



**Planning Committee
Electronic Meeting**

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

**Wednesday, February 21, 2024
4:00 p.m.**

Pg. # ITEM

MINUTES

*Motion to adopt the **minutes** of the meeting of the Planning Committee held on February 6, 2024 (to be distributed separately).*



NEXT COMMITTEE MEETING DATE

March 5, 2024, (tentative date) at 4:00 p.m. in the Council Chambers.

PLANNING AND DEVELOPMENT DIVISION

1. **APPLICATION BY FIREWORK PRODUCTIONS LTD. FOR A TEMPORARY COMMERCIAL USE PERMIT AT 8351 RIVER ROAD, DUCK ISLAND (LOT 87, SECTION 21 BLOCK 5 NORTH RANGE 6 WEST PLAN 34592) AND 8411, 8431 AND 8451 WEST ROAD**

(File Ref. No. TU 23-033092) (REDMS No. 7528003)

PLN-5

See Page PLN-5 for full report

Designated Speakers: Laurel Eyton and Joshua Reis

STAFF RECOMMENDATION

- (1) *That the application by Firework Productions Ltd. for a Temporary Commercial Use Permit for the properties at 8351 River Road, Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) and 8411, 8431 and 8451 West Road be considered at a Public Hearing to be held March 18, 2024 at 7:00 p.m. in the Council Chambers of Richmond City Hall; and that the following recommendations be forwarded to that meeting for consideration:*

“That a Temporary Commercial Use Permit be issued to Firework Productions Ltd. for the property at 8351 River Road and Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) and 8411, 8431 and 8451 West Road for the purposes of permitting the following:

- a) Night market event between April 26, 2024 to October 20, 2024 (inclusive) to allow for a maximum of 84 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;*
 - b) Night market event between April 25, 2025 to October 19, 2025 (inclusive) for a maximum of 83 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;*
 - c) Night market event between April 24, 2026 to October 18, 2026 (inclusive) for a maximum of 82 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit; and*
 - d) The night market event as outlined in the report dated February 5, 2024 from the Director, Development be subject to the fulfillment of all terms, conditions and requirements outlined in the Temporary Commercial Use Permit and attached Schedules”.*
- (2) *That the Public Hearing notification area be extended to include all properties to the north of Bridgeport Road and West of Great Canadian Way as shown in Attachment 4 to the staff report dated February 5, 2024.*



Pg. # ITEM

2. **APPLICATION BY LUNG DESIGNS LTD. FOR REZONING AT 7560 ASH STREET FROM “SINGLE DETACHED (RS1/F)” ZONE TO “SINGLE DETACHED (RS2/E)” ZONE AND “SINGLE DETACHED - SOUTH MCLENNAN (CITY CENTRE) (ZS14)” ZONE**
(File Ref. No. RZ 22-021110) (REDMS No. 7550373)

PLN-42

See Page PLN-42 for full report

Designated Speakers: Laurel Eyton and Joshua Reis

STAFF RECOMMENDATION

- (1) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 10526, for the rezoning of 7560 Ash Street from the “Single Detached (RS1/F)” zone to the “Single Detached (RS2/E)” zone and the “Single Detached - South McLennan (City Centre) (ZS14)” zone, to facilitate a two lot subdivision be introduced and given first, second and third reading; and*
- (2) *The Richmond Zoning Bylaw 8500, Amendment Bylaw 10491 be abandoned.*



3. **APPLICATION BY LUCAS HOGLER FOR AN AGRICULTURAL LAND RESERVE NON-ADHERING RESIDENTIAL USE AND REZONING OF A PORTION OF 12900 STEVESTON HIGHWAY & 11311 RICE MILL ROAD FROM “AGRICULTURE (AG1)” TO “AGRICULTURE (AG3)”**
(File Ref. No. AG 22-011619, RZ 22-011635) (REDMS No. 7471144)

PLN-59

See Page PLN-59 for full report

Designated Speaker: Steven De Sousa

STAFF RECOMMENDATION

- (1) *That the application by Lucas Hogler for an Agricultural Land Reserve Non-Adhering Residential Use to allow seasonal farm labour accommodation at 12900 Steveston Highway & 11311 Rice Mill Road be forwarded to the Agricultural Land Commission; and*
- (2) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 10533, for the rezoning of a portion of 12900 Steveston Highway & 11311 Rice Mill Road from “Agriculture (AG1)” to “Agriculture (AG3)”, and a zoning text amendment to the “Agriculture (AG3)” zone in order to permit more than one seasonal farm labour accommodation located on a lot without an existing single detached housing, be introduced and given first reading.*



Pg. # ITEM

4. **APPLICATION BY JASON LEVELTON FOR AN AGRICULTURAL LAND RESERVE NON-ADHERING RESIDENTIAL USE AND REZONING AT 18431 WESTMINSTER HIGHWAY FROM “AGRICULTURE (AG1)” TO “AGRICULTURE (AG3)”**
(File Ref. No. AG 22-009023, RZ 22-009024) (REDMS No. 7554911)

PLN-89

See Page PLN-89 for full report

Designated Speaker: Steven De Sousa

STAFF RECOMMENDATION

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

5. **MANAGER’S REPORT**

ADJOURNMENT



To: Planning Committee **Date:** February 5, 2024
From: Suzanne Smith **File:** TU 23-033092
Acting Director, Development
Re: **Application by Firework Productions Ltd. for a Temporary Commercial Use Permit at 8351 River Road, Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) and 8411, 8431 and 8451 West Road**

Staff Recommendation

1. That the application by Firework Productions Ltd. for a Temporary Commercial Use Permit for the properties at 8351 River Road, Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) and 8411, 8431 and 8451 West Road be considered at a Public Hearing to be held March 18, 2024 at 7:00 p.m. in the Council Chambers of Richmond City Hall; and that the following recommendations be forwarded to that meeting for consideration:

“That a Temporary Commercial Use Permit be issued to Firework Productions Ltd. for the property at 8351 River Road and Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) and 8411, 8431 and 8451 West Road for the purposes of permitting the following:

- a) Night market event between April 26, 2024 to October 20, 2024 (inclusive) to allow for a maximum of 84 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;
- b) Night market event between April 25, 2025 to October 19, 2025 (inclusive) for a maximum of 83 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;
- c) Night market event between April 24, 2026 to October 18, 2026 (inclusive) for a maximum of 82 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit; and
- d) The night market event as outlined in the report dated February 5, 2024 from the Director, Development be subject to the fulfillment of all terms, conditions and requirements outlined in the Temporary Commercial Use Permit and attached Schedules”.

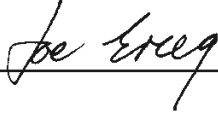
- 2. That the Public Hearing notification area be extended to include all properties to the north of Bridgeport Road and West of Great Canadian Way as shown in Attachment 4 to the staff report dated February 5, 2024.



Suzanne Smith
 Acting Director, Development
 (604-276-4138)

SS:le

Att. 5

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Economic Development	<input checked="" type="checkbox"/>	
Business Licences	<input checked="" type="checkbox"/>	
Community Bylaws	<input checked="" type="checkbox"/>	
Community Bylaws – Parking Enforcement	<input checked="" type="checkbox"/>	
Fire Rescue	<input checked="" type="checkbox"/>	
RCMP	<input checked="" type="checkbox"/>	
Building Approvals	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	
Finance	<input checked="" type="checkbox"/>	

Staff Report

Origin

Firework Productions Ltd. (Raymond Cheung) has applied to the City of Richmond for a Temporary Commercial Use Permit (TCUP) to allow a night market event at 8351 River Road and Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) (herein called the subject site) and associated non-accessory vehicle parking at 8411, 8431 and 8451 West Road (Attachment 1) during the following periods:

- April 26 - October 20, 2024
- April 25 – October 19, 2025
- April 24 – October 18, 2026
- The hours of operation for each season shall be:
 - Fridays: 6:00 p.m. to 12:00 a.m.
 - Saturdays: 6:00 p.m. to 12:00 a.m.
 - Sundays: 6:00 p.m. to 11:00 p.m.
 - Long weekend Sundays: 6:00 p.m. to 12:00 a.m.
 - Long weekend Mondays: 7:00 p.m. to 11:00 p.m.

Background

In 2017, Council issued a TCUP (TU 17-764698) for the Richmond Night Market valid for three years (2017, 2018 and 2019 summer seasons). The TCUP issued for the 2021-2023 seasons (TU 20-905119) was a renewal of the TCUP issued in 2017, and expired on October 15, 2023.

In accordance with the *Local Government Act*, an application for a new TCUP has been applied for to allow the night market event in 2024, 2025 and 2026, for the summer season only.

Findings of Fact

A Development Application Data Sheet providing details about the night market event is provided in Attachment 2.

The subject site is also subject to an active rezoning application (RZ 20-915237) for a comprehensive multi-phased high-density commercial redevelopment. This rezoning application is currently under staff review and will be presented to Council for consideration at a later date.

The applicant and event organizer for the TCUP application has obtained authorization from the property owners to apply for and operate a night market event and associated non-accessory vehicle parking. If, as a result of the processing of this rezoning application, any works or modifications to the subject site occur that impact the proposed event, staff will review to determine impacts to any issued TCUP and will advise Council of any revisions and necessary approvals.

Surrounding Development

The subject site is located in the Bridgeport Village Sub Area in the City Centre Area Plan (CCAP). The site is generally vacant with the exception of servicing and infrastructure to support the night market event. The Canada Line airport connector guideway bisects the site near the vehicle entrance at No. 3 Road and River Road. Development immediately surrounding the subject site is as follows:

To the North: Fraser River.

To the South: “Light Industrial (IL)” on the south side of River Road. A newly constructed high-density commercial project, zoned “High Rise Commercial – City Centre (ZC33)”, containing office uses and a hotel, is located on a property on the south side of River Road and to the west of West Road.

To the East: Fraser River/foreshore area and River Rock Casino and Resort zoned “Casino Hotel Commercial (ZC17)”.

To the West: Property owned by the Port of Vancouver and the Airport Connector Bridge.

Local Government Act

The *Local Government Act* states that TUPs are valid for a period of up to three years from the date of issuance. This TUP application applies for temporary uses to allow for a summer event to be held generally between the months of April to October 2024, 2025 and 2026.

The *Local Government Act* includes provisions to allow for one extension to the permit for up to three additional years. Only one extension is permitted, after which a new application is required. TUP extensions are made through an application, which requires Council approval. The *Local Government Act* allows Council to consider each TUP issuance on its own merits and does not limit the number of TUP issuances allowed on a site.

Related Policies & Studies

Official Community Plan and City Centre Area Plan

The Official Community Plan (OCP) land use designation for the subject site is “Commercial” and “Park”. The OCP also contains a policy identifying that Council may consider temporary use permits in areas designated Industrial, Mixed Employment, Commercial, Neighbourhood Shopping Centre, Mixed-Use, Limited Mixed-Use and Agriculture (outside of the ALR) where deemed appropriate by Council. The proposed application complies with the provisions of the OCP.

The City Centre Area Plan (CCAP) and Bridgeport Village Land Use Map designations for the subject site are “Urban Centre – T5” and “Park”. The proposed TCUP being temporary in nature does not impact the ability for the site to be redeveloped to its full potential in accordance with the CCAP.

Flood Plain Designation and Protection Bylaw 8204

All buildings and structures on the subject site must be temporary and cannot be utilized year round. If these criteria are met, temporary buildings and structures are not required to comply with the minimum FCL of 4.35 m. The proposed temporary use meets the requirements of Richmond Flood Plain Designation and Protection Bylaw 8204.

Public Consultation

The event organizer conducted consultation with businesses and residences in the surrounding area to request feedback on the TCUP application for the proposed night market event on the subject site, which included information about the proposed dates and times. The consultation summary materials, which includes a letter to the neighbourhood and a summary consultation table provided by the applicant, are contained in Attachment 3. No comments or concerns were identified as part of the event organizer's consultation.

In addition to the consultation summary noted above, a Temporary Commercial Use Permit application sign has been installed on the subject property to notify the area of the TCUP application. Staff have not received any comments from the public about the TCUP application in response to the notification signage on the subject property.

During event operations, the event organizer is required to post signage at the main entrance to the event site that provides direct contact information (phone number and email) for any public comments or complaints to be made to the organizer for review and follow-up.

Should the Planning Committee and Council endorse this application, the TCUP application will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. In accordance with the previous public hearing notification area undertaken for the night market event at this site, staff recommend a notification area bounded by Bridgeport Road to the south, Great Canadian Way to the East and Fraser River to the West and North (Attachment 4).

Analysis

General Event Description

The proposal for the night market event over the next three years is similar compared to previous operations on the subject site, with the exception that for the 2024-2026 operating season, the event organizer has proposed to extend the operating hours on Sundays by one additional hour and two additional hours on long weekend Sundays. The event will consist of an outdoor market of food and commercial retail vendors in conjunction with accessory entertainment/activities and services in support of the event (Attachment 5 – Night Market Event Site Plan). The following are some key highlights of the night market event:

- Up to 150 commercial/retail vendors and 130 food vendors.
- Supporting services (washroom, first aid, security, garbage and recycling).
- Accessory on-site entertainment and activities.

- Provision of 1,480 dedicated off-street parking stalls on the subject site for event attendees. An additional 200 parking stalls will be provided for vendor and employee parking on West Road (8411, 8431 and 8451 West Road).

Parking and Traffic Management

Staff have reviewed the TCUP application for the night market event. The following is a summary of parking and traffic management provisions:

- 1,480 dedicated parking stalls available on the subject site for event attendees (note: parking stalls must be free).
- 200 dedicated parking stalls secured on properties located on West Road (8411, 8431 and 8451 West Road) for vendor and employee parking. A requirement in the TCUP terms and conditions will be for the event organizer to confirm their lease agreement annually prior to the start of each night market event season or a suitable contingency plan approved by Transportation staff. In the event this arrangement for vendor parking is no longer in place, a suitable contingency plan will need to be developed by the applicant to the satisfaction of Transportation staff.
- Submission and approval of a Traffic Management Plan (TMP) and implementation of the TMP by a professional traffic control company. The applicant is responsible for the cost of developing the TMP and implementing the plan by a professional traffic control company. Any future TMPs will need to consider and account for activities related to the active rezoning application (RZ 20-915237), to the satisfaction of the City.

The event site is well serviced by transit (Canada Line – Bridgeport Station), which will provide an alternative means for event attendees to commute to and from the site through transit and help reduce vehicle traffic volumes to the surrounding road network. The existing TMP directs traffic to and from the event site from No. 3 Road to facilitate efficient vehicle traffic circulation while maintaining vehicle access to businesses in the surrounding area.

Throughout the night market season, Transportation staff attend the night market event to oversee the overall traffic and the TMP and address any issues that arise. Staffing by Transportation staff is not required every event day, but is necessary during the start of the event at the beginning of the season and during the event's busiest time of the season (typically during the summer months). When Transportation attends the event, a maximum of four (4) hours of coverage will apply that enables staff to ensure that the TMP and supporting traffic control services are in place and to monitor traffic flow to and from the event during peak periods of the evening. The applicant is required to pay for Transportation staff costs associated with the monitoring of the events at the applicable hourly rates. The bond amount required as part of this TCUP includes the estimated Transportation costs (see Financial Impact section).

RCMP

A minimum of two dedicated RCMP officers are required during the proposed hours of operation at the night market event to: ensure community safety; provide for a highly visible police presence; provide quick responses in the event of an emergency; oversee event safety and security for event attendees and vendors; to monitor operation of the TMP; and to monitor vehicle traffic to and from the event site. RCMP members assigned to this event will be in addition to the existing RCMP deployment in Richmond.

The applicant is required to pay for all RCMP staff costs associated with the monitoring of the events at the applicable hourly rates. The bond amount required as part of this TCUP includes the estimated RCMP costs (see Financial Impact section).

Community Bylaws

Dedicated Community Bylaws (Parking Enforcement) staff are required at the night market event for the purposes of monitoring and enforcing on-street parking and related City roadway regulations around the night market event site. Community Bylaws has confirmed that staffing for the event will be to provide a maximum of six (6) hours of patrol per event day by Community Bylaws in accordance with the terms and conditions of the TCUP. The applicant is required to pay for all Community Bylaw staff costs associated with the events at the applicable hourly rates. The bond amount required as part of this TCUP includes the estimated Community Bylaws costs (see Financial Impact section).

Event Noise Management

The proposed noise management for the night market event season 2024-2026 is consistent with previous years. To manage noise generated from the night market event and related impacts to the surrounding area, a noise impact assessment will be required to be undertaken by the event organizer to complete the following:

- Required to be completed by a professional acoustical consultant.
- Determine the existing level of noise (i.e., the baseline noise) at the proposed development/event site.
- Predict the level of impact that the new proposal/event will have on this existing noise climate to ensure compliance with the City's Noise Regulation Bylaw 8856.
- Make recommendations about sound equipment, site layout and event operations that would help manage and mitigate noise impacts from the event.
- The City's current regulations contained in Noise Regulation Bylaw 8856 shall be referenced in the noise impact assessment for compliance with provisions of the bylaw.
- The noise impact assessment is required to be completed and approved by City staff in advance of the operation of the night market event and prior to the issuance of a Business License to the event organizer.

Ongoing monitoring through sound measurements during each night market season is also required, at times and locations to be determined and approved by City staff, to ensure that noise is being effectively managed in compliance with the noise bylaw. The community noise impact assessment, including ongoing monitoring, will be done at the sole cost of the event organizer.

If noise concerns persist through receipt of public complaints or ongoing monitoring of noise during the season, the City has the ability to undertake the following actions if needed to address noise-related issues:

- Require the event organizer to adjust event operations and equipment to address noise concerns.
- If noise issues remain or no action is taken by the event organizer, enforcement action in the form of ticketing can be undertaken by the City.
- Suspension or revocation of the event organizer's Business License or cancelling the TCUP, by Council, to compel closure of the event are also available options to Council in the event that noise concerns are not sufficiently addressed.

Richmond Fire Rescue

The proposed site plan for the night market event is based on the existing configuration and maintains existing emergency access provisions. A Fire Safety Plan and Pre-Incident Fire Plan, in accordance with Fire Protection and Life Safety Bylaw 8306, for this event is required to be submitted to Richmond Fire Rescue staff for review and approval on an annual basis and prior to each annual event season and in conjunction with any applicable building permits required for the event. The requirement for and approval of the Fire Safety Plan and Pre-Incident Fire Plan, by Richmond Fire Rescue is incorporated into the terms and conditions of this TCUP. The event organizer and each food vendor operating on the event site is required to comply with the Richmond Fire Rescue General Fire Safety Requirements for Food Vendor Including Mobile Food Trucks, which is contained as an attached schedule (Schedule E) in the proposed TCUP.

Building Approvals

For the proposed night market event, any buildings/structures (including temporary tents) or changes to existing on-site servicing (i.e., plumbing system for the food court) will require the submission of the necessary building and site servicing (plumbing) permits, including any necessary supporting consultancy reports, to ensure compliance with all applicable regulations. Issuance of all building permits is required prior to event opening and is identified in the proposed TCUP terms and conditions.

Business Licensing

All commercial retail and food vendor booths operating at this event on the subject site are required to obtain a Business License. The event organizer is also required to obtain a Business License from the City in order to operate. A requirement for all vendors and the event organizer to obtain Business Licenses is identified in the proposed TCUP terms and conditions.

Vancouver Coastal Health

All vendors involved in the handling of food and beverage products at the night market event are required to obtain permits from Vancouver Coastal Health (VCH) to ensure compliance with food safety, sanitation and food handling requirements.

VCH has an existing application and inspection process for food vendor permits to ensure compliance with their requirements. VCH permits must be approved and food vendors inspected to the satisfaction of VCH staff prior to the opening of the food court or of individual food vendor stalls. VCH requirements for food vendor permits and inspections are identified in the TCUP terms and conditions.

Should additional public health and safety regulations in response to the COVID-19 pandemic be required or changed by Vancouver Coastal Health or the Public Health Official (PHO) through public health order or regulation, each vendor (commercial and/or food), including the overall night market event operations, will be required to fully comply. These provisions are included in the TCUP terms and conditions.

Financial Impact

Cost Recovery – City and RCMP Expenses

A cost recovery model approach is taken for City and RCMP expenses incurred as a result of providing the necessary RCMP, Community Bylaws and Transportation staffing levels for the proposed event. All City costs related to RCMP, Community Bylaws and Transportation are required to be paid by the event organizer in accordance with the terms and conditions of the TCUP. A general overview of the RCMP and City costs of providing the necessary staffing and services/works to support the night market event is summarized as follows:

- Two (2) RCMP officers assigned to the night market event during the hours of operation for each night market event operation day at the applicable hourly rate.
- If necessary, coverage for the RCMP commercial crimes unit to address any concerns or complaints about the retailing of counterfeit/intellectual property-protected items at the night market event. The event organizer has a strategy in place to prevent the retailing of any counterfeit/ intellectual property-protected items, including monitoring of vendors by event staff and potential expulsion of non-compliant vendors from the event. If the event organizer prohibits this type of activity from the event and can effectively manage vendor compliance; then costs for staff time from the RCMP commercial crime unit are anticipated to be minimal.
- Community Bylaws – six (6) hours maximum of dedicated patrol by Community Bylaw officers on each event day of operation.
- Attendance by City Transportation staff throughout the season to oversee and monitor implementation of the TMP and general event operations related to traffic (four (4) hours maximum per event day of operation).
- Production, posting and takedown of event traffic directional signage by City staff.

Operational Bond Requirements – 2024 – 2026

Based on the details of the night market event proposed in this TCUP application for 2024, 2025 and 2026, the estimated City and RCMP costs for each year is approximately \$250,000.

The following approach to bonding is proposed to ensure that all City and RCMP costs are paid for by the event organizer and that greater financial certainty is provided to the event organizer on the amount and timing of the required payments to the City.

The approach to bonding is to secure the full bonding amount from the event organizer prior to the beginning of the season in each year of operation.

The \$250,000 per year bonding cost identified is an estimate of the total City and RCMP costs anticipated during the 2024 - 2026 seasons. Based on this, the proposed bond amount and required submission dates are as follows:

- 2024 - \$250,000 due on April 11, 2024
- 2025 - \$250,000 due on April 10, 2025
- 2026 - \$250,000 due on April 9, 2026

Provisions in the TCUP for Amounts Owning or Credits

Provisions are built into the TCUP to ensure that any outstanding bonding amounts or monies owing are addressed and paid by the event organizer by the dates and amounts specified in the permit to ensure validity of the permit over the three-year term. Any remaining monies left over from the original bond amount after all City and RCMP costs have been invoiced and paid for will be returned to the event organizer.

Invoicing & Billing

City staff will provide monthly invoices to the event organizer throughout the 2024, 2025 and 2026 night market seasons that provide an overview of the costs and deposit usage and the requirements associated with providing the required City and policing services. Invoices are due upon receipt.

Conclusion

The purpose of this TCUP application is to allow a night market event to occur at 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592) and associated non-accessory vehicle parking at 8411, 8431 and 8451 West Road in 2024, 2025 and 2026 during the dates and times identified in this report and subject to fulfillment of the TCUP terms and conditions.

The proposed use of the subject site as a night market event has addressed all issues related to community safety, minimizing impacts to the surrounding area and businesses, and managing traffic to and from the event site.

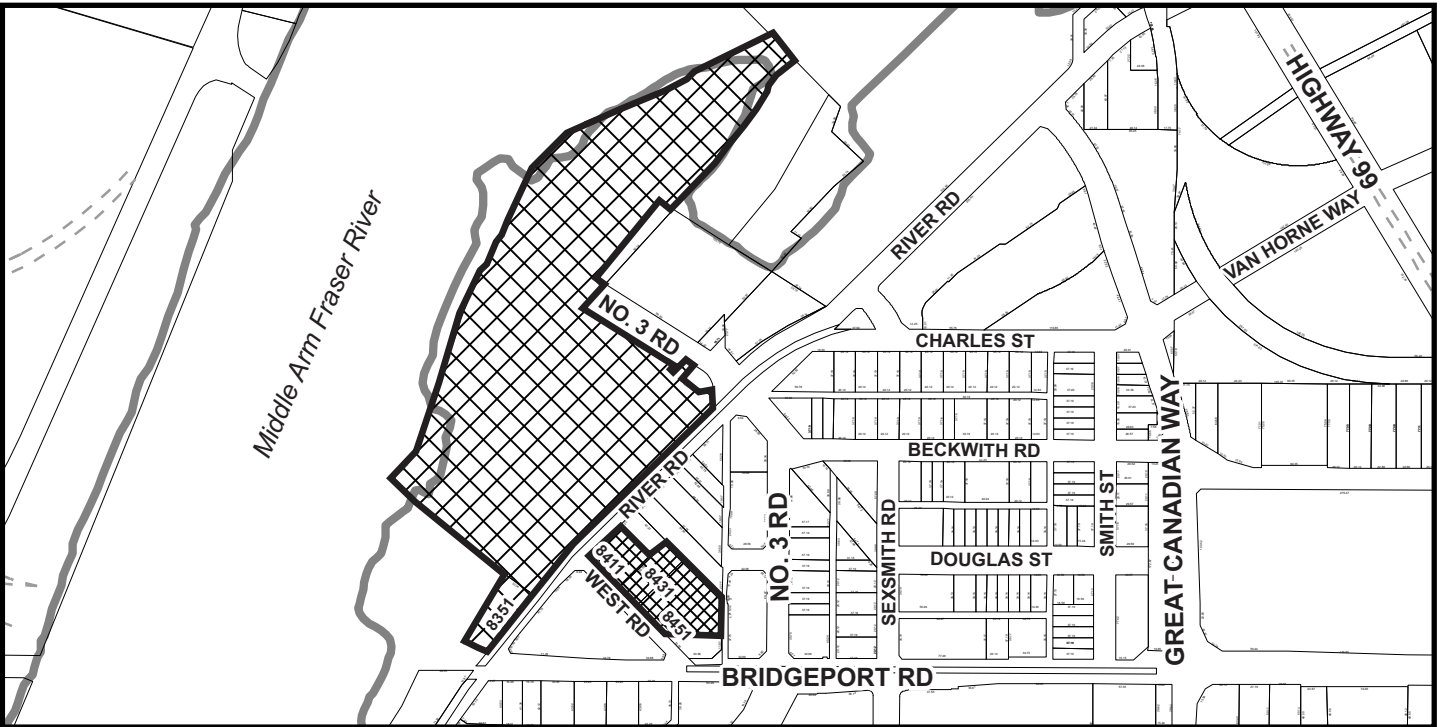
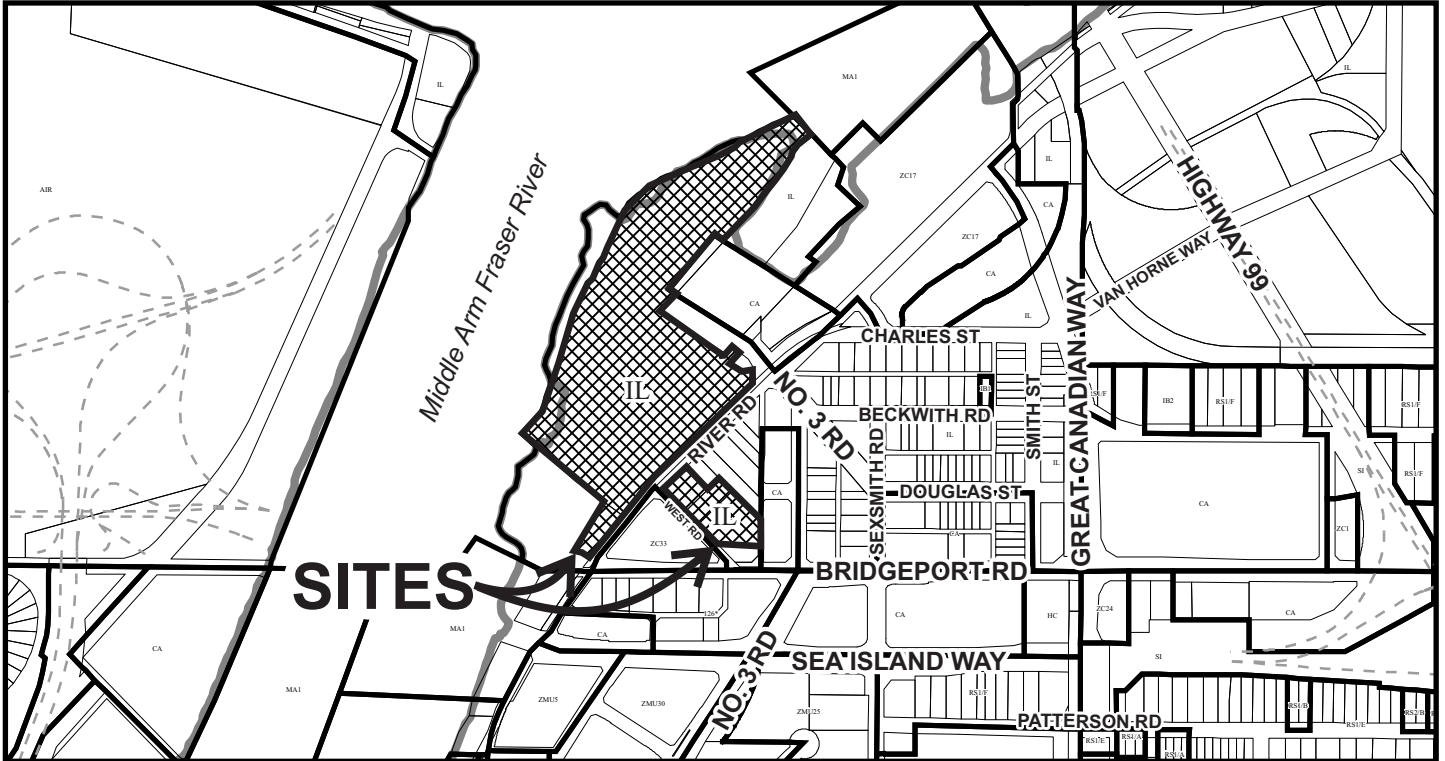
It is recommended that the attached Temporary Commercial Use Permit be issued to Firework Productions Ltd. to allow a night market event at 8351 River Road and Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) and associated non-accessory vehicle parking at 8411, 8431 and 8451 West Road.



Laurel Eyton
Planning Technician
(604-276-4262)

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- Att. 1: Location Map
2: Development Application Data Sheet
3: Summary of Neighbour Consultation by Applicant
4: Public Hearing Notification Map
5: Site Plan



TU 23-033092

PLN - 16
PLN - 16

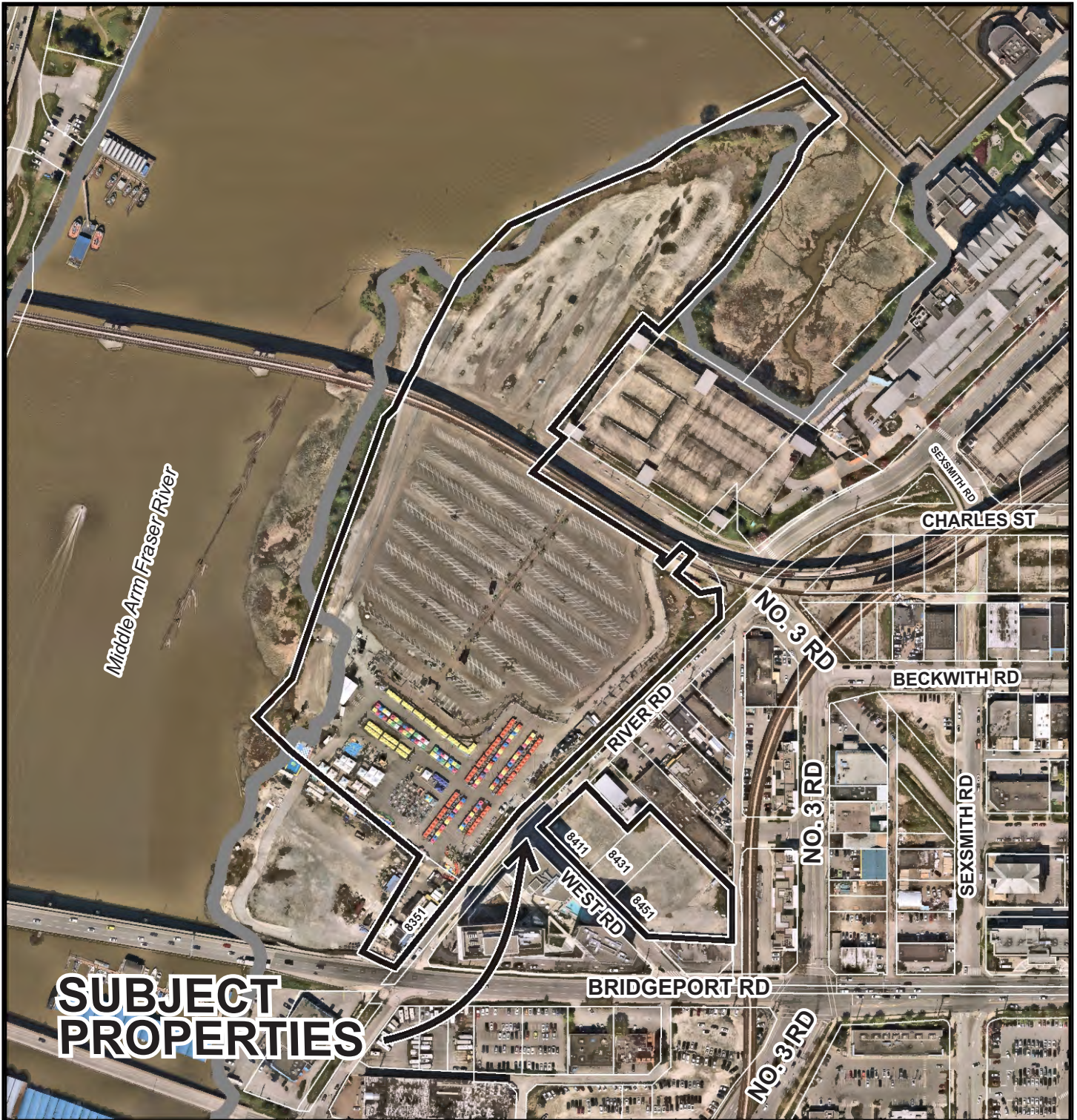
Original Date: 12/12/23

Revision Date: 01/23/24

Note: Dimensions are in METRES



City of
Richmond



TU 23-033092

PLN - 17

Original Date: 12/12/23

Revision Date: 01/23/24

Note: Dimensions are in METRES



TU 23-033092

Attachment 2

Address: 8351 River Road, Duck Island; and 8411, 8431 and 8451 West Road

Applicant: Firework Productions Ltd.

	Existing	Proposed
Owners:	Sanhurgon Investment Ltd., Inc. No. BC908774; and 0916544 B.C. Ltd.	No change
Site Size (m²):	78,424 m ²	No change
Land Uses:	<ul style="list-style-type: none"> Site primarily vacant outside of night market season dates Existing Canada Line guide way 	Market event area and supporting services, infrastructure and off-street parking area
OCP Designation:	Commercial and Park	No change
Zoning:	Light Industrial (IL)	No change

Year	Opening/Closing Dates	Days of Operation	Hours of Operation
2024	April 26 to October 20, 2024 Maximum of 84 total event days	Fri, Sat, Sun and Stat. Holidays* (*Including May 20, July 1, August 5, September 2, September 30 and October 14)	6 p.m. to 12 a.m. on Fri/Sat/Sun. before stat. holiday 7 p.m. to 11 p.m. on Sun. and stat. holiday
2025	April 25 to October 19, 2025 Maximum of 83 total event days	Fri, Sat, Sun and Stat. Holidays* (*Including May 19, June 30, August 4, September 1 and October 13)	6 p.m. to 12 a.m. on Fri/Sat/Sun. before stat. holiday 7 p.m. to 11 p.m. on Sun. and stat. holiday
2026	April 24 to October 18, 2026 Maximum of 82 total event days	Fri, Sat, Sun and Stat. Holidays* (*Including May 18, August 3, September 7 and October 12)	6 p.m. to 12 a.m. on Fri/Sat/Sun. before stat. holiday 7 p.m. to 11 p.m. on Sun. and stat. holiday

Richmond Night Market Neighbor Letter

Dear Neighbors,

Richmond Night Market is the biggest night market in North America. For more than 20 years, Richmond Night Market has been the Lower Mainland's Summer Fun destination. Our event has grown from a popular local event to a destination attraction with your continuous support and help, drawing visitors from across Canada, the U.S. and beyond.

We are now preparing to submit for the TCUP Permit Application Renewal for Richmond Night Market 2024, 2025, and 2026. The TCUP is to obtain the land use approval for the seasonal night market event. Our application is processing now so that the necessary land use approval and operational parameters safely are in place. Our event will ensure to follow all Provincial public health and safety regulations and Provincial Health Officer orders.

We propose to operate from end of April to October in 2024, 2025 and 2026. Hours of operation are as follows:

Regular weekend:

Fridays: 7pm to 12am
Saturdays: 6pm-12am
Sundays: 6pm -11pm

Long weekend:

Fridays 7pm to 12am
Saturdays & Sundays: 6pm-12am
Mondays: 7pm-11pm

Note: The operation hours for the Richmond Night Market will be extended one hour to start at 6pm on Saturdays and Sundays.

To ensure our event runs smoothly and safely, there will be a management plan in place, especially in traffic, parking, garbage, noise, and security.

Traffic

We will be using the same professional traffic control company in the past years to manage and control the visitor's flow and traffic flow during the event operation hour.

Parking

We will be providing enough capacity for parking stalls for patrons and vendors. To ensure the convenience of the business owners, employees, visitors, and residents who work and live in the area, we will provide special parking pass to access to and from their properties and businesses in the area.

Garbage

There are garbage bins installed around the neighborhood area surrounding the event site. We will also be hiring staff to monitor and clean up the garbage during and after event operation hours.

Stage Performance

The operation hours of performance are 7:00 pm to 11:00 pm during the event night. Our stage manager will do the soundcheck to ensure the audio volume within the level of sound bylaw. We will also have the digital sound level meters for noise testing and monitoring during the event night.

Management will directly respond to any noise-related concerns from the public.

Security

We will be hiring a professional security company to ensure the market and event site's safety and security. There will also be RCMP on-site to provide community safety.

Our TCUP application has been submitted for review by the City of Richmond. If you have any concerns or comments regarding this letter, please contact us at 604-244-8448 or email to admin@richmondnightmarket.com before December 1st, 2023.

Once again, we appreciate your continuous support for our event.

Best regards,

Raymond Cheung

Event Organizer

Firework Productions Ltd.

Unit 3083-8700 McKim Way

Richmond BC V6X 4A5

Tel: 604-244-8448



Richmond Night Market 2024 Neighbourhood Consultation

	Street Name	#/Building	Contact Person	Phone No.	Comments	Issues	No Issues	Delivery Date	2nd Delivery Date
1	No. 3 Rd	208-2811	Manager	604-249-0082	No comments/ Letter dropped off		✓	Nov.20.2023	
2	No. 3 Rd	125-2811	Manager	778-869-3968	No comments/ Letter dropped off		✓	Nov.20.2023	
3	No. 3 Rd	135-2811	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	Jan.23/24
4	No. 3 Rd	120-2811	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	Jan.23/24
5	No. 3 Rd	115-2811	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	Jan.23/24
6	No. 3 Rd	110-2811	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	Jan.23/24
7	No. 3 Rd	2651	Manager	604-276-8293	No comments/ Letter dropped off		✓	Nov.20.2023	
8	No. 3 Rd	4-2651	David	604-270-7123	No comments/ Letter dropped off		✓	Nov.20.2023	
9	No. 3 Rd	A-2651	Maryland	604-278-5332	No comments/ Letter dropped off		✓	Nov.20.2023	
10	No. 3 Rd	2700	Staff	604-273-2766	No comments/ Letter dropped off		✓		Jan.23/24
11	No. 3 Rd	2780	Manager	N/A	No comments/ Letter dropped off		✓	Jan.23/24	
12	No. 3 Rd	2800	Staff	778-297-6398	No comments/ Letter dropped off		✓	Jan.23/24	
13	No. 3 Rd	2820	Staff	604-278-1701	No comments/ Letter dropped off		✓	Jan.23/24	
14	No. 3 Rd	2840	Staff	604-278-1018	No comments/ Letter dropped off		✓	Jan.23/24	
15	No. 3 Rd	1-2899	Staff	604-285-2899	No comments/ Letter dropped off		✓	Jan.23/24	
16	No. 3 Rd	2-2899	Staff	778-682-3253	No comments/ Letter dropped off		✓	Jan.23/24	
17	River Rd	8580	Cody	604-241-2848	No comments/ Letter dropped off		✓	Nov.20.2023	
18	River Rd	8560	Nancy		No comments/ Letter dropped off		✓	Nov.20.2023	
19	River Rd	8540			No one there, moving			Nov.20.2023	

Richmond Night Market 2024 Neighbourhood Consultation

	Street Name	#/Building	Contact Person	Phone No.	Comments	Issues	No Issues	Delivery Date	2nd Delivery Date
20	River Rd	8520	Patrick	604-273-2826	No comments		✓	Nov.20.2023	
21	River Rd	8500	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	
22	River Rd	8480	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	
23	West Road	8400	Staff	778-881-5076	No comments		✓		Jan.23/24
24	Bridgeport Rd	8477	Staff	778-881-5076	No comments		✓		Jan.23/24
25	Beckwith Rd	150-8711	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	Jan.23/24
26	Beckwith Rd	180-8711	Unavailable		Letter Dropped Off				Jan.23/24
27	Beckwith Rd	230-8711	Unavailable		Letter Dropped Off				Jan.23/24
28	Beckwith Rd	8737	Gary		No comments		✓	Nov.20.2023	
29	Beckwith Rd	8791	Jeff & Lucas	236-808-2568	Need "NoParking Sign", others are good Just need "No Parking Sign" and "Local Parking Sign", others are good		✓	Nov.20.2023	
30	Beckwith Rd	8833	Arane				✓	Nov.20.2023	
31	Beckwith Rd	120-8851	Francis	604-278-5512	Need "NoParking Sign", others are good		✓	Nov.20.2023	
32	Beckwith Rd	140-8851	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	
33	Beckwith Rd	120-220-8911	Jimmy	778-829-2809	No comments		✓	Nov.20.2023	
34	Beckwith Rd	8931	Yoshi	604-278-4289	Need "NoParking Sign", others are good		✓	Nov.20.2023	
35	Beckwith Rd	8971	Raymond		No comments		✓	Nov.20.2023	
36	Beckwith Rd	120-220 8960	Christina	604-657-2250	No comments		✓	Nov.20.2023	
37	Beckwith Rd	200-8888	Warren	604-273-4904	No Issue			Nov.20.2023	Jan.23/24
38	Beckwith Rd	8811	Unavailable		Letter Dropped Off				Jan.23/24

PLN - 22

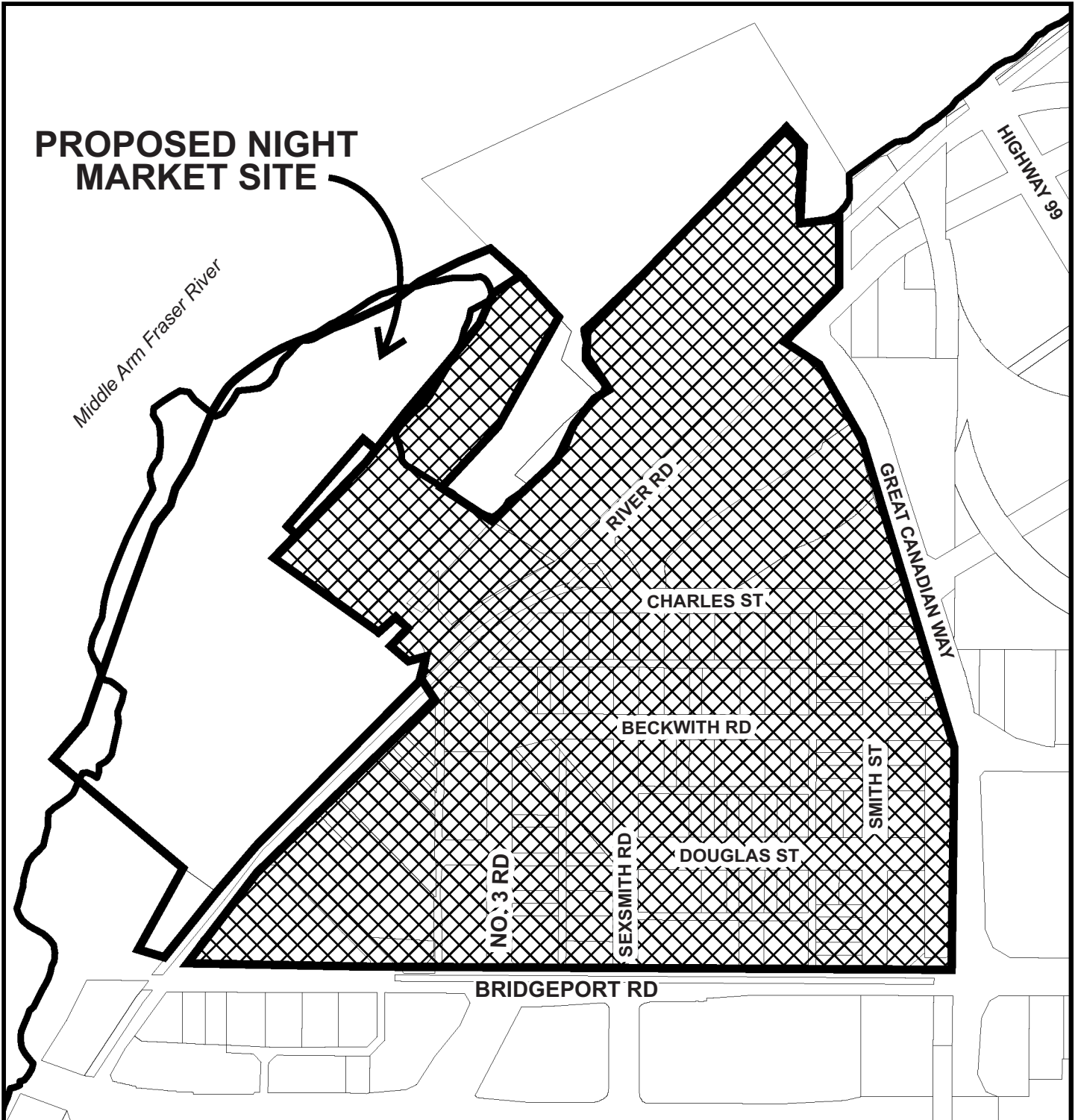
Richmond Night Market 2024 Neighbourhood Consultation

	Street Name	#/Building	Contact Person	Phone No.	Comments	Issues	No Issues	Delivery Date	2nd Delivery Date
38	Beckwith Rd	8820	Unavailable		Letter Dropped Off				Jan.23/24
39	Beckwith Rd	110-8860	Unavailable		Moving Away			Nov.20.2023	
40	Beckwith Rd	210-8860	Unavailable		Moving Away			Nov.20.2023	
41	Beckwith Rd	100-8840	Unavailable		No one here, Neighbour Letter Left			Nov.20.2023	
42	Beckwith Rd	120-8740	Unavailable		No one here, Neighbour Letter Left			Nov.20.2023	
43	Smith St	2651	Unavailable		Letter Dropped Off				Jan.23/24
44	Smith St	2671	Unavailable		No one home, Neighbour Letter Left			Nov.20.2023	Jan.23/24
45	Smith St	2611	Hermin		No one home, Neighbour Letter Left			Nov.20.2023	Jan.23/24
46	Smith St	2571	Jennifer		Owner not here, Neighbour Letter Left			Nov.20.2023	
47	Smith St	2711	Unavailable		No one home, Neighbour Letter Left			Nov.20.2023	Jan.23/24
48	Smith St	2691	Unavailable		No one lives here			Nov.20.2023	
49	Smith St	2720	Unavailable		Letter Dropped Off				Jan.23/24
50	Smith St	2731	Unavailable		No one home, Neighbour Letter Left			Nov.20.2023	
51	Smith St	2751	Ryan	604-270-9608	No comments		✓	Nov.20.2023	
52	Smith St	2800	Dharm	604-278-1936	No comments		✓	Nov.20.2023	
53	Smith St	101-2800			Not open, Neighbour Letter Left			Nov.20.2023	
54	Smith St	9-2900	Alex	604-270-7740	Just need "No Parking Sign" and "Local Parking Sign", others are good			Nov.20.2023	Jan.23/24
55	Smith St	8-2900	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	
56	Smith St	6-2900	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	

Richmond Night Market 2024 Neighbourhood Consultation

	Street Name	#/Building	Contact Person	Phone No.	Comments	Issues	No Issues	Delivery Date	2nd Delivery Date
57	Smith St	5-2900	Angela		No comments		✓	Nov.20.2023	
58	Smith St	4-2900	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	
59	Smith St	3-2900	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	
60	Douglas St	120-8771	Unavailable		Not open, Neighbour Letter Left				Jan.23/24
61	Douglas St	8991	Unavailable		Not open, Neighbour Letter Left				Jan.23/24
62	Douglas St	8995	Unavailable		Not open, Neighbour Letter Left				Jan.23/24
63	Douglas St	8811	Unavailable		No one home, Neighbour Letter Left				Jan.23/24
64	Douglas St	8940	Unavailable		No one home, Neighbour Letter Left				Jan.23/24
65	Douglas St	9000	Unavailable		Not open, Neighbour Letter Left			Nov.20.2023	
66	Douglas St	9011	Unavailable		No one home, Neighbour Letter Left			Nov.20.2023	Jan.23/24
67	Sexsmith Rd	2800	Staff	604-697-8679	No comments		✓	Nov.20.2023	
68	Sexsmith Rd	2840	Susie (daysinn)	604-207-8000	No comments				Jan.23/24
69	Sexsmith Rd	2851	Raymond Chou		No comments				Jan.23/24
70	Sexsmith Rd	2971	Staff	778-297-1777	No comments				Jan.23/24

PLN - 24



Public Hearing Notification Area

PLN - 25
PLN - 25

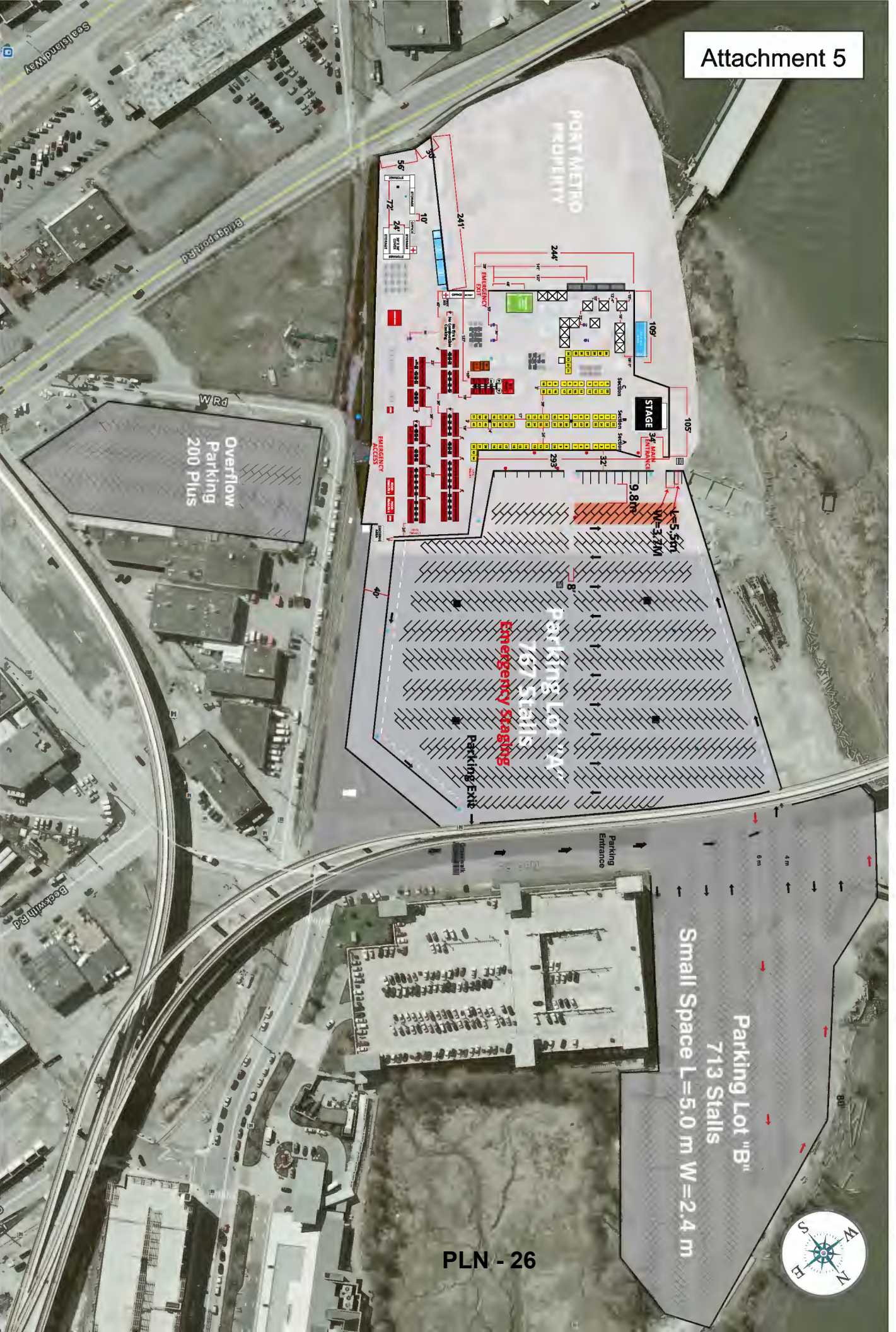
Original Date: 01/29/21

Revision Date:

Note: Dimensions are in METRES

2024 RICHMOND NIGHT MARKET OVERALL SITEPLAN

Attachment 5





No. TU 23-033092

To the Holder: Firework Productions Ltd.

Property Address: 8351 River Road, Duck Island (Lot 87 Except Part on Plan 70252, District Lot 478 Group 1 and Section 21 Block 5 North Range 6 West Plan 34592), and 8411, 8431, and 8451 West Road

Address: C/O Mr. Raymond Cheung
3063 – 8700 McKim Way
Richmond, BC V6X 4A5

1. This Temporary Commercial Use Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Temporary Commercial Use Permit is issued subject to compliance with all the items outlined on the attached Schedule “A” to this permit.
3. Should the Holder fail to adhere and comply with this Temporary Commercial Use Permit, including all the terms and conditions outlined in attached Schedules, the Temporary Commercial Use Permit Shall be void and no longer valid for the subject site.
4. This Temporary Commercial Use Permit applies to and only to those lands shown cross-hatched on the attached Schedule "B" and any and all buildings, structures and other development thereon.
5. The subject property may be used for the following temporary Commercial uses:

A night market event on the following dates:

- Between April 26, 2024 to October 20, 2024 (inclusive) to allow for a maximum of 84 event operation dates (as outlined in the attached Schedule “C” to this permit);
- Between April 25, 2025 to October 19, 2025 (inclusive) for a maximum of 83 event operation dates (as outlined in the attached Schedule “C” to this permit); and
- Between April 24, 2026 to October 18, 2026 (inclusive) for a maximum of 82 event operation dates (as outlined in the attached Schedule “C” to this permit).

The night market event dates and hours of operation shall be in accordance with the attached Schedule “C” to this permit.

The night market event shall be in general accordance with the site plan as outlined in Schedule “D” to this permit and the terms and conditions outlined in Schedule “A”.

6. Any temporary buildings, structures and signs shall be demolished or removed and the site and adjacent roads shall be maintained and restored to a condition satisfactory to the City of Richmond, upon the expiration of this permit or cessation of the use, whichever is sooner.
7. As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder, or should the Holder carry out the development permitted by this permit within the time set out herein and comply with all the undertakings given in Schedule "A" attached hereto, the security shall be returned to the Holder.

2024 Night Market Event – A cash security (or acceptable letter of credit) in the total amount of \$250,000 must be submitted on or before April 11, 2024 for the purposes of operating a night market event during the dates identified in Schedule “C”:

2025 Night Market Event – A cash security (or acceptable letter of credit) in the total amount of \$250,000 must be submitted on or before April 10, 2025 for the purposes of operating a night market event during the dates identified in Schedule “C”.

2026 Night Market Event – A cash security (or acceptable letter of credit) in the total amount of \$250,000 must be submitted on or before April 9, 2026 for the purposes of operating a night market event during the dates identified in Schedule “C”.

8. Should the Holder fail to provide the cash security by the dates specified in this permit, the Temporary Commercial Use Permit shall be void and no longer valid for the subject site.
9. The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
10. Monies outstanding and owed by the Holder to the City of Richmond for costs associated with the temporary commercial uses allowed in this permit must be paid in full immediately by the Holder upon receipt of any City invoice.
11. Should the Holder fail to provide any monies outstanding and owed to the City of Richmond, the Temporary Commercial Use Permit shall be void and no longer valid for the subject site.

This Permit is not a Building Permit.

AUTHORIZING RESOLUTION NO.
DAY OF , .

ISSUED BY THE COUNCIL THE

DELIVERED THIS DAY OF , .

MAYOR

CORPORATE OFFICER

Schedule “A”

In consideration of the City of Richmond issuing a Temporary Commercial Use Permit (TCUP) for the purposes of operating a night market event over a 3 year period from 2024 to 2026 on the subject site, the event organizer (Firework Productions Ltd. c/o Raymond Cheung) acknowledges and agrees to the following terms and conditions:

Traffic Management Plan (TMP)

- Traffic control and operations during the event is to be in accordance with the Traffic Management Plan (TMP) developed for the night market event and approved by the City’s Transportation Division. The TMP must be developed by a professional Traffic Control Company at the sole cost of the event organizer.
- Operation of the TMP is to be undertaken by a professional Traffic Control Company with the appropriately trained and certified staff. Costs associated with the operations of the TMP is the responsibility of the event organizer.
- The TMP is to be monitored by the City’s Transportation Division in consultation with on-site RCMP and Community Bylaws staff and is subject to revision and changes (i.e., alteration of the plan; additional Traffic Control staff) should the need arise.
- Approval of the TMP, including any necessary revisions, is at the sole discretion of Transportation Division staff.
- Posting of signage and erection of barricades and road markings will be undertaken by City staff, based on the TMP, and is to be at the cost of the event organizer.
- The Event organizer is required to implement a marketing and promotion strategy that encourages event patrons to take public transit to the event.

Off-Street Parking – Night Market Event

Parking provisions for the night market event are as follows:

- 1,480 parking stalls located on the Duck Island event site. All off-street parking stalls on the event site are required to be free.
- Vendor and employee parking to be accommodated through 200 stalls on properties located on West Road (8411, 8431 and 8451 West Road) and secured via lease by the event organizer for the 2024, 2025 and 2026 events (Note: In the event that the above described off-site parking secured for vendors/employees is no longer in place or available, a suitable contingency plan will need to be developed by the applicant to the satisfaction of Transportation staff).

City of Richmond and RCMP Staffing

- Payment of any outstanding balance(s) for the prior operating years must be paid prior to the start of the 2024 season.
- A minimum of 2 RCMP members must be in attendance for each day of operation when the night market event is being held, during the hours of operation, for the purposes of providing a police presence and overseeing the TMP and general event operations (Note: Implementation and operation of the TMP is required to be undertaken by a professional traffic control company with appropriately trained and certified staff).
- Maximum of six (6) hours of dedicated patrol by a Community Bylaw Parking Enforcement Officer is required for each day of operation for the night market event.

- Attendance by the City’s Transportation Department staff is required to monitor and oversee the operations of the event’s TMP (Note: For each event operation day where Transportation staff attend, a maximum of 4 hours staff coverage will apply).
- All costs for RCMP members and City staffing at the applicable hourly rates is the responsibility of the event organizer.

Implementation of Works on City Property

- Any works on City property that are required as a result of the night market event must comply with the following requirements:
 - Works include, but are not limited to: the construction of asphalt walkways, temporary pedestrian crosswalks, and a secondary emergency access to the market event area.
 - Works also include any required upgrades and maintenance to existing works.
 - Design for works to be undertaken must be completed by an appropriately qualified professional and approved by the City.
 - The construction of any works that require a City Work Order or other appropriate process must be completed prior to issuance of building permit(s) and/or on-site servicing permit(s) for the night market event.
 - All costs associated with the design, construction, maintenance, and removal (if required) of works is the responsibility of the event organizer.
 - Enter into the appropriate agreements where necessary for the above referenced works prior to issuance of the building permit(s) and/or on-site servicing permit for the night market event.

Provincial Health Officer (PHO) – Public Health Orders and Regulations

- The night market event, authorized in accordance with all attached Schedules and terms and conditions for the TCUP is also required to comply with all applicable PHO public health orders, regulations and requirements to ensure public health and safety in relation to gatherings and events.
- Where applicable, the night market event is also required to obtain all necessary reviews and approvals from the applicable health agency (Provincial Health Officers and/or Vancouver Coastal Health – Regional Health authority) or other agency as determined by PHO public health orders and regulations in addition to adhering to and fulfilling all of the terms and conditions of the TCUP.

Required Approvals from External Agencies

Review and approval (if necessary) from the following external agencies is required prior to operating a night market event on the subject site:

- Approval from the Provincial Diking Authority for the existing emergency access ramp structure (including any required revisions/maintenance) located over the existing dike statutory right-of-way.
- Ministry of Transportation and Infrastructure (MOTI) review of traffic control provisions identified in the TMP for intersections under MOTI jurisdiction.
- Approval of the night market event site plan by BC Hydro, including any revisions to the plan over the duration of the TCUP.

Flood Construction Level (FCL) Requirements

- All buildings and structures on the subject site must be temporary and cannot be utilized year round.
- If these criteria are met, temporary buildings and structures are not required to comply with the minimum FCL of 4.35 m.
- Buildings and structures that do not meet these criteria are required to be constructed at a minimum FCL of 4.35 m.

Required Permits/Licenses from the City of Richmond and Stakeholders

- Building Permits and on-site servicing permits for any buildings, structures, services, service connections, including any changes to on-site servicing infrastructure.
- The event organizer is required obtain building permits for any structures/buildings on the subject site and supporting site services (i.e., plumbing service for the food vendors), including submission and approval of any consultant reports related to the permit application.
- Business Licenses for all commercial and food vendors to operate at the night market event (including the event operator).
- Vancouver Coastal Health (VCH) permits and licenses for the overall food court area and all food and beverage vendors to operate at the night market event, including inspection and approval by VCH staff.

Noise Management and Noise Impact Assessment Requirements

A noise impact assessment is required to be completed, submitted and approved by the City prior to issuance of a Business License to the event organizer and in advance of the operation of the night market event. The noise impact assessment is required to be completed at the sole cost of the event organizer, in accordance with the following provisions:

- Required to be completed by a professional acoustical consultant.
- Determine the existing level of noise (i.e. the baseline noise) at the proposed development/event site.
- Predict the level of impact that the new proposal/event will have on this existing noise climate.
- Make recommendations about sound equipment, site layout and event operations that would help manage and mitigate noise impacts from the event.
- Make reference to the City's Noise Regulation Bylaw 8856 (2012) to ensure compliance.
- Ongoing monitoring through sound measurements during each night market season, at times and locations to be determined and approved by City staff, to ensure that noise is being effectively managed in compliance with the noise bylaw.
- Night market event operations that generate noise, including but not limited to amplified music, event sound systems and stage performances, will be required to comply with the recommendations of the noise impact assessment (to be reviewed and approved by City staff). Ongoing sound/noise monitoring of night market event operations that generate noise are to be undertaken throughout the night market season to ensure compliance with the City's Noise Regulation Bylaw 8856 (2012), and to manage the noise impacts on the surrounding areas.

Richmond Fire Rescue (RFR) Requirements

- Implementation of an emergency response route and access location to the night market event market area to the satisfaction of RFR. This response route is required to remain clear and unimpeded at all times to facilitate access for emergency vehicles, personnel and equipment.
- Implementation of a dedicated approved emergency response route for RFR truck access and turnaround to facilitate access to the proposed parking lot “B” as shown in the event site plan attached as **Schedule “D”** to the TCUP. This fire access lane is required to be designed to support the expected loads imposed by firefighting equipment and to permit accessibility under all climatic conditions.
- Submission and approval of a Fire Safety Plan (prepared by the appropriate professional consultant) and a Pre-Incident Fire Plan (as per City Bylaw 8306, 2008) to RFR for the night market event on a yearly basis, prior to the start of the event season.
- In the event that RFR is required to attend for extraordinary fire and life safety issues, complaints, or inspection follow-up events, any and all costs for RFR attendance shall be the responsibility of the event organizer.
- The event organizer and all applicable food vendors at the night market event are required to comply with the Richmond Fire Rescue General Fire Safety Requirements for Food Vendors Including Mobile Food Trucks (**Schedule “E”**).

Night Market Event Site Plan

- Implementation of the event in general accordance to the night market site plan as shown in the TCUP report and attached as **Schedule “D”** to the TCUP.
- Amendments to the night market event site plan can be considered so long as they generally comply with the TCUP and associated terms and conditions and must be reviewed and approved by appropriate City staff and other external agencies/stakeholders (as deemed necessary). Any approved changes to the night market event site plan will therefore be considered the approved site plan attached to and forming part of the TCUP.
- The number of vendors allowed in this TCUP is:
 - Up to 150 commercial/retail vendors and up to 130 food vendors for the night market event; and
 - The event organizer is required to obtain building permits for any structures or buildings proposed on the subject site and for any required supporting site services (i.e., plumbing service for the food vendors etc.), including the submission and approval of any consultant reports related to permit application.
- Related accessory entertainment activities and displays that are ancillary to the night market event are permitted.
- The event organizer is responsible for addressing any accumulation of ponded water (and frozen ponded water) arising from weather events to ensure the night market event and related on-site parking functions effectively and does not pose a safety hazard to people attending the event or on the subject site.

Night Market Event Operations

- The event organizer is required to provide dedicated event security, parking lot patrollers, event liaison staff and certified first aid staff.

- The event organizer is responsible for providing adequate means of communication amongst event staffing, security, first aid, traffic control personnel, RCMP members and Community Bylaw Officers.
- Garbage and Litter Management Plan – Clean up and litter removal before, during and after the night market event each night of operation. Clean-up and litter removal is to be conducted by the event organizers and is to include the subject property as well as surrounding areas impacted by the night market event. The plan is also required to include placement of garbage receptacles off-site along heavily travelled pedestrian routes (i.e., 8500 block of River Road; pedestrian route between the event site and Canada Line Bridgeport Station) to be put out before event opening and collected after event closing.
- During the entire event operation seasons for 2024, 2025, 2026, contact information signage is required to be posted and maintained by the event organizer in accordance with the following provisions:
 - Purpose – Provide event organizer contact information for any comments, concerns and complaints about the night market event from the public.
 - Contact information must include a phone number and email address.
 - Signage must be separate from any event promotional or sponsorship signage.
 - Signage must be located at the main event site entrance, in a highly visible location and with a minimum size (1.2 m by 2.5 m).
 - City staff are required to review and approve the signage prior to installation before the night market event commences operations for the season.

Product Anti-Counterfeiting Strategy

The event organizer is responsible for implementing the following action items as part of their anti-counterfeiting strategy:

- Liaise with agencies involved with intellectual property rights (Canadian Anti-Counterfeiting Network – CACN) to develop and communicate their strategy.
- Include specific provisions in vendor contracts that prohibit the retailing of counterfeit, pirated and other illegal products with clauses on vendor booth termination and removal from the event, and product seizure and turnover to the RCMP or Intellectual Property representatives if illegal goods are found.
- Partner with RCMP and Intellectual Property representatives to undertake education with vendor booth operators to ensure they are aware of the counterfeit good restrictions and related consequences (i.e., vendor booth contract termination and product seizure, etc.).
- Have dedicated, trained market event staff to inspect and monitor retailers to ensure no counterfeit or pirated products are being sold.

Night Market Event Cancellation Procedure

- In the event of a night market event cancellation on any identified operational day, event organizers are responsible for notifying appropriate City staff and RCMP members a minimum of 24 hours prior to the start of the event. Should event cancellation notification be within the 24 hour time period, staffing costs will be incurred based on minimum call-out times.
- The event organizer is responsible for notifying all vendors of any event cancellation.

- The event organizer is responsible for notifying the City and any related stakeholders (i.e., RCMP, VCH) if they decide to close early i.e. prior to the last dates permitted and identified in TCUP and attached **Schedule “C”** for the night market event.
- The event organizer is responsible for notifying the City and any related stakeholders (i.e., RCMP, VCH) if they decide to cancel the night market event during the term of this TCUP.

Operational Bond Requirements

- The event organizer is required to submit an acceptable cash security/bond for each season (2024, 2025 and 2026) in accordance with the provisions and submission dates identified in the TCUP.
- The cash security/bond is required to cover City and RCMP costs and expenses as a result of the night market event.
- The event organizer is required to pay for additional City and RCMP costs, in the event that costs exceed the amount submitted in the cash security/bond.

General Provisions

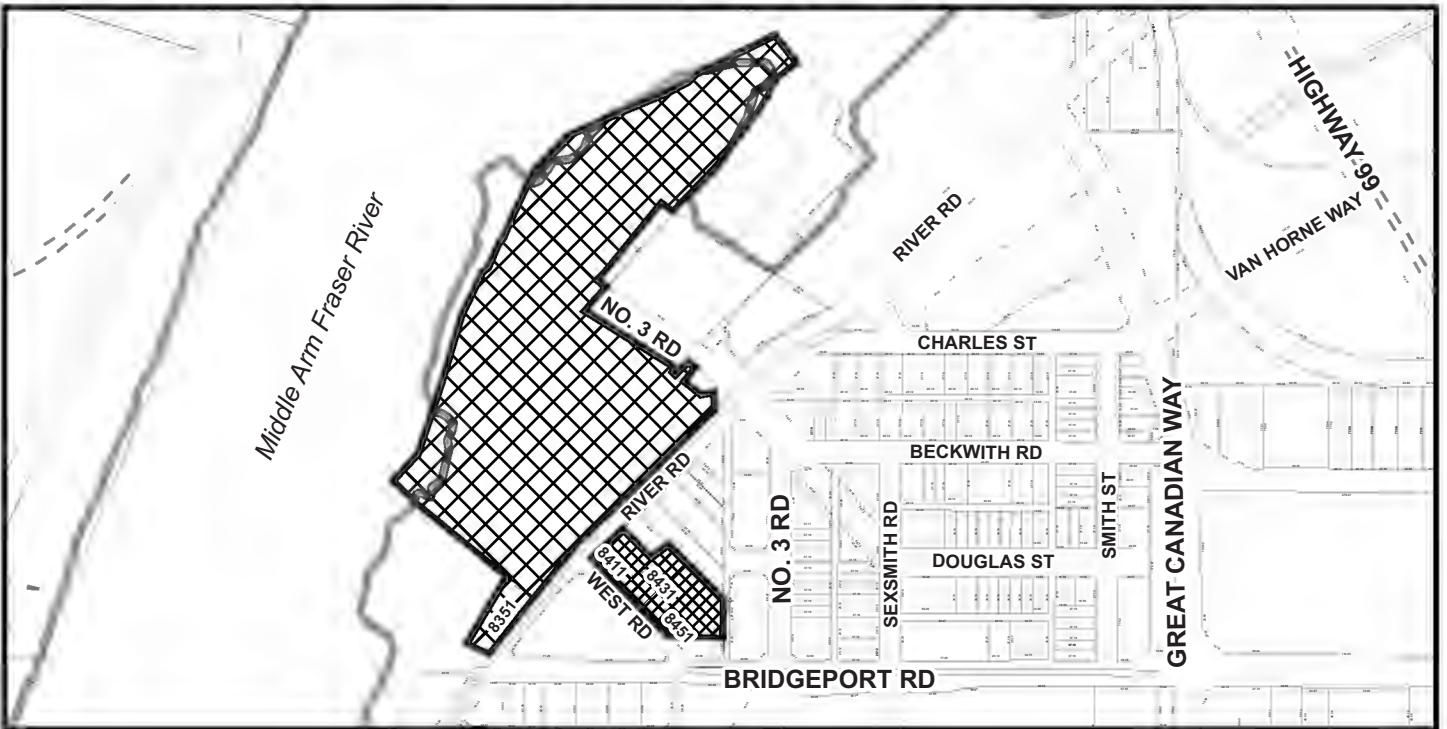
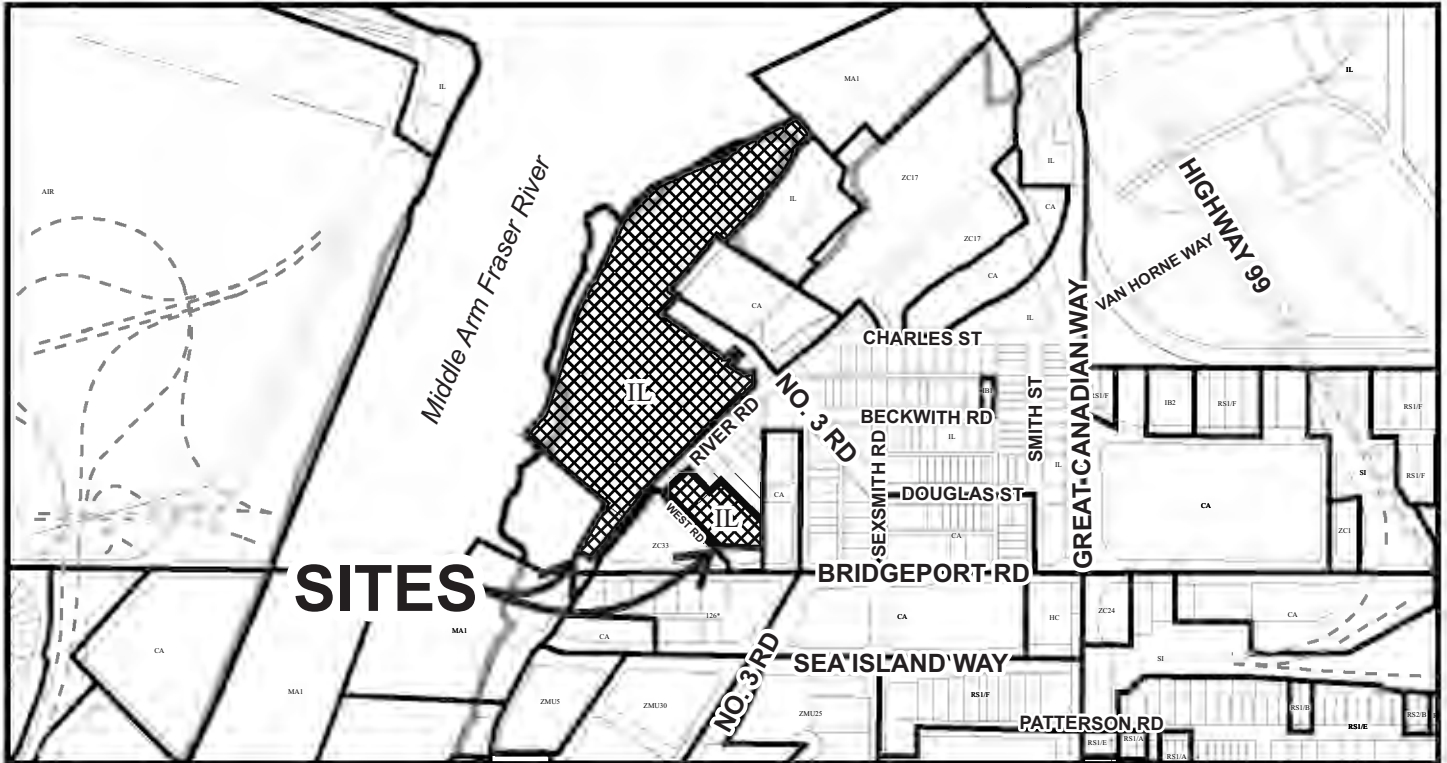
- The event organizer is responsible for providing to the City a copy of the “Certificate of Insurance” a minimum of 2 weeks prior to the opening day of the night market event on an annual basis. The “Certificate of Insurance” must include the following:
 - Minimum limit of \$5,000,000.00 coverage against third party bodily injury and property damage losses.
 - Cross liability clause.
 - The City of Richmond being listed as an additional insured party for liability.
 - Applicable dates of insurance coverage to ensure coverage is consistent with the night market event dates of operation.
- At the conclusion of each event operation day, any road modifications (i.e. temporary signage, barriers, cones, etc.) associated with the TMP must be removed and original road conditions restored to the satisfaction of the Transportation Division staff.
- Upon expiration of this permit or cessation of the permitted use, whichever is sooner, the following shall be completed:
 - The property described in **Schedule “B”** shall be restored to its original condition.
 - Adjacent roads shall be maintained and restored to a condition satisfactory to the City of Richmond.

Undertaking

- In consideration of the City of Richmond issuing the Temporary Commercial Use Permit, we the undersigned hereby agree to comply with all the provisions, requirements and terms and conditions identified in the Temporary Commercial Use Permit and attached Schedules.
- In consideration of the City of Richmond issuing the Temporary Commercial Use Permit, we the undersigned hereby agree to demolish or remove any temporary buildings, structures and signs; to restore the land described in **Schedule “B”**; and to maintain and restore adjacent roads, to a condition satisfactory to the City of Richmond upon the expiration of this Permit or cessation of the permitted use, whichever is sooner.

Date: _____

_____ Applicant Signatures



TU 23-033092

PLN - 36

Original Date: 12/12/23

Revision Date: 01/23/24

Note: Dimensions are in METRES

Regular Weekends:
 Fridays and Saturdays: 6pm - 12am
 Sundays: 7pm - 11pm

Long Weekends:
 Fridays: to Sundays: 6pm - 12am
 Mondays: 7pm - 11pm

Schedule "C"

Richmond Night Market 2024 Event Dates

		THU	FRI	SAT	SUN	MON	
April	Week 1		26	27	28		
	May	Week 2		3	4	5	
		Week 3		10	11	12	
		Week 4		17	18	19	20
		Week 5		24	25	26	
	June	Week 6		31-May	1	2	
		Week 7		7	8	9	
		Week 8		14	15	16	
		Week 9		21	22	23	
	July	Week 10		28-Jun	29-Jun	30-Jun	01-Jul
		Week 11		5	6	7	
		Week 12		12	13	14	
		Week 13		19	20	21	
		Week 14		26	27	28	
August	Week 15		2	3	4	5	
	Week 16		9	10	11		
	Week 17		16	17	18		
	Week 18		23	24	25		
	Week 19		30	31	01-Sep	02-Sep	
September	Week 20		6	7	8		
	Week 21		13	14	15		
	Week 22		20	21	22		
	Week 23		27	28	29	30-Sep	
October	Week 24		4	5	6		
	Week 25		11	12	13	14	
	Week 26		18	19	20		

Total: 84 Days

Regular Weekends:
 Fridays and Saturdays: 6pm - 12am
 Sundays: 7pm - 11pm

Long Weekends:
 Fridays: to Sundays: 6pm - 12am
 Mondays: 7pm - 11pm

Richmond Night Market 2025 Event Dates

		THU	FRI	SAT	SUN	MON	
April	Week 1		25	26	27		
	May	Week 2		2	3	4	
		Week 3		9	10	11	
		Week 4		16	17	18	19
		Week 5		23	24	25	
	June	Week 6		30-May	31-May	1	
		Week 7		6	7	8	
		Week 8		13	14	15	
		Week 9		20	21	22	
		Week 10		27	28	29	30
	July	Week 11		4	5	6	
		Week 12		11	12	13	
		Week 13		18	19	20	
		Week 14		25	26	27	
August	Week 15		1	2	3	4	
	Week 16		8	9	10		
	Week 17		15	16	17		
	Week 18		22	23	24		
	Week 19		29	30	31	01-Sep	
September	Week 20		5	6	7		
	Week 21		12	13	14		
	Week 22		19	20	21		
	Week 23		26	27	28		
October	Week 24		3	4	5		
	Week 25		10	11	12	13	
	Week 26		17	18	19		

Total: 83 Days

Regular Weekends:
 Fridays and Saturdays: 6pm - 12am
 Sundays: 7pm - 11pm

Long Weekends:
 Fridays to Sundays: 6pm - 12am
 Mondays: 7pm - 11pm

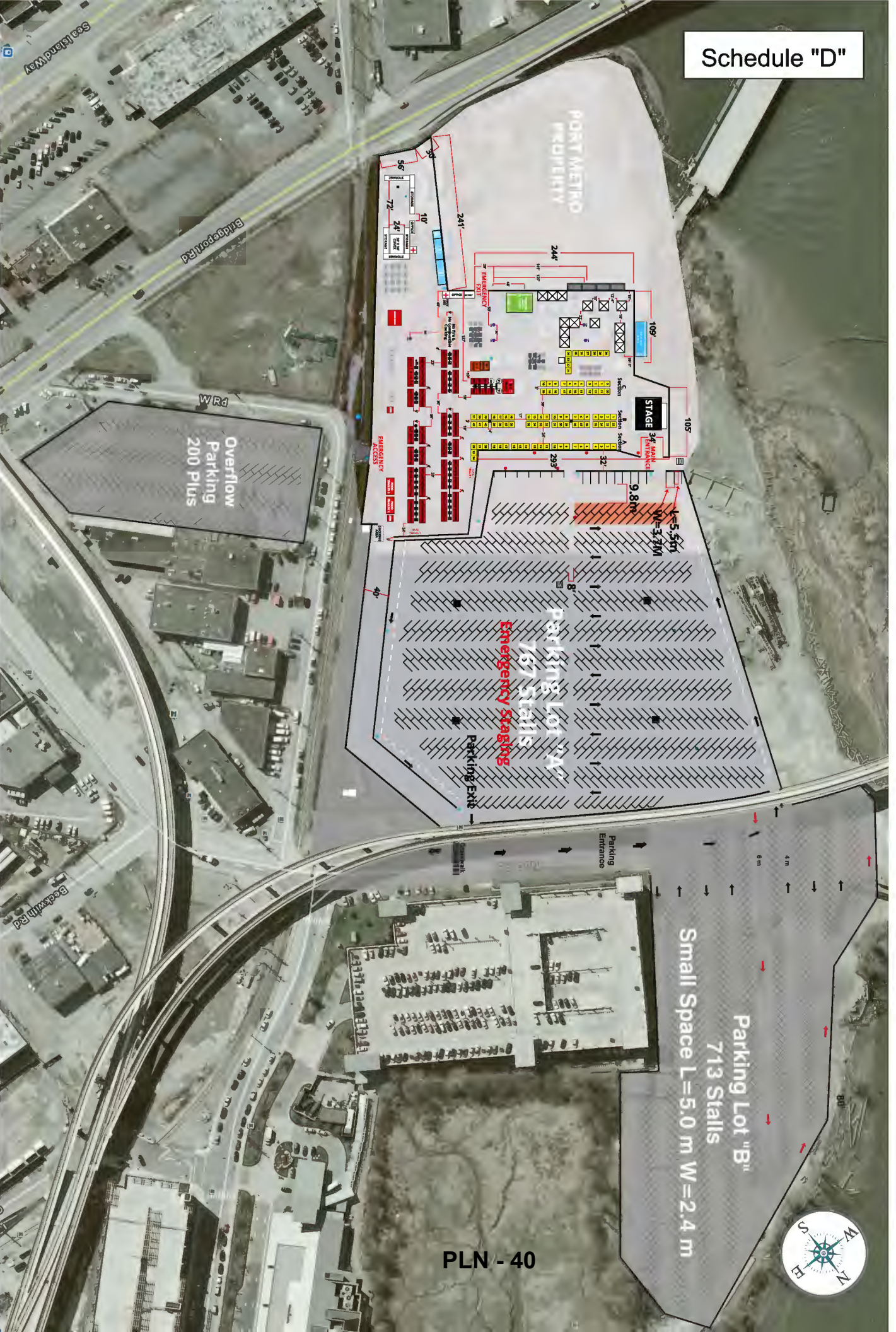
Richmond Night Market 2026 Event Dates

		FRI	SAT	SUN	MON	
	April	Week 1	Apr-24	Apr-25	Apr-26	
	May	Week 2	1	2	3	
		Week 3	8	9	10	
		Week 4	15	16	17	18
		Week 5	22	23	24	
		Week 6	29	30	31	
	June	Week 7	5	6	7	
		Week 8	12	13	14	
		Week 9	19	20	21	
		Week 10	26	27	28	
	July	Week 11	3	4	5	
		Week 12	10	11	12	
		Week 13	17	18	19	
		Week 14	24	25	26	
August	Week 15	31-Jul	1	2	3	
	Week 16	7	8	9		
	Week 17	14	15	16		
	Week 18	21	22	23		
	Week 19	28	29	30		
	September	Week 20	4	5	6	7
		Week 21	11	12	13	
		Week 22	18	19	20	
		Week 23	25	26	27	
October	Week 24	2	3	4		
	Week 25	9	10	11	12	
	Week 26	16	17	18		

Total: 82 Days

2024 RICHMOND NIGHT MARKET OVERALL SITEPLAN

Schedule "D"





Richmond Fire-Rescue

General Fire Safety Requirements for Stationary Food Vendors, Merchants, and Mobile Food Trucks

All food vendors must meet requirements defined in NFPA 96 standards, which include preventive and operative fire safety measures.

This is not a complete list. **Non-Food merchants** shall meet the applicable requirements, **specifically #17** on this list.

1. All commercial cooking units (deep fryers, grills, etc.) in trailers or trucks shall have an automatic suppression system (meeting ULC300) and at least one portable Class K wet chemical fire extinguisher.
2. All commercial deep fryers (no matter where they are located) are required to have a portable Class K wet chemical extinguisher.
3. All mobile vendors and tent vendors shall provide for their own use at least one portable multi-purpose extinguisher (minimum 10 pound 4A-60B:C rated). Fire Extinguishers must be **visible, accessible**, and may not sit on the ground.
4. All commercial cooking units, other than approved self-contained units, require non-combustible hoods, filters, or trays for containing grease laden vapours—must have been cleaned and tagged by a certified Applied Science Technologist Technician (ASTT) or company within the past 6 months.
5. All Vendors, Mobile Food Trucks and Trailers must have **Gas decal from Technical Safety BC, or equivalent approved gas certification decal (e.g. QAI, Intertek, or any other compliance mark with the Standards Council of Canada)**.
6. All Vendors, Mobile Food Trucks and Trailers must have **Electrical decal from an approved electrical systems certification agency (e.g. CSA, QAI, Intertek, or any other compliance mark with the Standards Council of Canada)**.
7. All **appliances** are required to have appropriate certification and/or listing (e.g. **CSA, ULC, any SCC listing**).
8. All tents and awnings with any heat sources and/or cooking units underneath must be fire treated and labelled to meet NFPA 701, or NFPA 705 (regardless of clearances - **no** exceptions).
9. All commercial cooking exhaust hoods must have required filters and trays installed at all times (mesh filters are not permitted). Tagged by a certified ASST within the past 6 months.
10. All extinguishers and automatic suppression systems must have current service completed by an ASTT, complete with stamped service tag.
11. Upon activation of an automatic fire-suppression system, an audible alarm bell shall be provided to indicate the system has been activated.
12. Standalone stove or burners and self-contained cooking appliances shall be supported on an approved base or non-combustible surface and kept away from combustibles (do not place directly on the ground). Only non-collapsible, non-combustible tables are permitted for cooking.
13. Propane cylinders and tanks shall be secured to a permanent surface to prevent tipping and located away from cooking and heat devices as per all applicable Gas Codes and Standards.
14. No unattached propane tanks (spare or those considered empty) are to be in the cooking area.
15. Temporary electrical power, and any electrical connections to vendors must be proper thickness, size and capacity (gauge), properly certified (e.g. CSA, ULC), rated for outdoor use, protected from weather and vehicle traffic, and restricted from public access—do not use damaged power cords. **No household extension cords.**
16. Generators must be certified (e.g. CSA, ULC), and may require a noise cover or acceptable non-combustible housing. Combustible items may not be placed on generators in contact with hot surfaces (e.g. tarps, blankets).
17. Means of Egress (EXIT) is required, shall remain unobstructed, and must be maintained for all stationary vendors. EXIT corridors shall be 1100 mm (44") in width, OR, Exit doorway/opening of at least 800 mm (30") in width.

