



City of Richmond

Report to Committee

To: General Purposes Committee
From: Wayne Craig
Acting Director of Development

Date: August 30, 2007
File: 08-4105-04-02/2007-Vol
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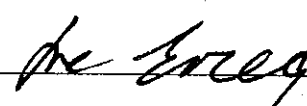
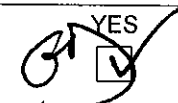
Re: Garden City Land (5555 No. 4 Road) Update

Staff Recommendation

That Council receive this report for information.


Wayne Craig
Acting Director of Development

CA:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
CONCURRENCE OF GENERAL MANAGER		
		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
REVIEWED BY CAO	YES  <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Staff Report

Origin

The signing parties to the Memorandum of Understanding (MOU) extended the MOU for Garden City Land to facilitate a forthcoming new Agricultural Land Reserve Exclusion Application.

The purpose of this report is to:

1. Ensure that Council is reacquainted with the background of the MOU and familiar with the MOU partners including the Canada Lands Company (CLC) and the Musqueam First Nation.
2. Give an update on the process and time line of the project and describe the reports that staff will be bringing forward for the balance of 2007;
3. Provide a brief update on the consultation process with the Richmond Agricultural community and the work being completed by the consulting team; and
4. Present preliminary information on the Richmond Community Survey commissioned by CLC on behalf of the MOU partners.

Background

Site History

In 2001, the Department of Fisheries and Oceans (DFO) declared the approximate 136 acres of Garden City Land (at 5555 No. 4 Road) bounded by Garden City Road, Alderbridge Way, No. 4 Road and Westminster Highway surplus, and in November 2003 received Treasury Board approval to transfer the land title to the Canada Lands Company (CLC). This land is considered to be within traditional Musqueam Indian Band territory.

In January 2004, the Musqueam was granted a Court Injunction, preventing the transfer of the land to the City until their long-standing interest in the Garden City Land was satisfactorily recognized and accommodated for. On March 18, 2005, following a period of intense negotiations, the Musqueam First Nation, the City of Richmond and the CLC reached an agreement, sharing the land between the three parties in a landmark Memorandum of Understanding (MOU).

In 2006, CLC made an unsuccessful application to remove it from the Agricultural Land Reserve (ALR). Subsequently, in 2007, the signing partners of the MOU extended the MOU and are in the process of preparing a new ALR Exclusion Application for submission.

Memorandum of Understanding

The MOU is a tri-party agreement that has provisions of two extensions of one year each. The agreement is in the first extension period. The execution of the MOU is subject to the land successfully being taken out of the ALR. If the land remains within the ALR, the MOU becomes invalid and the land will likely become entangled in a lengthy court case/treaty negotiation; neither crown land, nor treaty land is subject to ALR or local zoning regulations and bylaws. Under the MOU:

- 50% of the land would go to the City of Richmond for public use (approximately 68 acres) including parkland, green space and other public amenities such as recreational or cultural facilities and a trade and exhibition centre, and 25% each to the CLC (approximately 34 acres) and Musqueam First Nations (approximately 34 acres) for a joint venture development.
- The City would pay \$4.77 million for its share (approximately 54.5%-72.5% of the site) as valued at the time of the MOU.
- Any development by the CLC and the Musqueam First Nation on the land must go through Provincial and Municipal land use approval processes, integrate with the Official Community Plan (OCP) and comply with City zoning bylaws. This process will enable public and Council to provide further input into the development of the land.

Memorandum of Understanding Partners

The following provides a brief description of CLC and its projects and how the MOU can address some of the community needs of the Musqueam.

1. Canada Lands Company

The Canada Lands Company CLC Limited (CLC) is an independent Crown corporation created by the Federal Government in 1996 with a specific mandate to 'optimize the financial and community value obtained from strategic properties deemed surplus to Federal program purposes'. In carrying out this mandate, CLC purchases properties from the Government of Canada, improves and revitalizes them, and then manages or sells them in order to produce the best possible benefit for both local communities and Canadian taxpayers.

The CLC is currently active in 22 Canadian municipalities. One of their most recent developments in British Columbia is a 153-acre site known as "Garrison Crossing" in Chilliwack (a former military barracks, largely untouched since World War II).

Garrison Crossing includes the refurbishment of 235 former military single and multi-family homes on the base, as well as a variety of new single and multi-family units. It will feature sustainable practices, over 8 acres of public open space including a heritage woodlot (2.5 acres) with extensive native species. Furthermore, creative construction methods are incorporated to preserve old growth trees on the site. For example, roads have been built around trees; holes have been drilled under root systems and trees have been relocated.

CLC has worked extensively with the governmental agencies and the community in Chilliwack throughout the planning stage. When completed, Garrison Crossing will be a new community of approximately 1500 residential units planned around a new pedestrian-oriented retail centre (with approximately 90,000 ft² of commercial space to provide local services such as grocery store, drug store, banks and restaurants). A new network of all-weather gravel pathways connecting the residents with the amenities will link the entire neighbourhood. The proposed amenities includes a community recreational facility converted from former military building with an indoor pool, outdoor spray park, picnic areas, children's play area and a new network of all-weather gravel pathways connecting the amenities.

2. Musqueam

For thousands of years, the resources on land, which included the City of Richmond, are part of the traditional territory of the Musqueam people and supported their community. Today, the Musqueam people live on a very small land base that cannot meet their economic, social, cultural, employment, and residential needs. The Garden City Partnership will provide the opportunity to address some of the Musqueam needs and create a lasting legacy.

- **Economic Sustainability:** Create the financial resources to move the Musqueam people from a semi-dependant community to a self-sufficient one that will service the social, health, educational and community programs for generations of Musqueam members
- **Housing:** There is currently over 230 people on the band housing priority list and significant financial resources will be required to address this problem and avoid the negative consequences of over crowding, forced departure from the community, and homelessness.
- **Social Services:** The Musqueam community is challenged by the combination of a growing elder population and a significant increase in the young members of the band. Insufficient resources are available to sustain social, educational, recreational, and health programs for both the elderly and youth.
- **Employment:** The Garden City Land partnership will provide the opportunity for training and direct employment as part of the multi-year development of the property. Jobs in the construction, real estate, urban planning and marketing fields would be examples of the areas where direct employment and training could occur. In addition, there may be the opportunity for Musqueam businesses to participate in the commercial elements created on the site.
- **Culture and Heritage:** Recognizing the historic connection the Musqueam people have with these lands, the opportunity is available to physically present their heritage in the form of traditional art works on the site. There is also the potential for the creation of an interpretive centre to showcase their heritage, traditional arts, and culture to provide a lasting focal point for the expression of their heritage and culture.
- In addition to improving the economic well being of the Musqueam, another lasting legacy is the leadership demonstrated by the representatives of the three levels of Government in creating this historic partnership that will be an example to other first nations on how the relationship between the parties was moved from litigation, mistrust, and conflict to a partnership that brings lasting benefits to all.

Analysis

Consultation with the Richmond Agricultural Community

The previous Agricultural Land Commission (ALC) exclusion application was not supported by the Richmond Agricultural Advisory Committee (RAAC) and rejected by the ALC in 2006 for these reasons:

- it did not address agricultural viability and suitability of the site;
- lack of demonstrable benefit for agricultural viability in Richmond;
- lack of convincing community need arguments; and
- the proposal was inconsistent with preservation of agricultural land.

A multi-disciplinary consulting team with expertise in site planning, agricultural and environmental assessment, civil, soils, geotechnical and transportation engineering, recreational and community needs, economic viability and public consultation has been engaged to prepare the forthcoming ALR exclusion submission. The team has completed field work and are preparing various technical reports on soils, community need for the Musqueam and agricultural viability of the site. In addition, the team is exploring some preliminary land use scenarios based on the MOU for financial feasibility analysis and compatibility with the Council endorsed City Centre Area Plan Study.

The team has also been seeking input from the Richmond agricultural community through the Richmond Agricultural Advisory Committee (RAAC) and the Richmond Farmers Institute (RFI) to formulate a strategy to address benefit for agricultural viability in Richmond. It is anticipated that a new ALR exclusion application will be submitted to Council before the end of 2007. This active consultation with the agricultural community will help shape the strategy to provide agricultural benefits to be incorporated into the forthcoming ALR exclusion application.

The RAAC is adamant that any proposed benefits to agriculture derived from the Garden City Land must not be in-lieu of implementation of projects that are already included in the City's work program, such as those identified in the East Richmond Agricultural Water Supply Study presented to the Public Works and Transportation Committee on June 21, 2006. The Garden City Land ALR Exclusion Application will include provisions for agricultural benefits that are the direct result from developing the Garden City Land.

Next Steps

Staff will be bringing two additional reports to Council in the next few months based on the findings and recommendations from the consultants upon completion of their studies and analysis. The first report will seek Council approval for the City to be the applicant for the ALR Exclusion Application and endorsement of an agricultural benefit package for inclusion into the application after completing the pre-application phase of consultation with the Richmond agricultural community through the RAAC. The second report will be the ALR Exclusion Application submission prepared by the consultant team. The application will address all the issues identified by the ALC outlined earlier in this report.

In addition, CLC intends to conduct community outreach to clarify the MOU and introduce itself and its development track record to Richmond residents throughout the Fall of 2007. Formal public consultation process will be conducted as part of the ALR Exclusion application process.

This table summarizes the proposed timeline of the Garden City Land process for 2007.

TASKS	2007												2008
	J a n	F e b	M a r	A p r	M a y	J u n	J u l	A u g	S e p	O c t	N o v	D e c	?
MOU Team-conduct research and prepare ALR exclusion application													
Pre-Application Consultation with Richmond farming community (RAAC & RFI)			▲	▲	▲		▲	▲	△				
Council Update									▲	△			
Community Outreach												
ALR Exclusion Application & Referral (including stakeholders & public consultation/outreach)												

LEGEND

→ currently on-going process
 future process

▲ task completed
 △ future task

Related Initiatives/Studies Completed or Currently Underway

The following table summarizes some of the key initiatives/studies that are either under way or completed by various sources. Applicable information from these studies and other sources will inform the preparation of the upcoming Garden City Land ALR exclusion application. The Richmond Community Survey is highlighted given its interesting insights into the community's perspective.

Agency	Initiative/Study	Date
City of Richmond	Richmond Agricultural Viability Strategy	February 03
	Parks, Recreation and Cultural Services Facilities Strategic Plan	June 07
	East Richmond Agricultural Water Supply Study	May 06
	Parks, Recreation and Cultural Services Master Plan for 2005-2015	July 07
	City Centre Area Plan Update	Current-concept endorsed by Council (February 6/07)
MOU Partners	Musqueam Community Assessment	Current
	Geotechnical Analysis	Current
	Agricultural & Environmental Assessment	Current
	Land Use Concepts	Current
	Richmond Community Survey	June-August 07

The Richmond Community Survey

This survey of community attitudes in Richmond was commissioned by CLC to understand public views regarding the Garden City Land tri-partite agreement and to place those views within the broader community agenda. Four focus groups were conducted to help develop specific items for the survey prior to it being administered to 508 Richmond residents between July 26-29, 2007, including 106 in the immediate vicinity (the area bounded by No.3 Road, Cambie Road, Highway 99 and Granville Avenue) of Garden City Land, and 402 in the broader community.

These questions were designed to understand the priority issues for Richmond residents and their awareness of issues related to the Garden City Land. Topics included:

- public awareness of the Musqueam injunction and public views on litigation versus negotiations
- general knowledge on the Garden City Land MOU and the MOU partners
- attitudes towards ALR and its application to the Garden City Land
- explore local Richmond issues that are important to the public
- assess public opinion on potential public amenities on the Richmond portion of the Garden City Land; and
- discover public attitudes regarding growth, density, land claims, public amenities and green space

Among other findings, the preliminary results indicates that Richmond residents are moderately in support of the MOU, want to protect green space and have a desire for a range of public amenities to be incorporated on the site. The final results are being compiled now and the consultant will be available to present the completed analysis and findings of the survey at the General Purposes Committee Meeting on September 17, 2007 as part of the presentation of this staff report.

Financial Impact

No impact at this point. Financial impact to the City with respect to the Garden City Land ALR exclusion application will be discussed in a separate report to General Purposes Committee following the September Richmond Agricultural Advisory Committee.

Conclusion

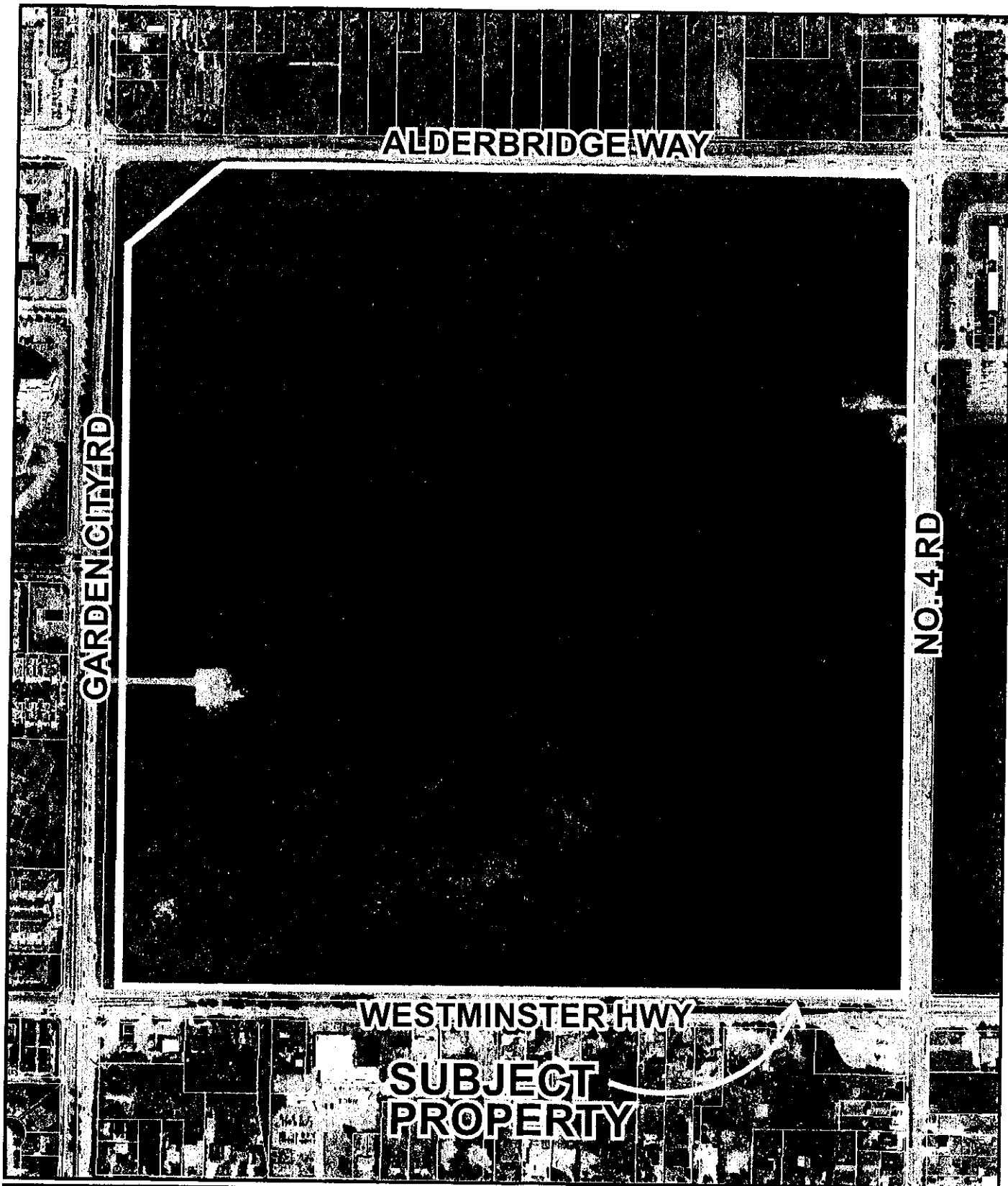
The City's full participation in the Garden City Land to achieve public benefits is predicated on the Memorandum of Understanding (MOU) which is subject to an Agricultural Land Reserve (ALR) exclusion of the Garden City Land.



Cecilia Achiam, MCIP, BCSLA
Senior Coordinator, Major Projects & Development Applications
(Local 4122)

CA:blg

Attachment 1: Location Map and Aerial Photo



Subject Site:

5555 No. 4 Rd (Garden City Land)

Original Date: 08/30/07

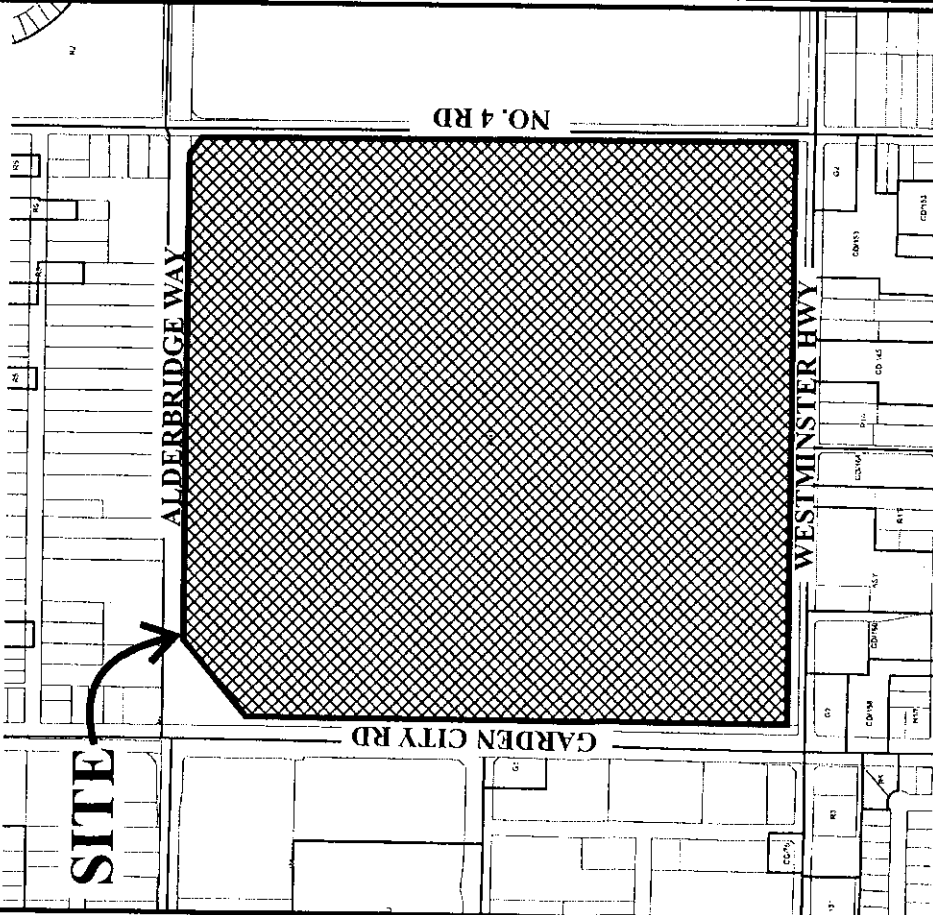
Amended Date:

Note: Dimensions are in METRES



City of Richmond

SITE

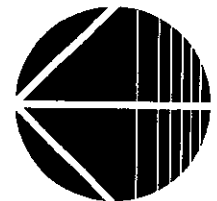


ALDERBRIDGE WAY

GARDEN CITY RD

NO. 4 RD

WESTMINSTER HWY



Subject Site:

5555 No. 4 Rd (Garden City Land)

Original Date: 08/30/07

Revision Date:

Note: Dimensions are in METRES