



Public Notice is hereby given of a Regular Council Meeting for Public Hearings being held on:

**Monday, May 17, 2021 – 7 p.m.**

**Council Chambers, 1<sup>st</sup> Floor  
Richmond City Hall  
6911 No. 3 Road  
Richmond, BC V6Y 2C1**

## OPENING STATEMENT

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1. **TEMPORARY COMMERCIAL USE PERMIT (TU 20-905119)**  
(File Ref. No. TU 20-905119; 11-7400-20-RNMAI) (REDMS No. 6612513 v. 4; 5662321)

PH-6

See Page PH-6 for full report

- Location:** 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592)
- Applicant:** Firework Productions Ltd.
- Purpose:** To permit a Temporary Commercial Use Permit to allow for the operation of a night market event and supporting off-street parking at 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592) for 2021, 2022 and 2023 during the following periods:
- Night market event between May 21, 2021 to December 31, 2021 (inclusive) for a maximum of 80 event operational days. Days of operation shall be Friday, Saturday, Sunday, statutory holidays and Thursdays (during July and August 2021 only).

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- Hours of operation shall generally be 7 pm to 11 pm on Sundays, statutory holidays and Thursdays (July and August only) and 6 pm to midnight for all other days.
- Night market event between April 29, 2022 to October 16, 2022 (inclusive) for a maximum of 80 event operational days. Days of operation shall be Friday, Saturday, Sunday, statutory holidays and June 30, 2022.
  - Hours of operation shall generally be 7 pm to 11 pm on Sundays and statutory holidays and 6 pm to midnight for all other days.
- Night market event between April 28, 2023 to October 15, 2023 (inclusive) for a maximum of 79 event operation days. Days of operation shall be Friday, Saturday, Sunday and statutory holidays.

Hours of operation shall generally be 7 pm to 11 pm on Sundays and statutory holidays and 6 pm to midnight for all other days.

**Order of Business:**

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

**Council Consideration:**

1. That a Temporary Commercial Use Permit be issued to Firework Productions Ltd. for properties at 8351 River Road and Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) for the purposes of permitting the following:
  - a) Night market event between May 21, 2021 to December 31, 2021 (inclusive) to allow for a maximum of 80 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;



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- b) Night market event between April 29, 2022 to October 16, 2022 (inclusive) for a maximum of 80 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 28, 2023 to October 15, 2023 (inclusive) for a maximum of 79 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 March 17, 2021 from the Director of Development be subject to the fulfillment of all terms, conditions and requirements outlined in the Temporary Commercial Use Permit and attached Schedules.



- 2. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10248 (RZ 19-873781)**  
(File Ref. No. RZ 19-873781) (REDMS No. 6625458)

**PH-60**

**See Page PH-60 for full report**

**Location:** 11240 Williams Road

**Applicant:** Benn Panesar

**Purpose:** To rezone the subject property from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone to permit the property to be subdivided to create two single-family lots with vehicle access from the rear lane.

**First Reading:** April 26, 2021

**Order of Business:**

- 1. Presentation from the applicant.
- 2. Acknowledgement of written submissions received by the City Clerk since first reading.
- 3. Submissions from the floor.

**Council Consideration:**

- 1. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 10248.



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3. **OFFICIAL COMMUNITY PLAN BYLAW 7100 AND 9000, AMENDMENT BYLAW 10258 AND RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10259**

(File Ref. No. 08-4050-10) (REDMS No. 6652846)

PH-87

See Page PH-87 for full report

**Location:** City-wide

**Applicant:** City of Richmond

**Purpose of OCP Amendment:** Revise permitted uses and related policies for religious assembly use in the No. 5 Road Backlands Policy Area (Schedule 1) and the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A).

**Purpose of Zoning Amendment:**

- Amend the Assembly (ASY) zone to only allow religious assembly as the principal use and supporting secondary uses for sites located in the No. 5 Road Backlands Policy area and include a provision requiring Agricultural Land Commission approval for any Assembly (ASY) zoned site located in the Agricultural Land Reserve.
- Amend the Assembly (ASY) zone to permit education as a site specific allowance.
- Amend the Religious Assembly (ZIS7) – No. 5 Road zone to only allow religious assembly as the principal use and supporting secondary uses.
- Amend the Use and Term Definition of religious assembly to clarify permitted accessory uses.

**First Reading:** April 26, 2021

**Order of Business:**

1. Presentation from the applicant.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

**Council Consideration:**

1. Action on second and third readings of Richmond Official Community Plan Bylaw 7100 and 9000 , Amendment Bylaw 10258.



## Public Hearing Agenda – Monday, May 17, 2021

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2. Action on second and third readings of Richmond Zoning Bylaw 8500, Amendment Bylaw 10259.

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3. Adoption of Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258.

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4. Adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10259.

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ADJOURNMENT

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**To:** Planning Committee

**Date:** March 17, 2021

**From:** Wayne Craig  
Director, Development

**File:** TU 20-905119

**Re:** **Application by Firework Productions Ltd. for a Temporary Commercial Use Permit Renewal at 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592)**

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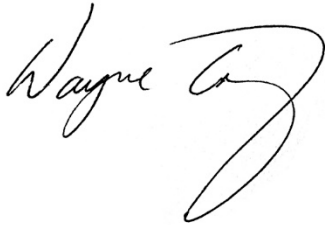
**Staff Recommendation**

1. That the application by Firework Productions Ltd. for a Temporary Commercial Use Permit Renewal at 8351 River Road and Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) be considered at the Public Hearing to be held on May 17, 2021 at 7:00 p.m. in the Council Chambers of Richmond City Hall, and that the following recommendation be forwarded to that meeting for consideration:

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

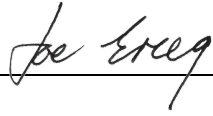
- a) Night market event between May 21, 2021 to December 31, 2021 (inclusive) to allow for a maximum of 80 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;
- b) Night market event between April 29, 2022 to October 16, 2022 (inclusive) for a maximum of 80 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 28, 2023 to October 15, 2023 (inclusive) for a maximum of 79 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 March 17, 2021 from the Director of 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 5 to the staff report dated March 17, 2021 from the Director of Development.



Wayne Craig  
Director, Development

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Att. 6

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) renewal 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) (Attachment 1) during the following time periods, including proposed days and hours of operation:

- May 21, 2021 to December 31, 2021 (proposed scheduling flexibility in response to uncertainty around the COVID-19 pandemic as discussed later in this report).
  - Fridays, Saturdays, days preceding a statutory holiday – 6 pm to midnight.
  - Sundays and statutory holidays – 7 pm to 11 pm.
  - Thursdays during July and August – 7 pm to 11 pm.
- April 29, 2022 to October 16, 2022.
  - Fridays, Saturdays, days preceding a statutory holiday – 6 pm to midnight.
  - Sundays and statutory holidays – 7 pm to 11 pm.
- April 28, 2023 to October 15, 2023.
  - Fridays, Saturdays, days preceding a statutory holiday – 6 pm to midnight.
  - Sundays and statutory holidays – 7 pm to 11 pm.

### **Background**

In 2017, Council issued a TCUP (TU 17-764698) valid for 3 years (2018, 2019 and 2020 summer seasons). This same TCUP also granted approval for a winter festival event on the subject site in 2017, 2018 and 2019; however, the event organizer did not end up operating a winter festival event. Summer night market events occurred in 2018 and 2019. The 2020 night market event did not occur due to the COVID-19 pandemic and related Provincial Health Officer (PHO) public health orders.

The night market event has been operating at this site since 2012 and is an established and well known tourist attraction that contributes to the local economy. The safe return of events including the night market, if approved, will play an important role in tourism recovery efforts and will support businesses such as food and retail vendors that rely on events to operate.

In accordance with the Local Government Act, a TCUP renewal application has been applied for to allow the night market event in 2021, 2022 and 2023, for the summer season only.

### **COVID-19 Implications and Provincial Health Officer Public Health Orders**

As a result of the COVID-19 pandemic and related Provincial Health Officer (PHO) public health orders currently in place, events and gatherings remain prohibited throughout the Province. Vancouver Coastal Health staff have confirmed that the night market is classified as an “event” and therefore subject to applicable public health orders in place.

The TCUP renewal application submitted by the event organizer is a land use application that requires Council consideration and approval. This TCUP renewal application can be considered

on its own merits to address all the standard issues and requirements for this type of temporary land use for the night market event. Notwithstanding the TCUP land use application approval required by Council, the night market event is also required to comply with all applicable PHO public health orders, regulations and guidelines associated with events and gatherings.

If Council approves the proposed TCUP renewal and PHO public health orders remain in place that prohibits these types of large gathering events, the night market event will not be able to operate. If Provincial public health orders are modified and regulations implemented to ensure public health and safety at these types of events, the night market event will be required to comply with and follow all applicable public health orders and regulations in order to operate. Provisions about the night market event being subject to and required to comply with all applicable PHO public health orders, regulations and guidelines in relation to the COVID-19 pandemic have been incorporated into the terms and conditions of the proposed TCUP.

### **Findings of Fact**

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

The subject site has been subject to a rezoning application (RZ 12-598104; submitted January 10, 2012) for a comprehensive multi-phased high-density commercial redevelopment. The proposal for this project was recently revised and resubmitted on October 6, 2020 (RZ 20-915237) and is currently under review with City staff. The applicant and event organizer for the TCUP renewal application has obtained a lease and authorization from the property owner to apply for and operate a night market event. 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 grants the ability for a Local Government's to consider and issue Temporary Use Permits. The Local Government Act also places a maximum 3 year period for uses granted through a Temporary Use Permit under the legislation. The TCUP being considered in this report is a renewal application as the original TCUP was granted in the previous 3-year cycle (2018 to 2020).

## **Related Policies & Studies**

### **Official Community 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 and Limited Mixed Use, Agricultural (outside of the ALR) where deemed appropriate by Council. The proposed TCUP application complies with the provisions of the OCP.

## **Public Consultation**

The event organizer conducted consultation with businesses and residences in the surrounding area to request feedback on the TCUP renewal application for the proposed night market event on the subject site, which included information about the proposed scheduling flexibility for 2021 only in order to allow for adjustments due to impacts from the pandemic. The consultation summary materials that includes two letters to the neighbourhood, summary consultation table and 2 letters of support for the event (Tourism Richmond and River Rock Casino Resort) provided by the applicant is contained in Attachment 3. The event organizer and the City received 2 separate pieces of correspondence from the property owners at 8560 River Road and the event organizer and City provided emails in response to the received letters, all of which is contained in Attachment 4.

The following is a summary of the concerns and comments made by the property owners at 8560 River Road. City staff responses are identified in ***bold italics***:

River Road closure concerns during market event dates

***River Road, between West Road and No. 3 Road, must remain open at all times including when the night market event is in operation to ensure access to the existing businesses along this portion of road. The traffic control and management plan for the night market event and the traffic control persons are required to direct traffic to and from the event site in accordance with the plan approved by the City's Transportation Department. River Road is required to remain open with the traffic control person's role to help facilitate safe and effective access and egress for vehicles needing access to River Road. Transportation staff will ensure that the traffic control and management plan enables vehicle access to River Road and will monitor the area to ensure these conditions during event operation are adhered to.***



#### Litter/Garbage concerns on River Road

***In accordance with the TCUP terms and conditions, the event organizer is required to clean-up litter and garbage in the area surrounding the subject site on each event operation day. This plan to manage garbage and litter includes placement of garbage receptacles in the neighbourhood, regular garbage sweeps throughout the neighbourhood during event operations and removing the garbage receptacles at the end of each evening. The event organizer has confirmed that garbage receptacles will be placed along the 8500 block of River Road as requested in the correspondence.***

#### Parking concerns

***Dedicated off-street parking is required to be provided for night market attendees located on the event site (1,480 stalls) and parking for event vendors and employees located on West Road (200 stalls). The dedicated off-street parking provided for and summarized above is sufficient for the proposed event.***

#### Noise concerns from the event site when the market is not in operation

***The concerns about noise being generated from the event site outside of when the night market is operating has been communicated to the event organizer so that they are aware of the concerns of the property owner(s) at 8560 River Road. The event organizer has indicated they are not aware of any activities happening on the site when the night market is not operating that would generate noise, but will monitor this situation and follow-up accordingly. Additional information about noise management for the event will be provided later in the report.***

#### Pedestrian safety on River Road (between West Road and No. 3 Road)

***In response to concerns about pedestrian safety along this portion of River Road, Transportation staff have confirmed that during the night market season, parking along the north side of River Road in this area is restricted to facilitate safe vehicle movements. Temporary traffic cones will be placed along the north side of this portion of River Road during night market event operations to provide for safe pedestrian passage. Pedestrian supporting infrastructure (sidewalks; crossings supported by traffic control persons) exist for the main pedestrian routes to the event site along No. 3 Road and River Road (route to/from Bridgeport Canada Line station).***

#### Pandemic/COVID 19 concerns and the night market event

***As noted previously in this report, the TCUP renewal application submitted by the event organizer is a land use application that requires Council consideration and approval. In addition to requiring Council approval for the TCUP, the night market event is also required to comply with all applicable PHO public health orders and regulations that are in place at any given time.***

***Provisions about the night market event being subject to and required to comply with all applicable PHO public health orders, regulations and guidelines in relation to the COVID-19 pandemic have been incorporated into the terms and conditions of the proposed TCUP.***

A phone call was also received from a representative of the residential strata for the development at 3333 Corvette Way who identified the following concerns (staff responses are highlighted in bold italics):

Noise concerns and impacts (primarily related to night market stage performances) to the residential units in the development that face the night market site.

***To address the concerns about noise, a noise impact assessment will be required to be completed and approved by the City prior to the event commencing operations. This assessment will determine the existing baseline noise condition around the subject site and analyze the anticipated level of impact that the night market event will have to the surrounding area. Implementation of recommendations from the approved noise impact assessment relating to event operations (including amplified sound emitting from stage performances) will be required in conjunction with on-going monitoring of sound levels and measurements during the night market event for the three years proposed in the TCUP renewal. These requirements to manage and address noise impacts of the event to the surrounding area will also be incorporated into the TCUP terms and conditions. Additional information about noise management for the event will be provided later in the report.***

- Concerns about traffic congestion along No. 3 Road and difficulties accessing the developments south of Sea Island Way during the operation of the night market event as a result of additional traffic from recently completed mixed use projects (i.e., Yuanheng) south of Sea Island Way.

***A Traffic Management Plan (TMP) is required to be approved by the City for the night market event to ensure vehicle access and egress from the event site managed in accordance with provisions of the TMP. In response to concerns about traffic congestion and difficulties of accessing existing and new developments south of Sea Island Way, a number of transportation works have been completed that will improve and facilitate additional means of access to the area at all times and during night market event operations, including the completion of a new road (McMyn Way) with traffic signal connecting No. 3 Road and Corvette Way and supporting pedestrian and cycling infrastructure in the area.***

In addition to the public correspondence and phone call comments received as summarized above, a Temporary Commercial Use Permit application sign has been installed on the subject property to notify the area of the renewal application.

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 renewal 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 an expanded notification area bounded by Bridgeport Road to the south, Great Canadian Way to the East and Fraser River to the west and north (Attachment 5)

## **Analysis**

### General Event Description

The proposal for the night market event for the renewal of the TCUP over the next three years is similar compared to previous operations on the subject site. The event will consist of an outdoor market consisting of food and commercial retail vendors in conjunction with accessory entertainment/activities and services in support of the event (Attachment 6 – 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.
- Provisions for 1,480 dedicated off-street parking stalls on the subject site for event attendees. 200 parking stalls are also being provided for vendor and employee parking on West Road (8411, 8431 and 8451 West Road).

### TCUP Response to Potential Scheduling Impacts Due to the Pandemic – 2021 Season Only

Under normal circumstances and as applied for in the TCUP renewal application, the night market event would generally operate from the end of April to mid/late October for each year of operation. To account for the uncertainty during the 2021 season arising from the ongoing pandemic and current PHO public health orders in place to ensure public health and safety, the TCUP incorporates the following proposed scheduling flexibility for the 2021 season only to be adaptive in response to the pandemic:

- Extend the dates of the TCUP to enable the night market to operate beyond the normal event closure during mid to late October. The event season closure date is proposed to be December 31, 2021.
  - Generally, the days and hours of operation during this period are proposed to be consistent with a normal season that generally operate on Friday, Saturday, Sunday and statutory holidays and in some cases the day preceding a statutory holiday.
- Allow the night market event to operate on Thursday evenings from 7 pm to 11 pm for the months of July and August only. This is being requested to maximize the operational days that the night market can operate under favourable weather conditions.

- A maximum of 80 event dates would still apply to the night market during the 2021 season with the incorporated scheduling flexibility. The 80 day cap is consistent with the maximum number of event dates proposed in 2022 and 2023.

The scheduling flexibility summarized above allows the TCUP and the event organizer to adapt to potential scenarios that include a delay in opening or interruptions to the season due to pandemic related public health order restrictions and regulations.

#### Transportation – Parking and Traffic Management

Transportation staff have reviewed the TCUP renewal 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 is sufficient for the proposed event (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 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) by the City's Transportation staff 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.

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 4 hours of coverage will apply that enables staff to ensure that the TMP and supporting traffic control services are in place and 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 events at the applicable hourly rates. The bond amounts required as part of this TCUP includes the estimated Transportation costs (see Financial Impact section).

## RCMP

A minimum of 2 dedicated RCMP officers are required during the proposed hours of operation at the night market event to ensure community safety and provide for a highly visible police presence and quick response in the event of an emergency, generally oversee event safety/security and event attendees and vendors, and monitor operation of the TMP and vehicle traffic to and from the event site. RCMP members dedicated 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 events at the applicable hourly rates. The required bond amounts 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 four 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 amounts required as part of this TCUP includes the estimated Community Bylaws costs (see Financial Impact section).

## Event Noise Management

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 require to be completed and approved by City staff in advance of the operation of the night market and prior to 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 licence 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 plans for 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 prior to the event opening 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 in the proposed TCUP.

#### Building Approvals

For the proposed night market event, any buildings/structures (temporary tents) or changes to existing on-site servicing (i.e., plumbing system for the food court) will require 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 prior to this event opening is required and 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. Requirements for all vendors and the event organizer to obtain Business Licenses are identified in the proposed TCUP terms and conditions.

## Vancouver Coastal Health

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

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 vendors or the food court opening. VCH requirements for food vendor permits and inspections are identified in the TCUP terms and conditions.

Should public health and safety regulations in response to the COVID-19 pandemic be required or change by Vancouver Coastal Health or 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 into 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:

- 2 RCMP officers assigned to the night market event during the hours of operation for night market event operation day at the applicable hourly rate.
- If necessary, coverage for 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 expulsion of vendors from the event and monitoring of vendors by event staff. If managed effectively under this strategy and the event organizer prohibits this type of activity from the event, minimal to no costs in this area for RCMP commercial crime unit staff time are anticipated.
- Community Bylaws – 4 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 (4 hours maximum per event day of operation).
- Production, posting and takedown of event traffic directional signage by City staff.

### Operational Bond Requirements – 2021

Based on the proposed night market event proposed in this TCUP renewal application for 2021, 2022 and 2023, the estimated City and RCMP costs for each year is approximately \$150,000.

In response to the uncertainties caused by the ongoing COVID-19 pandemic and likely impacts to the 2021 night market event season, the following approach to bonding is proposed to ensure all City and RCMP costs are paid for by the event organizer and financial certainty to the event organizer on the amount and timing of required payments to the City (note: this bonding approach is proposed for the 2021 season only):

- A \$50,000 bond is required to be submitted to cover City and RCMP operational costs during the 2021 season. Payment increments and submission dates are as follows:
  - \$25,000 bond submission due 10 business days in advance of the proposed Temporary Commercial Use Permit Public Hearing date (i.e., May 3, 2021); and
  - Additional \$25,000 bond submission due 10 business days in advance of proposed opening date for the night market season.
- The original bond (\$50,000) is drawn down to cover City and RCMP costs that are invoiced monthly to the event organizer during the season. When the bond level reaches the minimum level of \$20,000, the event organizer will be invoiced and will be required to submit monies to the City to “top-up” and return the bond back up to the \$50,000 level. This cycle will repeat as necessary throughout the 2021 night market season.

### Operational Bond Requirements – 2022 and 2023

The approach to bonding is proposed to go back to the normal process of securing the full bonding amount from the event organizer prior to the beginning of the season in 2022 and 2023. The \$150,000 per year cost identified previously is an accurate estimate of City and RCMP costs anticipated during the 2022 and 2023 seasons. Based on this, the proposed bond amount and required submission date is as follows:

- 2022 - \$150,000 due on April 14, 2022.
- 2023 - \$150,000 due on April 14, 2023

### Provisions in the TCUP for Amounts Owing 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 leftover 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 2021, 2022 and 2023 night market seasons that provide an overview of the costs and deposit usages and requirements associated with providing the required City and policing services. Invoices are due upon receipt.

### **Conclusion**

The purpose of this TCUP renewal 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) in 2021, 2022 and 2023 during the dates and times identified in this report and subject to fulfilment 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 TCUP renewal application be approved to allow a night market event to occur for 2021, 2022 and 2023 at 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592).



Kevin Eng  
Planner 2

KE:cas

Attachment 1: Location Map

Attachment 2: Development Application Data Sheet

Attachment 3: Event Organizer Public Consultation Summary Materials

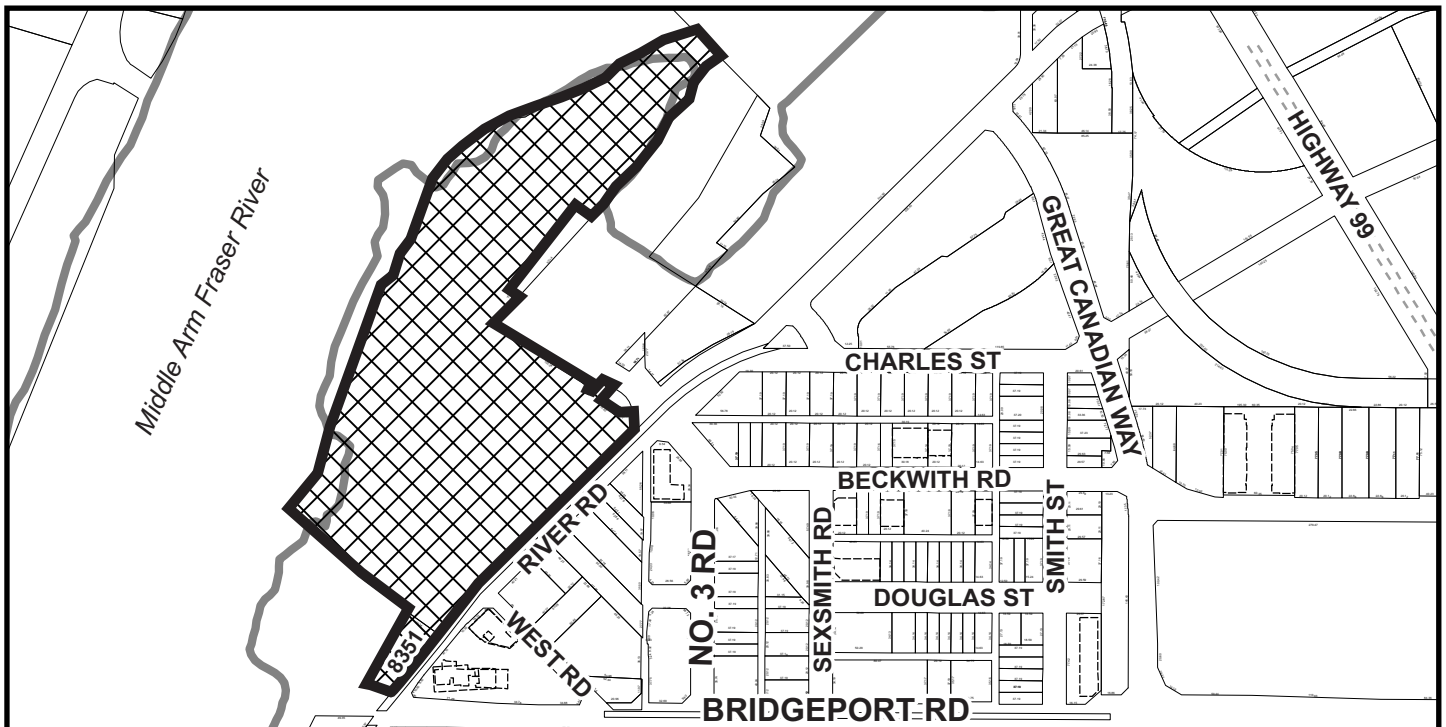
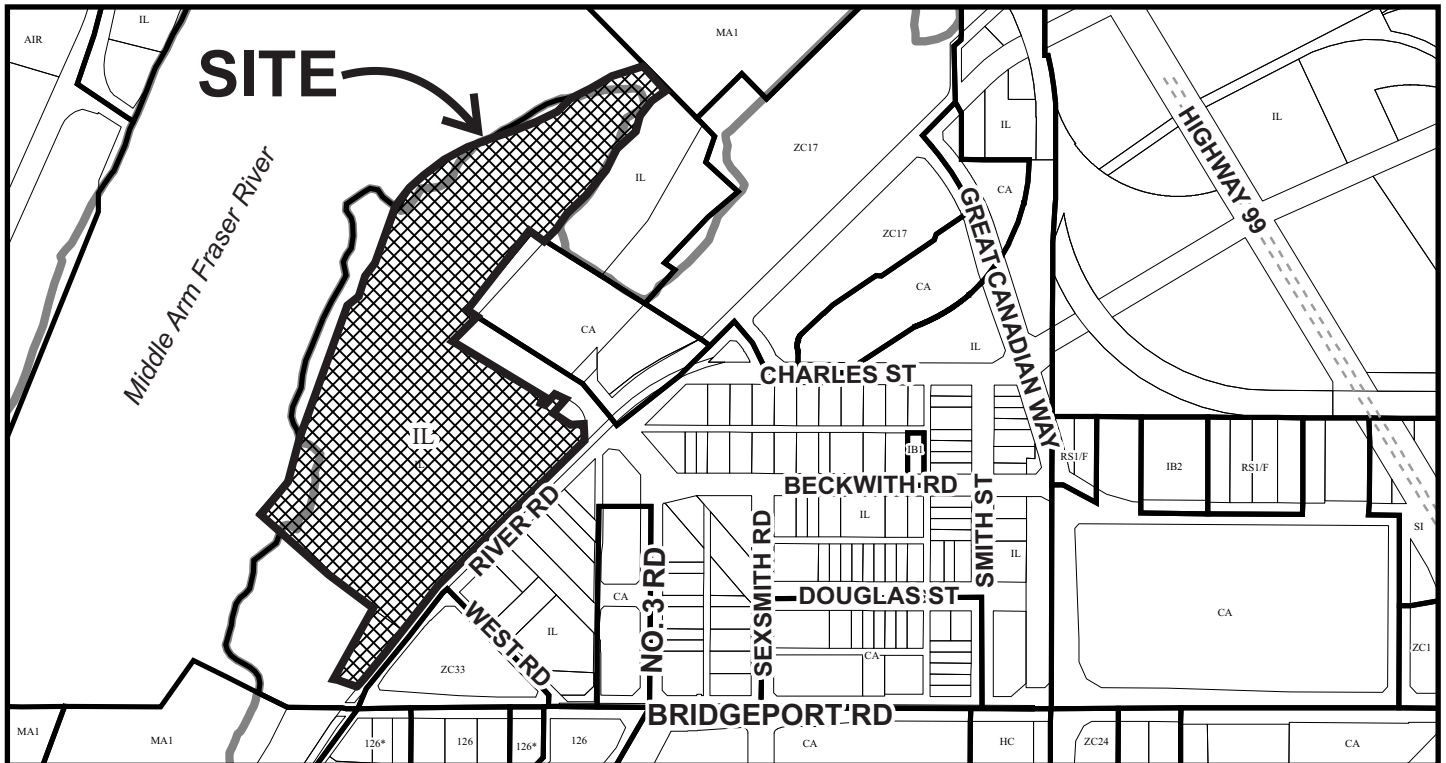
Attachment 4: Public Correspondence

Attachment 5: Proposed Expanded Public Hearing Notification Area

Attachment 6: Night Market Event Site Plan



# City of Richmond



## TU 20-905119

PH - 20

Original Date: 10/28/20

Revision Date: 01/29/21

Note: Dimensions are in METRES





# City of Richmond



TU 20-905119

PH - 21

Original Date: 10/28/20

Revision Date: 01/29/21

Note: Dimensions are in METRES



**RZ 20-905119**

**Attachment 2**

Address: 8351 River Road and Duck Island

Applicant: Firework Productions Ltd.

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

Year	Opening/Closing Dates	Days of Operation	Hours of Operation
2021	May 21, 2021 to December 31, 2021 Maximum of 80 total event days	Fri, Sat, Sun and Stat. Holidays* (*Including Canada Day – Thursday) Thursdays during the months of July and August only	6 pm to 12 am on Fri/Sat/Sun. before stat. holiday 7 pm to 11 pm on Sun. and stat. holiday 7 pm to 11 pm on Thursday (July and August only)
2022	April 29, 2022 to October 16, 2022 Maximum of 80 total event days	Fri, Sat, Sun and Stat. Holidays (Including June 30, 2022 – Thursday)	6 pm to 12 am on Fri/Sat/Sun. before stat. holiday 7 pm to 11 pm on Sun. and stat. holiday
2023	April 28, 2023 to October 15, 2023 Maximum of 79 total event days	Fri, Sat, Sun and Stat. Holidays	6 pm to 12 am on Fri/Sat/Sun. before stat. holiday 7 pm to 11 pm on Sun. and stat. holiday

## **Richmond Night Market Neighbour Consultation Letter**

Dear Neighbours,

The purpose of this letter is to inform businesses, property owners and residents of the Richmond Night Market event plans for 2021, 2022 and 2023 and seek comment and feedback from the public.

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

However, in light of the ongoing COVID-19 pandemic, the Richmond Night Market has to postpone the event to 2021 to ensure the health and safety of our community.

A Temporary Commercial Use Permit (TCUP) application has been submitted to the City for processing to obtain land use approval from Richmond City Council for the purposes of operating a seasonal night market event at 8351 River Road (and Duck Island Site).

The TCUP application is being processed now so that the necessary land use approvals and operational parameters are in place in the event that the Province and related public health and safety regulations and Public Health Officer orders enable events involving larger gatherings to occur in a safe manner.

The Richmond Night Market event is subject to all Provincial public health and safety regulations and Provincial Health Officer (PHO) orders. If these regulations and PHO orders restrict or do not allow these types of events, the Richmond Night Market will have to comply regardless of having a land use approval in place.

We propose to operate from end of April to mid October in 2021, 2022 and 2023. Hours of operation are as follows:

<u>Regular weekend:</u> Fridays & Saturdays: 6pm-12am Sundays: 7pm-11pm	<u>Long weekend:</u> Fridays-Sundays: 6pm-12am Mondays: 7pm-11pm
---	--

To ensure our event running smoothly and safely, there will be management plan in place especially in the areas of 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 traffic flow to and from the event site for all proposed event operational days.



### Parking

We will be providing enough capacity of 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 in the area surrounding the market and event site. We will be also hiring staff to clean up the garbage and bins during and after event operation hours.

### Noise

The music mainly generates from the stage. There will be limited background music on the event site including game section, food booths and seating area.

All the stage performances will comply with the noise bylaw and our stage manager will have the digital sound level meters for sound monitoring and adjust as necessary in response to any noise related concerns from the public 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 safety and security in the market and event site. There will be also RCMP on site to ensure the community safety.

### Request for Comments and Feedback

The TCUP application has been submitted to and is being processed by the City. A decision on the TCUP application for our proposed event will be made by Richmond City Council, which will include a Public Hearing prior to any decision being made by Council on the application. The future date for Council consideration of the TCUP application (including a Public Hearing) will be determined once staff processing of the application is completed. As part of our consultation with businesses, property owners and residents, we are requesting any comments, concerns and feedback to be submitted by December 15, 2020. Comments/feedback can be submitted through email ([admin@richmondnightmarket.com](mailto:admin@richmondnightmarket.com)). If you have any questions, please contact us at 604-244-8448.

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

Best regards,

Raymond Cheung

Event Organizer

Firework Productions Ltd.

Unit 3063-8700 Mckim Way

Richmond BC V6X 4A5

Tel: 604-244-8448



## **Richmond Night Market**

### **Neighbour Update Consultation Letter**

Dear Neighbours,

The purpose of this letter is to update businesses, property owners and residents of the Richmond Night Market event operations and scheduling changes proposed for the 2021 season and seek comment and feedback from the public. The updates provided in this letter are proposed for the 2021 season only. All previous information provided about the proposed 2022 and 2023 night market seasons remain applicable and are unchanged.

The reason for requesting scheduling flexibility is in response to the uncertainties arising from COVID 19 related restrictions that may delay the opening of the event or other pandemic related circumstances that may impact the night market event operation dates.

A Temporary Commercial Use Permit (TCUP) application has been submitted to the City for processing to obtain land use approval from Richmond City Council for the purposes of operating a seasonal night market event at 8351 River Road (and Duck Island Site).

The Richmond Night Market event is subject to all Provincial public health and safety regulations and Provincial Health Officer (PHO) orders. If these regulations and PHO orders restrict or do not allow these types of events, the Richmond Night Market will have to comply regardless of having a land use approval in place.

We propose the following changes to the Richmond Night Market Event for 2021 season only.

#### **Event Operations on Thursday - July and August for 2021 season only**

We request event operations on Thursdays during July and August 2021 and propose the event operation hours from 7pm to 11pm. The nine proposed Thursdays in July and August would apply to the maximum of 80 event operation days proposed to be incorporated in the TCUP.

#### **Scheduling Flexibility to Allow the Richmond Night Market to Operate Later into 2021**

We propose to allow the Richmond Night Market to operate until the end of 2021 (i.e., December 31, 2021), which would add approximately 2 ½ months from when the event would normally close for the season (i.e., mid to late October).

The maximum number of the event operation days for the 2021 season remain unchanged at 80 event operation days including the proposed changes. The request of scheduling flexibility to allow the event operations to the end of 2021 is to take into account the uncertainty that remains as a result of the COVID 19 related restrictions and potential impacts to the event operation dates.

The proposed days and hours of operation for the 2 ½ months for 2021 will be similar to previous years events:

<u>Regular weekend:</u>  Fridays & Saturdays: 6pm-12am  Sundays: 7pm-11pm	<u>Long weekend:</u>  Fridays-Sundays: 6pm-12am  Mondays: 7pm-11pm
---	--

To ensure the proposed event operations days running smoothly and safely, the management plan in place especially in the areas of traffic, parking, garbage, noise and security will continue to apply to the event operations for all proposed scheduling revisions outlined in this letter.

Request for Comments and Feedback

As part of our consultation with businesses, property owners and residents, we are requesting any comments, concerns and feedback for these proposed changes to be submitted ASAP. If you have any concerns or comments, please submit them through email ([admin@richmondnightmarket.com](mailto:admin@richmondnightmarket.com)).

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

Best regards,

Raymond Cheung

Event Organizer

Firework Productions Ltd.

Unit 3063-8700 Mckim Way

Richmond BC V6X 4A5

Tel: 604-244-8448





# **Richmond Night Market - TCUP Application** **Summary of Neighbour Consultation**

	Name of Street	Unit/Building	Company	Delivery Date	Phone No.	Comments	Support (S)	Not support (NS)
1	Beckwith Road	865.1	Auto	11/21/2020	604-649-1231	N/A		
2	Beckwith Road	871.1	Centurion Hardwood Floors	11/21/2020	604-910-9653	N/A		
3	Beckwith Road	873.1	Evolution Stone	11/21/2020	778-316-3819	N/A		
4	Beckwith Road	879.1	Amberleaf Cabinetry	11/21/2020	604-285-1928	N/A		
5	Beckwith Road	881.1	International Textiles Ltd	11/21/2020	800-801-6824	N/A		
6	Beckwith Road	882.0	J&R Excavation & Demolition Ltd.	11/21/2020	604-247-0337	N/A		
7	Beckwith Road	885.1	Canadian Pacific Seafood Ltd	11/21/2020	604-278-5512	N/A		
8	Beckwith Road	886.0	Star Box	11/21/2020		N/A		
9	Beckwith Road	888.8	Brighthouse Auto Electric Services Ltd	11/21/2020	604-273-4904	N/A		
10	Beckwith Road	891.1	Easy Way Trading Co Ltd	11/21/2020	604-278-7489	N/A		
11	Beckwith Road	893.1	Specialist A & A Japanese Engine	11/21/2020	604-278-4289	N/A		
12	Beckwith Road	896.0	Boost Start Capital Inc.	11/21/2020		N/A		
13	Beckwith Road	897.1	Canadian Chinese School of Theology Vancouver	11/21/2020	778-251-5678	N/A		
14	Smith Street	267.1	Household	11/21/2020		N/A		
15	Smith Street	265.1	Household	11/21/2020		N/A		
16	Smith Street	261.1	Household	11/21/2020		N/A		
17	Smith Street	257.1	Household	11/21/2020		N/A		
18	Smith Street	269.1	Household	11/21/2020		N/A		
19	Smith Street	271.1	Household	11/21/2020		N/A		
20	Smith Street	273.1	Household	11/21/2020		N/A		

21	Smith Street	2751	Boss Automotive 1996 Ltd	11/21/2020	604-270-9608	N/A		
22	Smith Street	2800	Locost Garage	11/21/2020	604-278-1936	N/A		
23	Smith Street	2900	Viva Java.	11/21/2020	604-270-7740	N/A		
24	Douglas Street	901.1	Household	11/21/2020		N/A		
25	Douglas Street	8995	Integral Sense Brands Inc	11/21/2020	+1 866-933-1744	N/A		
26	Douglas Street	9000	Household	11/21/2020		N/A		
27	Douglas Street	8940	Household	11/21/2020		N/A		
28	Douglas Street	881.1	Household	11/21/2020		N/A		
29	Douglas Street	8771#140	Elgin Floors	11/21/2020		N/A		
30	Douglas Street	8771#120	Jin Wah Sing Musical Assn	11/21/2020		N/A		
31	Douglas Street	8900	Household	11/21/2020		N/A		
32	Sexsmith Road	2800	The Story Café	11/21/2020	604-697-8679	N/A		
33	Sexsmith Road	2840	Days Inn by Wyndham Vancouver Airport	11/21/2020	604-207-8000	N/A		
34	Sexsmith Road	285.1	Jingon International Development Group	11/21/2020		N/A		
35	Sexsmith Road	297.1	Shibuyatei Japanese Restaurant	11/21/2020	778-297-1777	N/A		
36	Bridgeport Road	881.1	Hampton Inn by Hilton Vancouver-Airport	11/21/2020	604-232-5505	N/A		
37	No. 3 Road	2700	Bridgeport Collision	11/21/2020	604-273-2766	N/A		
38	No. 3 Road	2780	Marutama Ra-men	11/21/2020		N/A		
39	No. 3 Road	2800	Houstone Enterprises Ltd	11/21/2020	778-297-6398	N/A		
40	No. 3 Road	2820	Vancouver Fleet Services ltd	11/21/2020	604-278-1701	N/A		
41	No. 3 Road	2840	Express Lube & Tune	11/21/2020	604-278-1018	N/A		
42	No. 3 Road	2920	Jingon International Development Group	11/21/2020		N/A		
43	No. 3 Road	2980	Jingon International Development Group	11/21/2020		N/A		

44	No. 3 Road	2899#1	Flow Thai Massage & Spa	11/21/2020	604-285-2899	N/A		
45	No. 3 Road	2899#2	Dalue Buddhist Art	11/21/2020		N/A		
46	No. 3 Road	281.1#280	The Jade Seafood Restaurant	11/21/2020	604-249-0082	N/A		
47	No. 3 Road	281.1#135	24K Delicious Cheese Tea	11/21/2020	604-370-2404	N/A		
48	No. 3 Road	281.1#125	Bill Natural Sources	11/21/2020		N/A		
49	No. 3 Road	281.1#120	Namira Mitra Hair Design	11/21/2020	604-279-9887	N/A		
50	No. 3 Road	281.1#115	Hai Li Freight	11/21/2020	604-303-9601	N/A		
51	No. 3 Road	281.1#110	Daily Delicious	11/21/2020	236-858-5545	N/A		
52	No. 3 Road	2651#1	West Coast Automotive	11/21/2020	604-276-8293	N/A		
53	No. 3 Road	2651#4	Auto Body One	11/21/2020	604-270-7123	N/A		
54	No. 3 Road	2651A	Hans Radiator Repair Shop	11/21/2020	604-278-5232	N/A		
55	River Road	8580	Juan's Auto Service	11/21/2020	16042412848	N/A		
						They mainly concern about the access to their property during the night market operation, garbage in the River Road, the recent change in the neighborhood and Covid-19 spread. Please refer to attachment 4		
56	River Road	8560	The Barn	11/21/2020	16042441106			
57	River Road	8540	STIHL Don Dickey Supplies	11/21/2020		N/A		
58	River Road	8520	Ng Fung Enterprises Ltd	11/21/2020	604-273-2826	N/A		
59	River Road	8500	Wings Mould Canada	11/21/2020	604-276-2517	N/A		
60	River Road	8480		11/21/2020		N/A		
61	West Road	8400	International Trade Center	11/21/2020	778-881-5076	N/A		
62	Bridgeport Road	8477	International Trade Center	11/21/2020	778-881-5076	N/A		
63	River Road	8811	River Rock Casino	11/27/2020	604-247-4197	N/A		

64	Beckwith Road	8840		12/21/2020		N/A		
65	Smith Road	2720		12/21/2020		N/A		
66	Douglas Street	8991	Household	12/21/2020		N/A		
67	Douglas Street	8960	Household	12/21/2020		N/A		
68	Bridgeport Road	8911	Household	12/21/2020		N/A		
69	Bridgeport Road	8971	Discount Car & Truck Rentals	12/21/2020	1-888-310-2277	N/A		
70	Smith Street	2900	Strata building	12/21/2020		N/A		
71	Bridgeport Road	8581		12/21/2020		N/A		
72	Bridgeport Road	8571		12/21/2020		N/A		
73	Charles Street	8960		12/21/2020		N/A		
74	Charles Street	8920	The learning Centre	12/21/2020		N/A		

----- Forwarded message -----

**From:** Eng, Kevin <[KEng@richmond.ca](mailto:KEng@richmond.ca)>  
**Date:** Fri, 27 Nov 2020 at 12:34  
**Subject:** RE: Night Market  
**To:** Chuck Keeling <[ckeeling@gcgaming.com](mailto:ckeeling@gcgaming.com)>  
**Cc:** raymond cheung <[2012rayray@gmail.com](mailto:2012rayray@gmail.com)>

Hi Chuck – I'm well thanks, same to you.

Thanks for connecting and providing comments on the TCUP renewal application. This email will be included as part of the public consultation and accompanying correspondence that the event organizer is undertaking through the processing of the application, which will be provided to Richmond City Council when they consider the renewal application.

Raymond – Please make note of this email and include it in your summary consultation report to be submitted to the City once you have completed your consultation.

All the best.

Kevin Eng

Planner 2, Policy Planning Department, City of Richmond

604-247-4626; [keng@richmond.ca](mailto:keng@richmond.ca); [www.richmond.ca](http://www.richmond.ca)

---

**From:** Chuck Keeling <[ckeeling@gcgaming.com](mailto:ckeeling@gcgaming.com)>  
**Sent:** November 27, 2020 10:00 AM  
**To:** Eng, Kevin <[KEng@richmond.ca](mailto:KEng@richmond.ca)>  
**Cc:** raymond cheung <[2012rayray@gmail.com](mailto:2012rayray@gmail.com)>  
**Subject:** Night Market

Hi Kevin; I hope you're doing well.

Raymond has asked that we provide a brief email pertaining to the potential renewal of his TUP for the Night Market in 2021.

With that in mind, please accept this email, on behalf of River Rock Casino Resort, as our indication that we have no concerns with the TUP renewal, subject to the operator maintaining a Traffic Management Plan that addresses any congestion/access/egress issues that may impact visitation to River Rock for any of our guests.

Please do not hesitate to contact me if you have any questions or would like more information.

Thanks.

Chuck

**Chuck Keeling**

**Executive Vice President,**

**Stakeholder Relations**

**and Responsible Gaming**

**Great Canadian Gaming Corp.**

**150 - 8831 River Road**

**Richmond, BC V6X 1Y6**

**O- 604-247-4197**

**C- 778-874-4942**

**[ckeeling@gcgaming.com](mailto:ckeeling@gcgaming.com)**

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December 15<sup>th</sup>, 2020

**RE: Richmond Night Market TCUP Renewal**

To whom it may concern,

The Richmond Night Market has been a valued and active partner of Tourism Richmond for many years. It is one of our most visited attractions in Richmond, drawing visitors from near and far.

It has also been written about very favourably by travel journalists from all over the world, and Canada's Prime Minister even visited in 2019.

We fully support their continued presence in our city – and look forward to when they reopen in 2021.

Kindest regards,

A handwritten signature in black ink that reads "Nancy Small". The signature is written in a cursive, flowing style.

Nancy Small  
CEO, Tourism Richmond

**Jayker Holdings Ltd.  
8560 River Road Richmond, B.C.  
V6X 1Y4**

November 25, 2020

City of Richmond  
Planning Department  
6911 No 3 Road  
Richmond B.C. V6Y 2C1



And

Firework Productions Ltd.  
Unit 3063 – 8700 McKim Way  
Richmond, B.C. V6X 4A5

We are writing to comment on the proposed Temporary Use Permit application for land use approval for the Richmond Night Market. We are both owners and residents of 8560 River Road Richmond B.C. and are situated directly across the street from the property in question and thus directly impacted..

1. We have had the experience many many times of having River Road shut off from vehicles, making it impossible for us to conduct our business or even enter and exit from our property. Pylons are put to block River Road at No. 3 Road and on West Road from Bridgeport thus blocking our access to our property. River Road at No. 3 Road must be left open both for residents and businesses and their customers.
2. In the past years the Night Market has stated they would put garbage cans out on River Road for their customers to use. I request that the litter be picked up from the entire time the Market is operating and that garbage cans be put out in the 8500 Block of River Road because people walk up this street to access the entrance on No. 3 Road and both coming and going throw their garbage on the street, our property or the railroad tracks..
3. Parking – is going to be a bigger problem than previous years. The two new office buildings and the hotel will be operating while the market is open. The Night Market used to utilize, along with their own parking, the space now occupied by the Jade Seafood Restaurant – they no longer have this space. The Night Market also used the space underneath the Canada Line across from the River Rock Casino and they no longer have this space.
4. Noise – When the market is open I understand that they have to have music and crowd noise. However my concern is that every week while the market



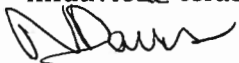
is not open, the music level is far greater than even when they are open! I would ask that they do not play music while the market is not open. It is usually young people who are there and I am sure they don't think about how the noise effects the local businesses during the day.

This area has changed since the Richmond Night Market first opened and the City of Richmond granted them a temporary use permit. We now have River Road opened and vehicles can exit directly onto Bridgeport and the bridge to the airport or Vancouver. We have a new hotel planning to open. We have two large office towers open. We urge the Council members to come and look at the area again prior to granting the approval. Huge numbers of people walk along River road at night to access the Night Market on No. 3 Road. River Road in our block is narrow. Could the City arrange to clear out the railroad tracks to allow people to use this as a path to keep them off the roadway for safety reasons.

We are not against the Richmond Night Market but feel that some things need to be addressed in light of this changing area.

**Our biggest fear is COVID 19 spreading. We decided to close our store because we did not want to contribute to Covid19 spread. I believe there is no way Canada will have vaccinated enough people (if any) by the suggested opening date of April 2021 that the Richmond Night Market proposes. Canada hopes to have everyone who will take a vaccination have done so by the end of 2021. It is the City of Richmond's responsibility to keep its residents safe and I suggest that they do not give approval for 2021 but defer until 2022.**

Henry and Nancy Davies  
Jayker Holdings Ltd.  
Mitchell Island Equipment Inc.  
nndavies@telus.net



**Jayker Holdings Ltd.  
8560 River Road  
Richmond, B.C. V6X 1Y4**

December 7, 2020

City of Richmond  
Planning Department  
6911 No. 3 Road  
Richmond, B.C. V6Y 2C1

Re: Development Permit Application for Fireworks Production (Richmond Night Market)

We wish to add the following to our concerns re the night market.

On November 25 we sent a letter to the City and to the applicant regarding the above Permit Application and have received an email response from Fireworks Production in which they state regarding River Road :

**“During the Night Market hours, the River Road is for local traffic only, no public car be allowed to enter.**

**Same as previous year, we will be using the same professional traffic control company to manage and control traffic flow. We will ensure they are awareness of the local pass for the neighbourhood. All the neighbourhood would be providing local passes for easy access to and from their properties and businesses in the area”.**

This is not acceptable. For them to say that **“no public car be allowed to enter’** and for the City to go along with that, does not make sense.

We built and have owned our building for the past 45 years and had various tenants plus prior to Covid had our own business. As well we have a caretaker unit on the premises where we live. Because of Covid we temporarily closed our business but do sell online and have customers that come in the evenings on weekends. There are at least six other businesses in our block of River Road.

With the opening of River Road for access to the Airport Connector Bridge, Bridgeport and to Vancouver (Arthur Laing Bridge), Burkeville, and the Airport, the traffic has hugely increased since the Night Market was open. Two years ago when the market was operating it was very difficult to get the attention of the traffic people to tell them where we were going. Our customers stated they just gave up trying to get to our property on the three and four nights a week for the

six months the Market is allowed to be open.

We pay considerable taxes on our property and to have our road basically shut down for half of the year by another business is unfair to the rest of the businesses and residents on River Road. .

If the City is considering allowing our block on River Road to be shut down for six months a year, 3 to 4 nights a week, then we demand compensation for ourselves and compensation as well for the other businesses and residents on River Road. We already have restrictions on our property because of the airport, the Canada Line hangs over a curve at the rear of our property and is extremely loud and now you are considering approving a private business to restrict access to our property.

River Road must be left open. No other business should have the right to impact six other businesses! If a business cannot contain their operations on their own property and not impact others, then the site is not conducive to the use.

I would appreciate a response from the City.

A handwritten signature in blue ink, appearing to be 'Henry/Nancy Davies', written in a cursive style.

Henry/Nancy Davies  
Jayker Holdings Ltd.

/nd

**From:** [admin@targetevent.com](mailto:admin@targetevent.com)  
**To:** [nndavies@telus.net](mailto:nndavies@telus.net)  
**Subject:** Response to Comment on Richmond Night Market 2021

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Dear Henry and Nancy,

We have received your comment letter dated on November 25, 2020. Thank you for your support and express your concerns about our proposed event. Richmond Night Market always takes your healthy and safety as our top priority. Regarding your concerns about the TCUP application, please find our response as below:

1. During the Night Market operation hours, the River Road is for local traffic only, no public car be allowed to enter. Same as previous year, we will be using the same professional traffic control company to manage and control traffic flow. We will ensure they are awareness of the local pass for the neighborhood. All the neighborhood would be providing local passes for easy access to and from their properties and businesses in the area.
2. Garbage bins will be put out in the 8500 River Road during the Night Market operation hours.
3. We are aware that there is new development in the area, but same as previous years, we provide enough capacity of parking stalls for our visitors. In addition, we also encourage the visitors to the night market by public transit.
4. To ensure the consistency of noise level, during the Night Market operation hours, we will do the sound check to ensure the audio volume within the sound level bylaw. During weekdays, there are usually no staff on site but we will keep monitoring this issue.

During the pandemic, we are working closely with Vancouver Coast Health for their guidelines on social gathering. The health and safety of our community is always our top priority. For the Night Market reopen next year, we will be keep strictly following all Provincial public health and safety regulations and Provincial Health Officer (PHO) orders at that time. We will have high standards of cleanliness for the event and implement onsite health and safety protocols to meet all PHO requirements.

If you have any further questions or concerns, please feel free to let us know. We know that this is a very challenging time for everyone, we hope we can get through this together.

Best regards,

Grace Deng  
Firework Productions Ltd.  
Unit 3063-8700 Mckim Way  
Richmond BC  
V6X 4A5  
604-244-8448 Tel  
604-244-8872 Fax  
<https://richmondnightmarket.com/>

**From:** [Eng.Kevin](mailto:Eng.Kevin)  
**To:** ["nndavies@telus.net"](mailto:nndavies@telus.net)  
**Subject:** Response to comments and concerns - Richmond Night Market (8351 River Road & Duck Island Site)  
**Date:** February 2, 2021 5:15:45 PM  
**Attachments:** [20120412Local\\_User.pdf](#)  
[20121612Local\\_User.pdf](#)

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To Henry and Nancy Davies,

This email provides City of Richmond responses to the comments and concerns from your letters (dated November 25, 2020 and December 7, 2020) in relation to the Temporary Commercial Use Permit (TCUP) renewal application submitted for Richmond Night Market 2021, 2022 and 2023 seasons.

The submitted correspondence is attached for reference purposes and City responses to your concerns are provided in the sections below.

The submitted letters will also be included as public correspondence received as part of the processing of the TCUP renewal application and forwarded to Council as part of their forthcoming consideration of this application.

River Road closure concerns during market event dates

River Road, between West Road and No. 3 Road, must remain open at all times including when the night market event is in operation to ensure access to the existing businesses along this portion of road. The traffic control and management plan for the night market event and the traffic control person's are required to direct traffic to and from the event site in accordance with the plan approved by the City's Transportation Department. River Road is not permitted to be restricted access and is required to remain open with the traffic control person's role to help facilitate safe and effective access and egress for vehicles needing access to River Road. Transportation staff will ensure that the traffic control and management plan enables vehicle access to River Road and will actively monitor the area to ensure these conditions are adhered to.

Litter/Garbage concerns on River Road

The event organizer is responsible for picking up garbage and litter before, during and after each event operation day, which is to include the surrounding areas around the event site. Under the TCUP, the event organizer is also required to include placement of garbage receptacles off-site along heavily travelled pedestrian routes to be put out before event opening and collected after event closing, which will include the 8500 block of River Road as requested in your letter.

Parking concerns

This event is required to provide 1,480 dedicated off-street parking secured solely for night market attendees (located on the event site) and 200 dedicated parking stalls (located at West Road and River Road) allocated for night market vendors/employees. The event does not rely on the parking areas, that are no longer available, for the area underneath the Canada Line guideway or the site that was redeveloped by Dava Developments a few years ago on the west side of No. 3 Road. In relation to you concerns about traffic impacts from the recently completed development in the area (office and hotel development at Bridgeport Road/West Road), vehicle traffic to and from the night market event site will utilize No. 3 Road as required through the traffic control and management plan. Vehicle access to this new commercial development is not anticipated to impact traffic in the surrounding area or traffic control and management plan for the event.

Noise concerns from the event site when the market is not in operation

This concern has been communicated to the event organizer who has been made aware of the noise concerns from the site when the night market is not in operation as noted in your correspondence.

The organizer has indicated they will monitor this situation and follow-up as appropriate.

Pedestrian safety on River Road (between West Road and No. 3 Road)

Transportation staff have confirmed that during the night market event season, parking along the north side of River Road in this area is restricted to facilitate safe vehicle movements along this portion of road and enable sufficient space for pedestrians. Transportation staff have also identified the option of placing temporary cones along the north side of River Road to delineate the vehicle travel on the road from the pedestrians.

Pandemic/COVID 19 concerns and the night market event

The TCUP renewal application submitted by the event organizer is a land use application to address and manage issues related to the temporary operation of the seasonal market event at this site. The TCUP application is required to obtain approval from Richmond City Council. It is important to highlight that the night market event is also required to adhere to all applicable Provincial Public Health Orders and Regulations and that all

Public health and safety orders/restrictions from the Province of BC/Provincial Health Officer in relation to the COVID 19 pandemic will continue to apply and be required to be adhered to despite any prior land use approvals through a TCUP for this event having been granted by Richmond City Council. If these public health and safety orders/restrictions remain in effect for all or a portion of 2021 and do not allow events such as the night market to operate, the event must adhere to these order and cannot operate. If public health and safety orders/restrictions are amended to allow such events, the night market event would be able to operate and still must adhere to any public health and safety regulations and requirements required by the Province or regional health authority.

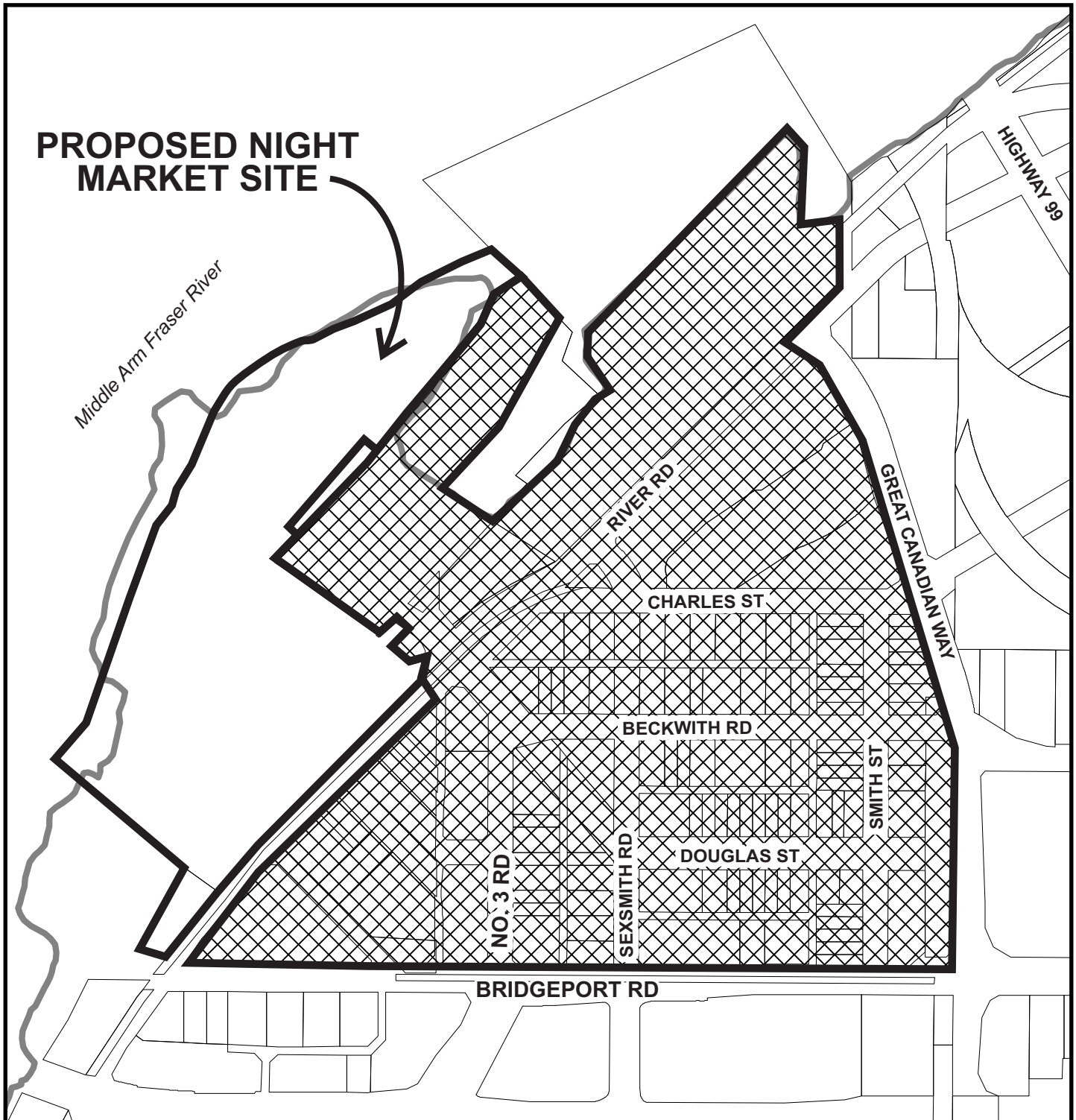
Should you have any questions about the information contained in this email, please feel free to contact me.

Regards,

Kevin Eng

Planner 2, Policy Planning Department, City of Richmond

604-247-4626; [keng@richmond.ca](mailto:keng@richmond.ca); [www.richmond.ca](http://www.richmond.ca)



# Public Hearing Notification Area

PH-41

Original Date: 01/29/21

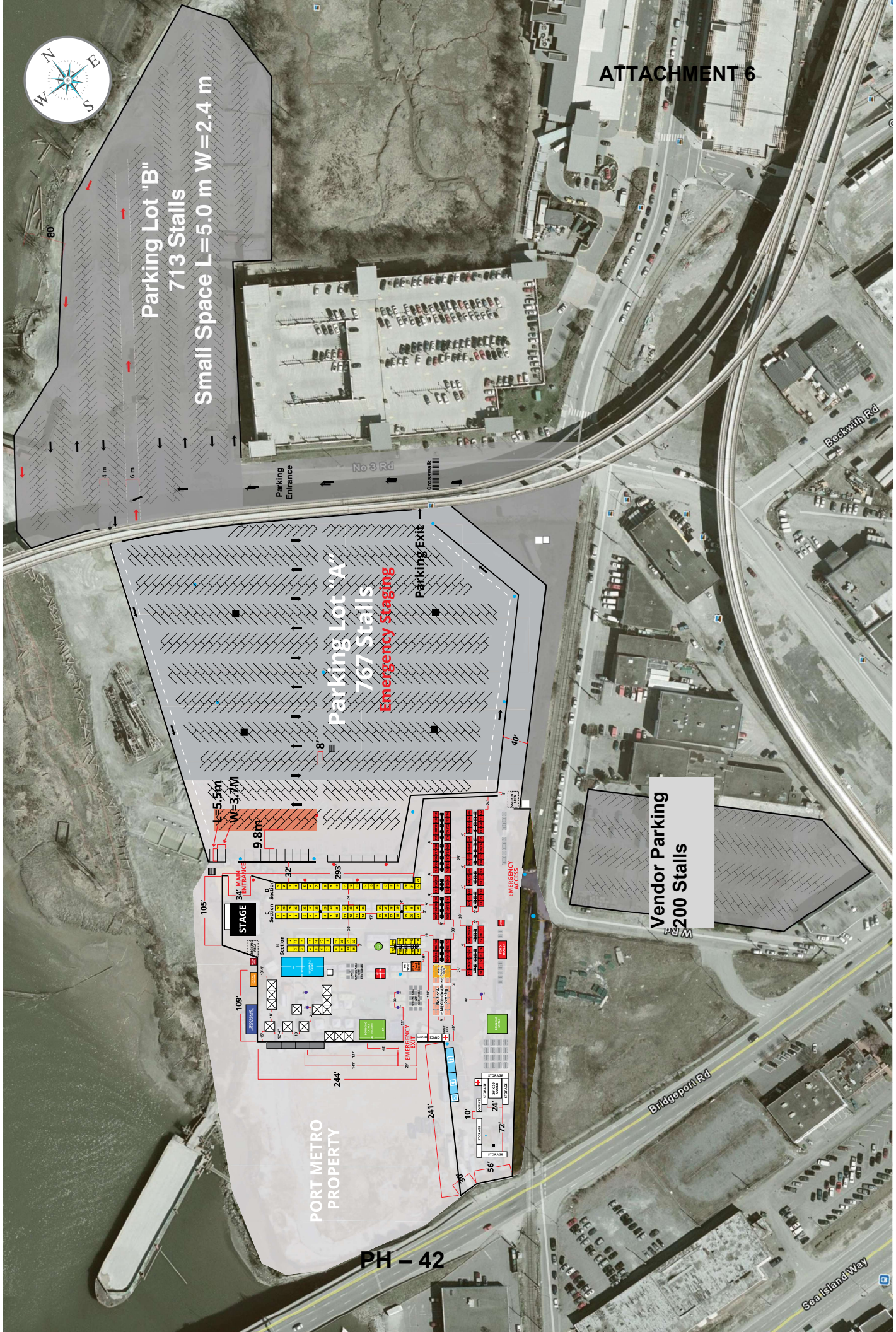
Revision Date:

Note: Dimensions are in METRES

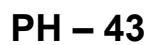


# 2021 RICHMOND NIGHT MARKET SITE PLAN

ATTACHMENT 6









No. TU 20-905119

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To the Holder: Firework Productions Ltd.  
Sanhurgon Investment Ltd., Inc. No. BC908774

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)

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

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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" to this permit.
5. The subject property may be used for the following temporary commercial uses:
  - A night market event on the following dates:
    - Between May 21, 2021 to December 31, 2021 (inclusive) to allow for a maximum of 80 event operation dates (as outlined in the attached Schedule "C" to this permit);
    - Between April 29, 2022 to October 16, 2022 (inclusive) for a maximum of 80 event operation dates (as outlined in the attached Schedule "C" to this permit); and
    - Between April 28, 2023 to October 15, 2023 (inclusive) for a maximum of 79 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 event and related 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 event and related 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 temporary commercial use 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.

2021 Night Market Event – A cash security (or acceptable letter of credit) in the total amount of \$50,000 must be submitted and in place prior to the opening of the night market event in accordance with the following provisions for the purposes of operating a night market event during the dates identified in Schedule “C”:

- \$25,000 cash security (or acceptable letter of credit) required to be submitted on or before May 3, 2021;
- The remaining \$25,000 cash security (or acceptable letter of credit) required to be submitted a minimum of 10 business days in advance of the proposed opening date for the night market event season;
- The original bond (\$50,000) is drawn down to cover City and RCMP costs that are invoiced monthly to the event organizer during the season. When the bond level reaches the minimum level of \$20,000, the event organizer will be invoiced and will be required to submit monies to the City to “top-up” and return the bond back up to the \$50,000 level. This cycle will repeat as necessary throughout the 2021 night market season.

2022 Night Market Event – A cash security (or acceptable letter of credit) in the total amount of \$150,000 must be submitted on or before April 14, 2022 for the purposes of operating a night market event during the dates identified in Schedule “C”.

2023 Night Market Event – A cash security (or acceptable letter of credit) in the total amount of \$150,000 must be submitted on or before April 14, 2023 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

EFFECTIVE ON , .

DELIVERED THIS DAY OF , .

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MAYOR

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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 2021 to 2023 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 TMP developed for the night market event and approved by the City’s Transportation Division. The Traffic Management Plan 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 appropriate trained and certified staff. Costs associated with operations and running 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 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 is as follows:

- 1,480 parking stalls located on Duck Island event site. All off-street parking stalls on the event site are required to be free.
- Vendor/employee parking to accommodate 200 stalls on properties located on West Road (8411, 8431 and 8451 West Road) and secured via lease for the event organizer for the 2021, 2022 and 2023 event (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

- 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 appropriate trained and certified staff).
- Maximum of four (4) 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 Transportation Department staff 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 is required as a result of the night market event must comply with the following requirements:
  - Works include, but are not limited to 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 by the appropriate professional and approved by the City.
  - Construction of works to be undertaken through a City Work Order or other appropriate process prior to issuance of the building permit(s) and/or on-site servicing permit 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/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 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 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 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) and ongoing sound/noise monitoring to be undertaken throughout the night market season to ensure compliance with the City's Noise Regulation Bylaw 8856 and manage the impacts to noise to 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 to permit accessibility under all climatic conditions.
- Submission and approval of a Fire Safety Plan (prepared by the appropriate professional consultant) and Pre-Incident Fire Plan (as per City Bylaw 8306) to RFR for the night market event on a yearly basis.
- The event organizer and each applicable food vendor at the night market event is required to comply with the Richmond Fire Rescue General Fire Safety Requirements for Food Vendor 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 changes to the night market event site plan approved by the City of Richmond will 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 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.
- 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 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 2021, 2022, 2023, 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 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).
- 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 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 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 (2021, 2022 and 2023) 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 coverage against third party bodily injury and property damage losses.
  - Cross liability clause.
  - The City of Richmond being listed as additional insured 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 (temporary signage, barriers, cones) 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.

Firework Productions Ltd.  
by its authorized signatory

Signed Copy on File

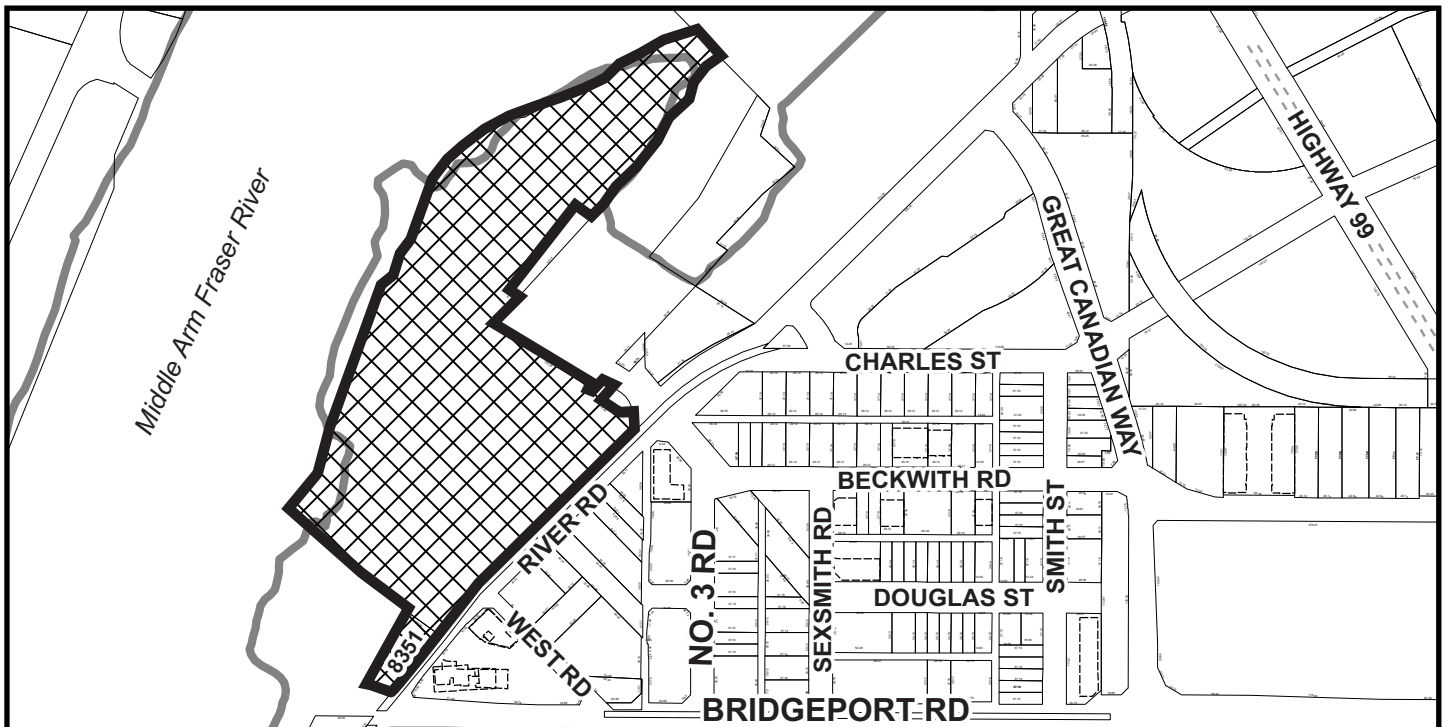
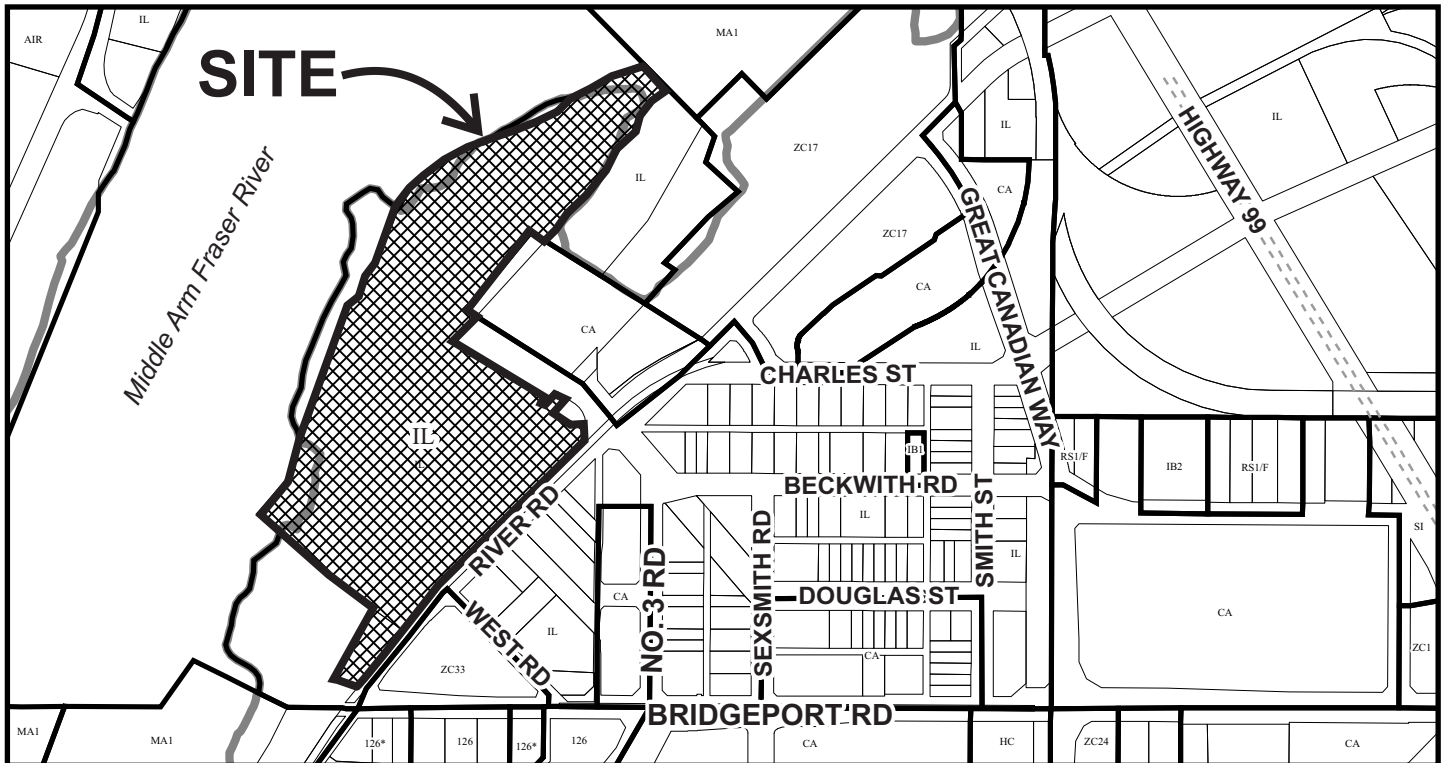
Date: \_\_\_\_\_

\_\_\_\_\_  
Raymond Cheung  
Firework Productions Ltd.



# City of Richmond

SCHEDULE "B"



TU 20-905119

PH - 53

Original Date: 10/28/20

Revision Date: 01/29/21

Note: Dimensions are in METRES

2021

## Richmond Night Market

Event Hours  
6 pm to 12 amEvent Hours  
7 pm to 11 pm

Maximum Total Event Dates - 80 Days

January						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
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31						

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26	27	28	29	30	31	

# 2022

## Richmond Night Market

Event Hours  
6 pm to 12 am

Event Hours  
7 pm to 11 pm

Maximum Total Event Dates - 80 Days

January						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
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30	31					

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May						
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29	30	31				

June						
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July						
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31						

August						
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September						
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November						
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27	28	29	30			

December						
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

# 2023

## Richmond Night Market

Event Hours  
6 pm to 12 am

Event Hours  
7 pm to 11 pm

Maximum Total Events Dates - 79 Days

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
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February						
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April						
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May						
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June						
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July						
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August						
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29	30	31				

November						
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			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

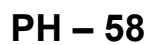
December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
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24	25	26	27	28	29	30
31						



[illegible]

Sea Island Way









## SCHEDULE "E"

### Richmond Fire-Rescue General Fire Safety Requirements for Food Vendors Including Mobile Food Trucks

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All vendors must meet requirements defined in **NFPA 96\*** standards.

The following list outlines specific fire requirements for vendors and is provided to eliminate or reduce last minute delays to vendors applying for event approval.

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**).
8. All tents and awnings with any heat sources and/or cooking units underneath must be fire treated and labelled to meet 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. 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.
12. 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.
13. No unattached (spare, or those considered empty) propane tanks are to be in the cooking area.
14. Temporary electrical power, generators, and any connections to vendors must be proper thickness, size and capacity (gauge) and properly rated (e.g. CSA, ULC), protected from weather and vehicle traffic and restricted from public access—do not use damaged power cords. **No household extension cords.**
15. Generators may require a noise cover or acceptable non-combustible housing depending on location. Combustible items may not be placed on generators in contact with hot surfaces (e.g. tarps).

**\* National Fire Protection Association 96:** Provides preventive and operative fire safety requirements intended to reduce the potential fire hazard of both public and private commercial cooking operations.

For further information or questions, contact Richmond Fire-Rescue at 604-278-5131, Monday to Friday, 8:15 a.m. - 5 p.m.

*Information contained herein is subject to change without notice.*



# City of Richmond

## Report to Committee

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** April 6, 2021  
**File:** RZ 19-873781

**Re:** **Application by Benn Panesar for Rezoning at 11240 Williams Road from the  
"Single Detached (RS1/E)" Zone to the "Compact Single Detached (RC2)" Zone**

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10248, for the rezoning of 11240 Williams Road from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, be introduced and given first reading.

Wayne Craig  
Director, Development  
(604-247-4625)

WC:na  
Att. 7

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

## **Staff Report**

### **Origin**

Benn Panesar has applied to the City of Richmond, on behalf of multiple owners including Sukhveer Panesar, Har Rana, Jenicadeep Rana, and Karanbeer Rana, for permission to rezone 11240 Williams Road from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone, to permit the property to be subdivided to create two single-family lots, each with vehicle access from the rear lane (Attachment 1). The proposed subdivision is shown in Attachment 2. The proposed site plan and landscape plan are shown in Attachment 3.

### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 4).

#### **Subject Site Existing Housing Profile**

There is an existing owner-occupied single-family dwelling containing a secondary suite on the subject property, which is proposed to be demolished. The applicant has confirmed that the secondary suite is not occupied.

### **Surrounding Development**

Development immediately surrounding the subject site is as follows:

- To the North: Single-family dwellings on lots zoned “Single Detached (RS1/K)” and “Compact Single Detached (RC1)”, fronting Williams Road.
- To the South: Across the lane, a single-family dwelling on a lot zoned “Single Detached (RS2/B)” fronting Seafeld Crescent. A recently approved rezoning occurred to allow the property to be subdivided from one lot into two lots (RZ 18-829101). The associated subdivision application (SD 18-829103) is still in process.
- To the East: Single-family dwellings on lots zoned “Compact Single Detached (RC1)”, fronting Williams Road with vehicle access from the rear lane.
- To the West: Across the lane, townhouse dwellings on a lot zoned “Town Housing (ZT38) – Williams Road (Shellmont)” fronting Williams Road and Shell Road.

## **Related Policies & Studies**

### Official Community Plan

The subject property is located in the Shellmont planning area, and is designated “Neighbourhood Residential” in the Official Community Plan (OCP). This designation provides for a range of housing including single-family and townhouses. The proposed rezoning and subdivision is consistent with this designation.

### Arterial Road Policy

The subject property is designated “Arterial Road Compact Lot Single Detached” on the Arterial Road Housing Development Map. The Arterial Road Land Use Policy requires all compact lot developments to be accessed from the rear lane only. The proposed rezoning is consistent with this Policy.

Prior to final adoption of the rezoning bylaw, the applicant must submit a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director, Development, and deposit a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should comply with the guidelines of the OCP’s Arterial Road Policy and include any required replacement trees identified as a condition of rezoning. A preliminary Landscape Plan is provided in Attachment 3.

### Lot Size Policy 5434

The subject property is located within the area covered by Lot Size Policy 5434 (adopted by Council in 1990; amended in 2006). This Policy permits rezoning and subdivision of lots along this section of Williams Road in accordance with the provisions of “Single-Family Housing District (R1-0.6)” or “Coach House District (R9)” provided there is access to an operational rear lane (Attachment 5). These Districts are equivalent to the “Compact Single Detached (RC2)” and “Coach House (RCH)” zones of the current Zoning Bylaw 8500. This redevelopment proposal would allow for the creation of two lots, each approximately 9.1 m and 10.9 m wide and 307 m<sup>2</sup> and 363 m<sup>2</sup> in area, which is consistent with the Lot Size Policy.

### Floodplain Management Implementation Strategy

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

## **Public Consultation**

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

Should the Planning Committee endorse this application and Council grant first 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*.

## **Analysis**

This redevelopment proposes to rezone and subdivide one existing single-family property into two new compact single-family lots with vehicular access from the rear lane. This rezoning and subdivision is consistent with the lot fabric and vehicular access of the adjacent lots on Williams Road. Similar applications to rezone and subdivide properties have been approved in recent years on both sides of this block of Williams Road, between Shell Road and No. 5 Road.

## **Tree Retention and Replacement**

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses five bylaw-sized tree (tag# 2, 3, 4, 5, 6) on the subject property and one street tree (tag# 1) on City property.

The City's Tree Preservation Coordinator and Parks Department Coordinator have reviewed the Arborist's Report for on-site and off-site trees and supports the Arborist's findings, with the following comments:

- One tree (tag# 1 (29 cm caliper Liquidambar species), located on adjacent City property is in good condition and identified to be retained and protected. The applicant is required to provide tree protection as per City of Richmond Tree Protection Information Bulletin Tree-03. A tree survival security of \$5,000.00 will also be required.
- Two trees, tag# 2 (28 cm caliper Rhododendron species) and tag# 3 (35 cm combined caliper Apple (Malus species) are in poor condition due to poor structure and significant wounds and should be removed and replaced.
- Three Lombardy Poplar trees (tag# 4, 5, and 6) have poor health and structure and should be removed and replaced. Replacement trees are to be included in a Landscape Plan and Landscape Cost Estimate to compensate for the loss of these trees.
- Replacement trees should be provided at 2:1 ratio as per the Official Community Plan (OCP) unless otherwise determined by City Staff.

## ***Tree Replacement***

The applicant has identified the removal of five on-site trees (Trees # 2, 3, 4, 5, and 6). The 2:1 replacement ratio would require a total of 10 replacement trees. The applicant has agreed to provide three new trees on Lot 1 and three new trees on Lot 2 for a total of six new replacement trees. The required replacement trees are to be of the following minimum sizes, or as proposed in the Landscape Plan provided (Attachment 3). Requirement replacement trees are generally based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	6 cm	3.5 m
2	8 cm	4 m
6	10 cm	6 m

To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$3,000.00 (\$750/per tree) to the City's Tree Compensation Fund in lieu of the remaining four trees that cannot be accommodated on the subject property after redevelopment. If additional proposed replacement trees cannot be accommodated as per the Landscape Plan then further contribution to the Tree Compensation Fund will be required with staff review and approval.

### *Tree Protection*

One City tree (tag# 1) is to be retained and protected. The applicant has submitted a tree protection plan showing the tree to be retained and the measures taken to protect it during development stage (Attachment 6). To ensure that the tree identified for retention is protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to final adoption of the rezoning bylaw, submission to the City of a Tree Survival Security in the amount of \$5,000.00 to ensure one tree (tag# 1) is retained and protected.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

### Affordable Housing Strategy

Consistent with the Affordable Housing Strategy, the applicant has proposed a secondary suite in both new dwellings each being a minimum of 47.65 m<sup>2</sup> (513 ft<sup>2</sup>) and having minimum two bedrooms each. Parking for the secondary suites will be provided in the garage. Prior to final adoption of the rezoning bylaw, the applicant must register a legal agreement on title to ensure that no final Building Permit inspection is granted until the secondary suite on Lot 1 and Lot 2 is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

### Transportation and Site Access

Vehicular access to Williams Road is not permitted in accordance with Bylaw No. 7222 and therefore will be restricted to the rear lane only.

### Site Servicing and Frontage Improvements

At Subdivision stage, the applicant must enter into a Servicing Agreement for the design and construction of the required site servicing and off-site improvements, as described in Attachment 7. In accordance with the Works and Services Cost Recovery Bylaw, the property is required to pay its proportional share of the cost of the lane improvements installed by the City. The applicable charge is \$38,795.53 and is required to be paid prior to rezoning adoption.

At the Subdivision stage, the applicant is also required to pay the current year's taxes, Development Cost Charges (City, Metro Vancouver and TransLink), School Site Acquisition Charges, Address Assignment Fees, and the costs associated with the completion of the site servicing and other improvements as described in Attachment 7.

### **Financial 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 application is to rezone 11240 Williams Road from the "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2)" zone, to permit the property to be subdivided to create two single-family lots with vehicle access from the rear lane.

The proposed rezoning and subdivision are consistent with the applicable plans and policies affecting the subject site.

The list of rezoning considerations is included in Attachment 7, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10248 be introduced and given first reading.



Nathan Andrews  
Planning Technician  
(604-247-4911)

NA:blg

Attachments:

Attachment 1: Location Map and Aerial Photo

Attachment 2: Survey Plan and Proposed Subdivision Plan

Attachment 3: Site Plan and Landscape Plan

Attachment 4: Development Application Data Sheet

Attachment 5: Lot Size Policy 5434

Attachment 6: Tree Retention Plan

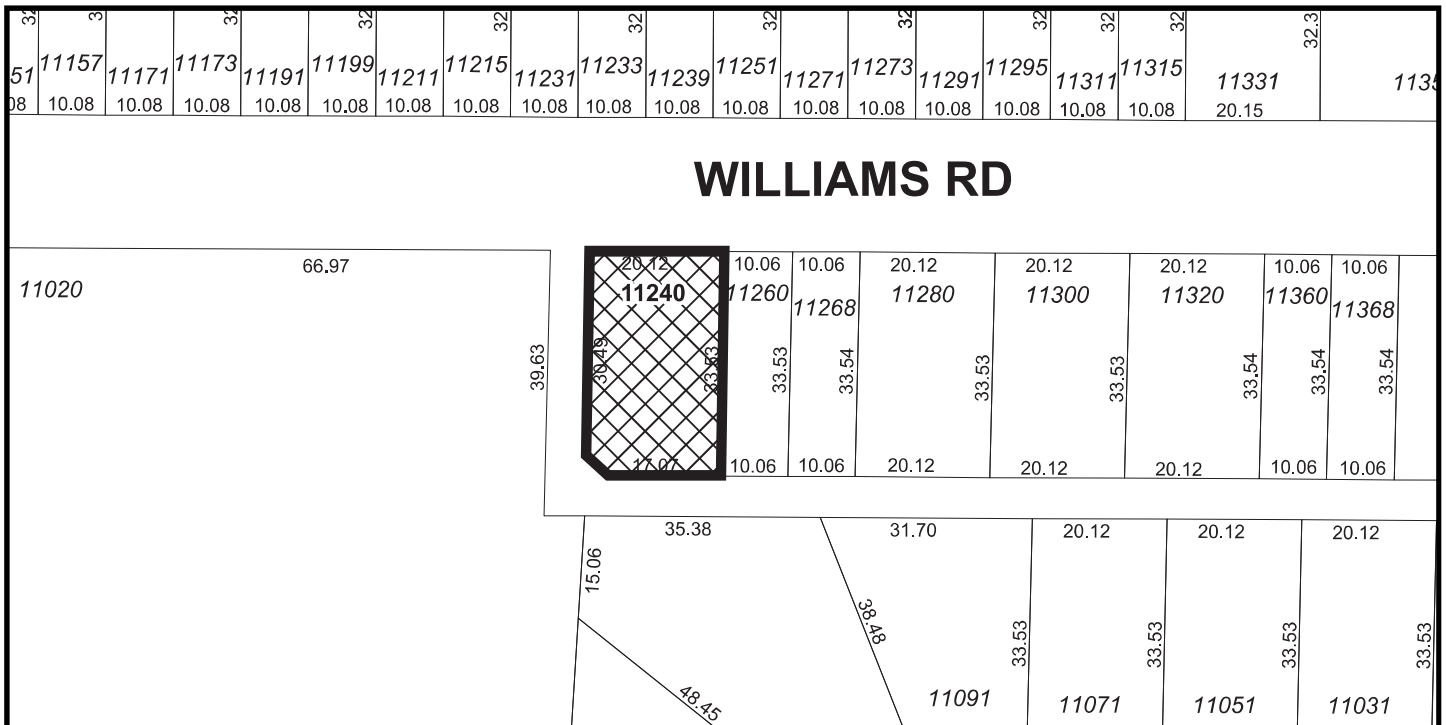
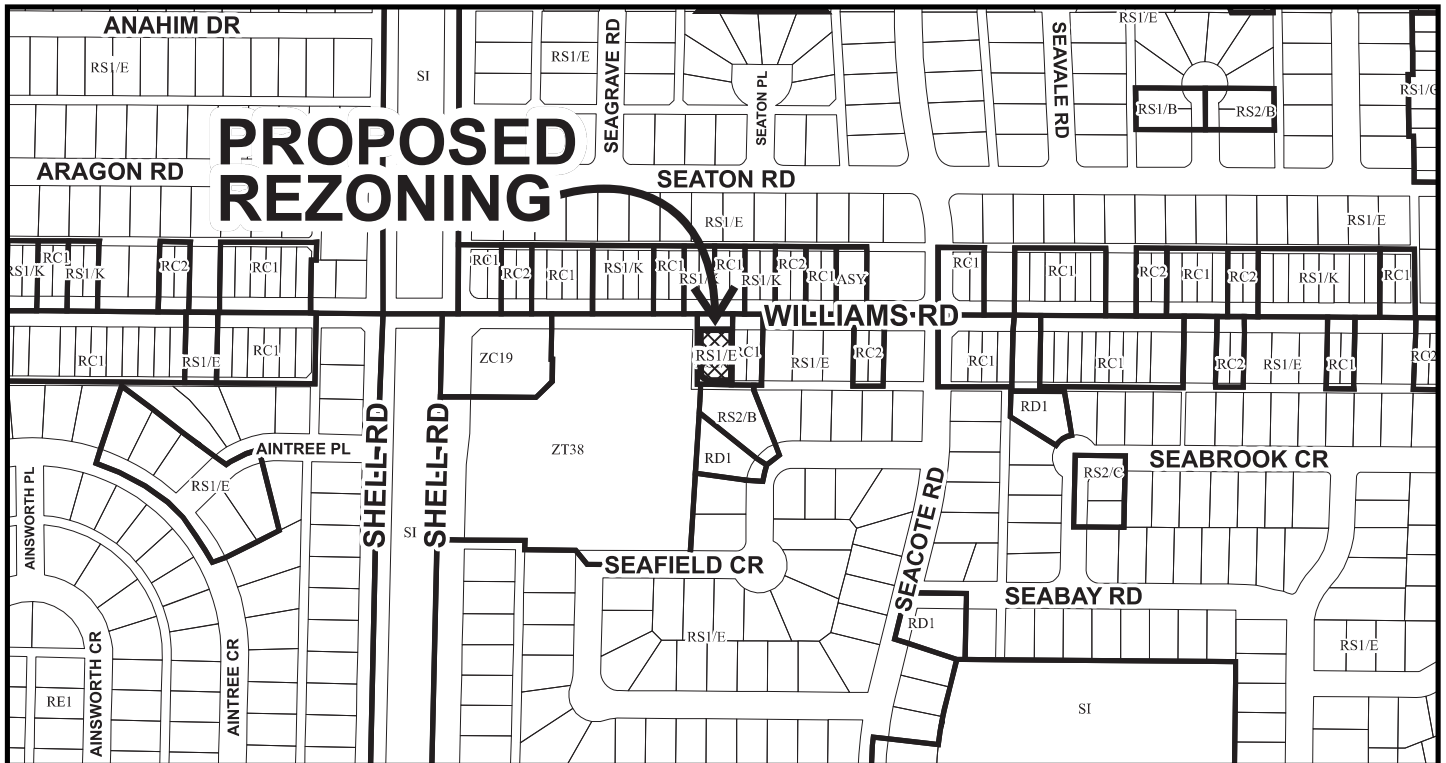
Attachment 7: Rezoning Considerations






# City of Richmond

ATTACHMENT 1





## RZ 19-873781

PH – 67

Original Date: 10/07/19

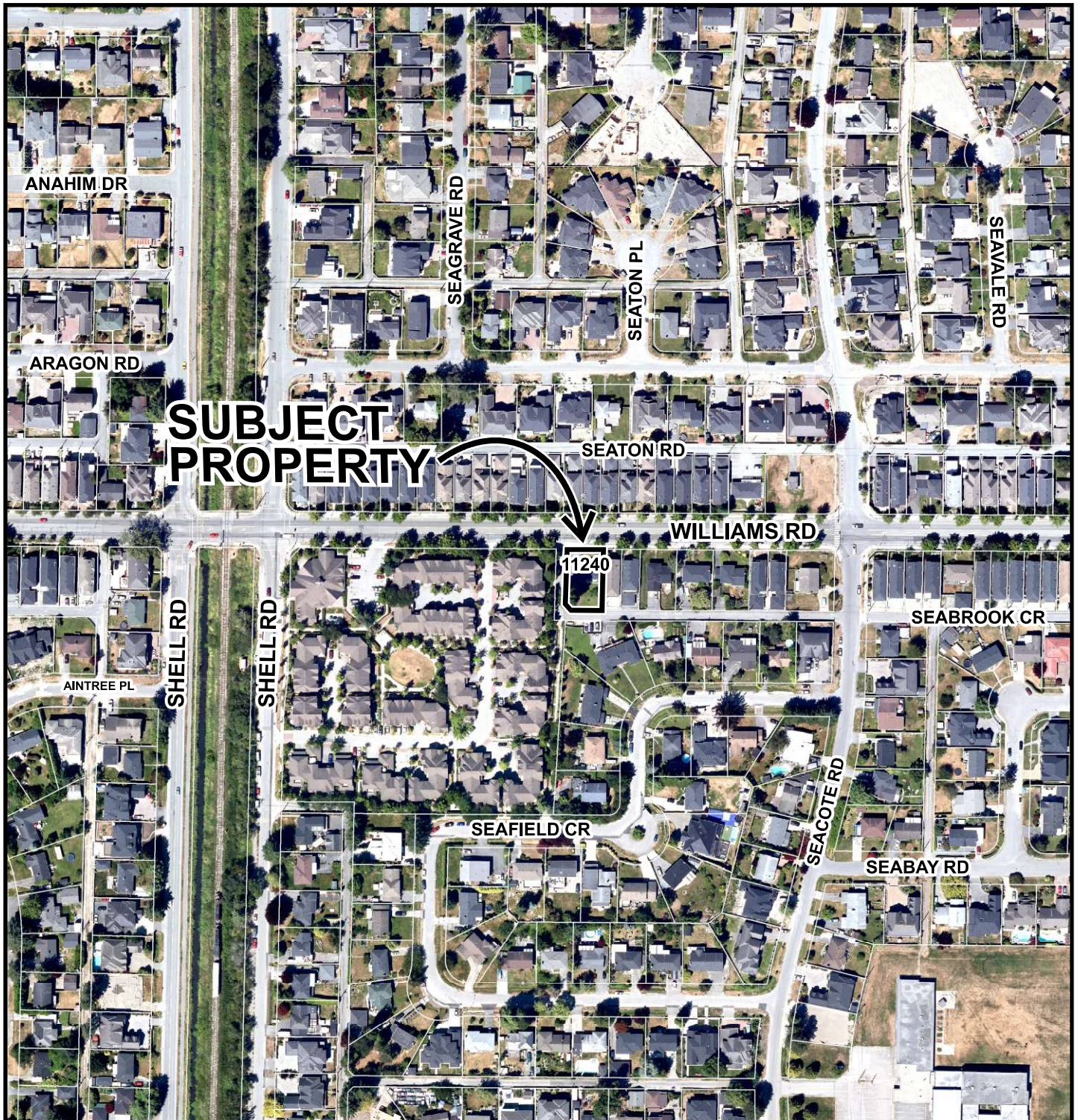
Revision Date:

Note: Dimensions are in METRES





# City of Richmond



RZ 19-873781

PH - 68

Original Date: 10/07/19

Revision Date:

Note: Dimensions are in METRES



**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF**  
**LOT 31 SECTION 36 BLOCK 4 NORTH RANGE 6 WEST**  
**NEW WESTMINSTER DISTRICT PLAN 25887**

#11240 WILLIAMS ROAD,  
 RICHMOND, B.C.  
 P.I.D. 003-789-519

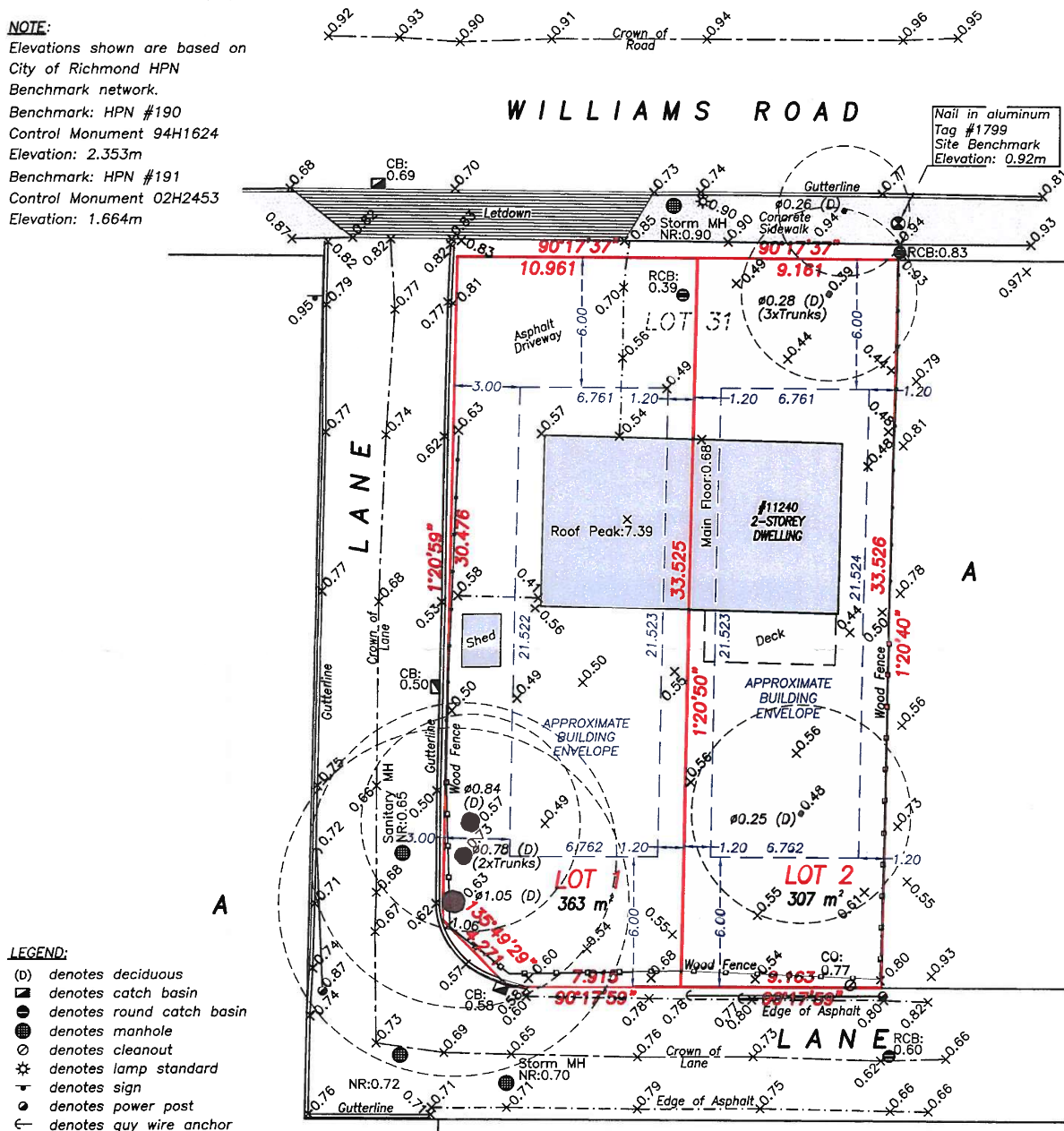
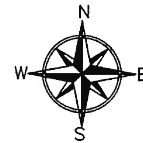
**NOTE:**

Use site Benchmark Tag #1799 for  
 construction elevation control.

**NOTE:**

Elevations shown are based on  
 City of Richmond HPN  
 Benchmark network.

Benchmark: HPN #190  
 Control Monument 94H1624  
 Elevation: 2.353m  
 Benchmark: HPN #191  
 Control Monument 02H2453  
 Elevation: 1.664m



**LEGEND:**

- (D) denotes deciduous
- denotes catch basin
- denotes round catch basin
- denotes manhole
- denotes cleanout
- ✱ denotes lamp standard
- ▼ denotes sign
- denotes power post
- denotes guy wire anchor

29

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 J. C. Tam and Associates  
 Canada and B.C. Land Surveyor  
 115 - 8833 Odlin Crescent  
 Richmond, B.C. V6X 3Z7  
 Telephone: (604) 214-8928  
 Fax: (604) 214-8929  
 E-mail: office@jctam.com  
 Website: www.jctam.com  
 Job No. 7394  
 FB-360 P103-105  
 Drawn By: WK

DWG No. 7394-Topo

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS  
 THEREOF UNLESS OTHERWISE INDICATED

CERTIFIED CORRECT:  
 LOT DIMENSION ACCORDING TO  
 FIELD SURVEY.

*[Signature]*  
 JOHNSON C. TAM, B.C.L.S., C.L.S.  
 AUGUST 29th, 2019.

PH - 69

LOT 1&2



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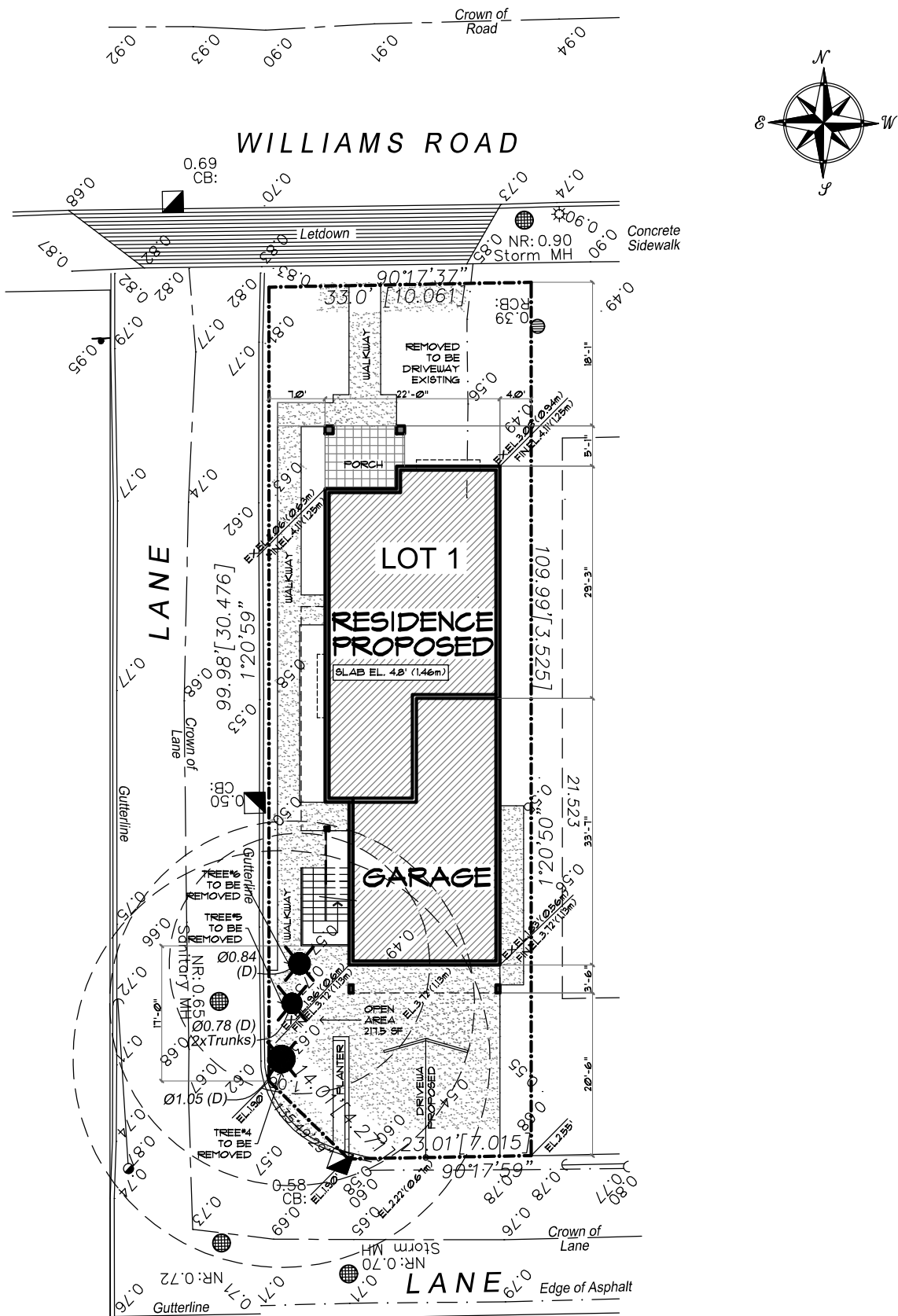
## PH - 70

PROPOSED RESIDENCE  
FOR SUKVIR, JENICA, HARKAWAR  
1120 WILLIAMS RD  
RICHMOND, B.C.

NTS

DATE: MAR 19 2021

1



**SITE PLAN**

**LOT 1**



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**Rafiq Shaikh Designs Ltd.**  
 Custom House Designs.  
 4580 PENDLEBURY ROAD, RICHMOND, B.C. V7E 1E7  
 TEL. (604) 241-7699  
 email: shaikhrafq@hotmail.com  
**PH - 71**

PROJECT:  
**PROPOSED RESIDENCE**  
**FOR SUKVIJ, JENICA, HARKAWAR**  
**1120 WILLIAMS RD**  
**RICHMOND, B.C.**

SCALE: NTS	DATE: MAR 19, 2021	DWG NO: <b>1</b>
---------------	-----------------------	---------------------

# ZONING RC 2

LOT 1

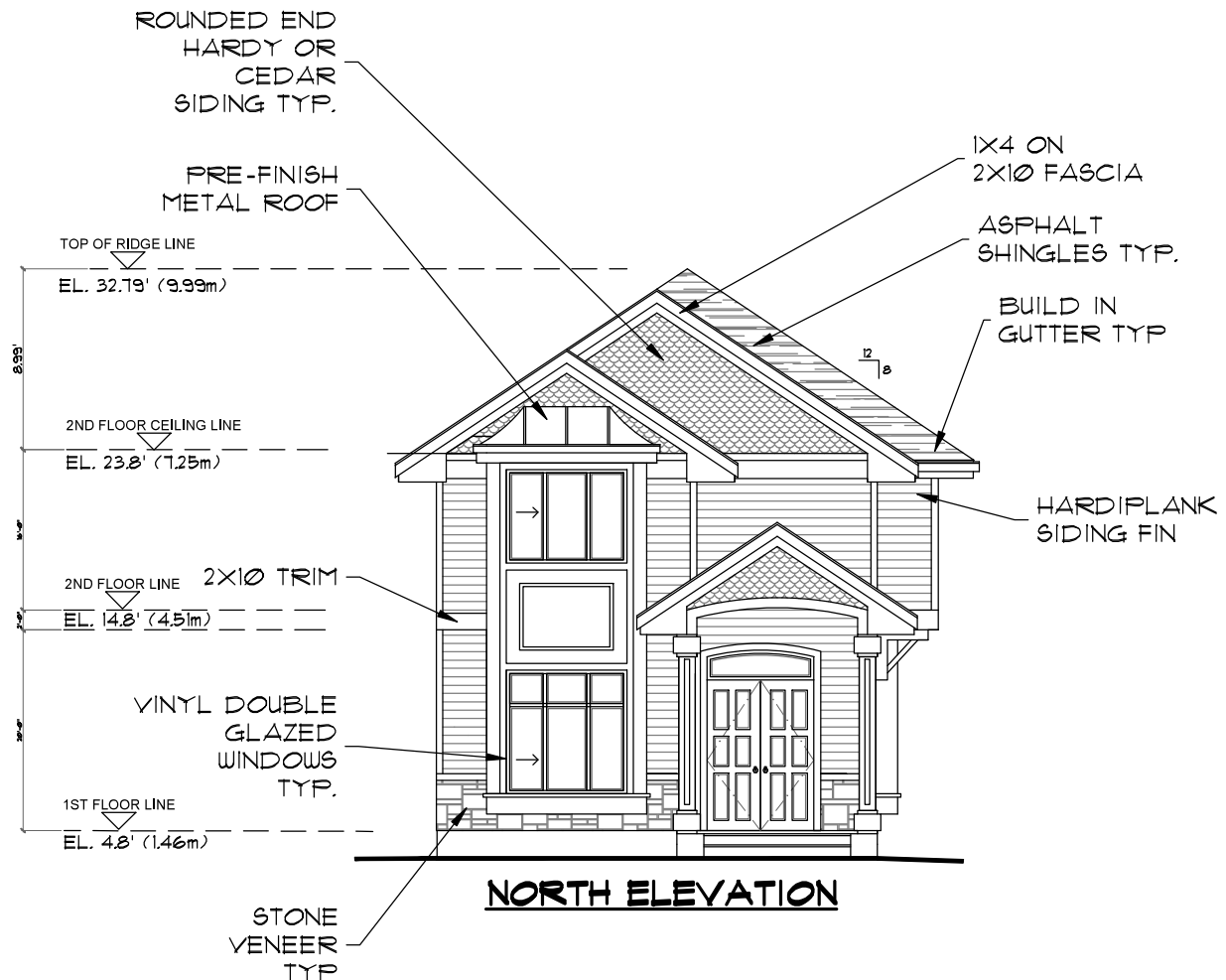
## PROJECT / ZONING DATA :

LEGAL DESCRIPTION : LOT 31 SECTION 36 BLOCK 4 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN 25887

CIVIC ADDRESS: 11240 WILLIAMS RD, RICHMOND BC

SITE AREA: 3584.38 SQ.FT. (333.0 M2)

ZONING CALCULATION	BY LAW	PROPOSED
LOT AREA:	3584.38 SQ/FT (333.0 M2)	
ALLOWED F.A.R.		
MAIN DWELLING		
60% OF 3584.38 SF (333.0M2)	2150.62 SQ/FT (199.8 M2)	2150.0 SQ/FT (199.74 M2)
PROPOSED AREAS :		
FIRST STOREY:		751.0 SQ/FT (70.32 M2)
SECOND STOREY:		1393.0 SQ/FT (129.41 M2)
TOTAL		2150.0 SQ/FT (199.74 M2)
ALLOWABLE COVER AREA:		
45% OF 3584.38 SF (333.0M2)	1612.91 SQ/FT (149.84 M2)	1370.0 SQ/FT (127.21 M2)
FIRST FLOOR AREA:		751.0 SQ/FT (70.32 M2)
GARAGE:		537.0 SQ/FT (49.88 M2)
PORCH :		76.0 SQ/FT (7.06 M2)
TOTAL		1370.0 SQ/FT (127.21 M2)
ALLOWABLE PORCH AREA:		
10% OF 2150.62	215.06 SQ/FT (19.97 M2)	76.0 SQ/FT (7.06 M2)



LOT 1



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**Rafiq Shaikh Designs Ltd.**

Custom House Designs.  
4580 PENDLEBURY ROAD, RICHMOND, B.C. V7E 1E7  
TEL. (604) 241-7699  
email: shaikhrafique@hotmail.com

PH - 72

PROJECT :

PROPOSED RESIDENCE  
FOR SUKVIJ, JENICA, HARKAWAR  
1120 WILLIAMS RD  
RICHMOND, B.C.

SCALE:

NTS

DATE:

MAR 19, 2021

DWG NO:

2



# ZONING RC 2

# LOT 2

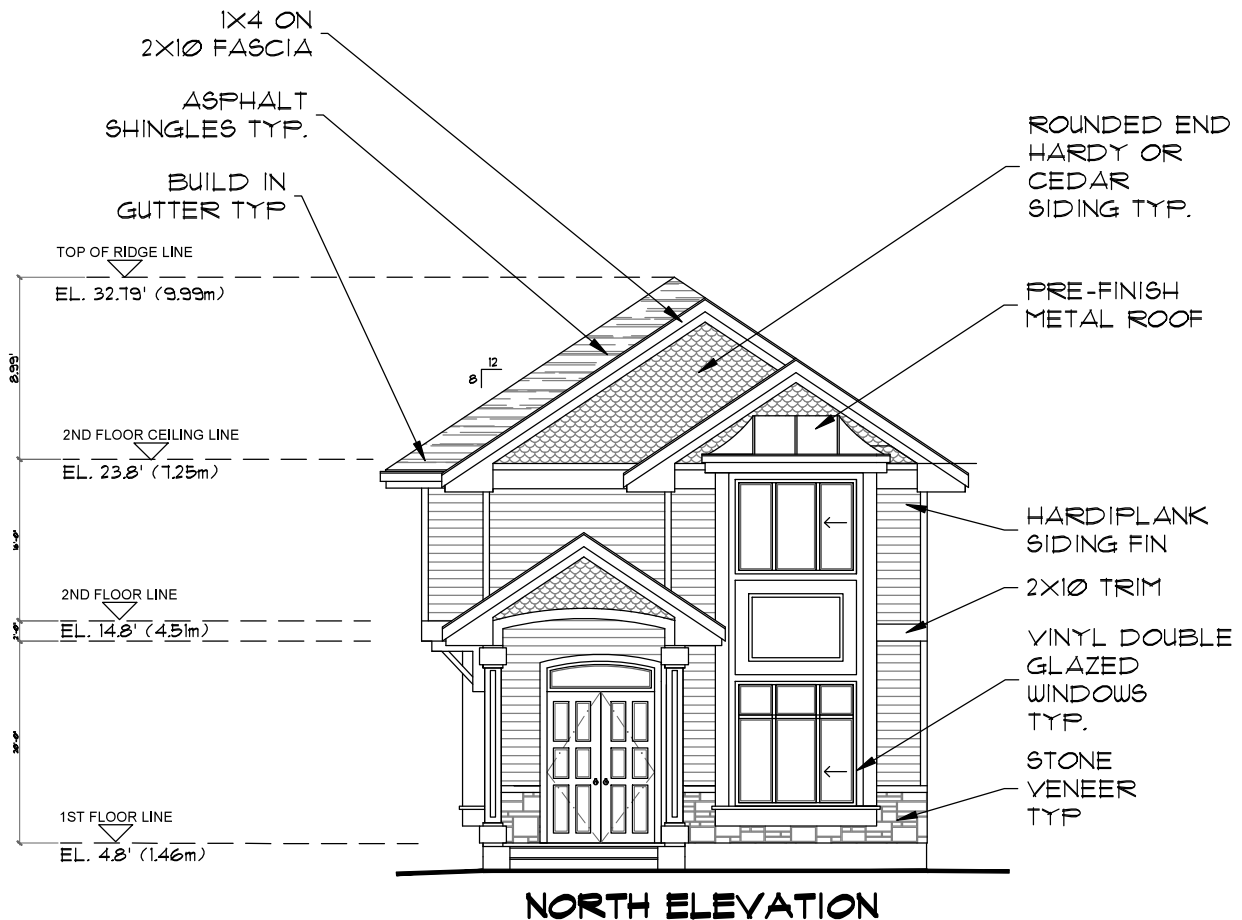
PROJECT / ZONING DATA :

LEGAL DESCRIPTION : LOT 31 SECTION 36 BLOCK 4 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN 25887

CIVIC ADDRESS: 11240 WILLIAMS RD, RICHMOND BC

SITE AREA: 3627.43 SQFT. (337.0 M2)

ZONING CALCULATION	BY LAW	PROPOSED
LOT AREA:	3627.43 SQ/FT (337.0 M2)	
ALLOWED F.A.R.		
MAIN DWELLING		
60% OF 3627.43 SF (337.0M2)	2176.46 SQ/FT (202.19 M2)	2175.0 SQ/FT (202.06 M2)
PROPOSED AREAS :		
FIRST STOREY:		757.0 SQ/FT (70.32 M2)
SECOND STOREY:		1418.0 SQ/FT (131.13 M2)
TOTAL		2175.0 SQ/FT (202.06 M2)
ALLOWABLE COVER AREA:		
45% OF 3627.43 SF (337.0M2)	1632.34 SQ/FT(151.65 M2)	1371.0 SQ/FT (127.37 M2)
FIRST FLOOR AREA:		757.0 SQ/FT (70.32 M2)
GARAGE:		537.0 SQ/FT (49.33 M2)
PORCH :		76.0 SQ/FT (7.06 M2)
TOTAL		1371.0 SQ/FT (127.37 M2)
ALLOWABLE PORCH AREA:		
10% OF 2176.46	217.64 SQ/FT (20.21 M2)	76.30 SQ/FT (7.06 M2)



LOT 2



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Custom House Designs.  
4580 PENDLEBURY ROAD, RICHMOND, B.C. V7E 1E7  
TEL. (604) 241-7699  
email: shaikhrafia@hotmail.com

**PH - 74**

PROJECT :

PROPOSED RESIDENCE  
FOR SUKVI, JENICA, HARKAWAR  
1120 WILLIAMS RD  
RICHMOND, B.C.

SCALE:

NTS

DATE:

MAR 19, 2021

DWG NO:

2



Project Manager	Project ID	1520
Drawn By	Scale	$1/8" = 1'-0"$
Reviewed By	Sheet No.	L1
Date		2021-03-22
QC'd By	Name	



**RZ 19-873781**

**Attachment 4**

Address: 11240 Williams Road

Applicant: Benn Panesar

Planning Area(s): Shellmont

	Existing	Proposed
<b>Owner:</b>	Multiple owners: Sukhveer Panesar Har Rana Jenicadeep Rana Karanbeer Rana	To be determined
<b>Site Size (m<sup>2</sup>):</b>	670 m <sup>2</sup>	Lot 1: 363 m <sup>2</sup> Lot 2: 307 m <sup>2</sup>
<b>Land Uses:</b>	One single detached lot	Two single detached lots
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Area Plan Designation:</b>	N/A	No change
<b>702 Policy Designation:</b>	Lot Size Policy 5434 permits rezoning and subdivision of lots along the south side of this section of Williams Road to "Compact Single Detached (RC2)" or "Coach House (RCH)".	No change
<b>Zoning:</b>	Single Detached (RS1/E)	Compact Single Detached (RC2)
<b>Number of Units:</b>	1	2
<b>Other Designations:</b>	Arterial Road Compact Lot Single Detached	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.6	Max. 0.6	none permitted
Buildable Floor Area (m <sup>2</sup> ):*	Lot 1: Max. 199.8 m <sup>2</sup> (2,151 ft <sup>2</sup> ) Lot 2: Max. 202.2 m <sup>2</sup> (2,176 ft <sup>2</sup> )	Lot 1: Max. 199.7 m <sup>2</sup> (2,150 ft <sup>2</sup> ) Lot 2: Max. 202.1 m <sup>2</sup> (2,175 ft <sup>2</sup> )	none permitted
Lot Coverage (% of lot area):	Building: Max. 50% Non-porous Surfaces: Max. 70% Lot Landscaping with live plant material: Min. 20%	Building: Max. 50% Non-porous Surfaces: Max. 70% Lot Landscaping with live plant material: Min. 20%	none
Lot Size:	Min. 270 m <sup>2</sup>	Lot 1: 363 m <sup>2</sup> Lot 2: 307 m <sup>2</sup>	none
Lot Dimensions (m):	Width: 9.0 m Depth: 24.0 m	Lot 1 Width: 10.96 m Lot 1 Depth: 33.52 m Lot 2 Width: 9.16 m Lot 2 Depth: 33.52 m	none

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Setbacks (m):	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	none
Height (m):	Max. 2 ½ Storeys (9.0 m)	2 Storeys (9.0 m)	none
On-site Vehicle Parking with Secondary Suite:	Min. 3 per lot	Lot 1: Min. 3 Lot 2: Min. 3	none

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

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

**City of Richmond****Policy Manual**

Page 1 of 2

Adopted by Council: February 19, 1990  
Amended by Council: November 18, 1991  
Amended by Council: October 16, 2006

**POLICY 5434**

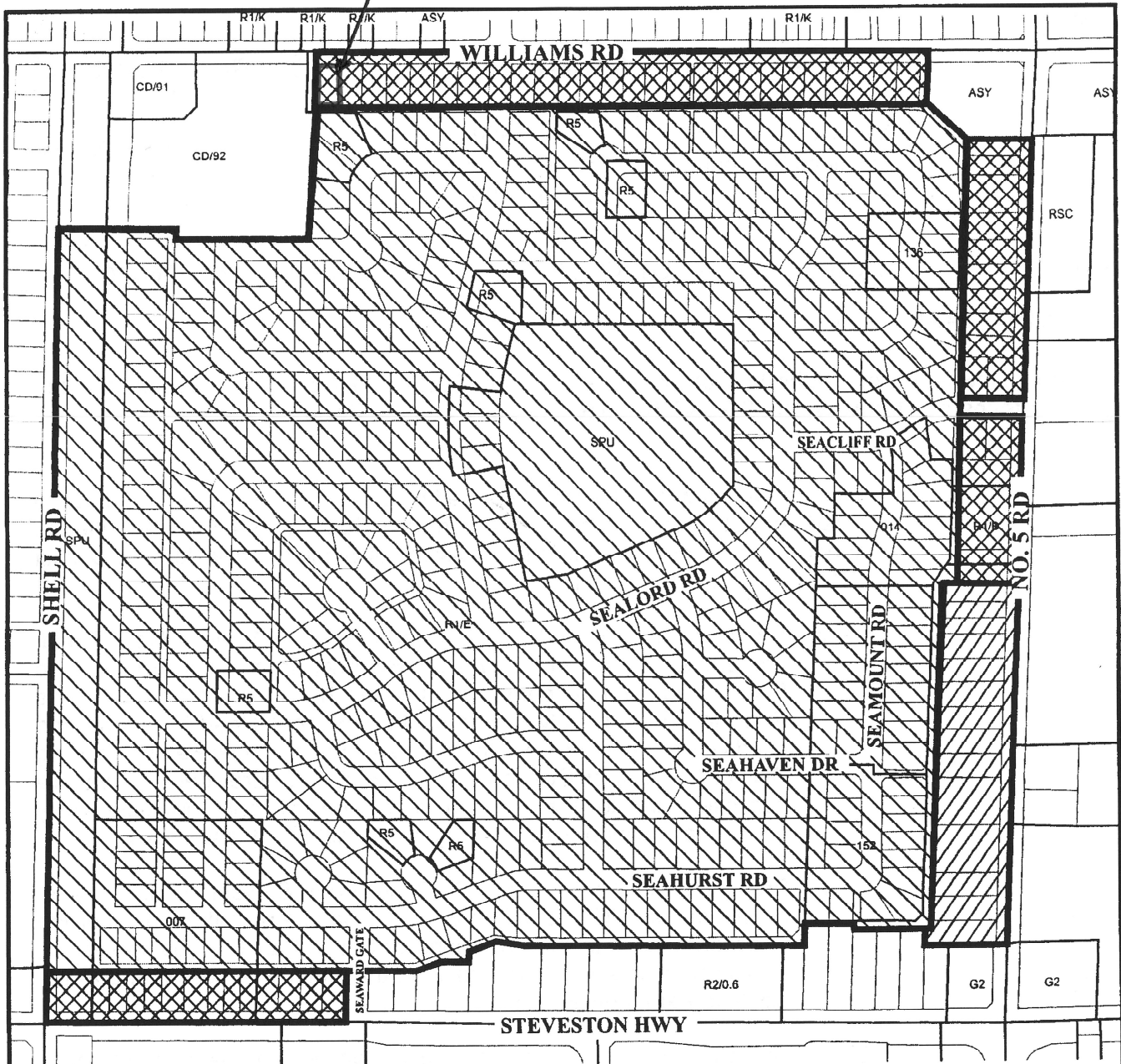
File Ref:

**SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 36-4-6****POLICY 5434:**

The following policy establishes lot sizes in a portion of Section 36-4-6, within the area bounded by **Steveston Highway, Shell Road, No. 5 Road, and Williams Road**:

1. That properties within the area bounded by Shell Road, Williams Road, No. 5 Road, and Steveston Highway, in a portion of Section 36-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/E), with the exception that:
  - a) Properties fronting on Williams Road from Shell Road to No. 5 Road, properties fronting on Steveston Highway from Seaward Gate to Shell Road, and properties fronting on No. 5 Road from Williams Road to approximately 135 m south of Seacliff Road to rezone and subdivide in accordance with the provisions of Single-Family Housing District (R1-0.6) or Coach House District (R/9) provided that vehicle accesses are to the existing rear laneway only. Multiple-family residential development shall not be permitted in these areas.
  - b) Properties fronting on No. 5 Road from Steveston Highway to approximately 135 m south of Seacliff Road be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) provided that vehicle accesses are to the existing rear laneway only.
2. This policy, as shown on the accompanying plan, is to be used to determine the disposition of future rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.

SUBJECT PROPERTY



Subdivision permitted as per **R1/E** (18 m wide lots)



Subdivision permitted as per **R1-0.6 or R/9**  
(access to lane only) (No Multiple-family residential development  
is permitted.



Subdivision permitted as per **R1/B**

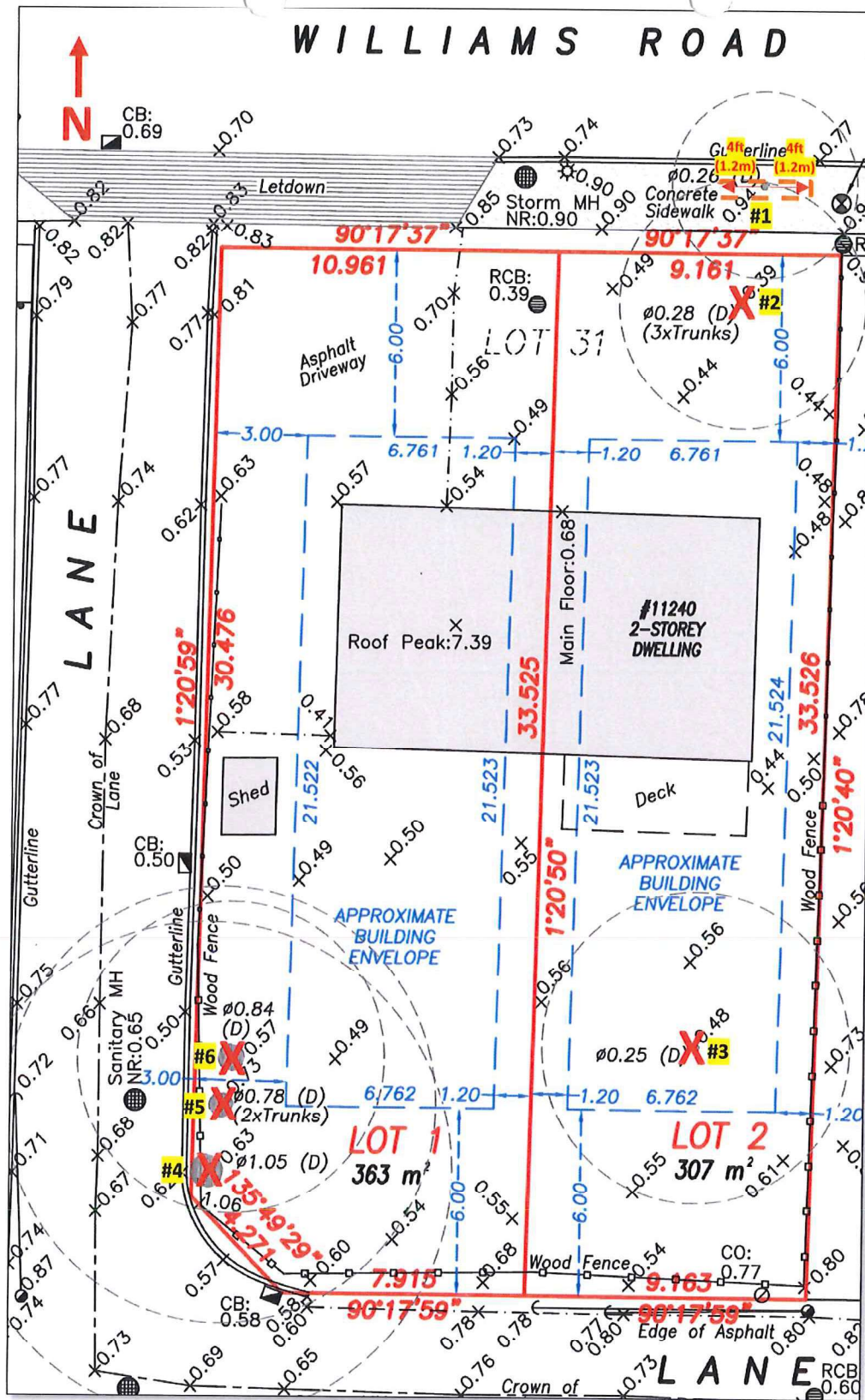


## Policy 5434 Section 36-4-6

Adopted Date: 02/19/1990

Amended Date: 11/18/1991  
10/16/2006





Preliminary Tree Management Plan, Scale 1:200

TREE #	SPECIES	DBH (cm)	SPREAD (m est.)
1	Sweetgum	27	6m

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**Address:** 11240 Williams Road

**File No.:** RZ 19-873781

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10248, the developer is required to complete the following:**

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
  - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
  - include a mix of coniferous and deciduous trees;
  - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
  - include the six (6) required replacement trees to be planted and sized as illustrated on the Landscape Plan in Attachment 3 of the Rezoning Report.
2. City acceptance of the developer's offer to voluntarily contribute \$3,000.00 (\$750/tree) to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
4. Submission of a Tree Survival Security to the City in the amount of \$5,000.00 for the 1 City tree (tag# 1) to be retained. The applicant is required to provide a post-construction impact report upon completion of all construction activities on-site, at which time the City may return all or a portion of the Tree Survival Security. The remainder may be held for a one year monitoring period, to ensure that the trees survive. The City may transfer the remaining security to the City's Tree Compensation Fund if the tree is not successfully retained.
5. Registration of a flood indemnity covenant on title.
6. Lane upgrades completed previously by the City are to be paid in the amount of \$38,795.53 per the Works and Services Cost Recovery Bylaw 8752.
7. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a minimum two bedroom secondary suite of a minimum size of 47.65 m<sup>2</sup> (513 ft<sup>2</sup>) is constructed on both Lot 1 and Lot 2, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

**Prior to a Demolition Permit\* being issued, the developer must complete the following requirements:**

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.

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

1. Pay Development Cost Charges (City and GVS & DD & TransLink), Cost Recovery Bylaw Charge for lane improvements, School Site Acquisition Charge, Address Assignment Fee, and Servicing Costs.
2. At the developer's sole cost complete the following works via a Servicing Agreement:

**Water Works:**

- Using the OCP Model, there is 917 L/s of water available at a 20 psi residual at the frontage of 11020 Williams Road. Based on your proposed development, your site requires a minimum fire flow of 120 L/s.

- Provide a hydrant at the Williams Road frontage to meet City Engineering Specifications and Fire Department requirements on hydrant spacing for the proposed land use.
- At Developer's cost, the Developer is required to:
  - i) 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.
  - ii) 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 via the servicing agreement process.
- At Developer's cost, the City will:
  - i) Provide two new service connections at Williams Road frontage.
  - ii) Cut and cap at main existing water service connection(s).
  - iii) Complete all tie-ins of the proposed works to existing City water infrastructure.

#### **Storm Sewer Works:**

- At Developer's cost, the Developer is required to:
  - i) 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.
  - ii) Video inspect the existing storm sewer connections at the northwest and northeast corners of the proposed site. Submit the video inspection report prior to or before first SA submission to the City for review. The existing connections to the northeast and northwest shall be utilized to service the proposed subdivision if the video inspection report shows they are in good condition.
  - iii) Provide a 200mm diameter storm sewer, approximately 40 meters long, at the lane frontage along the west property line. Manholes are required at the tie-in to the existing storm sewer at Williams Road and at the high point at the south end of the lane.
- At Developer's cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.
  - ii) Remove existing excess service connections/inspection chambers and cut and cap at PL.

#### **Sanitary Sewer Works:**

- At Developer's cost, the Developer is required to:
  - i) Provide sanitary service connections at the common property line of the two new lots
- At Developer's cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.

#### **Frontage Improvements:**

- At Developer's cost, the Developer is required to:
  - i) Coordinate with BC Hydro, Telus and other private communication service providers:
    - (1) To pre-duct for future hydro, telephone and cable utilities along all road frontages.
    - (2) Relocate behind the ultimate curb the existing utility pole that encroaches into the driving lane at the south end of the north-south lane.
    - (3) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
    - (4) To underground overhead service lines.



- ii) Locate/relocate all above ground utility cabinets and kiosks required to service the proposed development and proposed undergrounding works, and all above ground utility cabinets and kiosks located along the development's frontages, within the development's site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development design review process. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown on the architectural plans/functional plan, the servicing agreement drawings, and registered prior to SA design approval:
  - BC Hydro PMT – 4.0 x 5.0 m
  - BC Hydro LPT – 3.5 x 3.5 m
  - Street light kiosk – 1.5 x 1.5 m
  - Traffic signal kiosk – 2.0 x 1.5 m
  - Traffic signal UPS – 1.0 x 1.0 m
  - Shaw cable kiosk – 1.0 x 1.0 m
  - Telus FDH cabinet – 1.1 x 1.0 m
- iii) Review street lighting levels along all road and lane frontages, and upgrade as required.
- iv) Complete other frontage improvements as per Transportation requirements: Developer responsible for the design and construction of the following frontage works:
  - (1) North/south lane: relocate the existing hydro pole outside the travel portion of the lane.
  - (2) East/west lane: along the entire south property line, upgrade the existing lane to include (from north to south): approximately 0.6m lighting strip, 0.15m wide roll-over curb, 5.1m wide driving surface, and a 0.15m wide roll-over curb.
  - (3) Williams Road: remove existing driveway letdown and repair any damaged/uneven sidewalk panels as necessary.
  - (4) Ensure on-site parking meets the Bylaw requirements for incorporation of secondary suites and suite parking.

#### **General Items:**

- At Developer's cost, the Developer is required to:
  - i) Provide, prior to start of site preparation works or within the first servicing agreement submission, whichever comes first, a preload plan and geotechnical assessment of preload, dewatering, and soil preparation impacts on the existing utilities fronting the development site and provide mitigation recommendations.
  - ii) Provide a video inspection report of the existing sanitary lines along the lane frontages prior to start of site preparation works or within the first servicing agreement submission, whichever comes first. A follow-up video inspection, complete with a civil engineer's signed and sealed recommendation letter, is required after site preparation works are complete (i.e. pre-load removal, completion of dewatering, etc.) to assess the condition of the existing utilities and provide recommendations to retain, replace, or repair. Any utilities damaged by the pre-load, de-watering, or other ground preparation shall be replaced or repaired at the Developer's cost.
  - iii) If required, conduct pre- and post-preload elevation surveys of all surrounding roads, utilities, and structures. Any damage, nuisance, or other impact to be repaired at the developer's cost. The post-preload elevation survey shall be incorporated within the servicing agreement design.
  - iv) If required, monitor the settlement at the adjacent utilities and structures during pre-loading, dewatering, and soil preparation works per a geotechnical engineer's recommendations, and report the settlement amounts to the City for approval.
  - i) If required, submit a proposed strategy at the building permit stage for managing excavation de-watering. Note that the City's preference is to manage construction water onsite or by removing and disposing at an appropriate facility. If this is not feasible due to volume of de-watering, the Developer will be required to apply to Metro Vancouver for a permit to discharge into the sanitary sewer system. If the sanitary sewer does not have adequate capacity to receive the volume of construction water, the Developer will be required to

enter into a de-watering agreement with the City to discharge treated construction water to the storm sewer system.

- ii) 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.
- iii) Coordinate the servicing agreement design for this development with the servicing agreement(s) for the adjacent development(s), both existing and in-stream. The developer's civil engineer shall submit a signed and sealed letter with each servicing agreement submission confirming that they have coordinated with civil engineer(s) of the adjacent project(s) and that the servicing agreement designs are consistent. The City will not accept the 1<sup>st</sup> submission if it is not coordinated with the adjacent developments. The coordination letter should cover, but not be limited to, the following:
  - (a) Corridors for City utilities (existing and proposed water, storm sewer, sanitary and DEU) and private utilities.
  - (b) Pipe sizes, material and slopes.
  - (c) Location of manholes and fire hydrants.
  - (d) Road grades, high points and low points.
  - (e) Alignment of ultimate and interim curbs.
  - (f) Proposed street lights design.
- iv) Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

**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.

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Signed

---

Date



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 10248 (RZ 19-873781)  
11240 Williams 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 **"COMPACT SINGLE DETACHED (RC2)"**.

P.I.D. 003-789-519

Lot 31 Section 36 Block 4 North Range 6 West New Westminster District Plan 25887

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 10248"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

APR 26 2021



\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



<b>To:</b>	Planning Committee	<b>Date:</b>	April 8, 2021
<b>From:</b>	John Hopkins Director, Policy Planning	<b>File:</b>	08-4050-10/2021-Vol 01
<b>Re:</b>	<b>Agricultural Land Commission Decision on No. 5 Road Backlands Policy</b>		

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**Staff Recommendation**

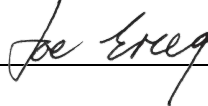

1. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, which would revise Section 7.3 of Schedule 1 of the Official Community Plan (No. 5 Road Backlands Policy) and Schedule 2.13A of the Official Community Plan (East Richmond Area McLennan Sub-Area Plan) to clarify permitted uses and related policies for religious assembly use, be introduced and granted first reading.
2. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, having been considered in conjunction with:
  - a) the City's Financial Plan and Capital Program; and
  - b) the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;is hereby found to be consistent with said programs and plans, in accordance with Section 477(3)(a) of the *Local Government Act*.
3. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, having been considered in conjunction with Section 475 of the *Local Government Act*, be referred to the Agricultural Land Commission for approval prior to the Public Hearing.
4. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, having been considered in accordance with Section 475 of the *Local Government Act* and the City's Official Community Plan Bylaw Preparation Consultation Policy 5043, is found not to require further consultation.

5. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10259, which would revise the “Assembly (ASY)” zoning district to restrict the permitted and secondary uses for areas within the No. 5 Road Backlands Policy area located in the Agricultural Land Reserve, revise the “Religious Assembly (ZIS7) – No. 5 Road” zoning district to restrict permitted and secondary uses in this zone, and revise the religious assembly use definition, be introduced and granted first reading.



John Hopkins  
Director, Policy Planning  
(604-276-4279)

Att. 3

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

## **Staff Report**

### **Origin**

This report responds to an Agricultural Land Commission (ALC) decision on the No. 5 Road Backlands Policy (the “Policy”) requesting a number of revisions to this Policy. The ALC decision is contained in Attachment 1. Recommended amendments to the Official Community Plan (OCP) and Richmond Zoning Bylaw 8500 (Zoning Bylaw) are proposed in response to the ALC’s decision.

This report supports Council’s Strategic Plan 2018-2022 Strategy #6 Strategic and Well-Planned Growth:

*6.1 Ensure an effective OCP and ensure development aligns with it.*

### **Background**

In 2016, the No. 5 Road Backlands Policy was incorporated into the OCP. Prior to this, it was a stand-alone Council policy that was developed in partnership with the ALC. The 2016 OCP amendment preserved the principles of the original backlands policy and included a number of updates to achieve active farming of the backlands by providing options to property owners. One of these options included dedication of the rear backlands portion of properties to the City to facilitate active farming. Written support was provided to Council by ALC staff on the 2016 OCP amendments, which were adopted on February 15, 2016.

Subsequently, as part of the processing of an Agricultural Land Reserve (ALR) application, the ALC advised that the updated Policy incorporated in the OCP had not been formally approved by the Commission despite having written support from ALC staff. Furthermore, the policy provision that allowed property owners the option to dedicate a portion of their properties to the City for farming purposes was not supported by the ALC.

Over the past year, City staff have met with ALC staff and Commission members to discuss the Policy with a focus on achieving the mutual objective of active farming in the area.

### **Summary of ALC Decision – No. 5 Road Backlands Policy**

As noted in the ALC decision letter (Attachment 1), the ALC is willing to re-affirm their support for the Policy, subject to the following revisions:

1. The ALC does not support dedication or subdivision of the backlands as a component of the Policy and requested that any provisions in the City’s OCP be removed.
  - ALC Rationale: The decision letter identified that City ownership of the backlands through dedication was not a certainty of achieving active agricultural production in the area and that the resulting subdivision would actually increase non-agricultural development pressure for this area.
2. Include provisions in the Policy to demonstrate active farming of the backlands, evidenced through *BC Assessment Act* Farm Class status (minimum of 5 consecutive years immediately before the submission of an application for development) or

acceptable farm lease term (minimum term of 5 years) supported by evidence that the site is farmed or how it will be, prior to consideration of any proposals for new institutional development or expansion to existing institutional development.

- ALC Rationale: These additional criteria are intended to prioritize and achieve farming of the backlands first as opposed to facilitating institutional development on the promise of farming from property owners, which has been questioned by the ALC in terms of successful farming of the backlands.
3. For new development or expansion to existing facilities, limit the uses permitted in the Policy to religious assembly uses only (i.e., places of worship) and request revisions to the City's OCP and Zoning Bylaw to reflect this restriction.
- ALC Rationale: The ALC decision to restrict uses to religious assembly does not support the development of schools in the Policy area. Staff note that there are a number of existing school facilities in the area that were previously approved by the ALC. Information about how the proposed amendments to the OCP and Zoning Bylaw recommended in this report impacts these facilities is outlined later in this report.

## **Related Policies and Studies**

### Official Community Plan

The No. 5 Road Backlands Policy is contained in Schedule 1 of OCP Bylaw 9000, and applies to lands on the east side of No. 5 Road generally bounded by Steveston Highway to the south and 12011 Blundell Road to the north (property north of Blundell Road) (Attachment 2).

In addition, the East Richmond Area McLennan Sub Area Plan (Schedule 2.13A) contains land use policies and designations similar to that of the Policy contained in Schedule 1 of the OCP.

## **Summary of Proposed OCP and Zoning Bylaw Amendments**

### Proposed OCP Amendments

In response to the ALC decision letter, amendments are proposed to Schedule 1 of the OCP (Bylaw 9000; Section 7.3) and Schedule 2 of the OCP (Bylaw 7100; Schedule 2.13A). The proposed amendments are summarized as follows:

- Religious assembly and ancillary uses only will be permitted in the Policy area, subject to consideration and approval by the City and the ALC.
- Include provisions in the Policy to demonstrate active farming of the backlands, evidenced through *BC Assessment Act* Farm Class status (minimum of 5 consecutive years immediately before the submission of an application for development) or acceptable farm lease term (minimum term of 5 years) supported by evidence that the site is farmed or submission of a plan outlining how it will be farmed, prior to consideration of any proposals for new institutional development or expansion to existing institutional development.
- Amend the East Richmond Area McLennan Sub Area Plan (Schedule 2.13A) to ensure consistency with amended No. 5 Road Backlands Policy contained in Schedule 1 of the OCP (Bylaw 9000; Section 7.3).



## Proposed Zoning Bylaw Amendments

In response to the ALC decision letter on the Policy, amendments are proposed to the Assembly (ASY) and Religious Assembly (ZIS7) – No. 5 Road zoning districts and “religious assembly” land use definition summarized as follows:

- Assembly (ASY) zone – For properties within the No. 5 Road Backlands Policy area limit the permitted use to religious assembly only and identify that child care is only a permitted secondary use.
  - The proposed amendments reflect the ALC’s decision letter to limit permitted uses in the Policy area to religious assembly only.
- Assembly (ASY) zone – Include a site specific allowance to permit a school expansion (education use) at 12011 Blundell Road (Evangelical Baptist church and school facilities).
  - This option to allow education as a permitted use on this site only is due to an active development related permit for a school expansion which has been previously approved by the ALC. Details of this application are discussed later in this report.
- Assembly (ASY) zone – Include a provision that requires ALC approval for a change or expansion to a permitted use for all sites zoned Assembly (ASY) located within the ALR.
- Religious Assembly (ZIS7) – No. 5 Road – Consistent with the recommended changes to the Assembly (ASY) zoning district, limit the permitted uses to religious assembly only and identify that child care is only a permitted secondary use.
- Religious Assembly land use definition – Revised wording to reflect that permitted accessory uses may be religious educational activities (e.g., educational programs but does not include education/schools).

## **Analysis**

### ALC Support for the No. 5 Road Backlands Policy

The proposed amendments to the OCP and Zoning Bylaw are in response to the ALC decision that maintains support for the Policy, subject to requested revisions being made to address ALC comments about removing dedication and subdivision provisions, demonstrating active farming of the backlands and limit facility development or expansion to religious assembly uses only.

If the ALC recommended revisions to the Policy are not undertaken, the Policy is at risk of no longer being supported by the ALC. This scenario would not achieve the City and the ALC’s mutual objective to actively farm the backlands as it could potentially result in the ALC eliminating the Policy entirely, as indicated in the ALC decision letter, and would impact the underlying OCP policies used to consider religious assembly development proposals.

### Agricultural Viability of the Backlands Maintained and Prioritized

The objective of actively farming the backlands is maintained and prioritized through the proposed revisions to the Policy. These revisions to the No. 5 Road Backlands Policy places the responsibility on property owners to actively farm, undertake any necessary agricultural

improvements and demonstrate their commitment to achieving agricultural viability before making an application for religious assembly development on a site.

Although the ALC have indicated that they would prefer the landowner or institution to undertake farming, ALC staff have indicated that there is an opportunity for the ALC to consider a long-term leasehold on the backlands through the ALC application process. This type of leasehold would have to ensure that the farmer has security to develop the backlands portion for agriculture.

#### Site Specific Allowance for School Expansion – 12011 Blundell Road

The Cornerstone Evangelical Baptist congregation has an existing church and school at 12011 Blundell Road that is currently zoned Assembly (ASY) and Agriculture (AG1). A proposed expansion to the school is in compliance with prior ALC and City approvals for the site. An in-stream Environmentally Sensitive Area (ESA) Development Permit application (DP 19-869484) to allow for the expansion of school facilities on the site has been submitted and is being processed by staff. Under current zoning provisions and previous ALC approvals for the site, the existing school and any proposed expansion is a permitted use and future development would be subject to review and approval through the in-stream ESA Development Permit application.

The proposed Zoning Bylaw amendments to the Assembly (ASY) zone provide for a site-specific allowance, permitting education uses at 12011 Blundell Road based on the school expansion proposal that is consistent with prior ALC approvals for the site and current in-stream application being processed by staff.

If a site-specific allowance is not granted to 12011 Blundell Road and the Zoning Bylaw is amended to no longer permit schools and only allow religious assembly uses in accordance with the ALC decision, a rezoning application would be required for this site.

#### Existing Land Uses and Legal Non-Conforming Status

If the Zoning Bylaw amendments proposed in this report are approved, existing school facilities in the No. 5 Road Backlands Policy Area would be rendered legal non-conforming uses, of which there are a total of 6 existing facilities (4 sites with schools operating on the same site with a religious assembly facility; 2 sites containing school facilities only).

The provisions for non-conforming uses is contained in Part 14, Division 14 of the *Local Government Act* and would apply to the 6 existing school facilities on sites in the No. 5 Road Backlands Area. Any new development or use of land (including expansion) for schools would be subject to the current zoning regulations in place at that time.

As a result, property owners/congregations wanting to develop a new or expanded school would have the option to apply to rezone their property following any required ALR non-farm use approval. The ALC decision on the No. 5 Road Backlands Policy and accompanying amendments to the OCP and Zoning Bylaw proposed in this report would no longer provide the land use policy to support continued school development in the Policy area, except for the site at 12011 Blundell Road where a site-specific allowance for school expansion is proposed as outlined in a prior section of this report.

## Assembly (ASY) Zoned Sites in the ALR but Outside of the No. 5 Road Backlands Policy Area

The OCP and Zoning Bylaw changes outlined in this report are limited to the No. 5 Road Backlands Policy area only in response to the ALC decision. There are 9 Assembly (ASY) zoned sites that are located in the ALR outside of the Policy area, which are being reviewed by staff as part of the March 3, 2020 Planning Committee referral in part dealing with education, dormitory and child care uses currently allowed in this zone. A separate report that responds to the March 3, 2020 Planning Committee referral, including the approach for these 9 Assembly (ASY) zoned sites is scheduled for consideration by Council for the fall of 2021. The Zoning Bylaw proposed in this report includes a provision that requires ALC approval for a change or expansion to a permitted use for all sites zoned Assembly (ASY) located within the ALR.

## **Consultation**

### Consultation on the Proposed OCP and Zoning Bylaw Amendments

The proposed amendments to the OCP and Zoning Bylaw involve land contained in the ALR. In accordance with Section 477(3)(b) of the *Local Government Act*, the proposed Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258 is recommended to be forwarded to the ALC for review and approval should Council grant first reading to these bylaw amendments. The consultation with and approval from the ALC is consistent with OCP Consultation Policy No. 5043 and provisions of the *Local Government Act*.

Consultation with the City's Food Security and Agricultural Advisory Committee (FSAAC) was not undertaken as the requested changes to the Policy was made through an ALC decision based on their review of the Policy.

### Notification of Property Owners

The ALC decision letter outlining the requested revisions to the No. 5 Road Backlands Policy also confirms that the ALC will send a copy of the decision letter to the affected property owners in early April 2021. As the requested changes to the Policy are a result of an ALC decision, with the ALC also committing to informing all affected property owners, no additional City led consultation is recommended.

The OCP and Zoning Bylaw amendments proposed in this report will be forwarded to a Public Hearing. Prior to the Public Hearing, all impacted properties in the No. 5 Road Backlands Policy Area will be notified and the public will have an opportunity to comment at the Public Hearing.

### City Consultation with Property Owners in the Policy Area

Prior to and separate from the ALC decision, City staff consulted with property owners in the No. 5 Road Backlands Policy area as part of a March 3, 2020 Planning Committee referral which directed staff to contact property owners about their expansion plans (e.g., schools, dormitories and child care services). Responses received as part of this consultation is provided in a summary table in Attachment 3. Though separate from the ALC's decision, the responses identify which properties/congregations may be impacted by the ALC decision, and the proposed OCP and Zoning Bylaw amendments presented in this report.

## Financial Impact

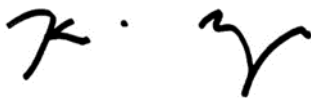
None.

## Conclusion

In response to the ALC decision, amendments to the OCP and Zoning Bylaw regulations related to the No. 5 Road Backlands Policy are proposed to:

- Restrict institutional development to religious assembly uses only in the OCP, strengthen policies to support active farming of the backlands and remove from the Policy the option for property owners to subdivide and dedicate the backlands to the City.
- Amend regulations for the Assembly (ASY) and Religious Assembly (ZIS7) – No. 5 Road zones in the No. 5 Road Backlands Policy area restricting the principal use to religious assembly facilities only.
- Remove education (schools) as a permitted use in applicable zones, but provide a site-specific allowance for the site at 12011 Blundell Road to allow a school expansion that is in compliance with historical approvals and also subject to an in-stream development application.
- Add a provision in the Assembly (ASY) zone to include a provision that requires ALC approval for a change or expansion to a permitted use for all sites zoned Assembly (ASY) located within the ALR.
- Amend the religious assembly land use definition to differentiate between programming that is directly related to and in support of religious worship, which are permitted, and schools, which are not.

The proposed revisions outlined in this report only apply to the No. 5 Road Backlands Policy area to ensure continued support of the Policy from the ALC, help achieve agricultural viability in the backlands and provide direction to property owner's on acceptable land uses and options available so that farming is prioritized and undertaken in the area.



Kevin Eng  
Planner 2  
(604-247-4626)

KE:cas

- Att. 1: ALC Decision Letter – No. 5 Road Backlands Policy  
2: Map of the No. 5 Road Backlands Policy Area  
3: No. 5 Road Backland Property Owner Responses – Potential Future Development

January 21, 2021

Reply to the attention of Shannon Lambie  
ALC Planning Review: 46633

Mayor Malcolm Brodie and Council Members  
CC: Barry Konkin, Director of Planning  
City of Richmond

Delivered Electronically

**Dear Mayor and Council**

**Re: CITY OF RICHMOND NO. 5 ROAD BACKLANDS POLICY**

In recent months, the Agricultural Land Commission (the “ALC”) and the City of Richmond (the “City”) have engaged with one another on a number of active files, including the Garden City Lands Project as well as the *No. 5 Road Backlands Policy*. The ALC would like to take this opportunity to thank the City for its ongoing support and commitment to urban agriculture, including the agricultural enhancements developed on the Garden City Lands, among other city sites. The ALC also commends the City for its ongoing partnerships with Kwantlen Polytechnic University and the Institute for Sustainable Agriculture, in particular, the City-supported diversity of agricultural and new farmer development programs. The ALC recognizes and thanks the City for its contribution of municipal infrastructure, staff time, and material support in these endeavours.

In 2017, it was brought to the Commission’s attention that a 2016 OCP bylaw amendment, related to the ALC’s No.5 Road Backlands Policy, was adopted into the City bylaw without the review and endorsement of the Commission. The ALC’s *No. 5 Road Backlands Policy* was originally developed by the ALC in the late 1980s and was most recently confirmed in 2000 by ALC resolution #174/00. This Policy permits the development of religious assembly uses on the front one-third of parcels (the “Frontlands”) fronting No. 5 Road between Steveston Highway and Blundell Road, subject to farming being undertaken on the back two-thirds of the property (the “Backlands”).

The 2016 bylaw amendment is largely consistent with the ALC’s historic *No. 5 Road Backlands Policy* endorsed by Resolution #174/00, with one significant exception. The bylaw amendment permits dedication (subdivision) of the Backlands and their transfer of ownership to the City if the applicants choose not to actively farm the Backlands. Given the significance of this amendment (which contemplates subdivision of the Backlands), the ALC considered whether the amendment is consistent with the original intent of the Policy.

The review revealed that while the Policy has been effective in enabling many assembly and institutional uses, it has not been that effective at encouraging much, if any, agricultural productivity in the Backlands. As such, the Commission considered whether to:

- eliminate the Policy entirely;
- reaffirm the original Policy, but identify approaches to make it more agriculturally effective; or finally,
- to endorse the 2016 City of Richmond “dedication” amendment and permit subdivision and dedication of the Backlands to the City by willing landowners.

The Commission reviewed the background information and information about the development of assembly and institutional uses along No. 5 Road provided by City staff. The Commission’s primary consideration during its review was whether the Policy was supportive of the ALC’s mandate to protect farmland and encourage farming, and in particular, whether the Policy had been effective in encouraging agricultural activity on the Backlands. The challenge of the *No. 5 Road Backlands Policy* was that there was no effective measure embedded in the original Policy (and subsequent decisions) to ensure that agriculture was originally established, or consistently sustained on the Backlands. As such, it was possible that landowners never undertook the promised agricultural development, or if originally developed, never sustained the agricultural activity.

The Commission understands the intention of the City’s bylaw to encourage subdivision and City ownership of the backland areas was to facilitate farming. However, on balance, the Commission was uncertain that City ownership and management would have any significant affect on agricultural activity, given that Council support for resources to encourage and manage agriculture might fluctuate with changes to Council. More significantly, the Commission was concerned that once subdivided, significant pressure might arise for exclusion and/or re-development for other than Religious Assembly uses on the Frontlands.

The Commission also discussed whether to continue with the *No. 5 Road Backlands Policy* more broadly, with serious concerns expressed by some Commissioners as to whether the Policy was supportive of the ALC mandate. However, after discussion, the Commissioners were not convinced that eliminating the Policy would enhance agricultural activity on those parcels already developed for religious assembly uses (~75% of the parcels). In addition, the Commission was concerned that canceling the Policy unilaterally (and without warning) would unfairly penalize landowners of undeveloped ALR parcels on No.5 Road that purchased parcels with the intention to make an application, but have not yet submitted an application to the ALC.

Finally, the Commission considered ways to improve and strengthen the existing Policy so that it fulfilled its original intention – to encourage agricultural development on the Backlands. Specifically, the Commission considered establishing more stringent criteria and thresholds (and reporting) to ensure that future development and re-development projects follow through with agricultural development plans in the spirit of the original policy.

For these reasons, the Commission resolved by Resolution #078N/2020 the following:

- To not support dedication (subdivision) as a component of the City of Richmond’s No. 5 Road Backlands Policies as per Section 7.0 of the OCP (Bylaw 9506 2016/02/15) and requests that the City of Richmond amend Bylaw 9506 2016/02/15, policy C to remove any reference to “dedication”; and

- To re-affirm the Commission's support for the Resolution #147/2000 version of the *No. 5 Road Backlands Policy*, i.e. permitting the existing Religious Assembly use of the Frontlands subject to the agricultural development of the Backlands contingent on the following amendments to the Policy:
  - a) Applicants for **undeveloped** sites must demonstrate five consecutive years of farming the subject parcel supported by evidence of five years of Farm Status under the BC Assessment Act on the same parcel prior to the ALC considering an application.
  - b) Applicants for **developed** sites that are seeking to expand their facilities must also demonstrate five consecutive years of farming the subject parcel supported by evidence of five years of Farm Status under the BC Assessment Act on the same parcel before any expansion is authorized.
  - c) If **undeveloped** sites are unable to satisfy the five years of consecutive farming requirement, applicants must provide evidence that the Backlands portion of their property has been made available for farming via lease<sup>i</sup> for a term of not less than five years and actual evidence that the parcel is being farmed, or how it will be.
  - d) If **developed** sites are unable to satisfy five years of consecutive farming, applicants must provide the same evidence as c) above before any expansion is authorized.
  - e) The City of Richmond is asked to update their Assembly and Institutional Zoning Bylaw to limit the uses permitted in the Backlands Policy area. The intent of the original policy was to support religious assembly uses (i.e. places of worship) – not to permit residential or educational activities that are adjacent to religious assembly.

The Commission understands that there may be applications already in process (i.e. before Richmond Council) for intensification of existing religious assembly facilities, or for new facilities. The Commission does not believe that the above noted Policy amendments (particularly (c) and (d)) can be met by current applicants and wishes to confirm that the Commission will be applying immediately the above listed considerations in any application submitted to develop assembly uses parcels affected by the *No. 5 Road Backlands Policy*.

The Commission will also send a copy of this letter to the affected property owners for their information in the near future to inform them of the amendments to the Policy.

\*\*\*\*\*

If you have any questions about the above comments, please contact the undersigned at 236-468-2026 or by e-mail ([shannon.lambie@gov.bc.ca](mailto:shannon.lambie@gov.bc.ca)).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Jennifer Dyson, Chair

cc: Ministry of Agriculture – Travis Shaw

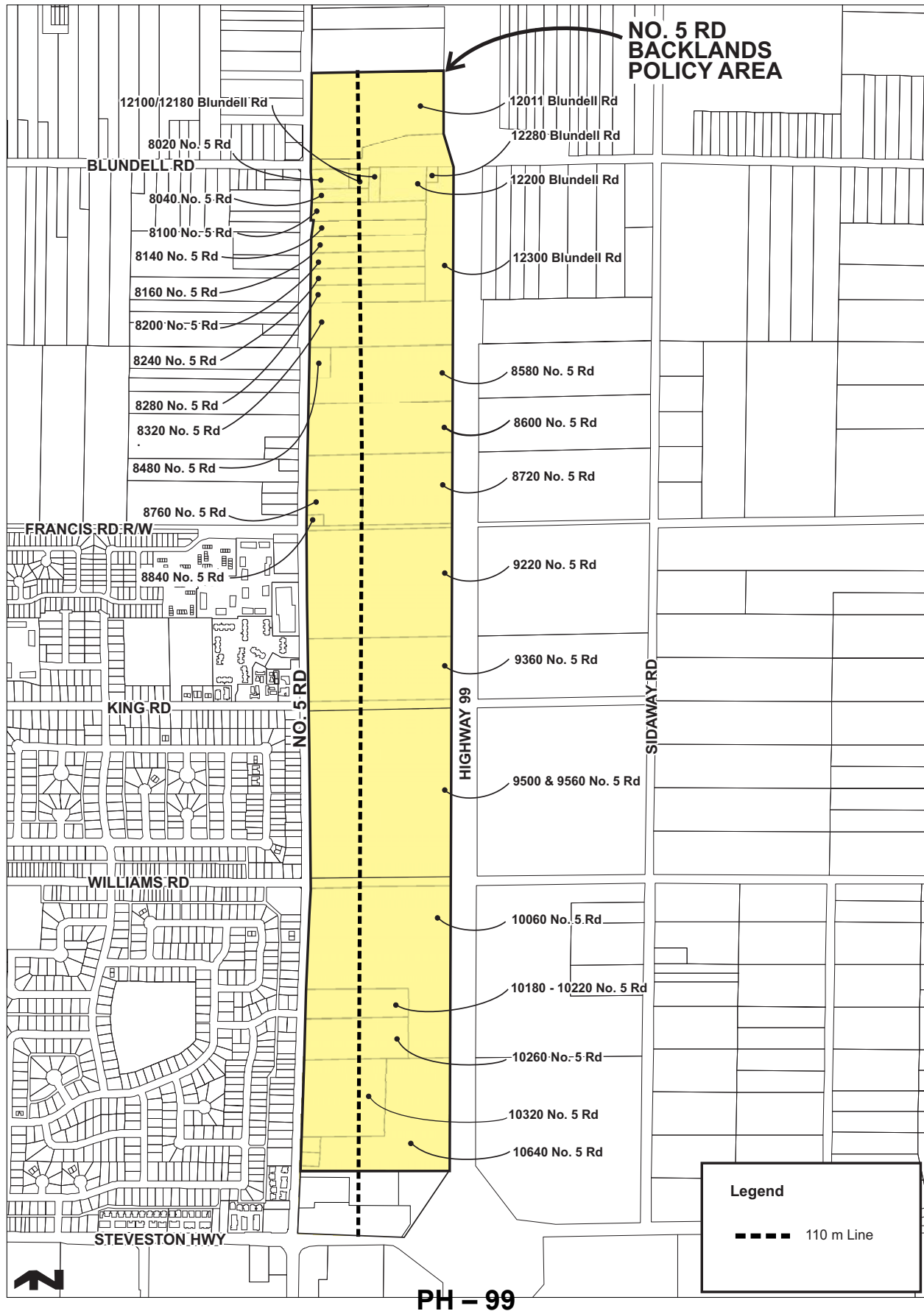
<sup>i</sup> Please note that the lease must be registered on the title and must be between the property owner and a legitimate farming enterprise.





## No. 5 Road Backlands Policy Area Map

Bylaw 9506  
2016/02/15



### ATTACHMENT 3

#### Summary of Responses Received from No. 5 Road Backlands Property Owners Potential Future Development and Uses

Site & Owner	Response						
	No future plans	School or School expansion	Dormitories	Child Care	Religious Assembly	No response	Other
12011 Blundell Rd Cornerstone		<input checked="" type="checkbox"/>					
12300 & 12280 Blundell Rd BC Muslim Assoc.		<input checked="" type="checkbox"/>					Seniors Center
12200 Blundell Rd Fujian Evangelical	<input checked="" type="checkbox"/>						
12180 & 12100 Blundell Rd, 8040 No. 5 Rd Richmond Chinese Evangelical					<input checked="" type="checkbox"/>		
8020 No. 5 Rd Multiple owners	<input checked="" type="checkbox"/>						
8100 No. 5 Rd Arul Hindu Society					<input checked="" type="checkbox"/>		
8140 & 8160 No. 5 Rd Thrangu						<input checked="" type="checkbox"/>	
8200 No. 5 Rd Vedic	<input checked="" type="checkbox"/>						
8240 No. 5 Rd Dharma Drum			<input checked="" type="checkbox"/>				
8280 No. 5 Rd Peace Evangelical	<input checked="" type="checkbox"/>						
8480 No. 5 Rd Tung Cheng Yuen Buddhist Assoc.					<input checked="" type="checkbox"/>		
8320 & 8580 No. 5 Rd Shia Muslim		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			Community/ Recreation centre Seniors housing
8600 No. 5 Rd India Cultural Centre							Seniors housing
8720 No. 5 Rd Xu Qiyu						<input checked="" type="checkbox"/>	
8760 No. 5 Rd Richmond Jewish Day School					<input checked="" type="checkbox"/>		

Site & Owner	Response						
	No future plans	School	Dormitories	Child Care	Religious Assembly	No response	Other
8840 No. 5 Rd Subramaniya Swamy Temple					<input checked="" type="checkbox"/> *		
9220 No. 5 Rd World Growth Investments	<input checked="" type="checkbox"/>						
9360 No. 5 Rd Catholic Independent Schools of Van.		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
9500 No. 5 Rd Komodo Holdings Inc		<input checked="" type="checkbox"/>					
10060 & 10320 No. 5 Rd. Lingyen		<input checked="" type="checkbox"/>					
10180-10220 No. 5 Rd. BC Confed. Mennonite Brethren	<input checked="" type="checkbox"/>						
10260 No. 5 Rd Richmond Christian School		<input checked="" type="checkbox"/> *					

\* Site ownership not yet secured by congregation



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**Richmond Official Community Plan Bylaw 9000 and 7100  
Amendment Bylaw 10258 (Revisions to the No. 5 Road Backlands  
Policy)**

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

1. Richmond Official Community Plan Bylaw 9000, as amended, is further amended by:
  - a. deleting the second paragraph in the Overview subsection in Section 7.3 (No. 5 Road Backlands Policy) and replacing it with the following:

“The purpose of the Policy is to allow Religious Assembly uses on the westerly 110m (“Frontlands”) of the properties located on the east side of No. 5 Road between Blundell Road and Steveston Highway (the area outlined in bold lines on the No. 5 Road Backlands Policy Area Map), if the remaining portions (“Backlands”) are actively farmed.

For the purposes of Section 7.3, “Religious Assembly” shall have the same meaning as given to that term in the Use and Term Definitions section of Richmond Zoning Bylaw 8500 (Section 3.4), as amended.”
  - b. deleting the Objective subsection contained in Section 7.3 and replacing it with the following:

“OBJECTIVE:

Religious Assembly uses may be permitted in the Frontlands if the Backlands are actively farmed.”
  - c. deleting clauses a), b), c) and g) under the Policies subsection contained in Section 7.3 and replacing them with the following new clauses a), b), c), and g):
    - “a) in the Frontlands, Religious Assembly uses may be considered subject to the agricultural development of the Backlands, which is to be considered and approved by the City and the Agricultural Land Commission through the necessary land use approval process;
    - b) in the Frontlands, uses that are clearly ancillary to a Religious Assembly use may be considered and approved by the City and the Agricultural Land Commission through the necessary land use approval process;

- c) residential uses (e.g., congregate housing, community care facility, multiple-family housing, housing for older adults) are not permitted in the Frontlands or the Backlands;
- g) all applicants proposing to develop new Religious Assembly facilities on the Frontlands or expand an existing Religious Assembly facility must either:
  - provide evidence of Farm Status under the BC Assessment Act to demonstrate that the subject parcel has been farmed for the five consecutive years preceding the ALC's consideration of an application, or (if no ALC approval is required) the City's processing of a rezoning application; or
  - provide evidence that the Backlands portion of the subject parcel is currently available for farming via a lease registered on title between the property owner and a legitimate farming enterprise for a term of at least five years, and either:
    - provide evidence that the parcel is currently being farmed; or
    - provide a plan for how it will be farmed;”
- d. adding the following new clause h) under the Policies subsection contained in Section 7.3 after clause g):
 

“h) applicants shall submit the necessary reports to the City to achieve and maintain farming with all costs to implement works associated with an approved farm plan to be paid by the applicant;”
- e. deleting clause a) in the Development Application Procedure and Requirements subsection contained in Section 7.3 and replacing it with the following:
 

“a) all proposals for Religious Assembly development are subject to City and ALC approval through the necessary development application process to be reviewed on a case-by-case basis and in accordance with the OCP;”
- f. deleting the words “Community Institutional” in the first line of clause b) in the Development Application Procedure and Requirements subsection contained in Section 7.3 and replacing them with the words “Religious Assembly”;
- 2. Richmond Official Community Plan Bylaw 7100, as amended, is further amended by:
  - a. deleting the second paragraph in the Issue subsection contained in Section 6.0 (Community Facilities and Services) of the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) and replacing it with the following:
 

“The 110 m (361 ft.) strip along the east side of No. 5 Road, from the first lot on the north side of Blundell Road south to Francis Road, and the lots fronting the

south side of Blundell Road, between No. 5 Road and Highway 99, lends itself to agriculture and religious assembly uses.”

- b. deleting clause a) in the Policies subsection contained in Section 6.0 of the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) and replacing it with the following:

“a) Require that land use and development in Agriculture and Religious Assembly designated areas in the accompanying Land Use Map are consistent with the provisions of the No. 5 Road Backlands Policy contained in Official Community Plan Bylaw 9000 (Section 7.3);”

- c. amending the Land Use Map legend in the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) to retitle the Agriculture, Institutional and Public designation as “Agriculture and Religious Assembly”

- d. deleting the definition of “Agriculture, Institutional and Public” contained in Appendix 1 in the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) and replacing it with the following:

“Agriculture and Religious Assembly

Land uses that are consistent with the provisions of the No. 5 Road Backlands Policy contained in Official Community Plan Bylaw 9000 (Section 7.3).”

3. This Bylaw may be cited as “**Richmond Official Community Plan Bylaw 9000 and 7100, Amendment Bylaw 10258**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

APR 26 2021

CITY OF RICHMOND
APPROVED ...
APPROVED by Director or Solicitor
BRB

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 10259 (Revisions to the Assembly (ASY) and  
Religious Assembly (ZIS7) – No. 5 Road Zoning Districts within the  
Official Community Plan No. 5 Road Backlands Policy Area and  
Religious Assembly Land Use Definition)**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended by:
  - a. deleting “private club” in Section 13.3.3 (Secondary Uses) of the Assembly (ASY) zoning district (13.3), and replacing it with “**child care**”;
  - b. deleting Section 13.3.11.3 of the Assembly (ASY) zoning district (13.3), and replacing it with the following:
    - “3. Within the area bounded by the bold black line shown in Diagram 1:
      - a) **religious assembly** shall be the only permitted **principal use**;
      - b) **child care** shall only be permitted as a **secondary use**; and
      - c) **education** and **private club** are not permitted;

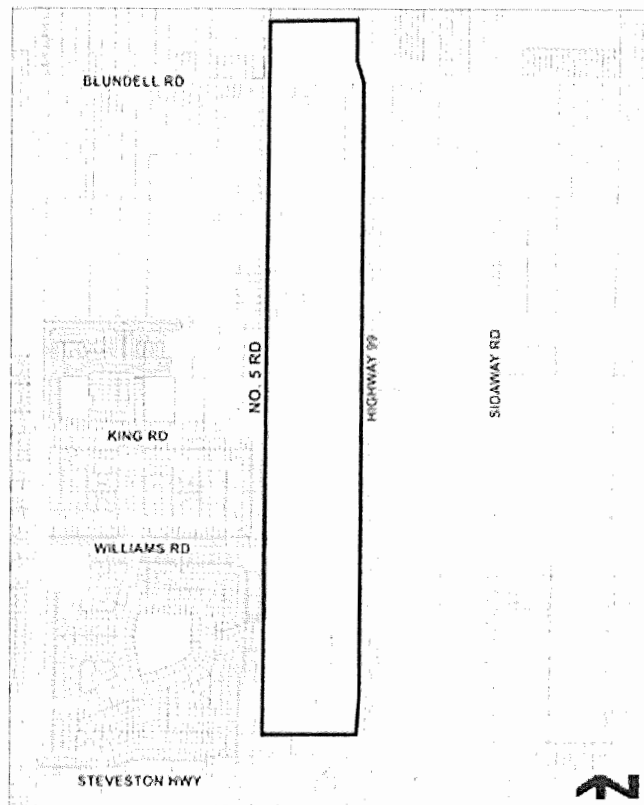


Diagram 1

4. Notwithstanding Section 13.3.11.3.c), **education** shall be permitted on the following **site** only and subject to the applicable approval granted by the Agricultural Land Commission, in accordance with the *Agricultural Land Commission Act* (as amended), prior to the date of adoption of Amendment Bylaw 10259:

12011 Blundell Road

PID 002-555-310

South Half of the South West Quarter Section 18 Block 4 North Range 5 West New Westminster District Except: Firstly: Part Dedicated Road on Plan NWP87640 Secondly: Parcel E (Bylaw Plan LMP4874) Thirdly: Parcel F (Bylaw Plan LMP12615) Fourthly: Part on SRW Plan 21735

5. For any **site** that is located in the **Agricultural Land Reserve**, any:
- a) change in the **principal use** or **secondary use** on the **site**; or
  - b) increase in the scale, extent or degree of a permitted **principal use** or **secondary use** of land on the **site**;



after the date of adoption of Bylaw 10259, must be approved by the Agricultural Land Commission in accordance with the *Agricultural Land Commission Act* (as amended).”

- c. deleting “child care” and “education” in Section 24.7.2 (Permitted Uses) of the Religious Assembly (ZIS7) – No. 5 Road Zoning District (24.7);
- d. adding “child care” as a new bullet in Section 24.7.3 (Secondary Uses) of the Religious Assembly (ZIS7) – No. 5 Road Zoning District (24.7); and
- e. deleting the definition of “religious assembly” in Section 3.4 (Use and Term Definitions), and replacing it with the following:

**“Religious assembly**

means a **building** wherein people regularly assemble for religious worship and related activities which may include churches, chapels, mosques, temples, synagogues, convents and monasteries, and as an accessory **use**, a rectory or a manse and religious educational activities. This **use** does not include **education** nor any other **uses** defined separately.”

- 2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 10259”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

APR 26 2021

CITY OF RICHMOND
APPROVED by <i>JML</i>
APPROVED by Director or Solicitor
BRB

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER