



Regular Council

Monday, January 9, 2017

Place: Council Chambers
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Corporate Officer – David Weber

Call to Order: Mayor Brodie called the meeting to order at 7:00 p.m.

RES NO. ITEM

MINUTES

R17/1-1 1. It was moved and seconded

That:

- (1) *the minutes of the Regular Council meeting held on December 12, 2016, be adopted as circulated;*
- (2) *the minutes of the Special Council meeting held on December 21, 2016, be adopted as circulated; and*
- (3) *the minutes of the Regular Council meeting for Public Hearings held on December 19, 2016, be adopted as circulated.*

CARRIED



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COMMITTEE OF THE WHOLE

- R17/1-2 2. It was moved and seconded
That Council resolve into Committee of the Whole to hear delegations on agenda items (7:01 p.m.).

CARRIED

3. Delegations from the floor on Agenda items.

Item No. 14 – Regulation of Short-Term Rental Units

Kerry Starchuk, 7611 Lancing Place, spoke in opposition to the item and noted that neighbours in her area operate short term rentals. Ms. Starchuk voiced her concerns with real estate signs being used in her area which did not include English, houses in the area being utilized as hotels, and the possibility of homes being used for birth tourism.

Ms. Starchuk questioned whether the City's vision statement and actions aim to please the local residents or tourists and urged City Council to favor the residents. Ms. Starchuk thanked City staff for their assistance with dealing with her complaints and recommended that more staff be hired to combat the complaints made with regards to short-term rental units.

Item No. 14 – Regulation of Short-Term Rental Units

Michelle Bordeaux, a resident of Sheridan Road, spoke to the troubles being faced by the Woodwards area as a result of a short-term rental home being used as a venue for parties. Ms. Bordeaux described the various remnants left behind by the visitors (such as cigarette butts, garbage and beer bottles) and raised concerns regarding safety of neighbours, long term well-being of the area, problems involving parking, and deterioration of the morale of the neighbourhood.

In response to questions, Ms. Bordeaux noted that she has not met the owner of the short term rental property, does not know where the owners are, anticipates that there are many others in her area, and has reported her concerns to the City of Richmond.



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Item No. 14 – Regulation of Short-Term Rental Units

Michelle Lee, a resident of Hollybank Drive, noted that she was in opposition to a public consultation on short-term rentals as it is a waste of time and taxpayers' money. Ms. Lee explained that she made the decision to move from Vancouver to Richmond because of affordability but it has now become increasingly difficult for her to afford housing here. She also noted that short-term rental housing only increases the rental rates for long-term housing.

Ms. Lee urged City Council to take action immediately on the affordability problems in Richmond and to focus on enforcing the laws, concentrate to respond immediately to complaints, and to make affordable housing a priority.

Item No. 14 – Regulation of Short-Term Rental Units

Kelly Green spoke to the affordability crisis in Richmond which she noted is caused by illegal hotels. Ms. Green stated that the house hotels put pressure on the local community and that the City's low vacancy rate is resulting in higher rental rates and inadequate supply. She further noted that houses and apartments which are operated for short-term rental purpose add to the already low vacancy rate in Richmond.

Ms. Green noted that short-term rentals affect the sense of a community and, without direct supervision by the owner, could also present challenges to the safety of the community. Ms. Green concluded that existing laws for Bed and Breakfasts, if applied to short-term rentals, could protect the community from illegal businesses, add stability to rental and resale values, and safeguard the community from transient visitors.

Item No. 14 – Regulation of Short-Term Rental Units

Keith McDonald, 4300 Coventry Drive, explained the frustrations his neighbourhood faces as a result of being surrounded by neighbours who rent out their homes on a short term basis, specifically in the summer months when the houses are used for parties. Mr. McDonald stated that the use of short-term rental housing should not be for a group of people to gather and party but rather only for rental purposes.



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In reply to questions, Mr. McDonald noted that: (i) he estimates two to three homes in his vicinity are being used for short term rentals, (ii) even if houses would be regulated by a Bed and Breakfast regulation a party house is still disruptive to the neighbourhood, and (iii) RCMP and Bylaws have been contacted in the past but there appears to be little that can be done.

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day, who had previously declared a conflict of interest as her husband owns a Bed and Breakfast, left the meeting – 7:30 p.m.

Item No. 14 – Regulation of Short-Term Rental Units

Laura Stapleton, 3851 Blundell Road, discussed how Richmond has changed over the years indicating that the focus on community has shifted to a focus on commodity. She noted that Richmond is losing its sense of community because it is becoming unaffordable for residents and businesses. Ms. Stapleton stated that Richmond's multicultural composition and rich landscape would allow for the City to be great, but if housing continues to remain inaccessible, the community will suffer. Ms. Stapleton urged City Council to ban house-hotels and prioritize community over commodity.

In response to queries, Ms. Stapleton explained that although stricter enforcement could be an option, the outright banning of the house hotels would be more effective in solving the current problems.

Item No. 14 – Regulation of Short-Term Rental Units

Stephen Henderson, resident of Richmond in Shellmont area, expressed his thoughts on the item and commented that the situation is far too big to regulate. Mr. Henderson noted that the idea of having a short-term rental operation in a community-oriented area is undesirable to any neighbour and that it is up to Council and everyone in the community to convey the community expectations to newcomers.



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Item No. 11 – Harvest Power Lease with Port of Vancouver

Jim Tinson, 8731 Allison Street, noted that the Harvest Power Plant has operated far longer than it should have been allowed to and that the studies which have been conducted could have been concluded sooner. Mr. Tinson indicated that there has been a lack of due diligence on Harvest Power's part and that they have failed to live up to the terms of their agreement. He suggested that the next step is to close the facility.

- R17/1-3 4. It was moved and seconded
That Committee rise and report (7:47 p.m.).

CARRIED

Councillor Carol Day returned to the meeting – 7:48 p.m.

CONSENT AGENDA

- R17/1-4 5. It was moved and seconded
That Items No. 6 through No. 8, No. 10, No. 11 and No. 13 be adopted by general consent.

CARRIED

6. COMMITTEE MINUTES

That the minutes of:

- (1) the Community Safety Committee meeting held on December 13, 2016;*
- (2) the General Purposes Committee meeting held on December 19, 2016;*
- (3) the General Purposes Committee meeting held on January 3, 2017;
and*
- (4) the Planning Committee meeting held on December 20, 2016;*
- (5) the Parks, Recreation and Cultural Services Committee meeting held on December 21, 2016;*



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*(6) the Finance Committee meeting held on January 3, 2017;
be received for information.*

ADOPTED ON CONSENT

7. 2017 ENGAGING COMMUNITY AND PUBLIC ART PROJECTS
(File Ref. No. 11-7000-09-20-089) (REDMS No. 5222486 v. 3)

That the concept proposals for the “2017 Engaging Community and Public Art Projects” as presented in the staff report, dated November 24, 2016, from the Director, Arts, Culture & Heritage Services, be endorsed.

ADOPTED ON CONSENT

8. CANADA 150 COMMEMORATIVE PAINTING AND MURAL
(File Ref. No. 11-7000-09-20-231) (REDMS No. 5241317 v. 2)

- (1) That the staff report titled, “Canada 150 Commemorative Painting and Mural,” dated November 28, 2016, from the Director of Arts, Culture and Heritage Services, be endorsed in support of Canada 150 celebrations and major event programming in 2017;*
- (2) That \$50,000 be allocated to commission a John M. Horton painting from the Council Provision; and*
- (3) That the \$50,000 expenditure for the cost of the artwork proposed to be funded from the Council Provision be included in the 5 Year Financial Plan (2017-2021).*

ADOPTED ON CONSENT

9. SISTER CITY ADVISORY COMMITTEE TWO YEAR ACTIVITY PLAN (2017-2018)
(File Ref. No. 01-0100-30-SCIT1-01) (REDMS No. 5240198)

See Page 8 for action on this item.



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- 10. **BUSINESS LICENCE BYLAW 7360, AMENDMENT BYLAW 9632**
(File Ref. No. 12-8275-02; 12-8060-20-009632) (REDMS No. 5247383; 5255501)

That Business Licence Bylaw No. 7360, Amendment Bylaw 9632, which increases the maximum number of Class A Taxicabs to 112 and Class N Taxicabs to 44, be given first, second and third readings.

ADOPTED ON CONSENT

- 11. **HARVEST POWER LEASE WITH PORT OF VANCOUVER**
(File Ref. No. 01-0140-20-PMVA1; 10-6175-02-01)

That a letter be sent to the Port of Vancouver Board requesting that they enforce any restrictive terms of their lease with Harvest Power relating to odours and emissions.

ADOPTED ON CONSENT

- 12. **PROVINCIAL TAX DEFERMENT PROGRAM**
(File Ref. No. 03-0925-05-01; 01-0150-20-FINA2) (REDMS No. 5261230)

See Page 8 for action on this item.

- 13. **CONSOLIDATED 5 YEAR FINANCIAL PLAN (2017-2021) BYLAW NO. 9663**

(File Ref. No. 03-0985-01; 12-8060-20-009663) (REDMS No. 5252435; 5252436)

- (1) *That the Consolidated 5 Year Financial Plan (2017-2021) Bylaw No. 9663 be introduced and given first, second, and third readings; and*
- (2) *That staff undertake a process of public consultation as required in Section 166 of the Community Charter.*

ADOPTED ON CONSENT

 CONSIDERATION OF MATTERS REMOVED FROM THE
 CONSENT AGENDA



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NON-CONSENT AGENDA ITEMS

9. **SISTER CITY ADVISORY COMMITTEE TWO YEAR ACTIVITY PLAN (2017-2018)**

(File Ref. No. 01-0100-30-SCIT1-01) (REDMS No. 5240198)

R17/1-5

It was moved and seconded

- (1) *That the report titled "Sister City Advisory Committee Two Year Activity Plan (2017-2018)", dated December 7, 2016, from the Director of Intergovernmental Relations, be approved;*
- (2) *That the 2017-2018 Sister City Advisory Committee Program Activity budget of \$56,500 be funded from the Rate Stabilization Account and included in the 5 Year Financial Plan (2017-2021); and*
- (3) *That staff consult with the Sister City Advisory Committee regarding the future relationship with Pierrefonds, Quebec, with recognition of the 50th Sister City anniversary between Pierrefonds and Richmond.*

The question on Part (1) and (2) of Resolution R17/1-5 was called and it was **CARRIED** with Cllrs. McNulty and McPhail opposed.

The question on Part (3) of Resolution R17/1-5 was called and it was **CARRIED**.

12. **PROVINCIAL TAX DEFERMENT PROGRAM**

(File Ref. No. 03-0925-05-01; 01-0150-20-FINA2) (REDMS No. 5261230)

R17/1-6

It was moved and seconded

- (1) *That staff be directed to make people aware of the Provincial Tax Deferral Program as a means of reducing the current financial burden for seniors and families with children, as well as providing information regarding assessment appeals;*



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- (2) *That staff be directed to analyze the benefit and the possibility of having more than one residential tax rate to deal with the valuation disparity between strata and single family detached residential properties;*
- (3) *That a letter be written to the Premier of British Columbia, Minister of Finance, and local MLAs, requesting the Province make changes to the Home Owner Grant program and school tax allocation program to provide a more fair and equitable system of property taxation in BC; and*
- (4) *That a letter be written to the Premier of British Columbia, Minister of Finance, and local MLAs, requesting the Province increase the 2017 Home Owner Grant threshold to reflect the substantial increases in assessments of principal residences in Metro Vancouver.*

The question on the motion was not called as the following amendment motion was introduced:

It was moved and seconded

That Part (4) of the motion be amended to include:

And further that:

- (a) *The Province should set the threshold such that 95% of qualified property owners in BC would be eligible to claim the full Grant; and*
- (b) *The Province should increase the amount of the Home Owner Grant at least by \$100 to reflect the decreasing real value of the Grant over the last decade.*

The question on the amendment motion was not called as discussion ensued on the Home Owner Grant threshold, reducing the burden for taxpayers, and how the proposed changes may benefit different segments of the community.

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

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



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GENERAL PURPOSES COMMITTEE

Mayor Malcolm D. Brodie, Chair

In accordance with Section 100 of the *Community Charter*, Councillor Carol Day declared to be in a conflict of interest as her husband owns a Bed and Breakfast, and Councillor Day left the meeting – 9:00 p.m.

14. REGULATION OF SHORT-TERM RENTAL UNITS

(File Ref. No. 08-4430-03-12) (REDMS No. 5221655 v. 15)

Cecilia Achiam, Director, Administration and Compliance, and Carli Edwards, Manager, Customer Services and Licencing, presented a summary of the proposed changes in the form of two tables (attached to and forming part of these minutes as Schedule 1) and spoke to the rationale behind the recommendations.

In reply to questions, Ms. Achiam and Ms. Edwards, confirmed that:

- The increase in fines would offset the costs for the recommended changes and the enforcement program.
- Defining a short-term rental operation and other bylaw amendments will help staff to enforce and fine those who are in violation.
- Enforcement through ticketing is ultimately quicker and less costly than enforcement through prosecution.

In reply to questions, Daniel McKenna, Acting Senior Manager, Community Safety, noted that the City of Richmond has followed up with a majority of the complaints made and that there are currently two files in the prosecution stage.

Discussion ensued on the advantages and disadvantages of short term rentals, the likelihood of the proposed changes resulting in improvements in the situation, and the effect of increased short-term rentals on the available affordable rental housing stock in Richmond.

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



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R17/1-7

It was moved and seconded

- (1) *That the matter be referred back to staff for analysis on the implementation of Option 2 (Prohibition of all short-term rentals as defined in the staff report titled "Regulation of Short-Term Rentals" dated November 29, 2016), and that staff report back with all appropriate bylaw amendments and information including a proposed enforcement program;*
- (2) *That staff review the current rules governing Bed and Breakfast operations in Richmond and provide an analysis including the current number of Bed and Breakfast operations in Richmond; and*
- (3) *That staff recommend a process for public consultation for Council's consideration on the proposed program, bylaw amendments, and information in response to the staff referral given in Parts (1) and (2) of this resolution.*

CARRIED

Councillor Carol Day returned to the meeting – 10:10 p.m.

PUBLIC ANNOUNCEMENTS AND EVENTS

R17/1-8

It was moved and seconded

That Renny Nasset, RCMP, be thanked for his service, leadership and contributions to the City of Richmond throughout his 35 year career.

CARRIED

BYLAWS FOR ADOPTION

R17/1-9

It was moved and seconded

That Housing Agreement (YuanHeng Seaside Developments Ltd.) Bylaw No. 9657 be adopted.

CARRIED



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DEVELOPMENT PERMIT PANEL

- R17/1-10 15. It was moved and seconded
- (1) *That the minutes of the Development Permit Panel meetings held on November 30, 2016 and December 14, 2016 and the Chair's report for the Development Permit Panel meetings held on November 30, 2016, and December 14, 2016, be received for information; and*
 - (2) *That the recommendations of the Panel to authorize the issuance of a Development Permit (DP 16-723753) and a Heritage Alteration Permit (HA 16-723754) for the property at 3811 Moncton Street be endorsed, and the Permit so issued.*

CARRIED

Wayne Craig, Director, Development, noted that the applicant for 10780 No.5 Road had revisited the design of their proposal after information was made available regarding the proposed design of the George Massey Tunnel replacement project interchange. Comments were made regarding the placement of the units in relation to the adjacent highway and the proposed height of the buildings. The merits of referring the matter to a Public Hearing were discussed.

- R17/1-11 It was moved and seconded
- That Development Permit (DP 16-741981) for the property at 10780 No. 5 Road be forwarded to the Public Hearing on February 20, 2017, and that staff contact the applicant to convey the concerns expressed by Council with regards to tandem parking, building heights, and living conditions.*

CARRIED

ADJOURNMENT

- R17/1-12 It was moved and seconded
- That the meeting adjourn (10:35 p.m.).*

CARRIED



City of
Richmond

Minutes

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Certified a true and correct copy of the Minutes of the Regular meeting of the Council of the City of Richmond held on Monday, January 9, 2017.

Mayor (Malcolm D. Brodie)

Corporate Officer (David Weber)

Proposed Licence Types

Proposed requirements of all types of Short Term Rental Licences

1. Unit must be the principal residence of the operator and applicant of the business licence.
2. Principal residence must be proven annually in order to renew licence.
3. Licencing requires neighbourhood notification.
4. Owner must give permission, in the event that the operator is not the owner.
5. Unit must comply with Building and Fire Bylaws and regulations.

Type	Example	current status	current penalties	proposed regulations	proposed penalties
A	Nightly or weekly rental of an entire house by one party	no specific municipal regulations tailored to this type of short term rental	\$100 if it can be proven that there is a business	confirmation that house is operator's principal residence and approval from the owner	\$1000 for rentals less than 30 days without licence \$1000 for excess guest capacity
B	Current licenced B&B	requires a B&B Licence	\$250 fines for failure to comply with licencing rules	No change in regulations but increased fines for violations of licencing requirements	\$1000 for excess rooms \$1000 for non-resident operator \$1000 for no access to guest register
C	Nightly or weekly rental of a unit in a condominium	no specific municipal regulations tailored to this type of short term rental	\$100 if it can be proven that there is a business	confirmation that unit is operator's principal residence and approval from strata	\$1000 for rentals less than 30 days without licence \$1000 for excess guest capacity

Examples of Scenarios Not Permitted - Currently or Proposed

Example	current penalties	proposed regulations	proposed penalties
renting up to 3 rooms with no B&B licence	\$100 if it be proven that there is a business	New rules define short term rentals and increase fines for licencing violations	\$1000 for rentals less than 30 days \$1000 for non-resident operator \$1000 for no access to guest register
nightly or weekly rental of a secondary suite	no specific municipal regulations other than \$100 if it can be proven that there is a business	New regulations would not permit a self contained suite to be rented for less than 30 days	\$1000 for rentals less than 30 days \$1000 for non-resident operator
house renting 5 or more rooms	Violation of Zoning bylaw, would require prosecution	Not permitted, increased fines and introduction of penalty for short term rental	\$1000 for rentals less than 30 days \$1000 for excess rooms \$1000 for excess guest capacity