

General Purposes Committee

Anderson Room, City Hall 6911 No. 3 Road

Monday, May 7, 2018 Immediately following the closed General Purposes Committee meeting

Pg. # **ITEM MINUTES** That the minutes of the special General Purposes Committee **GP-6 (1)** meetings held on April 9, 2018 and April 23, 2018 be adopted; and **GP-22** That the minutes of the General Purposes Committee meeting held *(2)* on April 16, 2018 be adopted. COMMUNITY SERVICES DIVISION 1. RICHMOND MUSEUM SOCIETY BOARD (File Ref. No. 11-7000-01) (REDMS No. 573940) **GP-34** See Page **GP-34** for full report Designated Speaker: Marie Fenwick STAFF RECOMMENDATION That the report titled "Richmond Museum Society Board," dated April 16, 2018, from the Director, Arts, Culture and Heritage Services, be received for information.

Pg. # ITEM

COMMUNITY SAFETY DIVISION

2. HOUSKEEPING AMENDMENTS FOR TRAFFIC BYLAW NO. 5870; PARKING (OFF STREET) REGULATION BYLAW NO. 7403; NOTICE OF BYLAW VIOLATION DISPUTE ADJUDICATION BYLAW NO. 8122; AND CONSOLIDATED FEES BYLAW NO. 8636

(File Ref. No. 12-8060-02-01) (REDMS No. 5743877 v. 3)

GP-39

See Page **GP-39** for full report

Designated Speakers: Carli Edwards and Susan Lloyd

STAFF RECOMMENDATION

That the following bylaws be introduced and given first, second and third readings:

- (1) Traffic Bylaw No. 5870, Amendment Bylaw 9786;
- (2) Parking (Off-Street) Regulation Bylaw No. 7403, Amendment Bylaw No. 9787;
- (3) Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9827; and
- (4) Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9829.

PLANNING AND DEVELOPMENT DIVISION

3. CANNABIS BYLAW FRAMEWORK AND REGULATION OF AGRICULTURAL STRUCTURES

(File Ref. No. 08-4430-03-10) (REDMS No. 5773205 v. 8)

GP-54

See Page **GP-54** for full report

Designated Speakers: Barry Konkin and Carli Edwards

STAFF RECOMMENDATION

(1) To implement the City's framework to regulate cannabis retailing, medical and non-medical (recreational) cannabis production, cannabis research and development and cannabis distribution in advance of the Federal legalization of cannabis, it is recommended:

- (a) That Official Community Plan (OCP) Bylaw 9000, Amendment Bylaw 9837, to revise and update the City's land use regulations and strategic management of cannabis related activities citywide in Section 3.6.5 to Schedule 1 of the OCP, be introduced and given first reading;
- (b) That Bylaw 9837, having been considered in conjunction with:
 - (i) the City's Financial Plan and Capital Program; and
 - (ii) 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.

- (c) That Bylaw 9837, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found not to require further consultation;
- (d) That Richmond Zoning Bylaw 8500, Amendment Bylaw 9838, proposing revisions to existing medical cannabis related regulations, new regulations for non-medical cannabis activities and other changes for cannabis related activities, be introduced and given first reading; and
- (e) That Consolidated Fees Bylaw 8636, Amendment Bylaw 9840, to add development application fees specific to cannabis related land use proposals, be introduced and given first reading;
- (2) That the costs and resources arising from the municipal response to the Federal legalization of cannabis contained in the report, dated April 18, 2018 from the Manager, Policy Planning and Manager, Community Bylaws and Licensing, be received for information and that staff be directed to pursue all Federal and Provincial cannabis related funding resources available and update Council as needed;
- (3) To protect the long-term viability of soil-based agriculture, it is recommended that:
 - (a) Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, to regulate large agricultural buildings and greenhouses, be introduced and given first reading;

Pg. # ITEM

- (b) upon first reading of Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, a resolution be passed pursuant to Section 463 of the Local Government Act, to withhold building permits for agricultural buildings and greenhouses, which may be in conflict with the bylaw under consideration, and that staff bring forward all such building permit applications in the Agriculture (AG1) zone received more than 7 days after the first reading of Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, to determine whether such applications are in conflict with the proposed bylaw; and
- (c) 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 impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production.
- 4. RESPONSE TO REFERRAL: ADDITIONAL DWELLINGS FOR FARM WORKERS AND DIRECTION ON LIMITING RESIDENTIAL DEVELOPMENT IN THE AG1 ZONE FOR PROPERTIES THAT ARE 0.2 HA (0.5 ACRES) OR LARGER

(File Ref. No. 08-4057-10) (REDMS No. 5801334 v. 5)

GP-84

See Page **GP-84** for full report

Designated Speaker: Barry Konkin

STAFF RECOMMENDATION

- (1) That the staff report titled "Response to Referral: Additional Dwellings for Farm Workers and Direction on Limiting Residential Development in the AG1 Zone for Properties that are 0.2 ha (0.5 acres) or Larger" dated May 2, 2018 from the Manager, Policy Planning be received for information;
- (2) That direction be provided to staff to either:
 - (a) amend the 2041 Official Community Plan to revise the policy on additional dwellings on agriculturally zoned land, but still require an application for an additional dwelling unit to go through a rezoning process;

Pg. # ITEM

- (b) amend the 2041 Official Community Plan and Richmond Zoning Bylaw 8500 which would allow one (1) additional dwelling in the Agriculture (AG1) zone, and revise the 2041 Official Community Plan policy to require an application for more than one (1) additional dwelling unit on agriculturally zoned land to go through a rezoning process; or
- (c) amend the 2041 Official Community Plan and Richmond Zoning Bylaw 8500 which would allow up to three (3) additional dwellings in the Agriculture (AGI) zone, and revise the 2041 Official Community Plan policy accordingly;
- (3) That direction be provided to staff on revising the limits to residential development in the Agriculture (AG1) zone based on 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, Policy Planning; 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.

ADJOURNMENT		





Special General Purposes Committee

Date:

Monday, April 9, 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.

PLANNING AND DEVELOPMENT DIVISION

1. APPLICATION BY ONNI DEVELOPMENT (IMPERIAL LANDING) CORP. FOR A ZONING TEXT AMENDMENT AT 4020, 4080, 4100, 4180, 4280 AND 4300 BAYVIEW STREET (FORMERLY 4300 BAYVIEW STREET) TO AMEND THE "STEVESTON MARITIME MIXED USE (ZMU12)" ZONE AND THE "STEVESTON MARITIME (ZC21)" ZONE

(File Ref. No. RZ 13-633927) (REDMS No. 5795676 v. 4)

Correspondence received on the application was distributed (attached to and forming part of these minutes as Schedule 1).

A site map of Building 5 was distributed (attached to and forming part of these minutes as Schedule 2).

Special General Purposes Committee Monday, April 9, 2018

Wayne Craig, Director, Development, reviewed application, noting that the applicant has agreed to an unregistered agreement which will (i) secure onsite staffing for the proposed hotel, (ii) secure "good neighbour" provisions in compliance with the City bylaws, and (iii) ensure that such agreement can be assigned to a future purchaser of the site. He added that the City will have the ability to suspend or revoke the operator's business license should the operator be in breach of the agreement. Also, he noted that the applicant has proposed locating the proposed hotel's reception desk in Building 5 or 6.

Discussion ensued with regard to (i) options to locate the residential entry lobby and hotel registration desks in Building 5 or 6, (ii) options to assign the agreement to a future purchaser of the site, and (iii) the permitted uses on the subject site.

In reply to queries from Committee, Mr. Craig noted that the proposed "good neighbour" provisions are unique to this proposal and that Council has the option to zone the site for hotel use only or permit other uses.

It was moved and seconded

Zoning Bylaw 8500, Amendment Bylaw 9063 be amended by adding the following to the end of proposed clause 20.12.11.9:

"and, in addition to the above, for the purpose of a hotel reception desk and/or an on-site hotel staff desk, ancillary to the hotel use on one or both of the above listed sites, limited to the first storey of a building at the following site:

c) the Common Property of Strata Plan EPS1188, Section 11 Block 3 North Range 7 West New Westminster District Strata Plan EPS1188"

The question on the motion was not called as discussion ensued with regard to the location of the proposed hotel reception desk and the notification to residents prior to the Public Hearing.

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

It was moved and seconded

That the Rezoning Considerations be revised in accordance with Attachment 2 to the staff memorandum dated April 6, 2018 from the Director, Development.

CARRIED

Opposed: Cllrs. Au Day Steves

Special General Purposes Committee Monday, April 9, 2018

It was moved and seconded

The Rezoning Considerations be revised to include the following:

"Registration of a restrictive covenant, setting out that Airspace Parcels 5 and 6 may not be used for hotel use unless the owner provides on-site staff at all times."

The question on the motion was not called as discussion ensued regarding the restriction of uses on the subject site.

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

ADJOURNMENT

It was moved and seconded That the meeting adjourn (4:23 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, April 9, 2018.

Mayor Malcolm D. Brodie Chair

Evangel Biason Legislative Services Coordinator

Date: April 9 2018

TO: MAYOR & EACH COUNCILLOR FROM: CITY CLERK'S OFFICE

MayorandCouncillors

From: Sent:

MayorandCouncillors

Item:

Monday, 9 April 2018 09:29 Craig, Wayne; Badyal, Sara

To: Cc:

Powell, Jo Anne

Subject: Attachments: Onni Hotel Letter.docx

FW: Onni Hotel Proposal

Schedule 1 to the Minutes of the Special General Purposes Committee meeting of Richmond City Council held on Monday, April 9, 2018.

Categories:

- DISTRIBUTED ON TABLE, - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S

OFFICE

From: MayorandCouncillors

Sent: Monday, 9 April 2018 09:28

To: 'pawluks@shaw.ca'

Subject: FW: Onni Hotel Proposal

Good morning,

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 Wayne Craig, Director, Development.

Thank you again for taking the time to contact Richmond City Council.

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

From: RICK PAWLUK [mailto:pawluks@shaw.ca]

Sent: Sunday, 8 April 2018 15:04

To: MayorandCouncillors Subject: Onni Hotel Proposal

Hello,

Please find attached a copy of a letter that I have forwarded to the Richmond News regarding Onni's proposed operational model for a hotel. I attended the December 18/17 public meeting and am extremely concerned that Onni is pushing forward with its proposed Airbnb model without consideration for any of the concerns that have been expressed by residents. To allow for a hotel that does not require 24 hour on-site personnel is neither consistent with the City's current practice nor community safety practices.

Thank you,

Debbie Pawluk 3257 Hunt Street Richmond

Dear Editor,

Re: "Onni hotel plan causes concern," News, April 5.

That Onni has finally agreed to pay a \$5.5 million community contribution amenity in exchange for rezoning the Steveston Boardwalk is (at first glance) encouraging. However, once again Onni is prioritizing its undaunted goal of maximizing profit over the safety, security and sundry objections of nearby residents and merchants. Despite having heard multiple concerns (December meeting) regarding its proposed operation model for a hotel, Onni has not only reiterated but expanded its plan for a "remote operational model"—one that necessarily deems null the need for a 24 hour desk and/or security provisions. Although Chris Evans (Executive VP, Onni Group) was present to hear the speakers' concerns, Onni has made no effort to address their worries. It also appears that Mr. Evan's clarification "...that the proposed hotel would only utilize Airbnb's room *booking* model" is only partially true, as the model has been expanded to include room *access* without the assistance of on-site hotel personnel. Nowhere in Onni's recent proposal is reference to a conventional hotel model as was discussed.

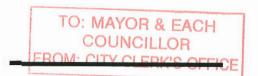
That Onni continues to make unprecedented demands without regard for Richmond residents is disappointing but not unexpected. Throughout the on-going Steveston boardwalk saga, Onni has clearly revealed itself as anything but a good corporate neighbor. I encourage City Council to not be further browbeaten by Onni, to not approve Onni's ostensible "hotel" operation model.

Debbie Pawluk Richmond

Date: April 9 2018

Meeting: Spavel GP

Item: #1



MayorandCouncillors

From:

MayorandCouncillors

Sent:

Monday, 9 April 2018 09:30

To: Cc: Badyal, Sara; Craig, Wayne

Subject:

Powell, Jo Anne FW: 4020, 4080, 4100, 4180, 4280 & 4300 Bayview St.

Categories:

- DISTRIBUTED ON TABLE. - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S

OFFICE

-----Original Message-----From: MayorandCouncillors Sent: Monday, 9 April 2018 09:29

To: 'elaine white'

Subject: RE: 4020, 4080, 4100, 4180, 4280 & 4300 Bayview St.

Good morning,

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 Wayne Craig, Director, Development.

Thank you again for taking the time to contact Richmond City Council.

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

----Original Message----

From: elaine white [mailto:elaine white@hotmail.com]

Sent: Sunday, 8 April 2018 21:08

To: MayorandCouncillors

Subject: 4020, 4080, 4100, 4180, 4280 & 4300 Bayview St.

I have recently been made aware of the possible rezoning of the above noted property to that of a hotel. Steveston is a very special place and especially that of the walkway that has been created. I believe that any creation of a hotel or what would would appear to be actually an Air B & B since the proposed wording that Omni is asking be made to the bylaws would appear to be the case.

I hope that the proposal of a "gift" of \$5,500,000 for the Community Centre will not persuade the Council to make changes to this area of Steveston and take away its current ambience to what would seem to be a slippery slope to a very bad development to create Imperial Landing Hotel.

Sincerely,

Elaine White

Sent from my iPad

PHOTOGOPHO

FJ 2018 S DISTRIBUTION

Date: April 9 2018

Meeting: Special SP

Item: #1

TO: MAYOR & EACH COUNCILLOR FROM: CITY CLERK'S OFFICE

MayorandCouncillors

From:

MayorandCouncillors

Sent:

Monday, 9 April 2018 09:28

To:

Craig, Wayne; Badyal, Sara

Cc:

Powell, Jo Anne

Subject:

FW: ONII Imerial Landing Please oh please approve this latest proposal by ONNI. This has been ten years altogether. I live accross the street From the development on English Ave Every body I've talked to wants the development to go ahead, except some Of yo

Categories:

- DISTRIBUTED ON TABLE, - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S

OFFICE

-----Original Message-----From: MayorandCouncillors

Sent: Monday, 9 April 2018 09:27

To: 'jefflynn@shaw.ca'

Subject: RE: ONII Imerial Landing Please oh please approve this latest proposal by ONNI. This has been ten years altogether. I live accross the street From the development on English Ave Every body I've talked to wants the development to go ahead, except some Of yo

Good morning,

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 Wayne Craig, Director, Development.

Thank you again for taking the time to contact Richmond City Council.

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

----Original Message----

From: jefflynn@shaw.ca [mailto:jefflynn@shaw.ca]

Sent: Sunday, 8 April 2018 14:19

To: MayorandCouncillors

Subject: ONII Imerial Landing Please on please approve this latest proposal by ONNI. This has been ten years altogether. I live accross the street From the development on English Ave Every body I've talked to wants the development to go ahead, except some Of you...

Sent from my Huawei Mobile

PHOTOCOPIED

APR - 9 2018

GP - 12

Date: April 9 2018
Meeting: Sp. AP

Item: #1

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY_CLERK'S OFFICE

DATE

APR 0 9 2018

MayorandCouncillors

From:

MayorandCouncillors

Sent:

Monday, 9 April 2018 09:25

To:

Craig, Wayne; Badyal, Sara

Cc:

Powell, Jo Anne

Subject:

FW: Onni hotel proposal

Categories:

- DISTRIBUTED ON TABLE, - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK

OFFICE

----Original Message-----

From: MayorandCouncillors

Sent: Monday, 9 April 2018 09:25

To: 'Colleen Burke'

Subject: RE: Onni hotel proposal

Good morning,

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 Wayne Craig, Director, Development.

Thank you again for taking the time to contact Richmond City Council.

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

----Original Message----

From: Colleen Burke [mailto:mcburke@telus.net]

Sent: Tuesday, 3 April 2018 19:01

To: MayorandCouncillors
Subject: Onni hotel proposal

Just say No to hotel proposal.

The neighbourhood is primarily residential and we don't want a hotel here! There are already too many near misses between vehicles and kids.

Colleen Burke 4311 Bayview

PHOTOCOPED

APP -9 2018

DISTRIBUTED

MayorandCouncillors

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

From:

MayorandCouncillors

Sent: To: Monday, 9 April 2018 11:34

Cc:

Craig, Wayne; Badyal, Sara Powell, Jo Anne

Subject:

FW: Zoning change discussion for Onni's steveston waterfront buildings

Categories:

- DISTRIBUTED ON TABLE, - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S

OFFICE

From: MayorandCouncillors

Sent: Monday, 9 April 2018 11:34

To: 'niti sharma'

Subject: RE: Zoning change discussion for Onni's steveston waterfront buildings

Good morning,

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 Wayne Craig, Director, Development.

Thank you again for taking the time to contact Richmond City Council.

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

From: niti sharma [mailto:niti.tana@gmail.com]

Sent: Monday, 9 April 2018 09:59

To: MayorandCouncillors; CityClerk; Steves, Harold; McPhail, Linda; Day, Carol; McNulty, Bill; Dang, Derek; Au, Chak;

Brodie, Malcolm; Loo, Alexa; Johnston, Ken; McPhail, Linda

Subject: Zoning change discussion for Onni's steveston waterfront buildings

Honorable Mayor and Council,

As a concerned citizen, I think that any change in zoning for Onni should only happen if the general public feels OnnI has done their due share towards contributing to community amenities. A zoning change should not be given to OnnI otherwise.

Last Monday (April 2nd), when Onni 's representative was answering a question from Councillor McPhail, he mentioned data regarding a felt community need around having short term rental accommodation in Steveston,. However, he said that he could not share the source of his data.

I believe the power of zoning change in a controversial matter such as zoning change for Onni's water front buildings should only be used if there is indeed a real community need for short term rentals and at least an 80% consensus in the village for it. Hence it is of utmost importance that if

APR - 9 2018

there is indeed reliable data around a community need for short term rentals in Steveston village, it will be shared transparently with the Councillors and the general public.

Overall I am not in favor of a waterfront hotel at all: How many hotels and short term rental accommodations does Richmond need?

There are hotels in farmhouse mansions, hotels in single family homes and now the possibility of a hotel on the waterfront in Steveston.

I feel this change in land use does not make sense for a property that was zoned mixed maritime use before and during the time of construction and where the developer knew that they were building a property zoned for maritime use.

Short term rentals (less than 30 days) are the most lucrative kind of rental for an owner/developer. According to the city's own report, Richmond currently has a less than 1% vacancy rate for long term rentals and an unfolding affordability crisis for housing. It is not good use of your public powers to grant yet another project short term rental use on a prime location (Steveston's waterfront).

Councillor Loo raised the question about why Onni was being asked to have a covenant legally restricting a part of its vacant buildings for hotel use only when other hotels do not have that restriction.

In answer, I would like to note that by Onni 's own admission these buildings being re-zoned were not purpose built to be a hotel and the developer will work backwards to accommodate this use. However other hotel buildings such as the hotel building near the airport or the one near the ice rink tend to be purpose built as hotel accommodation. So it is much harder for other hotels to convert their buildings into any other use.

Also, Onni has been known to illegally rent for less than 30 days in its Level one Building in Seymour street in Vancouver and had to be charged twice by the city of Vancouver before it made changes to its rental policy in that building. This defiance of municipal regulation and callousness towards community interest in favor of self interest is problematic.

In addition in Richmond, Onni has accepted a covenant artificially lowering the assessed value of these vacant buildings on Steveston waterfront but would like a covenant free hand in using the buildings under consideration for hotel use.

Why should publically elected councillors and mayor trust Onni with a covenant free use of its two eastern buildings, when the developer has shown in the past that they will put self interest above community interest.

I hope you will send Onnl's new proposal back to public hearing so that your final decision about this issue reflects the voice and vision of the people of Steveston and of Richmond.

Thanks.

Niti Sharma 11380 Kingfisher drive Dated: 8th April, 2018

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

MayorandCouncillors

From:

MayorandCouncillors

Sent:

Monday, 9 April 2018 11:33

To:

Craig, Wayne; Badyal, Sara

Subject:

Powell, Jo Anne FW: APPLICATION BY ONNI DEVELOPMENT (IMPERIAL LANDING) CORP. FOR A

ZONING TEXT AMENDMENT AT 4020, 4080, 4100, 4180, 4280 AND 4300 BAYVIEW STREET (FORMERLY 4300 BAYVIEW STREET) TO AMEND THE "STEVESTON MARITIME ral

Purpose Meeting April 9,2018 ONNI Rezoning

Categories:

- DISTRIBUTED ON TABLE, - TO: MAYOR & EACH COUNCILLOR / FROM CITY CLERK'S

OFFICE

APR 0 9 2018

FIRE

DAT

From: MayorandCouncillors
Sent: Monday, 9 April 2018 11:33

To: 'Don Flintoff'

Subject: RE: APPLICATION BY ONNI DEVELOPMENT (IMPERIAL LANDING) CORP. FOR A ZONING TEXT AMENDMENT AT

4020, 4080, 4100, 4180, 4280 AND 4300 BAYVIEW STREET (FORMERLY 4300 BAYVIEW STREET) TO AMEND THE

"STEVESTON MARITIME ral Purpose Meeting April 9,2018 ONNI Rezoning

Good morning,

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 Wayne Craig, Director, Development.

