



**Regular Council meeting for Public Hearings  
Tuesday, February 22, 2022**

Place: Council Chambers  
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair  
Councillor Chak Au  
Councillor Carol Day (by teleconference)  
Councillor Andy Hobbs  
Councillor Alexa Loo (by teleconference)  
Councillor Bill McNulty  
Councillor Linda McPhail  
Councillor Harold Steves (by teleconference)  
Councillor Michael Wolfe (by teleconference)

Matthew O'Halloran, Acting Corporate Officer

Call to Order: Mayor Brodie opened the proceedings at 7:00 p.m.

1. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10303  
(RZ 21-930446)**

(Location: 11320 Williams Road; Applicant: Habib Samari)

*Applicant's Comments:*

The applicant was not present.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH22/2-1

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 10303 be given  
second and third readings.***

**CARRIED**



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2. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10332  
(RZ 19-878165)**

(Location: 6531 Francis Road; Applicant: Cao Construction)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

In response to questions from Council, the applicant advised:

- the design will be amended as part of the development permit application process to include a setback for the sundeck; and
- there will be parking available for eight cars.

PH22/2-2

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 10332 be given second and third readings.***

**CARRIED**

Opposed: Cllrs. Day  
Wolfe

3. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10340  
(RZ 21-934283)**

(Location: 8720/8740 Rosemary Avenue; Applicant: Pakland Properties)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.



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*Submissions from the floor:*

None.

In response to a question from Council, the applicant confirmed that two two-bedroom units will be constructed on each subdivided lot.

PH22/2-3

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10340 be given second and third readings.*

**CARRIED**

- 4. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10014**  
(Location: 12020 1st Avenue; 11631 7th Avenue; 11671/11673/11675 7th Avenue; 10771 Auburn Drive; 6051 Azure Road & 6800 Westminster Highway; 6071 Azure Road; 6600 Barnard Drive; 12060/12110 Bath Road; 8291 Bennett Road; 8351 Bennett Road; 8631 Bennett Road; 8640 Bennett Road; 8711 Bennett Road; 6200/6220 Blundell Road; 4160 Bonavista Drive; 6780/6880 Buswell Street & 8200/8300 Park Road; 12211 Cambie Road; 12551 Cambie Road; 12571 Cambie Road; 4100 Chatham Street; 8251 Cook Road; 3851 Francis Road; 7500 Francis Road; 7700 Francis Road; 4080 Garry Street; 4200/4206 Garry Street; 8191 General Currie Road; 8700 General Currie Road; 10771 Gilbert Road; 6211/6311/6351/6411/6511 Gilbert Road; 7120 Gilbert Road & 7151 Moffatt Road; 7260 Granville Avenue; 8520 Granville Avenue; 12055 Greenland Drive; 10000 Kilby Drive; 7251 Langton Road; 6800 Lynas Lane; 6451 Minoru Boulevard; 6551 Minoru Boulevard; 7460/7480 Moffatt Road; 7660 Moffatt Road; 11131 No. 1 Road; 11820 No. 1 Road; 8220/8240 No. 2 Road; 8280/8260 No. 2 Road; 10100 No. 3 Road; 3640 No. 5 Road; 10820 No. 5 Road; 8720 Railway Avenue; 10711 Shepherd Drive; 2960 Steveston Highway; 4340 Steveston Highway; 12411 Trites Road; 12500 Trites Road; 8500 Westminster Highway; 8540 Westminster Highway; 8660 Westminster Highway; 11020/11000 Williams Road; 4771 Williams Road.; Applicant: City of Richmond)

*Applicant's Comments:*

Staff advised that the application is intended to preserve and protect 60 existing rental housing sites through rental tenure legislation.

In response to questions from Council, staff advised:

- there will be no impact to existing residents;
- in the event of future redevelopment of the properties, the Low End Market Rental (LEMR) units must be replaced on a one-to-one basis and any remaining units will be available for market rental;



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- the existing housing has been used for rental housing for several decades; and
- the rental tenure zoning will not impact commercial units.

*Written Submissions:*

*David Adelberg (Schedule 1)*

*Gail Brown (Schedule 2)*

*Fran and John Byers, Richmond resident (Schedule 3)*

*Susan Campbell, Richmond resident (Schedule 4)*

*Mary Carter (Schedule 5)*

*Anna Delaney, Richmond resident (Schedule 6)*

*Donna Griblin, Richmond resident (Schedule 7)*

*Tom Johnson (Schedule 8)*

*Joseph and Keiko Lee, Richmond resident (Schedule 9)*

*Peter Mitchell (Schedule 10)*

*Simon Nantais, Richmond resident (Schedule 11)*

*Donna Nicolson, Richmond resident (Schedule 12)*

*Rosemary Nowicki (Schedule 13)*

*Wendy Torris, Richmond resident (Schedule 14)*

*Sean Williams (Schedule 15)*

*Submissions from the floor:*

Igor Pakhomov, Richmond resident, questioned the rationale for including a cooperative in the rental tenure zoning.

In response to the query from the floor, staff indicated that cooperative housing should be afforded the same protection as other rental housing.

Gail Brown, Richmond resident, expressed concern that the rental tenure zoning will introduce restrictions which will reduce the value of the properties.

In response, staff advised that there is no empirical evidence of the impact of rental tenure zoning on property values.



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Amelia Hu, Richmond resident, expressed concern regarding the protection that will be provided to tenants in the event that owners redevelop the properties.

Sean Williams, Richmond resident, expressed concern that the City is unable to provide any assurance to the property owners that the land use restrictions will not devalue the properties.

In response to a question from Council, staff advised that the current situation would not involve rezoning of the properties.

Ginny Chan, Richmond resident, expressed concern regarding the protection that will be provided to tenants in the event that owners redevelop the properties.

In response, Council advised that the relocation of tenants required during redevelopment would be addressed during the redevelopment process.

In response to questions from Council, staff advised:

- tenants would be protected by the Market Rental Housing Policy;
- tenants will have the right of first refusal of the redeveloped rental units;
- incentives to property owners to increase the number of rental units are available through the redevelopment process; and
- there is an existing bylaw that stipulates minimum maintenance requirements for rental buildings.

