



General Purposes Committee

Anderson Room, City Hall
6911 No. 3 Road

Monday, July 4, 2016

Immediately following recessed Special Council meeting

Pg. # ITEM

MINUTES

GP-5 *Motion to adopt the **minutes** of the meeting of the General Purposes Committee held on June 20, 2016.*



FINANCE AND CORPORATE SERVICES DIVISION

1. **HAPPY TREE HOUSE BBQ RESTAURANT LTD. UNIT 105-8171
ALEXANDRA ROAD**
(File Ref. No. 12-8275-01) (REDMS No. 5035767 v. 2)

GP-11

See Page GP-11 for full report

Designated Speaker: Carli Edwards

STAFF RECOMMENDATION

That the application from Happy Tree House BBQ Restaurant Ltd., for an amendment to increase their hours of liquor service under Food Primary Liquor Licence No. 304859 from 9:00 a.m. to midnight Monday to Sunday to 9:00 a.m. to 2:00 a.m. Monday to Sunday, be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:

- (1) *Council supports the amendment for an increase in liquor service hours as the increase will not have a significant impact on the community;*

- (2) *Council's comments on the prescribed criteria (set out in Section 53 of the Liquor Control and Licensing Regulations) are as follows:*
 - (a) *The potential for additional noise and traffic in the area was considered;*
 - (b) *The impact on the community was assessed through a community consultation process; and*
 - (c) *Given that there has been no history of non-compliance with the operation, the amendment to permit extended hours of liquor service under the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose;*
- (3) *As the operation of a licenced establishment may affect nearby residents the City gathered the view of the residents as follows:*
 - (a) *Property owners and businesses within a 50 metre radius of the subject property were contacted by letter detailing the application, providing instructions on how community comments or concerns could be submitted; and*
 - (b) *Signage was posted at the subject property and three public notices were published in a local newspaper. This signage and notice provided information on the application and instructions on how community comments or concerns could be submitted; and*
- (4) *Council's comments and recommendations respecting the view of the residents are as follows:*
 - (a) *That based on the number of letters sent and the lack of response received from all public notifications, Council considers that the amendment is acceptable to the majority of the residents in the area and the community.*



2. FORTHCOMING PROVINCIAL CONSULTATION ON NEW MODELS OF TRANSPORTATION, ACCOMODATION SERVICES AND OTHER SHARING ECONOMY APPLICATIONS

(File Ref. No.) (REDMS No. 5039583 v. 4)

GP-17

See Page GP-17 for full report

Designated Speakers: Victor Wei and Cecilia Achiam

STAFF RECOMMENDATION

That the comments regarding regulation of new models of transportation, accommodation services and other sharing economy applications identified in the attached staff report, dated June 13, 2016 from the Manager, Economic Development, be endorsed for submission to the B.C. Minister of Community, Sport and Cultural Development.



ENGINEERING AND PUBLIC WORKS DIVISION

3. **ODOUR MANAGEMENT FROM ORGANIC RECYCLING FACILITIES UPDATE**

(File Ref. No. 10-6175-02-01) (REDMS No. 5047110 v. 3)

GP-25

See Page GP-25 for full report

Designated Speaker: Peter Russell

STAFF RECOMMENDATION

That a letter be sent to the Metro Vancouver Board of Directors expressing Council's concerns with how long the Harvest Power air quality permit renewal process has taken, and requesting that negotiations for durable solutions for odour management be expedited in order to meet the firm September 30, 2016 permit deadline.



PLANNING AND DEVELOPMENT DIVISION

4. **APPLICATION BY CITY OF RICHMOND FOR ZONING TEXT AMENDMENT AT 4020, 4080, 4100, 4180, 4280 AND 4300 BAYVIEW STREET TO ADD "CHILD CARE" AS A PERMITTED USE TO THE STEVESTON MARITIME MIXED USE (ZMU12) ZONE AND/OR THE STEVESTON MARITIME (ZC21) ZONES**

(File Ref. No.: ZT 16-735335) (REDMS No. 5053416 v. 2)

GP-29

See Page GP-29 for full report

Designated Speaker: Wayne Craig

STAFF RECOMMENDATION

- (1) *That Official Community Plan Amendment Bylaw 9589, to amend the land use definition of "Maritime Mixed Use" by adding limited Child Care use in Appendix 1 (Definitions) to Schedule 2.4 of Official Community Plan Bylaw 7100 (Steveston Area Plan), be introduced and given first reading;*
- (2) *That Bylaw 9589, having been considered in conjunction with:*
 - (a) *The City's Financial Plan and Capital Program; and*
 - (b) *The Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;**is hereby found to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act;*
- (3) *That Bylaw 9589, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found not to require further consultation; and*
- (4) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9590, to amend the "Steveston Maritime (ZC21)" zone by adding "Child Care" as an additional use on a limited basis, be introduced and given first reading.*



ADJOURNMENT





General Purposes Committee

Date: Monday, June 20, 2016

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.

AGENDA ADDITION

It was moved and seconded

That Generations Daycare and the Onni Site be added to the agenda as Item No. 4.

CARRIED

MINUTES

It was moved and seconded

That the minutes of the meeting of the General Purposes Committee held on June 6, 2016, be adopted as circulated.

CARRIED

General Purposes Committee
Monday, June 20, 2016

DELEGATIONS

1. Craig Richmond, President and Chief Executive Officer of YVR, Howard Jampolsky, Richmond representative, YVR Board of Directors, and Anne Murray, Vice President, Marketing and Communications, with the aid of a PowerPoint presentation and referencing the YVR Connects 2015 Sustainability Report (copy on file, City Clerk's Office) briefed Committee on airport activities, highlighting that (i) Council is invited to tour YVR facilities, (ii) YVR is Canada's second busiest airport with a projected 21 million passengers in 2016, (iii) YVR is a major employer and is a substantial contributor to British Columbia's economy, (iv) YVR attracts new airlines by lowering rates and there are new services to destinations in Asia and Europe, (v) YVR is encouraging visa free initiatives to streamline the movement of passengers and goods, and (vi) YVR is rated by Skytrax as the best airport in North America for seven consecutive years.

Mr. Richmond spoke on new airport initiatives, highlighting that YVR introduced (i) service dog relief areas within the terminal, (ii) a high speed baggage system, (iii) sign language interpreter services in the arrivals hall, and (iv) automated screening systems for passengers.

In reply to queries from Committee, Mr. Richmond noted that (i) YVR introduced sustainability initiatives that have reduced carbon emissions, garbage, and potable water use, and increased the use of compostable materials, (ii) YVR is using new technology to enhance security, (iii) the Canada Line is frequently used by travellers departing from YVR, (iv) YVR is working with Translink on ground access to the airport, (v) YVR is an active member of the Richmond Chamber of Commerce, (vi) the Federal Government owns the airport's land and oversees aviation regulations, and (vii) there is no council for airports in the region, however YVR would like to see increased funding for smaller airports in the region.

Discussion ensued with regard to (i) future expansion of the airport, (ii) consultation with Richmond residents and businesses on airport operation and future expansion, and (iii) ground access to and from the airport.

General Purposes Committee
Monday, June 20, 2016

ENGINEERING AND PUBLIC WORKS DIVISION

2. 2015 CORPORATE ENERGY MANAGEMENT PROGRAM UPDATE

(File Ref. No. 10-6125-05-01) (REDMS No. 5024239 v. 12)

It was moved and seconded

That Council endorse a target of reducing greenhouse gas (GHG) emissions from corporate buildings by 65% from 2007 levels by 2020 to help the City meet the community greenhouse gas emissions reduction target of 33% reduction from 2007 levels by 2020.

CARRIED

LAW AND COMMUNITY SAFETY DIVISION

3. NON-FARM USE FILL APPLICATION BY SIXWEST HOLDINGS LTD. NO. BC1025692 FOR PROPERTY LOCATED AT 14791 WESTMINSTER HIGHWAY

(File Ref. No. 12-8350-05-AMANDA#) (REDMS No. 5014725 v. 2)

In reply to queries from Committee, Ben Dias, Manager, Community Bylaws and Roads and Construction, and Bruce McTavish, McTavish Resource and Management Consultants Ltd., noted that (i) there is a traffic control plan and it is anticipated that approximately 40 trucks will be travelling to the site on a daily basis, (ii) a soil provider has not been designated, (iii) the Agricultural Land Commission (ALC) and the City's bylaw officers will be managing enforcement of the site, (iv) soil deposition requires a non-farm use application, and (v) the subject site will require on-site inspections and regular soil testing.

Discussion ensued with regard to (i) the type of soil material suitable for the site, (ii) the application process for soil deposition, (iii) the security deposit proposed for the application compared to security deposits required for other types of development, (iv) historical non-farm use fill applications in the City, (v) opting to only have one single soil provider, (vi) planting crops that are suitable for the site, (vii) the application process compared to other municipalities, and (viii) forwarding the Agricultural Advisory Committee's recommendations to the ALC.

In reply to queries from Committee, Phyllis Carlyle, General Manager, Law and Community Safety, advised that a fill permitting fee, based on a tipping fee, was previously explored but did not proceed due to opposition from the farm industry during consultation.

Discussion ensued with regard to (i) the growing and harvesting process of the tree crop, (ii) potentially requiring additional deposits or fees, (iii) the inspection criteria used, and (iv) the frequency of inspections.

3.

General Purposes Committee

Monday, June 20, 2016

Discussion then took place regarding potential soil providers and sub-contractors and it was suggested that the application return to Council for approval proceeding ALC approval. Ms. Carlyle clarified that should the recommendations be endorsed by Council, the application would be considered by the ALC for final approval and would not normally be returned to Council for further approvals. She added that Council may request that, as part of their resolutions to the ALC, the soil provider be subject to Council approval.

It was moved and seconded

- (1) *That the non-farm use application submitted by Sixwest Holding Ltd. to deposit fill on the property located at 14791 Westminster Highway to an agricultural standard suitable for the purpose of nursery tree farming be endorsed; and*
- (2) *That the endorsed application be forwarded to the Agricultural Land Commission (ALC) with the recommendation that the ALC incorporate the following as a condition of the permit:*
 - (a) *the applicant ensures that there is no drainage impact on neighbouring properties;*
 - (b) *the applicant commits to using only non-contaminated soil supported by a Phase 1 Environmental Site Assessment report and not to bring in construction materials and/or non-excavated soil;*
 - (c) *no soil sub-contractor, other than the designated soil provider to be approved by Council, be used to ensure the soil quality;*
 - (d) *a performance bond to be provided;*
 - (e) *the property must be left to a condition that it can still be viable for agriculture once the tree nursery operation ceases; and*
 - (f) *the property would be farmed by Mahal Farms Ltd., and/or Green Guys Trees and Nursery.*

The question on the motion was not called as discussion ensued with regard to (i) the selection of a soil provider, (ii) having suitable soils for the site, and (iii) the future management of the farm.

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

It was moved and seconded

That Part (f) be deleted.

CARRIED

Opposed: Mayor Brodie

Cllrs. Day

Steves

4.