For further information or questions, contact Richmond Fire-Rescue at 604-278-5131, Monday to Friday, 08:15 - 17:00 Hours

Information contained herein is subject to change without notice.



To: Planning Committee **Date:** February 5, 2024
From: Suzanne Smith **File:** RZ 22-021110
 Acting Director, Development
Re: **Application by Lung Designs Ltd. for Rezoning at 7560 Ash Street from “Single Detached (RS1/F)” Zone to “Single Detached (RS2/E)” Zone and “Single Detached - South McLennan (City Centre) (ZS14)” Zone**

Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10526, for the rezoning of 7560 Ash Street from the “Single Detached (RS1/F)” zone to the “Single Detached (RS2/E)” zone and the “Single Detached - South McLennan (City Centre) (ZS14)” zone, to facilitate a two lot subdivision be introduced and given first, second and third reading; and
2. The Richmond Zoning Bylaw 8500, Amendment Bylaw 10491 be abandoned.

Suzanne Smith
 Acting Director, Development
 (604-276-4138)

SS:le
 Att. 5

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	 <hr style="border: 0; border-top: 1px solid black;"/>

Staff Report

Origin

Danny Lung of Lung Designs Ltd. has applied on behalf of the owners, Frederico Collaco and Nancy Collaco, to the City of Richmond for permission to rezone 7560 Ash Street from the “Single Detached (RS1/F)” zone to the “Single Detached (RS2/E)” zone and the “Single Detached - South McLennan (City Centre) (ZS14)” zone, to allow the property to be subdivided into two single-family lots (Attachment 1).

Vehicle access to the existing house on the west lot (Lot 1) is proposed from Ash Street. Vehicle access to the eastern lot (Lot 2) is proposed from a new extension of Armstrong Street. The site is currently occupied by an existing single-family dwelling on the western portion of the lot, which will remain on proposed Lot 1. The proposed subdivision plan is in Attachment 2.

The application was previously presented to Planning Committee on September 13, 2023 with a proposal to rezone the entire property to RS2/E with subdivision into two single-family lots. The application, including Bylaw 10491, was subsequently granted first reading on September 25, 2023. At the October 16, 2023 Public Hearing, the applicant requested that the application be referred back to staff as they wanted to rezone the proposed eastern lot to the ZS14 instead. Staff recommend that the original bylaw, Bylaw 10491, be abandoned as it is no longer required.

The application was revised and presented to Planning Committee on January 9, 2024 on the basis that the applicant had agreed to retain the existing single-family dwelling on the western portion of the site (proposed Lot 1) and to construct a new single detached house with a secondary suite on the eastern portion of the site (proposed Lot 2). The applicant had signed rezoning considerations to agree to provide a larger two-bedroom suite on proposed Lot 2, and a one-bedroom suite to be constructed on Lot 1 at the time that a new home is built on Lot 1. At the meeting, a delegate requested to amend the agreed-upon rezoning considerations to provide the larger secondary suite in a future home to be constructed on Lot 1 and provide a one-bedroom suite on Lot 2. Following the discussion, Committee passed a motion to refer the application back to staff for further review. This report responds to that referral.

Findings of Fact

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

Subject Site Existing Housing Profile

The existing single detached house is currently owner-occupied and does not contain a secondary suite.

Surrounding Development

Development immediately surrounding the site is as follows:

To the North: Two single-family lots zoned “Single Detached (RS2/E)” one lot fronts onto Ash Street while the other lot fronts onto Armstrong Street which were rezoned and subdivided (RZ 09-500671 and SD 09-500672).

To the South: Two single-family lots, one zoned “Single Detached (RS2/E)” fronting onto Ash Street and one zoned “Single Detached (ZS14) – South McLennan (City Centre)” fronting onto Armstrong Street, which were rezoned and subdivided (RZ 16-732500 and SD 16-732501).

To the East: Across Armstrong Street, a single-family dwelling zoned “Single Detached (ZS14) – South McLennan (City Centre)” fronting onto Breden Avenue.

To the West: Across Ash Street, the City-owned Paulik Park.

Related Policies & Studies

Official Community Plan/City Centre Area Plan

The Official Community Plan (OCP) land use designation for the subject property is “Neighbourhood Residential” (NRES). The City Centre Area – McLennan South Sub-Area Plan land use designation for the subject property is “Residential, Historic Single Family” (Attachment 4). The Plan identifies minimum lot sizes along Ash Street (minimum 18 m [59 ft.] frontage and 550 m² [5,920 ft²] area) and along Armstrong Street (minimum 11.3 m [37 ft.] frontage and 320 m² [3,444 ft²] area).

The proposed lot along Ash Street (Lot 1) will be approximately 19.2 m (63 ft.) wide and 1,031.2 m² (11,099.7 ft²) in area. The proposed lot along Armstrong Street will be approximately 19.2 m (63 ft.) wide and 566.9 m² (6,102.1 ft²) in area. The proposed rezoning and subdivision would comply with these designations and lot configuration requirements.

Floodplain Management Implementation Strategy

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

Public Consultation

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the properties.

The Province has granted Royal Assent to Bill 44, *Housing Statutes (Residential Development) Amendment Act, 2023*. Bill 44 prohibits a Local Government from holding a Public Hearing on a residential rezoning bylaw that is consistent with the OCP. The proposed rezoning meets the conditions established in Bill 44 and is consistent with the OCP. As a result, City Council may not hold a Public Hearing on the proposed rezoning.

Analysis

Proposed Rezoning and Subdivision

The applicant is proposing to rezone the subject site and subdivide into two single-family lots, to retain the existing single-family dwelling on the western portion of the site (proposed Lot 1) and to construct a new single detached house with a secondary suite on the eastern portion of the site (proposed Lot 2). In changing the rezoning of Lot 2 to ZS14 zone, the applicant can take advantage of additional floor area exclusions permitted under the site-specific zone for the new single-family house.

The applicant has provided a review by a qualified professional confirming that the existing dwelling meets all of the requirements of the proposed RS2/E zone upon rezoning and subdivision. There is an existing unauthorized carport in the front yard of proposed Lot 1, which the applicant must remove prior to final adoption of the rezoning bylaw.

This development proposal is consistent with the redevelopment along this block of Ash Street, including the adjacent properties, 7540 Ash Street to the north (RZ 09-500671) and 7580 Ash Street to the south (RZ 16-732500).

Transportation and Site Access

Vehicle access to the western lot (Lot 1) is proposed to be from Ash Street and vehicle access to the eastern lot (Lot 2) is proposed to be from Armstrong Street.

Tree Retention and Replacement

There are no bylaw-sized trees on the subject property or on adjacent City property. Any existing bylaw-sized trees on neighbouring properties are to be retained and protected. The applicant has agreed to plant a minimum of two trees in the front yard and two trees in the back yard of each of the proposed lots (for a total of eight trees). The proposed trees are to meet the minimum size requirements of a minimum 8 cm deciduous caliper or 4 m high conifers.

The current landscaping on proposed Lot 1 does not meet the proposed zone's requirements for live landscaping. To ensure that the future landscaping on Lot 1 meets the City's Zoning Bylaw requirements, the applicant must:

- 1) Submit a Landscape Plan for the subject site that includes: the proposed landscaping on Lot 1 and the eight trees to be planted on the subject site, an associated cost estimate and deposit of a Landscaping Security based on 100 per cent of the cost estimate (including hard and soft landscaping, installation costs and a 10 per cent contingency) and;
- 2) Enter into a legal agreement with the City that sets the terms for use and release of the Landscaping Security (e.g. the release of 90 per cent of the security after landscape inspection and the release of the remaining 10 per cent of the security after a one-year maintenance period).

Affordable Housing Strategy

The City's Affordable Housing Strategy for single-family rezoning applications requires a secondary suite or coach house on 100 per cent of new lots created through single-family

rezoning and subdivision applications; a secondary suite or coach house on 50 per cent of new lots created and a cash-in-lieu contribution towards the City's Affordable Housing Reserve Fund based on the total buildable area of the remaining lots; or a cash-in-lieu contribution based on the total buildable area of all lots where a secondary suite cannot be accommodated in the development.

Prior to the January 9, 2024 Planning Committee meeting, the applicant had agreed to provide a larger two-bedroom suite on proposed Lot 2, and a one-bedroom suite on Lot 1 at the time the existing home is demolished and a new home built. At the meeting, a delegate requested to amend the rezoning considerations to provide the two-bedroom suite on Lot 1 and provide a one-bedroom suite on Lot 2. As a result of the discussion, Planning Committee passed a motion to refer the application back to staff for further review.

Staff have since met with the applicant to discuss the arrangement of secondary suites in the development proposal. Staff encouraged the applicant to construct the larger two-bedroom suite on proposed Lot 2 as the timing of construction of a new home on Lot 1 is unknown. Staff had also encouraged the applicant to consider renovating the existing home on Lot 1 to include the two-bedroom suite.

The applicant has informed staff that the owner of the existing home does not wish to undertake any renovations at this time as the dwelling is occupied by the owners. The applicant has requested instead to commit that any future single detached home on Lot 1 will contain a two-bedroom suite and a legal agreement will be registered on Title to that effect.

Accordingly, the applicant has agreed to the following conditions:

- the registration of a legal agreement on Title that stipulates that no final Building Permit inspection for any future dwelling unit on Lot 1 will be granted unless it includes a two-bedroom secondary suite, being a minimum 65 m² [700 ft²]; registration of this legal agreement is required prior to final adoption of the rezoning bylaw; and
- the registration of a legal agreement on Title, stating that no final Building Permit inspection for Lot 2 will be granted until a minimum one-bedroom 37 m² [400 ft²] secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and Richmond Zoning Bylaw 8500; registration of this legal agreement is required prior to final adoption of the rezoning bylaw.

These conditions will ensure the objectives of the Affordable Housing Strategy are upheld.

Site Servicing and Frontage Improvements

Prior to final adoption of the rezoning bylaw, the developer is required to provide a 9.0 m wide road dedication along the entire east property line of the subject property for the widening of Armstrong Street. Prior to the road dedication, the owner is required to demolish the existing carport located on the rear of the subject property which is partially located within the required road dedication area,

At Subdivision stage, the developer is required to enter into a Servicing Agreement for the design and construction of engineering infrastructure and frontage improvements, as described in Attachment 5.

Frontage improvements include, but are not limited to, the following:

- Install a new storm service connection, complete with inspection chambers near the Armstrong Street frontage to service proposed Lot 2.
- Armstrong Street: pavement widening, new 1.5 m wide concrete sidewalk at the new property line, 1.5 m wide treed/grassed boulevard and 0.15 m wide curb and gutter.
- Ash Street: pavement widening, new 1.75 m wide concrete sidewalk at the property line, 3.1 m wide treed/grassed boulevard and 0.15 m wide curb and gutter.

Also at subdivision stage, the developer is required to pay Property Taxes, Development Cost Charges, School Site Acquisition Charge, Address Assignment Fees and the costs associated with the completion of the design and construction of engineering infrastructure and frontage improvements as described in Attachment 5.

Financial Impact or Economic Impact

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

Conclusion

The purpose of this rezoning application is to rezone the property at 7560 Ash Street from the "Single Detached (RS1/F)" zone to the "Single Detached (RS2/E)" zone and the "Single Detached - South McLennan (City Centre) (ZS14)" zone to permit the property to be subdivided into two single-family lots, one lot zoned RS2/E fronting Ash Street, and one lot zoned ZS14 fronting Armstrong Street.

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

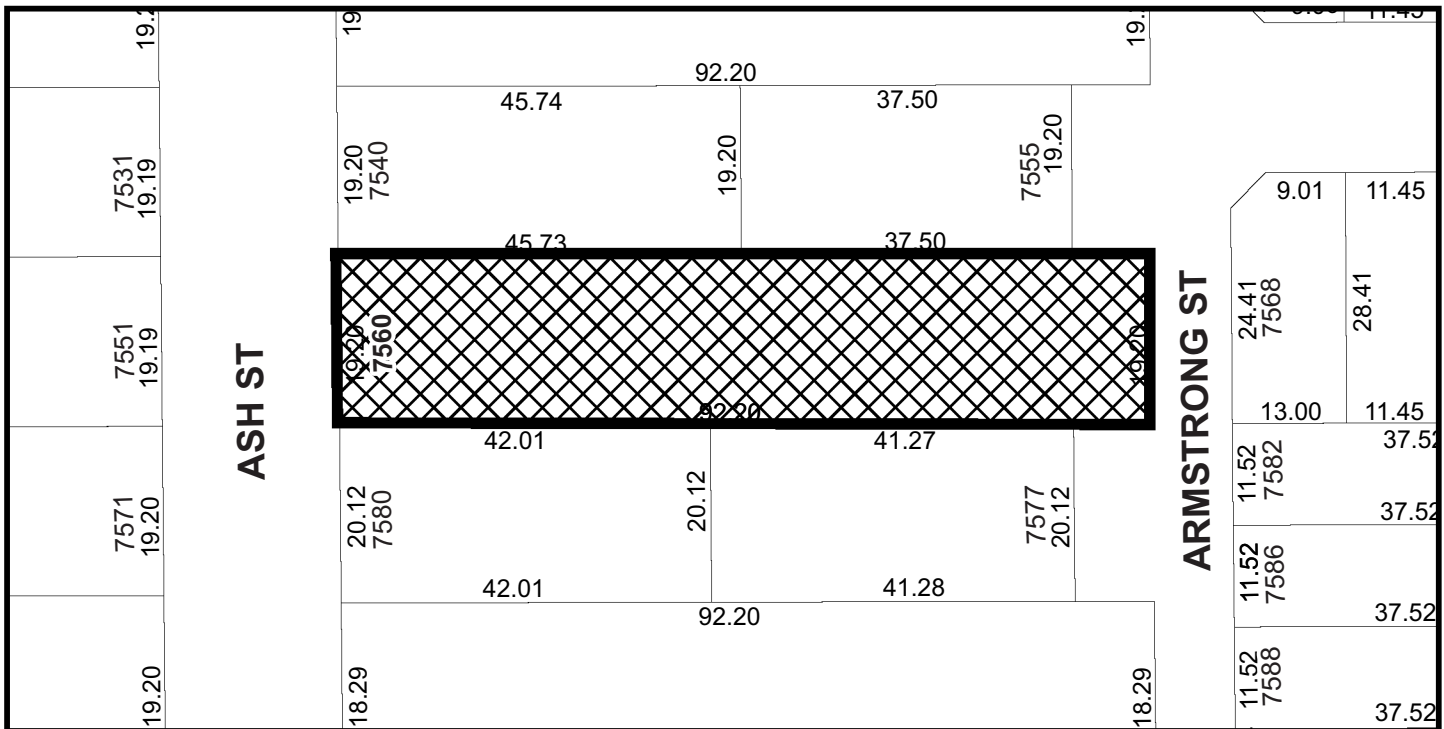
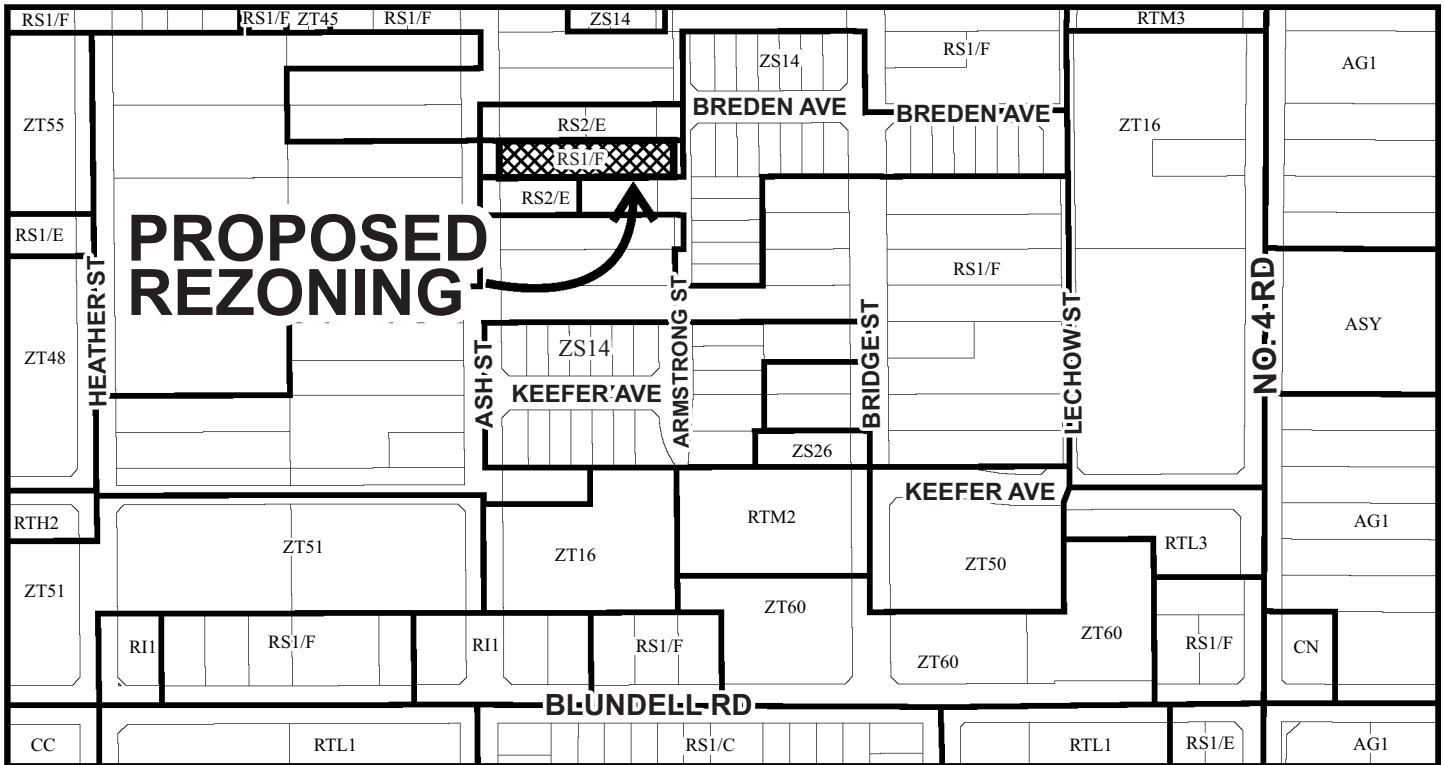
The list of rezoning considerations is included in Attachment 5, which has been agreed to by the applicant (signed concurrence on file). It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10526 be introduced and given first, second and third reading.



Laurel Eyton
Planning Technician
(604-276-4262)

LE:js

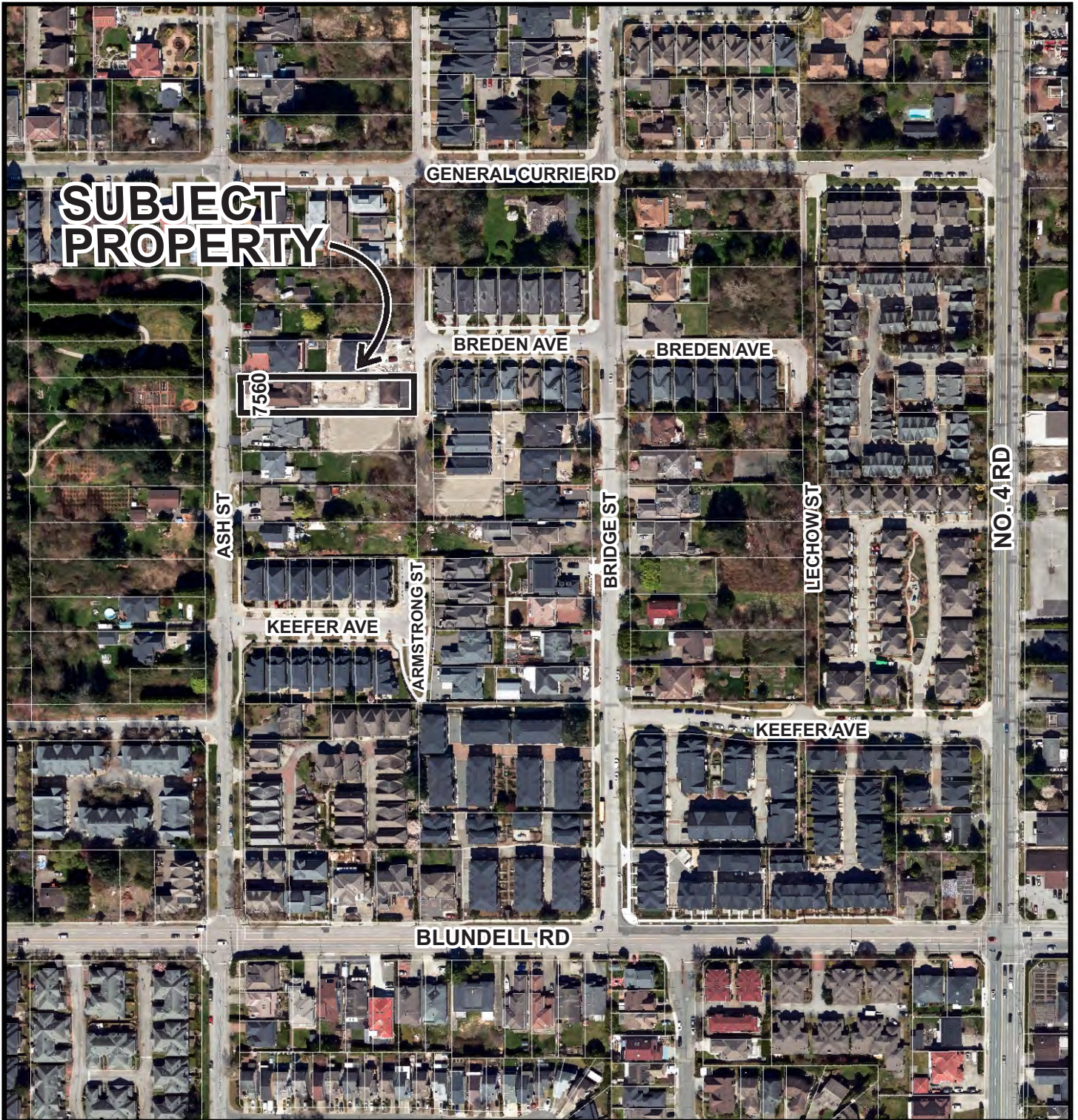
- Att. 1: Location Map
2: Subdivision Plan
3: Development Application Data Sheet
4: South McLennan Sub Area Plan
5: Rezoning Considerations



	<h1>RZ 22-021110</h1>	<p>Original Date: 09/22/22</p>
	<p>PLN - 48</p>	<p>Revision Date:</p>
		<p>Note: Dimensions are in METRES</p>



City of
Richmond



RZ 22-021110

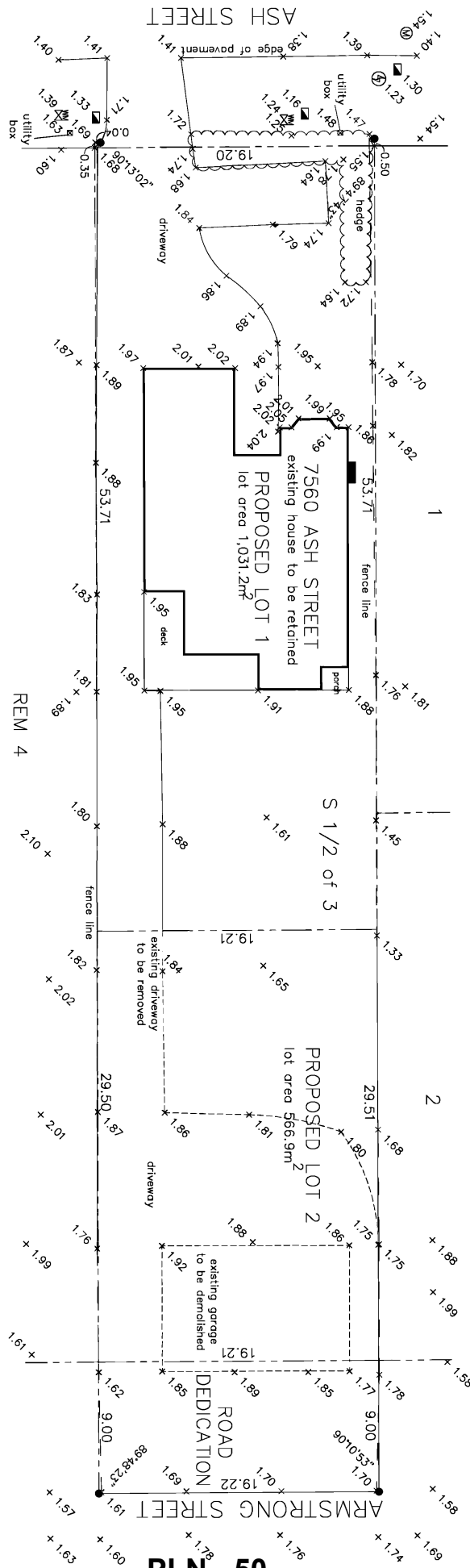
PLN - 49

Original Date: 09/22/22

Revision Date:

Note: Dimensions are in METRES

Attachment 2



PLN - 50



Lung Designs Group Ltd. building design & interior
 288 - 2833 Viking Way, Richmond, B.C. V6V 3B6 Tel: 604-278-7482 E-MAIL: LDGLTD@TELUS.NET



Station	Description	Date	By

I certify that the information contained in this plan is true and correct to the best of my knowledge and belief, and that I am a duly qualified professional engineer in the Province of British Columbia. I am responsible for all conditions shown on this plan and I will accept full liability for any and all consequences or damages arising from the use of this plan. I am not responsible for any conditions or damages arising from the use of this plan.

Project For:
REZONING AND SUBDIVISION FOR THE COLLACO RESIDENCE
 7560 ASH STREET
 RICHMOND, B.C.

Drawn By:
SUBDIVISION PLAN

Date: AUGUST 2023	SP
Drawn By: [Signature]	2
Scale: 1/4" = 1'-0"	# 2
Job No: 200802	



RZ 22-021110

Attachment 3

Address: 7560 Ash Street

Applicant: Lung Designs Ltd. (Danny Lung)

Planning Area(s): City Centre – McLennan South

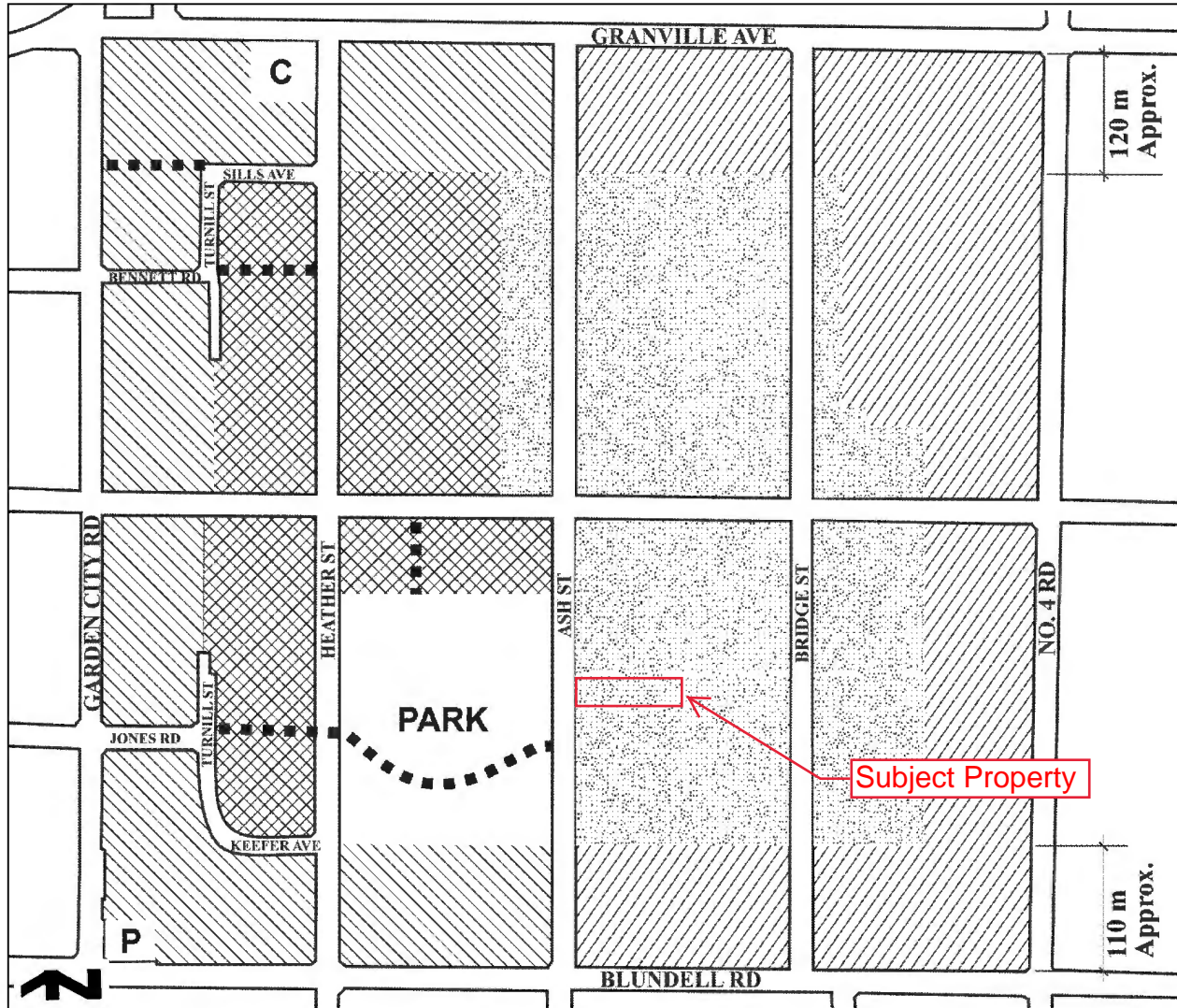
	Existing	Proposed
Owner:	Frederico and Nancy Collaco	Lot 1: No change Lot 2: To be determined
Site Size (m²):	1771.00 m ²	Lot 1: 1031.2 m ² Lot 2: 566.9 m ²
Land Uses:	Single-family residential	No change
OCP Designation:	Neighbourhood Residential	No change
Area Plan Designation:	Single Family	No change
Zoning:	Single Detached (RS1/F)	Lot 1: Single Detached (RS2/E) Lot 2: Single Detached – South McLennan (City Centre) (ZS14)
Number of Units:	One existing Single Family Dwelling	2 Single Family Dwellings

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	none permitted
Buildable Floor Area (m ²):*	Lot 1: Max. 425.5 m ² (4580.0 ft ²) Lot 2: Max. 286.2 m ² (3080.6 ft ²)	Lot 1: Existing House 412.7 m ² (4442 ft ²) Lot 2: Max. 286.2 m ² (3080.6 ft ²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70% Lot 1: Live Landscaping Min. 30% Lot 2: Live Landscaping Min. 25%	Building: Max. 45% Non-porous Surfaces: Max. 70% Lot 1 Live Landscaping: Min. 30% Lot 2 Live Landscaping: Min. 25%	none
Lot Size:	Lot 1: Min. 550 m ² Lot 2: Min. 320 m ²	Lot 1: 1031.2 m ² Lot 2: 566.9 m ²	none
Lot Dimensions (m):	Lot 1 Width: Min. 18.0 m Lot 1 Depth: Min. 24.0 m Lot 2 Width: Min. 11.3 m Lot 2 Depth: Min. 24.0 m	Lot 1 Width: 19.2 m Lot 1 Depth: 53.7 m Lot 2 Width: 19.2 m Lot 2 Depth: 29.5 m	none

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Setbacks (m):	Lot 1 Front: Min. 6.0 m Lot 1 Rear: Min. 8.32 m (1 st storey) /10.40m (2 nd storey) Lot 1 Side: Min. 1.8 m Lot 2 Front: Min. 6.0 m Lot 2 Rear: Min. 6.0 m Lot 2 Side: Min. 1.2 m	Lot 1 Front: 15.13 m Lot 1 Rear: 16.47 m Lot 1 Side : 1.81 m (north); 3.30m (south) Lot 2 Front: 6.04 m Lot 2 Rear: 6.09 m Lot 2 Side : 1.89 m (north); 1.86 m (south)	none
Height (m):	Max. 2 ½ storeys	Max. 2 ½ storeys	none

* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.

Land Use Map Bylaw 9106
2015/09/14



<p>Residential, Townhouse up to 3 storeys over 1 parking level, Triplex, Duplex, Single-Family 0.75 base F.A.R.</p>	<p>Residential, Historic Single-Family, 2 ½ storeys maximum 0.55 base F.A.R., Lot size along Bridge and Ash Streets:</p> <ul style="list-style-type: none"> • Large-sized lots (e.g. 18 m/59 ft. min. frontage and 550 m²/ 5,920 ft² min. area) <p>Elsewhere:</p> <ul style="list-style-type: none"> • Medium-sized lots (e.g. 11.3 m/ 37 ft. min. frontage and 320 m²/ 3,444 ft² min. area), with access from new roads and General Currie Road; <p>Provided that the corner lot shall be considered to front the shorter of its two boundaries regardless of the orientation of the dwelling.</p>	<p>■ ■ ■ ■ Trail/Walkway</p> <p>C Church</p> <p>P Neighbourhood Pub</p>
<p>Residential, 2 ½ storeys typical (3 storeys maximum) Townhouse, Triplex, Duplex, Single-Family 0.60 base F.A.R.</p>		
<p>Residential, 2 ½ storeys typical (3 storeys maximum), predominantly Triplex, Duplex, Single-Family 0.55 base F.A.R.</p>		

Note: Sills Avenue, Le Chow Street, Keffer Avenue, and Turnill Street are commonly referred to as the “ring road”.



Address: 7560 Ash Street

File No.: RZ 22-021110

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10526, the developer is required to complete the following:

1. Removal of unauthorized structure (carport) on proposed Lot 1.
2. Demolition of the existing garage.
3. Road dedication along the entire east property line measuring 9.0 m wide for the extension of Armstrong Street.
4. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect (including hard and soft landscaping, installation costs, and a 10% contingency). The Landscape Plan should:
 - comply with the requirements of the zone(s) regarding lot coverage, non-porous surfaces, and live landscaping percentages.
 - include the required four trees to be planted and maintained on each proposed lot (for a total of eight trees); minimum 8 cm caliper deciduous and 4 m high conifers. A minimum security of \$6,000.00 (\$750/tree) for these new trees must be included in the Landscape Cost Estimate. **NOTE: minimum size to be as per Tree Protection Bylaw No. 8057 Schedule A – 3.0 Replacement Trees.**
5. Registration of a flood indemnity covenant on title.
6. Registration of a legal agreement on Title to ensure that no final Building Permit inspection for a new dwelling unit on proposed Lot 1 is granted until a minimum 65 m² (700 ft²) two-bedroom secondary suite is constructed on Lot 1, and that no final Building Permit inspection for a new dwelling unit on Lot 2 is granted until a minimum one-bedroom 37 m² (400 ft²) secondary suite is constructed on Lot 2, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. The legal agreements will need to be modified at the time of subdivision to ensure that each subdivided lot has the correct legal agreement attached.
7. Payment of all fees in full for the cost associated with required public notices, consistent with the City's Consolidated Fees Bylaw No 8636, as amended.

Prior to a Demolition Permit* Issuance, the developer is required to:

1. Installation of tree protection fencing around all trees on neighbouring properties to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and must remain in place until construction and landscaping on-site is completed.

At Subdivision* stage, the developer must complete the following requirements:

1. Payment of the current year's property taxes, Development Cost Charges, School Site Acquisition Charge, Address Assignment Fees, and the costs associated with the completion of the design and construction of engineering infrastructure and frontage improvements.
2. Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. A Letter of Credit or cash security for the value of the Service Agreement works, as determined by the City, will be required as part of entering into the Servicing Agreement. Works include, but may not be limited to:

a) *Water Works:*

Using the OCP Model, there is 400 L/s of water available at a 20 psi residual at the Ash Street frontage and 210 L/s of water available at a 20 psi residual along the Armstrong Street frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.

PLN - 54

Initial: _____

At Developer's cost, the Developer is required to:

- b) Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage building designs.
- c) Inspect and retain existing water service connection near the Ash Street Frontage if in good condition to service proposed Lot 1. If damaged or no longer suitable for further use replace the water service connection via the Servicing Agreement.
- d) Install a new water service connections complete with water meters per City standards near the Armstrong Street frontage to service proposed Lot 2.
- e) Provide a right-of-way for the water meter. Minimum right-of-way dimensions to be the size of the meter box (from the City of Richmond supplementary specifications) + any appurtenances (for example, the bypass on W2o-SD) + 0.5 m on all sides. Exact right-of-way dimensions to be finalized during the building permit process (or via the servicing agreement process, if one is required).

At Developer's cost, the City will:

- f) Complete all tie-ins for the proposed works to existing City infrastructure.

Storm Sewer Works:

At Developer's cost, the Developer is required to:

- g) Provide an erosion and sediment control plan for all on-site and off-site works, to be reviewed as part of the servicing agreement design.
- h) Inspect and retain existing storm service connections near the Ash Street Frontage if in good condition to service proposed Lot 1. If damaged or no longer suitable for further use replace the storm service connections via the Servicing Agreement.
- i) Install a new storm service connections complete with inspection chambers near the Armstrong Street frontage to service proposed Lot 2.

At Developer's cost, the City will:

- i) Complete all tie-ins for the proposed works to existing City infrastructure.

Sanitary Sewer Works:

At Developer's cost, the Developer is required to:

- j) Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
- k) Inspect and retain existing sanitary service connection near the Ash Street Frontage if in good condition to service proposed Lot 1. If damaged or no longer suitable for further use replace the sanitary service connection via the Servicing Agreement.
- l) Install a new sanitary service connections complete with inspection chambers near the Armstrong Street frontage to service proposed Lot 2.

At Developer's cost, the City will:

- m) Complete all tie-ins for the proposed works to existing City infrastructure.

Street Lighting:

At Developer's cost, the Developer is required to:

- n) Review street lighting levels along all road and lane frontages, and upgrade as required.
- o) Replace the Hydro lease light on Ash Street with a new City street light, and provide street lighting conduit along the development frontage.

Frontage Improvements

At Developer's cost, the Developer is required to:

- p) Complete other frontage improvements as per Transportation requirements, e.g.:

- (1) Armstrong Street: pavement widening, new 1.5 m wide concrete sidewalk at the new property line, 1.5 m wide treed/grassed boulevard and 0.15 m wide curb and gutter. The road widening is to include +/- 6.35 m wide new pavement to meet the existing edge of pavement.
- (2) Ash Street: road widening to meet existing pavement for a total width of 8.5m, new 1.75 m wide concrete sidewalk at the property line, 3.1 m wide treed/grassed boulevard and 0.15 m wide curb and gutter.
- (3) Not encroach into City rights-of-ways with any proposed trees, retaining walls, or other non-removable structures. Retaining walls proposed to encroach into rights-of-ways must be reviewed by the City's Engineering Department.

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

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

Note:

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

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

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

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

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 10526 (RZ 22-021110)
7560 Ash Street

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

- 1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "SINGLE DETACHED (RS2/E)":

That area shown cross-hatched and as indicated as "A" on "Schedule A attached to and forming part of Bylaw No. 10526"

- 2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "SINGLE DETACHED - SOUTH MCLENNAN (CITY CENTRE) (ZS14)":

That area shown cross-hatched and as indicated as "B" on "Schedule A attached to and forming part of Bylaw No. 10526"

- 3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10526".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Horizontal lines for signature and date entry.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

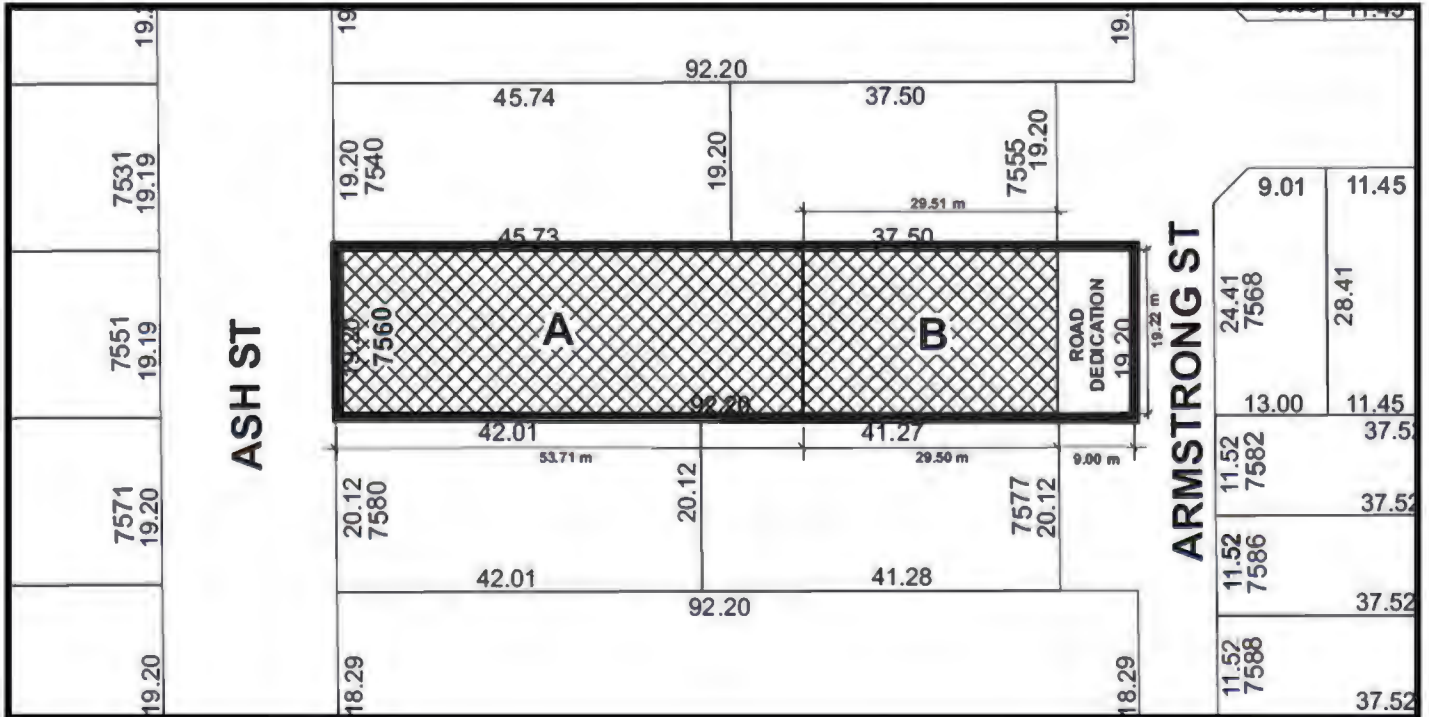
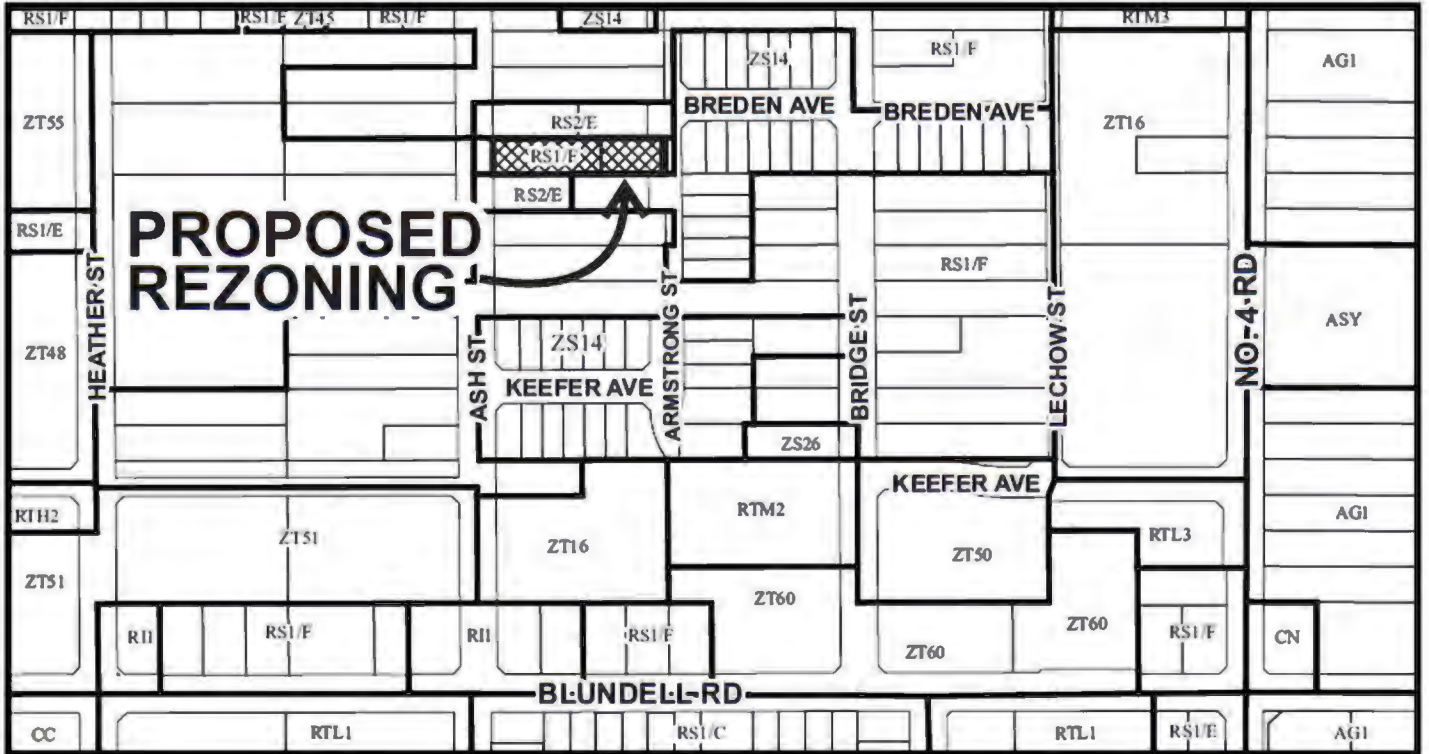
MAYOR

CORPORATE OFFICER



City of Richmond

“Schedule A attached to and forming part of Bylaw No. 10526”



	<h2>RZ 22-021110</h2>	Original Date: 09/22/22
		Revision Date: 12/14/23
		Note: Dimensions are in METRES



To: Planning Committee **Date:** January 29, 2024
From: Suzanne Smith **File:** AG 22-011619
 Acting Director, Development RZ 22-011635
Re: **Application by Lucas Hogler for an Agricultural Land Reserve Non-Adhering Residential Use and Rezoning of a portion of 12900 Steveston Highway & 11311 Rice Mill Road from “Agriculture (AG1)” to “Agriculture (AG3)”**

Staff Recommendation

1. That the application by Lucas Hogler for an Agricultural Land Reserve Non-Adhering Residential Use to allow seasonal farm labour accommodation at 12900 Steveston Highway & 11311 Rice Mill Road be forwarded to the Agricultural Land Commission; and
2. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10533, for the rezoning of a portion of 12900 Steveston Highway & 11311 Rice Mill Road from “Agriculture (AG1)” to “Agriculture (AG3)”, and a zoning text amendment to the “Agriculture (AG3)” zone in order to permit more than one seasonal farm labour accommodation located on a lot without an existing single detached housing, be introduced and given first reading.

Suzanne Smith
Acting Director, Development

WC:sds
Att. 6

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

Staff Report

Origin

Lucas Hogler, on behalf of Harry Hogler (Richmond Country Farms) has submitted an Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) application (AG 22-011619) and a rezoning application (RZ 22-011635) from the “Agriculture (AG1)” zone to the “Agriculture (AG3)” zone to allow the existing seasonal farm labour accommodation on a portion of 12900 Steveston Highway & 11311 Rice Mill Road. A location map and aerial photograph are provided in Attachment 1. The subject site is currently occupied by a single-family dwelling (on 12900 Steveston Highway), an active farm operation and associated farm buildings, roadside stand, farm-based winery, and seasonal farm labour accommodation.

Background

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

The proposal also involves a site-specific zoning text amendment to the “Agriculture (AG3)” zone in order to permit more than one seasonal farm labour accommodation located on a lot without an existing single detached housing, in order to accommodate the existing condition on this site only.

Findings of Fact

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

Surrounding Development

To the North: Across Steveston Highway, properties zoned “Agriculture (AG1)” located in the Agricultural Land Reserve (ALR).

To the South: Highway 99.

To the East: Property zoned “Agriculture (AG1)”, located in the ALR and leased to the subject farm operation for agricultural purposes.

To the West: Steveston Highway Interchange.

Related Policies & Studies

Official Community Plan/Farming First Strategy

The subject site is designated “Agriculture (AGR)” in the Official Community Plan (OCP), which includes those areas where the principal use is agriculture and food production, but may include other land uses as permitted under the *Agricultural Land Commission Act (ALCA)*. The proposal is consistent with this designation.

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

Ministry of Transportation and Infrastructure

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

Floodplain Management Implementation Strategy

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

Riparian Management Area & Environmentally Sensitive Area

The subject site contains a Riparian Management Area (RMA) 5 m buffer along the front of the property and Environmentally Sensitive Area (ESA) along the edges of the site. No impact to the RMA or ESA are proposed as part of this application.

Food Security & Agricultural Advisory Committee

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

Public Consultation

In accordance with the City’s Early Public Notification Policy, notice of the rezoning application was provided to residents within 100 metres of the subject site. In addition, a rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the early public notification or placement of the rezoning sign on the property. Public notification is not required for the application to the Agricultural Land Commission (ALC).

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

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

Analysis

Application to the Agricultural Land Commission

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

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

Farm Operation

The family-owned farm operation (Richmond Country Farms) farms approximately 400 acres (162 hectares), comprised of land owned and leased, some contiguous and non-contiguous, throughout Richmond and the South Okanagan. The subject site associated with the seasonal farm labour accommodation is approximately 40 acres (16 hectares) and consists of 12900 Steveston Highway and 11311 Rice Mill Road. The minimum size of a farm operation associated with seasonal farm labour accommodation is 8.09 hectares, as per the AG3 zone.

The farm operation on the subject site includes grapes, blueberries, and pumpkins. The site also includes a roadside stand (Richmond Country Farms Market) that has been in operation since 1977, a yearly pumpkin patch festival (The Pumpkin Patch at Richmond Country Farms), a farm-based winery (Country Vines Winery) and yearly sunflower festival (Richmond Sunflower Festival). The applicant has provided evidence the site is classified as farm under the BC *Assessment Act*.

Seasonal Farm Labour Accommodation

The farm operation includes a total of 26 seasonal farm labourers, provided through the Federal Government's Seasonal Agricultural Worker Program (SAWP). The applicant has provided evidence that the application to this program was approved by the Federal Government. The applicant has indicated that the seasonal farm labourers are needed due to the heavy reliance on intensive hand labour when growing fresh market produce.

The buildings used to house the workers consist of four portable modular homes with a floor area of 89.2 m² (960 ft²) each, and a small cabin with a floor area of 55.7 m² (600 ft²). Three units are approved for six workers and two units are approved for four workers. The size per worker is approximately 13.9 m² (150 ft²) to 14.9 m² (160 ft²) of floor area. This is consistent with the City's AG3 zone which requires a minimum floor area of 10.0 m² (108 ft²) per occupant. The location and photos of the seasonal farm labour accommodation are provided in Attachment 4.

Richmond Fire-Rescue (RFR) inspected the accommodations in 2022 and all deficiencies from a life and safety perspective had been addressed. In addition, a Code Report was submitted by the applicant and reviewed by the City's Building Approvals Department, which determined that no further upgrades are needed to achieve compliance (Attachment 5). However, a Building Permit is still required to legitimize the existing seasonal farm labour accommodation. Prior to final adoption of the rezoning bylaw, a Building Permit must be submitted consistent with the submitted Code Report and to the satisfaction of the Director, Building Approvals.

Rezoning Application

The City's "Agriculture (AG1)" zone limits the number of residences to one residence per parcel. The City's "Agriculture (AG3)" zone allows seasonal farm labour accommodation, in addition to a principal residence, subject to specific conditions. The proposal includes rezoning a portion of the subject site from "Agriculture (AG1)" to "Agriculture (AG3)" in order to allow the existing seasonal farm labour accommodation. The remaining portion of the site is currently zoned "Roadside Stand (CR)", containing the roadside stand building, which is to remain. The AG3 zone also includes a number of provisions related to seasonal farm labour accommodation, including:

- Minimum farm operation size of 8.09 ha;
- Seasonal farm labour accommodation must be located on the same lot as an existing single detached house;
- Only one seasonal farm labour accommodation permitted per farm operation;
- A building used for seasonal farm labour accommodation shall not exceed 400 m²;
- Minimum floor area per occupant of 10 m²; and
- A building used for seasonal farm labour accommodation is considered a dwelling with all regulations relating to density, minimum and maximum setbacks, and height to apply.

In order to allow the existing seasonal farm labour accommodation at the subject site, a zoning text amendment to the AG3 zone is also required to permit more than one seasonal farm labour accommodation and located on a lot without an existing single detached house. In this case, there are five seasonal farm labour accommodations and three of them are located on a lot without an existing single detached house (11311 Rice Mill Road).

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

- must adhere to all relevant components of the Building Code and the City's Building Regulation;

- subject to inspections by the City during any 12 month period to ensure that occupation is in compliance with the regulations;
- does not need to be removed when not occupied by seasonal farm labour if the use is required on an ongoing, annual basis for the agricultural purpose of the farm operation;
- if no longer required for the farm operation, all area used for seasonal farm labour accommodation must be removed and restored to its original state; and
- costs of removal of the seasonal farm labour accommodation and restoration to its original state are to be the responsibility of the property owner.

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

Financial Impact

None.

Conclusion

Lucas Hogler, on behalf of Harry Hogler (Richmond Country Farms) has submitted an Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) application (AG 22-011619) and a rezoning application (RZ 22-011635) to allow the existing seasonal farm labour accommodation at 12900 Steveston Highway & 11311 Rice Mill Road.

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

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

On this basis, it is recommended that the ALR NARU application be forwarded to the Agricultural Land Commission (ALC) and that Richmond Zoning Bylaw 8500, Amendment Bylaw 10533 be introduced and given first reading.