PH22/2-4

It was moved and seconded

***That Richmond Zoning Bylaw 8500, Amendment Bylaw 10014 be amended to incorporate the following civic addresses:***

- (1) ***12020 1st Avenue;***
- (2) ***11631 7th Avenue;***
- (3) ***11671/11673/11675 7th Avenue;***
- (4) ***10771 Auburn Drive;***
- (5) ***6051 Azure Road & 6800 Westminster Highway;***
- (6) ***6071 Azure Road;***
- (7) ***6600 Barnard Drive;***
- (8) ***12060/12110 Bath Road;***



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- (9) 8291 Bennett Road;*
- (10) 8351 Bennett Road;*
- (11) 8631 Bennett Road;*
- (12) 8640 Bennett Road;*
- (13) 8711 Bennett Road;*
- (14) 6200/6220 Blundell Road;*
- (15) 4160 Bonavista Drive;*
- (16) 6780/6880 Buswell Street & 8200/8300 Park Road;*
- (17) 12211 Cambie Road;*
- (18) 12551 Cambie Road;*
- (19) 12571 Cambie Road;*
- (20) 4100 Chatham Street;*
- (21) 8251 Cook Road;*
- (22) 3851 Francis Road;*
- (23) 7500 Francis Road;*
- (24) 7700 Francis Road;*
- (25) 4080 Garry Street;*
- (26) 4200/4206 Garry Street;*
- (27) 8191 General Currie Road;*
- (28) 8700 General Currie Road;*
- (29) 10771 Gilbert Road;*
- (30) 6211/6311/6351/6411/6511 Gilbert Road;*
- (31) 7120 Gilbert Road & 7151 Moffatt Road;*
- (32) 7260 Granville Avenue;*
- (33) 8520 Granville Avenue;*
- (34) 12055 Greenland Drive;*
- (35) 10000 Kilby Drive;*
- (36) 7251 Langton Road;*
- (37) 6800 Lynas Lane;*
- (38) 6451 Minoru Boulevard;*
- (39) 6551 Minoru Boulevard;*
- (40) 7460/7480 Moffatt Road;*



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- (41) 7660 Moffatt Road;
- (42) 11131 No. 1 Road;
- (43) 11820 No. 1 Road;
- (44) 8220/8240 No. 2 Road;
- (45) 8280/8260 No. 2 Road;
- (46) 10100 No. 3 Road;
- (47) 3640 No. 5 Road;
- (48) 10820 No. 5 Road;
- (49) 8720 Railway Avenue;
- (50) 10711 Shepherd Drive;
- (51) 2960 Steveston Highway;
- (52) 4340 Steveston Highway;
- (53) 12411 Trites Road;
- (54) 12500 Trites Road;
- (55) 8500 Westminster Highway;
- (56) 8540 Westminster Highway;
- (57) 8660 Westminster Highway;
- (58) 11020/11000 Williams Road; and
- (59) 4771 Williams Road.

**CARRIED**

PH22/2-5

It was moved and seconded  
*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10014 be given  
second and third readings.*

**CARRIED**

PH22/2-6

It was moved and seconded  
*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10014 be adopted.*

**CARRIED**



# City of Richmond

## Minutes

### Regular Council meeting for Public Hearings Tuesday, February 22, 2022

#### ADJOURNMENT

PH22/2-7

It was moved and seconded  
*That the meeting adjourn (7:48 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the Regular meeting for Public Hearings of the City of Richmond held on Tuesday, February 22, 2022.

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Mayor (Malcolm D. Brodie)

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Acting Corporate Officer  
(Matthew O'Halloran)



Schedule 1 to the Minutes of the  
Public Hearing meeting of  
Richmond City Council held on  
Tuesday, February 22, 2022.

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**From:** David Adelberg <david@idsgroup.ca>  
**Sent:** February 9, 2022 2:12 PM  
**To:** MayorandCouncillors  
**Subject:** Rental housing solutions  
**Attachments:** Letter to Richmond Council.docx

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear Mayor and Councillors  
Please see attached  
Thank you

**David Adelberg**  
Chief Executive Officer | **IDS GROUP**  
Office 604.245.9898 | Direct 604.441.1757  
Email [david@idsgroup.ca](mailto:david@idsgroup.ca) | Web [www.idsgroup.ca](http://www.idsgroup.ca)

Mr. Malcolm Brodie (Mayor) and City Council Members

February 9, 2022

Gentlemen and Ladies,

I am the CEO of IDS Group and an advocate for creating the rental zoning policy currently under consideration by council.

The need for more rental housing is being addressed by cities all over the world and yet all struggle to find a solution that will provide more rental housing without developers crying foul.

The reason is obvious; current land values make it near impossible for developers to build rental buildings at a significant profit. Although it's true that municipal development charges could be reduced as well as a better and more streamlined approval process, it still won't provide the developer anywhere close to the profits generated for condo development.

I understand the angst and the concerns of some council members who believe in curtailing all development unless it calls for an unrealistic amount of social housing, which in turn would make the project unviable. The question is, unviable to whom?

The current proposed rental development the "Legacy," is being developed by the owner who is willing to accept a reasonable profit margin rather than selling the land to a developer for condos or doing nothing. The big developers are now using this project as an example of why they can't compete with someone who has owned the property for 30 years. The fact is, many of the 60 properties referred to on the list are and have been owned by private individuals and families for over 30 years.

My company and my experienced team provide development services to property owners who like the "Legacy" have decided to redevelop their existing property instead of selling out or doing nothing.

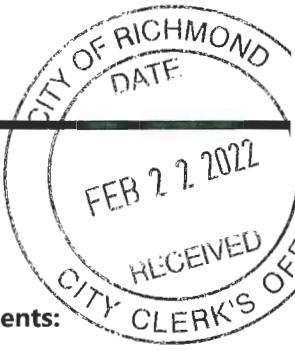
Although every project is different to some degree, we have analysed enough properties to know that redeveloping qualified properties will not only double or triple the current number of market and affordable rental units, but it will also provide the owner with additional cash flow and substantial equity growth.

Of course, like everyone else, we also have an agenda. We currently have 460 secured market and nonmarket units under redevelopment with more in the planning stages. We strongly believe that we have found the solution to the housing crisis and with your help and the help from other government funding programs, we will continue to face the challenges ahead.

I would love to discuss our plans to solve the housing crisis with any member of our city council at any time.

Thank you

David Adelberg



Schedule 2 to the Minutes of the Public Hearing meeting of Richmond City Council held on Tuesday, February 22, 2022.

