



General Purposes Committee

Date: Monday, May 7, 2018

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Derek Dang
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty – entered at 4:57 p.m.
Councillor Linda McPhail
Councillor Harold Steves

Absent: Councillor Carol Day

Call to Order: The Chair called the meeting to order at 4:55 p.m.

ADDITIONS AND DELETIONS

It was moved and seconded

That “Olympic Wrestling in Richmond” be added to the agenda as Item No. 5.

CARRIED

MINUTES

It was moved and seconded

- (1) *That the minutes of the special General Purposes Committee meetings held on April 9, 2018 and April 23, 2018 be adopted; and*
- (2) *That the minutes of the General Purposes Committee meeting held on April 16, 2018 be adopted.*

CARRIED

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COMMUNITY SERVICES DIVISION

1. **RICHMOND MUSEUM SOCIETY BOARD**

(File Ref. No. 11-7000-01) (REDMS No. 573940)

It was moved and seconded

That the report titled "Richmond Museum Society Board," dated April 16, 2018, from the Director, Arts, Culture and Heritage Services, be received for information.

Councillor McNulty entered the meeting (4:57 p.m.).

The question on the motion was not called as discussion ensued regarding the creation of an overall Richmond museum committee to coordinate all the individual heritage and museum societies.

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

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

It was moved and seconded

That staff look at the possibility of creating a new museum group with representatives from all individual heritage sites.

CARRIED

COMMUNITY SAFETY DIVISION

2. **HOUSEKEEPING AMENDMENTS FOR TRAFFIC BYLAW NO. 5870; PARKING (OFF STREET) REGULATION BYLAW NO. 7403; NOTICE OF BYLAW VIOLATION DISPUTE ADJUDICATION BYLAW NO. 8122; AND CONSOLIDATED FEES BYLAW NO. 8636**

(File Ref. No. 12-8060-02-01) (REDMS No. 5743877 v. 3)

It was moved and seconded

That the following bylaws be introduced and given first, second and third readings:

- (1) Traffic Bylaw No. 5870, Amendment Bylaw 9786;*
- (2) Parking (Off-Street) Regulation Bylaw No. 7403, Amendment Bylaw No. 9787;*
- (3) Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9827; and*
- (4) Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9829.*

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In response to a question from Committee, Carli Edwards, Manager, Community Bylaws and Licencing, advised that there is a process for notifying residents and businesses of changes to the Parking (Off Street) Regulation Bylaw, including issuing a warning for a first offence.

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

PLANNING AND DEVELOPMENT DIVISION

3. **CANNABIS BYLAW FRAMEWORK AND REGULATION OF AGRICULTURAL STRUCTURES**

(File Ref. No. 08-4430-03-10) (REDMS No. 5773205 v. 8)

The Chair referenced the revised recommendations distributed on table to Committee (copy on file, City Clerk's Office) and noted the inclusion of a moratorium in Part (3)(b).

Barry Konkin, Manager, Policy Planning, provided Committee with an overview of the report and highlighted that (i) the report introduces an Official Community Plan (OCP) Bylaw update and Zoning Bylaw updates that include new terminology to harmonize language included in the upcoming federal legislation, (ii) production of non-medical cannabis would be a non-permitted use in City agricultural zones, (iii) retail of cannabis would still be prohibited, as previously directed by Council, (iv) cost estimates for programs related to the legalization of cannabis are included as attachment 4 of the staff report, (v) the second part of the staff report details amendments to building regulations and building types for greenhouse construction to protect soil based agriculture, and (vi) building permits found to be in conflict with the proposed bylaw amendments would be withheld.

In response to questions from Committee, staff advised that (i) the municipal share of revenue from cannabis sales is still unknown, (ii) to provide a timely response and meet the passing of impending federal and provincial legislation, the Public Hearing would be the best forum to gather feedback from interest groups, (iii) agricultural buildings, structures and greenhouses with concrete construction or an impermeable structure would still be allowed through rezoning, (iv) the rezoning application process typically takes 8 months to a year to reach third reading, and (v) there is a small number of greenhouse constructions in the City related to non-cannabis use.

Discussion took place on the potential financial impact to the City related to legalization of non-medical cannabis and soliciting feedback from community stakeholders. It was noted that a letter sent to the Province should also request clarification on the municipal share of revenue and that the matter should be forwarded to the Agricultural Advisory Committee (AAC) for comment.

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

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It was moved and seconded

- (1) *To implement the City's framework to regulate cannabis retailing, medical and non-medical (recreational) cannabis production, cannabis research and development and cannabis distribution in advance of the Federal legalization of cannabis:*
 - (a) *That Official Community Plan (OCP) Bylaw 9000, Amendment Bylaw 9837, to revise and update the City's land use regulations and strategic management of cannabis related activities city-wide in Section 3.6.5 to Schedule 1 of the OCP, be introduced and given first reading;*
 - (b) *That Bylaw 9837, having been considered in conjunction with:*
 - (i) *the City's Financial Plan and Capital Program; and*
 - (ii) *the Greater Vancouver Regional District Solid Waste and Liquid Waste and Management Plans;**is hereby found to be consistent with the said programs and plans, in accordance with Section 477(3)(a) of the Local Government Act;*
 - (c) *That Bylaw 9837, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found not to require further consultation;*
 - (d) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9838, proposing revisions to existing medical cannabis related regulations, new regulations for non-medical cannabis activities and other changes for cannabis related activities, be introduced and given first reading; and*
 - (e) *That Consolidated Fees Bylaw 8636, Amendment Bylaw 9840, to add development application fees specific to cannabis related land use proposals, be introduced and given first reading;*
- (2) *That the costs and resources arising from the municipal response to the Federal legalization of cannabis contained in the report, dated April 18, 2018 from the Manager, Policy Planning and Manager, Community Bylaws and Licensing, be received for information and that staff be directed to pursue all Federal and Provincial cannabis related funding resources available and update Council as needed;*
- (3) *To protect the long-term viability of soil-based agriculture:*
 - (a) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9861, to regulate large agricultural buildings and greenhouses, be introduced and given first reading;*

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- (b) *Whereas Section 463 of the Local Government Act allows the withholding of building permits that conflict with bylaws in preparation;*

Whereas Council has granted first reading to a bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses;

Therefore be it resolved that staff bring all building permit applications for agricultural buildings and greenhouses in the Agriculture (AGI) zone, received more than 7 days after the date of first reading, forward to Council to determine whether such applications are in conflict with the proposed bylaw to preserve high-quality agricultural soils, through the regulation of construction methods for agricultural buildings and greenhouses; and

- (c) *That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the province impose a temporary moratorium on the use of lands in the Agricultural Land Reserve for cannabis production;*
- (4) *That a letter be sent to the Federal Minister of Health, Premier, Solicitor General, BC Minister of Health, BC Minister of Agriculture, and BC Minister of Finance, with copies to local Members of Parliament, Leaders of the Opposition Parties, Leader of the 3rd Party, and local MLA, urging the need to define cannabis related revenues for the City; and*
- (5) *That the staff report be forwarded to the Agricultural Advisory Committee for their input prior to the June Public Hearing.*

It was agreed by Committee that Part (3)(a) of the motion be voted separately and the question on Parts (1),(2), (3)(b),(3)(c), (4), and (5) was called and it was **CARRIED**.

The question on Part (3)(a) of the motion was then called and it was **CARRIED** with Cllr. Loo opposed.

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4. RESPONSE TO REFERRAL: ADDITIONAL DWELLINGS FOR FARM WORKERS AND DIRECTION ON LIMITING RESIDENTIAL DEVELOPMENT IN THE AG1 ZONE FOR PROPERTIES THAT ARE 0.2 HA (0.5 ACRES) OR LARGER

(File Ref. No. 08-4057-10) (REDMS No. 5801334 v. 5)

The Chair outlined the revised recommendations distributed on table to Committee (copy on file, City Clerk's Office). He noted that the staff report addresses additional dwellings for farm workers on agriculturally zoned land and that the revised recommendations include options for house size on farmland.

In response to questions from Committee, Barry Konkin, Manager, Policy Planning, advised that the second dwelling is typically for farm workers and that restoring the allowance could include a family member who works on the farm property. Mr. Konkin further noted that the staff report is in response to a referral from March 26, 2018 that staff comment on additional dwellings and the report details three options for consideration: (i) maintain the current requirement for a rezoning application for any additional dwellings on agriculturally zoned land, (ii) allow one additional dwelling for properties that meet the area size requirement and require a rezoning application for any further additional units, or (iii) allow up to three additional dwellings on properties that meet the area size requirement in the Agriculture (AG1) zone. Mr. Konkin also commented that staff recommend that the placement of additional dwellings inside the home plate be contiguous. He further noted that the provisions that allowed for up to three additional dwellings without a rezoning application were removed with the bylaws update in 2017.

In further response to queries from Committee, staff clarified that (i) the maximum setback from the road on agriculturally zoned land is 50 metres for a house, 75 metres for the farm home plate, and therefore any accessory building could be setback up to 75 metres, (ii) the AAC has recommended that the septic field remain outside of the farm home plate, (iii) 85 properties have the potential for adding any additional dwelling units and of those, 16 properties could have up to three additional farm homes, (iv) the current OCP policy is to limit the use of residential on farmland and additional dwellings would have to be requested through rezoning, and (v) currently policies regarding additional dwelling units is at the discretion of local government and does not require application through the Agricultural Land Commission (ALC).

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Staff further advised in response to Committee's questions that (i) there are a number of properties that currently have additional homes that are generally lived in by family members of larger farm operations, (ii) in the past decade there has only been one application for an additional dwelling, (iii) a significant uptake on building permits for additional dwellings is not anticipated if Council should choose to allow up to three additional dwelling units without rezoning, and (iv) the proposed zoning bylaw amendment has a house size limit of 300 square metres for any additional dwelling.

Todd May, co-chair of the Agricultural Advisory Committee (AAC) and President, Richmond Farmers' Institute, spoke to the issue of additional dwellings on farmland and noted that the AAC requests to be consulted on issues that relate to agriculture. Mr. May referenced three motions put forward by the AAC at their previous meeting held on April 19, 2018 and commented that the AAC is in support of reinstating the previous regulations on additional dwellings. He further expressed opposition to keeping additional dwellings adjacent, commenting that an agrologist report would put forward the best placement.

In response to queries from Committee, Mr. May advised that (i) the AAC recommends that the septic field remain outside the farm home plate to keep consistent with the previous regulations, (ii) he was of the opinion that extra dwellings on agriculturally zoned land are extremely critical to farm operations and that having resources immediately available are important throughout the season, (iii) availability of workers is important for repairing and maintaining any technical issues that may arise in a timely manner to any machinery used in the operation of a farm, and (iv) that although additional dwellings reduce the area available for agriculture, housing additional workers allows for greater working of the land and increases productivity.

Doug Wright, 11540 No. 3 Road, expressed support for reverting to the previous regulation of allowing up to three additional dwellings on agriculturally zoned land without a rezoning application. Mr. Wright also noted opposition to keeping additional dwellings contiguous on the farm home plate and commented that allowing placement where needed is important to maintaining efficient operations.

Humraj Kallu, Richmond resident, commented on the difficulty of housing seasonal workers off site and expressed support for allowing one additional dwelling on farmland without rezoning application requirements. Mr. Kallu spoke in opposition for keeping any additional dwellings adjacent in the farm home plate area and was of the opinion that farmers should be able to decide the most effective placement.

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In response to questions from Committee regarding the delegation's comments, Joe Erceg, General Manager, Planning and Development, advised that the staff report only addresses additional dwellings for full time, permanent workers and that accommodation for seasonal workers is separately regulated under Richmond Zoning Bylaw 8500. Mr. Erceg also noted that the use of an additional dwelling for temporary or seasonal workers would not be permitted under any of the recommendations.

Councillor Steves left the meeting (6:09 p.m.).

Councillor Au left the meeting (6:10 p.m.).

A Richmond resident noted concern in regards to limiting house size on agriculturally zoned land.

Councillor Au and Councillor Steves returned to the meeting (6:15 p.m.).

John Roston, 12262 Ewen Avenue , noted concern over individuals who could take advantage of the regulations and expressed support for maintaining a rezoning application requirement for any additional dwelling on farmland.

Eddie Tang commented that farmers should be supported in their operations and noted concern about limiting house size on farmland.

Niti Sharma, 11380 Kingfisher Drive, noted support for maintaining the rezoning application process for any additional dwellings on agriculturally zoned land.

James Tse expressed concern with regards to limiting house size on agricultural land.

Calvin X queried as to when the matter of house size on agriculturally zoned land would be discussed. The Chair clarified that following Committee's consideration those wishing to speak on house size may have an opportunity at the next Council meeting.

A Richmond resident and blueberry farmer on No. 6 Road, expressed concern over the shortage of skilled workers available. In response to a question from Committee, the delegation noted support for allowing secondary dwellings on farmland.

A Richmond resident noted support for keeping the septic field outside of the farm plate and for the ability to place a second dwelling anywhere within the farm home plate area.

The Chair read the revised suggested recommendations and discussion took place on the options for additional dwellings and the placement of the septic field.

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

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It was moved and seconded

- (1) *That the staff report titled “Response to Referral: Additional Dwellings for Farm Workers and Direction on Limiting Residential Development in the AGI Zone for Properties that are 0.2 ha (0.5 acres) or Larger” dated May 2, 2018 from the Manager, Policy Planning, and the staff report titled “Agriculturally Zoned Land: Summary of Public Consultation on Limiting Residential Development in the AGI Zone for Properties that are 0.2 ha (0.5 acres) or Larger” dated March 13, 2018 from the Manager of Policy Planning (Attachment 6) be received for information;*
- (2) *That staff be directed to prepare a bylaw for the May 14, 2018 Regular Council Meeting based on Option 5A for revising the limits to residential development in the Agriculture (AGI) zone, with septic field outside the farm home plate in the report “Agriculturally Zoned Land: Summary of Public Consultation on Limiting Residential Development in the AGI Zone for Properties that are 0.2 ha (0.5 acres) or Larger” dated March 13, 2018 from the Manager, Policy Planning;*
- (3) *That Official Community Plan Bylaw 9000, Amendment 9869, to amend the 2041 Official Community Plan policy to require an application for more than one (1) additional dwelling unit on agriculturally zoned land to go through a rezoning process, be introduced and given first reading; and that Richmond Zoning Bylaw 8500, Amendment Bylaw 9870, to allow one (1) additional dwelling in the Agriculture (AGI) zone with septic field outside the additional farm home plate, be introduced and given first reading;*
- (4) *That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the Province review their policies on foreign ownership, taxation, enforcing their guidelines on house size and farm home plate, providing greater financial incentives for farmers, and strengthening the Agricultural Land Commission’s enforcement actions for non-farm uses;*
- (5) *Whereas Section 463 of the Local Government Act allows the withholding of building permits that conflict with bylaws in preparation; and*

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Whereas Council has directed staff to further review options on reducing house size and farm home plate area, determining septic field location in relation to the farm home plate, and establishing a house footprint regulation for all lots in the AG1 Zone on lots larger than 0.2 ha (0.5 acres):

Therefore be it resolved that staff bring forward all building permit applications for residential development in the Agriculture (AG1) zone on properties 0.2 ha (0.5 acres) or larger, received more than 7 days after the passage of this resolution, to determine whether such applications are in conflict with the proposed bylaw to limit house size, farm home plate area, septic field location in relation to the farm home plate, and house footprint for properties zoned AG1 that are 0.2 ha (0.5 acres) or larger; and

- (6) That the staff report and above recommendations be forwarded to the Agricultural Advisory Committee for their input prior to the June Public Hearing.*

It was agreed by Committee that the six parts of the motion be voted separately.

The question on the motion was not called as discussion took place regarding the placement of the septic field in relation to the home plate and maintaining the current restrictions on home size on agriculturally zoned land.

The question on Part (1) was then called and it was **CARRIED**.

Discussion further took place on the inclusion of the septic field inside the farm home plate and as a result, the following **amendment** was introduced:

It was moved and seconded

That Part (2) be amended to include the septic field inside the farm home plate.

Discussion took place on the impact to the farm home plate area if the septic field were to be included and the question on the amendment was then called and it was **DEFEATED ON A TIE VOTE** with Cllrs. McNulty, McPhail, Johnston, and Loo opposed.

The question on Part (2) was then called and it was **CARRIED** with Mayor Brodie and Cllrs. Steves opposed.

The question on Part (3) was then called and it was **CARRIED** with Mayor Brodie and Cllrs. McPhail and Steves opposed.

Discussion further ensued on removing reference in Part (4) to enforcing ALC and provincial guidelines on house size and farm home plate, and as a result of that discussion, the following **amendment** was introduced:

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It was moved and seconded

That Part (4) be amended to read as follows:

That a letter be sent to the Premier of BC, the BC Minister of Agriculture, and the BC Minister of Finance, with copies to all Richmond Members of the Legislative Assembly, the Leader of the Third Party, the Leader of the Official Opposition, and the Chair of the BC Agricultural Land Commission requesting that the Province review their policies on foreign ownership, taxation, providing greater financial incentives for farmers, and strengthening the Agricultural Land Commission's enforcement actions for non-farm uses.

CARRIED

Opposed: Cllr. Steves

The question on Part (4) as amended was then called and it was **CARRIED**.

The question on Parts (5) and (6) was then called and it was **CARRIED**.

5. OLYMPIC WRESTLING IN RICHMOND

(File Ref. No. :) (REDMS No.)

The Chair noted that there is an interest in providing a facility for Olympic wrestling in the City and discussion took place with regards to consulting the Richmond Sports Council.

The following **referral motion** was then introduced:

It was moved and seconded

That staff look at the possibility of accommodating Olympic wrestling in City facilities and report back to through Committee after discussions with the Richmond Sports Council on the priorities and possibilities.

CARRIED

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (7:01 p.m.).

CARRIED

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Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, May 7, 2018.

Mayor Malcolm D. Brodie
Chair

Amanda Welby
Legislative Services Coordinator