



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee

Date: March 12, 2014

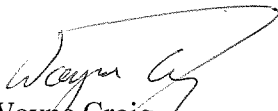
From: Wayne Craig
Director of Development

File: ZT 14-656053

Re: **Application by Townline Gardens Inc. for a Zoning Text Amendment to the Commercial Mixed Use (ZMU18) – the Gardens (Shellmont) zone to permit waiving the Affordable Housing Requirements for Market Rental Units in Phase 2**

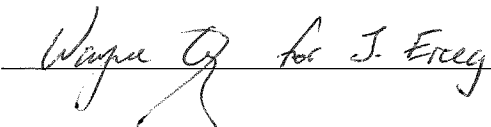
Staff Recommendation

That Bylaw No. 9112, for a zoning text amendment to the “Commercial Mixed Use (ZMU18) – the Gardens (Shellmont)” zone to waive the affordable housing requirements for the 144 market rental housing units within Phase 2 in Building D located on PID: 028-631-561 Lot C Section 31 Block 4 North Range 5 West NWD Plan EPP12978 (10820 No. 5 Road), be introduced and given first reading.


Wayne Craig
Director of Development

WC:bg

- Attachment 1: Location Map and Air Photo
- Attachment 2: Development Application Data Sheet

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

Staff Report

Origin

Townline Gardens Inc. has applied to the City of Richmond for a zoning text amendment to remove the 5% affordable housing requirement for the proposed 144 market rental housing units in Building D (The Camellia) on PID: 028-631-561 Lot C Section 31 Block 4 North Range 5 West NWD Plan EPP12978 ("Lot C") located at 10820 No. 5 Road (DP 12-641796) as part of the Townline Gardens master planned development (RZ 08-450659).

Building D in Phase 2 of the Townline Gardens development consists of a 5-storey mixed-use building with a total floor area of 10,839.1 m² (i.e. 9,231.78 m² residential plus 1,607.32 m² commercial). The residential component of Building D consists of 163 residential rental units including 144 market rental housing units and 19 affordable housing units (which are being provided as a deferred requirement from the development of Phase 1 of the Townline Gardens development). The commercial component of Phase 2 consists of 10 commercial retail units (CRU's) with parking provided in an underground parking structure and at-grade on the parkade roof deck. See the table below for a statistical summary for the Townline Gardens development and Building D on Lot C in Phase 2 and **Attachment 1** for the Development Application Data Sheet.

Background

1. The Townline Gardens rezoning (RZ 08-450659) was adopted July 25, 2011.
2. Phase 1 of the Townline Gardens (Buildings A and B) is currently under construction.
3. At the rezoning stage, the proposal envisioned mixed-use market residential with commercial, as such the rezoning secured the 5% affordable housing requirement on all residential uses.
4. The applicant previously submitted a Development Permit application (DP 12-599057) for market residential in Phase 2 endorsed by Development Permit Panel on August 22, 2012, which was subsequently withdrawn.
5. Community Services staff brought forward Housing Agreement Bylaw No. 8937 associated with the previous Development Permit application. As this Development Permit application has been withdrawn Housing Agreement Bylaw No. 8937 will need to be rescinded.
6. The applicant has now decided to pursue secured market rental housing for Phase 2 and is therefore requesting that the 5 % affordable housing requirement is waived for the proposed 144 market rental housing units (to be secured by a separate housing agreement with the City).
7. A Zoning Text Amendment application is required to remove the 5% affordable housing requirement from secured market rental housing units on Lot C (Phase 2).
8. The proposed Phase 2 building (Building D) on Lot C would therefore provide:
 - a) 144 market rental housing units secured via a separate housing agreement; and

- b) 19 affordable low-end market housing units as the 5% affordable housing requirement deferred from Phase 1 (Buildings A and B) residential housing secured via a separate housing agreement.

Findings of Fact

Item	Existing	Proposed
Owner	Townline Gardens Inc.	same
Applicant	Townline Gardens Inc.	same
Overall Site Size	Total: 92,196 m ² (22.7 ac) Park (ALR): 49,530 m ² (12.2 ac) Road Dedication: 3,239 m ² (0.8 ac) Net Site: 39,427 m ² (9.7 ac)	same
Phase 2 (Lot C) Site Size	6,040 m ² (112,667 ft ²)	same
Overall Site Land Uses	ALR: "Agricultural Park" 12.2 ac. Non-ALR: as per "Commercial Mixed Use (ZMU18) – the Gardens (Shellmont)": Residential: 53,511 m ² (576,007 ft ²) max. Non-Residential: 3,000 m ² (32,292 ft ²) min. Total: 56,511 m ² (608,299 ft ²) max.	same
Generalized OCP Designation	Mixed Use	same
Specific Land Use OCP Designation	Limited Mixed Use	same
Area Plan	Shellmont Area	same
Sub-Area Plan	Ironwood Sub-Area Plan (Area C – The Gardens)	same
Zoning	"Commercial Mixed Use (ZMU18) – the Gardens (Shellmont)"	current request to waive the affordable housing requirements for 144 proposed market housing units
Required Parking – Phase 2 (Lot C)	N/A	242
Proposed Parking – Phase 2 (Lot C)	N/A	196 – variance previously supported with the provision of one (12 month 2-zone) transit pass for each unit as part of DP 13-641796)

Townline’s Development Permit application (DP 13-641796) for Building D in Phase 2 proposes 19 Affordable Housing units consisting of a total floor area of 744.43 m² (8,013 ft²) as follows:

Unit Number ³	Unit Type	No. of Units	Unit Area	Minimum Unit Area	Maximum Monthly Unit Rent*	Total Maximum Household Income ²
202	Studio	1	406 ft ²	400 ft ²	\$850.00	\$34,000 or less
203	Studio	1	401 ft ²	400 ft ²	\$850.00	\$34,000 or less
302	Studio	1	410 ft ²	400 ft ²	\$850.00	\$34,000 or less
306	Studio	1	400 ft ²	400 ft ²	\$850.00	\$34,000 or less
308	Studio	1	406 ft ²	400 ft ²	\$850.00	\$34,000 or less
309	Studio	1	401 ft ²	400 ft ²	\$850.00	\$34,000 or less
313	Studio	1	409 ft ²	400 ft ²	\$850.00	\$34,000 or less

Unit Number ³	Unit Type	No. of Units	Unit Area	Minimum Unit Area	Maximum Monthly Unit Rent [*]	Total Maximum Household Income ²
320	Studio	1	406 ft ²	400 ft ²	\$850.00	\$34,000 or less
333	Studio	1	409 ft ²	400 ft ²	\$850.00	\$34,000 or less
337	Studio	1	411 ft ²	400 ft ²	\$850.00	\$34,000 or less
402	Studio	1	410 ft ²	400 ft ²	\$850.00	\$34,000 or less
406	Studio	1	400 ft ²	400 ft ²	\$850.00	\$34,000 or less
409	Studio	1	401 ft ²	400 ft ²	\$850.00	\$34,000 or less
413	Studio	1	409 ft ²	400 ft ²	\$850.00	\$34,000 or less
420	Studio	1	406 ft ²	400 ft ²	\$850.00	\$34,000 or less
433	Studio	1	409 ft ²	400 ft ²	\$850.00	\$34,000 or less
437	Studio	1	411 ft ²	400 ft ²	\$850.00	\$34,000 or less
441	1 Bedroom	1	555 ft ²	535 ft ²	\$950.00	\$38,000 or less
442	1 Bedroom	1	553 ft ²	535 ft ²	\$950.00	\$38,000 or less
		19	8,013 ft ²	7,870 ft ²		

Notes:

- ¹ Denotes 2013 amounts adopted by Council on March 11, 2013.
- ² Household income may be increased annually by the Consumer Price Index.
- ³ Unit numbers are for reference to the Development Permit Drawings only.

Consultation

There has been no public correspondence received regarding this proposed Richmond Zoning Bylaw 8500, Amendment Bylaw 9112. If Council supports the proposed text amendment to the Zoning Bylaw a Public Hearing will be scheduled.

Staff Comments

Analysis

The maximum allowable density for the Townline Gardens development is 1.43 FAR over the entire development portion of the site (Lots 1, C, D and E) with the provision of affordable housing and a daycare facility.

Townline elected to defer the provision of 726.25 m² or 100% of the affordable housing requirement for Phase 1 (Lot 1) to subsequent development phases as part of DP 10-544504 for Phase 1 (i.e. Buildings A and B on Lot 1) of the proposed overall Townline Gardens master planned development.

Townline’s current Development Permit application (DP 13-641796) for Building D in Phase 2 on Lot C is proposed entirely (all 163 units) as rental housing with 144 units of MRU units and 19 affordable housing units. The 19 affordable housing units provide a total floor area of 744.43m², which is more than the Phase 1 affordable housing requirement (726.25 m²).

Affordable Housing Commitments Proposed in the Current Development Permit

Townline’s application presents several advantages over its previous affordable housing commitments on the subject site.

1. Townline’s current DP 13-641796 for Phase 2 of 98.62 m² (726.25 m²– 627.63 m²) will provide more affordable housing floor area than previously proposed in DP 12-599057. This represents 100% of the Affordable Housing requirements deferred from Phase 1, rather than the 70% previously agreed to be included in Phase 2 (the remaining 30% was to be included in Phase 3). Thus the City will receive more affordable housing units (19 versus 9) in the short term than formerly agreed to by Townline.
2. Townline’s current Phase 2 proposal includes 18.18 m² (744.43 m² - 726.25 m²) more affordable housing floor area than was required in Phase 1, which Townline has agreed will not be credited to subsequent development phases of the overall Gardens development but is provided by Townline as a supplemental affordable housing contribution to the City.
3. While the currently proposed 19 affordable housing units in Phase 2 are predominantly smaller units, Townline has agreed that the affordable housing units to be provided in subsequent phases will be larger units – appropriate for families – according to the following schedule:

Phase	Unit Type	No. of Units	%	Average Unit Size	Total Amount (ft ²)
Phase 1 Buildings A & B	Townline deferred Phase 1 affordable housing to later phases	0	-	-	(7,817.29)
Phase 2 (Lot C) Building D (Note: Rental Buildings have no Affordable Housing requirements)	Studio	17	89%	406	4,055
	1 Bedroom	2	11%	554	1,661
	Sub-Total	19	100%	-	8,013
Phase 3 (Parcel D) Buildings E1 & E2	1 Bedroom	0	0%	-	-
	1 Bedroom + Storage/Den	0	0%	-	-
	Accessible 1 Bedroom	0	0%	-	-
	2 Bedroom	4	50%	867	3,468
	3 Bedroom	4	50%	1000	4,000
	Sub-Total	8	100%	-	7,468
Phase 4 (Parcel E) Building F	1 Bedroom	0	0%	-	-
	1 Bedroom + Storage/Den	0	0%	-	-
	Accessible 1 Bedroom	1	13%	650	650
	2 Bedroom	4	50%	880	3,520
	3 Bedroom	3	38%	1001	3,003
	Sub-Total	8	100%	-	7,173
The Gardens Affordable Housing Overall Summary	Studio	17	49%		
	1 Bedroom	2	6%		
	1 Bedroom + Storage/Den	0	0%		
	Accessible 1 Bedroom	1	3%		
	2 Bedroom	8	23%		
	3 Bedroom	7	20%		
	Total	35	100%		Provided 22,654
					Required 22,456

Affordable Housing Policy Considerations for Market Rental Housing

Affordable Housing staff have reviewed Townline’s application and offer the following comments.

The primary goal of the Affordable Housing Strategy is to focus on the housing needs of low to moderate income households. The Affordable Housing Strategy has three priorities:

AHS Priority	Maximum Income Threshold	Rent Range (Maximum)
Subsidized Rental Housing (Low income households)	\$34,000 or less	\$850 or less
Low End Market Rental (Low to Moderate income households)	Between \$34,000 or less and \$57,500 or less	Studio \$850 or less 1-Bedroom \$950 or less 2-Bedroom \$1,162 or less 3-Bedroom \$1,437 or less
Entry Level Homeownership	\$60,000 or less	n/a

The Strategy does not specifically address market rental housing nor does the City have a formal market rental policy. However, the Strategy does acknowledge the importance of preserving and maintaining existing and new rental housing stock in Richmond.

Staff are aware that there is increased interest among developers to provide market rental housing. Further analysis will be conducted as part of the Affordable Housing Strategy update to determine how market rental provision can best complement the delivery of affordable housing to meet Richmond’s estimated housing needs.

The City has reviewed requests to waive the affordable housing requirements for market rental projects on a case-by-case basis. To date, only one such proposal has been approved. The Riverport project (14000 and 14088 Riverport Way) was released from its obligation to make a cash contribution of \$213,823 towards the City’s Affordable Housing Reserve Fund in exchange for the delivery of 140 market rental units (with a constructed value of approximately \$21,357,000) secured in perpetuity through a City Housing Agreement .

The Riverport project is not a precedent for the consideration of Townline’s application, because the origin and nature of their requests differ in several key respects. However, the Riverport project does serve as an example of how the City was successful in securing market rental housing in perpetuity.

The Townline application provides a unique opportunity to develop much needed rental housing in an area outside of the City Centre, which will:

- Meet growing rental demand;
- Relieve pressure on vacancy rates and existing affordable housing stock;
- Yield units that will be comparatively affordable due to their small size; and
- Serve as dedicated rental housing stock in perpetuity.

1. Metro Vancouver estimates that the demand for market rental housing in Richmond amounts to 170 units each year. Townline’s 144 purpose-built market rental units would achieve 85% of this annual target.

Richmond's Housing Needs, Estimated by Metro Vancouver

Richmond	Baseline Renters (2006 Census)	New Rental Demand	Social Housing Demand (Low Income)	Demand Households (Low to Moderate)	Demand Households (Moderate to Above)
10 years	19,675	5,700	1,800	2,200	1,700
Annual average (based on 10 year estimate)		570	180	220	170

The number of new purpose-built rental units constructed in Metro Vancouver is at its highest level in ten years (i.e. 1,047 units in the first half of 2013 in Metro Vancouver). Yet the overall demand for rental housing has kept pace with the increase in supply, maintaining vacancy rates at a relatively stable level over the past decade.

Canada Mortgage and Housing Corporation (CMHC) reports that the vacancy rate in Richmond purpose-built apartment (i.e. rental) housing was 2.7% in 2013¹. Moreover, CMHC indicates that a strong rental demand will remain due to a number of factors, including:

- The region's diverse economy and role as the gateway to Asia-Pacific immigrants;
- The anticipated location for 40,000 new residents annually; and
- Anticipated employment growth (e.g. Attracting and keeping knowledge based workers is integral to supporting a strong economy in coming years. Technical Industries employ knowledge workers who are highly mobile and often depend on rental housing located near employment).

Also, the increasing cost of homeownership is requiring more households to remain as renters and for longer periods.

The Urban Futures report entitled: "Community-level Projections of Population, Housing and Employment" prepared for the City's 2041 OCP Update, suggests that the Richmond share of new apartments in the Region will decline from 10 percent in 2009 to 7 percent in 2041. Some of the reasons cited are:

- Increased competition throughout the region for this housing form;
- Regional availability of land in other areas; and
- Region-wide densification patterns.

The report also reveals that 77 percent of Richmond's condo apartment development is anticipated to be located in the City Centre. Therefore, Townline's market rental development adds welcome diversity to housing options outside the city core.

2. Increasing the supply of market rental housing relieves pressure on rent rates by adding options for those who do not choose or are not able to enter into the homeownership market. CMHC observes in particular (in its Fall 2013 Housing Market Outlook for Vancouver and Abbotsford CMAs) that as tenants of older rental stock are attracted to the upgraded amenities, such as in-suite laundry and high-end fixtures, of condo-quality purpose-built rental units, the increased competition moderates rent increases in the "secondary" rental market. Additionally, over time this new stock, which initially may command premium rents, becomes more affordable as it ages into secondary status. If new supply is not regularly

generated, the secondary rental market eventually faces future constrictions that will squeeze out lower income tenants.

3. Townline’s proposal includes 64 market rental studios, which are not readily available in typical new developments, and which will be comparatively affordable due to size.

Market rental housing is meant to meet the needs of households with incomes that are moderate or higher. The following table analyzes rents for private apartments in Richmond, as found in the Canada Mortgage and Housing Corporation (CMHC) Rental Market Report released in Fall 2013 and in a survey of current rental listings conducted by staff on March 10, 2014.

Rents for Private Apartments in Richmond

Unit Size	CMHC Reported Averages (Fall 2013)	Predominant Ranges from Staff Survey of Current Rental Listings
Studio	\$796	\$600 - \$875
1-Bedroom	\$953	\$800 - \$1,000
2-Bedroom	\$1,177	\$1,000 - \$1,200
3-Bedroom	\$1,408	\$1,200 – \$1,400 (Townhomes \$1,250 – \$1,700)

Staff noted several trends during their survey of current rental listings. First, few studio apartments were listed, and these were secondary suites in homes or in older buildings. Second, not surprisingly, apartments listed at higher price points were in newer, centrally located buildings. This suggests that market rental stock becomes more affordable – and thus more valuable within the overall Affordable Housing Strategy - as it ages. Third, furnished apartments and apartments with partial utilities included in the rent were available at mid-price points for each unit type. Fourth, except for studios, some luxury apartments were available for each unit type at considerably higher price points, which probably accounts for why the CMHC reported averages are at the higher end of the range staff discovered in their survey of current listings.

4. The 144 market rental housing units proposed in Phase 2 will be subject to a separate legal agreement registered on title in the Land Title Office that ensures these units cannot be stratified and must remain market rental housing units in perpetuity.

In summary, Affordable Housing staff believe Townline’s request to waive the affordable housing requirements for the 144 market rental housing units within Phase 2 in Building D on the subject Lot merits support. Subsequent reports from Community Social Services will be coming forward shortly to present the required Housing Agreement, Market Rental Housing Agreement, and associated bylaws.

Nevertheless, as with Riverport previously, approval of Townline’s request should not be regarded as a precedent for future requests to waive affordable housing requirements. Such requests will continue to be evaluated on a case-by-case basis. More policy research needs to be conducted so that the Affordable Housing Strategy can be updated to reflect how market rental provision can best complement the delivery of affordable housing to meet Richmond’s estimated housing needs.

Zoning Text Amendments

With regard to Townline's request to exempt the proposed 144 market rental housing units in Phase 2 on Lot C of the overall Gardens development from affordable housing contributions, the following points are noted in addition to what has been said above under affordable housing policy:

1. The location of the Townline Gardens development and the provision of 144 market rental housing units outside the City Centre represent a significant addition to the variety of market rental housing units in Richmond.
2. The proposed 144 market rental housing units in Phase 2 of the Townline Gardens development would add diversity to the housing product mix in the following ways:
 - a) Market rental housing units in the Townline Gardens development represents a new housing option in the Shellmont neighbourhood that is close to services, schools, institutions, parks, employment centres, and transit;
 - b) The Gardens is the last parcel of land to deliver a mixed use, multifamily project of this scale with a variety of housing product in Southeast Richmond, under the current zoning and OCP;
 - c) A new rental building with access to the on-site amenities (i.e. 6,000 ft² gym, fitness, and meeting facility) that would normally only be located within market condo projects; and
 - d) A compass card equivalent to a 2-zone bus pass for one year for all first time residents (to be secured as a condition of DP approval).
3. In general, staff understand that developers have been reluctant to construct market rental housing units for a variety of reasons including the extended reimbursement time period for the capital investment, the long term maintenance costs and the additional administrative costs to manage rental units.
4. In addition to providing 5% of the total residential floor area as affordable housing (with the exception of the market rental housing units), Townline has agreed to provide other contributions as part of the overall Gardens master planned development via the Rezoning and Development Permit processes including:
 - a) Provision of a 12.2 acre 'Agricultural Park' dedication;
 - b) Preparation of an Agricultural Park Master Plan to the approval of Parks;
 - c) Landscape and drainage enhancements to the Agricultural Park to the approval of Parks;
 - d) Retention and conversion of the Fantasy Gardens 'Castle' to create a 37-space child care facility;
 - e) Additional road right-of-way dedications along Steveston Highway and No. 5 Road;
 - f) Utility upgrades, road and boulevard improvements along Steveston Highway and No. 5 Road;
 - g) Upgrades to the signalized Steveston Highway and No. 5 Road intersection;
 - h) Provision of on-site public art equivalent in value to \$364,000;
 - i) A new signalized 'T' intersection at the junction of No. 5 Road and proposed Road A (along the north side of Building D);
 - j) Provision of Transportation Demand Management measures including:
 - Two co-op parking stalls located on the parking podium near the east end of Building B;

- Two transit shelters (1 to be installed northbound on No. 5 Road as part of the Servicing Agreement and cash-in-lieu for 1 to be installed southbound at the intersection between Steveston Highway and Highway 99;
 - End-of-trip bike facilities provided in Building A (Phase 1) with access provided to all residents and CRU employees with electronic key fobs;
 - Provision of a fifteen percent (15%) subsidy for a 2-zone transit pass, with this offer presented to all owners at the time of occupancy but advertised as part of the sales and marketing for the project; and
 - Provision of one (1) transit pass (i.e. Compass Card) per rental unit (163 in total) for Building D in Phase 2, which shall include the equivalent value of 1 year or 12 monthly 2-zone transit passes that would advertised as part of the sales and marketing for the project and would be presented to the owners (1 Compass Card per unit) at the time of occupancy. Townline indicates there will be no fee, penalty or disincentive to residents of Building D in order to receive a Compass Card.
- k) Installation of bicycle facility upgrades including:
- An off-street shared pedestrian sidewalk and bike lane along Steveston Highway; and
 - An off-street separated bike lane along No. 5 Road.
- l) Upgrades to transit amenities including:
- Provision of 1 new City Centre standard bus shelter along No. 5 Road; and
 - Existing bus facilities upgraded to full accessible standard.

Financial Impact

None

Conclusion

Given the foregoing information and acknowledging that DP 13-641796 represents a unique opportunity to provide new rental housing in Richmond outside the City Centre Development Applications staff recommend the removal of the 5% affordable housing contribution for the proposed 144 market rental housing units with a gross total floor area of 8,487.35 m² in Building D (i.e. The Camellia) on Lot C in Phase 2 located at 10820 No. 5 Road as part of the Townline Gardens master planned development. Accordingly, it is recommended that Zoning Bylaw 8500, Amendment Bylaw No. 9112, be introduced and given first reading.



Brian Guzzi, MCIP, MCSLA
Senior Planner/Urban Design

BG:cas

¹ Source: CMHA Canadian Housing Observer and CMHC regional housing data
Attachment 1: Location Map and Air Photo
Attachment 2: Development Application Data Sheet

The following are to be met prior to forwarding this Zoning Text Amendment application to Council for approval:

1. Confirmation of registration of the City’s standard Housing Agreement to secure 19 affordable housing units. Occupants of the affordable housing units subject to the Housing Agreement shall enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces. The terms of the Housing Agreement shall indicate that they apply in perpetuity and provide for the following:

Unit Number ³	Unit Type	No. of Units	Unit Area	Minimum Unit Area	Maximum Monthly Unit Rent*	Total Maximum Household Income ²
202	Studio	1	406 ft ²	400 ft ²	\$850.00	\$34,000 or less
203	Studio	1	401 ft ²	400 ft ²	\$850.00	\$34,000 or less
302	Studio	1	410 ft ²	400 ft ²	\$850.00	\$34,000 or less
306	Studio	1	400 ft ²	400 ft ²	\$850.00	\$34,000 or less
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309	Studio	1	401 ft ²	400 ft ²	\$850.00	\$34,000 or less
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320	Studio	1	406 ft ²	400 ft ²	\$850.00	\$34,000 or less
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337	Studio	1	411 ft ²	400 ft ²	\$850.00	\$34,000 or less
402	Studio	1	410 ft ²	400 ft ²	\$850.00	\$34,000 or less
406	Studio	1	400 ft ²	400 ft ²	\$850.00	\$34,000 or less
409	Studio	1	401 ft ²	400 ft ²	\$850.00	\$34,000 or less
413	Studio	1	409 ft ²	400 ft ²	\$850.00	\$34,000 or less
420	Studio	1	406 ft ²	400 ft ²	\$850.00	\$34,000 or less
433	Studio	1	409 ft ²	400 ft ²	\$850.00	\$34,000 or less
437	Studio	1	411 ft ²	400 ft ²	\$850.00	\$34,000 or less
441	1 Bedroom	1	555 ft ²	535 ft ²	\$950.00	\$38,000 or less
442	1 Bedroom	1	553 ft ²	535 ft ²	\$950.00	\$38,000 or less
		19	8,013 ft ²	7,870 ft ²		

Notes:

- ¹ Denotes 2013 amounts adopted by Council on March 11, 2013.
- ² Household income may be increased annually by the Consumer Price Index.
- ³ Unit numbers are for reference to the Development Permit drawings only.

2. Confirmation of registration of a housing agreement on title ensuring that all residential units with the exception of the 19 affordable housing units proposed in Building D on Lot C (10820 No. 5 Road) as rental units will remain as market rental units in perpetuity.
3. Confirmation of registration discharge of the existing No Development Covenant (NDC) for affordable housing (Charge Number CA2088657) on Lot C as well as Parcels D and E in the Land Title Office subject to the simultaneous registration of a new NDC for affordable housing on Parcels D and E as indicated below.
 - a) No development of subsequent development phases (Parcels D and E) until the owner/developer makes appropriate provisions for a minimum of 5% of the residential total floor area (no exceptions) as projected in Table 1 below; at the sole cost of the developer, completed to a turnkey level of finish on Parcels D and E, and secured via the City’s standard Housing Agreement registered on title on Parcels D and E.

The form of the Housing Agreement is to be agreed to by the developer and the City, and registered on title, prior to Development Permit approval on Parcels D and E. The terms of the Housing Agreement shall indicate that they apply in perpetuity and provide for, but are not limited to, the following:

- occupants of the affordable housing units shall, to the satisfaction of the City shall enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces;

- the required minimum floor area of the affordable housing units shall be a minimum of 5% of the residential gross floor area (no exceptions) as projected in Table 1 below;
- all affordable housing units shall be built to the City’s Basic Universal Housing guidelines;
- the number of affordable housing units, together with their types, sizes (averages in Table 1; minimums in Table 2), and unit mix shall be provided to the satisfaction of the City according to the following schedule:

Table 1

Phase	Unit Type	No. of Units	%	Average Unit Size	Total Amount (ft²)
Phase 3 (Parcel D) Buildings E1 & E2	1 Bedroom	0	0%	-	-
	1 Bedroom + Storage/Den	0	0%	-	-
	Accessible 1 Bedroom	0	0%	-	-
	2 Bedroom	4	50%	867	3,468
	3 Bedroom	4	50%	1000	4,000
	Sub-Total	8	100%	-	7,468
Phase 4 (Parcel E) Building F	1 Bedroom	0	0%	-	-
	1 Bedroom + Storage/Den	0	0%	-	-
	Accessible 1 Bedroom	1	13%	650	650
	2 Bedroom	4	50%	880	3,520
	3 Bedroom	3	38%	1001	3,003
	Sub-Total	8	100%	-	7,173

- rental rates and occupant income restrictions shall be in accordance with the City’s Affordable Housing Strategy and guidelines for Low End Market Rental housing, according to the following schedule:

Table 2

Unit Type	Minimum Unit Sizes	Maximum Monthly Rent	Total Household Annual Income ^{1,2}
Bachelor	37 m2 (400 ft2)	\$850	\$34,000 or less
One bedroom	50 m2 (535 ft2)	\$950	\$38,000 or less
Two bedroom	80 m2 (860 ft2)	\$1,162	\$46,500 or less
Three bedroom	91 m2 (980 ft2)	\$1,437	\$57,500 or less

Notes:

¹ Denotes 2013 amounts adopted by Council on March 11, 2013 .

² Household income may be increased annually by the Consumer Price Index.

4. Provision of one (1) Compass Card per rental unit (163 in total) for Building D in Phase 2, which shall include the equivalent value of 1 year or 12 monthly 2-zone transit passes that would advertised as part of the sales and marketing for the project and would be presented to the owners (1 Compass Card per unit) at the time of occupancy. Townline indicates there will be no fee, penalty or disincentive to residents of Building D in order to receive a Compass Card.

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 Division. 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. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.

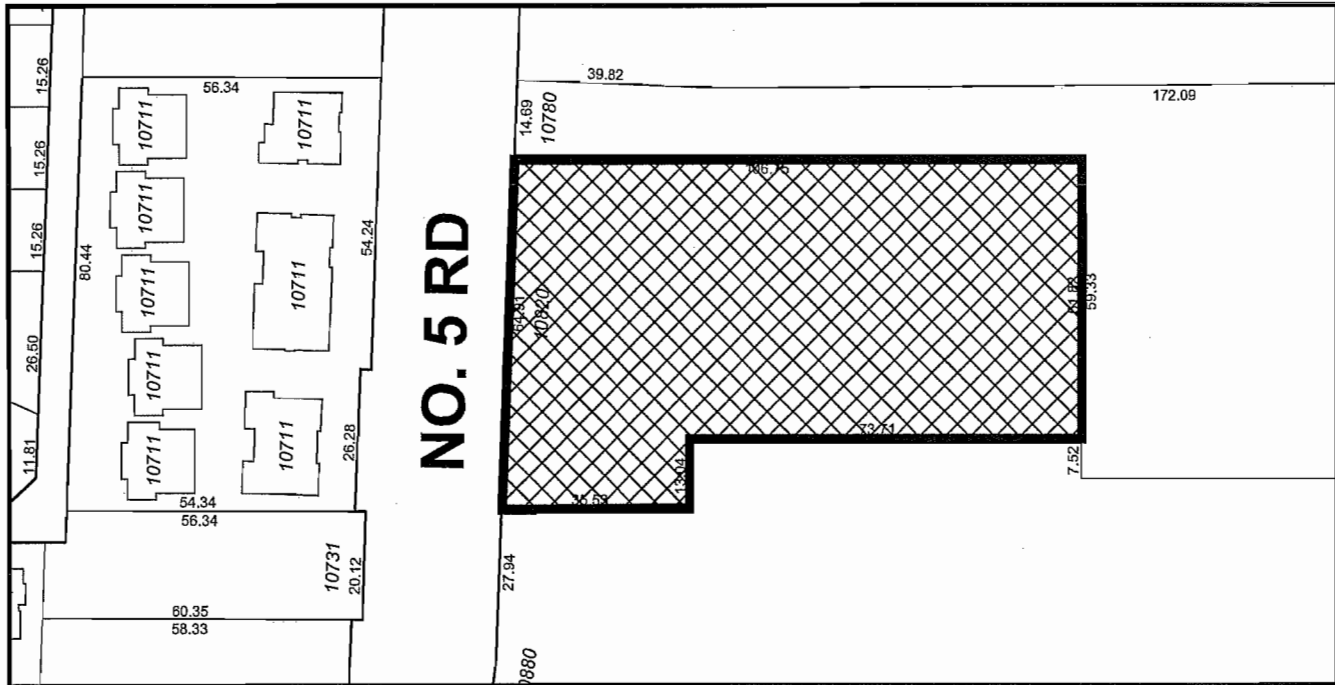
3. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division 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.

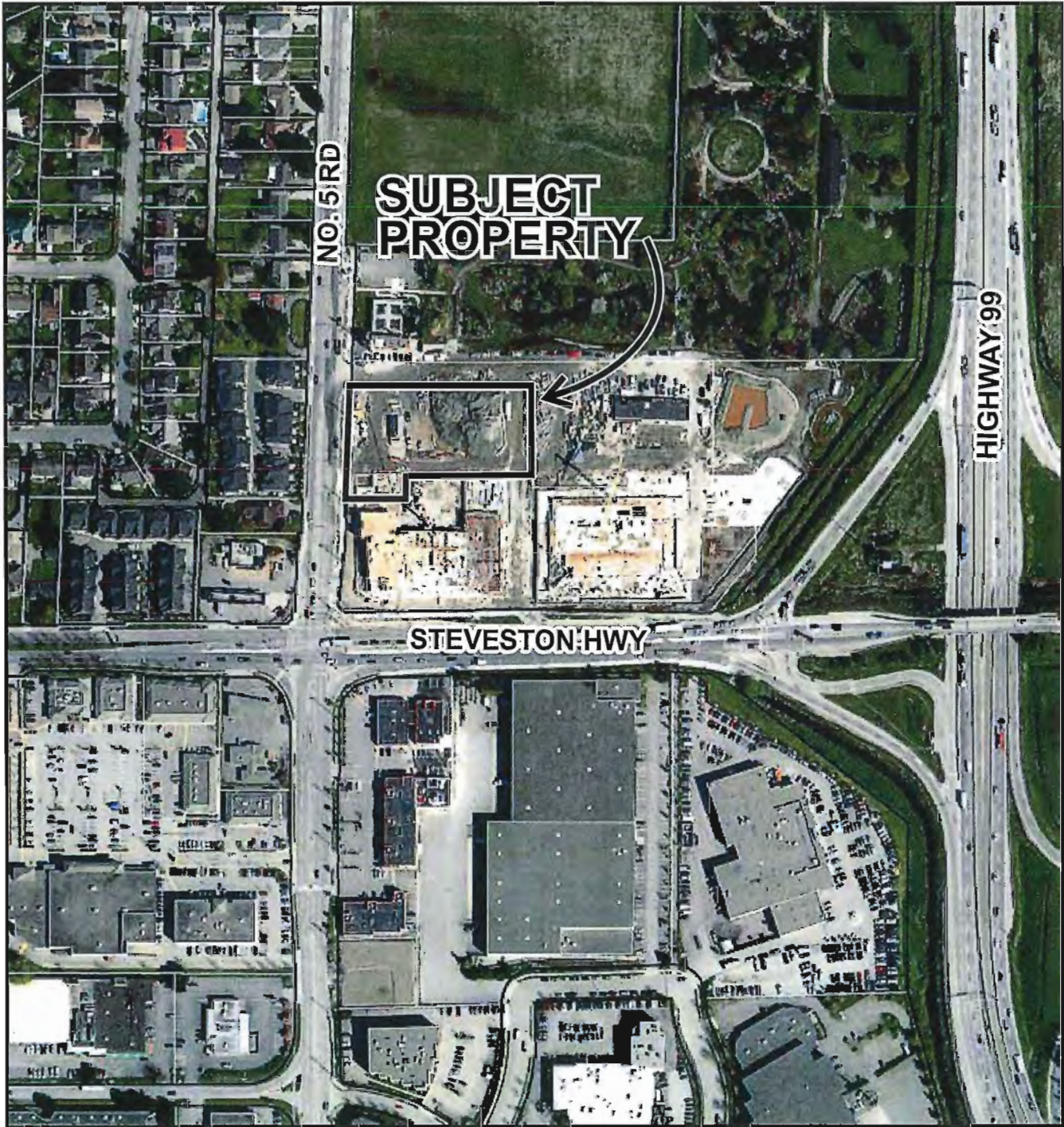
Signed

Date



ZT 14-656053

Original Date: 03/04/14
 Revision Date:
 Note: Dimensions are in METRES



ZT 14-656053

Original Date: 02/19/14

Revision Date:

Note: Dimensions are in METRES



DP 12-599057

Attachment 2

Address: 10820 No. 5 Road
 Applicant: Townline Gardens Inc. Owner: Townline Gardens Inc.
 Planning Area(s): Shellmont Area – Ironwood Sub-Area (Area C – The Gardens)
 Floor Area Gross: 10,839.1 m² (116,671 ft²) Floor Area Net: 10,467.1 m² (112,667 ft²)

Criteria	Existing	Proposed
Site Area (no dedications in Phase 2)	6,040 m ² (65,014 ft ²)	No Change
Land Uses	Vacant	Mixed Use - Commercial / Residential
OCP Designation - Generalized Land Use	Mixed Use	No Change
OCP Designation - Specific Land Use	Limited Mixed Use	No Change
Zoning	"Commercial Mixed Use (ZMU18) – The Gardens (Shellmont)"	No Change
Number of Units	Nil	163 units including 19 affordable units

Criteria	Bylaw Requirement	Proposed	Variance
Gross Floor Area	-	10,839.1 m ² (116,671 ft ²)	-
Net Floor Area (minus FAR exclusions)	-	10,467.1 m ² (112,667 ft ²)	-
Lot Size	no minimum	6,040 m ² (65,014 ft ²)	-
Floor Area Ratio	1.43 FAR (on overall site)	1.73 FAR (Phase 2)	-
Gross Floor Area (commercial / residential)	-	17,301ft ² com. + 99,370ft ² res.	-
Lot Coverage	50%	43%	-
Setback - No. 5 Road	6.0 m	6.0 m	-
Setback - Road 'A' (north side)	3.0 m	4.44 m	-
Setback - Road 'A' (east side)	3.0 m	4.15 m	-
Setback - Internal Lane (south side)	3.0 m	4.33 m	-
Height	20.0 m	18.69 m	-
Off-street Parking Spaces – Resident/Commercial	Residential spaces 163 Commercial spaces 56 Total Phase 2 spaces 219	163 Residential (134 in Phase 2 plus 29 spaces in Phase 1) 56 commercial (all provided for in Phase 1) 196 space variance requested	variance supported with the provision of 1 (12 month 2-zone) transit pass for each unit)
Parking – Commercial (overall estimated)	305 stalls	266 stalls	-
Parking Stalls - small / accessible	maximum 50% small stalls	62 small / 5 accessible	-
Loading Stalls	3 loading stalls	3 loading stalls	-
Bicycle Parking (Class 1 & Class 2)	Commercial - 5 CI-1 + 7 CI-2 Residential - 204 CI-1 + 33 CI-2 Total - 249	Commercial - 7 CI-1 + 6 CI-2 Residential - 204 CI-1 + 33 CI-2 Total - 249	-
Amenity Space (Indoor)	70 m ² minimum indoor	provided in Phase 1	-

CNCL - 407



Richmond Zoning Bylaw 8500
Amendment Bylaw 9112 (ZT 14-656053)
10820 No. 5 Road

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

1. Richmond Zoning Bylaw 8500 is amended by repealing section 20.18.4.2. a) – Permitted Density in the “Commercial Mixed Use (ZMU18) - The Gardens (Shellmont)” zone and replacing it with the following:

“20.18.4.2. a) provides on the site not less than four affordable housing units having the combined habitable space of at least 5% of the total floor area ratio used for residential use but specifically excludes PID 028-631-561, Lot C, Section 31, Block 4 North, Range 5 West, New Westminster District Plan EPP12978 (“Lot C”) from this requirement provided that the owner has entered into a Market Rental Housing Agreement for 144 secured market rental dwelling units with the City and registered the Market Rental Housing Agreement against the title to Lot C and filed a notice of the same in the Land Title Office; and”

2. Richmond Zoning Bylaw 8500 is amended by inserting the following text after Section 20.18.11.9. in the “Commercial Mixed Use (ZMU18) - The Gardens (Shellmont)” zone:

“20.18.11.10 For the purpose of this zone only, Market Rental Housing Agreement means an agreement in a form satisfactory to the City that restricts the occupancy of the dwelling unit to rental tenure.”

“20.18.11.11 For the purpose of this zone only, Market Rent means the amount of rent that a willing tenant would pay to a willing landlord for the rental of a comparable unit with comparable amenities in a comparable location for a comparable period of time.”

3. This Bylaw may be cited as “Richmond Zoning Bylaw 8500, Amendment Bylaw 9112”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Five horizontal lines for recording the progress of the bylaw through the council's readings and conditions.



MAYOR

CORPORATE OFFICER