TO: MAYOR & EACH COUNCILLOR  
FROM: CITY CLERK'S OFFICE

**From:** [Redacted]  
**Sent:** February 18, 2022 11:30 AM  
**To:** CityClerk  
**Subject:** ByLaw Amendment 10014- Public Hearing Zoom Attendance  
**Attachments:** 6800 Westminster Hwy & 6071 Azure Rd.docx; Letter Boughton Law.pdf

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Hello

As my company owns two of the properties affected by the proposed Bylaw, I would like to attend the public hearing on Tuesday February 22nd by Zoom

I attach the following documents for review

Kind Regards  
Gail Brown

PHOTOCOPIED  
FEB 22 2022  
& DISTRIBUTED

**RE: 6800 Westminster Hwy & 6071 Azure Rd**

The property at 6800 Westminster Hwy and 6071 Azure Road, known as Azure Estates, was purchased by my late father in the mid-1970s. First Service Residential professionally manages the property and for many years has been well maintained rental building of one and two-bedroom suites for our tenants. There is a continuous and ongoing maintenance program of upgrades, both interior and exterior. Brown Bros Holdings property has been a source of secure rental housing for many years in the City of Richmond. Many of our tenants have lived at Azure for over 20 years. It is their home, and we have no plans to change that.

Has the impact of restrictive zoning been considered? The property was purchased on the open market with no restrictions; however, with the proposed Bylaw Amendment 10014, it will be limited to sales within the specific demographic of those interested in building rental. This restriction effectively reduces the value of the property without any proposed compensation from the City of Richmond. How does the City plan to compensate owners for reducing the value of their properties?

There appears to be an assumption that everyone wants to develop. However, not everyone does. The bylaw devalues the property of those owners who wish to maintain the status quo. Even with Bylaw Amendment 10014 in effect, a developer would still have to apply for a change in density. Therefore, it will make little material change to any actual development and serves only to devalue those properties that have no intention of developing.

Azure Estates at 6800 Westminster and 6071 Azure Road is unique among the list of properties affected by the proposed bylaw due to its adjacency to the Richmond Hospital. At some distant future date, the imposition of this bylaw may seem to have been short sighted as the population of Richmond increases along with its need for a larger and more diversified hospital campus.

Finally if this tenure zoning does take place, City of Richmond now needs to set out and define the process generally to all Richmond residents and affected owners like Brown Bros. in particular. City of Richmond can't just

impose the tenure zoning without a full plan in place and full information to all affected residents and owners.

# boughtonlaw

File #: 42983.13  
Direct: 604 647 4126  
Email: ruhrl@boughtonlaw.com

June 14, 2019

**BY EMAIL TO:** tatva@richmond.ca and jelmore@richmond.ca

City of Richmond  
Planning and Development Division  
Policy Planning  
6911 No. 3 Road  
Richmond, BC V6Y 2C1

Attention: Barry Konkin, Manager, Policy Planning  
Tina Atva, Senior Planning Coordinator  
Jeanette Elmore, Planner 2

Dear Sirs/ Mesdames:

**Re: Residential Rental Tenure Zoning – Proposed Rezoning and Public Consultation regarding  
6051 Azure Road and 6800 Westminster Hwy, Richmond, BC (collectively, the "Property")**

We act as lawyers for Brown Bros. Holdings Ltd. ("Brown Bros."), owner of the Property and write with respect to your letter dated May 7, 2019, a copy of which is attached for your reference.

The purpose of our letter is to set out our client's comments regarding the May 7, 2019 letter and the recent actions taken by City of Richmond (the "City") with respect to its proposed residential rental tenure zoning.

We understand that the March 25, 2019 report presented to the City's Planning Committee on April 2, 2019 with respect to proposed Zoning Bylaw 8500, Amendment Bylaw 10014 (the "Bylaw Amendment"), to rezone 60 existing purpose-built rental housing sites to limit the tenure of their residential units to rental only, constitutes the City's intended approach to increase rental housing in the City. We further understand that the City has determined that the need for rental units is rising and new residential rental tenure zoning powers in favour of the City will meet the projected demand for rental housing by preserving or creating rental housing stock.

In our view, the City's approach creates a significant detriment to owners and stakeholders of these 60 housing sites. Also, the responsibility and onus to preserve or create rental housing stock should not fall on our client and other owners to fulfil the City's undertaking to preserve rental housing stock. While we act for Brown Bros. only, we note that the comments in our letter may have equal application to other owners of the 60 housing sites.

Phone 604 687 6789 Broughton Law Corporation  
Fax 604 683 6317 Suite 700 - 595 Burrard Street, P.O. Box 49290  
Email info@boughtonlaw.com Vancouver, BC Canada V7X 1S8 boughtonlaw.com

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AC/6701155.1

The Bylaw Amendment should not apply to existing purpose-built rental housing, including the Property, for the following reasons:

**A. Not Justified Based on Historic Use**

The City indicates that rezoning existing purpose-built rental housing is based on records regarding the historic and current use of the Property for rental tenure, so that the City is only preserving the current and historic use of the buildings. The fact that our client has chosen to use and keep the Property as rental housing stock does not imply or mandate that future plans for the Property should be restricted solely to rental purposes. Further, the fact that Brown Bros.' historic use of the Property has created the benefit of rental housing for the community does not support the City's determination that the Property is intended to provide rental housing stock indefinitely.

**B. Cannot Solely be the Owner's Burden**

Although the 60 housing sites may have served as part of the City's rental housing stock in the past, it is not the permanent obligation of our client to maintain the rental housing stock or to serve at the prerogative of the City to supply rental housing stock. Rezoning the 60 housing sites to limit their tenure to rental on a permanent basis comes solely at the expense of our client, as it effectively eliminates changing the use of the Property in the future. See further discussion regarding Richmond General Hospital below as an example.

**C. Disproportionate Burden**

The City's 3 proposed steps set out in the March 25, 2019 report are as follows:

1. Rezone Existing Purpose-Built Rental Housing.
2. Establish a Mandatory Market Rental Requirement in all Existing High-Density Apartment Residential Zones.
3. Undertake Further Analysis and Stakeholder and Public Consultation to Assess the Feasibility of a Mandatory Requirement for Market Rental Units in All Future Apartment Multi-Family Developments.

In our view, step (1) imposes a disproportionate burden and impact on Brown Bros. as compared to the owners which may be affected under step (2) and step (3). Rezoning existing purpose-built rental housing will effectively limit and may go as far as eliminate, all future development opportunities for our client if there is no opportunity to develop the Property to include units for sale to the community in general.

Under step (2), the restriction only appears to come into effect at the time of redevelopment and under step (3) (by applying the mandatory requirement to certain apartment projects so that a minimum percentage of residential floor area or units are secured as market rental units) the City establishes rental housing stock to meet increasing demand while striking a balance in minimally restricting an owner's right to develop market housing stock. Under both steps (2) and (3), although there is the inclusion of a mandatory requirement, neither results in an absolute exclusion of units for sale as is the case with step (1).

**D. Disadvantage as Compared to other Owners**

The application of residential rental tenure zoning to the Property permanently limits the prospects for existing and future buildings constructed on the Property, which creates a disadvantage for Brown Bros. as compared to other owners of existing purpose-built rental housing not subject to residential rental tenure zoning.

Rezoning existing purpose-built rental housing effectively takes away our client's future right to develop other housing stock, even if there is no immediate plan to do so.

**E. Richmond General Hospital**

Brown Bros. has been contacted in the past regarding its potential sale of the Property to Richmond General Hospital for the future expansion of its medical facility. If the Property is zoned for residential rental tenure only, the Property presumably cannot be sold to Richmond General Hospital in the future, thereby removing a significant (albeit different) social benefit to the City's community.

**F. No Compensation**

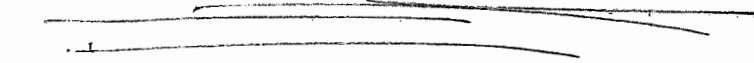
Under step (3) a percentage market rental requirement will contribute a significant portion of the City's estimated need for new market rental units. The owners are encouraged to increase rental units in upcoming projects with incentives from the City such as a density bonus, which lessens the impact of decreased market housing stock while increasing rental housing stock.

When compared to step (2) and step (3), step (1) does not provide any balance of rights between the City and Brown Bros., nor does it incentivize any owner to create rental housing stock for the City. Under step (1), the City does not provide any incentive for an owner upon limiting the tenure to rental only and further, the City proposes no compensation for the loss of use and decrease in value that will affect each owner.

In our view, the proposed residential rental tenure zoning, though conceptually feasible to protect rental housing stock, must be refined so that fair treatment and due consideration is given to an owner's right to property ownership and their ability to make plans for the future. As public consultation is underway, we remain optimistic and confident that further consultation will result in a meaningful discussion where the rights of all owners and the City's community in general, are equally considered and respected.

Yours truly,

Boughton Law Corporation



Per:  
Richard K. Uhrle  
RKU/ssyc  
Encl.



Schedule 3 to the Minutes of the  
Public Hearing meeting of  
Richmond City Council held on  
Tuesday, February 22, 2022.

**From:** John Byers <johnbyers2008@gmail.com>  
**Sent:** February 17, 2022 10:53 AM  
**To:** CityClerk  
**Subject:** Richmond Zoning Bylaw 8500, Amendment Bylaw10014

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

To the City council,

We received the letter about the amendment bylaw to protect and preserve rental housing in Richmond, and fully support this action. My wife and I have lived in the Fraser Place complex on Seventh Avenue since 1985. I myself grew up on Mitchell Island for 20 years in a rented house, then moving to a rental condo on Colonial Drive after that.

I believe that it is extremely important that these properties are protected, and in fact more buildings need to be built. Richmond is rapidly becoming a city that only the wealthy can afford to live in. This needs to change, and this amendment is a small but vital first step.

I understand this is a complex issue, and all levels of governments will need to address the issues facing Richmond and the lower mainland. Richmond needs to serve a diverse community of all economic levels, not just the rich. This city needs more rental stock that will accomodate people on limited incomes. Putting aside apartments renting at "market rates" in new developments is just not good enough.

Richmond can not afford to continue down the path it has taken. Businesses can not attract new employees who can not find affordable housing in this city. As I said, this amendment is a good first step, but much more needs to be done. The people camping out on Vulcan Way and other city streets deserve the opportunity to have an affordable housing option.

Thank you for the opportunity to let us have our say in this matter.

Fran and John Byers  
125-11671 7th Avenue,  
Richmond, B.C.



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Schedule 4 to the Minutes of the  
Public Hearing meeting of  
Richmond City Council held on  
Tuesday, February 22, 2022.

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**From:** SUSAN CAMPBELL <susancampbell@shaw.ca>  
**Sent:** February 14, 2022 8:45 AM  
**To:** CityClerk  
**Subject:** Public Hearing, February 22, 2022 - Richmond Zoning Bylaw 8500, Amendment Bylaw 10014

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

I am directly affected by this proposed bylaw amendment as I rent an apartment at 6051 Azure Road, Richmond, BC. I am a senior and very concerned that I will find myself in a position of being forced out of the community if my building was sold and high rise condos took their place.

I am in favour of the amendment bylaw and urged council members to support to. Applying rental tenure to maintain, protect and preserve the existing rental housing stock on the named subject sites is very important and a significant contribution to the fabric of the community.

Thank you,

Susan Campbell

Sent from [Mail](#) for Windows

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**From:** mary carter <marycarter7@gmail.com>  
**Sent:** February 9, 2022 4:20 PM  
**To:** CityClerk  
**Subject:** RE: Richmond Zoning Bylaw 8500, Amendment Bylaw 10014 Feb22/22

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

February 9, 2022

To Whom It May Concern,

I would like to state that I support the proposed amendment:

"To amend the zoning for the subject properties to apply rental tenure zoning to protect and preserve rental housing on the subject sites. The subject sites are existing purpose-built rental housing sites. No additional changes are proposed."

Sincerely,  
Mary Carter

Schedule 6 to the Minutes of the  
Public Hearing meeting of  
Richmond City Council held on  
Tuesday, February 22, 2022.

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**From:** ANNA D. <sferndesign@shaw.ca>  
**Sent:** February 16, 2022 5:36 PM  
**To:** CityClerk  
**Subject:** Submission for Feb 22 2022 council meeting - Rental Tenure Byla  
**Attachments:** Rental Tenure Bylaw - Feb 22 2022 Council Meeting.pdf

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Hello -

Please see attached for submission for February 22 2022 council meeting

Thank you,

Anna Delaney

Anna Delaney  
11331 Sealord Road  
Richmond BC  
V7A 3K8

February 16, 2022

Richmond City Council  
via email to the City Clerk

Re: Zoning Bylaw 8500, Amendment Bylaw 10014 - Retention of Rental Tenure Zoning

Council Meeting: Tuesday February 22, 2022

Dear Mayor and Council,

I am **greatly** in favour of the retention of rental tenure zoning. Full stop. People need affordable places to live. We need accommodation other than buying into the market. We will lose residents and workers, as they are driven out of Richmond by lack of affordable accommodation.