Thank you again for taking the time to contact Richmond City Council.

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

From: Don Flintoff [mailto:don_flintoff@hotmail.com]

Sent: Monday, 9 April 2018 09:44

To: MayorandCouncillors

Cc: John Roston

Subject: APPLICATION BY ONNI DEVELOPMENT (IMPERIAL LANDING) CORP. FOR A ZONING TEXT AMENDMENT AT 4020, 4080, 4100, 4180, 4280 AND 4300 BAYVIEW STREET (FORMERLY 4300 BAYVIEW STREET) TO AMEND THE

"STEVESTON MARITIME ral Purpose Meeting April 9,2018 ONNI Rezoning

Monday, April 9, 2018

Mayor & Council

Richmond, BC

protocortea

APR - 9 2018

S DISTRIBUTED

RE: APPLICATION BY ONNI DEVELOPMENT (IMPERIAL LANDING) CORP. FOR A ZONING TEXT AMENDMENT AT 4020, 4080, 4100, 4180, 4280 AND 4300 BAYVIEW STREET (FORMERLY 4300 BAYVIEW STREET) TO AMEND THE "STEVESTON MARITIME MIXED USE (ZMU12)" ZONE AND THE "STEVESTON MARITIME (ZC21)" ZONE Attn: Mayor Brodie and Councillors,

We - You have conceded to ONNI:

- a change from MMU zoning to hotel
- kitchens in the suites
- loss of a wharf
- a significantly reduced amenity contribution
- conventional hotel operation
- accepting of hotel status for a condo complex operating as an Air B&B
- After all this and more, this council is unable to secure a legal & binding agreement for a fully staffed front desk clerk. It remains questionable as to whether ONNI will abide by the non-binding agreement. It is very questionable as to whether the City is capable of enforcing its own by-laws.

I believe that we have only a few options left, these are:

- do nothing as ONNI's property tax still flows into City coffers
- give ONNI everything they have asked for but require:
 - o a larger contribution
 - o the wharf and
 - o removal of the existing covenant on the properties.
- Any other option appears to be a weak-knee compromise on the part of the City as the issue of front desk staffing from another building is too minor to be an issue for Council deliberations

ONNI's, Chris Evans, should be given credit for successfully bending the MMU zoning to this extent but now I believe that Council must put forward their "best and final offer".

Hopes this focuses the issues and options in front of you.

Donald Flintoff

Richmond, BC.

MayorandCouncillors

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

From:

MayorandCouncillors

Sent:

Monday, 9 April 2018 11:37

To: Cc: Badyal, Sara; Craig, Wayne

Subject:

Powell, Jo Anne FW: Onni proposed STR hotel

Attachments:

Onni letter to mayor and councillors.pdf

Categories:

- DISTRIBUTED ON TABLE, - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S

OFFICE

From: MayorandCouncillors
Sent: Monday, 9 April 2018 11:36
To: 'kellyagreene@outlook.com'
Subject: FW: Onni proposed STR hotel

Good morning Ms. Greene,

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 Wayne Craig, Director, Development.

Thank you again for taking the time to contact Richmond City Council.

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

From: Kelly Greene [mailto:kellyagreene@outlook.com]

Sent: Monday, 9 April 2018 11:23

To: MayorandCouncillors

Subject: Onni proposed STR hotel

Good morning, Mayor and Councillors,

I hope this email finds you well. Please find my letter in opposition to Onni's proposed Short Term Rental hotel attached.

Regards,

Kelly Greene

APR 0 9 2018

APR - 9 2018

To Mayor & Councillors:

I would like to indicate my opposition to the proposed hotel development in the contentious Onni development on Steveston's waterfront.

First, I would like to point out the long history the company has of ethically questionable actions, such as illegal hotel operation in Vancouver, marketing pre—sale condos overseas for a lower price than domestically available, non—payment and litigation to subcontractors, etc.

Further to that, Onni's refusal to provide a legal guarantee to complete and operate the proposed hotel, while in the meantime asking the City to favourably change the zoning, should be sufficient reason to not proceed with rezoning. To rezone this property on a "gentleman's agreement" would be reckless on the part of the City.

Secondly, Onni devalued the waterfront development by placing a covenant on the properties that they are part of a single group. Should Onni, at some future time, decide that it was divesting from the hotel business, there is the very real possibility that they will try to strata and sell the hotel units as condos, which is their primary business. If they were to sell the 32 waterfront units at a conservative \$1.5M each, that would be \$48M of revenue, mostly profit. Considering the City will potentially receive \$5.5M in community amenity contributions, a moment of pause should be taken to consider all eventualities, and even more strongly recommend to the City a legally binding agreement with Onni to operate a hotel.

Finally, the City recently passed Short Term Rental ("Airbnb—style") bylaws that prohibit operation of STRs in condo, apartment, and townhouse developments. Upon reading the intended method of operation for the proposed hotel development, it struck me that this is not a "traditional hotel" as the council requested on December 17, 2018. This is a STR "hotel" that will be operated exactly as the illegal hotel Onni operated in Vancouver. At that time Onni representatives claimed that it was due to a lack of clarity who the "sharing economy was intended to benefit." Now it is abundantly clear that there is not a lack of clarity on their part.

This naturally leads to the question: is City Council prepared to make a precedent by allowing an STR hotel in a condo development in Richmond? If Onni is permitted to legally operate an STR hotel, there will be no way to decline Onni, or other developers, from doing this in future construction. At a time when Richmond residents are facing near zero rental vacancy rates, and home prices are skyrocketing, is City Council prepared to take supply away from residents in perpetuity? I would strongly support the development of traditional hotels in Richmond, as there is a clear need and benefit to increasing traveller accommodation. This is not such a project and STR hotels have no place in Richmond.

Very simply, the waterfront buildings were built with MMU zoning in place. Onni was fully aware of what that entailed. I have personally heard from a maritime business that they would like to rent one of the buildings, but the rent is not set at what is considered a normal rental rate for MMU. Pursuant to my first point, there is the very real possibility that by setting the rental rates very high, Onni is deliberately

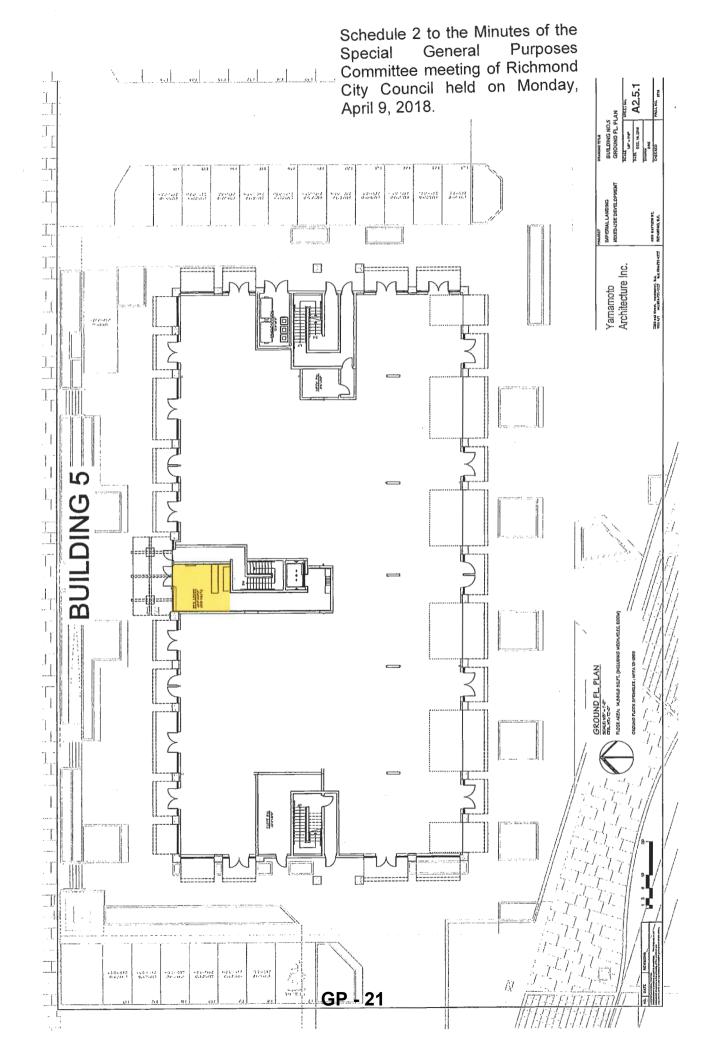
keeping the buildings empty to manipulate the honourable Council members and the general public into capitulation.

In closing, I would like to address the ongoing applications by Onni for rezoning. As staff have noted, Onni has had rezoning considered at: November 19, 2013; April 8, 2014; May 6, 2014; July 17, 2017; October 16, 2017; November 20, 2017; December 18, 2017; as well as numerous open houses and stakeholder consultations. The amount of staff hours used on this project has been monumental, and I would respectfully suggest that if Onni wishes to apply for rezoning, they will be required to pay for Richmond staff time upfront, and not ask Richmond's taxpayers to foot the bill for a company which disagrees with the zoning under which they made the decision to build.

Thank you for your time and consideration of my letter.

Best regards,

Kelly Greene







General Purposes Committee

Date: Monday, April 16, 2018

Place: Anderson Room

Richmond City Hall

Present: Councillor Bill McNulty, Acting Chair

Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Linda McPhail
Councillor Harold Steves

Absent: Mayor Malcolm D. Brodie, Chair

Councillor Alexa Loo

Call to Order: The Acting Chair called the meeting to order at 3:58 p.m.

ANNOUNCEMENTS

The Acting Chair acknowledged the passing of long time Steveston resident Keith Whittle and Committee expressed condolences to the Whittle family.

MINUTES

It was noted that Schedule 2 of the minutes were from various sources and that the minutes should be amended to clarify the origin of the materials.

It was moved and seconded

That the minutes of the meeting of the General Purposes Committee held on April 3, 2018, be adopted as amended.

CARRIED

ENGINEERING AND PUBLIC WORKS DIVISION

1. PHOENIX NET LOFT PRESERVATION

(File Ref. No. 06-2052-25-BHSY1) (REDMS No. 5698772 v. 11)

In response to queries from Committee, Jim Young, Senior Manager, Capital Buildings Project Development, clarified that (i) the project will restore the building and retain its current appearance while replacing the deteriorated portions of the superstructure and piles, (ii) the proposed foundation will allow for consideration of future programs and uses, (iii) the preservation project would not include insulation for the building however, staff intend to come forward with a separate report for different program options for Council's consideration, which would determine the type of venting and heating required, (iv) the anticipated life expectancy of the building after preservation is approximately 50 years, (v) the building would allow for full public assembly, similar to the Seine Net Loft, and (vi) if the project is approved, consultation would be conducted with area residents over the loss of the 42 parking spaces.

In response to further questions from Committee regarding the forthcoming usage report for the Phoenix Net Loft, Jane Fernyhough, Director, Arts, Culture and Heritage Services, advised that it would most likely be brought forward prior to the 2020 budget consideration and following the completion of the preservation project.

It was moved and seconded

That staff be authorized to proceed with Phoenix Net Loft Preservation construction as described in the staff report titled "Phoenix Net Loft Preservation," dated March 29, 2018, from the Director, Engineering.

CARRIED

PLANNING AND DEVELOPMENT DIVISION

2. RIVER ROAD – PROPOSED IMPLEMENTATION OF SELECTED ROAD SAFETY MEASURES

(File Ref. No. 10-6450-09-01) (REDMS No. 5783853 v. 6)

In response to questions from Committee, Victor Wei, Director, Transportation, noted that the current lane markings on River Road are historical, as most sections are curved and there are limited straight areas of road to allow for safe passing.

Robert Gonzalez, Deputy CAO and General Manager, Engineering and Public Works, in response to a query from Committee, advised that a long term plan for the dike would be conducted in the future with partnership funding. Mr. Gonzalez further noted that generally a wider dike would be more stable if River Road were to be widened.

Lynda Parsons, 2491 No. 8 Road, expressed concern over the proposed road safety measures recommended in the staff report and referenced her submission (attached to and forming part of these minutes as Schedule 1.) Ms. Parsons commented that she was of the opinion that (i) a site visit by staff should be conducted prior to the conversion of any portion of double solid lines, (ii) the placement of the delineator posts are potentially hazardous, (iii) inroad markers are required and must be left in place as they are critical for safety in fog or heavy rain and inroad markers that can detect and warn against black ice should be explored, (iv) staff should apply for the appropriate permits to allow sign post concrete bases to be buried, (v) RCMP should have input into the optimum placement of any speed reader boards along River Road, (vi) there should be more enforcement of overweight truck violations, and (vii) that the staff report should not be accepted in its current state.

Ms. Parsons also inquired about clarification on immediate implementation for any safety enhancements and what time frame could be expected.

Trudy Haywood, 22160 River Road, expressed support for most of the recommendations for safety enhancement listed in the staff report but noted concern about the installation of shoulder reflective delineators in place of pavement markers. Ms. Haywood further commented that delineator posts have been utilized in the past but were not well maintained. She was of the opinion that they would not be as effective as raised pavement markers (RPMs) and are intended only for cyclists. Ms. Haywood also noted that RPMs would be less intrusive to the view of the river and would not disturb the Riprarian Management Area. Ms. Haywood also commented that she was of the opinion that River Road has an average accident rate and that enhanced safety measures implemented are not necessary.

Arline Trividic, 22600 River Road, expressed concern over the proposed road safety measures recommended in the staff report and read from her submission (attached to and forming part of these minutes as Schedule 2.)

Yves Trividic, 22600 River Road, expressed concern over the single-file signage and noted that he was of the opinion that the signage is not compliant with the *Motor Vehicle Act* as it depicts that cyclists are allowed to take the lane. Mr. Trividic also commented that he is in support of no implementation of any further safety enhancement measures on River Road until fall 2018 and is not in support of the staff report recommendations.

In further response to questions from Committee, Mr. Wei commented that this matter was referred back at the last Public Works and Transportation Committee meeting and it was noted during the meeting that there could be some immediate traffic calming measures initiated prior to the RCMP report in the fall. Mr. Wei continued that staff met with residents to discuss various traffic calming measures outlined in the report and that there was strong resident support of the conversion of the double yellow centreline to a dashed single yellow centreline. Mr. Wei further noted that (i) there is the option to do no further enhancements until the fall, (ii) staff could meet with residents regarding the conversion of the double yellow centreline for further explanations on placement, and (iii) the installation of speed humps is still on hold.

Mr. Wei further noted, in response to Committee questions, that the permit for burying the concrete signage is a way to ensure there would be no impact to the Riparian Management Area or integrity of the existing shoulder. He also noted that the process could take 45 days to 2 months and that the public would have a chance to comment. Mr. Wei also advised that staff could look at alternate locations to avoid those areas, which may shorten the permit process period.

Staff added that because of the amount of signs on the pole, it must be buried to 1/3 of the height and the hole would be approximately 1 metre deep and 8 inches wide in the dike core, which would not be recommended. Staff further noted that the permit process for burying the signage could be initiated while awaiting the RCMP report and if approved, the City would not be required to implement burying the signs.

In response to additional queries from Committee, Mr. Wei advised that (i) no areas along River Road are wide enough to allow for the placement of the side-by-side signage, (ii) the raised pavement markers are currently mounted on the right edge of pavement, which may interfere with cyclists and staff recommend they be removed, (iii) staff can review painting a reflective white shoulder line after removing the markers, and (iv) the proposed locations of the speed reader boards were chosen strategically to efficiently target drivers and would be rotated to ensure they continue to be effective.

Sergeant Nigel Pronger, Richmond RCMP's Road Safety Unit, in response to questions from Committee advised that (i) RCMP are currently in an engagement phase with the cycling community and are connecting with HUB Cycling and other private cycling clubs that use Richmond roads to engage them about concerning cyclist behaviour, (ii) engagement will continue through summer, (iii) RCMP were in attendance on River Road 15 out of the 30 days in March, and in that time, no infractions were witnessed and they are still engaging with cyclists to ensure that future enforcement is effective, and (iv) RCMP reports at the end of summer will break down month by month and by topic all the combined enforcement operations including tracking *Motor Vehicle Act* violations and municipal bylaw infractions, as well as any statistics on motor vehicle incidents.

In further response to questions from Committee regarding comments from the delegations on signage in contravention to the *Motor Vehicle Act*, Mr. Wei advised that staff ensure that all signage proposed is compliant with any Provincial regulations and guidelines. He further noted that the single-file signs proposed by staff are the national standard and are used in other jurisdictions and municipalities.

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

It was moved and seconded

- (1) That the proposed road safety measures on River Road between No. 6 Road and Westminster Highway as outlined in the staff report titled "River Road Proposed Implementation of Selected Road Safety Measures", dated April 3, 2018 from the Director, Transportation, be endorsed for implementation prior to Fall 2018; and
- (2) That resident input be considered wherever possible and implemented when considering the proposed road safety measures, and that staff undertake a field meeting with the residents.

The question on the motion was not called as discussion took place on the measures to be implemented, and it was clarified that only measures agreed on by both staff and residents should be undertaken.

In response to further questions from Committee, Mr. Wei advised that the staff proposed safety enhancement measures are independent from the RCMP report and can be initiated prior to the fall. He further noted that staff would report back on the outcome of any discussions with residents, including which measures are implemented.

The question on the motion was then called and it was **CARRIED**.

ADJOURNMENT

It was moved and seconded *That the meeting adjourn (4:47 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, April 16, 2018.

Councillor Bill McNulty Acting Chair Amanda Welby Legislative Services Coordinator Schedule 1 to the Minutes of the General Purposes Committee meeting held on Monday, April 16, 2018.

ON TABLE ITEM

Date: APRIL 16,2018

Meeting: GP

Item: 2

I realize that there is a lot going on in Richmond right now and that the River Road Safety Enhancements have become a real thorn in your paw, but to those of us who live and work here this issue surpasses anything that is happening elsewhere in the City of Richmond – this is our safety at risk.

On March 26, 2018, eight area residents and business owners took time away from our schedules to meet with Staff. We discussed various recommended safety enhancements to implement on River Road prior to the report due at the end of the summer.

The area residents and business owners attended this meeting because River Road is the only access to our property, we drive this road on a daily basis, and our opinions should matter. We asked Staff to acknowledge that, because River Road is the only access that we and emergency vehicles have to our properties this be the primary focus when reviewing safety enhancements. As Staff clearly point out in the report that the safety measures are not exclusively for residents or cyclists I am not sure that they understand our position.

I have reviewed the Staff report dated April 3, 2018, and offer the following observations:

Conversion of Double Solid Lines (map on page GP-38)

- 1. 400m just past the corner of No. 6 Road
- 2. 340m is in front of Tom Mac Shipyard.
- 3. 350m is the 30k speed zone that has 6 speed bumps installed.
- 4. 300m tree area
- 5. 450m near Rail Bridge
- 6. 330m near Pump Station

As River Road is unique in location and design, I hope that a site visit was used to confirm the safety of the locations indicated as safe to pass, and not just a screenshot of this portion of the City of Richmond maps used to determine that these locations are safe to pass.

I would like to know if a site visit did occur.

Delineator Posts

Placing the delineator posts along the curves at each entrance/exit may seem to make sense, however, the trucks that are turning at these locations will undoubtedly hit these and replacement would be constant. Eliminating the trucks will solve this problem, however, the delineator posts should not take the place of in road markers in any area.

We would like to see the money spent on cleaning and maintenance of the road rather than on delineator posts – as indicated on page GP 47, the cost of extra maintenance is \$15,000.00 – as the "sharrow markers" proposed on June 26, 2017 for \$12,000.00 were never installed and are not required as River Road is not a cycling lane, and the delineator posts should not be placed, the funding for additional cleaning and maintenance should be achievable within the approved budget.

We stand firm that the in road markers are required and must be left in place. Where they have already been removed they need to be replaced immediately – these are for our safety and 100% required. We are NOT in agreement to remove any in road markers, and insist that those already removed are replaced.

At the March 26, 2018 meeting, in road markers that can detect and warn against black ice were discussed - I would also like to know if any inquires have been made into these.

Single File Signage & Caution Signage

We agree with the number of signs being reduced, however, we continue to believe that the concrete bases are dangerous and should be removed. After reading the report it has become apparent that in order to put the posts into the ground Staff must apply to the Province for a permit due to the Riparian Management Area status. We feel that the inconvenience to Staff of applying for the permit is minor compared to the potential harm that the concrete bases pose.

We would like to see the number of signs reduced and temporarily placed while waiting for the required permits in order to place the posts into the soil and eliminate the dangerous concrete bases.

Speed Reader Boards

Placing the speed reader boards at Valmont Way may not be as effective as placing them further east, perhaps between the CN Rail Bridge and Nelson Road. There are areas along this stretch of road where signs can be installed without affecting any Riparian Management Areas as there is a gravel road between the River and River Road on the north side and on the south side a little further west the ditch has been filled in on the south side of River Road.

We would like to see RCMP input on the optimum locations for these signs, as they are most aware of where speed is more of an issue.

I would also like to know why the recommendation is to purchase 4 and install 2?