General Purposes Committee
Monday, June 20, 2016

The question on the motion as amended, which reads as follows:

- (1) *That the non-farm use application submitted by Sixwest Holding Ltd. to deposit fill on the property located at 14791 Westminster Highway to an agricultural standard suitable for the purpose of nursery tree farming be endorsed; and*
- (2) *That the endorsed application be forwarded to the Agricultural Land Commission (ALC) with the recommendation that the ALC incorporate the following as a condition of the permit:*
 - (a) *the applicant ensures that there is no drainage impact on neighbouring properties;*
 - (b) *the applicant commits to using only non-contaminated soil supported by a Phase 1 Environmental Site Assessment report and not to bring in construction materials and/or non-excavated soil;*
 - (c) *no soil sub-contractor, other than the designated soil provider to be approved by Council, be used to ensure the soil quality;*
 - (d) *a performance bond to be provided; and*
 - (e) *the property must be left to a condition that it can still be viable for agriculture once the tree nursery operation ceases.*

was then called and it was **CARRIED** with Mayor Brodie, and Cllrs. Day and Steves opposed.

4. **GENERATIONS DAYCARE AND THE ONNI SITE**

(File Ref. No.)

Discussion ensued with regard to the relocation of Generation Maritime Learning Centre in the Steveston Area.

The following **referral motion** was introduced:

It was moved and seconded

That staff examine the possibility of a spot rezoning for the specific unit at the Imperial Landing site that is the subject of the application by Generations and report back.

The question on the motion was not called as discussion ensued with regard to (i) zones where childcare use is permitted, (ii) potential alternative locations for Generations, and (iii) temporary sites for Generations.

In reply to a query from Committee regarding the business license refusal appeal, David Weber, Director, City Clerk's Office, advised that the appeal application by Generations is a separate process and is not affected by the referral.

5.

General Purposes Committee
Monday, June 20, 2016

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

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:28 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, June
20, 2016.

Mayor Malcolm D. Brodie
Chair

Evangel Biason
Legislative Services Coordinator

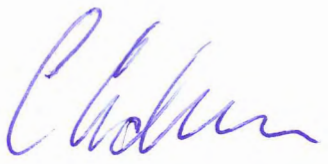


To:	General Purposes Committee	Date:	June 6, 2016
From:	Carli Edwards, P.Eng Chief Licence Inspector & Manager, Customer Services and Licencing	File:	12-8275-01/2016-Vol 01
Re:	Happy Tree House BBQ Restaurant Ltd. Unit 105 - 8171 Alexandra Road		

Staff Recommendation



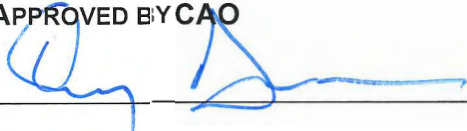
1. That the application from Happy Tree House BBQ Restaurant Ltd., for an amendment to increase their hours of liquor service under Food Primary Liquor Licence No. 304859 **from** 9:00 a.m. to midnight Monday to Sunday **to** 9:00 a.m. to 2:00 a.m. Monday to Sunday, be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:
 - a) Council supports the amendment for an increase in liquor service hours as the increase will not have a significant impact on the community.
 - b) Council's comments on the prescribed criteria (set out in Section 53 of the Liquor Control and Licensing Regulations) are as follows:
 - i) The potential for additional noise and traffic in the area was considered;
 - ii) The impact on the community was assessed through a community consultation process; and
 - iii) Given that there has been no history of non-compliance with the operation, the amendment to permit extended hours of liquor service under the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose;
 - c) As the operation of a licenced establishment may affect nearby residents the City gathered the view of the residents as follows:
 - i) Property owners and businesses within a 50 metre radius of the subject property were contacted by letter detailing the application, providing instructions on how community comments or concerns could be submitted; and

- ii) Signage was posted at the subject property and three public notices were published in a local newspaper. This signage and notice provided information on the application and instructions on how community comments or concerns could be submitted; and
- d) Council's comments and recommendations respecting the view of the residents are as follows:
 - i) That based on the number of letters sent and the lack of response received from all public notifications, Council considers that the amendment is acceptable to the majority of the residents in the area and the community.



Carli Edwards, P.Eng.
 Chief Licence Inspector & Manager,
 Customer Services and Licensing
 (604-276-4136)

Att. 1

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

Staff Report

Origin

The Provincial Liquor Control and Licensing Branch (LCLB) issues licences in accordance with the *Liquor Control and Licensing Act* (the Act) and the Regulations made pursuant to the Act.

This report deals with an application to the LCLB and the City of Richmond by, Happy Tree House BBQ Restaurant Ltd., doing business as, Happy Tree House BBQ, for the following amendment to its Food Primary Liquor Licence No. 304859,

Change the hours of liquor sales **from** Monday to Sunday 9:00 a.m. to Midnight **to** 9:00 a.m. to 2:00 a.m. Monday to Sunday.

The City of Richmond is given the opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. For an amendment to a Food Primary Licence, the process requires Local Government to provide comments with respect to the following criteria:

- the potential for noise,
- the impact on the community; and
- whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.

Analysis

The applicant renovated the premises and commenced operating Happy Tree House BBQ, with an occupant load of 135 patrons in December 2015 serving BBQ cuisine. As a new Food Primary Liquor Licence establishment, LCLB would only issue the liquor licence for service to midnight.

The property is zoned Auto-Oriented Commercial (CA) and the use of a restaurant is consistent with the permitted uses in this zoning district. The applicant's business is located at the North/East corner of Alexandra Road and Hazelbridge Way in a shopping complex which is currently comprised of four businesses.

The applicant indicates that the request for an increase in later liquor service hours is in order to better serve their clients who work late and attend their location after midnight for service.

Summary of Application and Comments

The City's process for reviewing applications for liquor related licences is prescribed by the Development Application Fees Bylaw 8951 which under Section 1.8.1 calls for:

1.8.1 Every **applicant** seeking approval from the **City** in connection with:

- (a) a licence to serve liquor under the *Liquor Control and Licensing Act and Regulations*;

must proceed in accordance with subsection 1.8.2.

1.8.2 Pursuant to an application under subsection 1.8.1, every **applicant** must:

- (b) post and maintain on the subject property a clearly visible sign which indicates:
 - (i) type of licence or amendment application;
 - (ii) proposed person capacity;
 - (iii) type of entertainment (if application is for patron participation entertainment); and
 - (iv) proposed hours of liquor service; and
- (c) publish a notice in at least three consecutive editions of a newspaper that is distributed at least weekly in the area affected by the application, providing the same information required in subsection 1.8.2(b) above.

The required signage was posted on April 28, 2016 and the three advertisements were published in the local newspaper on May 4, May 6 and May 11, 2016.

In addition to the advertised public notice requirements set out in Section 1.8.1, staff sent letters to businesses, residents and property owners within a 50-metre radius of the property.

There are 74 properties identified within the consultation area. On April 29, 2016, letters were sent to 84 businesses, residents and property owners within the 50-metre radius of the property. The letter provided details of the proposed liquor licence application and requests the public to communicate any concerns to the City. The period for comment for all public notifications' ended May 29, 2016.

Potential for Noise

Staff believe there would be no noticeable increase in noise if the additional hours of liquor service were supported.

Potential for Impact on the Community

Any typical potential impacts associated with extended hours of liquor sales such as drinking and driving, criminal activity and late-night traffic are not expected to be unduly increased with this amendment.

Potential to operate contrary to its primary purpose

As there are no noted incidents of non-compliance issues related to the operation of this business, staff believe there would be minimal potential of the business being operated in a manner that would be contrary to its primary purpose as a food establishment.

Other agency comments

As part of the review process, staff requested comments from other agencies and departments such as Vancouver Coastal Health, Richmond RCMP, Richmond Fire-Rescue, Liquor Control and Licensing Branch, Building Approvals and Business Licence Departments. These agencies and departments generally provide comments on the compliance history of the applicant's operations and premises.

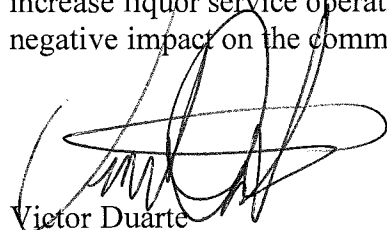
The City relies, in part, on the response from the community to determine any negative impact of the liquor licence application. Having received no responses from businesses, residents or property owners in the surrounding area and none from the city-wide public notifications, staff feel that support of this application is warranted due to the lack of public feedback.

Financial Impact

None

Conclusion

Following the public consultation period, staff reviewed the Food Primary Liquor Licence application against the LCLB review criteria and recommends Council support the application to increase liquor service operating hours to 2:00 a.m. as the business is not expected to have a negative impact on the community.