I'm a homeowner, but I grew up in rental building in Vancouver, that has been a rental building since it was constructed in the 1960's. If current rental housing is allowed to be developed with the 'sweetener' of *some* affordable rental suites, we still lose a swath of individuals who will be pushed out of Richmond (and not be buying into the development with units at \$500,000 plus).

Let's put 'community' back in our community. I have nieces and nephews in their 30's and 40' and all but one are renters in the lower mainland – they can't afford anything else.

Thank you,

Anna Delaney

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**From:** Donna Griblin <donnagriblin@shaw.ca>  
**Sent:** February 21, 2022 12:24 PM  
**To:** CityClerk  
**Subject:** Richmond Zoning Bylaw 8500, Amendment Bylaw 10014

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

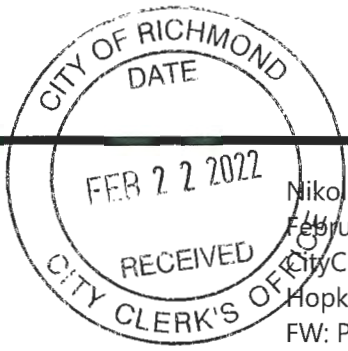
To Whom it May Concern,

I live in one of the rental properties described in your Notice of Public Hearing for Feb. 22, 2022. I am one of a number of seniors living in Fraser Place, 11671/11673 and 11675 7th Ave. I am very concerned that the property remain as a rental property because most of us would not be able to afford any other accommodation if forced to move. Because it is situated in a very desirable location I'm sure there have been many developers wishing to obtain the property. Please do NOT allow them to do so!

I'm defending the owners of Fraser Place, Capreit, as a company willing to upgrade the property. New elevators were installed about 4 years ago and last year there were major repairs done to the outside panelling (envelope) of one building facing North into the middle courtyard. One wing also faced west into the courtyard. An assessment had discovered disintegration in the exterior walls. The company also tries to handle other repairs in a timely manner. There are probably some owner/landlords not able or willing to do repairs but we, as tenants, appreciate the efforts by Carpreit.

Thank you for your time and consideration.

Donna Griblin



Schedule 8 to the Minutes of the Public Hearing meeting of Richmond City Council held on Tuesday, February 22, 2022.

**From:** Nikolic,Diana  
**Sent:** February 22, 2022 3:47 PM  
**To:** CityClerk  
**Cc:** Hopkins,John  
**Subject:** FW: Public Hearing Submission - Monday, February 22 - Richmond Zoning Bylaw 8500, Amendment Bylaw 10014  
**Attachments:** City of Richmond Letter - 2022.2.22.pdf

TO: MAYOR & EACH COUNCILLOR  
FROM: CITY CLERK'S OFFICE

**From:** Tom Johnston <tjohnston@cressey.com>  
**Sent:** February 22, 2022 2:59 PM  
**To:** CityClerk <CityClerk@richmond.ca>; Nikolic,Diana <DNikolic@richmond.ca>  
**Subject:** Public Hearing Submission - Monday, February 22 - Richmond Zoning Bylaw 8500, Amendment Bylaw 10014

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Hi.

Please see the attached letter to Ms. Nikolic which we are requesting to be submitted for this evening's Public Hearing.

My thanks,

Tom.

Tom Johnston  
Vice President  
Cressey Development Group  
Suite 200, 555 West 8th Avenue  
Vancouver, British Columbia V5Z 1C6  
604-895-0415 Direct  
604-683-1256 Main  
604-683-7690 Fax  
604-813-0746 Mobile  
[tjohnston@cressey.com](mailto:tjohnston@cressey.com)  
[www.aptrrentals.net](http://www.aptrrentals.net)  
[www.cressey.com](http://www.cressey.com)

PHOTOCOPIED  
FEB 22 2022  
& DISTRIBUTED



February 21, 2022

Diana Nikolic  
Planning and Development Division  
City of Richmond  
6911 No. 3 Road  
Richmond, B.C. V6Y 2C1

Suite 200  
555 West 8<sup>th</sup> Avenue  
Vancouver, BC V5Z 1C6  
Tel 604 683 1256  
Fax 604 683 7690  
[www.cressey.com](http://www.cressey.com)

Dear Ms. Nikolic:

**RE: Public Hearing for Richmond Zoning Bylaw 8500, Amendment Bylaw 10014 (the "Amendment Bylaw")**

We write as owners of 4160 Bonavista Drive, 8540 Westminster Highway and 8660 Westminster Highway, three of the properties identified in the proposed "RRTZ" Amendment Bylaw.

As one of the most active developers of new rental housing in both the lower mainland and the Province of B.C., we are greatly concerned that both property rights and property value for three of our properties will be taken away from us through this downzoning. Not only would this devalue our properties but it would also send a very clear message that the City of Richmond does not provide a stable regulatory environment for either ourselves or any other prospective landlord to build new rental buildings in.

We have an extreme rental housing supply problem in the lower mainland and we desperately need new rental housing built, all at a time that we are experiencing a rapid exodus of small to medium size landlords from the sector due to the unstable regulatory environment and deteriorating financial performance resulting from rapidly increasing non-controllable expenses (property taxes, utilities costs, insurance costs, etc.). At this time, the City of Richmond should be asking what needs to be done to encourage the development of new rental housing not what needs to be done to take away rights from longstanding providers of rental housing in your community. Using carrots will help solve the problem whereas using the stick will only beat the industry into submission and make our housing problem much larger.

Please do not hesitate to contact the writer either by phone at (604) 895-0415 or email at [tjohnston@cressey.com](mailto:tjohnston@cressey.com) should you have any questions in this regard.

Yours very truly,

**CRESSEY DEVELOPMENT GROUP**

A handwritten signature in black ink, appearing to read "T. Johnston", written over a white background.

Tom Johnston  
Vice President



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**From:** J&K\_Lee <martensville828@gmail.com>  
**Sent:** February 21, 2022 1:29 PM  
**To:** CityClerk  
**Subject:** Richmond Zoning Bylaw 8500, Amendment Bylaw 10014

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear City of Richmond,

We are one of the families living at 8711 Bennett Rd, who would be directly affected by the bylaws proposed. Amid the current development frenzy around the city, the bylaw that allows rental tenure zoning will positively affect diversity of the city demographics.

The bylaw amendment will also protect the current renters. We would find it a relief to have the secure roof over our heads. For a family with children like us, moving one place to the other is especially challenging, physically and emotionally. Arranging the firm ground for the growing kids, whether it may be a school or a community, is a priority to us. Having said that, securing the current living arrangement by the bylaw amendment is welcoming.

We look forward to seeing what the other residents, not just developers, have to say.

Yours sincerely,  
Joseph & Keiko Lee

Schedule 10 to the Minutes of the Public Hearing meeting of Richmond City Council held on Tuesday, February 22, 2022.

**From:** MayorandCouncillors  
**Sent:** February 15, 2022 9:28 AM  
**To:** 'Peter Mitchell'; MayorandCouncillors  
**Subject:** RE: Proposed Residential Rental Apartment Only Zoning can be improved

**Categories:** - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S OFFICE

Good Morning,

Thank you for your email. Please note that copies will be provided to the Mayor and each Councillor in advance of the Public Hearing scheduled for Feb. 22, 2022.

In addition, your comments will be received by John Hopkins, Director, Policy Planning.

Sincerely,

**Matt O'Halloran** | Manager, Legislative Services  
City of Richmond | 6911 No.3 Road, Richmond, BC V6Y 2C1  
Phone: 604-276-4098 | Fax: 604-278-5139  
Email: [mohalloran@richmond.ca](mailto:mohalloran@richmond.ca)

**From:** Peter Mitchell <petermitchell@shaw.ca>  
**Sent:** February 14, 2022 5:55 PM  
**To:** MayorandCouncillors <MayorandCouncillors@richmond.ca>; CityClerk <CityClerk@richmond.ca>  
**Cc:** Eve Edmonds <Editor@Richmond-News.com>  
**Subject:** Proposed Residential Rental Apartment Only Zoning can be improved

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Re: Proposed Residential Rental Apartment Only Zoning can be improved

The proposal for residential apartment only Zoning would be much better for these properties and their tenants and the city if while requiring at least one for one or more residential rental replacement, it also allowed addition of ground floor arterial commercial units and some residential stratas where appropriate.

Restricting existing aging residential rental developments to residential rentals only would reduce these properties options for remediation, rejuvenation, rental replacement and densification, and also their ability to re-finance existing debt and finance new debt if wishing to densify. It would also make it less desirable to build residential rentals instead of stratas in future, out of concern that their future opportunities would be severely limited by the city.

Many of the 60 referenced properties are 40 - 50 years old, located on arterial streets in or near town centres and will soon be facing such decisions. The buildings are wearing out and experiencing or approaching costly plumbing and electrical and roofing and exterior repairs. The buildings are functionally obsolete in that they have walk up a floor bachelor apartments, single glazed windows, no or obsolete fire systems without sprinklers, and other issues. Apartments for elderly or disabled do not meet current needs. Arterial road frontage has much more traffic and noise than when these apartments were built.

In such cases, redevelopment and densification may be preferable to remediation, and allowing some commercial and/or stratas will increase financing options to support the residential rentals.

While it is desirable to require one to one or more replacement of residential rentals, it may also be desirable to allow commercial units on arterial frontages to improve the streetscape and add neighbourhood business and jobs. Such commercial options can generate additional funds to subsidize the rentals and additional taxes for the city. This also gets the new residential rentals above the street noise and commotion and improves their view.

Likewise, mixing new residential rental densification with a limited amount of new residential strata units can allow the new strata units to contribute to the residential rental construction cost, and even allow successful renters to move from renting to owning in the same neighbourhood.

I have been an unpaid volunteer director at one of these locations, non profit Legion Senior Citizen Society, "Golden Mews", for 8 years, and involved in development and operation of other non profits and rental apartments over the years.

Through involvement with ANAF 284 redevelopment as an unpaid volunteer director 10 years ago, as well as prior employed positions, I've seen how mixed use developments can be symbiotic, providing lower cost housing for disabled, seniors, single parent households, and veterans, while also providing local small business opportunities and expanding the city tax base.

Peter Mitchell

Schedule 11 to the Minutes of  
the Public Hearing meeting of  
Richmond City Council held on  
Tuesday, February 22, 2022.

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**From:** Simon Nantais <simon\_nantais@hotmail.com>  
**Sent:** February 21, 2022 9:23 PM  
**To:** CityClerk  
**Subject:** Regarding Zoning Bylaw 8500, Amendment Bylaw 10014

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear Richmond City Council,

I am writing regarding Zoning bylaw 8500, Amendment Bylaw 10014. My understanding of this amendment is to ensure that the listed purpose-built rental (PBR) housing sites retain their rental zoning status. I am in support of this amendment. Since first moving to Richmond in 2011, I have lived in two of the PBR sites. They are an important part of the affordable rental stock in Richmond. We have benefitted from this rental housing and we know many have and should continue to benefit. They are vital for fostering a sense of community in Richmond.

Please do not hesitate to contact me if you have any further questions.

Kind regards,

Simon Nantais  
Unit 64 - 7151 Moffatt Rd.  
Richmond, BC

604-447-6451  
simon\_nantais@hotmail.com

Schedule 12 to the Minutes of the  
Public Hearing meeting of  
Richmond City Council held on  
Tuesday, February 22, 2022.



Mrs. Donna J. Nicolson,  
107, 6880 Buswell St.,  
Richmond, B.C. V6Y-2Y7.

6911 # 3 Rd.,

Richmond, B.C. V6Y-2C1

Attention, City Clerk Office.

In reference to rec'd letter, sent, by the City of Richmond, regarding Zoning By Law 8500,  
AMENDMENT By Law 10014, rec'd by myself on the 9th of February 2022. Please accept  
this following response.

As a senior, who has lived in Richmond, for over 60 years, I applaud the Amendment  
By Law 10014. I am a renter within a location addressed in said, rec'd letter.

There are sixty locations, with multiple renters, in each location. PLEASE respect all  
renters, and protect these properties.

Thanks to Diana Nikolic, whom I spoke with and graciously took time to explain  
the above referenced rec'd letter.

Sincerely,

Mrs. Donna J. Nicolson

*Mrs. Donna J. Nicolson*  
*15 Feb. 2022*

Schedule 13 to the Minutes of  
the Public Hearing meeting of  
Richmond City Council held on  
Tuesday, February 22, 2022.

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**From:** Rosemary Nowicki <rosemary.nowicki9@gmail.com>  
**Sent:** February 14, 2022 5:06 PM  
**To:** CityClerk  
**Subject:** Proposed Amendment to Bylaw 8500, Amendment Bylaw 10014

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Sirs,  
I wish to express my strong support of this amendment.  
Anything that saves rental space, particularly in the current housing market, should be quickly adopted.  
Sincerely,  
Rosemary Nowicki

Sent from my iPad iPosy

Schedule 14 to the Minutes of the Public Hearing meeting of Richmond City Council held on Tuesday, February 22, 2022.

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**From:** WENDY TORRIS <swattorris@shaw.ca>  
**Sent:** February 17, 2022 10:46 AM  
**To:** CityClerk  
**Cc:** swattorris  
**Subject:** Fwd: Public Hearing Monday, February 22, 2022 Richmond Zoning Bylaw 8500, Amendment Bylaw 10014

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear City Clerk,

I realize that I failed to include a very important question in my email below.

I would like to know if the city is able to provide an estimated time frame for the zoning application process as well as a timeline of when will we need to move from the property.

Thanks again for your time, I look forward to hearing from you.

Sincerely,

Wendy Torris

---

**From:** "swattorris" <swattorris@shaw.ca>  
**To:** "cityclerk" <cityclerk@richmond.ca>  
**Cc:** "swattorris" <swattorris@shaw.ca>  
**Sent:** Monday, February 14, 2022 9:51:55 AM  
**Subject:** Public Hearing Monday, February 22, 2022 Richmond Zoning Bylaw 8500, Amendment Bylaw 10014

Dear City Clerk,

Sunvalley Terrace has been my home for the past 30 years, as a result the rent that I pay is considerably lower than the current going rates. I put my name on waiting lists for several co-ops over three years ago when I was informed that the buildings were going to be redeveloped. I have been interviewed only once in that time and the unit in question was given to another applicant. I was told that their decision was in no way a reflection of me and I was encouraged to remain on the waiting list.

If I am not able to obtain residency at a co-op I am not sure what my other options will be as the rentals available on the market in Richmond are few and considerably out of my price range. It makes me very concerned and sad that I am not able to find a new home in the city where I have lived all my life.

I would like to know what the City of Richmond is doing to ensure that there will be affordable housing available to myself and all of the other tenants that will be affected when our homes are torn down.

It is my understanding that developments are required to have some percentage of affordable rentals. If this is the case will current residents of Sun Valley Terrace have priority access to these affordable units ? If so, will there be a reduced rental rate in consideration of the fact that I have been a very good tenant for thirty years and had no plans to relocate? I understand that it would not be reasonable to expect to pay the amount I am paying now for a new unit but I do feel that some reduction in rent would be reasonable.

Please let me know how you plan to help people like me who will be displaced by this new development. I look forward to hearing from you.

Sincerely,

Wendy Torris

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**From:** Sean Williams <Sean.Williams@fsresidential.com>  
**Sent:** February 19, 2022 10:40 AM  
**To:** CityClerk  
**Subject:** Public Hearing Zoom Registration  
**Attachments:** Boughton Law to City of Richmond June 2019.pdf; Gail Brown Note for City Council Feb '22.pdf

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Greetings City Clerk,

I write as Managing Agent, representing Brown Bros. Holdings, relating the family owned residential rental buildings located at 6800 Westminster Hwy. and 6051 Azure Rd..

I am writing to register for the upcoming Public Hearing of February 22<sup>nd</sup> at 7pm, regarding proposed rezoning of 60 sites, including the aforementioned.

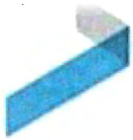
Following my discussion of February 15<sup>th</sup> with City Planner, Diana Nikolic - my understanding is that given current property values, and, existing density zoning, it is improbable that any redevelopment plan for 6051 Azure Rd. and 6800 Westminster Hwy., would be financially attractive to any developer, without first, applying for rezoning. This being the case, and, in light of the fact that any redevelopment plans require the approval of City Council - the rezoning now proposed by City of Richmond (which would negate the possibility of City Council *even considering* any redevelopment plan which included residential Strata units) seems to be unnecessary in any practical sense. Nonetheless, this proposed rezoning would place a restriction on land use, which by definition, devalues property. Therefore, City of Richmond's proposed rezoning would do little to change actual redevelopment; and yet it is still highly likely drop property values, negatively impacting the Brown family. It is worth pointing out that the Brown family has provided residential rental housing to the community for decades, and has no current plans to do anything other than continuing to provide residential rental housing. The proposed rezoning is punitive to landowners by diminishing equity in land, yet offers no practical benefit to the community. We are hopeful that City Council will reconsider the proposed rezoning.

Please find attached, a letter from June of 2019, sent to City of Richmond by the Brown family's legal counsel regarding this matter. A response to this letter was never received, however the arguments raised remain valid.

Please also find attached a letter from property owner, Gail Brown.

I can be reached via email, or at 778-988-6469

Yours truly,  
Sean Williams



**FirstService**  
RESIDENTIAL

**SEAN WILLIAMS**  
Senior Property Manager

200 Granville Street | Suite 700 | Vancouver, BC, Canada V6C 1S4  
Direct 604.601.6369 | Office 604.683.8900 | Fax 604.689.4829  
Toll Free 1.855.683.8900 | Customer Care Centre 1.855.273.1967  
Email [Sean.Williams@fsresidential.com](mailto:Sean.Williams@fsresidential.com)  
[www.fsresidential.com](http://www.fsresidential.com)  
Follow us on | [Facebook](#) | [LinkedIn](#) | [YouTube](#)

## **RE: 6800 Westminster Hwy & 6051 Azure Rd**

The property at 6800 Westminister Hwy and 6051 Azure Road, known as Azure Estates, was purchased by my late father in the mid-1970s. First Service Residential professionally manages the property and for many years has been well maintained rental building of one and two-bedroom suites for our tenants. There is a continuous and ongoing maintenance program of upgrades, both interior and exterior. Brown Bros Holdings property has been a source of secure rental housing for many years in the City of Richmond. Many of our tenants have lived at Azure for over 20 years. It is their home, and we have no plans to change that.