We also want the traffic radar data collection units installed and the information gathered and analysed to aid in the enforcement of traffic violations. These are NOT the moveable speed reader boards - these were bought and paid for with our tax dollars in 2015 and even though Staff reported that they would be installed in the 22000 block of River Road from any information provided, these were never put into use as noted – our money has been spent and we want to see the traffic radar data collection units installed and the results known.

Why have these not been installed?

Relocate Bike Route Sign

This can be done immediately, however, the cost of \$200.00 to remove this sign appears to be quite excessive.

Why does it cost \$200.00 to remove a couple of bolts, and where do I sign up for that job?

As the overweight trucks have long been an issue, we hope to see more enforcement of these. The report states:

Richmond RCMP advise that joint enforcement operations are regularly conducted with Community Bylaws staff, who have primary responsibility for enforcement of trucks on weight-limited roads.

I am unclear on what is determined to be "regularly conducted", as the March 16, 2018 enforcement was the first in a very long time. The fact that within a few hours a total of 18 violations were issued to truck drivers shows the magnitude of this issue. Enforcement of the overweight trucks should be a lot more frequent going forward.

We would like to see more frequent and continued enforcement of these trucks confirmed.

During discussions at a City Council Meeting, regarding flood protection, it was stated that the dike has been raised substantially over the years, and so, at the March 26, 2018 meeting I asked Staff if the ditches are still required, and whether the ditch could be filled to create a temporary cycling/pedestrian lane, as the widening and re-building of River Road will be years from now. This would ONLY be for cyclists/pedestrians and NOT as a widening of vehicle lanes as this would require extensive engineering.

I would like to know the status of any discussions on filling the ditch now to accommodate cyclists and pedestrians by filling the ditch completely or installing oversized culverts.

I urge you NOT to accept this report in its current state, as there are some important details, as noted that need amending or clarification prior to implementation.

- 1. Ensure that the double solid lines are changed to broken centerlines only where safe to pass following an actual site visit.
- 2. Replace all in road markers. DO NOT REMOVE ANY in road markers
- 3. Apply for permits so that the sign posts can be permanently mounted into the ground thus eliminating the dangerous concrete bases
- 4. Place Speed Reader Boards as recommended by the RCMP apply for any required permits.

When these issues have been reviewed and resolved, I would like to have "**immediate implementation**" clarified, as for example, conversion of the double solid lines was approved by Council on June 26, 2017 for **immediate implementation**, yet remain unchanged to date.

The report presented today indicates that the measures are to be "for immediate implementation" page GP 34 - what is the actual time frame on the

Schedule 2 to the Minutes of the General Purposes Committee meeting held on Monday, April 16, 2018.

Notes for General Purposes Committee Meeting April 16 2018

My name is Arline Trividic and I live at 22600 River Road

According to the staff report GP-30 from MR. Wei on page GP-33 he states that on March 16 2018 Richmond RCMP conducted a joint operation with the city bylaws staff

18 bylaw infraction tickets were issued to truckers and 24 speeding tickets were issued by the RCMP to other vehicles

Although I applaud these efforts and hope that they will continue, there are however a few concerns that I have regarding enforcement

1st CONERN: I don't see similar types of enforcement being applied to the other users of the road, namely cyclist. Enforcement needs to be applied to ALL users EQUALLY not any one group should be given preferential treatment. All users who break the law need to be punished in an equal and just manner. When I say the law I am referring to the motor vehicle act. Also could the RCMP please provide data as to how many cyclist infractions have been noted since the increased enforcement began. From my observation every weekend I have witnessed little or no enforcement when it comes to the cyclist who continually disobey the rules of the road (side note- hard to ticket 2 or more side by side what about uturns at the pumping station over a double line in groups to head back west)

2nd CONCERN: As it seems that a lot more data is being collected mostly on trucks and cars as well as the enforcement being targeted mainly at these two groups this could possibly end up skewing the results

3rd CONCERN: The single file signage presently in place will considerably impede the RCMP's ability to properly enforce the law ... namely section 183 paragraph 2(C) of the motor vehicle act. Again this could have an adverse effect on the data collected for the RCMP report at the end of the summer

Since that are still many contentious issues to be reviewed or settled I would strongly suggest this report not be accepted or endorsed by this committee for implementation and that we should return to the original plan of no implementation of the points mentioned in this report along with the speed humps until we can review the RCMP report at the end of the summer



Special General Purposes Committee

Date:

Monday, April 23, 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 4:52 p.m.

FINANCE AND CORPORATE SERVICES DIVISION

1. STEVESTON UNOPENED LANES – LICENSE AGREEMENTS BETWEEN RICHMOND STREET AND BROADWAY STREET FROM NO. 1 ROAD TO 2ND AVENUE

(File Ref. No. 06-2270-30-003) (REDMS No. 5801739 v. 3)

Discussion ensued with regard to (i) the proposed terms of the license agreement, (ii) administrative challenges to the proposed agreement when current residents sell their properties, and (iii) the potential for the proposed license agreement to set a precedent for future agreements.

It was moved and seconded

(1) That portions of the unopened lane between Richmond Street and Broadway Street from No. 1 Road to 2nd Avenue (the "Unopened Lane") be licensed to each adjacent owner(s) that executed and returned the City's licensing agreement on or prior to April 10, 2018;

Special General Purposes Committee Monday, April 23, 2018

- (2) That the City surface the 10 foot strip of the Unopened Lane abutting any property where the owner(s) did not execute and return the License Agreement on or prior to April 10, 2018, with a low maintenance form of surfacing such as gravel and place a fence at the current property line;
- (3) That in the future, if any property owner(s) within the block of the Unopened Lane approaches the City regarding licensing the portion of the Unopened Lane abutting their property, staff be authorized to enter into a License Agreement with an expiry date not later than the other Licenses; and
- (4) That staff be authorized to take all necessary steps to complete the matters, including authorizing the Senior Manager, Real Estate Services, to execute all documentation relating to the licenses of the Unopened Lane detailed in the staff report titled "Steveston Unopened Lanes License Agreements between Richmond Street and Broadway Street from No. 1 Road to 2nd Avenue" dated April 11, 2018.

The question on the motion was not called as discussion ensued with regard to the potential for multi-family development in the area and the City retaining ownership of the site.

The question on the motion was then called and it was **CARRIED** with Mayor Brodie and Cllr. Loo opposed.

ADJOURNMENT

It was moved and seconded That the meeting adjourn (5:00 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, April 23, 2018.

Mayor	Ma	lco]	lm i	D.	Brod	lie
Chair						

Evangel Biason Legislative Services Coordinator



Report to Committee

To:

General Purposes Committee

Date:

April 16, 2018

From:

Jane Fernyhough

File:

11-7000-01/2018-Vol

01

Re:

Richmond Museum Society Board

Director, Arts, Culture and Heritage Services

Staff Recommendation

That the report titled "Richmond Museum Society Board," dated April 16, 2018, from the Director, Arts, Culture and Heritage Services, be received for information.

Jane Fernyhough

Director, Arts, Culture and Heritage Services

(604-276-4288)

Att.1

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

Staff Report

Origin

In November 2017, Council requested that staff review the purposes and role of the Richmond Museum Society Board. This report is a response to this request.

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

2.4. Vibrant arts, culture and heritage opportunities.

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

5.2. Strengthened strategic partnerships that help advance City priorities.

Analysis

The Richmond Museum Society (Society) was incorporated as a not-for-profit society in 1999. Its mandate is "To provide advice, expertise, and community input for policy directives for the operation of the Richmond Museum, its collections, exhibitions, programs, and facilities."

The purposes of the Society as stated in its constitution and bylaws are:

- a) To establish policy directives for the operation of the Richmond Museum, its collections, exhibitions, programs and facilities;
- b) To acquire by purchase, gift, bequest, trust agreement, contract or otherwise, artifacts on behalf of the City of Richmond;
- c) To develop and promote Richmond Museum exhibitions and programs with the City of Richmond;
- d) To create and maintain a community support base known as "Friends of the Richmond Museum Society"; and
- e) To participate as an integral part of the Richmond-wide heritage program, to ensure a coordinated approach to preserving and presenting the heritage of Richmond, by creating and maintaining a Richmond Museum Society Heritage Advisory Committee. The Advisory Committee will consist of the chairs (or designates) from the Britannia Heritage Shipyard Society, Gulf of Georgia Cannery Society, London Heritage Farm Society, Steveston Historical Society, Richmond Heritage Commission and the Richmond Museum Society.

The Richmond Museum Society collaborates with the City to develop and deliver a number of programs and services including:

- Doors Open Richmond, a city-wide event attended by over 16,000 visitors;
- The *Richmond Regional Heritage Fair*, in 2017 over 400 students presented their Canadian history projects to the public both at the Heritage Fair and at Canada 150 events throughout the City;

- The Richmond Museum's program of annual exhibits both on and off-site;
- Marketing and communication for the museum and its programs, including maintaining an active social media presence;
- School programs over 3,000 students participate in the school programs annually;
- Programs for children and families including spring and summer camps;
- Annual oral history program; and
- Coordination of the annual British Columbia Arts Council Grant and other grant programs.

The Richmond Museum Society is an independent not-for-profit organization operating under the British Columbia Societies Act. As such, there is no Council approved terms of reference for the Society Board. The Society is governed by its own Constitution and Bylaws, and Council appointments to the Board are made at the request of the Society as detailed in the organization's bylaws (Attachment 1).

The original board composition as outlined in the Society's constitution and bylaws consisted of four members appointed by Council and a representative from each of the following five groups: Britannia Heritage Shipyard Society, Gulf of Georgia Cannery Society, London Heritage Farm Society, Richmond Farmer's Institute, and Steveston Historical Society.

The board composition was structured to allow for input from the heritage sites to the Richmond Museum. As Richmond Museum services grew, the Society board composition shifted to accommodate the change and in 2006, the Society amended their constitution and bylaws to include two additional appointments from Council, five additional board members elected from the community at large and a representative from each of the five groups for a total of sixteen board members. The Society also established a "Friends of the Richmond Museum" category of membership to build community support.

In April 2014, the Society amended their constitution to reflect their focus on the Richmond Museum and its services. Board composition was changed to consist of a maximum of thirteen members whose focus is on the operations of the Richmond Museum. Of the 13 members, up to six are appointed by Council and the remaining seven are elected from the community at large.

The Society Nominations Committee looks for prospective board members who are representative of the diversity of the community, are committed to the Museum's vision to "make the history of Richmond relevant, engaging and accessible", bring a certain skill set or expertise to the Board, and can commit to regular and consistent attendance at meetings. Appointments are made for a 2-year term and are staggered to provide continuity to the Board.

The Richmond Museum Society is committed to the larger heritage community and as such has created the Richmond Museum Society Heritage Advisory Committee. The Advisory Committee consists of the chairs (or designates) from the Britannia Heritage Shipyard Society, Gulf of Georgia Cannery Society, London Heritage Farm Society, Steveston Historical Society, Richmond Heritage Commission and the Richmond Museum Society.

Additionally, both staff and board members are involved in a variety of projects that keep the Richmond Museum connected with the heritage sites. These include the City-Wide Collections Committee, the Educational Programs Committee and various projects and events, including the Richmond Heritage Fair.

Financial Impact

None.

Conclusion

The purposes of the Society and its current board composition effectively serves Richmond residents by supporting the mandate of the Richmond Museum "To provide advice, expertise, and community input for policy directives for the operation of the Richmond Museum, its collections, exhibitions, programs, and facilities." Council appointments to the Society Board are made at the request of the Society as reflected in its bylaws. The Society Board is not a Council appointed advisory committee and as such does not have a Council approved Terms of Reference.

Marie Fenwick

Manager, Museum and Heritage Services

(m) Fance

(604-247-8330)

Att. 1: Excerpts from Richmond Museum Society Constitution and Bylaws

Excerpts from Richmond Museum Society Constitution and Bylaws

Constitution

The purposes of the Society are:

- f) To establish policy directives for the operation of the Richmond Museum, its collections, exhibitions, programs and facilities;
- g) To acquire by purchase, gift, bequest, trust agreement, contract or otherwise, artifacts on behalf of the City of Richmond;
- h) To develop and promote Richmond Museum exhibitions and programs with the City of Richmond:
- i) To create and maintain a community support base known as "Friends of the Richmond Museum Society"; and
- j) To participate as an integral part of the Richmond-wide heritage program, to ensure a coordinated approach to preserving and presenting the heritage of Richmond, by creating and maintaining a Richmond Museum Society Heritage Advisory Committee. The Advisory Committee will consist of the chairs (or designates) from the Britannia Heritage Shipyard Society, Gulf of Georgia Cannery Society, London Heritage Farm Society, Steveston Historical Society, Richmond Heritage Commission and the Richmond Museum Society.

Part 5 - Directors and Officers

- 2. The number of Directors shall be determined by the Richmond Museum Society Board, with total number not to exceed thirteen (13).
- 3. The Directors shall consist of up to thirteen (13) members, up to six (6) of which are appointed by Richmond City Council and up to seven (7) of which are elected from the community at large.



Report to Committee

To:

General Purposes Committee

General Manager, Community Safety

Date: A

April 4, 2018

From:

Cecilia Achiam

File:

12-8060-02-01/2018-

Vol 01

Re:

Housekeeping Amendments for Traffic Bylaw No. 5870; Parking (Off-Street) Regulation Bylaw No. 7403: Notice of Bylaw Violation Dispute Adjudication

Bylaw No. 8122; and Consolidated Fees Bylaw No. 8636

Staff Recommendation

1. That the following bylaws are introduced and given first, second and third readings:

a. Traffic Bylaw No. 5870, Amendment Bylaw 9786;

b. Parking (Off-Street) Regulation Bylaw No. 7403, Amendment Bylaw No. 9787

c. Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9827; and

d. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9829.

Cecilia Achiam

General Manager, Community Safety (604-276-4122)

Att: 4

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	
Finance Transportation Law REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	Initials:	
APPROVED BY CAO		

Staff Report

Origin

This report proposes a number of changes to City bylaws related to on and off street parking. The changes are proposed to prepare for the implementation of the Licence Plate Recognition Program (LPR) and to conform with current best practices.

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

3.3. *Effective transportation and mobility networks.*

Analysis

Local businesses rely on street and City owned lots for customer parking with the expectation that enforcement will provide customer turnover for their establishments. The Licence Plate Recognition Program ("LPR") is an automated method of providing parking enforcement using specialized equipment mounted to vehicles operated by parking enforcement officers. Infrared colour cameras and special software are used to scan the licence plates of parked cars to provide information to enforcement officers on how long a car has been parked and whether it has a city permit. The funding for this program was secured through the operating budget process and the City is currently evaluating vendor proposals.

While the LPR program offers efficiencies related to monitoring parked cars, the software also enables the City of Richmond to offer a "pay by plate" option to drivers. Drivers will not be required to return to their vehicle to place a receipt on the dash board and they can receive a notification on their smart phone advising them that their allotted parking time is ending.

Incorporating LPR will provide enhanced service for our clients but it does require changes to the bylaws that relate to parking and how it is defined. In addition to bylaw amendments related to LPR, the proposed amendments also include new contraventions which will enhance parking safety and streamline existing bylaws for clarity.

Based on the above objectives and research work staff are recommending the following amendments.

Proposed Amendments to Parking (Off-Street) Regulation Bylaw No. 7403

The Parking (Off-Street) Regulation Bylaw No. 7403 has not been updated since 2002. The proposed amendments are required for housekeeping purposes for sections within the bylaw to improve enforcement and provide clarity. The amendments include changes to how City owned properties are defined in the bylaw and remove the potential for administrative errors.

The amendments to this bylaw include the option for pay by plate for parking on city owned off street lots. Users would be able to choose between paying by stall number, using a pay and display ticket or pay by plate.

Definitions and procedures which are currently in Traffic Bylaw No. 5870 are proposed to be added to the Parking (Off-Street) Regulation Bylaw No. 7403 to provide consistency between the bylaws. These include the following:

- Procedures for impoundment, including notification and cost recovery;
- Definition of Recreational Vehicles;
- Definition of a Trailer and regulations for parking;
- Language to prohibit interfering with markings made by enforcement officers;
- Regulations governing Overnight Parking; and
- Liability of a vehicle owner in instances when vehicle is operated by persons other than the owner.

Proposed Amendments to Traffic Bylaw No. 5870

The proposed amendments add new definitions and expand additional contraventions. These definitions include the addition of a five minute grace period for parking while actively loading or unloading a vehicle. Also proposed is a change to the hours for parking in parks or on school grounds between hours of 11:00pm and 5:00am to align with regulations in Public Parks and School Grounds Regulation Bylaw No. 8771.

The ability to pay at the on street meter with the pay by plate system has also been added to the Traffic Bylaw. Again, this gives the user three payment options, pay by plate, pay by stall or pay and display.

Proposed Amendments to Consolidated Fees Bylaw No. 8636

The amendment to the Consolidated Fee Bylaw No. 8636 is proposed to move meter and permit fees from the Parking (Off-Street) Regulation Bylaw No. 7403 to the Consolidated Fees Bylaw. This will align with other regulatory programs, such as licencing, so that all fees and permits for programs across the City are considered in one bylaw.

Proposed Amendments to Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122

The amendments proposed to Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122 align with the proposed changes to the Parking (Off-Street) Regulation Bylaw No. 7403 so that Bylaw Violation Notices can be issued for new regulations. This includes parking an unattached trailer and removing markings by an enforcement officer.

Financial Impact

None.

Conclusion

The proposed bylaw amendments update existing traffic and parking regulations to implement and enable the Licence Plate Recognition Program and provide alignment between the bylaws that govern on and off street parking.

Susan Lloyd

Manager, Parking Enforcement, Animal Control and Administration, Community Bylaws (604-247-4467)

CA:sl

Att 1: Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9829

2: Traffic Bylaw No. 5870, Amendment Bylaw No. 9786

3: Parking (Off-Street) Regulation Bylaw No. 7403, Amendment Bylaw No. 9787

4: Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9827



Bylaw 9829

Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9829

The Council of the City of Richmond enacts as follows:

- 1. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended by adding the content of the table in Schedule A attached to and forming part of this bylaw, to "Schedule Parking (Off-Street) Regulation Bylaw No. 7403 (2002)" in Bylaw No. 8122 in numerical order.
- 2. This Bylaw is cited as "Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9829".

FIRST READING		CITY OF RICHMOND
SECOND READING		APPROVED for content by originating
THIRD READING		Division
ADOPTED		APPROVED for legality by Solicitor
MAYOR	CORPORATE OFFICER	

SCHEDULE A to BYLAW NO. 9829

A1 Bylaw	A2 Description of Contravention	A3 Section	A4 Compliance Agreement Available	A5 Penalty	A6 Early Payment Option	A7 Late Payment Amount	A8 Compliance Agreement Discount
Parking (Off- Street) Regulation Bylaw No. 7403	Period of Time from Receipt (inclusive)		n/a	29 to 60 days	1 to 28 days	61 days or more	n/a
	Parking an unattached trailer	3.3.3	No	\$ 110.00	\$ 65.00	\$ 135.00	n/a
	Remove, obliterate or otherwise interfere with any markings made by a bylaw enforcement officer, police officer or traffic enforcement officer	6.9	o Z	\$ 70.00	\$ 45.00	\$ 90.00	n/a



Bylaw 9786

Traffic Bylaw No. 5870 Amendment Bylaw No. 9786

The Council of the City of Richmond enacts as follows:

1. **Traffic Bylaw No. 5870**, as amended, is further amended at Section 1 — "[Interpretation]" by inserting the following definitions in alphabetical order:

"Stall Number

means the number assigned to a designated parking stall as identified by a **City** sign or marking.

Time Period means the amount of time purchased through a **block meter machine** or **cellular payment system**, as indicated by a purchase time and date and an expiration time and date.".

- 2. **Traffic Bylaw No. 5870**, as amended, is further amended at Section 1 "[Interpretation]" by deleting the definition of "Parking" and replacing it with the following:
 - "Parking means the standing of a vehicle, whether occupied or not, other than up to 5 minutes for the purpose of, and while actually engaged in, loading or unloading of property, goods, or the discharging or taking on of passengers, or in compliance with the directions of:
 - (a) a **police officer**, a **bylaw enforcement officer**, or a person contracted by the **City** for traffic regulation purposes, or
 - (b) a traffic control device.".
- 3. **Traffic Bylaw No. 5870**, as amended, is further amended at Section 12 "[Parking and Stopping of Vehicles]" by deleting subsection 12.4(s) and replacing it with the following:
 - "(s) in any public park or school ground between the hours of 11:00 p.m. and 5:00 a.m.;"
- 4. **Traffic Bylaw No. 5870**, as amended, is further amended at Section 12A "[Parking in Block Meter Zone]" by replacing the existing paragraph 12A.2 with the following:
 - "12A.2 A person may only park a vehicle in a block meter zone when:
 - (a) (i) a **time period** has been selected and payment has been accepted by the **block meter machine** and a **parking receipt** has been obtained and

placed face-up inside the windshield of the **vehicle**, with the amount paid, time and date of purchase, and time and date of expiration clearly visible from outside the **vehicle**, and the purchased **time period** remains valid; or

- (ii) a **stall number** has been entered and payment has been accepted by the **block meter machine** and the purchased **time period** remains valid; or
- (iii) a **number plate** has been entered and payment has been accepted by the **block meter machine** and the purchase **time period** remains valid.
- (b) (i) payment for a pre-determined **time period** has been made through a designated **cellular payment system** based on the **number plate** of the parked **vehicle**; and
 - (ii) the **time period** for which payment has been made, as indicated by the **number plate** on the **cellular enforcement system**, has not expired.".

5. This Bylaw is cited as " Traffic By	law No. 5870, Amendment Bylaw No. 9786".
FIRST READING	CITY OF RICHMOND
SECOND READING	APPROVED for content by originating
THIRD READING	APPROVED
ADOPTED	for legality by Solicitor
MAYOR	CORPORATE OFFICER



Bylaw 9787

Parking (Off-Street) Regulation Bylaw No. 7403 Amendment Bylaw No. 9787

The Council of the City of Richmond enacts as follows:

- 1. **Parking (Off-Street) Regulation Bylaw No. 7403**, as amended, is further amended by deleting and replacing subsection 1.1(a) with the following:
 - "(a) to the City properties; and".
- 2. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting the text in subsection 1.1(b) and replacing it with "deleted".
- 3. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting the words "in any of the areas designated in Schedule A" from subsection 2.1.1 and replacing them with "on any City properties".
- 4. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by inserting the word "actively" between "when" and "loading" in subsection 2.1.1(g)(i).
- 5. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting the words "in the areas designated in Schedule A" from subsection 3.1.1 and replacing them with "on all City properties".
- 6. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting the words "on a property as outlines in Schedule A" from subsection 3.3.1(b)(ii) and replacing them with "on any City property".
- 7. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting the words "an area identified in Schedule A" from subsection 3.3.2 and replacing them with "any City properties".
- 8. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by adding the following as new subsection 3.3.3:
 - "3.3.3 No person shall park a **trailer** on any **City property** without the motive power unit attached.".
- 9. **Parking (Off-Street) Regulation Bylaw No. 7403**, as amended, is further amended by deleting the words "in all areas designated in Schedule A" from subsection 4.1.1 and replacing them with "on all **City properties**".

Bylaw 9787 Page 2

10. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting subsection 5.1.2(a) and replacing it with the following:

- "(a) (i) a **time period** has been selected and payment has been accepted by the **parking lot meter** and a **parking receipt** has been obtained and placed face-up inside the windshield of the **vehicle**, with the amount paid, time and date of purchase and time and date of expiration clearly visible from outside the **vehicle** and the purchased **time period** remains valid or;
 - (ii) a **stall number** has been entered and payment has been accepted by the **parking lot meter** and the purchased **time period** remains valid or;
 - (iii) a **number plate** has been entered and payment has been accepted by the **parking lot meter** and the purchased **time period** remains valid.".
- 11. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting subsection 5.1.3 and replacing it with the following:
 - "5.1.3 The fees payable for parking in designated pay parking lots in the **City** are set out in the **City**'s *Consolidated Fees Bylaw No. 8636.*".
- 12. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting subsection 6.1.2 and replacing it with the following:
 - "6.1.2 A person applying for a **parking permit** or **permit decal** must pay the applicable fees as set out in the **City's** Consolidated Fees Bylaw No. 8636.".
- 13. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by inserting the following as new subsection 6.2.3:
 - "6.2.3 No refunds shall be issued for fees paid in respect of **parking permits** or **permit** decals.".
- 14. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting Part 7 and replacing it with the following:

"PART SEVEN: IMPOUNDMENT

- 7.1 Any vehicle unlawfully standing, parked, or driven on any street, City property, or other public place, may be, or cause to be, impounded by any Police Officer, the General Manager, Engineering & Public Works, the Fire Chief, any Bylaw Enforcement Officer, or their designates, or any traffic enforcement agent, and removed to such place as directed by such person and shall be kept there at the owner's risk and expense.
- 7.2 An **impounded vehicle** may not be released to its **owner** until the **impounding charges** are paid.

Bylaw 9787 Page 3

7.3 The **City** will give notice to the **owner** of every **vehicle** impounded pursuant to this Part 7 by mailing the notice by registered mail to the **owner** at the address of such **owner** as shown in the records of the Superintendent of Motor Vehicles at the date of **impoundment**.

- 7.4 If such **impounded vehicle** is not claimed by its **owner** within 14 days of the date such **impoundment** notice was sent by registered mail to the **owner**, such **vehicle** may be sold by the **City** at public auction and any monies received on its sale shall be applied,
 - 7.4.1 firstly, to the cost of the sale;
 - 7.4.2 secondly, to the cost of the removal and impoundment of the vehicle; and
 - 7.4.3 thirdly, to the recovery of any monies owed for any outstanding fines levied under this Bylaw.

The surplus, if any, shall be sent by registered mail to the registered **owner** of the **vehicle** at the address shown for such **owner** in the records of the Superintendent of Motor Vehicles.

- 7.5 The **City** will give notice to the **owner** of every **vehicle impounded** pursuant to this Part 7, of the **City's** intention to sell such **vehicle** on the date set out in the notice, by mailing the notice by registered mail to the **owner** at the address of such **owner** as shown in the records of the Superintendent of Motor Vehicles at the date of **impoundment**.
- 7.6 The **owner** of a **vehicle** shall incur the penalties provided for any violation of this Bylaw with respect to any **vehicle** owned by them unless at the time of such violation the **vehicle** was in the possession of some person other than the **owner** without the **owner's** consent; but nothing in this section shall relieve the operator of a **vehicle**, not being the **owner**, from incurring the penalties provided for such violation.".
- 15. Parking (Off-Street) Regulation Bylaw No. 7403,, as amended, is further amended at Section 8.1 "[Interpretation]" by inserting the following definitions in alphabetical order:

"City Property means any lot or parcel of land owned or leased by the City.

Fire Chief means the Fire Chief of the Richmond Fire Department.

Impound includes the seizure, towing, removal and detention of any **vehicle**,

whether being driven or not, and any other chattel, which is unlawfully placed, left, kept or driven upon a street, City

property, or other public space.

Bylaw 9787 Page 4

Impounding Charges

means all expenses of removal and detention or **impounding** of a vehicle, and all related towing, storage and other charges.

Recreational Vehicle means a vehicle designed to provide temporary living accommodation for travel, vacation or recreational use, and designed to be driven, towed or transported.

Stall Number

means the number assigned to a parking stall.

Street

has the meaning ascribed to in the City's Traffic Bylaw No. 5870.

Time Period

means the amount of time purchased through a parking lot meter or cellular payment system, as indicated by a purchase time and date and an expiration time and date.

Trailer

means every **vehicle** without motive power designed for carrying persons or property, and for being drawn by a motor vehicle, and includes a semi-trailer as defined in the Commercial Transport Act.".

16. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended at Section 8.1 – "[Interpretation]" by deleting the definition of "overnight parking" and replacing it with the following:

"Overnight Parking means the standing of a vehicle, for a period of three (3) hours or more, between 2300 hours and 500 hours each day, whether the **vehicle** is occupied or not.".

- 17. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting Section 9.1 and replacing it with the following:
 - **"9.1** Liability of Vehicle Owner
 - 9.1.1 The **owner** of a **vehicle** is liable for any violation of the regulations in this bylaw, notwithstanding that, at the time of the violation, the vehicle is unattended or in the possession of another person.
 - 9.1.2 Upon notification of a violation to the **owner** of a **vehicle**, the burden of proving:
 - (a) that the person in charge of the **vehicle** was not a person entrusted with the possession of that vehicle by the owner; or
 - that the legal registered owner is not the owner; (b)

is on the **owner**.".

Bylaw 9787 Page 5

18. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting Section 9.3 and replacing it with the following:

"9.3 Tampering with Markings

No person may remove, obliterate, or otherwise interfere with any markings made by a **police officer**, **bylaw enforcement officer**, or **traffic enforcement agent** to determine the length of time a **vehicle** remains **parked** in one location.".

19. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by inserting the following as new PART TWELVE:

"PART TWELVE: FEES BYLAW

- 12.1 The *Consolidated Fees Bylaw No. 8636*, as may be amended from time to time, applies to this bylaw."
- 20. Parking (Off-Street) Regulation Bylaw No. 7403, as amended, is further amended by deleting the content of Schedules A, D and E and replacing it with the word "DELETED".
- 21. This Bylaw is cited as "Parking (Off-Street) Regulation Bylaw No. 7403, Amendment Bylaw No. 9787".

FIRST READING		CITY OF CHMOND
SECOND READING	ford	PROVED content by iginating
THIRD READING	AP.	PROVED
ADOPTED		r legality Solicitor
MAYOR	CORPORATE OFFICER	



Bylaw 9827

CONSOLIDATED FEES BYLAW NO. 8636, AMENDMENT BYLAW NO. 9827

The Council of the City of Richmond enacts as follows:

- 1. The **Consolidated Fees Bylaw No. 8636**, as amended, is further amended by adding Schedule A attached to and forming part of this bylaw as new SCHEDULE PARKING (OFF-STREET) REGULATION to Consolidated Fees Bylaw No. 8636.
- 2. This Bylaw is cited as "Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9827".

FIRST READING		CITY OF RICHMOND
SECOND READING		APPROVED for content by originating
THIRD READING		APPROVED
ADOPTED		for legality by Solicitor
MAYOR	CORPORATE OFFICER	

SCHEDULE - PARKING (OFF-STREET) REGULATION

PARKING (OFF-STREET) REGULATION Bylaw No. 7403

Section 5.1.3, 6.1.2

Description	Fee
Pay Parking Fees:	All rates include applicable taxes.
All Off-Street City Property Locations, other than those set out below.	\$2.50 per hour – 7:00 am to 9:00 pm
6131 Bowling Green Road	\$2.50 per hour – 7:00 am to 9:00 pm
65000 Gilbert Road	\$2.50 per hour – 7:00 am to 9:00 pm Gateway Theater Productions - \$5.00 for maximum stay
7840 Granville Avenue	\$2.00 per hour – 7:00 am to 4:00 pm
Parking Permit / Decal Fees:	
All Off-Street City Property Locations, other than those set out below.	\$40.00 per calendar month plus applicable taxes, subject to discounts of: 10% for groups of 11 to 25 permit decals 15% for groups of 26 to 50 permit decals 25% for groups of 51 or more permit decals
Gateway Theater Staff Parking (6500 Gilbert Road)	\$5.00 per calendar year, plus applicable taxes
Richmond Lawn Bowling Club Members Parking (6131 Bowling Green Road)	\$5.00 per calendar year, plus applicable taxes
	\$8.00 per calendar year, plus applicable taxes
Richmond Seniors' Centre Members Parking	
(Minoru Park)	\$5.00 per calendar year, plus applicable taxes
Richmond Tennis Club Members Parking (Minoru Park)	·



Report to Committee

To:

General Purposes Committee

Manager, Policy Planning

Date:

April 18, 2018

From:

Barry Konkin

File:

08-4430-03-10/2018-

Vol 01

Carli Edwards

Manager, Community Bylaws and Licensing

Re:

Cannabis Bylaw Framework and Regulation of Agricultural Structures

Staff Recommendation

1. To implement the City's framework to regulate cannabis retailing, medical and non-medical (recreational) cannabis production, cannabis research and development and cannabis distribution in advance of the Federal legalization of cannabis, it is recommended that:

- a. Official Community Plan (OCP) Bylaw 9000, Amendment Bylaw 9837, to revise and update the City's land use regulations and strategic management of cannabis related activities city-wide in Section 3.6.5 to Schedule 1 of the OCP, be introduced and given first reading.
- b. That Bylaw 9837, 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*.

- c. That Bylaw 9837, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found not to require further consultation.
- d. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9838, proposing revisions to existing medical cannabis related regulations, new regulations for non-medical cannabis activities and other changes for cannabis related activities, be introduced and given first reading.
- e. That Consolidated Fees Bylaw 8636, Amendment Bylaw 9840, to add development application fees specific to cannabis related land use proposals, be introduced and given first reading.
- 2. That the costs and resources arising from the municipal response to the Federal legalization of cannabis contained in the report, dated April 18, 2018 from the Manager, Policy Planning and Manager, Community Bylaws and Licensing, be received for information and that staff be directed to pursue all Federal and Provincial cannabis related funding resources available and update Council as needed.

- 3. To protect the long-term viability of soil-based agriculture, it is recommended that:
 - a. Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, to regulate large agricultural buildings and greenhouses, be introduced and given first reading.
 - b. Upon first reading of Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, a resolution be passed pursuant to Section 463 of the *Local Government Act*, to withhold building permits for agricultural buildings and greenhouses, which may be in conflict with the bylaw under consideration, and that staff bring forward all such building permit applications in the Agriculture (AG1) zone received more than 7 days after the first reading of Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, to determine whether such applications are in conflict with the proposed bylaw.
 - c. 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 impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production.

Barry Konkin

Manager, Policy Planning

Carli Edwards

Cldur

Manager, Community Bylaws

and Licensing

BK:ke

REPORT CONCURRENCE			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Development Applications Building Approvals RCMP Richmond Fire Rescue Finance	র্ভা ভা ভা ভা ভা ভা ভা ভা ভা ভা ভা ভা ভা ভ	_ de Erreg	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	D.M	APPROVED BY CAO	

Staff Report

Origin

At the January 15, 2018 Council meeting, the following referral was made:

That staff report back to Council with bylaw amendments and information on required infrastructure and programs for the regulation of production, processing, and sale of cannabis (medical and recreational) in the City.

At the March 26, 2018 Council meeting, the following referral was made:

That staff comment on the City's ability to impact and limit the size of farm structures on farmland.

This report responds to the January 15, 2018 referral on the production, processing and sale of cannabis, and to the above referral from the March 26, 2018 Council meeting in relation to possible regulations of the size of agricultural buildings.

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.

This report outlines proposed amendments to Official Community Plan Bylaw 9000, Richmond Zoning Bylaw 8500, and Consolidated Fees Bylaw 8636, to establish regulations for both medical and non-medical cannabis activities, in order to have a regulatory framework in place prior to Federal legalization. This report is broken into the following three sections:

- Section 1: Cannabis Retailing, Production, Research & Development, and Distribution;
- **Section 2**: Costs and Fees Arising from the Municipal Response to Federal Legalization of Cannabis; and
- Section 3: Proposed New Regulations on Agricultural Buildings and Greenhouses.

Proposed Federal and Provincial Regulations

Federal Bill C-45 – the Cannabis Act – is under Federal legislative review, and was granted Second Reading by the Senate on March 22, 2018. Senate Hearings are still in progress, with the expected legalization to occur in summer or fall of 2018.

The Province of BC introduced legislation on April 26, 2018 on the proposed cannabis retail and distribution framework. A summary of both the proposed Federal regulations in Bill C-45 and the Provincial regulations regarding cannabis retail are provided in Attachment 1.

Of key interest to Council will be the proposed Provincial regulations, which indicate that the local government can decide if cannabis retail activities will be permitted:

"The Province will permit local governments to decide whether they wish to have a non-medical cannabis retail store in their community. For the province to issue a license, applicants must have the support of the local government in the community where the proposed store would be located" [excerpt from Province of BC document – BC Cannabis Private Retail and Licensing Guide, February 2018].

The proposed regulations presented by the Province also indicate that public retail cannabis stores (i.e., government run) will be subject to local government support.

Based on the above, local government may exercise land use controls and regulations for cannabis retail within their boundaries, including outright prohibition. As the federal and provincial cannabis related regulations are still under review and may change through the legislative review process, future bylaw amendments may be required in order for the City of Richmond regulations to be consistent with the new laws.

Existing Official Community Plan and Zoning Bylaw Regulations for Cannabis

Official Community Plan

The City's Official Community Plan (OCP) contains policies to manage Health Canada licensed medical marihuana production and research and development facilities (see Attachment 2 for an excerpt of the OCP). In general, the existing OCP policies state that:

- all medical marihuana production and research and development facilities require a rezoning application;
- the number of permitted facilities is limited to one, on "Mixed Employment" and/or "Industrial" OCP designated land only other rezoning application proposals beyond the one site are to be considered by Council on a case-by-case basis and may require additional amendments to the OCP; and
- proposals are to be reviewed on specific land use criteria (surrounding sensitive land uses, impacts and neighbours, local context and community safety).

Zoning Bylaw 8500

Richmond Zoning Bylaw 8500 currently has land use definitions for "medical marihuana production facility", "medical marihuana research and development facility" and "marihuana dispensary". The Zoning Bylaw provisions identify that none of these land uses are currently permitted in any zoning district city-wide, and a rezoning application is required to allow the use. Furthermore, the zoning definition of "farm business" excludes these activities.

Status of Rezoning Applications - Medical Cannabis Production Facilities

To date, there have been four rezoning applications submitted to the City for the purposes of developing a licensed Health Canada medical cannabis production facility (See Attachment 3 for an application status summary). One application has been closed and the bylaw abandoned and one application was granted third reading on September 6, 2016.

The other two rezoning applications are in the process of staff review, based on existing policies applicable to medical cannabis production in the City and policies and the regulations proposed in this report specific to cannabis related facilities (medical and non-medical) and protection of soil-based agriculture (where applicable). Of these two applications, one facility is proposed to be located in an Industrial OCP designated area, which would be consistent with the locational policy in the OCP, but would exceed Council's objective of one facility city-wide. The second application proposes a site zoned AG1 and located within the Agricultural Land Reserve (ALR), which is inconsistent with Council's OCP policy on the location of cannabis production facilities, and the limit of one such facility city-wide.

Analysis

Section 1: Cannabis Retailing, Production, Research & Development, and Distribution

1.1 General Cannabis Housekeeping Amendments

The current Zoning Bylaw regulations refer to "medical marihuana" as this was the terminology utilized in the initial Federal legislation providing access to medical cannabis and any other cannabis production is unlawful. Based on the new Federal and Provincial regulations proposed, all references to "marihuana" in the Richmond Zoning Bylaw 8500 will be replaced with the term "cannabis".

Existing regulations regarding retailing of cannabis and production in the Zoning Bylaw will remain unchanged. These uses are not permitted without Council approval of a site specific rezoning application. Staff also recommend that the following land use definitions in the Zoning Bylaw be amended to specifically exclude cannabis retailing and production activities: "agriculture", "greenhouse & plant nursery", "office", "retail convenience", "retail general" and "service business support".

1.2 Cannabis Retail

A "marihuana dispensary" is a prohibited use in all zones in the City and a site specific rezoning would require Council approval to allow the use. Richmond Zoning Bylaw 8500 currently defines "marihuana dispensary" as "a business or other operation involving the sale, barter, storage, distribution or dispensing of cannabis, marihuana or any products containing or derived from cannabis or marihuana."

Richmond Zoning Bylaw 8500 Amendment Bylaw 9838 would replace the "marijuana dispensary" definition with a new definition of "retail cannabis" – to reflect the upcoming legalization – and this use would remain as a prohibited use in all zones. The proposed definition of "retail cannabis" is as follows:

means a business or other operation involving the sale, barter, storage, distribution or dispensing of cannabis (medical and non-medical) or any products containing or derived from cannabis intended for consumption by individuals in accordance with the appropriate federal and provincial legislation and regulations.

Proposed provincial regulations indicate that retail cannabis stores (government run and private stores) will be subject to local government support, which effectively gives Council the right to prohibit this use in Richmond. Retail sales of cannabis products – both public stores and private stores – would only be permitted through a Council supported and site specific rezoning application.

1.3 Cannabis Production, Research & Development, and Distribution

Official Community Plan (OCP) Amendments

Current Council policy on cannabis production is focussed on medicinal production as all other production is unlawful. The OCP limits only one production facility in the City, and the facility must be located in an "Industrial" or "Mixed Employment" designated area. Official Community Plan Bylaw 9000 Amendment Bylaw 9837 would amend the existing OCP policy to change the reference from "medical marihuana" to "cannabis", and extend the current regulations to all types of cannabis production – medical and non-medical. These regulations would also apply to cannabis research and development facilities.

Richmond Zoning Bylaw 8500 Amendments

In addition to the general terminology housekeeping amendments outlined above, Richmond Zoning Bylaw 8500 Amendment Bylaw 9838 would introduce a number of new land use definitions related to all forms of cannabis cultivation, production and distribution. Non-medical cannabis production, cannabis retailing or cannabis warehousing would not be permitted in all zones within the City and could only be permitted through a successful rezoning application.

The proposed provincial regulatory framework has identified that the BC Liquor Distribution Branch (BCLDB) will be the wholesale distributor of non-medical cannabis; therefore the Provincial Government will be solely responsible for warehousing and distributing cannabis. Provincially run facilities are not typically subject to the City's zoning bylaw regulations. In the event that the provincial distribution framework for cannabis changes to allow for private (non-government) distribution facilities, the proposed "warehouse, cannabis" zoning definition would require a rezoning application to be considered by Council for any private cannabis distribution warehouse.

1.4 Summary

The proposed amendment to the OCP would still limit the number of permitted production facilities, and research and development facilities as they relate to cannabis to one facility in an OCP designated Mixed Employment or Industrial area. Any future proposals for a cannabis production facility or a cannabis research and development facility may be considered on a case-by-case basis and may require additional OCP amendments. The proposed amendment to the Zoning Bylaw will prohibit the retailing of cannabis in any form and continue to regulate all cannabis production, research and development and distribution (private, if permitted) facilities unless a property was successfully rezoned to allow such use. On this basis, staff recommend first reading of the following OCP and Zoning Bylaw amendments:

- Official Community Plan Bylaw 9000 Amendment Bylaw 9837; and
- Richmond Zoning Bylaw 8500 Amendment Bylaw 9838.

Section 2: Costs and Fees Arising from the Municipal Response to Federal Legalization of Cannabis

2.1 Proposed Amendments to Consolidated Fees Bylaw 8636

In order to ensure cost recovery for anticipated applications for site-zoning amendments to allow cannabis-related activities in Richmond, staff propose the introduction of a new application fee to Consolidated Fees Bylaw 8636, as follows:

• \$4,000 base fee plus an incremental fee (\$28.25 per 100 m² for the first 1,000 m² of floor area; \$17.50 per 100 m² of floor area for all building area in excess of 1,000 m²).

The rezoning application fee amount has been established to cover staff time associated with the likely processing steps required for cannabis related applications.

2.2 Public Safety and Staffing Costs

The legalization of non-medical cannabis is expected to impact the delivery of Planning, Fire and Community Safety programs, including the RCMP. However, with the Federal and Provincial regulations still under legislative review and uncertainty around what services will fall to the municipalities and what will remain with senior levels of government, it is difficult to estimate the costs of legalization of non-medical cannabis.

Despite uncertainty in this area, staff from Richmond Fire Rescue, the RCMP, Community Bylaws and Planning have developed an estimate of projected equipment and staffing costs based on the bylaws and regulations contemplated in this report. In total, staff estimate these costs to be approximately \$1 million in the first year and ranging from \$500,000 to \$600,000 per year subsequent to the initial implementation of the new regulations. Moving forward, costs could potentially decrease or increase dependent on the final program structure. The details of the current estimate are shown in Attachment 4 with the items summarized in Table 1 below.

Table 1 – Projected costs related to legalization of Non-Medical Cannabis

Department	Description of Item
Richmond Fire Rescue	 Training for Fire suppression and prevention staff to prevent fires started from smoking or from equipment used for growing cannabis, in and outside of buildings; Equipment for Fire inspectors to detect the presence of mould;
RCMP	 Training for the RCMP for drug awareness, field sobriety testing and drug recognition; Purchase of roadside screening equipment; Increase in funding for medical testing to detect drug impairment; Construction of a drug detection room;
Community Bylaws	Additional inspector to respond to complaints of growing marijuana contrary to the regulations
Planning	Additional staff to process rezoning or development applications received related to cannabis

While the potential costs are uncertain, so too are the sources of funding available to municipalities. In recent correspondence from Health Canada, the Director General of Cannabis Legalization and Regulation Secretariat states that, "\$161 million has been dedicated to build law enforcement training capacity across Canada, train frontline officers in how to detect the signs and symptoms of drug-impaired driving, provide access to drug screening devices, develop policy, bolster research, and raise public awareness about the dangers of drug-impaired driving." The Federal government has also agreed to direct 75% of tax revenue to Provinces with the expectation that a substantial portion be transferred to municipalities and local communities.

In addition to commitments on sharing tax revenue and supporting law enforcement, Health Canada has announced a federal funding program that can be accessed by municipalities. It is not clear if this is part of the funding commitments already made or a separate process.

While the legalization of non-medical cannabis applies nationally, it is not clear if prohibiting cannabis retail or limiting production and distribution will have an impact on funding available to the municipalities. The current approach in this report assumes that there will be no impact to funding available to municipalities.

Staff from Community Safety will be coordinating efforts to pursue all funding sources, including that recently offered by Health Canada. Council will be updated as needed as the funding sources are clarified, regulations implemented and as part of the budget process.

2.3 Summary

Staff recommend first reading to Consolidated Fees Bylaw 8636, Amendment Bylaw 9840 which would add development application fees specific to cannabis related land use proposals. This will ensure cost recovery due to additional staff time required to review these type of rezoning applications.

With respect to public safety and staffing costs, it is recommended that staff be directed to pursue all Federal and Provincial cannabis related funding resources available and update Council as needed.

Section 3: Proposed Regulations for Agricultural Buildings and Greenhouses

3.1 Recent Inquiries and Building Permits for Large Agricultural Buildings and Greenhouses

The pending approval of Bill C-45 has raised concerns of an increased demand to use agricultural land for growing and cultivation activities for cannabis. In recent months, staff have received a number of inquiries for cannabis production facilities including greenhouse construction, which staff feel could be related to the pending legalization of recreational cannabis.

A building permit has been issued for a property in the ALR, with a concrete slab footprint of over 7,000 m² (75,000 ft²) as it was consistent with City bylaws, including the AG1 zone. The issued permit was based on the applicant's assertion that the building would be used for vegetable production. However, in anticipation of new Federal laws legalizing cannabis, staff have noted a great deal of interest in the press and social media, in converting existing greenhouses and constructing new greenhouses for cannabis production.

3.2 Provincial Ministry of Agriculture Regulations

The Provincial Ministry of Agriculture Standards for bylaw preparation identifies the following recommended standards applicable to agricultural buildings and structures and greenhouses:

- Agricultural buildings and structures lot coverage no less than 35%.
- Greenhouses lot coverage no less than 75%.

The Richmond Zoning Bylaw AG1 zone is consistent with these recommended standards.

3.3 Agricultural Land Commission Regulations

The Agricultural Land Reserve Use, Subdivision and Procedure Regulation identifies farm buildings, including greenhouses, as a permitted farm use, therefore a local zoning bylaw cannot prohibit farm buildings in the ALR.

The ALR regulations combined with the existing Provincial bylaw standard guidelines for greenhouses, which recommends a site coverage limitation of no less than 75% for greenhouse buildings, is in staff's opinion, a threat to long-term soil-based farm viability, and the standards do not sufficiently protect high-quality, viable soils for the following reasons:

- greenhouses are permitted on any classification of soil (including Class 1 to 3 the best soils, which are capable of supporting a wide range of crops);
- the negative impacts of a greenhouse operation covering 75% of a parcel can have on future soil-based farming are not considered;
- there are no Provincial recommended regulations on the construction methods for a greenhouse; and
- the City's AG1 zoned land located within the ALR has agricultural soil capability classifications which are able to support a wide range of soil-based crops with minimal improvements.

3.4 Existing AG1 Zone

Richmond's existing Zoning Bylaw is consistent with the Ministry's Standards as the bylaw allows a maximum 35% lot coverage for agricultural buildings and a maximum 75% for greenhouses in the AG1 zone. Based on the permitted coverage in the AG1 Zone, the potential size of greenhouses and large agricultural buildings is considerable, as shown in the table below:

Lot Size	Lot Coverage (Footprint)	Lot Coverage (Footprint)
	Greenhouses – 75%	Agricultural Buildings – 35%
0.4 ha (1 acre)	3,035 m ² (32,668 ft ²)	1,416 m ² (15,242 ft ²)
1 ha (2.5 acres)	7,588 m ² (81,677 ft ²)	3,541 m ² (38,115 ft ²)
2 ha (5 acres)	15,176 m ² (163,353 ft ²)	7,082 m ² (76,230 ft ²)

3.5 Impacts to Native Soil – Large Agricultural Buildings and Greenhouses

Careful management of existing native soil on farmland is critical to being able to undertake viable soil-based farming over the long-term. Large agricultural buildings and commercial greenhouses negatively impact the soil capability of land and limit the ability to undertake soil-based farming in the future. Negative impacts to the native soil and agricultural capability of the land may arise from:

• land and site preparation activities needed in advance of construction of buildings, including removal and wasting of existing native soil and required fill activities;

- the actual buildings and structures, concrete slabs/footings and other infrastructure that become permanent fixtures on farmland with no provision for removal of the structure and site remediation at the end of the building life-span; and
- resulting compaction of the underlying sub-soils.

Land preparation works intended to support agricultural buildings and commercial greenhouses typically result in full removal of the native soil to level the site to enable installation of concrete footings and slabs on harder ground to support the building. Native soil removal, in conjunction with construction of agricultural buildings with impermeable surfaces, can also have impacts on stormwater drainage. This may have considerable negative impacts on the agricultural capability of the soil for large areas around the agricultural building unless substantial infrastructure and capital investment is implemented by the farmer to manage on-site drainage.

In the event that an owner/farmer wished to remove agricultural buildings or commercial greenhouses, significant work and investment would be required to revert and remediate the site to allow soil-based agriculture. When building and foundation removal and remediation activities are completed, the soils are likely to be at a lower agricultural capability when compared to the previous undisturbed soils. In staff's opinion, it is more likely that a site occupied by large agricultural buildings and greenhouses would not be used for soil-based agriculture in the future.

3.6 Zoning Bylaw Amendments

In order to protect existing high-quality soils for future soil-based agriculture, Richmond Zoning Bylaw 8500 Amendment Bylaw 9861 incorporates a number of changes to regulate agricultural buildings and greenhouses, including:

- prohibiting the use of concrete slab floors and strip footing type construction to support an agricultural building or greenhouse, thereby preventing large areas of contiguous concrete slab;
- limiting farm building construction methods (not applicable to greenhouses) to individual spread footing construction, with each concrete footing no greater than 0.5 m² (5.4 ft²) in area, and support column/post at a minimum 3 m (10 ft.) spacing. Concrete grade beams connecting concrete pad foundations are not permitted;
- within an agricultural building, limiting the amount of impermeable surfaces at grade to no greater than 10% of the gross ground level floor area of the building this regulation would not apply to greenhouses; and
- exempting agricultural buildings less than 300 m² (3,230 ft²) in area from the above regulations this exemption would not apply to greenhouses.

If a farmer wished to construct a building that would not comply with these regulations, they could apply to rezone the property, which would be reviewed by staff and brought forward to Council for consideration. Through the processing of a rezoning application, information from a Professional Agrologist would be required to justify the scale and construction methods for the proposed building, assess the impact to the soil and future soil-based farming activities. Further,

a financial security would be retained to remediate the site in the future if the greenhouse were removed.

In response to concerns about cannabis production occurring in the ALR on AG1 zoned land, 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 impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production.

3.7 Temporary Withholding of Building Permits

Due to the number of inquiries staff have fielded regarding cannabis production in the City based on pending legalization, the potential for large greenhouses and agricultural buildings for cannabis production, and the experience of conversion of greenhouses from vegetables to cannabis production in adjacent municipalities such as the City of Delta and the Township of Langley, staff recommend that Council consider a resolution under Section 463 of the BC *Local Government Act* which allows a local government to withhold issuance of a building permit where the permit would be in conflict with a bylaw(s) under preparation.

If Council were to grant first reading to Richmond Zoning Bylaw 8500 Amendment Bylaw 9861 to regulate agricultural buildings and greenhouses, and wished to withhold the issuance of building permits for such buildings 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 granted first reading to a bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses.

That staff bring all building permit applications for agricultural buildings and greenhouses in the Agriculture (AGI) zone, received more than 7 days after the date of first reading, forward to Council to determine whether such applications are in conflict with the proposed bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses.

3.8 Summary

Staff recommend first reading to Richmond Zoning Bylaw 8500 Amendment Bylaw 9861 which aims to strengthen soil-based farming by regulating the type of agricultural buildings and greenhouses and the amount of impermeable (concrete slab) surface that can be constructed.

If Council grants first reading to Richmond Zoning Bylaw 8500 Amendment Bylaw 9861, staff also recommend that Council pass a resolution under Section 463 of the BC *Local Government Act*, which allows a local government to withhold issuance of a building permit where the permit would be in conflict with a bylaw(s) under preparation.

Staff also 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 impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production.

Public Consultation

Staff have reviewed the proposed OCP amendment, with respect to the *Local Government Act* and the City's OCP Consultation Policy No. 5043 requirements, and recommend that this report does not require referral to external stakeholders as the OCP amendment is generally consistent with the existing policy framework on cannabis, and is an update to the City's existing regulatory framework, to capture the range of issues associated with the pending legalization of recreational cannabis. It is also critical that the bylaw amendments are in place in advance of the approval of Bill C-45 by the Federal government.

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

Section 2.0 of this report provides an overview of anticipated City costs and impacts to resources as a result of the legalization of non-medical cannabis, which are also contingent on funding made available by the Federal and Provincial Government. Staff estimate these costs to be approximately \$1 million in the first year and ranging from \$500,000 to \$600,000 per year subsequent to the initial implementation of the new regulations. These anticipated City costs will be subject to future budget discussions.

Conclusion

As directed by Council, staff has reviewed the pending Federal legalization of cannabis and proposed Provincial regulations, and potential implications for Richmond. Staff have also reviewed large agricultural buildings and greenhouses and resulting impacts to future long-term soil-based agriculture. In response, staff has recommended a number of amendments to Official Community Plan, Richmond Zoning Bylaw 8500, and Consolidated Fees Bylaw 8636 to:

- reinforce Council's Official Community Plan policy on cannabis production to a total of one facility only city-wide in an OCP designated "Mixed Employment" or "Industrial" area;
- maintain the existing prohibition on cannabis retail;
- update land use definitions related to cannabis in the Richmond Zoning Bylaw 8500;
- continue to regulate all cannabis production and related activities on OCP designated "Agriculture" areas to require site specific consideration through a rezoning in accordance with City guidelines; and

• introduce new regulations on agricultural buildings and greenhouses to preserve highquality agricultural soils to prohibit the use of extensive concrete footings, slabs or other impermeable surfaces for any agricultural building or greenhouse.

In response to concerns about cannabis production occurring in the ALR on AG1 zoned land, 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 impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production.

It is further recommended that staff be directed to pursue all Federal and Provincial cannabis related funding resources available, and update Council as needed.

Kevin Eng Planner 2

KE:cas

Att. 1: Summary of Proposed Federal and Provincial Regulations

Att. 2: Official Community Plan (Excerpt) – Existing Policy on Medical Marihuana

Att. 3: Status of Rezoning Applications – Medical Cannabis Production Facilities

Att. 4: Cost Estimate for City of Richmond Programs Related to Legalization of Non-medical Cannabis

Federal Regulatory Regime

A summary of the proposed Cannabis Act as it relates to regulations surrounding the production, distribution, sale and possession of cannabis across Canada is summarized as follows:

- The Federal Government will be responsible for regulating the legal production of nonmedical cannabis.
- Possession, sale and/or providing cannabis to any person under the age of 18 will not be permitted (provinces will be able to increase the minimum age).
- Regulate adult (age 18 and older) possession, share, purchase and growing of cannabis.
- Medical cannabis production and access (through the Access to Cannabis for Medical Purposes regulations – ACMPR) will continue after the proposed Cannabis Act becomes law. Medical cannabis will not be permitted to be retailed, and all distribution will be required to be directly from licensed producer to patient in accordance with the ACMPR, which is expected to continue, for at least five years, following the legalization of nonmedical cannabis.
- The selling or giving of cannabis to youth, including use of youth to commit cannabis
 related offences will be criminal offences under the proposed Cannabis Act. Other
 regulations are also integrated into the legislation to prohibit cannabis marketing oriented
 to youth.
- Personal cultivation by adults of up to 4 cannabis plants per residence/household for personal use only.

Provincial Regulatory Regime

The provincial regulatory framework is summarized as follows:

- Adults aged 19 years and older will be permitted to possess and/or purchase non-medical cannabis, consistent with the proposed federal legislation.
- The Provincial Government, will be responsible for regulating the distribution, sale and use of cannabis in the province, and have communicated the following:
 - Province of BC will have a government-run wholesale distribution model with the BC Liquor Distribution Branch (LDB) being responsible for province-wide nonmedical cannabis distribution.
 - The Province of BC will regulate the retail sale of non-medical cannabis through public stores (government run), private stores and online sales (note: government cannabis online sales only). The LDB will be responsible for operating government stores. The Liquor Control and Licensing Board (LCLB) will be responsible for licensing and monitoring the retail sector (private stores and government operated stores). The province has also communicated that in urban areas, non-medical cannabis will not be permitted to be sold in the same stores where liquor or tobacco is available.
- Personal cultivation by adults of up to 4 cannabis plants per residence/household for
 personal use only (aligned with Federal regulations). The Province has also identified
 that cannabis plants cannot be visible from public spaces off the property and will be
 banned in dwellings used as daycares.



3.6.4 Potential City Centre Building Height Increase

OVERVIEW

The City wishes to explore increasing building height in a portion of the City Centre. Transport Canada regulates building heights around the airport. YVR and the City have identified a possible area to study for increasing building height (around City Hall see OCP ANSD Map).

OBJECTION 1:

Maximize City Centre viability safely by exploring with YVR possible increases in building height around City Hall to improve sustainability, social, economic and environmental benefit.

POLICIES:

- a) continue to explore with YVR the possibility of increasing building height around City Hall;
- b) if such building height increases are allowed by the Federal Government, study the implications and benefits (e.g., how high to build, what uses would occur, what the community benefits may be).

Bylaw 9110 ` 2014/03/24

3.6.5 Health Canada Licensed Medical Marihuana Production, and Research and Development Facilities

OVERVIEW

In June 2013, Health Canada enacted the *Marihuana for Medical Purposes Regulations (MMPR)* to better manage the research, production and distribution of medical marihuana.

In December 2013, Council amended the Zoning Bylaw to not permit medical marihuana production facilities and medical marihuana research and development facilities in any zoning district City-wide, as they were a new land use, their potential impacts were unknown and it is desirable to prevent the unnecessary proliferation of facilities. Over time, if Council receives requests to approve medical marihuana production facilities and medical marihuana research and development facilities, to protect the City's interests, Council may consider such proposed 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 Marihuana Production Facility"—means a facility for the growing and production of medical marihuana in a fully enclosed building as licensed and lawfully sanctioned under Health Canada's Marihuana for Medical Purposes Regulations (as amended from time to time), including the necessary supporting accessory uses related to processing, testing, research and development, packaging, storage, distribution and office functions that are directly related to and in support of growing and cultivation activities;



Bylaw 9110 2014/03/24 "Medical Marihuana Research and Development Facility"—means a
facility for the research and development of medical marihuana only in
a fully enclosed building as lawfully sanctioned by Health Canada under
the Controlled Drugs and Substances Act (as amended from time to
time).

OBJECTION 1:

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

POLICIES:

- a) limit medical marihuana production facilities and medical marihuana research and development facilities, through the rezoning process, to one facility in an OCP designated Mixed Employment or Industrial area. Any future proposals for a medical marihuana production facility or a medical marihuana research and development facility may be considered on a case-by-case basis and may require additional OCP amendments;
- b) a medical marihuana production facility must:
 - i) be located in a stand-alone building, which does not contain any other businesses;
 - ii) have frontage on an existing, opened and constructed City road, to address infrastructure servicing and emergency response requirements;
 - iii) avoid negatively affecting sensitive land uses (e.g., residential, school, park, community institutional);
 - iv) not emit any offensive odors, emissions and lighting to minimize negative health and nuisance impacts on surrounding areas;
- medical marihuana production facility 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);
- d) medical marihuana production facility 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;

Connected Neighbourhoods With Special Places



Bylaw 9110 2014/03/24

- 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;
- e) the applicant/owner of a Health Canada licensed and City approved medical marihuana production facility shall be responsible for full remediation of the facility should it cease operations or upon closure of the facility;
- f) consultation with stakeholders on a proposed medical marihuana production facility shall be undertaken as deemed necessary based on the context specific to each proposal.

Status of Rezoning Applications – Medical Cannabis Production Facilities

Application Number	Site Address	Official Community Plan Land Use Designation (Existing)	Current Status
RZ 13-639815	11320 Horseshoe Way	Mixed Employment	Application closed and Bylaw abandoned by Council on July 25, 2016
RZ 14-665028	5960 No. 6 Road	Mixed Employment	Public Hearing September 6, 2016 Bylaw at 3 rd reading Applicant is working on fulfilling conditions of rezoning, including confirmation of licensing approval from Health Canada.
RZ 17-769785	13751 Garden City Road	Agriculture (within the Agricultural Land Reserve)	Staff currently reviewing. Not consistent with OCP policy (located on Agriculture OCP designated land and would result in more than one cannabis related facility in the City.)
RZ 18-811041	23000 Fraserwood Way	Mixed Employment	Staff review Not consistent with OCP policy (would result in more than one cannabis related facility in the City.)

Cost Estimate for City of Richmond Programs Related to Legalization of Non-medical Cannabis

DEPARTMENT AND	Lapostoria .				
CATEGORY	Year 1	Year 2	Year 3	Year 4	Year 5
Richmond Fire Rescue					
Training	\$ 76,000	\$ 8,000	\$ 8,000	\$ 82,000	\$ 8,000
Equipment	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000
Staff	\$ 270,000	\$ 277,000	\$ 284,000	\$ 291,000	\$ 298,000
TOTAL	\$ 351,000	\$ 285,000	\$ 297,000	\$ 373,000	\$ 311,000
RCMP					
Training	\$ 127,000	\$ 29,000	\$ 29,000	\$ 29,000	\$ 29,000
Equipment	\$ 324,000	\$ 44,000	\$ 44,000	\$ 45,000	\$ 45,000
TOTAL	\$ 451,000	\$ 73,000	\$ 73,000	\$ 74,000	\$ 74,000
Community Bylaws					
Staff	\$ 100,000	\$ 100,000	\$ 102,000	\$ 105,000	\$ 108,000
TOTAL	\$ 100,000	\$ 100,000	\$ 102,000	\$ 105,000	\$ 108,000
Planning					
Staff	\$ 43,000	\$ 43,000	\$ 43,000	\$ 43,000	\$ 43,000
TOTAL	\$ 43,000	\$ 43,000	\$ 43,000	\$ 43,000	\$ 43,000
TOTAL ESTIMATE	\$ 945,000	\$ 501,000	\$ 515,000	\$ 595,000	\$ 536,000



Official Community Plan Bylaw 9000, Amendment Bylaw 9837 (Medical Cannabis Production and Non-Medical Cannabis Production and Cannabis Research and Development Facilities)

The Council of the City of Richmond enacts as follows:

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

"3.6.5 Health Canada Licensed Medical Cannabis Production, Non-Medical Cannabis Production and Cannabis Research and Development Facilities

OVERVIEW

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

Council may consider medical and non-medical cannabis production and research and development 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 fully enclosed building or structure 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, as well as
 outdoor cultivation, in accordance with the appropriate federal and provincial
 legislation and regulations, including supporting accessory uses related to

Bylaw 9837 Page 2

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.

OBJECTIVE 1:

Protect the City's social, economic, land use and environmental interests when considering proposed medical and non-medical cannabis production facilities and cannabis research and development facilities 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 and cannabis research and development facility, 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) a medical cannabis production facility or non-medical cannabis production facility or a cannabis research and development facility must:
 - i) be located in a stand-alone building, which does not contain any other businesses with the exception of non-medical cannabis production, which can be located outside in accordance with the appropriate federal and provincial legislation and regulations;
 - ii) have frontage on an existing, opened and constructed City road, to address infrastructure servicing and emergency response requirements;
 - iii) avoid negatively affecting sensitive land uses (e.g., residential, school, park, community institutional);
 - iv) not emit any offensive odors, emissions and lighting to minimize negative health and nuisance impacts on surrounding areas;
- 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);
- d) 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;
- e) the applicant/owner of a Health Canada licensed and City approved medical cannabis production facility or non-medical cannabis production facility or cannabis research and development facility shall be responsible for full remediation of the facility should it cease operations or upon closure of the facility;
- f) consultation with stakeholders on a proposed facility shall be undertaken as deemed necessary based on the context specific to each proposal."
- 2. This Bylaw is cited as "Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9837".

FIRST READING		CITY OF RICHMOND
PUBLIC HEARING		APPROVED by
SECOND READING		APPROVED by Director
THIRD READING		or Solicitor
ADOPTED		
MAYOR	CORPORATE OFFICER	



Richmond Zoning Bylaw 8500 Amendment Bylaw 9838 (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 repealing and replacing and adding text to various sections of Richmond Zoning Bylaw 8500 as follows:
 - i) Repeal and replace the following use definitions in Section 3.4 (Use and Term Definitions):

"Agriculture

means the use of land 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 or non-medical cannabis production 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 or non-medical cannabis production facility.

Office

means a facility that provides professional, management, administrative, consulting or monetary services in an **office** setting, including research and development, which includes **offices** of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies, but excludes the servicing and repair of goods, the sale of goods to the customer on the **site**, the manufacturing or handling of product and a **cannabis research and development facility**.

Retail, convenience

means a facility for the retail sale of those goods required by area residents or employees on a day-to-day basis, which includes but is not limited to small food stores, selling groceries, meats, fruits and vegetables, flowers and confectionaries, drug stores and variety stores selling tobacco, beverages, postal services, personal care items, lottery tickets, printed matter or the rental/sale of videos, but does not include **adult retail**, stand alone video stores or **retail**, **cannabis** operations.

Retail, general

- a) means a premises where goods, merchandise, other materials and services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations, which includes but is not limited to grocery store, hardware, pharmaceutical, appliance and sporting goods stores, bicycle/scooter sales and rentals, and a farmers' market, and minor government services, such as postal services, but does not include warehouse sales and the sale of building supplies, gasoline, heavy agricultural and industrial equipment, alcoholic beverages, retail pawnshop, retail secondhand, adult retail, retail stores requiring outdoor storage and retail, cannabis operations.
- b) The sale of wine limited to wines produced in British Columbia, as per the regulations of the Liquor Control and Licensing Act is permitted within a grocery store, if the floor area of the grocery store exceeds 2,322 m².

Service, business support

means a facility that provides services to **businesses** and which are characterized by one or more of the **use** of minor mechanical equipment for printing, duplicating, binding or photographic processing, secretarial services, the provision of **office** maintenance or custodial services, the provision of **office** security, and the sale, rental, repair or servicing of **office** equipment, **office** furniture and **office** machines, which includes but is not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms and **office** equipment sales, repair establishments and sign shops but does not include a **cannabis research and development facility**."

ii) Repeal and replace "medical marihuana production facility" and "medical marihuana research and development facility" in the use definitions in Section 3.4 (Use and Term Definitions) with the following:

"Cannabis Research and Development Facility

means a facility for the research and development, including testing, of cannabis in a fully enclosed **building** or **structure** in accordance with the appropriate federal and provincial legislation and regulations.

Medical Cannabis Production Facility

means a facility for the cultivation or processing of medical cannabis in a fully enclosed **building** or **structure** 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."

iii) Add the following new use definitions in Section 3.4 (Use and Term Definitions):

"Non-Medical Cannabis Production Facility

means a facility for the cultivation or processing of non-medical cannabis in a **building** or **structure**, as well as outdoor cultivation, 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.

Warehouse, cannabis

means the processing, storage and distribution of cannabis (medical and non-medical) in a fully enclosed **building** or **structure** in accordance with the appropriate federal and provincial legislation and regulations."

iv) Repeal and replace a portion of the "farm business" use definition in Section 3.4 (Use and Term Definitions) as follows:

"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;
- e) a non-medical cannabis production facility; and
- f) a cannabis research and development facility."
- v) Repeal and replace clause e) in Section 3.5.1 (Section 3.5 Non-Permitted Uses and Definitions) with the following:
 - "e) Retail, cannabis"
- vi) Repeal and replace the use definition of "marihuana dispensary" in Section 3.5.2 (Section 3.5 Non-Permitted Uses and Definitions) with the following:

"Retail, cannabis

means a business or other operation involving the sale, barter, storage, distribution or dispensing of cannabis (medical and non-medical) or any products containing or derived from cannabis intended for consumption by individuals in accordance with the appropriate federal and provincial legislation and regulations."

- vii) Repeal and replace clause c) in Section 5.13.4 (Section 5.13 Uses Permitted in All Zones) with the following:
 - "c) A medical cannabis production facility, non-medical cannabis production facility, and cannabis research and development facility is not permitted."
- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9838".

FIRST READING	CITY OF RICHMOND
PUBLIC HEARING	APPROVED by
SECOND READING	APPROVED by Director
THIRD READING	or Solicitor
ADOPTED	
MAYOR	CORPORATE OFFICER



Consolidated Fees Bylaw No.8636 Amendment Bylaw 9840 (Fees for Cannabis-Related Applications)

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

- 1. The Consolidated Fees Bylaw No. 8636, as amended, is further amended by:
 - a) Adding the following to the Zoning Amendments No. 8951 table forming part of SCHEDULE DEVELOPMENT APPLICATION FEES.

Section	Application Type	Base Fee	Incremental Fee
Section 1.2.1	Zoning Bylaw Designation Amendment for	\$4,000.00	\$28.25 per 100 m ² of
	any cannabis-related uses including medical		building area for the
	and non-medical cannabis production,		first 1,000 m ² and
	cannabis research and development and		\$17.50 per 100 m ²
	retail, cannabis operations		thereafter

2. This Bylaw may be cited as "Consolidated Fees Bylaw No. 8636, Amendment Bylaw 9840".

FIRST READING		CITY OF RICHMOND
PUBLIC HEARING		APPROVED by
SECOND READING	water and the second se	APPROVED by Director
THIRD READING		or Solicitor
ADOPTED		
MAYOR	CORPORATE OFFICER	



Richmond Zoning Bylaw 8500 Amendment Bylaw 9861 (Agricultural Building and Greenhouse Regulations)

- 1. Richmond Zoning Bylaw 8500 is amended by repealing and replacing and adding text to various sections of Richmond Zoning Bylaw 8500 as follows:
 - i) Add the following clauses into Section 14.1.4 (Permitted Density Section in the Agriculture (AG1) zone):
 - "4) Agricultural buildings and structures and greenhouses solely for supporting a farm business or for growing, producing, raising or keeping animals and plants are not permitted to have concrete construction, hardsurfacing or other impermeable structure or construction sunk into, at or below the natural grade of the site except:
 - a) Where **Agricultural buildings and structures**, excluding greenhouses, are supported by a system of columns or posts, where each supporting column or post has a minimum radius of 3 m to the next adjacent column or post and that the maximum footprint area for each concrete footing associated with each column or post is 0.5 m²; and
 - b) Concrete grade beams connecting concrete pad foundations are not permitted.
 - 5) Agricultural buildings and structures, excluding greenhouses, are permitted a maximum of 10% coverage of the gross floor area at the ground level of the building to be covered by impermeable surfaces.
 - 6) The provisions of Section 14.1.4.4 and 14.1.4.5 do not apply for:
 - b) Agricultural buildings and structures on a lot, excluding greenhouses, with a cumulative lot coverage equal to or less than 300 m² in total area for all existing and proposed agricultural buildings and structures."
- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9861".

Bylaw 9861	Page	2
FIRST READING		CITY OF RICHMOND
PUBLIC HEARING		APPROVED by
SECOND READING		APPROVED by Director or Solicitor
THIRD READING		HIL
ADOPTED		
MAYOR	CORPORATE OFFICER	



Report to Committee

To:

General Purposes Committee

Date:

May 2, 2018

From:

Barry Konkin

File:

08-4057-10/2018-Vol

01

Re:

Response to Referral: Additional Dwellings for Farm Workers and Direction on Limiting Residential Development in the AG1 Zone for Properties that are

0.2 ha (0.5 acres) or Larger

Manager, Policy Planning

Staff Recommendation

1. That the staff report titled "Response to Referral: Additional Dwellings for Farm Workers and Direction on Limiting Residential Development in the AG1 Zone for Properties that are 0.2 ha (0.5 acres) or Larger" dated May 2, 2018 from the Manager, Policy Planning be received for information;

- 2. That direction be provided to staff to either:
 - a. amend the 2041 Official Community Plan to revise the policy on additional dwellings on agriculturally zoned land, but still require an application for an additional dwelling unit to go through a rezoning process;
 - b. amend the 2041 Official Community Plan and Richmond Zoning Bylaw 8500 which would allow one (1) additional dwelling in the Agriculture (AG1) zone, and revise the 2041 Official Community Plan policy to require an application for more than one (1) additional dwelling unit on agriculturally zoned land to go through a rezoning process; or
 - c. amend the 2041 Official Community Plan and Richmond Zoning Bylaw 8500 which would allow up to three (3) additional dwellings in the Agriculture (AG1) zone, and revise the 2041 Official Community Plan policy accordingly;
- 3. That direction be provided to staff on revising the limits to residential development in the Agriculture (AG1) zone based on 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, Policy Planning; 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. 6

REPORT CONCURRENCE			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Development Applications Building Approvals	B	he Eneg	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	Initials:	APPROVED BY CAO	

Staff Report

Origin

At the March 26, 2018 Council meeting, the following referral was made:

That staff comment on the possible provision of a second dwelling for farm workers.

This report responds to this referral and reviews the provisions for additional dwellings on agriculturally zoned land. As this referral was part of a larger referral back to staff on revising limits to house size and farm home plate regulations on agriculturally zoned land, this report also brings forward the 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, and seeks Council direction on this issue.

An additional dwelling is currently not permitted in any of the City's Agriculture zones, and a property would need to be rezoned to allow this use. An additional dwelling is typically a second single detached dwelling on a farm intended to accommodate full-time farm workers on the subject property.

It is important to note that this report does not address 'seasonal farm labour accommodation' which is a separately defined residential use in Richmond Zoning Bylaw 8500. Seasonal farm labour accommodation, which is a permitted use in the Agriculture (AG3) zone only, is meant to be temporary in nature and house multiple sleeping units under one structure. Any application for seasonal farm labour accommodations would be reviewed on a case-by-case basis through a rezoning application.

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.

Background

On May 17, 2017, Council adopted Richmond Zoning Bylaw 8500, Amendment Bylaw 9707 which removed the provision of allowing additional dwellings for full-time farm workers on parcels 8 ha (20 acres) or larger. This provision was removed as the maximum farm home plate and house size for the principal dwelling had not been determined, and would have added considerable complications to the farm home plate and house size regulations being considered at the time. Further, the additional dwelling unit provision was rarely used as only 7% of Richmond's farmland is large enough to be eligible to have an additional dwelling unit.

Attachment 1 indicates those agriculturally zoned lots with road access that formerly met the criteria and were permitted to have an additional dwelling. The yellow parcels in the map on Attachment 1 would be permitted one (1) additional dwelling, the green parcels would be

permitted two (2) additional dwellings, and the blue parcels would be permitted up to three (3) additional dwellings provided that the additional dwelling units were for full-time farm workers.

Since 2010, there has only been one building permit application that has met these requirements to construct an additional dwelling unit. As local governments have discretionary authority on allowing additional dwelling units on land within the Agricultural Land Reserve (ALR), Council approved staffs suggested amendments as part of the updates to the residential provisions in the City's agricultural zones in 2017, to remove the outright permitted additional dwelling unit in the Agriculture (AG1) zone, and require a rezoning process to review any applications for an additional dwelling unit.

Under the former provisions of Richmond Zoning Bylaw 8500, a building permit application could be made for additional dwelling(s) on land zoned Agriculture (AG1) provided:

- the additional dwelling(s) was for full-time farm workers for a farm operation employed on the lot in question;
- the need for the additional dwelling units was justified by a certified professional registered with the B.C. Institute of Agrologists (P.Ag.); and
- the lot had a minimum area as specified below:
 - 1 additional dwelling on a lot between 8 ha (20 ac.) and 25 ha (62 ac.); or
 - 2 additional dwellings on a lot between 25 ha (62 ac.) and 30 ha (74 ac.); or
 - 3 additional dwellings on a lot over 30 ha (74 ac.).

At the same May 17, 2017 meeting, Council adopted Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9706 which added the following policy in Section 7.1 (Protect Farmland and Enhance Its Viability) in the Official Community Plan (OCP):

"limit the number of dwelling units to one (1) on agriculturally zoned properties. Through a rezoning application, on a case-by-case basis, consider applications which propose to exceed the maximum number of dwelling units if:

- the property is 8 ha (20 acres) in area or greater; and
- if the applicant provides a report, satisfactory to Council, from a Professional Agrologist, which demonstrates that:
 - full-time farm workers are required to live on the farm; and
 - the secondary farmhouse is subordinate to the principal farm dwelling unit."

Based on these approved amendments, proposals for an additional dwelling unit on agriculturally zoned land must be reviewed on case by case basis through a rezoning application with Council review and approval. The purpose of this was to provide Council an opportunity to review each application. To date, no rezoning applications for an additional dwelling have been received.

As requested by Council, a six-month public review of those bylaws began in late 2017 and concluded in early 2018. A summary of the most recent public consultation on this issue, along

with a series of options for Council's consideration, was presented to Council at their meeting on March 26, 2018. At that meeting, some delegations to Council expressed concern that a rezoning application for an additional dwelling for farm workers on agricultural land is an obstacle to successful farm operations and this requirement should be relaxed. Council referred the issue of additional dwellings for farm workers back to staff for comment.

Analysis

Agricultural Land Commission's Policy on Additional Residences for Farm Help Accommodation

The Agricultural Land Commission (ALC) regulations allow additional dwellings in the ALR provided that all additional dwellings are necessary for farm use. However, the ALC does not set a maximum number of additional dwellings on an agricultural parcel. ALC Policy L-09 provides further interpretation on additional dwellings for farm help accommodation (Attachment 2).

Ministry Guidelines for Farm Home Plate and House Size for Additional Dwellings

The Ministry of Agriculture's "Guide for Bylaw Development in Farming Areas (2015)", also known as the "Ministry's Guidelines", provides the following guidelines for additional dwelling units:

- an additional 1,000 m² (10,764 ft²) of farm home plate area for each additional dwelling unit; and
- an additional 300 m² (3,229 ft²) of floor area for each additional dwelling unit.

Options for Consideration

In response to Council's referral, staff have prepared three (3) options for consideration:

- maintain the existing policy on additional dwellings on agriculturally zoned land, and strengthen the policy by including additional requirements to ensure any additional dwellings for farm workers are on an existing farm operation;
- 2) allow a maximum of one (1) additional dwelling in the AG1 zone, subject to conditions, without going through a rezoning process (any proposals for more than one additional dwelling in the AG1 zone would require a rezoning application); and
- 3) allow a maximum of three (3) additional dwellings in the AG1 zone, subject to conditions, without going through a rezoning process.

Option 1: Strengthen the Existing OCP Policy on Additional Dwelling Units

If Council wishes to maintain the current bylaw regulations requiring Council approval of a rezoning application for additional dwellings on agriculturally zoned land, staff would recommend strengthening the existing OCP policy by including the requirement that:

- the lot be classified as 'farm' under the B.C. Assessment Act; and

- require a statutory declaration from the property owner indicating that any additional dwelling(s) is for full-time farm workers only.

This approach would also require any application for an additional dwelling unit to be reviewed through a rezoning process. Further, in order to apply for a rezoning, the property would have to be agriculturally zoned, 8 ha (20 acres) in area or greater, and the application would have to provide a report, satisfactory to Council, from a Professional Agrologist, which demonstrates that full-time farm workers are required to live on the farm.

This approach would assist in determining the house size and farm home plate needs on a site specific basis. This would include reviewing the farm home plate size and geometry in relation to the farm home plate for the existing principal dwelling. Further, a site specific review would help in determining the appropriate location of the septic field. Currently, septic fields are not required to be located within the farm home plate. However, if Council were to amend the 'farm home plate' definition to require that the septic field be located within the farm home plate, a site-specific review would be beneficial to determine the appropriate farm home plate area for an additional dwelling unit.

If Council wishes to consider Option 1, staff have prepared an amending bylaw to Richmond Official Community Plan Bylaw 9000 (Attachment 3).

Option 2: Allow a Maximum of One Additional Dwelling in the AG1 Zone

Option 2 which would allow a maximum of one (1) additional dwelling unit in the AG1 zone, subject to conditions (e.g., the lot is classified as 'farm', submission of an agrologist report and a statutory declaration, and meet the minimum 8 ha lot area requirements), without going through a rezoning process. Any proposals for more than one (1) additional dwelling unit in the AG1 zone would require a rezoning.

If Council wishes to consider this option, the following bylaw amendments, as shown in Attachment 4, would be required:

- A. amend Policy g) under Objective 1 (continue to protect the City's agricultural land base in the Agricultural Land Reserve [ALR]) in Section 7.1 (Protect Farmland and Enhance Its Viability) on page 7-4 of Official Community Plan Bylaw 9000 to:
 - 1. allow one (1) additional dwelling unit provided:
 - a. the property is classified as a 'farm' under the BC Assessment Act;
 - b. the owner provides a statutory declaration that the additional dwelling unit is for full-time farm workers only; and
 - c. the owner submits a report from a Professional Agrologist which demonstrates that:
 - i. full-time farm labour is required to live on the farm; and
 - ii. the secondary farmhouse is subordinate to the principal farm dwelling; and

- 2. any proposals for more than one (1) additional dwelling on agriculturally zoned land would be considered through a rezoning application and would be reviewed on a case-by-case basis.
- B. amend the Agriculture (AG1) zone in Richmond Zoning Bylaw 8500 to:
 - 1. allow one (1) additional dwelling unit provided:
 - (a) the property is classified as a 'farm' under the BC Assessment Act;
 - (b) the property is 8 ha (20 ac.) or greater in area;
 - (c) the owner provides a statutory declaration that the additional dwelling unit is for full-time farm workers only, and
 - (d) the owner submits a report from a Professional Agrologist which demonstrates that:
 - i. full-time farm labour is required to live on the farm; and
 - ii. the additional dwelling is subordinate to the principal farm dwelling; and
 - 2. apply the following residential development size limits for the additional dwelling unit:
 - (a) a maximum additional farm home plate of 600 m² (6,458 ft²); and
 - (b) a maximum house size of 300 m² (3,229 ft²).

The proposed farm home plate area for any additional dwellings would have to be a contiguous area with the farm home plate area of the principal dwelling unit. This is consistent with the Zoning Bylaw's existing definition of 'farm home plate' which requires that the farm home plate area include the portion of the lot located between a principal dwelling and any additional dwelling units. This would encourage the clustering of dwelling units and sharing residential improvements such as driveway access in order to preserve as much farmland as possible. If a property owner who is applying for an additional dwelling unit wishes to have two separate farm home plate areas, or cannot work within the incremental additional farm home plate area, they would have to apply for a Development Variance Permit to vary the definition of a farm home plate for their property.

The maximum house size of 300 m² (3,229 ft²) for an additional dwelling would include the garage floor area and the floor area for any residential accessory buildings. This is consistent with the maximum floor area for the principal dwelling unit in the Zoning Bylaw which also includes the garage floor area and residential accessory buildings.

With these amendments, the provision for an additional dwelling would only apply to AG1 zoned lots with road access that are greater than 8 ha (20 ac.) in area. Staff have confirmed that only 85 properties, or 7% of AG1 zoned properties would qualify for an additional dwelling. Those properties are identified in the map on Attachment 1. If AG1 zoned lots are consolidated to create a lot that is 8 ha (20 ac.) in area or greater, that number could potentially increase.

Option 3: Allow a Maximum of Three (3) Additional Dwellings in the AG1 Zone

If Council wishes to reinstate the full scope of provisions for additional dwelling units as was previously included in the Richmond Zoning Bylaw 8500 on agriculturally zoned properties, staff would recommend that the following bylaw amendments, as shown in Attachment 5, be endorsed:

- A. amend Policy g) under Objective 1 (continue to protect the City's agricultural land base in the Agricultural Land Reserve [ALR]) in Section 7.1 (Protect Farmland and Enhance Its Viability) on page 7-4 of Official Community Plan Bylaw 9000 to:
 - 1. remove the requirement to rezone the parcel on a case by case basis;
 - 2. include the requirement that the property be classified as a 'farm' under the B.C. *Assessment Act* to provide further evidence that there is a legitimate need for an additional dwellings; and
 - 3. require a signed statutory declaration from the property owner indicating that any additional dwelling(s) is for full-time farm workers only, to ensure compliance.
- B. amend the Agriculture (AG1) zone in Richmond Zoning Bylaw 8500 to:
 - 1. reinstate the previous provisions for additional dwelling(s) in the Zoning Bylaw which includes the requirements that:
 - (a) the additional dwelling(s) is for full-time farm workers for a farm operation employed on the lot in question;
 - (b) the need for additional dwelling(s) is justified in a comprehensive written report by a certified professional registered with the B.C. Institute of Agrologists (P.Ag.); and
 - (c) the maximum number of additional dwelling(s) is based on the lot area specified below:
 - i. 1 additional dwelling on a lot between 8 ha (20 ac.) and 25 ha (62 ac.);
 - ii. 2 additional dwellings on a lot between 25 ha (62 ac.) and 30 ha (74 ac.); or
 - iii. 3 additional dwellings on a lot over 30 ha (74 ac.);
 - 2. require that the lot be classified as 'farm' under the B.C. Assessment Act;
 - 3. require a statutory declaration from the property owner that any additional dwelling(s) is for full-time farm workers only; and
 - 4. apply the following residential development size limits for each additional dwelling:
 - (a) a maximum additional farm home plate of 600 m² (6,458 ft²); and
 - (b) a maximum house size of 300 m² (3,229 ft²).

Staff note that items 2 and 3 above are new requirements from the previous provisions which would ensure any additional dwellings are for farm workers on an existing farm operation. Further, the statutory declaration from the property owner would ensure compliance that any additional dwelling(s) is for full-time farm workers only.

Item 4 above has the same farm home plate and house size limitations as suggested in Option 2. As indicated in Option 2, the farm home plate area for any additional dwelling unit would have to be a contiguous area with the farm home plate area of the principal dwelling unit. If a property owner who is applying for an additional dwelling unit wishes to have two separate farm home plate areas, or cannot work within the incremental additional farm home plate, they would have to apply for a Development Variance Permit to vary the definition of a farm home plate for their property.

With these amendments, the provision for an additional dwelling would only apply to AG1 zoned lots with road access that are greater than 8 ha (20 ac.) in area. Staff have confirmed that only 85 properties, or 7% of AG1 zoned properties would qualify for an additional dwelling. Those properties are identified in the map on Attachment 1. If AG1 zoned lots are consolidated to create a lot that is 8 ha (20 ac.) in area or greater, that number could potentially increase.

Table 1 provides a breakdown on the number of existing lots that would be eligible to apply for an additional dwelling in the AG1 zone for Option 3.

Number of Additional Dwelling Units	Lot Area	Number of Lots	
1	8 ha (20 ac.) to 25 ha (62 ac.)	61	
2	25 ha (62 ac.) to 30 ha (74 ac.)	8	
3	30 ha (74 ac.) or greater	16	

Table 1: Number of Lots that Can Apply for Additional Dwelling Units in the AG1 Zone

If these bylaw amendments were to be adopted, any application for an additional dwelling for farm workers would not require Council approval. Rather, the applicant would be required to meet the conditions as outlined above (e.g., the lot is classified as 'farm', submission of an agrologist report and a statutory declaration, and meets the minimum lot area requirements) through a building permit application.

If Council wish to consider Option 3, staff have prepared proposed bylaw amendments that would amend the 2041 OCP and Richmond Zoning Bylaw 8500 as indicated in Attachment 5.

Public Consultation for OCP Amendment

Staff have reviewed both possible OCP bylaw amendments, with respect to the *Local Government Act* and the City's OCP Consultation Policy No. 5043 requirements, and recommend that both OCP amendments do not require referral to external stakeholders as the OCP amendments are consistent with the existing policy framework on limiting the size of residential development on farmland. Both OCP amendment bylaws are housekeeping in nature

and are an enhancement of the City's existing policy framework for additional dwellings on agriculturally zoned land.

Council's referral directed staff to examine the issue, and did not include a specific referral to other stakeholders or committees. In order to provide a timely response to Council, staff did not undertake additional formal consultation. Staff did however, take the opportunity to provide an update on this item to the Agricultural Advisory Committee (AAC) at their regular meeting held on April 19, 2018. At that meeting, the AAC passed a motion to indicate support reinstating the provisions for additional dwelling units in the Agriculture (AG1) zone exactly as they appeared prior to the adopted Zoning Bylaw amendments on May 17, 2017 on limiting residential development on farmland.

If Council consider one of the bylaw options outlined in this report, a Public Hearing will be held, 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*. In staff's opinion, the Public Hearing would be sufficient to obtain public and stakeholder input on any of the proposed bylaw amendments.

Should Council wish additional public input, staff can undertake formal consultation with various stakeholders, if so directed.

Farm Home Plate and House Size Limits in the AG1 Zone

The referral on additional dwellings for farm workers is part of a larger referral back to staff on revising limits to house size and farm home plate regulations on agriculturally zoned land. As staff have addressed this referral in this report and have addressed an additional referral on the size of farm structures on farmland in a separate report titled "Cannabis Bylaw Framework and Regulation of Agricultural Structures" dated April 18, 2018 from the Manager, Policy Planning and the Senior Manager of Community Safety, Policy and Programs and Licensing, to be reviewed at the May 7, 2018 General Purposes Committee, staff recommend that Council provide staff with direction on revised residential development limits in the AG1 zone, and timing for bylaw(s) to be presented for consideration.

Specifically, staff are seeking direction on the:

- maximum permitted house size;
- maximum house footprint;
- maximum number of storeys;
- the location of the septic field in relation to the farm home plate; and
- a maximum permitted farm home plate area in the Agriculture (AG1) zone.

The 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 (Attachment 7) provides a series of bylaw options for Council's consideration.

Further, staff recommend that Council authorize staff to send a letter 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. This is based on feedback received during the last round of public consultation on farmland housing regulations.

Financial Impact

None.

Conclusion

This report responds to Council's March 26, 2018 referral to staff on additional dwelling units for farm workers as part of a larger referral back to staff on revising limits to house size and farm home plate regulations on agriculturally zoned land. This report presents three options for Council's consideration which includes the following:

- Option 1: maintain the existing OCP policy on additional dwellings units on agriculturally zoned land by requiring all applications for an additional dwelling for full-time farm workers to be reviewed on a case by case basis through a rezoning process, and include additional requirements to ensure any additional dwellings for farm workers are on an existing farm operation;
- Option 2: allow a maximum of one (1) additional dwelling as a conditional use in the Agriculture (AG1) zone without going through a rezoning process (any proposals for more than one dwelling unit in the AG1 zone would require a rezoning), and include additional requirements to ensure any additional dwelling units for farm workers are on an existing farm operation; or
- Option 3: allow the consideration of up to three (3) additional dwellings as a conditional use in the Agriculture (AG1) zone as was previously permitted prior to the residential provisions were approved in the City's agricultural zones in 2017, and include additional requirements to ensure any additional dwelling units for farm workers are on an existing farm operation.

Further, it is recommended that Council provide staff with direction on revised limits to residential development on AG1 zoned land based on the 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.

As part of that report, staff also recommended 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.

John Hopkins Senior Planner (604-276-4279)

JH:cas

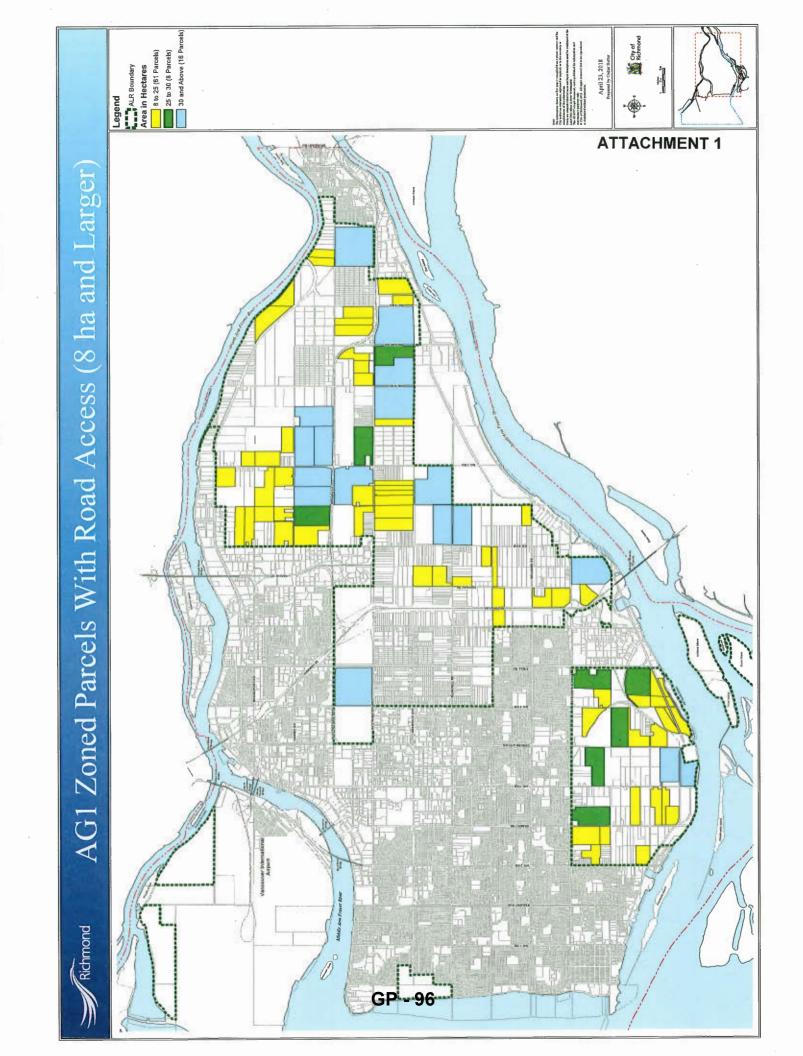
- Att. 1: Map of AG1 Zoned Parcels with Road Access that are 8 ha (20 ac.) or Larger
 - 2: ALC Policy L-09 on Additional Residences for Farm Help Accommodation
 - 3: Option 1 Bylaw Package:

Draft Official Community Plan Bylaw 9000, Amendment Bylaw 9866

4: Option 2 Bylaws Package:

Draft Official Community Plan Bylaw 9000, Amendment Bylaw 9869 and Draft Richmond Zoning Bylaw 8500, Amendment Bylaw 9870

- 5: Option 3 Bylaw Package:
 - Draft Official Community Plan Bylaw 9000, Amendment Bylaw 9863 and Draft Richmond Zoning Bylaw 8500, Amendment Bylaw 9862
- 6: Report to Planning Committee 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





Policy L-09 January 2016

ADDITIONAL RESIDENCES FOR FARM HELP ACCOMMODATION

This policy is intended to assist in the interpretation of the <u>Agricultural Land Commission Act</u>, 2002, including amendments as of September 2014, (the "ALCA") and BC Regulation 171/2002 (<u>Agricultural Land Reserve Use</u>, <u>Subdivision and Procedure Regulation</u>), including amendments as of August 2016, (the "Regulation"). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.

REFERENCE:

Agricultural Land Commission Act, S.B.C. 2002, c. 36 - Section 18

Unless permitted by this Act, the regulations or the terms imposed in an order of the commission.

- (a) a local government, or an authority, a board or another agency established by it or a
 person or an agency that enters into an agreement under the <u>Local Services Act</u>
 may not
 - (ii) approve more than one residence on a parcel of land unless the additional residences are necessary for farm use

INTERPRETATION:

The ALCA and the Regulation do not set a limit on the number of additional residences for farm help accommodation per parcel, but all residences must be necessary for farm use.

Local government must be provided with evidence that there is a legitimate need for an additional residence for farm help accommodation. One criterion is that the parcel should have 'farm' classification under the <u>Assessment Act</u>. In coming to a determination, a local government should consider the size and type of farm operation and other relevant factors. To help determine the need and evaluate the size and type of farm operation, the local government may wish to obtain advice and direction from staff of:

- a) the Ministry of Agriculture
- b) the Agricultural Land Commission.

Local government bylaws should not necessarily be the basis for making a determination about the necessity for farm help accommodation. Some bylaws may automatically permit a second residence on a specified size of parcel in the Agricultural Land Reserve ("ALR"). This is not an appropriate determination under the *ALCA* and should not be used as the basis for issuing a building permit for an additional residence for farm help accommodation. Some local governments have adopted detailed guidelines as a basis for determining legitimacy of a request for additional residences for farm help, in which a threshold for different types of agricultural operations is specified. In these instances, it may be appropriate to consider these as factors in interpreting Section 18 of the *ALCA*. If

there is any doubt with respect to need, an application under Section 20 (3) of the ALCA for permission for a non-farm use is required.

Unless defined in this policy, terms used herein will have the meanings given to them in the *ALCA* or the Regulation.



Bylaw 9866

Richmond Official Community Plan Bylaw 9000 Amendment Bylaw 9866 (Additional Dwellings on Agriculturally Zoned Land)

- 1. Richmond Official Community Plan Bylaw 9000, as amended, if further amended at Section 7.1 Protect Farmland and Enhance Its Viability by deleting policy g) under Objective 1 (Continue to protect the City's agricultural land base in the Agricultural Land Reserve (ALR)), and replacing it with the following:
 - "g) limit the number of dwelling units to one (1) on agriculturally zoned properties. Through a rezoning application, on a case-by-case basis, consider applications which proposed to exceed the maximum number of dwelling units if:
 - the property is 8 ha (20 ac.) in area or greater;
 - the property is classified as a farm under the B.C. Assessment Act;
 - if the owner provides a statutory declaration that any additional dwelling units are for full-time farm workers only; and
 - if the applicant provides a report, satisfactory to Council, from a Professional Agrologist, which demonstrates that:
 - full-time farm labour is required to live on the farm; and
 - the secondary farmhouse is subordinate to the principal farm dwelling unit."
- 2. This Bylaw may be cited as "Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9866".

FIRST READING		CITY OF RICHMOND
PUBLIC HEARING		APPROVED by
SECOND READING		APPROVED by Manager
THIRD READING		or Solicitor
ADOPTED		
MAYOR	CORPORATE OFFICER	



MAYOR

Bylaw 9869

Richmond Official Community Plan Bylaw 9000 Amendment Bylaw 9869 (Additional Dwellings on Agriculturally Zoned Land)

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

- 1. Richmond Official Community Plan Bylaw 9000, as amended, if further amended at Section 7.1 Protect Farmland and Enhance Its Viability by deleting policy g) under Objective 1 (Continue to protect the City's agricultural land base in the Agricultural Land Reserve (ALR)), and replacing it with the following:
 - "g) limit the number of principal dwelling units to one (1) on agriculturally zoned properties, and only permit one (1) additional dwelling unit provided the property is 8 ha (20 acres) in area or greater, the property is classified as a farm under the BC Assessment Act, and if the owner provides a statutory declaration that the additional dwelling unit is for full-time farm workers only, and submits a report from a Professional Agrologist which demonstrates that:
 - full-time farm labour is required to live on the farm; and
 - the secondary farmhouse is subordinate to the principal farm dwelling unit.

Any proposals for more than one (1) additional dwelling unit on agriculturally zoned land would be considered through a rezoning application and would be reviewed on a case-by-case basis."

2. This Bylaw may be cited as "Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9869".

FIRST READING	 CITY OF RICHMOND
PUBLIC HEARING	 APPROVED by
SECOND READING	 APPROVED by Manager
THIRD READING	or Solicitor
ADOPTED	
•	

GP - 100

CORPORATE OFFICER

Bylaw 9870

Richmond Zoning Bylaw 8500 Amendment Bylaw 9870

- 1. Richmond Zoning Bylaw 8500, as amended, is amended by:
 - b) deleting Section 14.1.4., subsection 2 and 3 (Permitted Density), in its entirety and replacing it with the following:
 - "2. The maximum density is one principal dwelling unit per lot.
 - 3. A maximum of one additional **single detached housing** unit for full-time farm workers for a **farm operation** employed on the **lot** in question is permitted provided:
 - a) the **lot** is classified as 'farm' under the B.C. Assessment Act,
 - b) that a statutory declaration is submitted by the owner of the **lot** indicating that the additional **single detached housing** unit is for full-time farm workers only;
 - c) that the need for the additional **single detached housing** unit is justified by a certified professional registered with the B.C. Institute of Agrologists (P.Ag.), and
 - d) that the **lot** has a **lot area** of 8.0 ha or greater.
 - 4. The maximum floor area for an additional single detached housing unit is 300 m² where permitted.
 - 5. For **lots** zoned AG4, the maximum **floor area ratio** is 0.11."
- 2. Richmond Zoning Bylaw 8500, as amended, is amended by deleting Section 14.1.4.A (Farm Home Plate) in its entirety and replacing it with:
 - "1. The maximum area of the **farm home plate** for a **principal dwelling unit** is:
 - a) 50% of the **lot area** for **lots** less than 0.2 ha;
 - b) 1,000 m² for **lots** between 0.2 ha to 1 ha;
 - c) 10% of the lot area for lots between 1 ha to 2 ha; and

- d) 2,000 m² for **lots** greater than 2 ha.
- 2. The maximum area of the **farm home plate** for an additional **single detached housing** unit is 600 m^2 ."
- 3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9870".

FIRST READING		CITY OF ICHMOND
PUBLIC HEARING	Ai	PPROVED by
FUBLIC HEARING		
SECOND READING	b	PPROVED y Director
THIRD READING		r Solicitor
ADOPTED		
MAYOR	CORPORATE OFFICER	



Richmond Official Community Plan Bylaw 9000 Amendment Bylaw 9863 (Additional Dwellings on Agriculturally Zoned Land)

- 1. Richmond Official Community Plan Bylaw 9000, as amended, if further amended at Section 7.1 Protect Farmland and Enhance Its Viability by deleting policy g) under Objective 1 (Continue to protect the City's agricultural land base in the Agricultural Land Reserve (ALR)), and replacing it with the following:
 - "g) limit the number of principal dwelling units to one (1) on agriculturally zoned properties, and only permit additional dwelling units provided the property is 8 ha (20 acres) in area or greater, the property is classified as a farm under the BC Assessment Act, and if the owner provides a statutory declaration that any additional dwelling units are for full-time farm workers only, and submits a report from a Professional Agrologist which demonstrates that:
 - full-time farm labour is required to live on the farm; and
 - the secondary farmhouse is subordinate to the principal farm dwelling unit."
- 2. This Bylaw may be cited as "Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9863".

FIRST READING	CITY OF RICHMON
PUBLIC HEARING	APPROVE by
SECOND READING	APPROVE by Manage
THIRD READING	or Solicito
ADOPTED	
MAYOR	CORPORATE OFFICER





Richmond Zoning Bylaw 8500 Amendment Bylaw 9862

- 1. Richmond Zoning Bylaw 8500, as amended, is amended by:
 - a) deleting Section 14.1.4., subsection 2 and 3 (Permitted Density), in its entirety and replacing it with the following:
 - "2. The maximum density is one principal dwelling unit per lot.
 - 3. The following additional **single detached housing** units for full-time farm workers for a **farm operation** employed on the **lot** in question are permitted provided:
 - a) the lot is classified as 'farm' under the B.C. Assessment Act,
 - b) that a statutory declaration is submitted by the owner of the **lot** indicating that any additional **single detached housing** unit is for full-time farm workers only;
 - c) that the need for the additional **single detached housing** unit is justified by a certified professional registered with the B.C. Institute of Agrologists (P.Ag.), and
 - d) that the **lot** has the **lot area** specified below:
 - i. 1 additional single detached housing unit on a lot between 8.0 ha and 25.0 ha; or
 - ii. 2 additional **single detached housing** unit on a **lot** between 25.0 ha and 30.0 ha; or
 - iii. 3 additional single detached housing unit on a lot over 30.0 ha.
 - 4. The maximum **floor area** for each additional **single detached housing** unit is 300 m² where permitted.
 - 5. For **lots** zoned AG4, the maximum **floor area ratio** is 0.11."

2.	Richmond Zoning Bylaw 8500, as amended, is amended by deleting Section 14.1.4.A (Farm Home Plate) in its entirety and replacing it with:			
	"1.	The maximum area of the farm home plate for a principal dwelling unit is:		
		a) 50% of the lot area for lots less than 0.2 ha;		
		b) 1,000 m ² for lots between 0.2 ha to 1 ha;		
		c) 10% of the lot area for lots between 1 ha to 2 ha; and		
		d) 2,000 m ² for lots greater than 2 ha.		
	2.	The maximum area of the farm home plate for each additional single detached housing unit is 600 m ² ."		
3.	This I	Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9862".		
FIRST	ΓREAL	DING	CITY OF RICHMON APPROVE	
PUBL	IC HEA	ARING	ьу	
SECC	COND READING APPROVE by Director of Solicitic			
THIR	D REA	DING	0, 00,10110	
ADO	PTED	PING APPROVE by DING APPROVE cor Solicitor		
	M	AYOR CORPORATE OFFICER		



Report to Committee

To:

Planning Committee

Date:

March 13, 2018

From:

Barry Konkin

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

Manager, Policy Planning

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;
- 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:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER			
Building Approvals Finance Law	E C	bay for JOE EREEG			
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS:	APPROVED BY CAO (ACTIVAL)			

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 plat

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	Richmond Farmers
	(408)	(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:	Of the 310 respondents who indicated they support reducing the maximum house size:	Of the 7 respondents who indicated they support reducing the maximum house size:
77% indicated support for a house size of 5,382 ft ² or less	78% indicated support for a house size of 5,382 ft² or less	72% indicated support for a house size of 5,382 ft² 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:
 - o 34 indicated they reside outside of Richmond; and
 - o 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.

				1 – Opti								
	Option	Opti	ion 2		Option 3			Option 4			Option 5	
	1	Α	В	А	В	С	A	В	C	Α	В	С
Maximum House Size	5,382	6,5	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 5eptic Field inside (minimum 10,764 ft²)		10,764		11,250	10,	764	12,750	11,	900	16,146	15,	070
Farm Home Plate with Septic Field Outside (minimum 10,764 ft²)						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:
 - o 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
 - o 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 Max. farm home plate with septic field Max. farm home plate without septic field Number of storeys Max. house footprint	5,382 ft ² 10,764 ft ² 10,764 ft ² 2 (could be included in 2 ½ storey) 60% of the total house floor area
2	Option 2A	Max. house size Max. farm home plate with septic field Max. farm home plate without septic field Number of storeys Max. house footprint	6,500 ft ² 10,764 ft ² 10,764 ft ² 2 ½ storey 45% of the total house floor area
3	Option 2B	Max. house size Max. farm home plate with septic field Max. farm home plate without septic field Number of storeys Max. house footprint	6,500 ft ² 10,764 ft ² 10,764 ft ² 2 ½ storey 40% of the total house floor area
4	Option 3A	Max. house size Max. farm home plate with septic field Max. farm home plate without septic field Number of storeys Max. house footprint	7,500 ft ² 11,250 ft ² 10,764 ft ² 2 ½ storey 45% of the total house floor area
5	Option 3B	Max. house size Max. farm home plate with septic field Max. farm home plate without septic field Number of storeys Max. house footprint	7,500 ft ² 10,764 ft ² 10,764 ft ² 2 ½ storey 40% of the total house floor area
6	Option 3C	Max. house size Max. farm home plate with septic field Max. farm home plate without septic field Number of storeys Max. house footprint	7,500 ft ² 10,764 ft ² 10,764 ft ² 3 storey 40% of the total house floor area

7	Option 4A	Max. house size	8,500 ft ²
	1	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
)	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	$16,146 \text{ ft}^2$
		Max. farm home plate without septic field	$10,764 \text{ ft}^2$
		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	$15,070 \text{ ft}^2$
		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 hutches, 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;
 - o 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;
- 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 1/2-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 m^2 (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 10m^2 (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 10m^2 (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 50m^2 (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

<u>Farm Home Plate Definition</u>: 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.

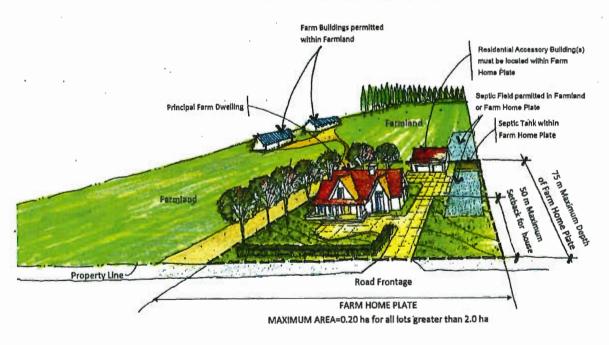


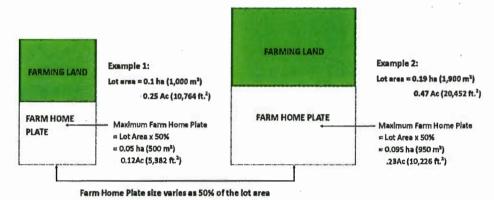
Figure 1: Illustration of a Farm Home Plate

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

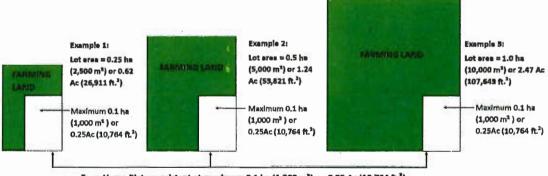
Maximum Farm Home Plate is 50% of the lot area for the Lots less than 0.2 ha (2,000 m2) or 0.5 Ac (21,528 ft.2).



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 ft²) 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)

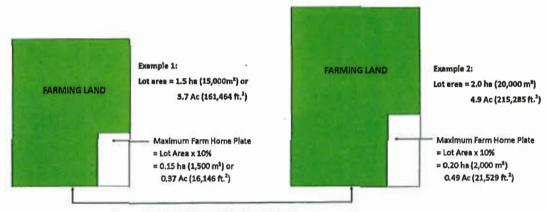


Farm Home Plate consistent at maximum 0.1 ha (1,000 m²) or 0.25 Ac (10,764 ft.2)

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 m¹) or 2.5 Ac (107,643 ft.²) to 2.0 ha (20,000 m²) or 4.9Ac (215,285 ft.²)

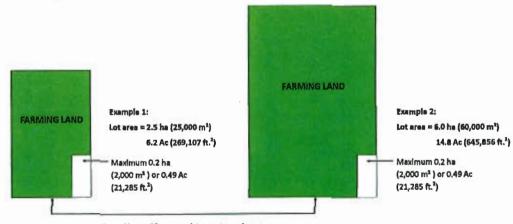


Farm Home Plate varies as 10% of the lot area

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 ft²) 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)



Farm Home Plate consistent at maximum 0.2 ha (2,000 m²) or 0.49 Ac 21,528 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 1,000m² [10,763 ft²] of the	*For lots less than 0.126ha (0.32 ac.): • less than 500m² (5,382 ft²) For lots 0.128ha (0.32 ac.) to 0.2ha (0.5 ac.):
		lot)	• 500m² (5,382 ft²)
0.2ha (0.5 ac.) to	490	1,000m ² (10,763 ft ²) of the	*For lots 0.2ha (0.5 ac.) to 0.29ha (0.73 ac.): • 716m² (7,708 ft²) to 1,000m² (10,763 ft²)
1.0ha (2.5 ac.)	100	lot	For lots 0.29ha (0.73 ac.) to 1.0ha (2.5 ac.): 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 [21,527ft ²])	1,000m ² (10,763 ft ²)
2.0ha (4.9 ac.) or greater	332	2,000m² (21.527 ft²)	1,000m ² (10,763 ft ²)

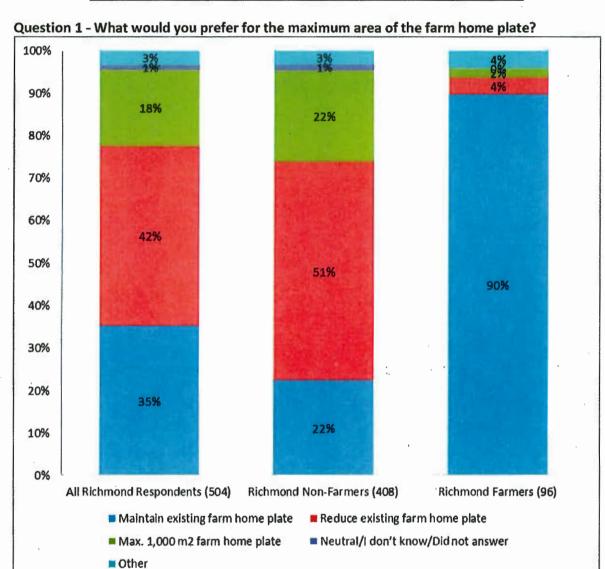
^{*} Derived from the City's floor area ratio of 0.55 for first 464.5 m² (5,000ft²) of lot size, and 0.30 for the remainder of the lot.

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

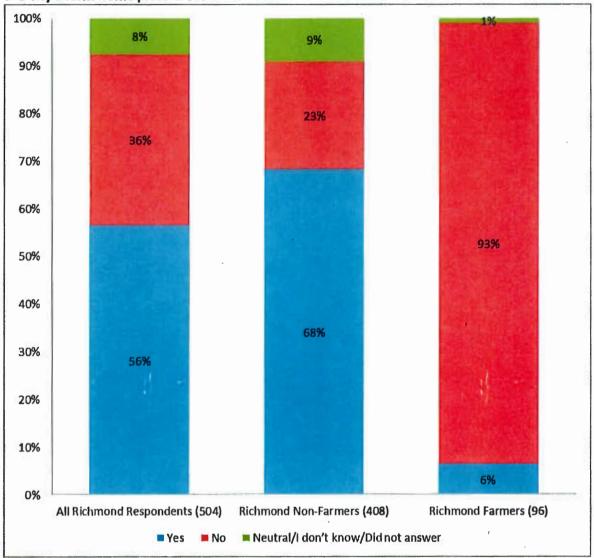


- The response 'Max. 1,000 m² farm home plate' was not a set response on the feedback form. There were 90 overall respondents who indicated this reponse.
- · Other comments included:

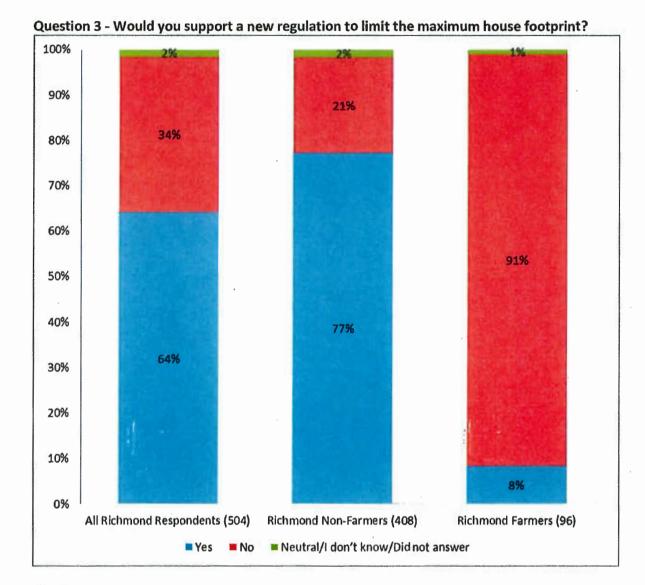
Other comment	All	Non-farmers	Farmers
Decrease the City's existing maximum farm home plate area regulations	2	2	0
Increase the City's existing maximum farm home plate area regulations	9	6	3
Remove the City's existing maximum farm home plate regulations	2	1	1

Question 2 - Do you think the entire septic system, including the septic field, should be within

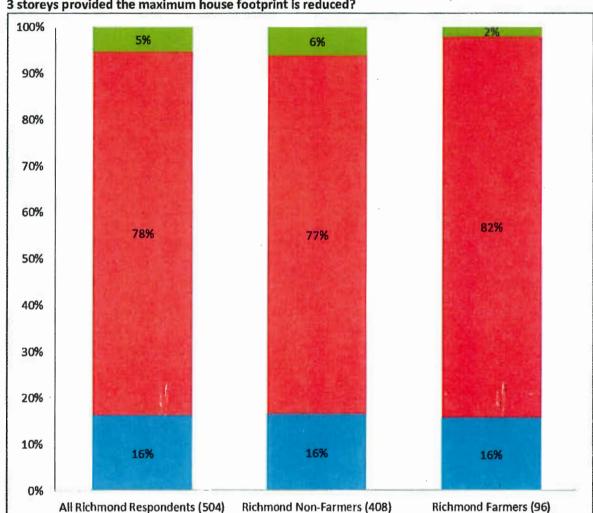




- General comments provided in response to the question included the following:
 - o including the entire septic system within the City's farm home plate area will increase the amount of land available for farming (51)
 - o the location of the septic system should be determined by the farmer (or property owner) on a case-by-case basis (14)
 - o the City's existing farmland housing regulations are sufficient (3)
 - o 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)
 - o Require the septic tank in the farm home plate area, but the septic field outside the farm home plate area (4)



- General comments provided in response to the question included the following:
 - The existing regulations regarding housing on farmland should be more restrictive (76)
 - o The maximum house footprint should be approximately 500 m² (5,382 ft²) (3)
 - o 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)
 - o 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?

- General comments provided in response to the question included the following:
 - o increased house heights is not supported and should be consistent with surrounding single-family neighbourhoods (86)
 - o reduce the maximum house height further to 2 storeys (5)

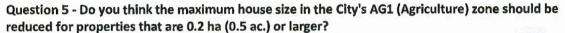
Yes

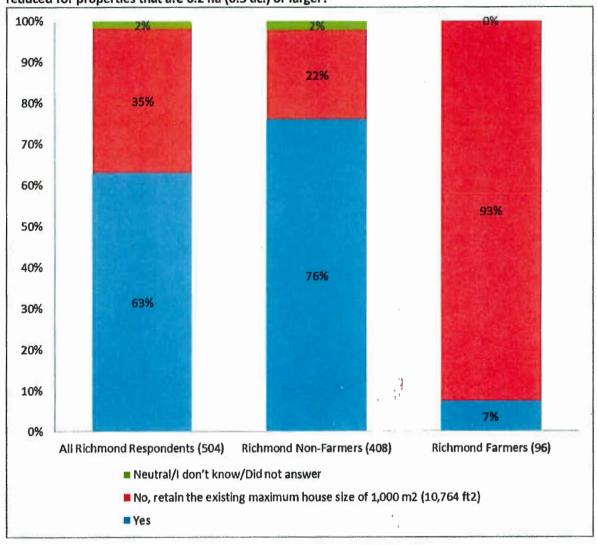
No

o maintain the maximum house height and provide a maximum house footprint (2)

■ Neutral/I don't know/Did not answer

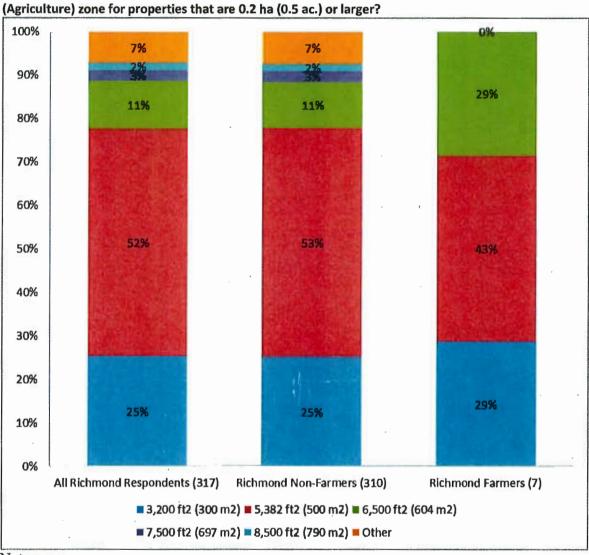
- o if balanced with a required maximum house footprint (20)
- increase the maximum house height and do not limit the maximum house footprint (13)





- General comments provided in response to the question included the following:
 - o the maximum house size should be reduced (90)
 - o maximum house size should not be reduced any further (25)
 - the maximum house size should be increased (4)
 - o 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



• 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 reponse.

Other comments included the following:

Other comments	All	Non-farmers	Farmers
2,500 ft ²	1	1	0
4,000 ft ²	5	5	0
Not specific, but less than 5,382 ft ²	10	10	0
More than 8,500 ft ²	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 <u>purchase</u> 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



Byltend FeS19/18

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 targeting 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,

Signed on Behalf of the Membership

Richmond Farmland Owners Association GP - 135

Bhopinde-Dhiman



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 ctrawborry, 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 nouse 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 centof 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:

- 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 thenthe 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 foreignowned 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?

23FridayFeb 2018

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

≈ 3 Comments

[ags

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 <u>Change.org</u> petition <u>which can be viewed here</u> 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 <u>here.</u>

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.



Share this:

Share

Related

Nix the Farmland, Build a Mansion in Richmond~Make Millions for Shell CompanyIn "City Conversations"

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: Subject: Powell, Jo Anne; White, Amelia 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 cart 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.

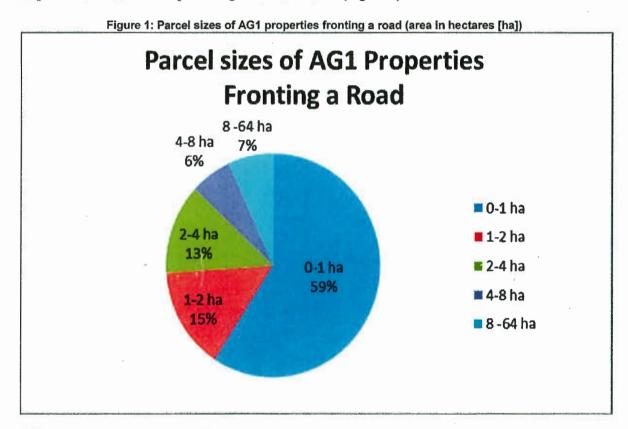
Yours hopefully,

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).

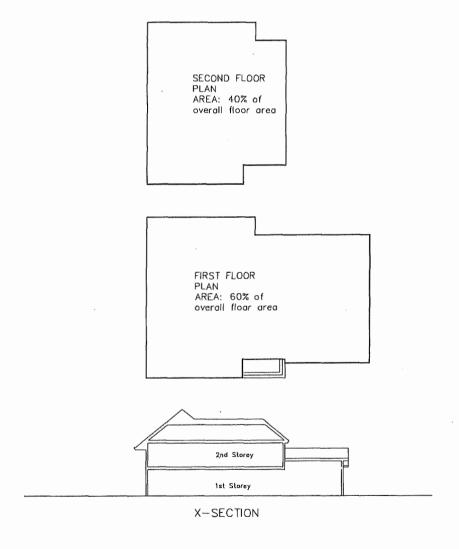


Of the 1,274 AG1 zoned parcels that have residential development potential:

- 753 (59%) are less than 1.0 ha (2.5 acres) with the following sub-sets:
 - o 263 are less than 0.2 ha (0.5 acres)
 - o 259 are between 0.2 ha (0.5 acres) and 0.4 ha (1.0 acres)
 - o 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



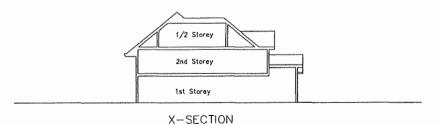
21/2 STOREY HOUSE

- FIRST STOREY: 45 % of overall floor area
- SECOND STOREY: 38% of overall floor area
- ½ STOREY LEVEL: 17% of overall floor area

½ STOREY PLAN AREA: 17% of averall floar area.

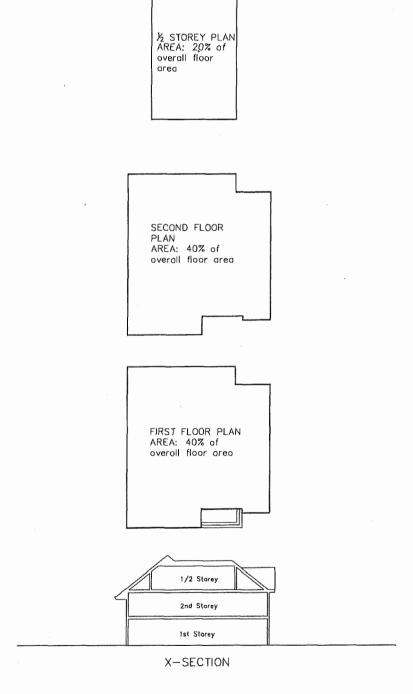






21/2 STOREY HOUSE

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



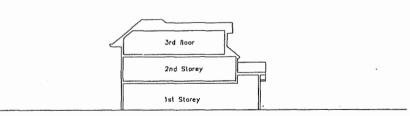
3 STOREY HOUSE

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

3rd STOREY PLAN AREA: 25% of overall floor area.

SECOND FLOOR PLAN AREA: 35% 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: Increase property taxes for properties within the ALR that are not farmed (unless evidence is provided the land cannot be farmed) 	27
	 Increase the minimum farm income requirements as defined by BC Assessment to classify as a farm 	11
	 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 	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