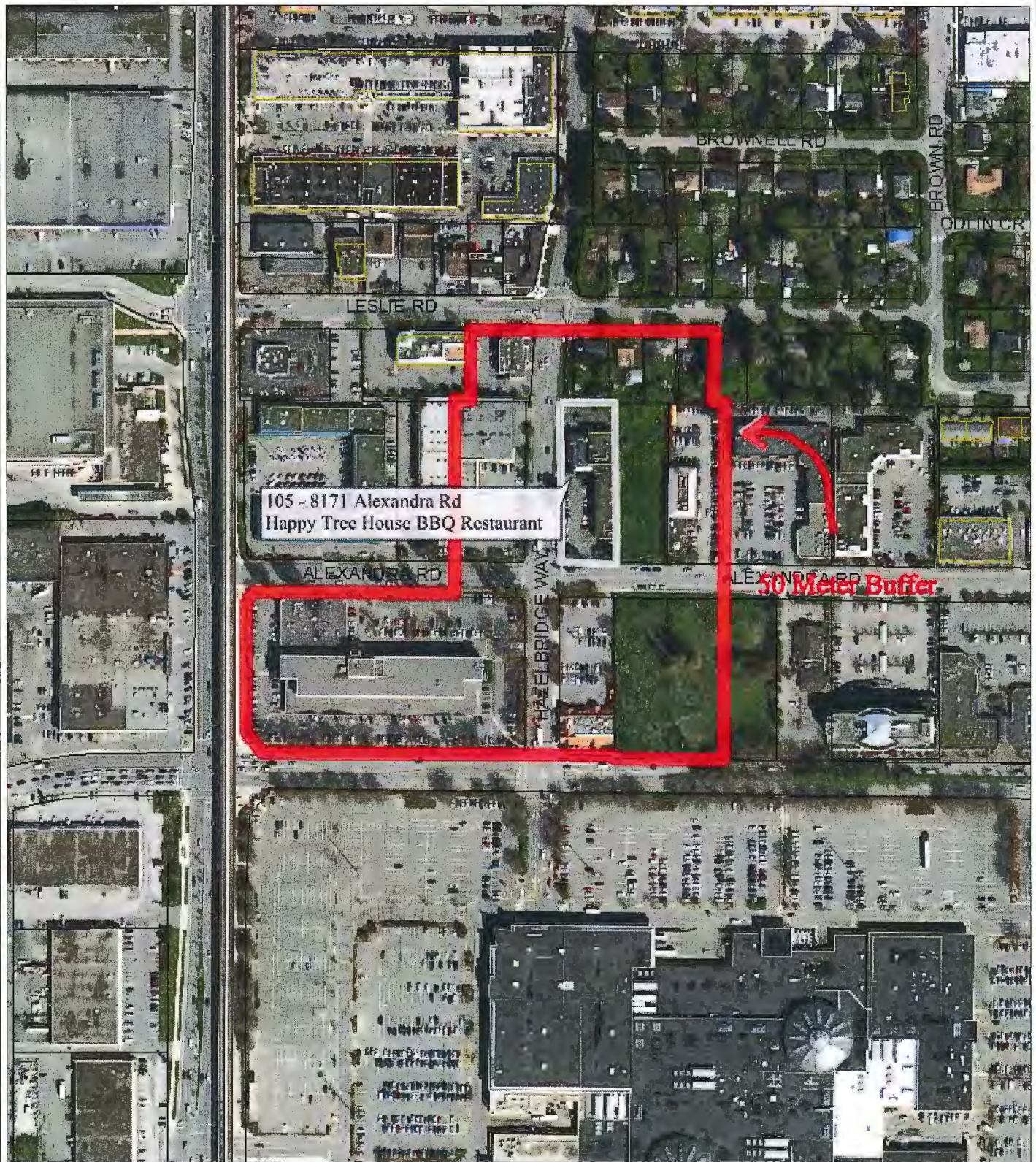


Victor Duarte
Acting Supervisor, Business Licence
(604-276-4389)

VMD:vmd

Att. 1: Aerial Map with 50 metre buffer area

City of Richmond Interactive Map



148.8 0 74.40 148.8Meters

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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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City of Richmond

Report to Committee

To: General Purposes Committee **Date:** June 13, 2016
From: Cecilia Achiam
Director, Administration and Compliance **File:**
Re: Forthcoming Provincial Consultation on New Models of Transportation,
Accommodation Services and Other Sharing Economy Applications

Staff Recommendation

That the comments regarding regulation of new models of transportation, accommodation services and other sharing economy applications identified in the attached staff report, dated June 13, 2016 from the Manager, Economic Development, be endorsed for submission to the B.C. Minister of Community, Sport and Cultural Development.

Cecilia Achiam
Director, Administration and Compliance
(604-276-4122)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Business Licences Community Bylaws Transportation	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

In April 2016, the City received a letter from the provincial Minister of Community, Sport and Cultural Development (Attachment 1) advising of an upcoming consultation regarding opportunities and challenges related to the new business models of the so-called “sharing economy”. The sharing economy is broadly described as peer-to-peer borrowing or bartering of underutilized assets in exchange for goods, services or money. The parameters of this forthcoming consultation are currently not known except that it will occur over the coming months and will include stakeholders of the sharing economy, including municipalities.

This report provides preliminary information on the regulatory review and consultation process, as well as initial background on the industries currently impacted by these new sharing economy services (i.e., transportation and accommodation).

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

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

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

Review, develop and implement plans, policies, programs and practices to increase business and visitor appeal and promote local economic growth and resiliency.

Analysis

Provincial Consultation on the Sharing Economy

Over the past several years, new forms of transportation and accommodation services (e.g., Uber, Lyft, Airbnb) have gained popularity. These unconventional business models, defined as the sharing economy, are disrupting existing markets and causing governments to rethink regulations. Given the growing public interest in utilizing these services, the Province of B.C. is undertaking consultation with stakeholders, including municipalities, to explore how sharing economies may be integrated and the role of local governments in this process.

The consultation will be led by Minister Fassbender of the B.C. Ministry of Community, Sport and Cultural Development. At this time, prior to any meetings with locally elected officials, the Minister is encouraging any written submissions to be sent to him directly at CSCD.Minister@gov.bc.ca (no deadline for comments was identified).

Regulatory Review and Consultation Process

Based on other cities’ experience to date, regulations in place for traditional industries are inadequate to address the ad-hoc nature of sharing economy transactions. Moreover, such

regulations are putting traditional businesses at a disadvantage to their sharing economy competitors. Given the lack of suitable and equitable regulation for either the traditional or the sharing economy businesses, it is imperative that the Provincial regulatory review and consultation process include not only regulators (at all levels of government) but also business stakeholders (both sharing economy and traditional businesses) and end users (the citizens who utilize the services of businesses). A recent regulatory review in Toronto determined that to be effective, regulation for new entrants must also mean relief for existing operators¹. Best practices also suggest that, to maximize potential benefits to end users (of both traditional and new businesses), new regulations should be regional rather than local.

Transportation Services Considerations

Despite the presence of multiple shared mobility application, Uber has emerged as the lead challenger of existing regulations due to their disruptive effect on the heavily regulated taxi industry. Services such as Uber are difficult to define due to their unique business model. Often described as ride-sharing by Uber customers, they are also termed by regulators as on-demand for profit car services that connect passengers with private drivers via technology such as a smartphone software application with payment made online, the latter definition delineating Uber from traditional taxi services.

The B.C. Government regulates the commercial passenger transportation industry to ensure passenger safety and protect consumers. Under the current legislation, any vehicle operated by a person who charges or collects compensation for transporting passengers must be licenced under the Provincial *Passenger Transportation Act*. It should be noted that this regulation was developed and last updated prior to Uber's entry into the marketplace and was developed to regulate traditional businesses, such as the taxi industry. Limousine, taxi and other passenger directed services, including those dispatched through an app such as Uber or Lyft, must be approved by the Passenger Transportation Board. The rates charged by taxis, limousines and other small passenger directed vehicles are set or approved by the British Columbia Passenger Transportation Board. In addition, commercial passenger transportation operators must have a National Safety Code certificate and a commercial driver's license, undergo commercial vehicle inspections every six months, and have ICBC vehicle insurance that meets the requirements for commercial vehicles.

Local governments must also approve commercial passenger transportation operators that are to be based within the municipality and may impose additional requirements. The City's *Business Licence Bylaw No. 7360* limits the number of Class A² and Class N³ vehicles licensed by the City to operate as taxicabs. Bylaw No. 7360 also requires that all drivers have a chauffeur's permit issued by Richmond RCMP. *Vehicle for Hire Regulation Bylaw No. 6900* specifies further requirements regarding vehicle identification, taximeter operation and testing, and fares.

¹ MaRS Solutions Lab, Sharing Economy Public Digest Report (March 2016)

² A vehicle having not less than 4 doors and a seating capacity of not less than 4 and not more than 6 passengers.

³ A taxicab of a type and design which is used primarily for transporting a person with disabilities, and which is equipped with a hydraulic lift or ramp, or other equipment for loading or unloading persons who use wheelchairs for mobility.

The Toronto experience suggests that, from a user perspective, the current legislative environment at both the provincial and local levels is insufficient to address the unique circumstances of Uber drivers and the needs of traditional taxi drivers in the presence of Uber drivers. In both the existing and new models, the majority of risk and opportunity costs reside with the driver, yet the regulatory requirements and conditions for taxi and Uber drivers are very different. Taxi drivers are generally full-time drivers who must invest significant amounts of time and money to meet all regulatory requirements necessary to enter and operate in the marketplace. Uber drivers are generally occasional drivers who face substantially lower barriers to market entry (mostly through requirements imposed by Uber). Due to the ad-hoc, part-time nature of work for Uber drivers, imposing the same regulatory requirements as those on taxi drivers is impractical. Meanwhile, allowing Uber drivers to self-regulate through the Uber corporation does not only disenfranchise taxi drivers but may also expose the public to safety risks.

Vancouver is the largest city in North America without Uber and the company has been actively campaigning to be allowed to legally operate in B.C. Media reports have quoted Minister Fassbender as stating that the goal of his consultation is to establish a “made in B.C. solution” that respects the existing traditional taxi industry, examines the Province’s overall taxi licensing system, and explores the insurance and safety impacts of allowing Uber and other on-demand car services into the economy. A regulatory review of existing provincial and local regulations and the crafting of new regulation, equitable to both existing industry and new entrants, will be necessary to accomplish this goal.

Accommodation Services Considerations

Short-term rental facilitators such as Airbnb, VRBO (Vacation Rentals by Owner) and HomeAway are another application of the sharing economy, which is changing the traditional accommodation sector globally. The exponential growth in short-term rentals attests to their popularity both in Metro Vancouver and around the world. In April 2016, there were approximately 400 Airbnb listings in Richmond, with over 2 million Airbnb listings worldwide.

From a regulatory perspective, the presence of short-term rentals is a much more complex matter at the municipal than the provincial level. While both the B.C. Government and local governments regulate the accommodations sector, short-term rentals have additional regulatory implications at the local level that include zoning, housing availability and affordability and citizen acceptance aspects. As such, regulating short-term rentals at the local level would require a much more in-depth and broader regulatory analysis and review. A complicating factor is also the fact that short-term rentals are already operating at the local level and enforcement of existing regulations is largely ineffective.

In Richmond, in accordance with *Zoning Bylaw 8500*, the commercial accommodation of guests (i.e., bed and breakfasts) is permitted for periods of 30 days or less in single detached houses. There are currently 12 licenced Bed and breakfasts (B&Bs) operating in Richmond and four pending applications under review.

Richmond B&B operators must obtain a business licence, must reside in the house and can host a maximum of two guests each in three bedrooms. B&Bs are also subject to *Business Regulation*

Bylaw No. 7538. These regulations include that the operator must prepare a fire evacuation plan and permit the City's Licence Inspector to inspect the guest register to determine compliance with the applicable zoning bylaw restrictions on the number of guests permitted.

The majority of Airbnb listings in Richmond are condominiums and many are secondary (investment) suites and not primary residences, in accordance with the bed and breakfast requirements. Community Bylaws received 26 complaints related to suspected Airbnb operations in 2015. In most of these cases, the properties would not fit the criteria for a bed and breakfast and they are required to cease operating. These files are complaint driven and require more evidence than just the listing itself to prove the violation.

Some cities have opted to ban short-term rentals, initially San Francisco and more recently Berlin, while others, such as Edmonton and Amsterdam, have elected to regulate short-term rentals. These cities' experiences suggest that there is no one-size-fits-all solution. Generally, no deregulation of the traditional accommodation sector has accompanied short-term rental regulations. As a result, the hotel sector is beginning to view Airbnb and other short-term rentals facilitators as a competitive threat and, by extension, governments as over-regulating and over-taxing the accommodations sector.

Richmond is a recipient of the Municipal and Regional District Tax (MRDT) – a two per cent tax on the price of hotel rooms in Richmond. The tax is collected by local hotels, remitted to the Province and paid out to the City for local destination development and marketing. Since 2015, short-term rentals management companies (commercial entities with a number of units listed on Airbnb, VRBO and others) began remitting the two per cent MRDT through their Airbnb platform, yet, from a municipal perspective, they are operating in conflict with City bylaws.

Observations

Sharing economy transactions shift the value of ownership to that of access, where assets of all kinds can be made available on a short-term basis. On one hand, these new business models offer customers greater choice and provide users with means of reducing asset ownership costs and supplementing income. On the other hand, the government's role is to ensure regulations provide a safe and positive consumer experience while maximizing the opportunity for users.

On-demand car services can augment taxi services and support the goals of the Mobility & Access section of the *Official Community Plan* to reduce private vehicle trips. Short-term rentals provide an alternate tourist accommodation experience and may attract a wider range of visitors to a city and allow homeowners to earn income from their assets. A proactive and consultative approach to developing a framework for regulating the sharing economy (while easing requirements for incumbents) can maximize the potential opportunity from these new business models and addresses the City's economic development goals.

The sharing economy is constantly evolving, with new businesses starting up and disrupting existing sectors. Therefore, any regulatory review associated with the sharing economy should establish a multi-jurisdictional framework for assessing opportunities, challenges and associated regulations of both traditional and sharing economy businesses across the economic spectrum.

Comments

Based on the above observations and a preliminary scan of best practices, it is suggested that the following comments regarding regulation of new models of transportation, accommodation services and other sharing economy applications, be submitted to the B.C. Minister of Community, Sport and Cultural Development:

1. Integrate public safety as top priority
2. Enable greater choices to consumers
3. Incorporate meaningful feedback from the public and relevant stakeholders, including local and regional regulators, sharing economy companies and sharing economy end users
4. Develop fair regulations to encourage healthy competition among existing players and new entrants
5. Ensure no download of responsibilities to local governments through regulatory and enforcement processes

Financial Impact

None.

Conclusion

The Province of B.C. has advised the City that consultation with stakeholders, including municipalities, will be forthcoming to discuss issues, opportunities and challenges related to the new business models of the sharing economy. Staff will provide further updates as information becomes available regarding the forthcoming consultations with local municipalities.



Neonila Lilova
Manager, Economic Development
(604-247-4934)

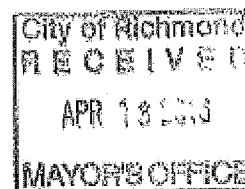
Att. 1: Letter from B.C. Minister of Community, Sport and Cultural Development



April 8, 2016

Ref: 156815

His Worship Mayor Malcolm Brodie
City of Richmond
6911 No. 3 Rd
Richmond, BC V6Y 2C1



Dear Mayor Brodie:

The Province of British Columbia knows that British Columbians have expressed an interest in seeing greater choice, convenience and competition in the availability and provision of transportation and accommodation services. Companies such as Uber, Lyft and Airbnb may present opportunities to meet changing public expectations.

In considering the opportunities that these services may provide, it is important that the Province understands any impacts that could result for consumers, host communities and existing service providers. The many people currently providing passenger and accommodation services in British Columbia have made investments, providing jobs and valuable contributions to the economy. Thought must be given as to how any new services are regulated, recognizing the need to be respectful of existing industry participants while at the same time being fair and equitable to any possible new entrants to these sectors.

To this end, over the coming months, I will be meeting with a wide array of stakeholders to explore issues pertaining to the sharing economy and develop a better understanding of the opportunities and challenges that they provide for citizens and communities.

Locally elected officials from both urban and rural regions will have important perspectives on the issues and opportunities surrounding the sharing economy, and I am eager to draw these out as part of the consultation process. It is my hope that I will be able to engage with as many local governments as possible in person over the coming months. Regardless of whether we are able to undertake this discussion in person, I would also value the opportunity to review your thoughts on this matter via any written submission you may care to provide to me, and I encourage you to consider sending your thoughts to me directly by email at: CSCD.Minister@gov.bc.ca.

Your perspectives could include ideas on how sharing and existing service economies could be integrated, on perceived challenges and opportunities, and on provincial and local government roles in regulating and facilitating any changes we might contemplate.

.../2

Ministry of Community,
Sport and Cultural Development and
Minister Responsible for TransLink

Office of the Minister

Mailing Address:
PO Box 5056 Stn Prov Govt
Victoria BC V8W 9E2
Phone: 250 387-1283
Fax: 250 387-4312

Location:
Room 310
Parliament Buildings
Victoria BC

www.gov.bc.ca/cscd

June 13, 2016

- 8 -

His Worship Mayor Malcolm Brodie
Page 2

I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Fassbender', with a stylized flourish at the end.

Peter Fassbender
Minister



City of Richmond

Report to Committee

To: General Purposes Committee

Date: June 17, 2016

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

File: 10-6175-02-01/2016-
Vol 01

Re: **Odour Management from Organic Recycling Facilities Update**

Staff Recommendation

That a letter be sent to the Metro Vancouver Board of Directors expressing Council's concerns with how long the Harvest Power air quality permit renewal process has taken, and requesting that negotiations for durable solutions for odour management be expedited in order to meet the firm September 30, 2016 permit deadline.

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

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

Staff Report

Origin

The purpose of this report is to provide updates regarding recent provincial regulatory changes affecting organic waste facilities in British Columbia and the status of Harvest Power's air quality permit application.

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.

Background

At the November 9, 2015 Council meeting, Council received information regarding odour management from organic facilities in and around Richmond. At the meeting, Council resolved to send letters to Metro Vancouver and the Provincial Ministry of Environment asking them to more stringently and comprehensively address odours from facilities managing organic waste. The report noted that Harvest Power was the only such facility operating under an air quality permit. The report also noted that local governments are exempt from air quality permits but operate under Operational Certificates issued by the province. Operational Certificates require odour management plans but not enforceable requirements as is the case for permits. The report stated that these inconsistencies present challenges for how regulators respond to public concerns regarding odours and how operators and regulators implement appropriate corrective measures. Without regulatory requirements and consistency in permitting, there is a disincentive for operators to take proactive measures to address odour issues when they arise.

Specific to the Province, the letter sent to Minister Polak stated that the City of Richmond believes that the region should seek to develop a level playing field for operators and communities as organics recycling becomes a critical aspect of regional waste diversion from landfills. Minister Polak was asked to assist in meeting this goal, by working with waste management facilities regulated by the province to include air quality and odour management measures as part of Operational Certificates.

On December 14, 2015, Council endorsed the staff recommendation to forward comments and concerns to Metro Vancouver as it pertained to Harvest Power's air quality permit renewal. The report identified a number of measures that could reduce odours from their operations, and was subsequently forwarded to Metro Vancouver.

Analysis

Changes to the Organic Matter Recycling Regulation

On June 9, 2016, the Province announced regulatory changes to the Organic Matter Recycling Regulation (OMRR) requiring that discharges to the environment from facilities managing over 5,000 tonnes per year of food waste or biosolids be subject to a permit. The main focus of the new

permit requirements is to regulate air quality (including odours) and leachates. The rationale provided for the amendments related to reducing environmental impacts; addressing and reducing impacts from odour; addressing concerns regarding public notifications; increasing transparency; and allowing decision makers to put conditions in place to better monitor compliance and emphasize site-specific requirements.

Richmond has not been the only community heavily impacted by odours from organics recycling facilities. Residents in Lytton have also been dealing with issues related to odours from an organic waste management facility located in Botanie Valley. The waste managed at this facility originates in Metro Vancouver and Fraser Valley households and businesses. While Harvest Power is already subject to permit requirements, the Botanie Valley facility was not; the OMRR amendment will now require this facility to comply with air quality requirements.

Harvest Power Air Quality Permit Update

Harvest Power is currently engaged in a process with Metro Vancouver to renew their air quality permit. As part of this overall process, Metro Vancouver indicated they have received over 200 comments from citizens and stakeholders. Recent activities included an Open House that was held on March 3, 2016; approximately 75 people were in attendance. At the meeting, Harvest Power committed to several immediate first steps to address community concerns such as:

- Hiring an expert team to advise regularly on improved odour management practices and to identify long-term equipment upgrades.
- Revising standard operating procedures.
- Replacing biofilter media and overhauled the air pipe system underlying the piles.
- Discontinuing accepting certain kinds of more odour-causing food waste until a permanent solution has been found.

Harvest Power also recently boosted their community relations capacity by

- Establishing a direct odour complaint hotline to Harvest Power
- Exploring the establishment of a “Citizen Liaison Committee”
- Creating a website at: www.richmondairpermit.ca

Metro Vancouver noted they received 123 complaints between January and April and have noted an increase in recent months. City staff have received two complaints in the same period. Metro Vancouver staff also indicated that the severity of the reported odours has also increased.

Metro Vancouver and Harvest Power remain in the permit review and negotiation stages of the air quality permit renewal process. No new or additional odour management requirements have been set at this stage but Metro Vancouver has indicated that they have set clear expectations that they are seeking clarity for how Harvest Power will reduce odours, improve collection and treatment, and improve dispersion of emissions in order to meet current permit requirements.

Harvest Power is currently operating under an Approval, which is similar to a permit but can be in place for a maximum of 15 months total and is approved administratively by Metro Vancouver on 3 or 6 month increments. Harvest Power’s current Approval expires on June 30, 2016 and cannot be extended beyond September 30, 2016 (represents the end of the 15 month

maximum Approval period). Since Harvest Power and Metro Vancouver have not concluded their negotiation for conditions in the renewed air quality permit, an extension to the Approval is required and as such, Harvest Power has applied for an extension to September 30th. Given that Metro Vancouver is considering extending Harvest Power's Approval, and that the process does not currently appear to be coming to a conclusion as quickly as the City would like, this is an opportune time to reiterate Council concerns to Metro Vancouver.

A similar facility is currently under construction in Surrey. The commitment made regarding odour management from organics recycling will set a new standard regionally. Many measures not currently in place at Harvest Power includes a fully enclosed facility, a series of scrubbers and bioscrubbers and a 70m stack, potentially filtered, to support optimal natural dispersion.

In this context, staff recommend that a letter be sent to the Metro Vancouver Board of Directors expressing Council's concerns with how long this process has taken, Council's expectation that the permit requirements require durable solutions for odour management such as requiring a filtered stack to disperse air emissions and that operations be covered as much as possible. The letter will request expedited negotiations with Harvest Power given the September 30, 2016 firm Approval deadline.

Financial Impact

None at this time.

Conclusion

Recent changes to the Organic Matter Recycling Regulation, as requested by the City, create a level playing field for operators managing over 5,000 tonnes per year of food waste. Locally, Harvest Power is nearing completion of the renewal of their air quality permit. It is recommended to send a letter to Metro Vancouver's Board of Directors communicating the City's concerns and expectations for the new air quality permit.