Steven De Sousa
Planner 3

SDS:cas

Attachment 1: Location Map & Aerial Photo

Attachment 2: Development Application Data Sheet

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

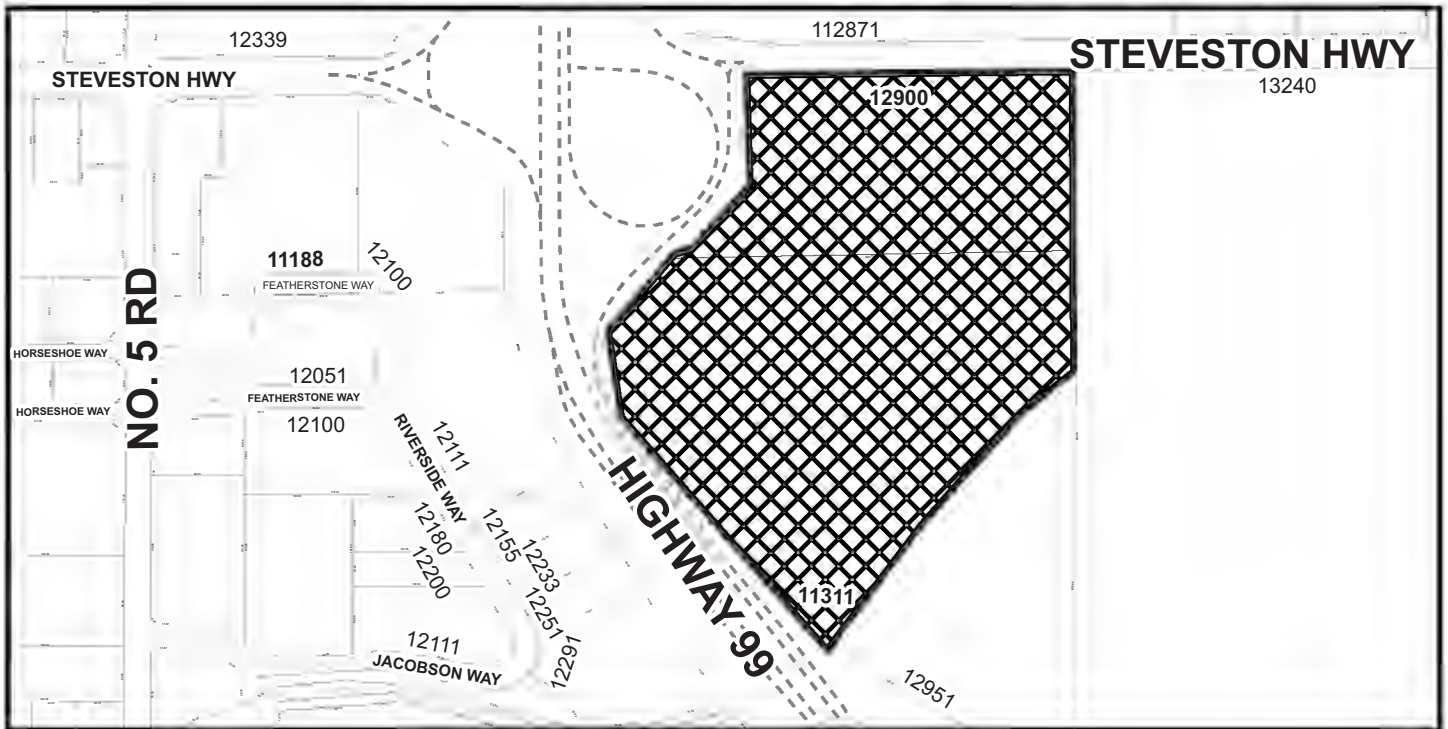
Attachment 4: Location and Photos of the Seasonal Farm Labour Accommodation

Attachment 5: Code Report

Attachment 6: Rezoning Considerations



City of Richmond



	<p>RZ 22-011635 AG 22-011619 PLN - 65</p>	<p>Original Date: 04/22/22 Revision Date: 09/19/23 Note: Dimensions are in METRES</p>
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City of Richmond



RZ 22-011635
 AG 22-011619
 PLN - 66

Original Date: 04/22/22
 Revision Date: 09/19/23
 Note: Dimensions are in METRES



AG 22-011619 / RZ 22-011635

Attachment 2

Address: 12900 Steveston Highway & 11311 Rice Mill

Road Applicant: Lucas Hogler

Planning Area(s): East Richmond

	Existing	Proposed
Owner:	Harry Hogler	No change
Site Size:	40 acres (16 hectares)	No change
Land Uses:	Farm business and seasonal farm labour accommodation	No change
OCP Designation:	Agriculture (AGR)	No change
Zoning:	Agriculture (AG1)	Agriculture (AG3)
Other Designations:	Agricultural Land Reserve (ALR)	Non-Adhering Residential Use for seasonal farm labour accommodation

Seasonal farm labour accommodation	Bylaw Requirement	Proposed	Zoning Text Amendment
Farm Operation Size:	Min. 8.09 ha	40 ac (16 ha)	None
Location of seasonal farm labour accommodation:	On the same lot as an existing single detached housing	On a lot without an existing single detached housing	On a lot without an existing single detached housing
Number of seasonal farm labour accommodation:	Max. 1	5	5
Floor Area – Building:	Max. 400 m ²	55.7 m ² to 89.2 m ² (each building)	None
Floor Area – Occupant:	Min. 10 m ² per occupant	13.9 m ² to 14.9 m ²	None
Density, setbacks, and height:	Consistent with single detached housing requirements	Complies	None

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

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

ALR Non-Adhering Residential Use and Rezoning Application at 12900 Steveston Highway & 11311 Rice Mill Road for Seasonal Farm Labour Accommodation

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

- The proposal includes two applications, a Non-Adhering Residential Use application to the Agricultural Land Commission (ALC) and a rezoning application, which are being processed concurrently;
- The purpose of the applications is to allow seasonal farm labour accommodation on the subject site;
- During an inspection of the accommodation by Richmond Fire-Rescue (RFR), it was identified that the existing seasonal farm labour accommodation on-site required an application to the ALC and rezoning application;
- The farm operation includes 26 seasonal farm labourers, provided through the Government of Canada Seasonal Agricultural Worker Program. The applicant has provided evidence that the Application for this program was approved by the Federal Government; and
- RFR has inspected the accommodations and all deficiencies from a life and safety perspective have been addressed. Additional reports are also required and will be reviewed by staff to assess compliance to BC Building Code to determine if any further upgrades are needed.

The applicant provided the following additional comments:

- The farm operation requires daily picking of farm product, which is labour intensive;
- Seasonal farm labour is essential to the daily operation of the farm;
- Attempts to house the seasonal farm workers in a single-family home off-site were unsuccessful as property owners would not accept the proposed number of people;
- The farm operation has successfully employed and accommodated seasonal farm labour on-site since the early 2000s; and
- The property owner was unaware of the ALC and City requirements for seasonal farm labour accommodation.

In response to questions from the Committee, Planning staff indicated that the proposed rezoning application would include the five buildings currently used for seasonal farm labour

accommodation. The applicant indicated that not all 26 seasonal farm workers are on-site at a given time.

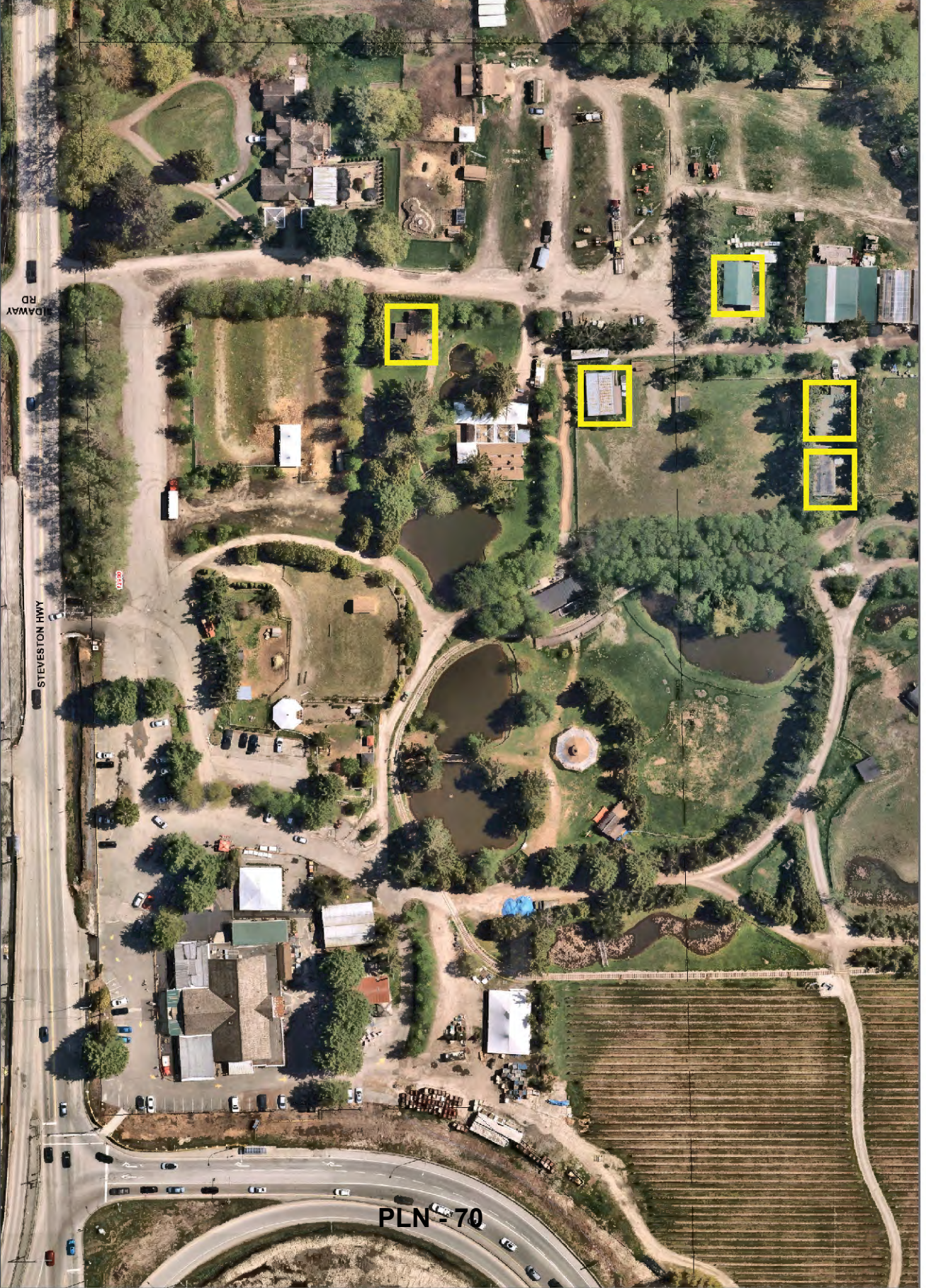
The Committee expressed that seasonal farm labour is necessary for the farm operation and there would be no impact to the existing farm as a result of the applications.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the ALR Non-Adhering Residential Use and Rezoning Application at 12900 Steveston Highway & 11311 Rice Mill Road for Seasonal Farm Labour Accommodation (AG 22-011619 / RZ 22-011635).

Carried Unanimously

12900 Steveston Highway & 11311 Rice Mill Road

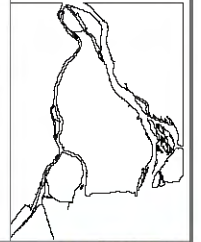


Location of Seasonal Farm Labour Accommodation



Plan Date: 2023-06-07

Note: Information shown on this map is compiled from various sources and the City makes no warranty, express or implied, as to the accuracy of the information. Users are reminded that for any legal description must be confirmed through a legal professional. This is NOT a legal document. It is published for information and reference only. © City of Richmond, 2023. All rights reserved. Not to be reproduced or distributed without permission.



PLN-70

Photos of Seasonal Farm Labour Accommodation - 12900 Steveston Highway & 11311 Rice Mill Road





A Z U R E A N ARCHITECTURE INC.
EXACTITUDE PASSION TRUTH
1105 Eyremount Dr West Vancouver V7S 2B9 Canada Earth
+1 (604) 782-1941 operations@azurain.ca

Project Description

Documentation of Employee Housing
Code review for essential livability and life safety

Code Review

Basis: BCBC 2018
Part 9
One Storey stand alone housing units
Combustible construction
Not sprinklered

All units have washrooms / kitchens / washers + dryers
Units are not accessible
- This is acceptable as all units are for seasonal farm employees
All bedrooms have operable windows
All units and bedrooms have 7ft. headroom or more.
All units have adequate exiting.

- FD requested exit signage at some point, there are Exit signs in all units
 - No changes since their last walk through
 - Richmond Fire has done two walk through inspections on site, no issues
- All units have hardwired smoke detectors
- Checked each year by Otis Fire
- All units have physically mounted fire extinguishers
- Checked each year by Otis Fire
- All units have physically mounted fire extinguishers
- Checked each year by Otis Fire
- All units appear structurally sound
- No detailed analysis performed
- All units are tight to the weather
- No leaks or weather damage was observed on the inside of any unit

All units generally conform to code and are fit to occupy.

15 Sept 2023. Issued for Review
5 Oct 2023. Issued for Review

Country Vines Winery
Existing Employee Housing Review

12900 Steveston Hwy
Richmond British Columbia Canada Earth

Cover
(And Aerial Photo)

1/8" = 1' - 0" (when printed/m230 scale)
A - 0.00

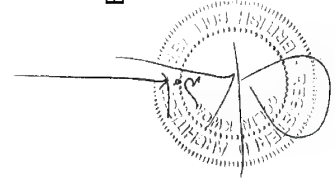
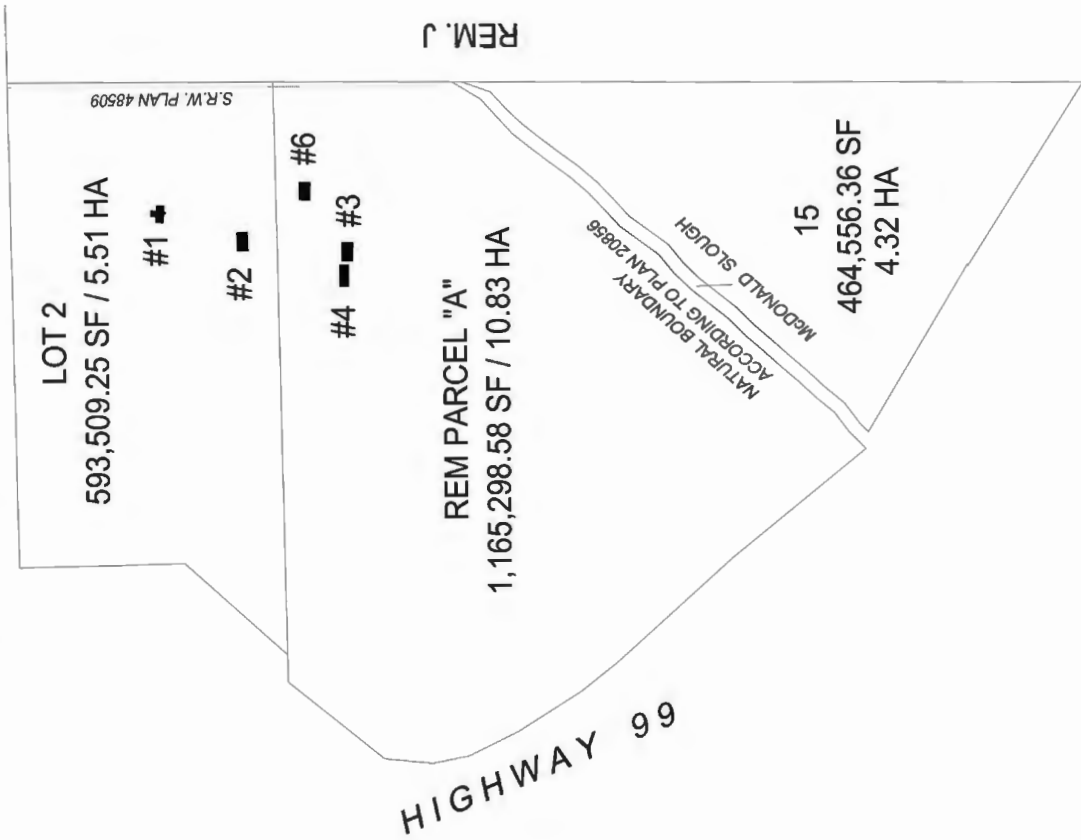


Image Courtesy of Google Maps
Approx. outline of Country Vines Winery

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 EXACTITUDE PASSION TRUTH
 1105 Eyremount Dr West Vancouver V7S 2B9 Canada Earth
 +1 (604) 792-1941 operations@azurean.ca



STEVESTON HIGHWAY



PLN - 73

Notes

1. There is no Unit #5
2. All units are hooked up to Power / Water / Septic
3. All units are existing

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 15 Sept 2023. Issued for Review

Country Vines Winery
Existing Employee Housing Review

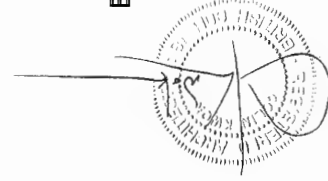
12900 Steveston Hwy
 Richmond British Columbia Canada Earth

SitCBlair
 [HousingAnd-Alexia|SitCBlair]

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Certified Digital Seal
 5 October 2023

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Country Vines Winery
 Existing Employee Housing Review

12900 Steveston Hwy
 Richmond British Columbia Canada Earth

UnTower

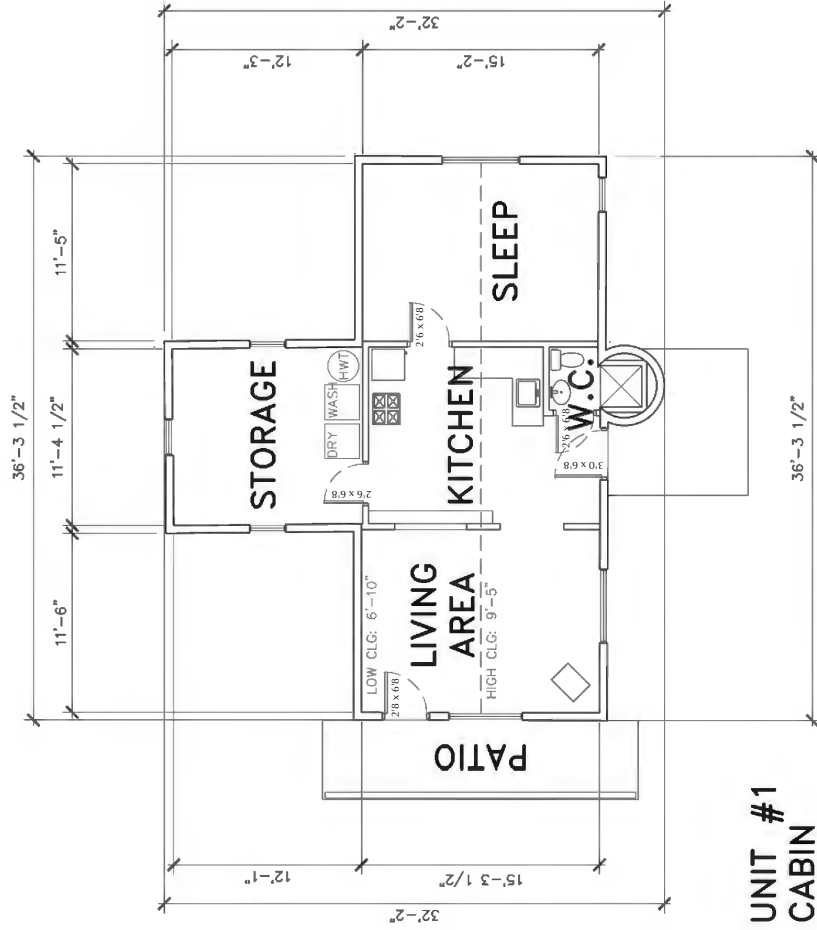
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Certified Digital Seal
 5 October 2023



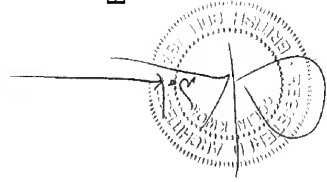
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Country Vines Winery
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PLN - 76

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15 Sept 2023, Issued for Review

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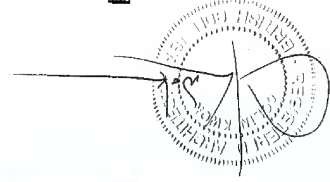
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Richmond British Columbia Canada Earth

Urbow

[Stand alone STAND ALONE PRBIO]

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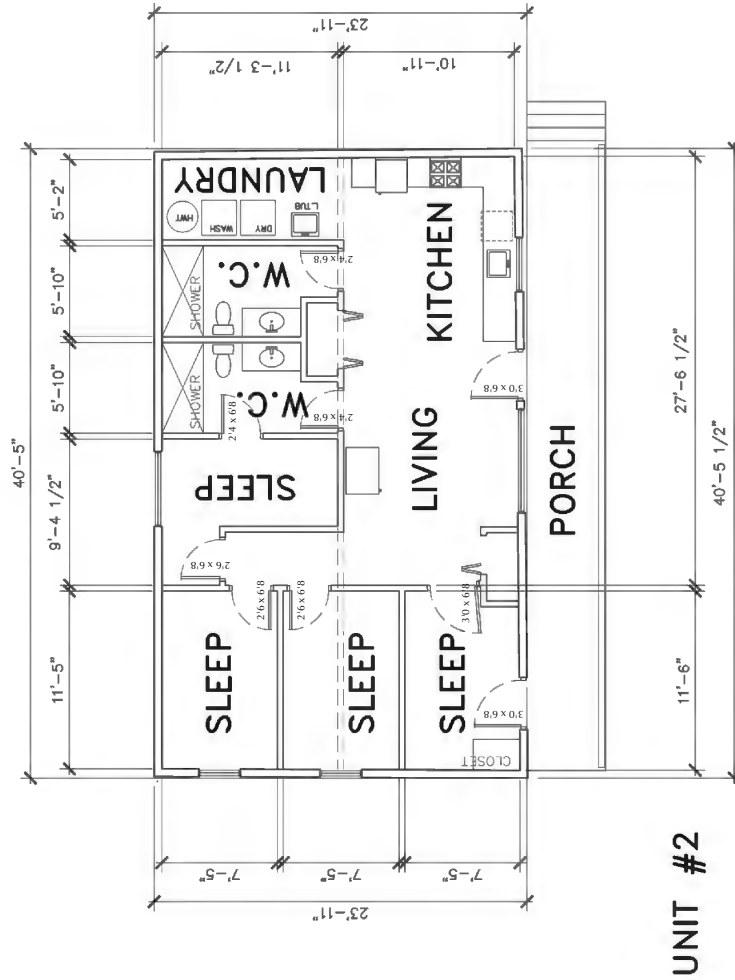
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5 October 2023



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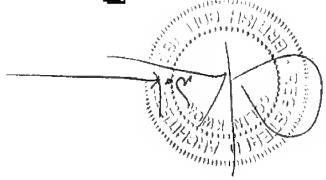
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 15 Sept. 2023. Issued for Review

Country Vines Winery
 Existing Employee Housing Review

12900 Steveston Hwy
 Richmond British Columbia Canada Earth

UOver
 (And Affiliates)

1/8" = 1'-0" (When printed at 22" x 34")
A - 0.00



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COUNTRY VINES WINERY
Existing Employee Housing Review

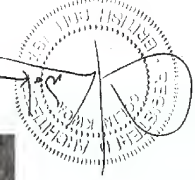
12900 Steveston Hwy
2900 Steveston Hwy
Richmond British Columbia Canada Earth

Unifor

(And Aerial Photo)
(Stand alone single storey cabin)

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(not to scale)

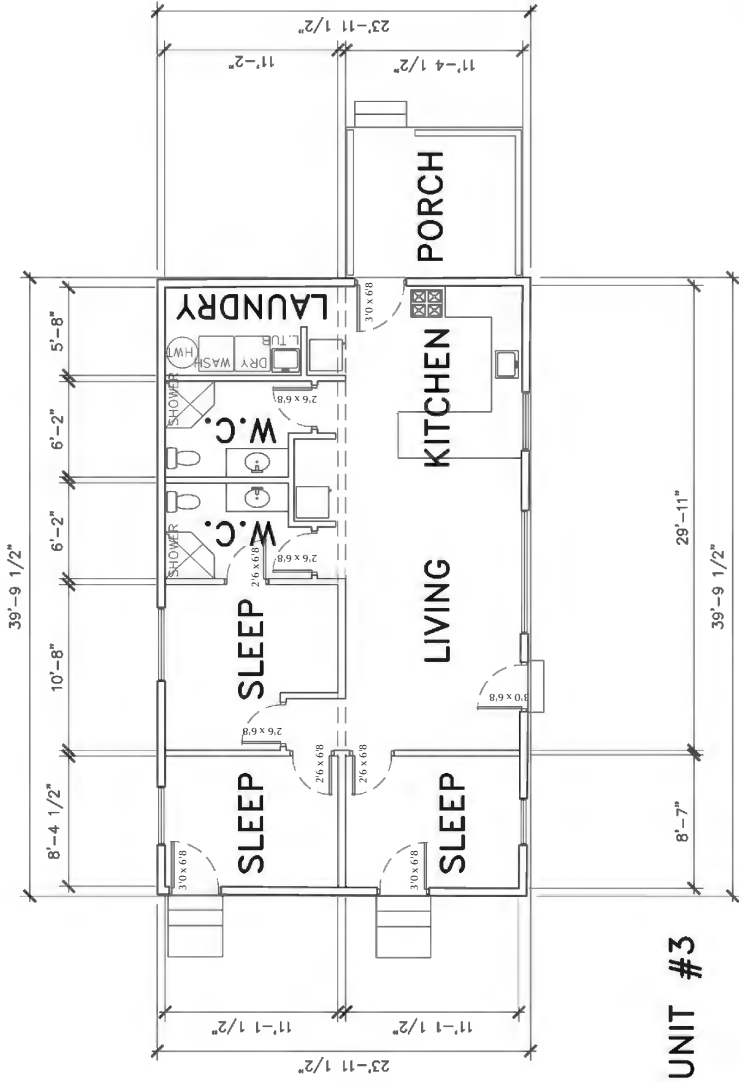
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5 October 2023



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UNIT #3

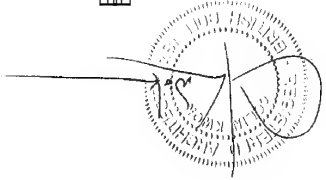
15 Sept 2023, Issued for Review
 5 Oct 2023, Issued for Review

COUNTRY VINES WINERY
 Existing Employee Housing Review

12900 Steveston Hwy
 2900 Steveston Hwy
 Richmond British Columbia Canada Earth

UFOV#3
 (And Aerial Photo)
 (Floor Plan)

1/8" = 1'-0" (When printed at 22" x 34")
 1/8" = 1'-0" (When printed at 11" x 17")
A = 9.09



Created Digital 3pm
 5 October 2023



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PLN - 80

15 Sept 2023, issued for Review
 5 Oct 2023, issued for Review

Country Vines Winery
 Existing Employee Housing Review

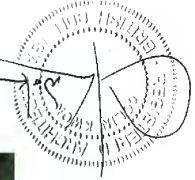
12900 Steveston Hwy
 Richmond British Columbia Canada Earth

Unfettered

(Stand alone single storey Cabin)

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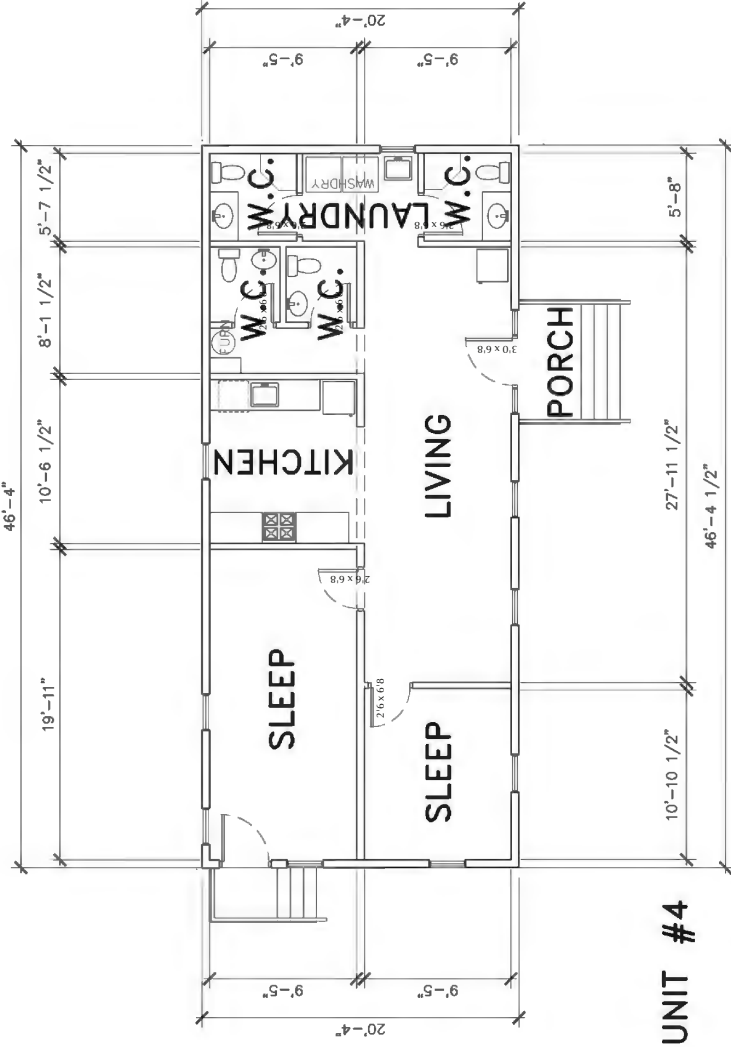
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CELESTINE DIGITAL SEAL
 5 October 2023



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UNIT #4

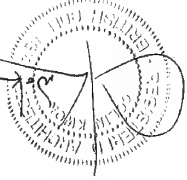
15 Sept 2023, Issued for Review
 5 Oct 2023, Issued for Review

Country Vines Winery
 Existing Employee Housing Review

12900 Steveston Hwy
 Richmond British Columbia Canada Earth

UHP #4
 (And Approval Floor Plan)

1/8" = 1'-0" (When printed at 21" x 34")
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A = 9:09



Entered digital Seal
 5 October 2023

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PLN - 82

15 Sept 2023, Issued for Review
5 Oct 2023, Issued for Review

Country Vines Winery
Existing Employee Housing Review

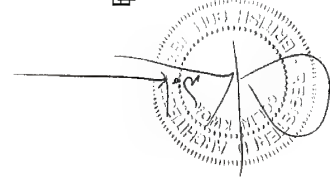
12900 Stevenson Hwy
Richmond British Columbia Canada B8H1H

U190706

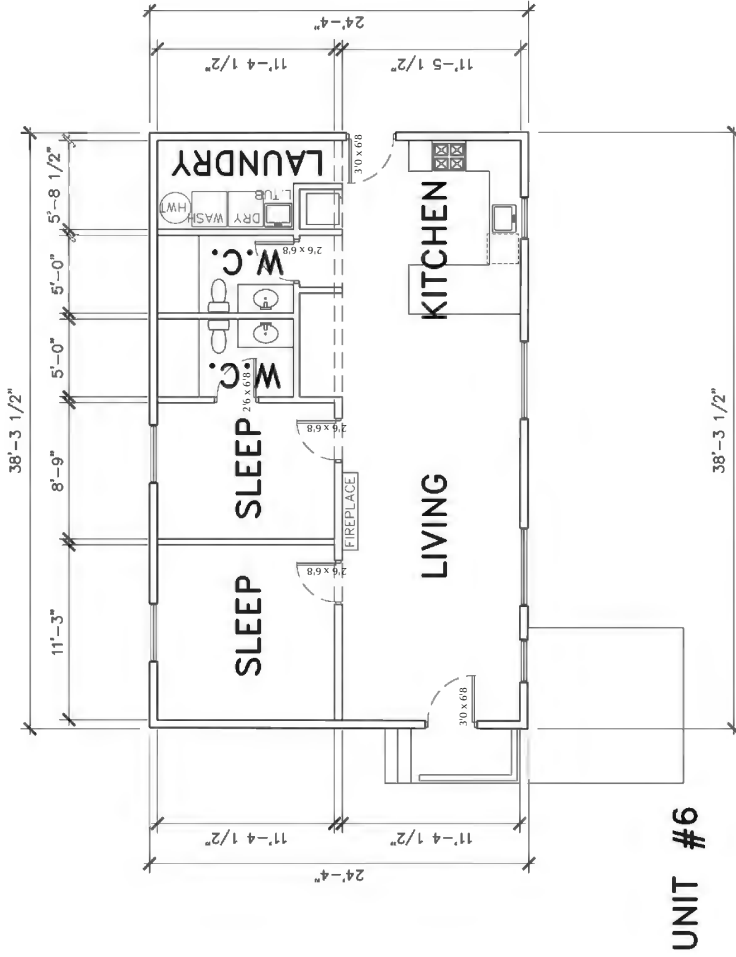
(Stand alone single-story 2008H)

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A - 0.00



Centred Digital Seal
5 October 2023



UNIT #6

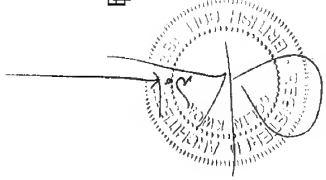
15 Sept 2023. Issued for Review
 5 Oct 2023. Issued for Review

Country Vines Winery
 Existing Employee Housing Review

122900 Stevenson Hwy
 Richmond British Columbia Canada Earth

Unit #6
 (And Approval Page)

1788-31'-0" (WWS-PPRMS-217-X-17)
A = 0.00



Digitized Digital Seal
 5 October 2023



Address: 12900 Steveston Highway & 11311 Rice Mill Road

File No.: RZ 22-011635

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10533, the developer is required to complete the following:

1. Agricultural Land Commission (ALC) Approval of the Non-Adhering Residential Use (NARU) application.
2. Provincial Ministry of Transportation & Infrastructure Approval.
3. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 3.0 m GSC.
4. Submission of a Building Permit application to legitimize the existing seasonal farm labour accommodation consistent with the submitted Code Report (dated October 5, 2023) and to the satisfaction of the Director, Building Approvals.
5. Registration of a legal agreement on title ensuring the following requirements as identified in the AG3 zone:
 - a) must adhere to all relevant components of the Building Code and the City's Building Regulation;
 - b) subject to inspections by the City during any 12 month period to ensure that occupation is in compliance with the regulations;
 - c) does not need to be removed when not occupied by seasonal farm labour if the use is required on an ongoing, annual basis for the agricultural purpose of the farm operation;
 - d) if no longer required for the farm operation, all area used for seasonal farm labour accommodation must be removed and restored to its original state; and
 - e) costs of removal of the seasonal farm labour accommodation area and restoration to its original state are to be the responsibility of the property owner.
6. Payment of all fees in full for the cost associated with the Public Hearing Notices, consistent with the City's Consolidated Fees Bylaw No 8636, as amended.

