



**Development Permit Panel
Wednesday, June 10, 2020**

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Joe Erceg, Chair
Cecilia Achiam, General Manager, Community Safety
Milton Chan, Director, Engineering

The meeting was called to order at 3:30 p.m.

Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on May 27, 2020 be adopted.

CARRIED

**1. DEVELOPMENT PERMIT 19-876647
(REDMS No. 6473769)**

APPLICANT: Easterbrook Milling Co. Ltd.

PROPERTY LOCATION: 17720 River Road

Development Permit Panel

Wednesday, June 10, 2020

INTENT OF PERMIT:

1. Permit the construction of a single detached house at 17720 River Road on a site zoned “Agriculture (AG1)” and designated as an Environmentally Sensitive Area (ESA); and
2. Vary the provisions of Richmond Zoning Bylaw 8500 to increase the maximum farm house footprint from 60% to 72% of the maximum floor area to accommodate a secondary suite on the ground floor for farm workers and immediate family.

Gallery Comments

None.

Correspondence

John Roston, 12262 Ewen Avenue ([Schedule 1](#))

Wayne Craig, Director, Development, noted that Mr. Roston provided background information on previous Council decisions regarding house size on Agricultural Land Reserve (ALR) areas and expressed his general support for the proposed variances in the applicant’s original submission.

Richmond Farm Watch ([Schedule 2](#))

Mr. Craig noted the organization’s acknowledgement of the applicant as a long-term bona fide farmer in Richmond and their expression of support for the proposed variances in the applicant’s original submission. He added that the organization expressed concern regarding the legal agreement that would restrict occupancy of the secondary suite to foreign farm workers. In response to this concern, he confirmed that the legal agreement that would be secured as a condition for approval of the subject application does not deal whatsoever with the immigration status of farm workers.

In reply to a query from the Panel, Mr. Craig confirmed that staff is recommending that the legal agreement allow occupancy of the secondary suite to either farm labourers working on a farm operation associated with the subject site or the immediate family of the property owner.

Panel Discussion

The Panel expressed support for the proposed changes to the applicant’s original submission, noting that (i) there have been extensive discussions and debates in the community regarding farm house size where different views were expressed, and (ii) the application will move forward for Council consideration.

Development Permit Panel
Wednesday, June 10, 2020

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *permit the construction of a single detached house at 17720 River Road on a site zoned "Agriculture (AG1)" and designated as an Environmentally Sensitive Area (ESA); and*
2. *vary the provisions of Richmond Zoning Bylaw 8500 to increase the maximum farm house footprint from 60% to 72% of the maximum floor area to accommodate a secondary suite on the ground floor for farm workers and immediate family.*

CARRIED

2. Date of Next Meeting: June 24, 2020

3. Adjournment

It was moved and seconded

That the meeting be adjourned at 3:36 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, June 10, 2020.

Joe Erceg
Chair

Rustico Agawin
Committee Clerk

Schedule 1 to the Minutes of the
Development Permit Panel
meeting held on Wednesday,
June 10, 2020.

To Development Permit Panel

Date: JUNE 10, 2020

Item # 1

Re: DP 19-876647

From: CityClerk
Sent: Tuesday, 9 June 2020 09:01
To: Agawin,Rustico Romualdo
Subject: FW: Easterbrook Variance Application - Development Permit Panel

From: Powell, Jo Anne <JPowell@richmond.ca>
Sent: June 9, 2020 8:37 AM
To: CityClerk <CityClerk@richmond.ca>
Subject: FW: Easterbrook Variance Application - Development Permit Panel

FYI

From: Erceg,Joe <JErceg@richmond.ca>
Sent: June 5, 2020 12:28 PM
To: Craig,Wayne <WCraig@richmond.ca>; O'Halloran,Matthew <MOHalloran@richmond.ca>
Cc: Capuccinello Iraci,Tony <ACapuccinelloiraci@richmond.ca>; Powell, Jo Anne <JPowell@richmond.ca>
Subject: Fwd: Easterbrook Variance Application - Development Permit Panel

FYI.

Sent from my iPhone

Begin forwarded message:

From: "John Roston, Mr" <john.roston@mcgill.ca>
Date: June 5, 2020 at 11:50:22 AM PDT
To: "Brodie, Malcolm" <MBrodie@richmond.ca>, "McNulty,Bill" <BMcNulty@richmond.ca>, "McPhail,Linda" <LMcPhail@richmond.ca>, "Loo,Alexa" <ALoo@richmond.ca>, "Steves,Harold" <hsteves@richmond.ca>, "Au,Chak" <CAu@richmond.ca>, "Day,Carol" <CDay@richmond.ca>, "Greene,Kelly" <kgreene@richmond.ca>, "Wolfe,Michael" <MWolfe@richmond.ca>
Cc: "Erceg,Joe" <JErceg@richmond.ca>, "Konkin,Barry" <BKonkin@richmond.ca>, Steve Easterbrook <petrioche@gmail.com>
Subject: Easterbrook Variance Application - Development Permit Panel

Dear Mayor and Councillors,

As you will recall, one of the commitments made to genuine farmers during the great ALR house size debate was that every effort would be made to accommodate any reasonable variances they might request for residence construction and that those requests would be expedited. Stephen Easterbrook is one of those farmers who spoke against limiting ALR house size. He has now applied for two variances and it appears that the Development Permit Panel is not taking into consideration the fact that he is a genuine farmer and the Panel is rather applying a very strict interpretation of the bylaws.

The height restrictions were intended to ensure that additional living space was not added. In this

case, he appears to be requesting a variance for a chimney and a style of roof. The other variance is to accommodate a secondary suite, primarily for farm workers, on the ground floor which increases the ground floor ratio from 60% to 72% although the overall house size is within the 400m² limit. Neither of these requests appears to be designed to increase the value of the property when it is sold, but rather to meet his needs while he continues farming for the foreseeable future.

While I didn't attend the Development Permit Panel meeting and can only rely on the minutes, it appears that the Panel's focus was on how to alter the house to eliminate the need for variances rather than to allow Mr. Easterbrook to build the house he wants and will best fit his needs. For instance, the Panel would like to limit use of the secondary suite to farm workers although the foreign farm workers in question are only permitted to be in the country for a maximum of eight months in the year.

If Council does not wish the Development Permit Panel to have the leeway of treating requests from genuine farmers differently than requests from developers then the Panel should suggest that the farmer take his case to Council and ask it to override the Panel's decision and grant the variances. It doesn't make sense to waste both the Panel's and Mr. Easterbrook's time on the current process.

John Roston
12262 Ewen Avenue
Richmond, BC V7E 6S8
Phone: 604-274-2726



Schedule 2 to the Minutes of the
Development Permit Panel
meeting held on Wednesday,
June 10, 2020.

To Development Permit Panel
Date: <u>JUNE 10, 2020</u>
Item # <u>1</u>
Re: <u>DP 19-876647</u>

June 5, 2020

Your Worship, Mayor Brodie and Councillors,

Farmers throughout Richmond have learned that a local, long-term bona fide farmer of 17720 River Road has been asked by the Development Permit Panel to sign a restrictive covenant.

An email from Stephen Easterbrook states that this restrictive covenant is required as a condition of building a new home with a secondary suite to house foreign farmworkers.

We have significant concerns about this request and see it as unreasonable and as over-reach on the part of the Development Permit Panel.

The farmer is requesting two minor variances which will help facilitate the functioning and viability of his farm. It's clear that he has taken extensive efforts at significant costs to comply with all City requirements including keeping his proposed home, which includes farm worker housing in the home, within the 400m² house size limit.

The glaring concern is the covenant being required to assure that the suite within the home only be occupied by foreign farm workers. In the case they may be seasonal workers, under the Federal Seasonal Agricultural Worker program, foreign farm workers are prohibited from staying in Canada more than eight months. <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/permit/agricultural-workers-work-temporarily.html>

A farmer, during these months may need to use the suite for other purposes that suit the farm. In the case of longer term non-seasonal farm workers, why only foreign workers? What if extended family wishes to work on the farm, or local farm workers or farm workers from another province? Also there are any number of reasons such as aging, disabilities or extended family circumstances that a farmer, or any homeowner, may need to use a suite in their home. Secondary permanent dwellings have been conditional to farm use, but never secondary suites in the primary residence.

We are asking that you review this very concerning matter and ensure that the Development Permit Panel understands that Council promised farmers, after extensive consultation including several public hearings, that farmers would be able to build to suit their needs.

Council implemented farm house size limits to stop speculators and investors. This was never intended to cause hardship to farmers in their living and farming activities. It is your responsibility to ensure the Development Permit Panel give farmers the flexibility they might need.

Yours sincerely,

Richmond FarmWatch

Richmondfarmwatch@gmail.com

604-723-3686