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



City of Richmond

Report to Committee Planning and Development Division

To: General Purposes Committee

Date: June 27, 2016

From: Wayne Craig
Director of Development

File: ZT 16-735335

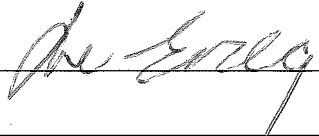
Re: Application by City of Richmond for Zoning Text Amendment at 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street to add "Child Care" as a permitted use to the Steveston Maritime Mixed Use (ZMU12) Zone and/or the Steveston Maritime (ZC21) Zones

Staff Recommendation

1. That Official Community Plan Amendment Bylaw 9589, to amend the land use definition of "Maritime Mixed Use" by adding limited Child Care use in Appendix 1 (Definitions) to Schedule 2.4 of Official Community Plan Bylaw 7100 (Steveston Area Plan), be introduced and given first reading.
2. That Bylaw 9589, 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 Management Plans;is hereby found to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.
3. That Bylaw 9589, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found not to require further consultation.
4. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9590, to amend the "Steveston Maritime (ZC21)" zone by adding "Child Care" as an additional use on a limited basis, be introduced and given first reading.


Wayne Craig
Director of Development

SB:blg
Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Community Social Development Policy Planning	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

Staff Report

Origin

The City of Richmond is proposing to amend the "Steveston Maritime (ZC21)" zone by adding Child Care as an additional use. This would result in one (1) Child Care being permitted on the second floor of the existing building addressed as 4080 Bayview Street, on the site that includes the six (6) existing buildings at 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street (Attachments 1, 2 & 3).

The application also includes a proposed amendment to the Official Community Plan (OCP) Bylaw 7100 Schedule 2.4 Steveston Area Plan to change the land use definition of "Maritime Mixed Use" (MMU) to allow limited child care use.

Background

The following referral motion was carried at the June 20, 2016 General Purposes meeting:

"That staff examine the possibility of a spot rezoning for the specific unit at the Imperial Landing site that is the subject of the application by Generations and report back."

This staff report addresses the General Purposes Committee referral by providing options for Council's consideration, and bylaws to amend the OCP Steveston Area Plan and Zoning Bylaw, for introduction and first reading.

Findings of Fact

The subject Imperial Landing site is in the Maritime Mixed Use (MMU) area of the former BC Packers site. The existing development includes:

- One (1) two-storey MMU building west of Easthope Avenue located in the building addressed 4080 Bayview Street in the central portion of the site that is zoned "Steveston Maritime (ZC21)". Apartment housing is not permitted in this building.
- One (1) one-storey MMU building east of Easthope Avenue in the building addressed 4100 Bayview Street in the central portion of the site that is zoned "Steveston Maritime (ZC21)". Apartment housing is not permitted in this building.
- Four (4) three-storey mixed use buildings with two (2) levels of apartment housing over ground level MMU space located in buildings addressed 4020, 4180, 4280 and 4300 Bayview Street in the portion of the site that is zoned "Steveston Maritime Mixed Use (ZMU12)". There are a total of 52 residential apartment units on the subject site.
- A total of 5,526 m² (59,481 ft²) non-residential MMU space is provided in the six (6) buildings on the subject site.
- Two (2) underground parking structures located east and west of Easthope Avenue.

A development applications data sheet providing details about the subject site is included as Attachment 4.

Related Policies & Studies

Public Consultation

Should the General Purposes Committee endorse this application and Council grant first reading to the Official Community Plan and Zoning Text Amendment Bylaws, public notification will be provided and the bylaws will be forwarded to a Public Hearing; where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the Local Government Act.

Staff have reviewed the proposed OCP and zoning amendments, with respect to the BC 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.

The table below clarifies this recommendation as it relates to the proposed OCP.

OCP Consultation Summary

Stakeholder	Referral Comment (No Referral necessary)
BC Land Reserve Co.	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
Richmond School Board	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
The Board of the Greater Vancouver Regional District (GVRD)	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
The Councils of adjacent Municipalities	No referral necessary, as adjacent municipalities are not affected, and the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
First Nations (e.g., Sto:lo, Tsawwassen, Musqueam)	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
TransLink	No referral necessary, as no transportation road network changes are proposed, and the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
Port Authorities (Vancouver Port Authority and Steveston Harbour Authority)	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
Vancouver International Airport Authority (VIAA) (Federal Government Agency)	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
Vancouver Coastal Health Authority	No referral necessary, but the proposed amendment to add child care as a permitted use in the Mixed Maritime Area was discussed with child care licensing staff. No concerns were expressed.
Community Groups and Neighbours	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.
All relevant Federal and Provincial Government Agencies	No referral necessary, as the proposed amendment refers to the addition of child care as a permitted use in the Mixed Maritime Area.

Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9589, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found to not require further consultation.

School District

This application was not referred to School District No. 38 (Richmond) because it does not involve residential uses that have the potential to generate 50 or more school aged children. According to OCP Bylaw Preparation Consultation Policy 5043, which was adopted by Council and agreed to by the School District, residential developments which generate less than 50 school aged children do not need to be referred to the School District (e.g., typically around 295 multiple-family housing units). This application does not involve the addition of any new multiple-family housing units.

Analysis

In their referral to staff, the General Purposes Committee asked staff to examine the possibility of a spot rezoning for a school age child care program on the second floor of the building at 4080 Bayview Street on the Imperial Landing site.

OCP Amendment to Accommodate Child Care Use

The 2041 Official Community Plan (OCP) Bylaw 9000 designates the subject site as “Mixed Use”. Child care use is allowed in this designation and therefore no amendment is necessary.

The site is designated “Maritime Mixed Use” in the Steveston Area Plan (Schedule 2.4 to OCP Bylaw 7100). “Maritime Mixed Use” is currently defined in the Steveston Area Plan as “an area set aside to support the maritime economy, with an emphasis on uses which support primarily the commercial fishing fleet, including:

- i) Custom Workshops
Enclosed Storage Facilities
Fish Auction and Off-loading
Laundry and Drycleaning
Light Industrial
Maritime Educational Facilities
Moorage
Offices
Other Services Related to Maritime Uses
Parking
Service and Repair of Boats and Marine Equipment
- ii) Retail uses are accommodated as accessory uses in the Maritime Mixed Use Area; between Phoenix Pond and No. 1 Road.
- iii) Between Phoenix Pond and No. 1 Road, residential uses are accommodated above grade and only over the dry land portions of the Maritime Mixed Use area as a secondary use. In addition, residential uses are to be situated so as to minimize potential conflicts with other uses.”

To serve the needs of Steveston families, a change is required to the Steveston Area Plan definition of Maritime Mixed Use to allow child care use in the Maritime Mixed Use Area.

OCP and Zoning Text Amendment Bylaws to Accommodate Child Care Use

Staff have prepared two options for Council's consideration to address the General Purposes referral:

- Option 1: Allow child care on the subject site, limited to one child care on the second floor area of the existing building at 4080 Bayview Street and limited in gross floor area; (recommended option); and
- Option 2: Allow child care across the subject site.

Option 1: Allow child care on the subject site, limited to one child care on the second floor area of the existing building at 4080 Bayview Street and limited in gross floor area Bylaws 9589 and 9590 (Recommended)

This option proposes:

- OCP Bylaw 7100, Amendment Bylaw 9589 to amend the Steveston Area Plan (Schedule 2.4 to OCP Bylaw 7100) to change the "Maritime Mixed Use" definition to allow child care use, limited to a maximum area of 540 m².
- Zoning Bylaw 8500, Amendment Bylaw 9590 to amend the "Steveston Maritime (ZC21)" zone to allow child care use as an additional use, limited to one child care, a maximum area of 540 m² and only on an upper floor.
- This recommended option would allow child care on the second floor of the two-storey building addressed as 4080 Bayview Street only.

Option 2: Allow Child Care use as a permitted use in all 6 buildings on the subject site alternative Bylaws 9587 and 9588 (Not Recommended)

Child care is included as an outright permitted use in many residential, commercial, mixed use and industrial zones in the City. To provide flexibility in size and location for child care programs, the alternative OCP and Zoning Text Amendment Bylaws would allow "Child Care" as an outright permitted use in any of the existing six buildings on the subject site.

This option proposes:

- OCP Bylaw 7100, Amendment Bylaw 9587 to amend the Steveston Area Plan (Schedule 2.4 to OCP Bylaw 7100) to change the "Maritime Mixed Use" definition to allow child care use.
- Zoning Bylaw 8500, Amendment Bylaw 9588 to amend the "Steveston Mixed Use (ZMU12)" zone and the "Steveston Maritime (ZC21)" zone to allow child care use as a permitted use in both zones.
- This alternate option would allow child care in any of the existing buildings on the subject site, specifically the six (6) buildings addressed as 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street.

Should Council prefer Option 2, alternative Bylaws 9587 and 9588 are attached in Attachment 5.

Relocation Requirements

The development was reviewed on a preliminary basis with Vancouver Coastal Health staff and no concerns were expressed about the possibility of child care programming in the existing MMU spaces on the subject site.

Building Approvals staff has completed a preliminary review of the code report submitted through the Building Permit process for the existing buildings, which states that the non-residential space in all six (6) buildings was designed to accommodate a variety of uses, including assembly educational use. The owner is required to secure the final Building Permit approval for the base building.

Before a child care program could relocate to the subject site, the operator would be required to obtain Building Permit approval for tenant improvements demonstrating compliance with the BC Building Code, Vancouver Coastal Health child care school age program licensing requirements and Business License requirements.

The existing parking on-site could accommodate a school age child care program on the second floor of 4080 Bayview Street. The subject site was designed to accommodate mixed uses.

Financial Impact or Economic Impact

None.

Conclusion

Staff are recommending that Child Care be included as a limited additional use for the subject site to serve the child care needs of families in Steveston. While the proposal can be considered under the City's 2041 OCP, an amendment to the Steveston Area Plan is required to accommodate child care as an additional limited use the Maritime Mixed Use area.

It is recommended that:

- Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9589; and
 - Richmond Zoning Bylaw 8500, Amendment Bylaw 9590;
- be introduced and given first reading.



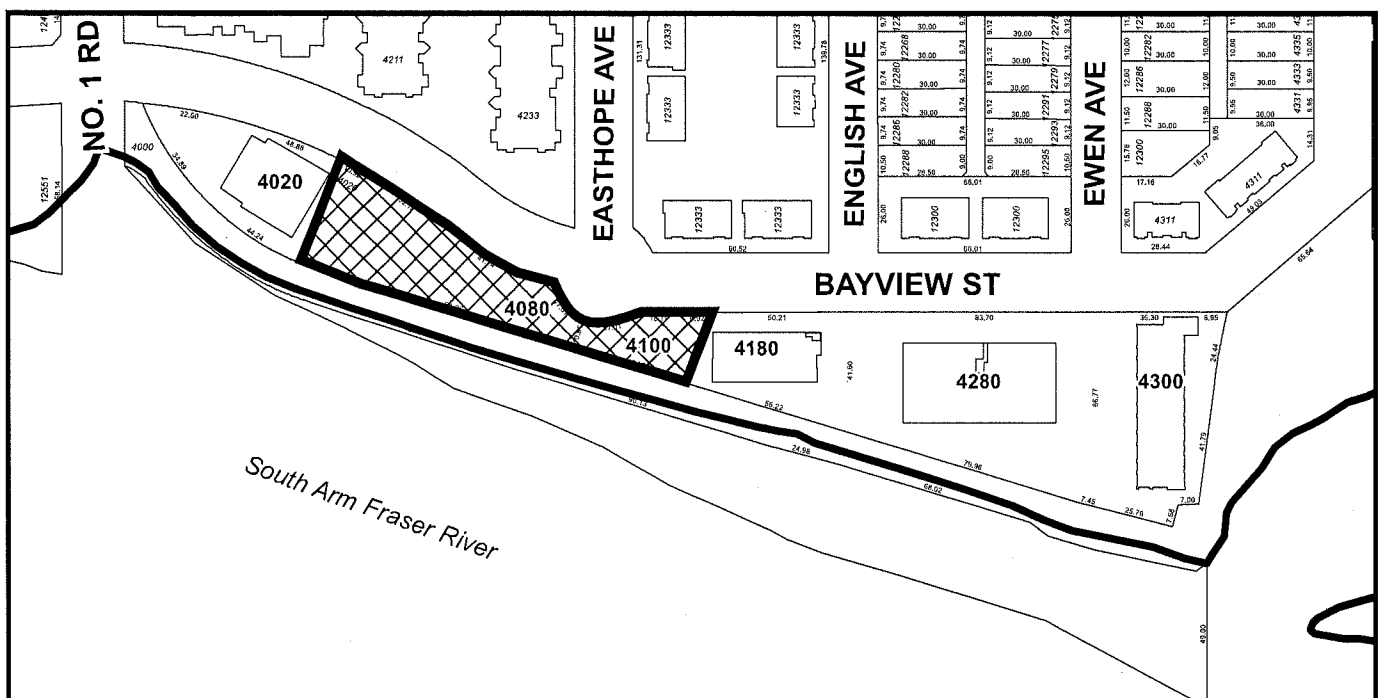
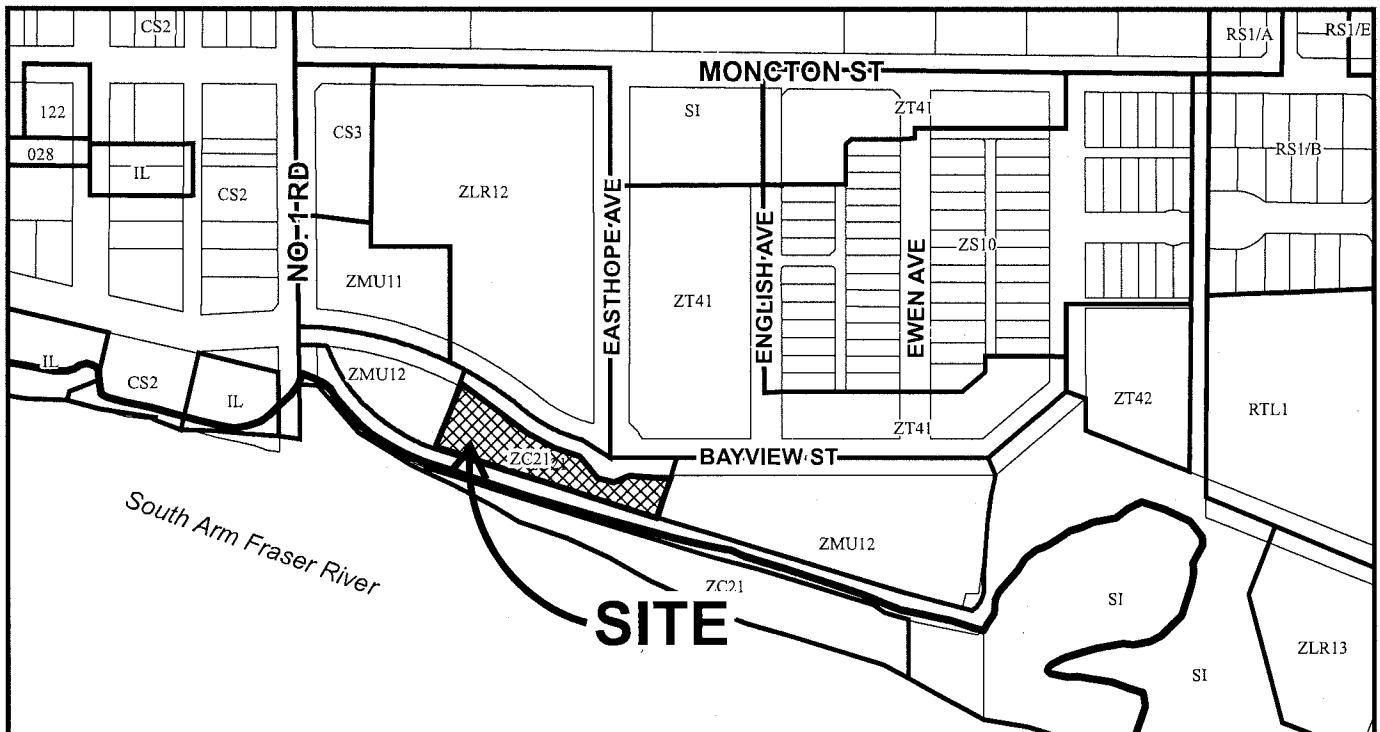
Sara Badyal, M. Arch
Planner 2
(604-276-4282)

SB:blg

Attachment 1: Location Map
Attachment 2: Aerial Photo
Attachment 3: Site and Building Plans
Attachment 4: Development Application Data Sheet
Attachment 5: Alternative Bylaws 9587 and 9588



City of
Richmond



ZT 16-735335

Original Date: 06/28/16

Revision Date:

Note: Dimensions are in METRES



City of
Richmond

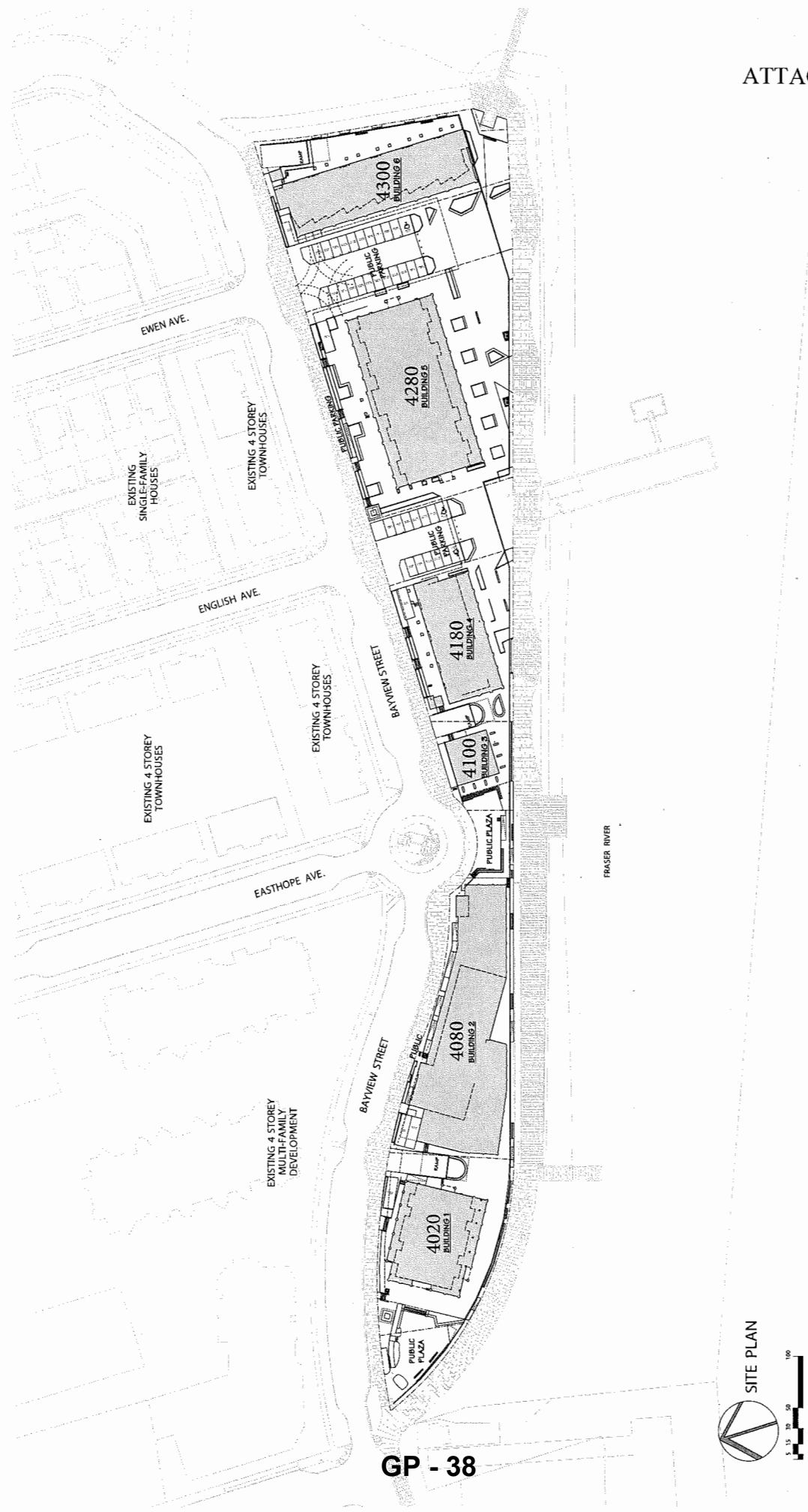


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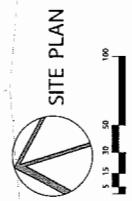
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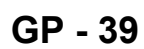
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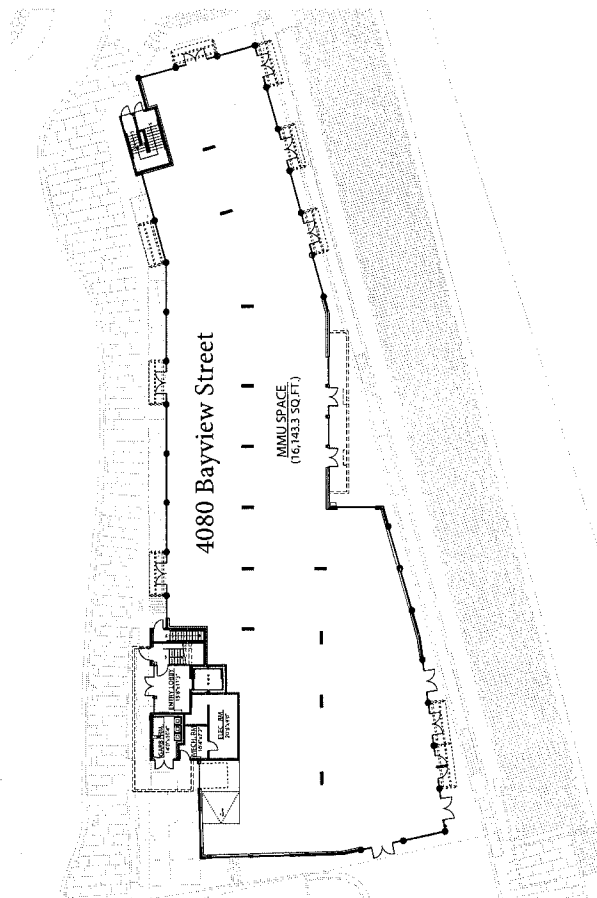
Note: Dimensions are in METRES



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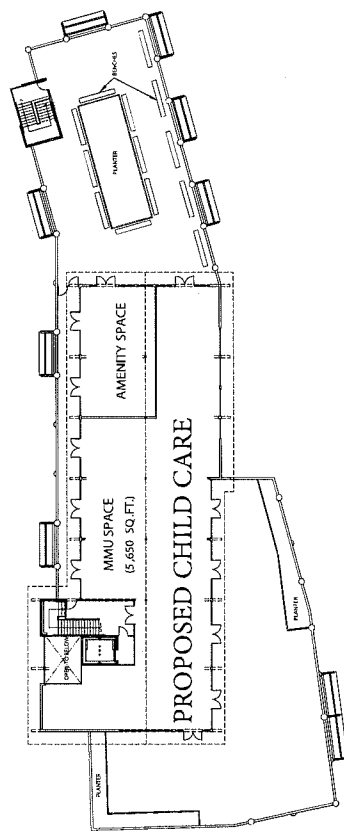




GROUND FLOOR PLAN



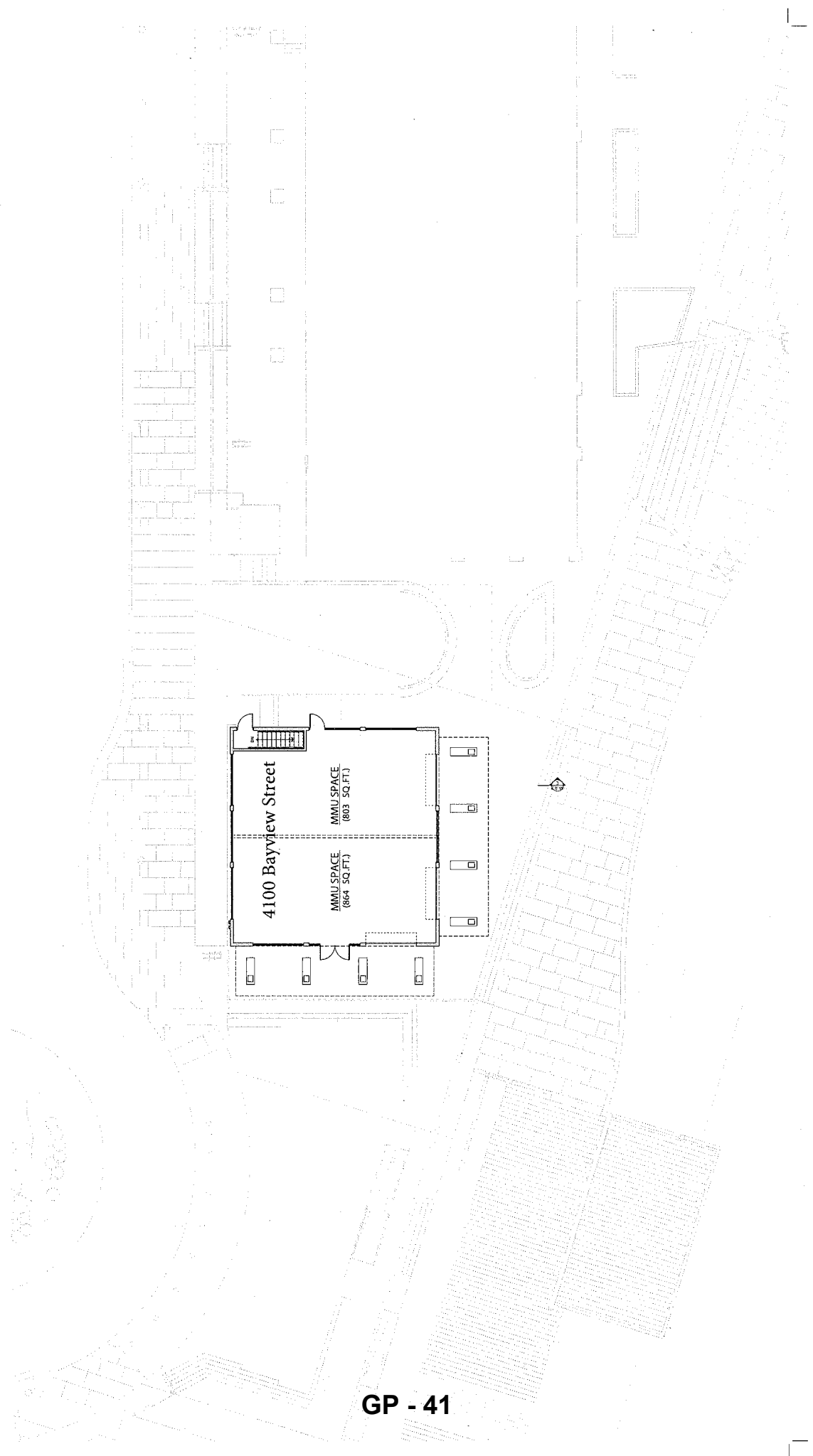
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MECH./ELEC. ROOM AREA: 141.5 SQ. FT.

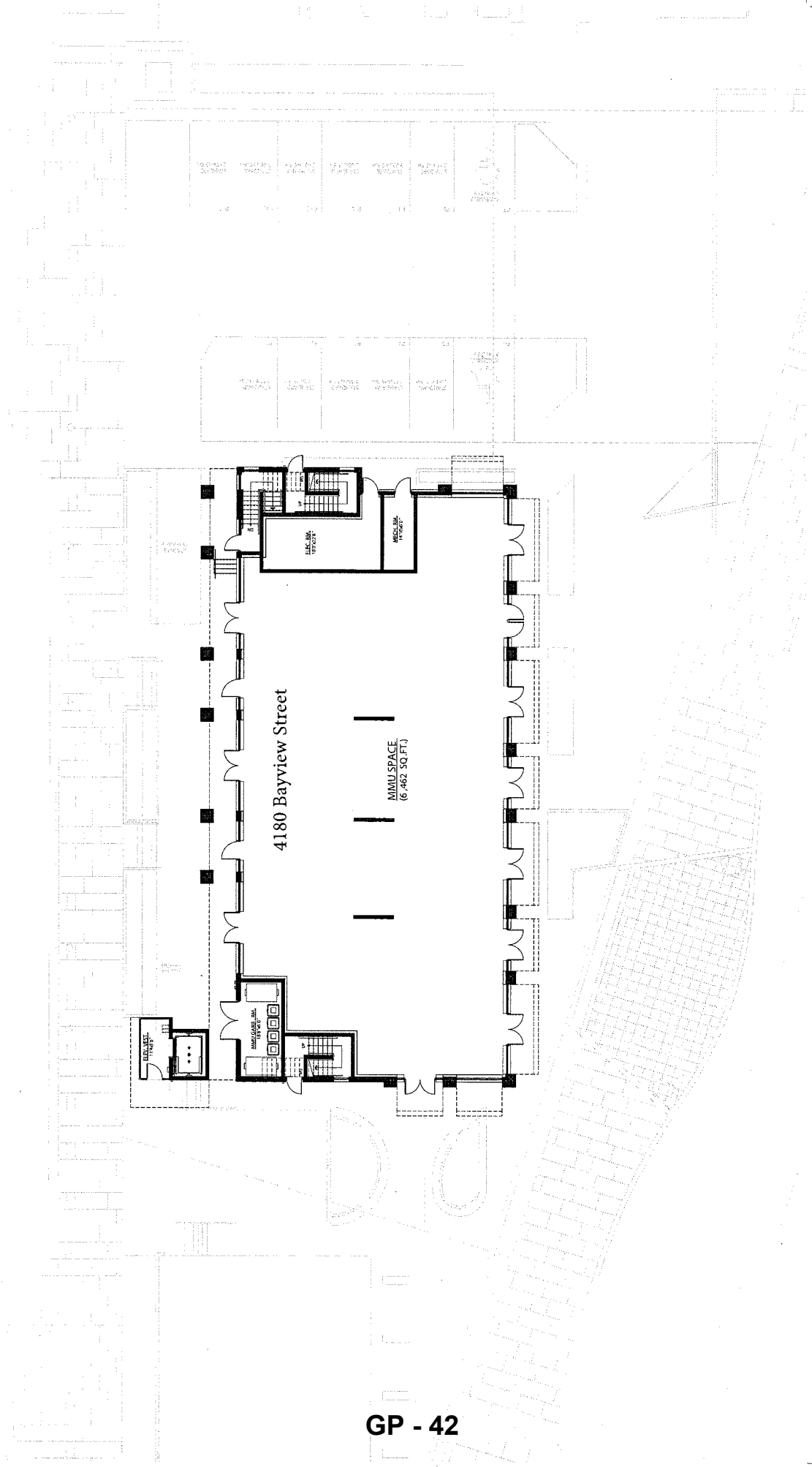


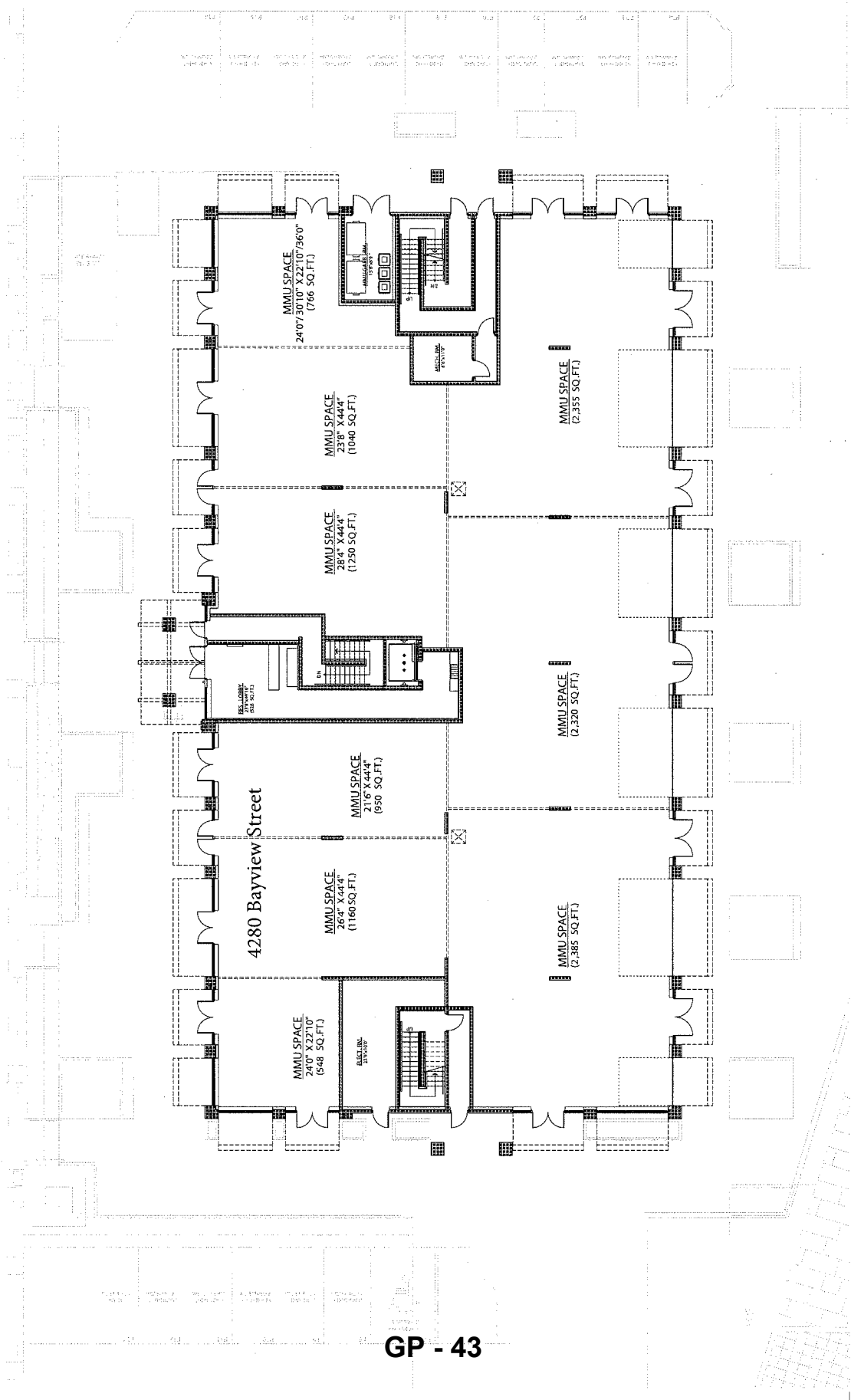
SECOND FLOOR PLAN (WITH ROOF PLAN)

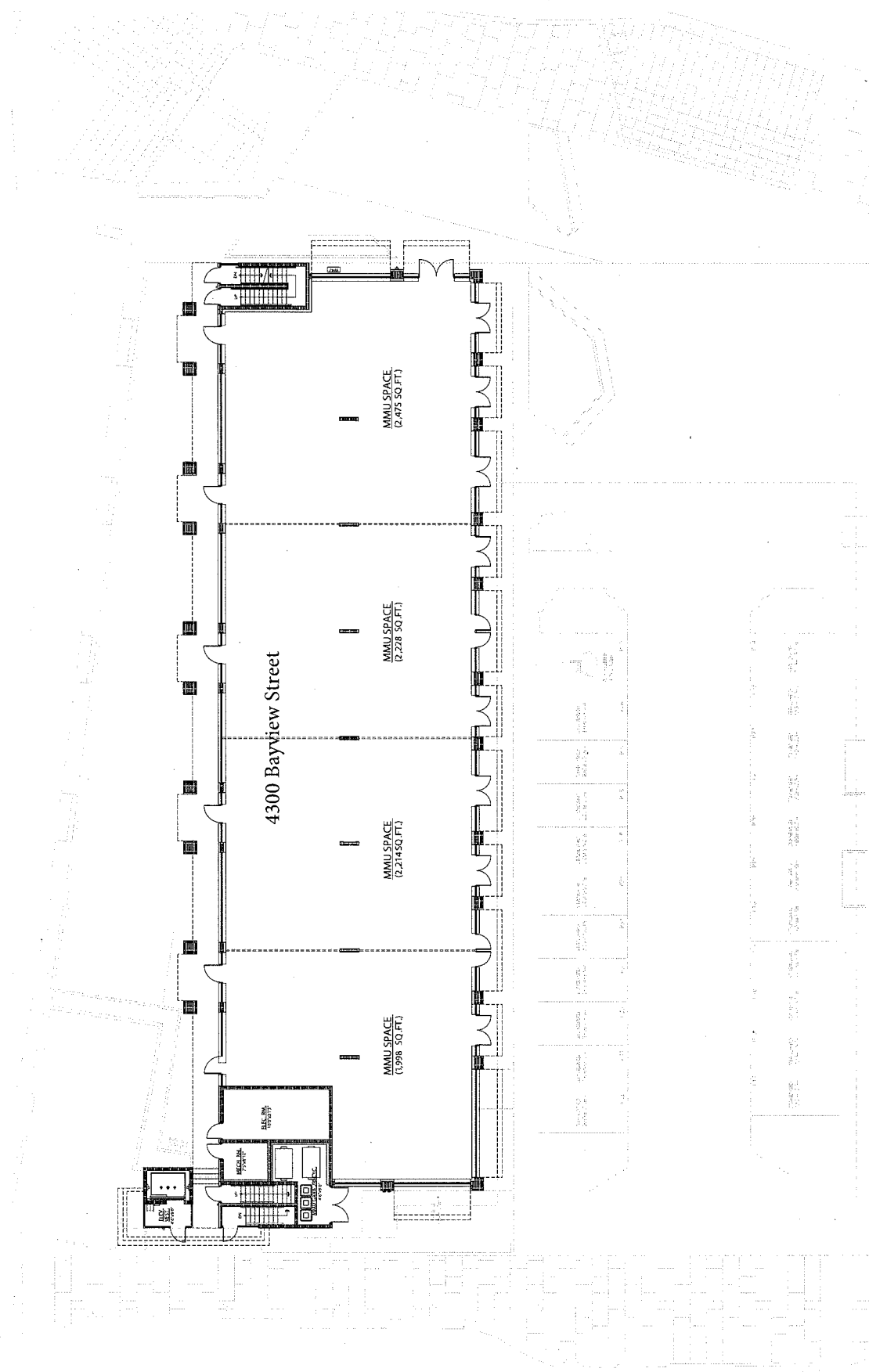


CEIL. HT: 12'-0"
FLOOR AREA: 5,736.9 SQ. FT. (INCL. 1,077.3 SQ. FT. AMENITY) (EXCLUDING STAIRS, ELEVATOR)
STAIRS, ELEVATOR ROOM: 469.9 SQ. FT.











ZT 16-735335

Attachment 4

Address: 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street

Applicant: City of Richmond

Planning Area(s): BC Packers Waterfront Neighbourhood (Steveston)

	Existing	Proposed																								
Owner:	Onni Development (Imperial Landing) Corp.	No change																								
Site Size (m²):	14,042.7 m ²	No change																								
Land Uses:	Mixed Use	Mixed Use																								
OCP Land Use Designation	Maritime Mixed Use (MMU) Parking associated with MMU & Limited Public Parking	No change																								
Zoning:	Steveston Maritime Mixed Use (ZMU12) & Steveston Maritime (ZC21)	Amended Steveston Maritime Mixed Use (ZMU12) & Amended Steveston Maritime (ZC21)																								
Number of Units	<table> <tr> <td>Building</td><td>Dwellings</td><td>MMU</td></tr> <tr> <td>4020 Bayview St.</td><td>12</td><td>638 m²</td></tr> <tr> <td>4080 Bayview St.</td><td>0</td><td>2,015 m²</td></tr> <tr> <td>4100 Bayview St.</td><td>0</td><td>173 m²</td></tr> <tr> <td>4180 Bayview St.</td><td>7</td><td>553 m²</td></tr> <tr> <td>4280 Bayview St.</td><td>22</td><td>1,280 m²</td></tr> <tr> <td>4300 Bayview St.</td><td>11</td><td>868 m²</td></tr> <tr> <td>Total</td><td>52</td><td>5,526 m²</td></tr> </table>	Building	Dwellings	MMU	4020 Bayview St.	12	638 m ²	4080 Bayview St.	0	2,015 m ²	4100 Bayview St.	0	173 m ²	4180 Bayview St.	7	553 m ²	4280 Bayview St.	22	1,280 m ²	4300 Bayview St.	11	868 m ²	Total	52	5,526 m ²	No change
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Total	52	5,526 m ²																								

	Bylaw Requirement	Existing	New Variance
Floor Area Ratio	Max. 0.8	0.8	None permitted
Height	Max. 12 m & three-storey	12 m Max & one-, two- and three-storey	None
Off-street Parking Spaces:			
MMU	171	172	
Resident	78	81	
Visitor	11	17	
(Accessible)	(6)	(7)	
Total	261	270	None
Public Parking Spaces	Limited	35 by approved DP	None
Amenity Space – Indoor	Min. 100 m ²	Located on second floor of 4080 Bayview St. Building	None
Amenity Space – Outdoor	Min. 312 m ²	Min. 312 m ²	None



City of Richmond

ATTACHMENT 5

Bylaw 9587

Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9587 (ZT 16-735335) 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street

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

1. Richmond Official Community Plan Bylaw 7100, as amended, is further amended by:
 - (a) inserting into the existing "Maritime Mixed Use" land use in Appendix 1 (Definitions) to Schedule 2.4 thereof the following:
 - "iv) Child Care use is accommodated as a permitted use in the Maritime Mixed Use Area."
2. This Bylaw may be cited as **"Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9587"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED



MAYOR

CORPORATE OFFICER



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9588 (ZT 16-735335)
4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended:
 - (a) by inserting the following into subsection 20.12.2 (Permitted Uses):

“• **Child Care**”
 - (b) by inserting the following into subsection 22.21.2 (Permitted Uses):

“• **Child Care**”
2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9588**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by BKL
APPROVED by Director or Solicitor ll

MAYOR

CORPORATE OFFICER



**Richmond Official Community Plan Bylaw 7100
Amendment Bylaw 9589 (ZT 16-735335)
4080 and 4100 Bayview Street**

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

1. Richmond Official Community Plan Bylaw 7100, as amended, is further amended by:
 - (a) inserting into the existing "Maritime Mixed Use" land use in Appendix 1 (Definitions) to Schedule 2.4 thereof the following:
 - "iv) Child Care use is accommodated as an additional use to a maximum area of 540 m² in the Maritime Mixed Use Area."
2. This Bylaw may be cited as **"Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9589"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

_____ _____ _____ _____ _____

CITY OF RICHMOND
APPROVED by <i>TC</i>
APPROVED by Manager or Solicitor <i>al</i>

MAYOR

CORPORATE OFFICER



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9590 (ZT 16-735335)
4080 and 4100 Bayview Street**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended:
 - (a) by deleting section 22.21.3 and substituting the following:

"22.21.3 A. Secondary Uses

 - n/a

22.21.3 B. Additional Uses

 - **Child Care**
 - (b) by inserting the following into section 22.21.11 (Other Regulations):

"3. Child Care is limited to only one Child Care and shall have a gross floor area not exceeding 540.0 m².

4. Child Care shall not be located on the first storey of any building."
2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9590"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

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