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

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

Note:

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

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

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

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading,

ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

[Signed copy on file]

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 10533 (RZ 22-011635)
12900 Steveston Highway & 11311 Rice Mill Road**

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

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

That area shown cross-hatched on Schedule A attached to and forming part of Bylaw No. 10533.

2. Richmond Zoning Bylaw 8500 is further amended by:
 - a. Inserting the following into Section 14.1.11.10 (Other Regulations) in the Agriculture (AG3) zone and renumbering accordingly:

“The following are **site-specific zone** regulations for the purposes of accommodating **seasonal farm labour accommodation**, applicable only to the **lots** located at:

12900 Steveston Highway

PID 003-568-539

LOT 2 SECTION 6 BLOCK 3 NORTH RANGE 5 WEST NEW WESTMINSTER
DISTRICT PLAN 20856

11311 Rice Mill Road

PID 003-568-491

PARCEL "A" (RD22377E) LOT 1 EXCEPT: THAT PORTION OUTLINED RED
ON PLAN WITH BYLAW FILED 58487, SECTION 6 BLOCK 3 NORTH
RANGE 5 WEST NEW WESTMINSTER DISTRICT PLAN 20856, EXCEPT
PART IN PLAN EPP35457

a) the **seasonal farm labour accommodation** can be located on a **lot** without an existing **single detached housing**; and

b) a maximum of five **seasonal farm labour accommodations** are permitted per **farm operation**.

3. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 10533**”.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

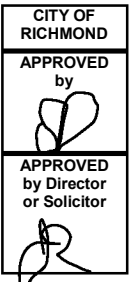
THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

ADOPTED

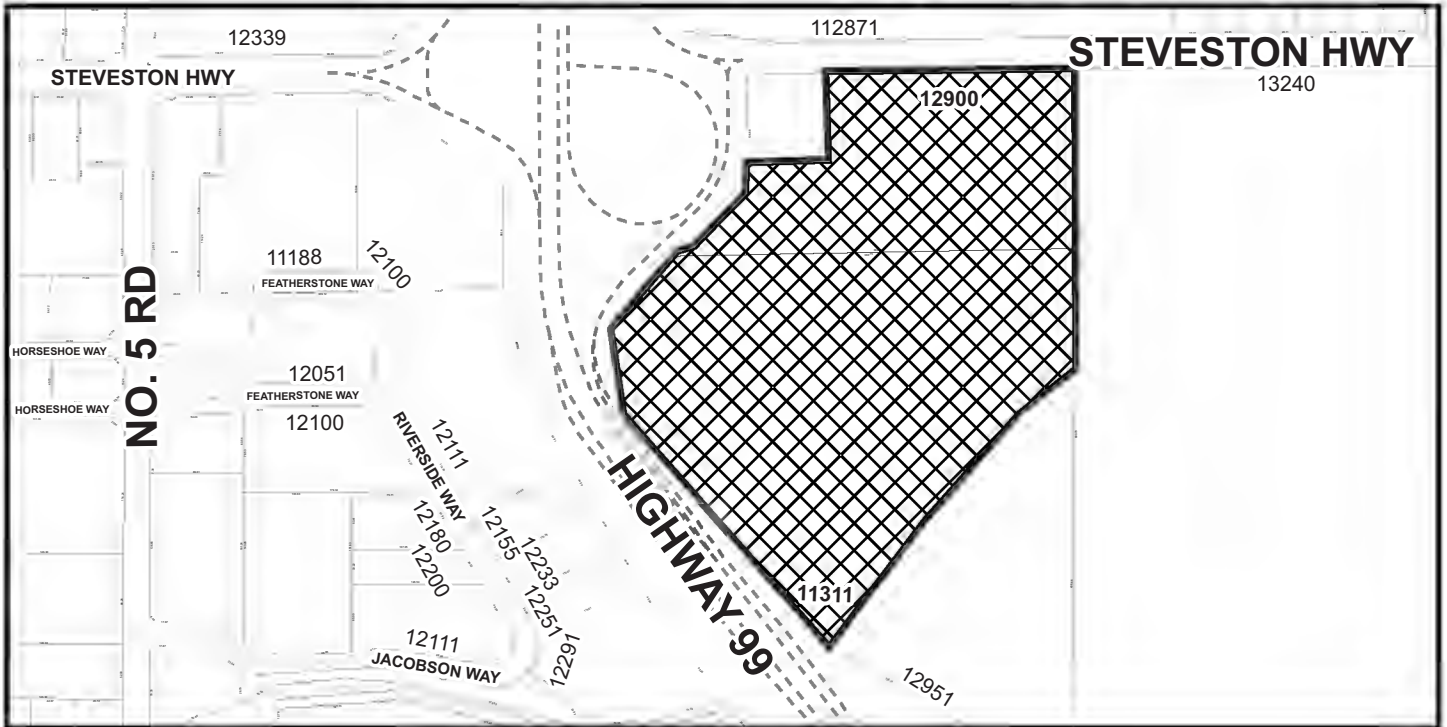
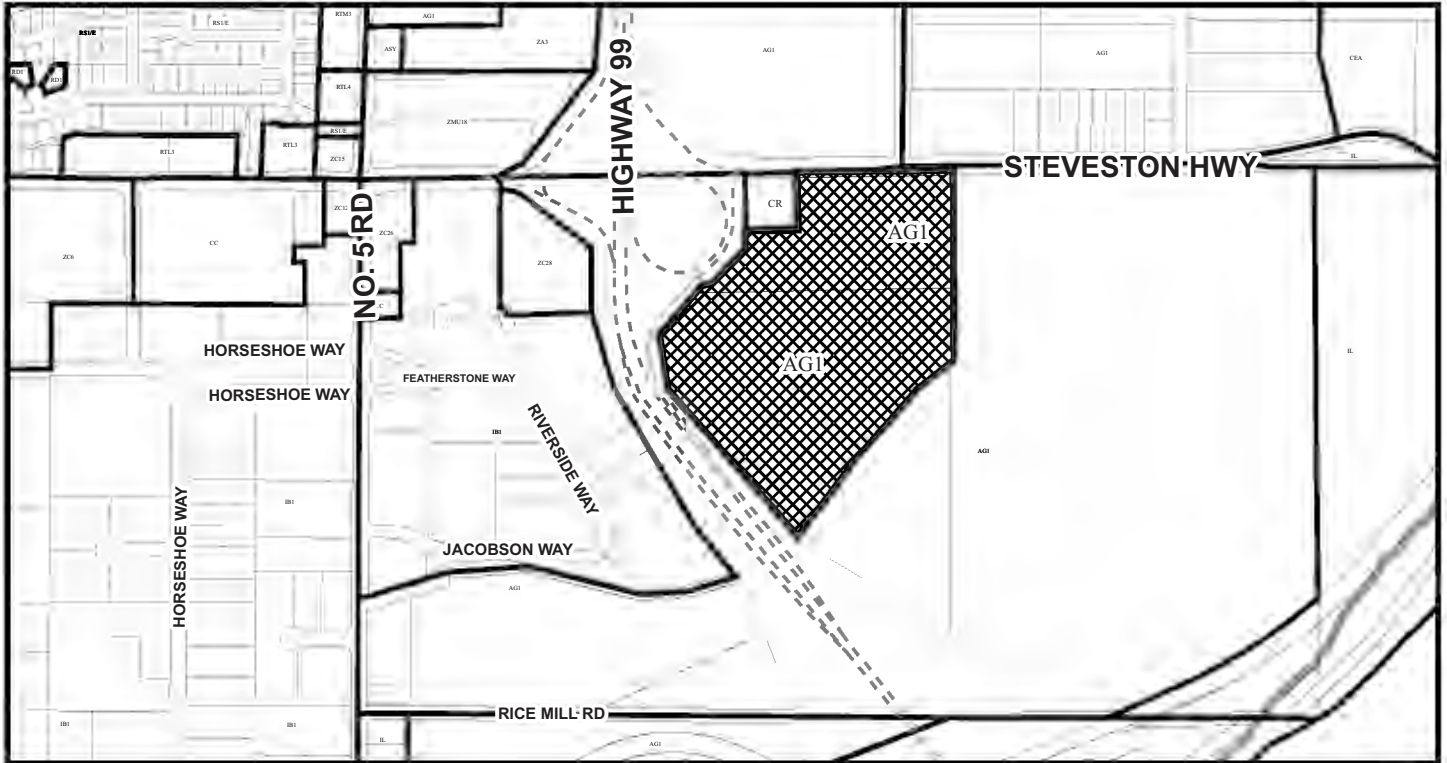
MAYOR



CORPORATE OFFICER



City of Richmond



RZ 22-011635 SCHEDULE "A"

PLN - 88

Original Date: 04/22/22

Revision Date: 01/17/24

Note: Dimensions are in METRES



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

Staff Recommendation

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

Suzanne Smith
Acting Director, Development

WC:sds
Att. 6

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

Staff Report

Origin

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

Background

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

Findings of Fact

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

Surrounding Development

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

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

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

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

Related Policies & Studies

Official Community Plan/Farming First Strategy

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

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

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

Ministry of Transportation and Infrastructure

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

Floodplain Management Implementation Strategy

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

Heritage

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

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

Food Security & Agricultural Advisory Committee

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

Public Consultation

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

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

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

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

Analysis

Application to the Agricultural Land Commission

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

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

Farm Operation

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

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

Seasonal Farm Labour Accommodation

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

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

The building used to house the workers is the existing barn located along Westminster Highway. The barn is approximately 400 m² (4,302 ft²) in total floor area, with 105 m² (1,126 ft²) used for the purposes of accommodating the temporary farm workers. The size per worker is approximately 17.5 m² (188 ft²) of floor area. This is consistent with the City's AG3 zone which requires a minimum floor area of 10.0 m² (108 ft²) per occupant. The location and photos of the seasonal farm labour accommodation are provided in Attachment 4.

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

Rezoning Application

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

- Minimum farm operation size of 8.09 ha;
- Seasonal farm labour accommodation must be located on the same lot as an existing single detached house;
- Only one seasonal farm labour accommodation permitted per farm operation;
- A building used for seasonal farm labour accommodation shall not exceed 400 m²;
- Minimum floor area per occupant of 10 m²; and
- A building used for seasonal farm labour accommodation is considered a dwelling with all regulations relating to density, minimum and maximum setbacks, and height to apply.

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

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

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

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

Financial Impact

None.

Conclusion

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

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

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

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



Steven De Sousa
Planner 3

SDS:cas

Attachment 1: Location Map & Aerial Photo

Attachment 2: Development Application Data Sheet

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

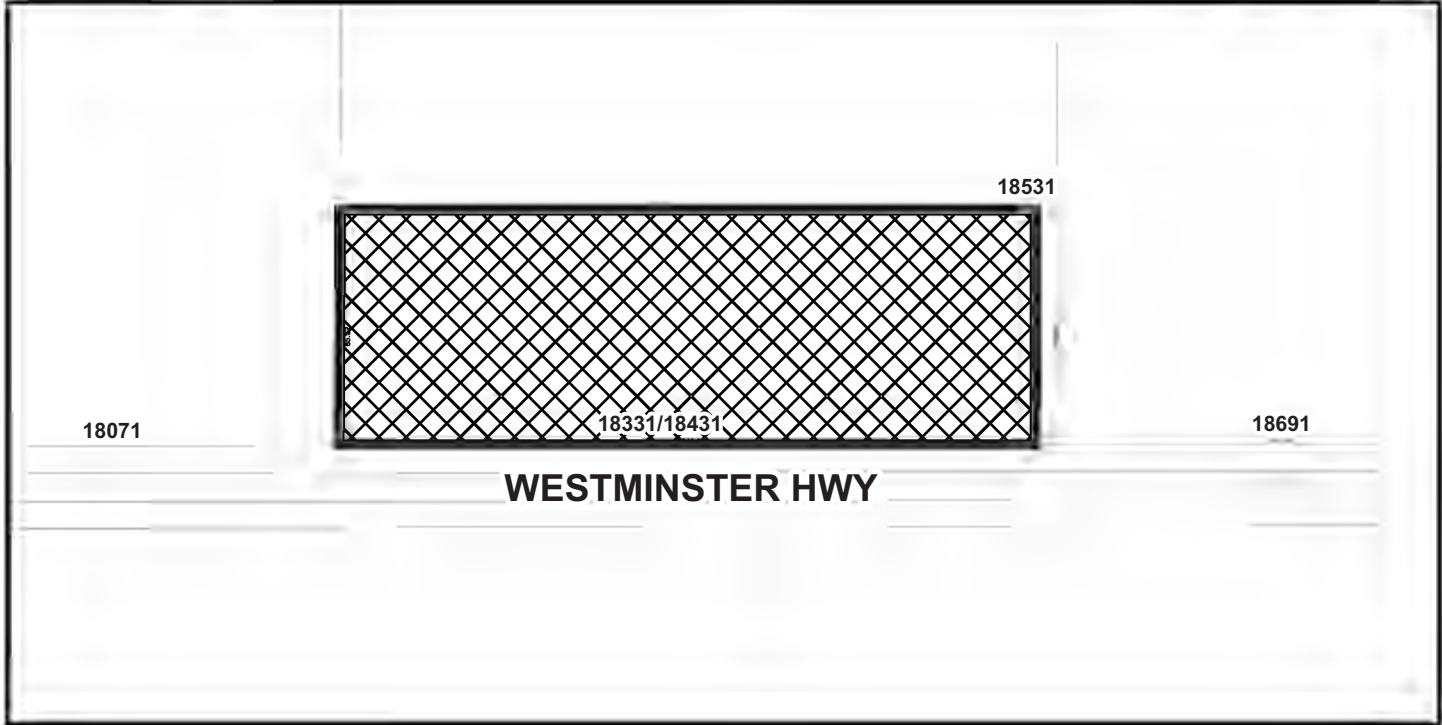
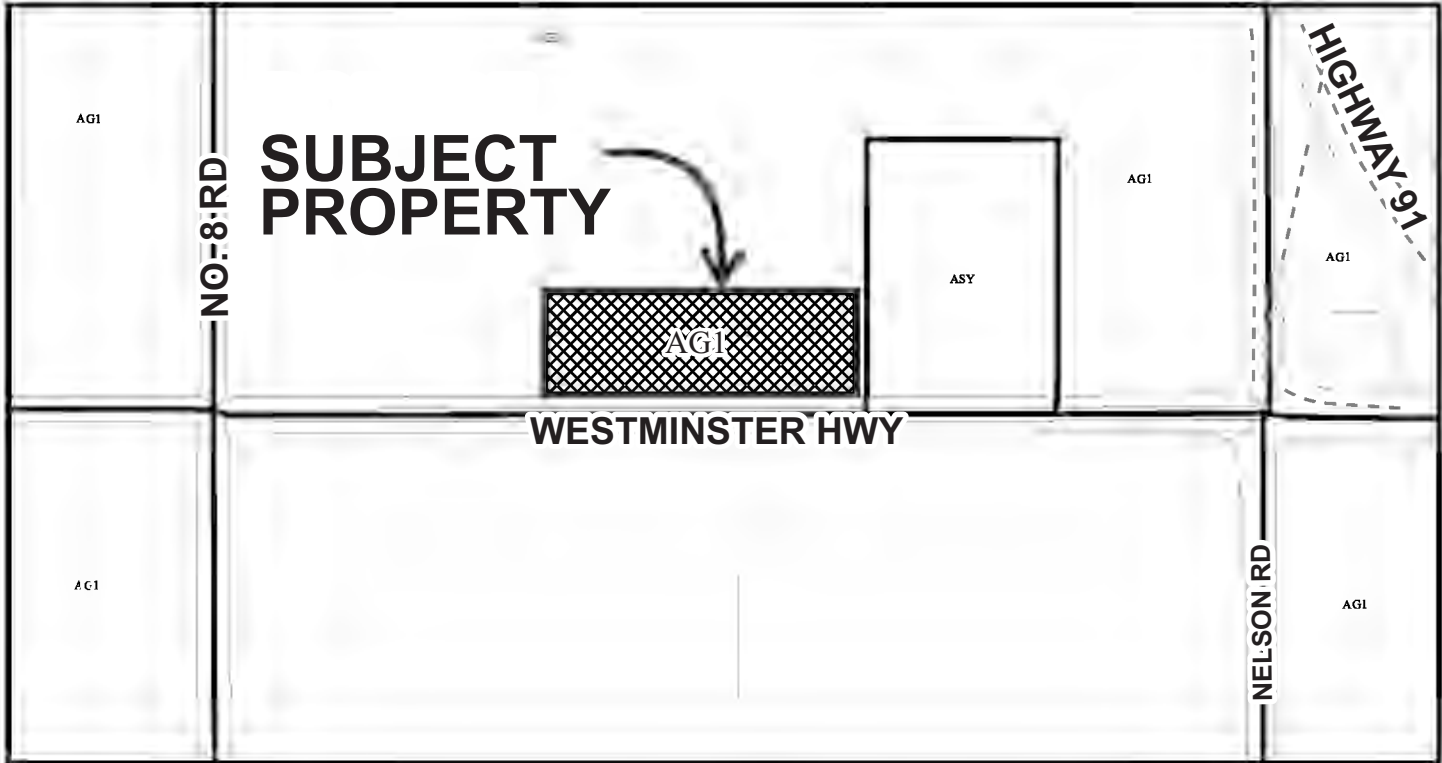
Attachment 4: Location and Photos of the Seasonal Farm Labour Accommodation

Attachment 5: Code Report

Attachment 6: Rezoning Considerations



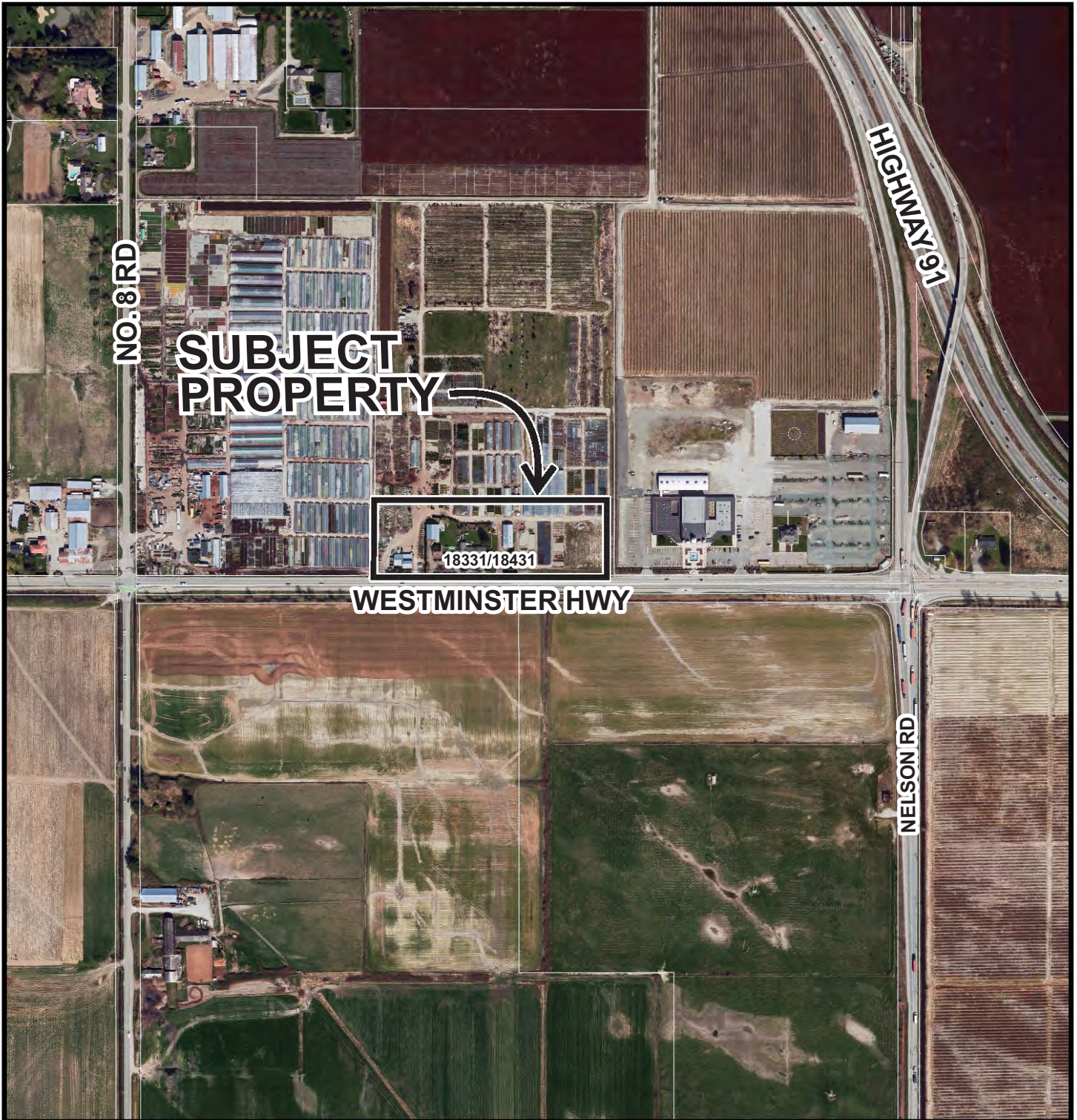
City of Richmond



	<p>AG 22-009023</p> <p>RZ 22-009024</p> <p>PLN - 95</p>	<p>Original Date: 03/07/22</p> <p>Revision Date:</p> <p>Note: Dimensions are in METRES</p>
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City of
Richmond



AG 22-009023
RZ 22-009024
PLN -96

Original Date: 03/07/22

Revision Date: 03/08/22

Note: Dimensions are in METRES



AG 22-009023 / RZ 22-009024

Attachment 2

Address: 18431 Westminster Highway

Applicant: Jason Levelton

Planning Area(s): East Richmond

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

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

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

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

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

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

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

The applicant provided the following additional comments:

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

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

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

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

The Committee passed the following motion:

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

Carried Unanimously

18431 Westminster Highway



Location of Seasonal Farm Labour Accommodation

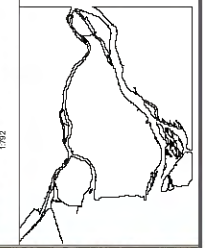


PLN - 100

WESTMINSTER HWY

Plan Date: 2023-09-11

Note: The aerial photos on this map is supplied from various sources and the City makes no warranty, express or implied, as to the accuracy of the information. The user is responsible for verifying the information. This is NOT a legal document. Use is prohibited for information and © City of Richmond, 2023. All rights reserved. Not to be reproduced or distributed without permission.



Photos of Seasonal Farm Labour Accommodation - 18431 Westminster Highway





Code Analysis

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

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

Floors Except Floors over
 Level Spaces
 45

Roofs

All other occupancies

Minimum Building Height,
 storeys
 3

Floors Except Floors over
 Level Spaces
 45

Roofs
 45

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

9.10.9. Fire Separations between Rooms and Spaces within Buildings

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

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

1 Hr FR to be provided

- All walls, head bearing and separations,
 - internal, 1 layer 5/8" Type X CWB on each side of wood framed walls
 - exterior walls, 1 layer 5/8" Type X on the inside of wood framed walls
 - max. stud spacing 400 mm [16"]
- Basis for walls, Appendix D, BCBC 2018, Table D-2.3.4.3, fire assigned to wood framed walls = 400mm oc = 20 min.
- Bids D-2.3.4.3, fire assigned to wood framed walls = 400mm oc = 20 min.
- All Floors (Ceiling) and underside of stairs
 - 2 layers 5/8" Type X CWB under wood framing, with or without furring channels
 - maximum stud spacing only, floor material is ceiling
 - Bids D-2.3.4.2, ceiling membranes, Double 5/8" Type X CWB = 60 min.

9.10.13. Doors, Dampers and Other Closures in Fire Separations

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

Required Fire-Resistance Rating of Fire Separation

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

- **45 min doors to be provided in all fire rated separations**
- **all rated doors to have lever type handles**
- **all rated doors to have panic bars**
- **all rated doors to have closers**



The Barn Building at East Richmond Nurseries

Project Description

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

Code Review

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

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

Units are not accessible
 - the two units are for seasonal farm employees
 All bedrooms have operable windows
 - one bedroom has a built-in kitchen or suite.
 All units have hand-tied smoke detectors

All units have physically mounted fire extinguishers
 - checked each year by ACME Fire and Safety Co. Ltd.
 All units are equipped with fire alarm pull stations not undertaken

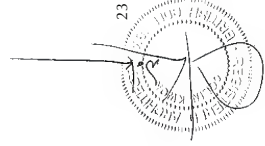
All units are tight to the weather
 - no leaks or weather damage was observed on the inside of this building
 All units have electric baseboards for heating only
 - no gas heaters or fireplaces
 No hazardous or flammable materials are stored in any storage room in this building.
 Note: Office currently shares the lower kitchen area and washroom with the lower unit
 - no change proposed

Proposed work

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

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

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



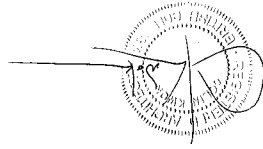
23 November 2023

Floor Cover
 [Photograph of Floor Cover]

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



A Z U R E A N ARCHITECTURE INC.
 EXCITING IDEAS. PASSION. TRUTH.
 1105 Steeles St. W. Unit 2080, Richmond, BC V6V 1K6
 Tel: (604) 273-1311 | info@azurean.ca

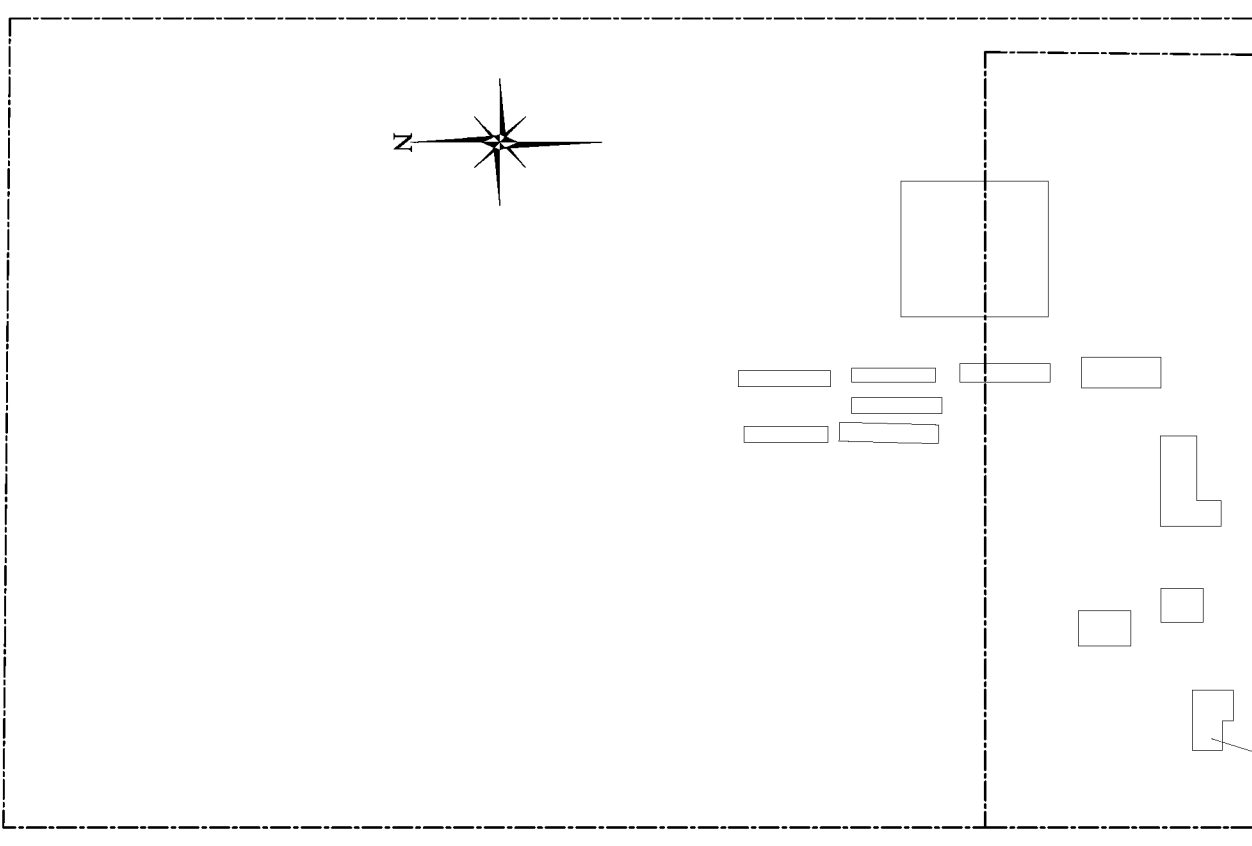


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FlöritePlants
 (E-Gisungel / P/Spocod)

A 0.01
 Appld/Pl = 115.00 (when printed at 11 x 17)



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

PLN - 103



Code Analysis [continued]
 Specific Topics

Building occupancy and construction requirements

Part 9 has no requirements for non-combustible construction but does refer to part 3, as an alternative for permitted analysis. The two major occupancies, business (B) and residential (R) are permitted to be of combustible or non-combustible construction under part 3.

- 3.2.3.60 Group D, up to 3 storeys (not sprinklered)
- combustible or non-combustible construction permitted
- fire-resistance rating is not required
- fire-resistance rating is not required
- 3.2.3.53 Group C, up to 3 storeys (not sprinklered)
- combustible or non-combustible construction permitted
- this building falls within the parameters allowed

Spatial separation and exit exposure protection

Described on the cover page. The building consists of two dwelling units and one office unit, each are separated from each other by a 1 hr FR. This includes the exit stair from the second floor. All exits are directly to the outside, a note has been added to confirm any roof overhangs or soffits within 2.5m of the doors on the exterior of the building conform to 3.1.01.1.4

Fire protection and life safety systems

Described on the cover page, all fire separations (walls and floors) and their respective supporting walls will have the appropriate FR of 1 hr. Life safety items include existing windows in each bedroom, interwired smoke detectors, and fire extinguishers. A note has been added to confirm on site that all stair handrails conform to code. Stairs are wholly within Dwelling Unit 2, they are not required to have contacting risings nor tactile warning strips.

Safety within floor areas, exits and means of egress

All three units' exit directly outside. This is a small building there are no travel distance issues. All doors, existing or new will have lever hardware. There are no ceiling height issues.

Health and washroom requirements

Both units have full washing, washrooms and laundry is available in one of the units for both units. Offices share the washroom and kitchen of Dwelling Unit One. This is the existing arrangement and there are no operational issues.

Accessibility (barrier-free) requirements

This building is used exclusively as a working farm building. The dwelling units are not for any use other than for people employed in the business of East Richmond Nurseries. The work on the Nursery, by its nature requires access to areas and the doing of things which are inherently not accessible. This applies to seasonal workers as well as all office staff. All full time staff participate in the work on the property outside of the office as part of their jobs.

The building is, generally, not open to the public. The exception is the transaction of business within the office. Some customers go in to pay for their plants / orders. Most orders are processed via purchase orders and invoices in advance as this is mainly a commercial nursery (like a wholesaler) and not a retail nursery. In the event any customer needs help, all business can be conducted and concluded outside with the help of tables and portable payment devices. This seems to be a reasonable approach for this working farm.

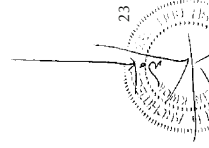
Analysis. While the goal of the building code is to have as much of the built environment accessible for all, it is recognized that that is not possible for every type of business. The Accessible Handbook notes spaces must be accessible for people with disabilities who are employed there. Some spaces where there is not full accessibility include commercial kitchens (in all restaurants), concrete batch plants, horse barns, green houses, and indoor / outdoor nurseries.



A day in the life of a working commercial nursery . Nov 2023.

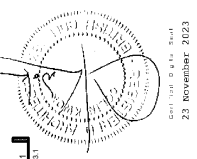
East Richmond Nurseries
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Floor Plans
 [Code Approved/Confirmed]

A 0101
 1/4" = 1'-0" (when printed at 1/8 scale)

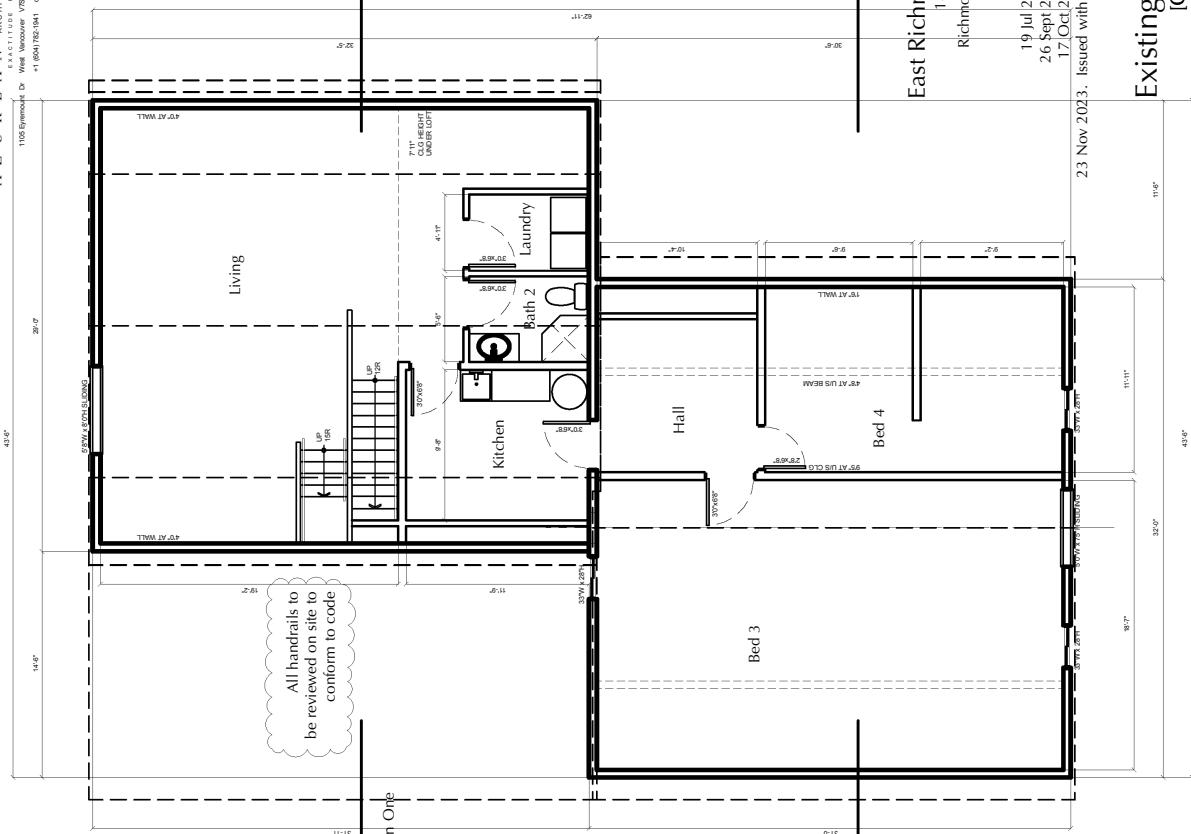


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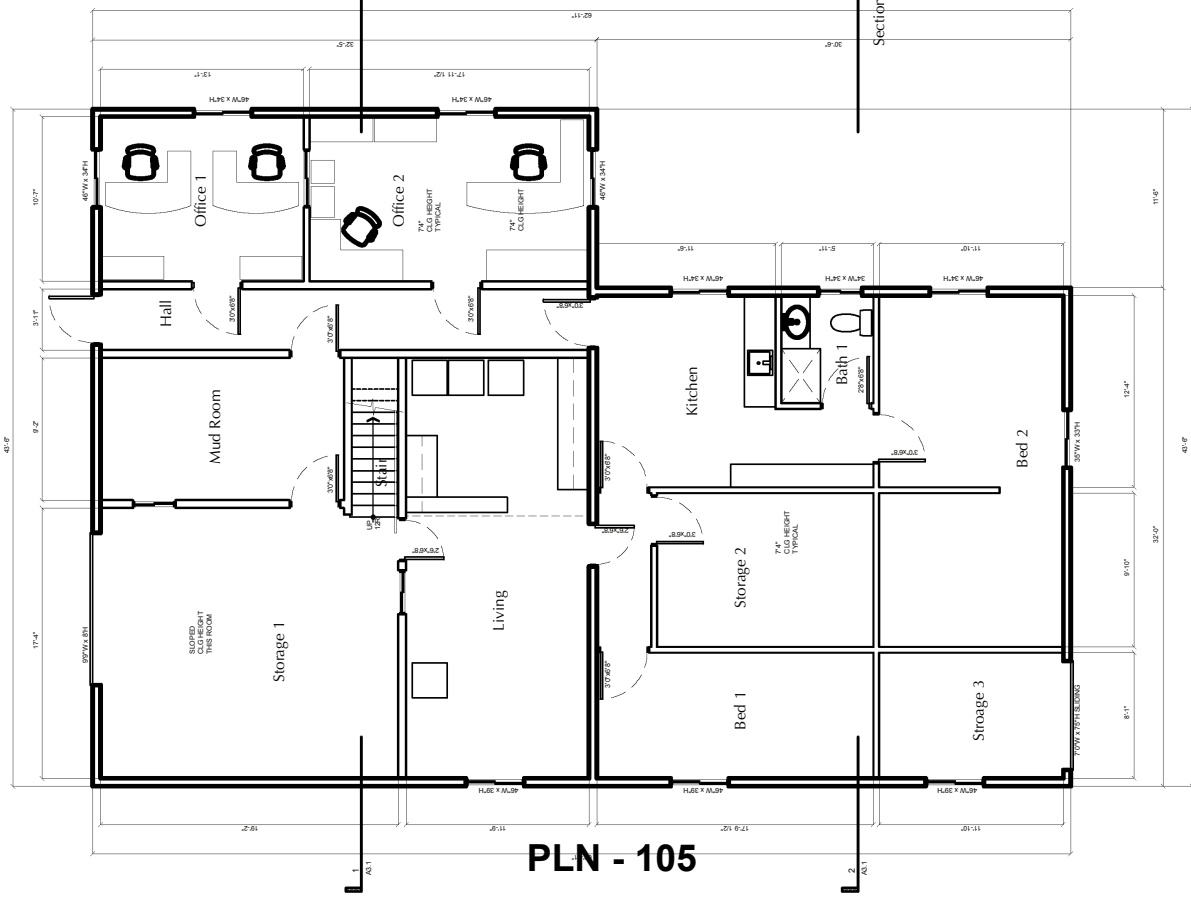
19 Jul 2023. Issued for Review.
 26 Sept 2023. Issued for Review.
 17 Oct 2023. Issued for Review.
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Existing Floor Plans
 [Ground + Second]

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

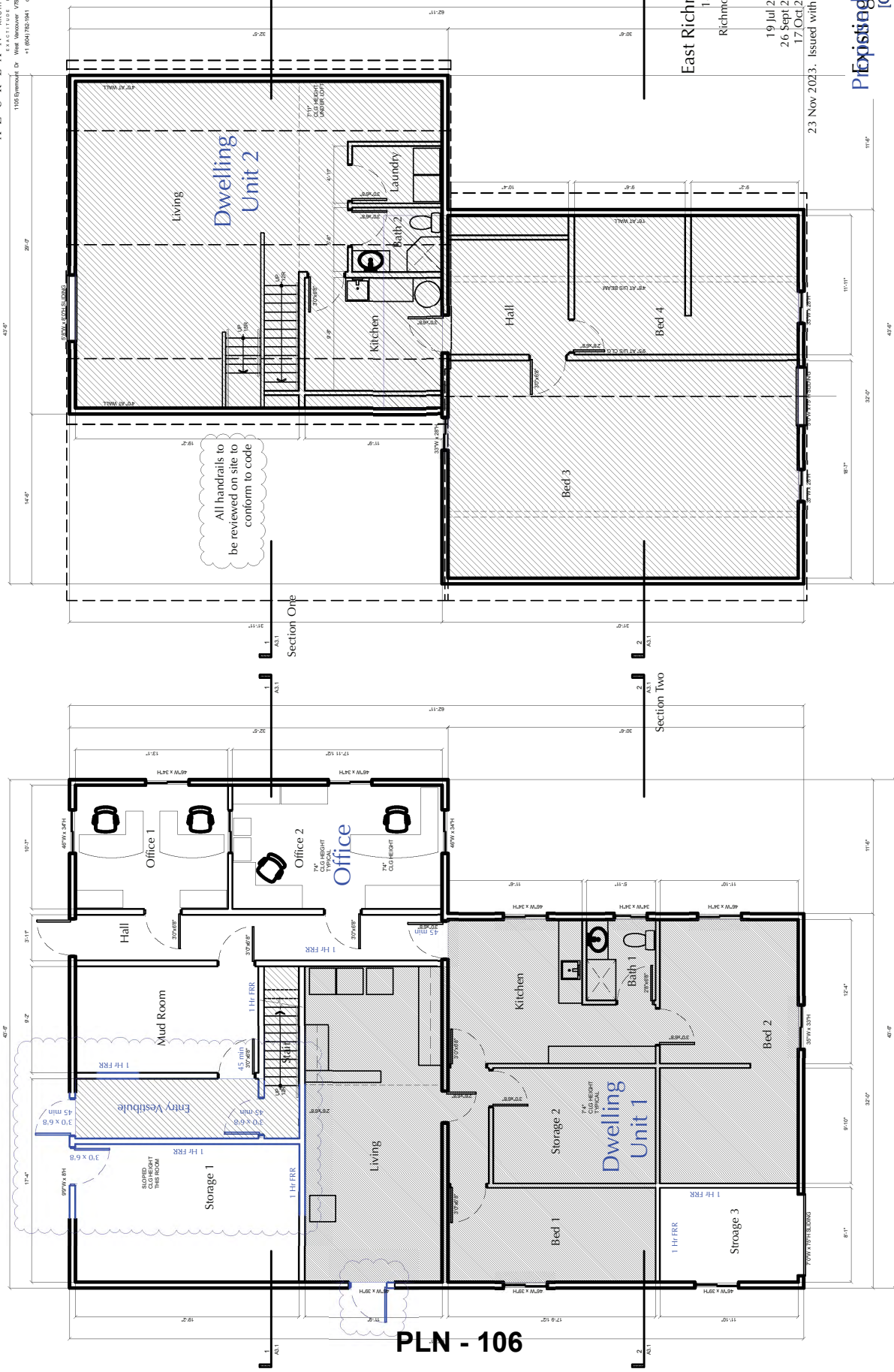
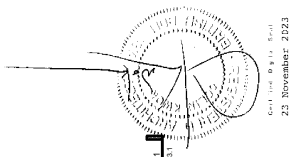


Second Floor



Ground Floor

PLN - 105



PLN - 106

East Richmond Nurseries
 18431 Westminster Hwy
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 23 Nov 2023. Issued with Additional Code Notes.

Existing Floor Plans
 [Ground + Second]

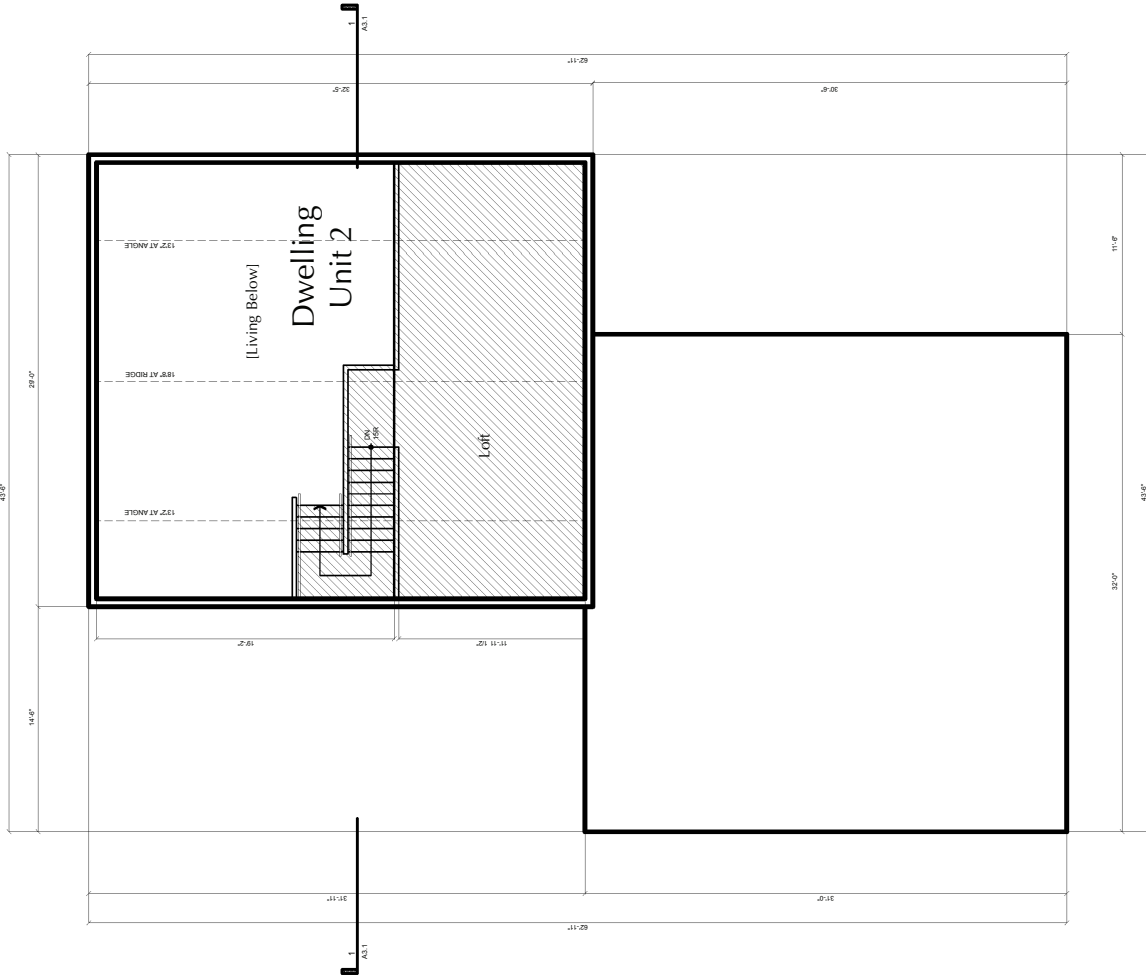
A 1.00
 1/8" = 1'-0" (when printed at 11 x 17)

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

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

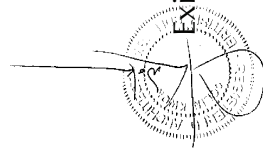


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 EXCITITUDE PASSION TRUTH
 1105 Seymour St. West Vancouver V8V 2B9, Canada Earth
 +1 (604) 273-1341 openoffice@azurean.ca



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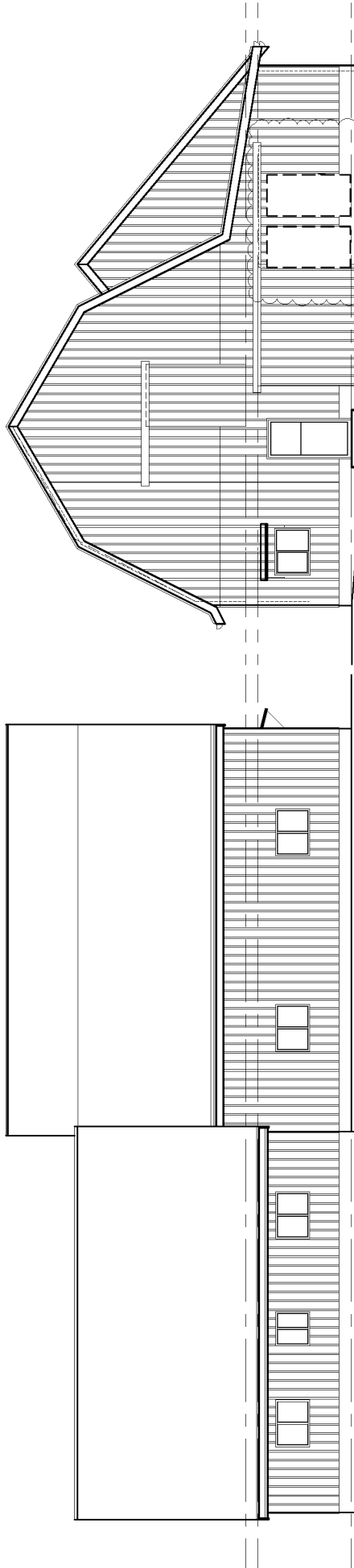
19 Jul 2023. Issued for Review.
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Existing and Proposed Floor Plans
 [Ground + Subgrade]

A 1.02
 1/8" = 1'-0" (when printed at 11 x 17)

23 November 2023



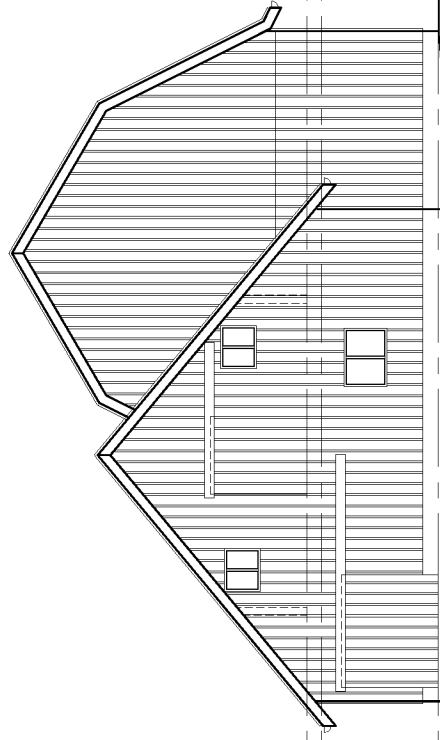
PLN - 108

South
 Soffit above windows for 1.2m on each side shall be protected with non-combustible material

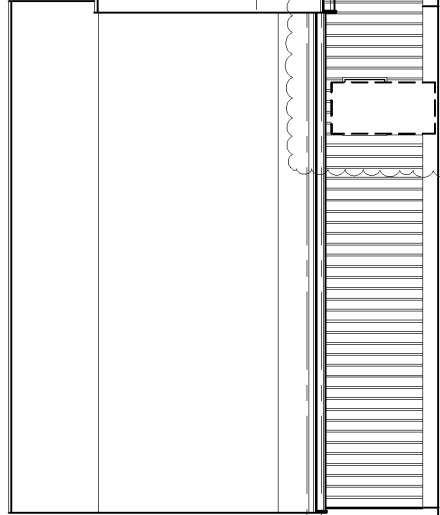
East

Remove Barn Door
 Add Two Person Doors
 See Plan

Soffit above doors for 1.2m on each side shall be protected with non-combustible material

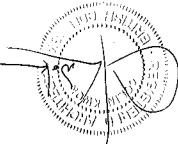


West



North
 Soffit above doors and windows for 1.2m on each side shall be protected with non-combustible material

Remove Window
 Add Person Door
 See Plan



East Richmond Nurseries
 18431 Westminister Hwy
 Richmond, BC, Canada, Earth
 23 November 2023

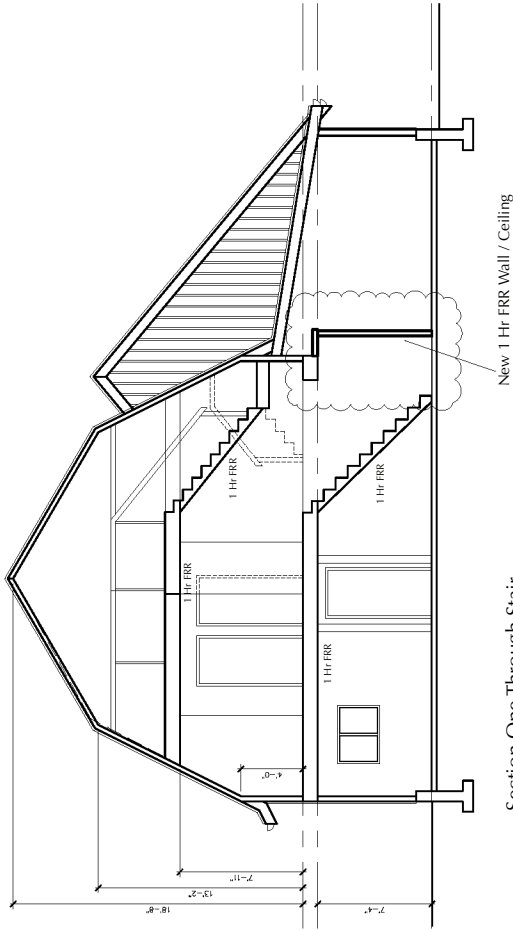
19 Jul 2023. Issued for Review.
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 17 Oct 2023. Issued for Review.
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**Floor Plans
 Elevations
 (Existing + Proposed)**

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

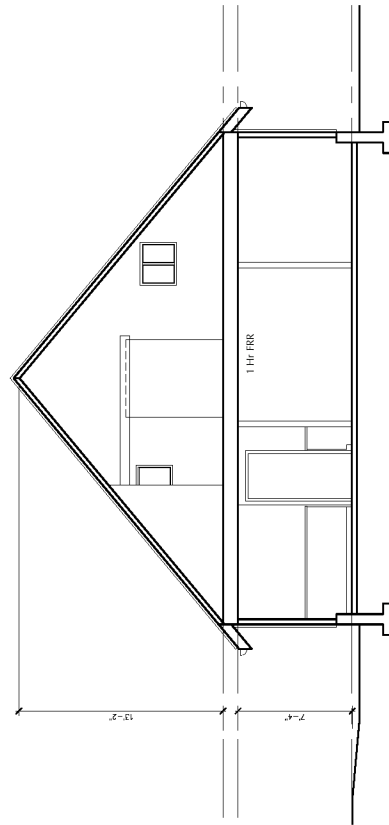


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Section One Through Stair

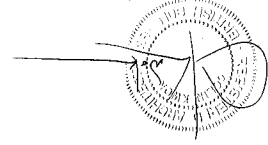
Any wall, interior or exterior supporting the second floor or lot is to be rated 1 hr.



Section Two Through Office

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

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



Floresctions
 [EXHIBIT 1 DISPOSED]

A 3-00
 1/4" = 1'-0" (when printed at scale)



Address: 18431 Westminster Highway

File No.: RZ 22-009024

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

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

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

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

Note:

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

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

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

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

[Signed copy on file]

Signed

Date



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

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

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

P.I.D. 003-684-636

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

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10534".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

ADOPTED

Series of horizontal lines for signatures and dates corresponding to the reading stages.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER