and are narrow in width. We believe the majority of these properties would have a home plate of less than 1 acre because of the setback limitations.
 - c. Regardless of size of the home plate, access of farm vehicles from the road to the farmable portion of the property must be provided in the building site design.
- 3) Homeplate and House Size of Farm Manager's residence:**
- a. For those properties that qualify for a second or third residence there should be a separate home plate and home size equal to the guidelines set out above. Additional residences should not be forced into a common home plate with the primary residence home plate.
- 4) Seasonal Worker Buildings:** should not be included nor affected by these regulations.
- 5) Setbacks:**
- a. The existing bylaw calling for a 50 metre setback on homes plus an additional 50 meters for accessory buildings is adequate, however, it should be amended to increase the setbacks by the width of any Riparian Management Setbacks that may fall within the building setback. By way of example, if there is a 15 metre Riparian setback required on a property then the home setback should be adjusted to 65 meters and the accessory building setback should be adjusted to 115 metres.
- 6) Septic Tanks / Fields:**
- a. The septic tank should be included in the home plate but
 - b. The septic field need not be located in the home plate.

The farmers of the AAC.

Richmond Farmers Institute

Response to the City of Richmond's proposed house size limits for AG1 zoned lands

The farmers of the Richmond Farmers Institute are opposed to further regulations impacting the viability of agriculture in the City of Richmond.

The RFI believes that truly bona fide farmers, whose primary occupation is farming, have behaved responsibly. Farmers have constructed and reside in homes that are appropriate and supportive of agriculture in our community.

We are aware of non-farmers who are purchasing AG1 land with the primary objective of building large residences and their impact on agriculture.

City Council may determine that the course of action needed to resolve this behaviour is to impose limitations on the size of house that can be constructed on AG1 zoned land. Regulations imposed on farm land in Richmond should be carefully considered to specifically address the challenges and needs of farm land in this municipality.

The RFI provides the following guidance when considering the impacts to the livelihoods of generational farmers and their families.

The maximum house size limit should be consistent with recent average house sizes constructed on AG1 zoned lands. A maximum house size of 1000 sq.m provides consistency and will prevent increasingly larger houses from being constructed.

A home plate should be determined using the following criteria:

1. Access for farming equipment to the farmable area of the property needs to be maintained.
2. Residential accessory structures should be limited to a maximum home plate size of 0.4 ha

The current maximum 50m setback for a residence is satisfactory. Additional residential structures within the current 100m setback are also satisfactory. Should a Riparian Management Area be present, the setbacks should be measured from the termination of the RMA.

Septic tanks may be included in the home plate, but septic fields need not be included.

Additional houses for full time farm workers, when appropriately qualified, should each have individual home plates, and be limited by the regulations consistent with the primary residence.

The current 0.6 Floor Area Ratio for residential and farm buildings, except where greenhouses are located on the lot, in which case the maximum FAR would be 0.75, of which at least 0.70 FAR must be used for greenhouses is satisfactory.

Seasonal worker buildings should not be affected by the proposed housing regulations.

The Richmond Farmers Institute



By Hand
Feb 19/18
a: 2018
B/C

February 18, 2018

City of Richmond Planning Committee
6911 No. 3 Road
Richmond, British Columbia
V6Y 2C1 Canada

Dear City of Richmond Planning Committee & Staff:

In May of 2017, Richmond Farmland Owner's Association worked extensively and sincerely with Richmond City Council, Pioneer Farming Families and Local Community Groups to create new policies regarding house sizes on our farmland.

These new regulations were evidence-based, pragmatic, and practical, assuring that farming in Richmond would continue for generations to come. This 'Made in Richmond' solution was a fair compromise, developed using evidence-based decision-making. After this implementation, the average home being built in Richmond is 8,192 sqft in size, compared to 12,000 sqft prior to adoption of the policy. Under the modified regulations, only 11 new applications have been submitted and there has been a 32% reduction in home size. This is clear evidence that the current bylaws are working.

The policy created in 2017 has not yet had time to prove itself since the homes currently under construction were approved prior to the 2017 restrictions. A true measure of the success of this new policy is the 32% reduction in home size on those applications that have been submitted after the implementation of the 2017 restrictions. This compromise is working.

Now, barely six months after this updated policy came into effect, we are finding ourselves once again being targeted by individuals who unfortunately do not understand the realities of farming in our community. Due to pressure from special interest groups, Richmond City Council is considering dramatically reducing these home sizes again which is creating economic uncertainty within the local farming community, and putting its long-term sustainability at risk.

We are asking the City of Richmond Mayor and Council to not make any further changes to this policy, as we truly believe that we have reached a balanced and fair solution, which leads the Province by example.

Sincerely,

 Bhupinder Dhiman

Signed on Behalf of the Membership
Richmond Farmland Owners Association

GP - 113



FarmWatch Richmond asks Mayor and Council to listen to experts and majority, adhere to Ministry guidelines for home size to Save our Soil

"Estate mansions should be built on a hillside, not on the best soil in the world" - Teresa Geddert, retired farmer

In Richmond, high-capacity, agricultural land reserve (ALR) farmland has been under significant threat for decades. Farms with class 1-3 soil have been regularly removed for non-farming uses.

In the last decade, land speculators and property developers have [been buying farmland](#), driving up prices and building [sprawling, gated, mega-mansions](#) on what were productive strawberry, raspberry and vegetable fields.

Precious farmland needed for growing food continues to be taken out of production at an alarming rate.

In the last year alone, Richmond has seen a net loss of 50 farms, according to a Richmond Finance Department memorandum, *Property Use in Agriculturally Zoned Lands in the City of Richmond*, January 12, 2018.

While 61 properties either lost the farm classification entirely or had a reduced percentage of farming on the property, 11 properties were given farm status.

Of the 61 farms which lost farm status in 2017-2018:

- 17 properties had 100% farm use in 2017 and switched to 100% residential use in 2018.
- 39 properties with mixed farm/residential/other use in 2017 lost their farm use in 2018.
- 5 properties had 100% farm use in 2017 and switched to residential and farm use in 2018.

These statistics are alarming and prove that the residential development we have seen is not for farm use. With residential development squeezing farmers off the land, the number of local farms is declining. Speculative land owners are less likely to issue leases to local farmers. The farm house should be no larger than Ministry of Agriculture guidelines to ensure the property remains farmable in the future.

May 2017 new rules

In 2017, to address the growing problem of mansions taking farmland out of production, Richmond City Council adopted bylaw amendments to preserve land for agriculture.

Amendments included an introduction of various home plate sizes depending on the size of the parcel, as well as two separate house size maximums, 500m² (5382 ft²) for farms less than 0.2 ha (0.5 ac) and 1000m² (10,764 ft²).

Will these new rules make any difference to saving our soil for farming?

Yes, but the rules don't go far enough.

If a large farm house is required for a large farm operation, this is certainly not required on a 0.75 acre parcel. Some farmers we have consulted suggested a larger home size for farms over 10 acres. The 0.5 acre separation for house size has no relevance to needs for farming. The small farms we see that produce food have very small houses with maximized growing space. Even homes of 500m² will have a significant negative impact on a small farm when replacing a house that is 150m². Most of the small farms are right in the city centre. These are the most vulnerable to speculative development as pointed out in the [Ministry of Agricultural guidelines to bylaw development](#). These farms are where it is essential to have house sizes in line with the average of what would be allowed on nearby residential lots.

If Richmond continues with a two-tiered house size bylaw, our suggestion would be 300m² (3,299 ft²) on farms under 10 acres and up to 500m² (5,382 ft²) on farms over 10 acres.

Farmers who want to build larger homes for farming needs can apply for a variance from the City through [Richmond Bylaw 9706](#) (p.4). The only farmers impacted by a house size limit that follows expert recommendations and Ministry of Agriculture guidelines are those involved in real estate development.

We have heard at public hearing that owners of farmland should have the right to recoup their property investment, and that limiting house size to smaller than 10,764 ft. would have a significant financial impact. We wanted to know if this was true so we consulted a financial expert.

When a new home is built, a large building is worth more than a small building because of the construction costs. But, BC Assessment depreciates buildings every year. It is the value of the land that increases over time, while the value of the building decreases over time, unless major improvements are made.

In effect, there is only profit found in building a larger home, if it is being built to sell. This is real estate development, not farm use.

The agricultural land reserve was not created to generate a large return for a land owner as an investment. It was created to minimize residential and non-farm use and prioritize agriculture. People are aware of this when purchasing ALR land on their land title, as per [ALC "buying or owning farmland"](#). Farmland owners do not have a right of financial return on their land as a property investment only.

Farmers that we have consulted with identify farm price escalation as a barrier for farming.

"It's quality not quantity and the same goes for the house; consumers will pay a hefty price for food if things keep going the way they are going" Tim Rempel - Rockweld Farms

"Large gains in land value add another layer of difficulty for kids to take over the farm" - Adam Renner, Adili Farms Ltd.

"The creation of the ALR automatically determined food production over real estate value. There is no way to reconcile the two; one has to be prioritized unless people start paying \$50 per potato." - anonymous Richmond farmer who can't speak up due to land leasing vulnerability

Regarding the consideration for a smaller overall home plate, this will have no major effect on the price of land either. The benefit however is that a much greater portion of the land can be farmed and leased.

The fill that is brought in to cover the entire home plate area often introduces contaminants, illegal material, or invasive plant species to the native soil, and affects the drainage and water systems of the adjacent farmland. We see this effect render remaining farmland unusable or seriously diminished on small Class 1 clay vegetable farms which are more vulnerable than perennial farms such as blueberries.

Richmond FarmWatch recommends a 1000m² home plate including the septic field. We would support the May 2017 bylaw for home plate of up to 2000m² for Richmond's largest farms (over 10 acres), including the septic field, if there was an additional regulation for a maximum 1000m² of fill for the area of the house. The remaining home plate would be at the level of the farming field for better integration of the home plate to the field. This supports farming use and has less of a damaging impact on the soil.

Food security and community needs over the wants of a small special interest group

BC currently produces only [45 per cent of its food](#), according to Dr. Lenore Newman, [Canada Research Chair in Food Security and Environment](#), and a University of the Fraser Valley professor.

Richmond must make saving our soil for food production and saving agricultural jobs a key priority. The history of farming in Richmond, and our unprecedented access to local fresh food so close to an urban area, is a large part of what makes Richmond so special. Our farming community is a large reason for the tourism we receive which benefits local business and Richmond as a whole. Without securing

farmable land for future farmers, Richmond's agricultural economy faces a serious risk of future decline, when in fact there is incredible potential for Richmond to be a leader in regional food production.

Recommendation

Richmond FarmWatch urges Richmond Council show leadership by implementing the following:

1. Maximum Farm Home Plate: Other. 1000m² (possible expansion to 2000m² for larger farms if the maximum fill area remains 1000m²)
2. Septic system within farm home plate. Yes
3. Limit house footprint? Yes
4. Increase house height? No
5. Reduce house size for properties 0.2 ha or larger? Yes and properties under 0.2 ha
6. Appropriate limit for farmhouse size? Other. 300m² (3,299 ft²) (This would require changing the parcels under 0.2 ha (0.5 ac) which are currently 500m² to 300m². Council may wish to consider a two tiered house size based on over 10 acres and under 10 acres.
7. What should other levels of government do?
 - Apply the additional Property Transfer Tax (PTT) (foreign buyers' tax) to farmland.
 - Strengthen the ALR to support the farming economy - jobs, economic spin-offs.
 - Stop farmland speculation to protect the farming industry.
 - Discourage land investors from buying up farms.
 - Step up ALC enforcement.
 - Clarify that houses in the ALR are required to be for farm use.
 - Help new farmers get into farming.
 - Protect farm leasers from instability; incentives to give longer term leases.

Other considerations to strengthen access and ability for leasing farmers to succeed could be implemented during new home permitting process:

- all services required for farming incorporated into the design of the home plate and made available at start of farm field (e.g., access to water for irrigation and electricity for food storage).
- functional access to the farmland for soil amender deliveries and other access needs.
- access to necessary amenities and secure storage for equipment.
- house and footprint design options that allow for suites and temporary dwellings for leasing farmers or farm-workers to live in.

Who we are

Richmond FarmWatch represents farmers, residents and businesses concerned with saving our soil. The organization was originally created in 2013 by South Slough Area farmers - many third and fourth generation - to stop the dumping of construction waste on farmland. Since then the organization has grown to represent a wide array of property owners and residents on ALR farmland, Richmond residents and business owners, and those concerned with saving our soil from all parts of the province.

Richmond FarmWatch requested Richmond Council to strengthen its Soil Bylaw and is very pleased with the increase in Agricultural bylaw monitoring/enforcement that has occurred since that time.

Richmond FarmWatch met with the project manager agriculture specialist for the Massey Tunnel Replacement Project to express concerns about the project's negative impact on farmland and farming in Richmond.

Richmond FarmWatch was a stakeholder and consulted for the ALR/ALC Revitalization with the Agricultural Land Commission and Provincial Agricultural Advisory Committee. We have met with the Minister of Agriculture and have an upcoming meeting with BC Green Party leader Andrew Weaver. Richmond FarmWatch was named as a stakeholder for our submission to the provincial government regarding potential regulations to growing cannabis on ALR land.

Richmond FarmWatch has been consulted by major media outlets in the region as a voice for the protection of farmland.

Hopkins, John

From: MayorandCouncillors
Sent: Monday, 26 February 2018 10:30
To: Konkin, Barry; Craig, Wayne; Hopkins, John; Woo, Gavin
Cc: White, Amelia; Powell, Jo Anne
Subject: FW: Let's Push to Have ALR Lands 100% PROTECTED!!! MAKE it available for FARMING ONLY!!! Apply a 100% Foreign Buyer's Tax !

From: vintageann [mailto:vintageann@shaw.ca]
Sent: Friday, 23 February 2018 15:46
To: MayorandCouncillors; Prime Minister/Premier Ministre; Ahmed.Hussen@parl.gc.ca; Bill.Morneau@parl.gc.ca
Cc: AGR.Minister@gov.bc.ca; FIN.Minister@gov.bc.ca; Diane.Lebouthillier@parl.gc.ca; MAH.Minister@gov.bc.ca; AG.Minister@gov.bc.ca; jody.Wilson-Raybould@parl.gc.ca dian; OfficeofthePremier, Office PREM:EX
Subject: Let's Push to Have ALR Lands 100% PROTECTED!!! MAKE it available for FARMING ONLY!!! Apply a 100% Foreign Buyer's Tax !

In Richmond B.C. the City Council has not been proactive in protecting some of the most arable farmland in Canada from becoming private foreign-owned estates, with mansion sized housing and subsequent property assessments so high that the land will never be owned by farmers again.

Start with a 100% **Farming Only for Richmond's ALR lands** and a modest single house size of 3,000 square feet only!

Why in the world would a farmer need a house of 10,763 square feet? That's larger than many hotels!!!!

ABSOLUTELY NO ALR LANDS should be taken out of the ALR Land reserve to be used for other purposes!!!

The BC Government, The CRA , The RCMP, FINTRAC & Inspectors from the City Of Richmond MUST keep doing regular spot checks and frequent monitoring on what's going on in these "MEGA MANSIONS" being built on ALR Land in Richmond.

Richmond council has inadvertently assisted these illegal & dubious activities, by allowing these huge homes to be built, which are OBVIOUSLY not being used by farmers!

Frequent reports in the news about these mega mansions being used as *illegal casinos, illegal hotels, illegal airbnb's, birth tourism hotels, brothels and for illegal activities abound!*

Both the B.C. Government & Federal Government are now aware of what's been going on here! There's definitely a need for both a Provincial & Federal inquiry.

Mansion Estates or Class A Agricultural Land in the City of Richmond?

23 Friday Feb 2018

Posted by Sandy James Planner in Housing, Infrastructure, Landscape, Richmond, Social issues

≈ 3 Comments

Tags

Big Estate Houses on the ALR



This story illustrates the problem of expectations when existing regulations are not enough to achieve a higher purpose, like protecting farmland. In Richmond B.C. the City Council has not been proactive in protecting some of the most arable farmland in Canada from becoming private foreign-owned estates, with mansion sized housing and subsequent property assessments so high that the land will never be owned by farmers again. There was an outcry in the City of Richmond over the size of the houses being placed on farmland and being taken out of farming and turned into private estates. In May 2017 Council moved that house size would be capped to 10,763 square feet on lots that were larger than half an acre. The Provincial regulations for the Agricultural Land Reserve (ALR) says that houses on these larger lots should be no larger than 5,382 square feet, half of the size.

Price Tags Vancouver has written several times about these ALR properties in Richmond which can be purchased without the 20 per cent foreign buyers tax and can also pay lower agricultural property taxes if a minimal farming crop or livestock are raised on the land. We also covered the story of a shell company that purchased a 26 acre piece of farmland in 2014 for \$88,000 in Richmond. Now that the property has a half built mansion on it, with a 2017 assessed property value of \$8.3 million. As Richmond Farm Watch and Richmond resident Laura Gillanders observes "One by one each of these farms is being taken out of production and making sure it is never farmed by a farmer who can live on that land. It goes to show these mansions are not being built for farming." You can take a look on the Farm Watch site at the "Visuals" section

documenting the before and after photos and films of these properties taken out of agricultural production and made into mansioned estates.

As the Richmond News reports it is no surprise that a group called The Richmond Farmland Owners Association “*has launched a campaign and online petition to protect farmers’ property rights and land value.*” You can hardly blame them. They want the current mansion sized dwelling to now remain as the status quo, seeing a reduction in house size as an impediment to property value. Some argue that the large houses are small compared to the land around them. Council does allow for larger square foot houses when it is for larger extended family groups.

There is a [Change.org](#) petition which can be viewed here where the Richmond Farmland Owners Association says that Richmond is infringing on property rights, and that these rights will be taken away if house sizes are reduced. Meanwhile the group Richmond FarmWatch wants the City of Richmond to follow the provincial guidelines for land in the ALR, and are planning a public rally is to be held at Richmond City Hall Monday, Feb. 26 at 6:30 p.m. and you can see a copy of the petition put out by the Richmond Citizens Association [here](#).

The last word goes to land economist Richard Wozny with Site Economics who passed away earlier this month. Wozny’s analysis indicated that a house of 4,200 square feet was in line with farm land values, half the size of the currently approved 10,763 square feet for agricultural land over half an acre.

There is a YouTube video below from March 2017 showing the size of “farm” houses being constructed on agricultural land in Richmond.



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Related

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City of Richmond~Agricultural Land, not Mini Estates! In "Affordability"

Farm Land or Large Mansions on the Agricultural Land Reserve? In "Architecture"



About Sandy James Planner

City Planner/Place Shaker, author, co-editor of Price Tags, passionate about Green Streets and

Walkability, TEDx Speaker, Director of Walk Metro Vancouver, past chair of International Walk21 Vancouver

Conference, Master Gardener, sparking livable walkable places we all want to live in. Twitter: sandyjamesplan

Blog: sandyjamesplanner.wordpress.com www.walkmetrovan.ca

[View all posts by Sandy James Planner »](#)

Hopkins, John

From: MayorandCouncillors
Sent: Monday, 26 February 2018 10:28
To: Konkin, Barry; Hopkins, John; Craig, Wayne; Woo, Gavin
Cc: Powell, Jo Anne; White, Amelia
Subject: FW: House Sizes on ALR land

From: MayorandCouncillors
Sent: Monday, 26 February 2018 10:28
To: 'De Whalen'
Subject: RE: House Sizes on ALR land

Good morning Ms. Whalen,

This is to acknowledge and thank you for your email. Please be advised that copies of your email have been forwarded to the Mayor and each Councillor. In addition, your email has been forwarded to Planning and Development staff.

Thank you again for taking the time to bring your concerns to our attention.

Hanieh Berg | Legislative Services Coordinator
City Clerk's Office | City of Richmond
6911 No. 3 Road, Richmond, BC V6Y 2C1

From: De Whalen [mailto:de_whalen@hotmail.com]
Sent: Saturday, 24 February 2018 14:29
To: MayorandCouncillors
Subject: House Sizes on ALR land

February 24, 2018

Richmond City Hall
6911 No. 3 Road
Richmond, BC

Dear Mayor & Councillors:

This is a written submission to Richmond City Council about maximum allowable house sizes on agricultural land in Richmond.

I would urge Council to amend their current policy and bylaw from allowing houses in excess of 10,000 square feet, to the ALR guidelines which allows for a maximum of around 5,000 square feet. Richard Wozny's analysis pointed to the detrimental effect of taking the price of farmland beyond the reach of farmers if very large houses are allowed to be built on ALR. Once that land is built on it is essentially taken out of the ALR.

I have heard it said that farmers should have carte blanche on house sizes. But the City has already built in a variance process. If farmers wish to build a house larger than the ALR guidelines, they can apply for a variance. Richmond residents and land owners apply to the City every day for variances to the bylaws. There should be no reason why farmers would find it so much more difficult to apply for a variance than everyone else.

On a personal note, I can say that one of the 'farmers' at the public hearing who spoke in favour of very large houses on ALR is a neighbour. They paid \$2.25 million for 1.3 acres, took possession in July 2017 and bulldozed all the trees and the topsoil in August. This 3000 sq. ft beautifully hand-crafted vacant house somehow burned down in October. A charred hulk and a razed back property is now for sale for about \$2.8 million with a promise that the seller can provide house plans to build a new much larger house.

Please, City Council, do the right thing and revert your policy and bylaw to the ALR guidelines.

Sincerely,

Deirdre Whalen
13631 Blundell Road
Richmond BC V6W 1B6

604.230.3158

"Small acts, when multiplied by millions of people, can quietly become a power no government can suppress, a power that can transform the world." Howard Zinn

Kindness is in our power even when fondness is not. Henry James

Hopkins, John

From: MayorandCouncillors
Sent: Monday, 26 February 2018 10:27
To: Konkin, Barry; Hopkins, John; Craig, Wayne; Woo, Gavin
Cc: Powell, Jo Anne; White, Amelia
Subject: FW: House Size Limits on Agricultural Land/Land Within the ALR

From: MayorandCouncillors
Sent: Monday, 26 February 2018 10:26
To: 'Jackie Brown'
Subject: RE: House Size Limits on Agricultural Land/Land Within the ALR

Good morning Jackie,

This is to acknowledge and thank you for your email. Please be advised that copies of your email have been forwarded to the Mayor and each Councillor. In addition, your email has been forwarded to Planning and Development staff.

Thank you again for taking the time to bring your concerns to our attention.

Hanieh Berg | Legislative Services Coordinator
City Clerk's Office | City of Richmond
6911 No. 3 Road, Richmond, BC V6Y 2C1

From: Jackie Brown [<mailto:jackiejbrown@shaw.ca>]
Sent: Sunday, 25 February 2018 23:37
To: MayorandCouncillors
Subject: House Size Limits on Agricultural Land/Land Within the ALR
Importance: High

Mayor and Councillors,

I write to express my concern with the building of extremely large houses (I won't refer to them as homes) on Richmond's agricultural land.

There have been too many mansions built on land that should have been retained for farming purposes. There are many examples of land where the City has allowed houses and driveways to be built that exclude any possibility of future farm use (No. 4 Road east of Finn Road) and ridiculously large houses that will not house a farmer and his/her family; these properties simply become estates.

As a lifelong resident of Richmond I grew up on farmland, and still live in my family home within the ALR. Fortunately at this time, much of the surrounding land is still farmed, but not by those who have purchased the land and built mansions on them; it has been leased to local farmers to ensure the landowner receives the tax break. My constant fear is that, because of lack of Council action to prevent it, we will lose this fertile land to more gigantic houses that are built for nothing more than prestige and/or investment.

We cannot afford to lose any more viable farmland to housing. I am imploring you to implement changes to City Bylaws to limit the size of houses built on land within Richmond's ALR to a maximum of 500 m² (5382 sqft), with a moratorium on new applications until the new house size is adopted as a bylaw.

Yours hopefully,

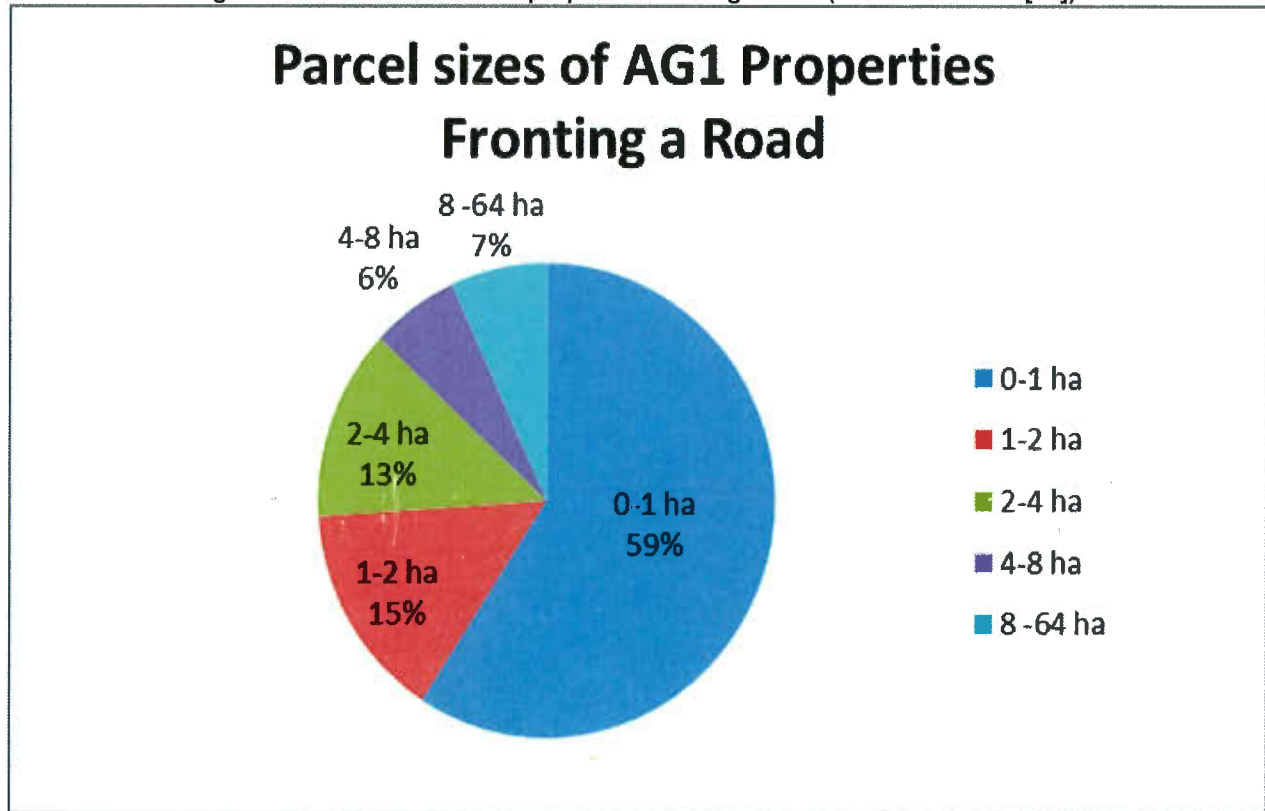
Jackie Brown

Sent from Mail for Windows 10

Profile of Richmond's AG1 Parcels

There are a total of 2,195 parcels in Richmond's Agriculture (AG1) zoned land. However, only 1,274 (58%) of those parcels have residential development potential, as they have frontage on an improved road allowance providing vehicular access (Figure 1).

Figure 1: Parcel sizes of AG1 properties fronting a road (area in hectares [ha])

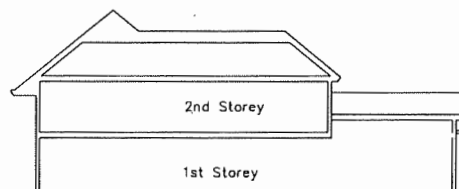
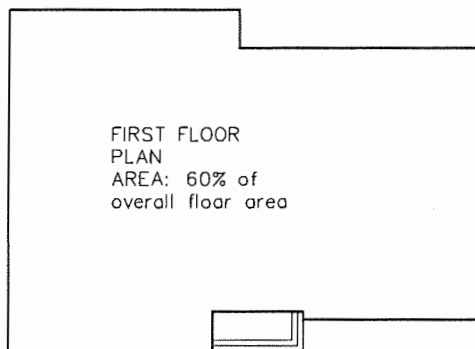
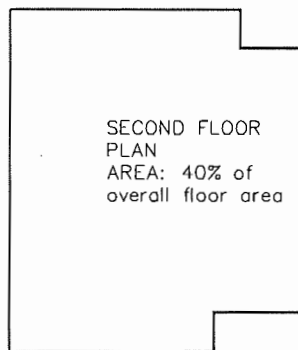


Of the 1,274 AG1 zoned parcels that have residential development potential:

- 753 (59%) are less than 1.0 ha (2.5 acres) with the following sub-sets:
 - 263 are less than 0.2 ha (0.5 acres)
 - 259 are between 0.2 ha (0.5 acres) and 0.4 ha (1.0 acres)
 - 231 are between 0.4 ha (1.0 acres) and 1.0 ha (2.5 acres)
- 189 (15%) are between 1.0 ha (2.5 acres) and 2.0 ha (4.9 acres)
- 166 (13%) are between 2.0 ha (4.9 acres) and 4.0 ha (9.9 acres)
- 166 (13%) are greater than 4.0 ha (9.9 acres)

2 STOREY HOUSE

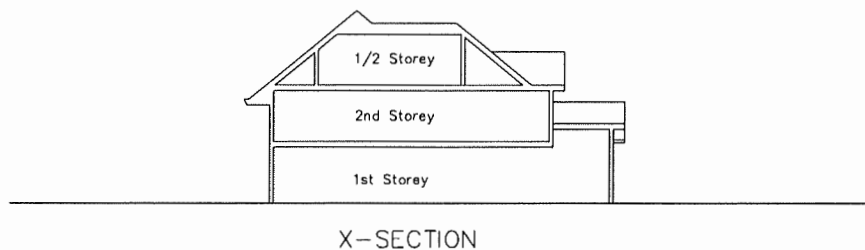
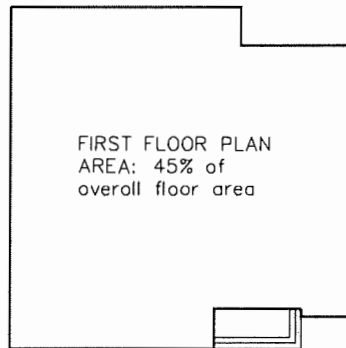
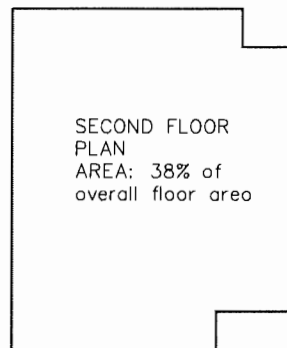
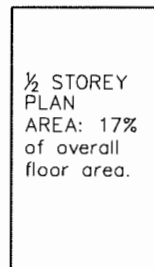
- FIRST STOREY: 60 % of overall floor area
- SECOND STOREY: 40% of overall floor area



X-SECTION

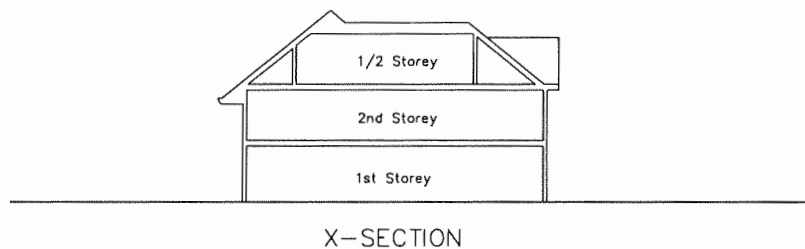
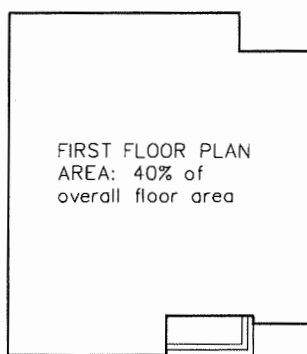
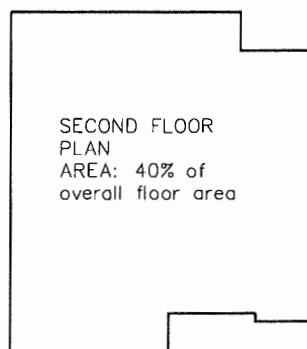
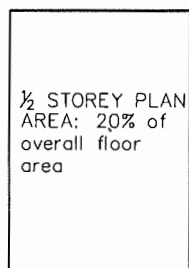
2 1/2 STOREY HOUSE

- FIRST STOREY: 45 % of overall floor area
- SECOND STOREY: 38% of overall floor area
- 1/2 STOREY LEVEL: 17% of overall floor area



2 1/2 STOREY HOUSE

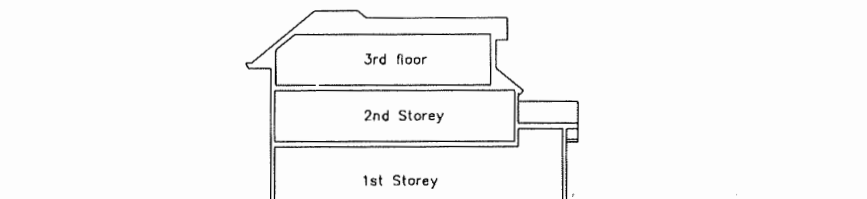
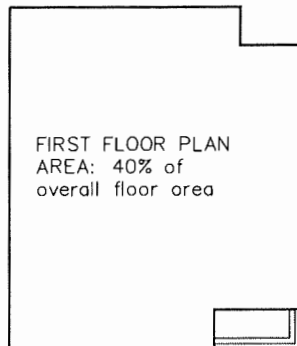
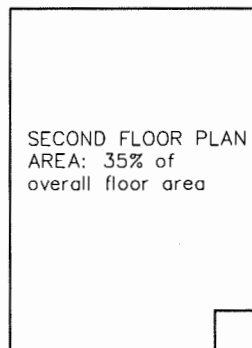
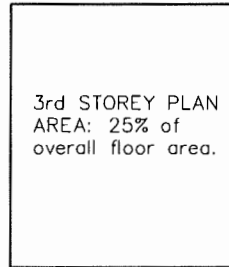
- FIRST STOREY: 40 % of overall floor area
- SECOND STOREY: 40 % of overall floor area
- 1/2 STOREY LEVEL: 20 % of overall floor area



note: this is a **GP-129** concept diagram meant
to demonstrate potential building massing

3 STOREY HOUSE

- FIRST STOREY: 40 % of overall floor area
- SECOND STOREY: 35 % of overall floor area
- THIRD STOREY: 25 % of overall floor area



X-SECTION

ATTACHMENT 10

Summary of Feedback Received from the LetsTalkRichmond.ca Feedback Forms

No.	Topic	#
1	Foreign buyers tax should be applicable to farmland	120
2	Provide greater incentives for farmers (existing and new), including more tax reductions, grants and training opportunities	82
3	Agricultural Land Commission (ALC) and Agricultural Land Reserve (ALR) regulations should be strengthened, provided greater authority and enforced (including monitoring, inspections, penalties for non-compliance)	81
4	Prevent farmland speculation by applying additional taxes when properties are sold more than once within a short period of time	80
5	Require ALR land to be used for farming purposes only. For example, purchasers or operators of ALR land are required to go through an approval process to demonstrate what will be farmed and how the land will be farmed	70
6	Increase protection for those who lease farmland for farming purposes and require longer lease terms, and incentivize owners who do not farm to lease their land (i.e. tax exemptions).	42
7	Ban all foreign ownership of farmland	36
8	Implement property tax measures to encourage farming: <ul style="list-style-type: none"> • Increase property taxes for properties within the ALR that are not farmed (unless evidence is provided the land cannot be farmed) • Increase the minimum farm income requirements as defined by BC Assessment to classify as a farm • Remove the tax exemptions altogether • Restructure the minimum farm income requirements as defined by BC Assessment to be proportional to the lot size to classify as a farm 	27 11 4 2
9	Restrict the maximum size of house permitted on farmland (City)	22
10	Prohibit and enforce illegal activity on farmland, such as hotels, casinos, air b&b, etc. (City)	13
11	Provide education on the benefits of farming and how to farm, and partner with organizations to promote farming in schools	9
12	Promote local purchasing of goods, for example support programs such as farm-to-school	9
13	Allow the farmer (or property owner) to decide how best to use their land and listen to the expertise of existing farmers	9
14	Limit the length of time a property in the ALR can go unfarmed	6
15	Do not permit the rezoning of ALR land	4
16	Reduce water rates for irrigation of farmland	4
17	Monitor and enforce the illegal dumping of materials on farmland and apply significant fines	4
18	Set a cap on the price of farmland (i.e. \$/acre) and apply a luxury tax if the sale exceeds this amount	4
19	Permit micro-farming or vertical farming and other innovative farming methods	4
20	Do not permit non-farm uses on farmland (i.e. golf courses and religious institutions)	3

21	Do not permit hobby farms (or remove the ability for these farms to receive tax breaks)	3
22	Regulations should focus on farmland that actually has the ability to be farmed	3
23	Apply the empty homes tax	3
24	Stop encroachment of industry on farmland (i.e. Port of Vancouver	2
25	Provide incentives for organic farming (i.e. tax exemptions and grants)	2
26	Assist farmers to expand their market to sell their products	2
27	Develop a registry of current and potential farmers and landowners to improve accessibility to farming	1
28	City should start purchasing farmland and lease to new farmers	1



City of Richmond

Report to Committee

To: General Purposes Committee
From: David Weber
Director, City Clerk's Office

Date: October 18, 2018
File: 01-0105-01

Re: 2019 Council and Committee Meeting Schedule



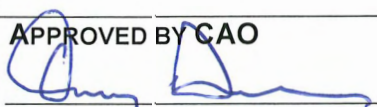
Staff Recommendation

That the 2019 Council and Committee meeting schedule as shown in Attachment 1 to the staff report dated October 18, 2018, from the Director, City Clerk's Office, be approved with the following revisions as part of the regular August meeting break and December holiday season:

1. That the Regular Council meetings (open and closed) of August 12, August 28, and December 23, 2019 be cancelled; and
2. That the August 19, 2019 Public Hearing be rescheduled to September 3, 2019 at 7:00 p.m. in the Council Chambers at Richmond City Hall.

David Weber
Director, City Clerk's Office

Att. 2

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

Staff Report

Origin

Under the *Community Charter* and the Council Procedure Bylaw, Council must provide for advance public notice of Council and Committee meetings and, at least once per year, advertise the availability of the Council meeting schedule. Accordingly, the 2019 Council meeting schedule is being presented at this time to provide certainty and advance notice of Council's regular meeting schedule.

Analysis

Option 1 – August Meeting Break and December Holiday Season (RECOMMENDED)

It has been the City's usual practice to observe a meeting break in August and to close City Hall during the December holiday season. In 2019, City Hall will be closed on Wednesday, December 25 and will re-open on Thursday, January 2, 2020. In accordance with the Council Procedure Bylaw No. 7560, Council resolutions are required for any changes to the prescribed Council meeting schedule. Therefore, in order to accommodate an August meeting break and December Holiday Season, it is recommended that the Regular Council meetings (open and closed) of August 12 and 26, 2019 and December 23, 2019 be cancelled.

Changes to the Committee meeting dates may also be altered at the discretion of the Chair as circumstances arise closer to the dates of the meetings and do not require a Council resolution. Staff are proposing a few changes to the Committee schedule. Following the 2018 December city hall closure, City Hall will re-open on Tuesday, January 2, 2019 and normally the General Purposes and Finance Committees would fall on Monday, January 7, 2019 and the Planning Committee on Tuesday, January 8, 2019. Staff propose that the schedule for these three committees be adjusted by two days, with the General Purposes and Finance Committees meeting on Wednesday, January 9th and the Planning Committee proceeding on Thursday, January 10, 2019.

A further change that staff propose to the Committee schedule is a change to the Parks, Recreation and Cultural Services Committee (PRCS) meeting that would normally fall on July 23, 2019, the day after the last Council meeting before the August meeting break. In order for Council to consider any recommendations from this meeting at the Regular Council meeting of July 22, 2019, it is proposed that the PRCS meeting be moved to the previous week, following the Public Works and Transportation Committee on Wednesday, July 17, 2019.

With regard to the August Public Hearing, in keeping with past practice, staff propose that it be rescheduled from August 19, 2019 to September 3, 2019. This change to the Public Hearing schedule minimizes the delay, due to the August meeting break, for consideration of land use applications that have been given first reading. There would be no need for a second scheduled Public Hearing during the third week of September.

Accordingly, adjustments to the meeting schedule are proposed to:

- cancel the open and closed Regular Council meetings of August 12 and 26, 2019 and the Committee meetings associated to those Council meeting cycles;
- reschedule the August 19, 2019 Public Hearing to September 3, 2019;
- cancel the open and closed Regular Council meetings that would otherwise fall during the 2019 December holiday season (on December 23, 2019) and, instead, plan to hold a

Special Council meeting in conjunction with the last Committee meetings of the year in order to deal with any business arising from the Committees that is of a time-sensitive nature;

- schedule the first cycle of committee meetings in January 2019 to commence on Wednesday, January 9, 2019 with the General Purposes and Finance Committees, and with the Planning Committee being scheduled for Thursday, January 10th; and
- schedule the July Parks, Recreation and Cultural Services Committee (PRCS) meeting for Wednesday, July 17, 2019, following the Public Works and Transportation Committee and the December PRCS meeting for December 18, 2019 so that Council may consider any recommendations from the PRCS meetings at the last Regular Council meeting before the August break on July 22, 2019 and at the December 18, 2019 Special Council “wrap-up” meeting respectively.

A draft meeting schedule for Option 1 is presented in Attachment 1, which incorporates adjustments for the August meeting break and the December holiday season City Hall closure.

Option 2 – Includes all adjustments under Option 1 **PLUS** a change to accommodate the Union of BC Municipalities (UBCM) convention

In 2016, Council first considered whether changes to the meeting schedule would be made to accommodate attendance at the FCM or UBCM Conventions and the direction given was that the circumstances be considered each year.

No schedule change would be necessary to accommodate the FCM convention as the 2019 convention (May 30 - June 2) does not conflict with any usual meeting days.

The UBCM convention is scheduled for September 23 - 27, 2019 in Vancouver and if the meeting schedule were to be adjusted to accommodate the convention, staff propose that the Parks, Recreation and Cultural Services Committee meeting be rescheduled to the previous Tuesday (September 17, 2019) and held immediately following the Planning Committee meeting. In addition, a Special Council meeting could be called on September 18, 2019 to deal with any matters arising from Committee during that week. This would allow for the cancellation of the Regular Council meeting (open and closed) that would otherwise fall on September 23, 2019. These adjustments would avoid a scheduling conflict for those wishing to attend the UBCM convention.

A draft meeting schedule for Option 2 is presented in Attachment 2, which incorporates adjustments for:

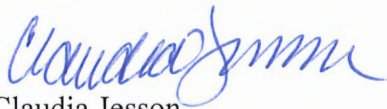
- the August meeting break;
- the December holiday season City Hall closure; and
- the UBCM convention.

Financial Impact

None.

Conclusion

It is recommended that the 2019 Council and Committee meeting schedule be approved as shown in Attachment 1 (Option 1), on the understanding that a Special Council meeting can be called with 24 hours' notice should any unusual or urgent circumstances arise outside of the usual schedule. Likewise, Council and Committee may make adjustments to the meeting schedule through the year as circumstances may necessitate. The approval of the meeting schedule at this time provides Council and the public with certainty and advance notice of the meeting schedule.



Claudia Jesson
Manager, Legislative Services, City Clerk's Office

- Att. 1: Option 1 - Proposed 2018 Council and Committee Meeting Schedule (**Recommended**)
- Att. 2: Option 2 - Proposed 2018 Council and Committee Meeting Schedule with UBCM & FCM Adjustments

2019 MEETING SCHEDULE

OPTION 1
(Recommended)

SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY							FEBRUARY							MARCH						
		STAT 1	2	3	4	5						1	2						1	2
6	7	8	GP FC 9	PC 10	11	12	3	GP FC 4	PC 5	6	7	8	9	3	GP FC 4	PC 5	6	7	8	9
13	CO 14	CS 15	DP 16	17	18	19	10	CO 11	CS 12	DP 13	14	15	16	10	CO 11	CS 12	DP 13	14	15	16
20	GP PH 21	PC 22	PWT 23	24	25	26	17	STAT 18	GP PH 19	PC 20	PWT 21	22	23	17	GP PH 18	PC 19	PWT 20	21	22	23
27	CO 28	PRC 29	DP 30	31			24	CO 25	PRC 26	DP 27	28			24	CO 25	PRC 26	DP 27	28	29	30
														31						
APRIL							MAY							JUNE						
	GP FC 1	PC 2	3	4	5	6				1	2	3	4							FCM 1
7	CO 8	CS 9	DP 10	11	12	13	5	GP FC 6	PC 7	8	9	10	11	2	GP FC 3	PC 4	5	6	7	8
14	GP PH 15	PC 16	PWT 17	18	STAT 19	20	12	CO 13	CS 14	DP 15	16	17	18	9	CO 10	CS 11	DP 12	13	14	15
21	STAT 22	CO 23	PRC 24	DP 25	26	27	19	STAT 20	GP PH 21	PC 22	PWT 23	24	25	16	GP PH 17	PC 18	PWT 19	20	21	22
28	29	30					26	CO 27	PRC 28	DP 29	FCM 30	FCM 31		23	CO 24	PRC 25	DP 26	27	28	29
														30						
JULY							AUGUST							SEPTEMBER						
	STAT 1	GP FC 2	PC 3	4	5	6				1	2	3		1	STAT 2	GP FC 3	PC 4	5	6	7
7	CO 8	CS 9	DP 10	11	12	13	4	STAT 5	6	7	8	9	10	8	CO 9	CS 10	DP 11	12	13	14
14	GP PH 15	PC 16	PWT 17	18	19	20	11	12	13	DP 14	15	16	17	15	GP PH 16	PC 17	PWT 18	19	20	21
21	CO 22	23	DP 24	25	26	27	18	19	20	21	22	23	24	22	CO 23	PRC 24	DP 25	UBCM 26	UBCM 27	28
28	29	30	31				25	26	27	DP 28	29	30	31	29	30					
OCTOBER							NOVEMBER							DECEMBER						
		1	2	3	4	5						1	2	1	GP FC 2	PC 3	4	5	6	7
6	GP FC 7	PC 8	9	10	11	12	3	GP FC 4	PC 5	6	7	8	9	8	CO 9	CS 10	DP 11	12	13	14
13	STAT 14	CO 15	CS 16	DP 17	18	19	10	STAT 11	CO 12	CS 13	DP 14	15	16	15	GP PH 16	PC 17	PWT 18	19	20	21
20	GP PH 21	PC 22	PWT 23	24	25	26	17	GP PH 18	PC 19	PWT 20	21	22	23	22	23	24	STAT 25	STAT 26	27	28
27	CO 28	PRC 29	DP 30	31			24	CO 25	PRC 26	DP 27	28	29	30	29	30	31	STAT 1			

★ Special Council Meeting

- CO** Regular Council Meeting, 7:00 p.m.
Regular (Closed) Council Meeting, 4:00 p.m.
- CS** Community Safety, 4:00 p.m.
- DP** Development Permit Panel, 3:30 p.m.
- FC** Finance, following 1st General Purposes meeting of each month
- GP** General Purposes, 4:00 p.m.
- PC** Planning, 4:00 p.m.
- PH** Public Hearing, 7:00 p.m.
- PRC** Parks, Recreation and Cultural Services, 4:00 p.m.
- PWT** Public Works and Transportation, 4:00 p.m.
- FCM** FCM
- UBCM** UBCM

Note: All meeting dates are subject to change.

2019 MEETING SCHEDULE

SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY							FEBRUARY							MARCH						
		STAT 1	2	3	4	5						1	2						1	2
6	7	8	GP FC PC 9	10	11	12	3	GP FC PC 4	5	6	7	8	9	3	GP FC PC 4	5	6	7	8	9
13	CO 14	CS 15	DP 16	17	18	19	10	CO 11	CS 12	DP 13	14	15	16	10	CO 11	CS 12	DP 13	14	15	16
20	GP PH PC 21	PWT 22	23	24	25	26	17	STAT 18	GP PH PC 19	PWT 20	21	22	23	17	GP PH PC 18	PWT 19	20	21	22	23
27	CO 28	PRC 29	DP 30	31			24	CO 25	PRC 26	DP 27	28			24	CO 25	PRC 26	DP 27	28	29	30
														31						
APRIL							MAY							JUNE						
	GP FC PC 1	2	3	4	5	6			1	2	3	4								FCM 1
7	CO 8	CS 9	DP 10	11	12	13	5	GP FC PC 6	7	8	9	10	11	FCM 2	GP FC PC 3	4	5	6	7	8
14	GP PH PC 15	PWT 16	17	18	STAT 19	20	12	CO 13	CS 14	DP 15	16	17	18	9	CO 10	CS 11	DP 12	13	14	15
21	STAT 22	CO 23	PRC 24	DP 25	26	27	19	STAT 20	GP PH PC 21	PWT 22	23	24	25	16	GP PH PC 17	PWT 18	19	20	21	22
28	29	30					26	CO 27	PRC 28	DP 29	FCM 30	FCM 31		23	CO 24	PRC 25	DP 26	27	28	29
														30						
JULY							AUGUST							SEPTEMBER						
	STAT 1	GP FC PC 2	3	4	5	6			1	2	3			1	STAT 2	GP FC PC 3	4	5	6	7
7	CO 8	CS 9	DP 10	11	12	13	4	STAT 5	6	7	8	9	10	8	CO 9	CS 10	DP 11	12	13	14
14	GP PH PC 15	PWT 16	17	18	19	20	11	12	13	DP 14	15	16	17	15	GP 16	PC 17	PRC 18	19	20	21
21	CO 22	23	DP 24	25	26	27	18	19	20	21	22	23	24	22	UBCM 23	UBCM 24	DP 25	UBCM 26	UBCM 27	28
28	29	30	31				25	26	27	DP 28	29	30	31	29	30					
OCTOBER							NOVEMBER							DECEMBER						
		1	2	3	4	5					1	2		1	GP FC PC 2	3	4	5	6	7
6	GP FC PC 7	8	9	10	11	12	3	GP FC PC 4	5	6	7	8	9	8	CO 9	CS 10	DP 11	12	13	14
13	STAT 14	CO 15	CS 16	DP 17	18	19	10	STAT 11	CO 12	CS 13	DP 14	15	16	15	GP PH PC 16	PWT 17	18	19	20	21
20	GP PH PC 21	PWT 22	23	24	25	26	17	GP PH PC 18	PWT 19	20	21	22	23	22	23	24	STAT 25	STAT 26	27	28
27	CO 28	PRC 29	DP 30	31			24	CO 25	PRC 26	DP 27	28	29	30	29	30	31	STAT 1			

★ Special Council Meeting

★ Special Council Meeting

CO Regular Council Meeting, 7:00 p.m.
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PRC Parks, Recreation and Cultural Services, 4:00 p.m.

PWT Public Works and Transportation, 4:00 p.m.

FCM FCM

UBCM UBCM

Note: All meeting dates are subject to change.