Has the impact of restrictive zoning been considered? The property was purchased on the open market with no restrictions; however, with the proposed Bylaw Amendment 10014, it will be limited to sales within the specific demographic of those interested in building rental. This restriction effectively reduces the value of the property without any proposed compensation from the City of Richmond. How does the City plan to compensate owners for reducing the value of their properties?

There appears to be an assumption that everyone wants to develop. However, not everyone does. The bylaw devalues the property of those owners who wish to maintain the status quo. Even with Bylaw Amendment 10014 in effect, a developer would still have to apply for a change in density. Therefore, it will make little material change to any actual development and serves only to devalue those properties that have no intention of developing.

Azure Estates at 6800 Westminister and 6051 Azure Road is unique among the list of properties affected by the proposed bylaw due to its adjacency to the Richmond Hospital. At some distant future date, the imposition of this bylaw may seem to have been short sighted as the population of Richmond increases along with its need for a larger and more diversified hospital campus.

Finally if this tenure zoning does take place, City of Richmond now needs to set out and define the process generally to all Richmond residents and affected owners like Brown Bros. in particular. City of Richmond can't just

impose the tenure zoning without a full plan in place and full information to all affected residents and owners.

# boughtonlaw

File #: 42983.13  
Direct: 604 647 4126  
Email: ruhrle@boughtonlaw.com

June 14, 2019

**BY EMAIL TO:** tatva@richmond.ca and jelmore@richmond.ca

City of Richmond  
Planning and Development Division  
Policy Planning  
6911 No. 3 Road  
Richmond, BC V6Y 2C1

Attention: Barry Konkin, Manager, Policy Planning  
Tina Atva, Senior Planning Coordinator  
Jeanette Elmore, Planner 2

Dear Sirs/ Mesdames:

**Re: Residential Rental Tenure Zoning – Proposed Rezoning and Public Consultation regarding  
6051 Azure Road and 6800 Westminster Hwy, Richmond, BC (collectively, the "Property")**

We act as lawyers for Brown Bros. Holdings Ltd. ("Brown Bros."), owner of the Property and write with respect to your letter dated May 7, 2019, a copy of which is attached for your reference.


The purpose of our letter is to set out our client's comments regarding the May 7, 2019 letter and the recent actions taken by City of Richmond (the "City") with respect to its proposed residential rental tenure zoning.

We understand that the March 25, 2019 report presented to the City's Planning Committee on April 2, 2019 with respect to proposed Zoning Bylaw 8500, Amendment Bylaw 10014 (the "Bylaw Amendment"), to rezone 60 existing purpose-built rental housing sites to limit the tenure of their residential units to rental only, constitutes the City's intended approach to increase rental housing in the City. We further understand that the City has determined that the need for rental units is rising and new residential rental tenure zoning powers in favour of the City will meet the projected demand for rental housing by preserving or creating rental housing stock.

In our view, the City's approach creates a significant detriment to owners and stakeholders of these 60 housing sites. Also, the responsibility and onus to preserve or create rental housing stock should not fall on our client and other owners to fulfil the City's undertaking to preserve rental housing stock. While we act for Brown Bros. only, we note that the comments in our letter may have equal application to other owners of the 60 housing sites.

**Phone** 604 687 6789  
**Fax** 604 683 5317  
**Email** info@boughtonlaw.com

Boughton Law Corporation  
Suite 700 - 595 Burrard Street, P.O. Box 49290  
Vancouver, BC Canada V7X 1S8 [boughtonlaw.com](http://boughtonlaw.com)

 MERITAS<sup>®</sup> LAW FIRMS WORLDWIDE  
AC/6701155.1

The Bylaw Amendment should not apply to existing purpose-built rental housing, including the Property, for the following reasons:

**A. Not Justified Based on Historic Use**

The City indicates that rezoning existing purpose-built rental housing is based on records regarding the historic and current use of the Property for rental tenure, so that the City is only preserving the current and historic use of the buildings. The fact that our client has chosen to use and keep the Property as rental housing stock does not imply or mandate that future plans for the Property should be restricted solely to rental purposes. Further, the fact that Brown Bros.' historic use of the Property has created the benefit of rental housing for the community does not support the City's determination that the Property is intended to provide rental housing stock indefinitely.

**B. Cannot Solely be the Owner's Burden**

Although the 60 housing sites may have served as part of the City's rental housing stock in the past, it is not the permanent obligation of our client to maintain the rental housing stock or to serve at the prerogative of the City to supply rental housing stock. Rezoning the 60 housing sites to limit their tenure to rental on a permanent basis comes solely at the expense of our client, as it effectively eliminates changing the use of the Property in the future. See further discussion regarding Richmond General Hospital below as an example.

**C. Disproportionate Burden**

The City's 3 proposed steps set out in the March 25, 2019 report are as follows:

1. Rezone Existing Purpose-Built Rental Housing.
2. Establish a Mandatory Market Rental Requirement in all Existing High-Density Apartment Residential Zones.
3. Undertake Further Analysis and Stakeholder and Public Consultation to Assess the Feasibility of a Mandatory Requirement for Market Rental Units in All Future Apartment Multi-Family Developments.

In our view, step (1) imposes a disproportionate burden and impact on Brown Bros. as compared to the owners which may be affected under step (2) and step (3). Rezoning existing purpose-built rental housing will effectively limit and may go as far as eliminate, all future development opportunities for our client if there is no opportunity to develop the Property to include units for sale to the community in general.

Under step (2), the restriction only appears to come into effect at the time of redevelopment and under step (3) (by applying the mandatory requirement to certain apartment projects so that a minimum percentage of residential floor area or units are secured as market rental units) the City establishes rental housing stock to meet increasing demand while striking a balance in minimally restricting an owner's right to develop market housing stock. Under both steps (2) and (3), although there is the inclusion of a mandatory requirement, neither results in an absolute exclusion of units for sale as is the case with step (1).

**D. Disadvantage as Compared to other Owners**

The application of residential rental tenure zoning to the Property permanently limits the prospects for existing and future buildings constructed on the Property, which creates a disadvantage for Brown Bros. as compared to other owners of existing purpose-built rental housing not subject to residential rental tenure zoning.

Rezoning existing purpose-built rental housing effectively takes away our client's future right to develop other housing stock, even if there is no immediate plan to do so.

**E. Richmond General Hospital**

Brown Bros. has been contacted in the past regarding its potential sale of the Property to Richmond General Hospital for the future expansion of its medical facility. If the Property is zoned for residential rental tenure only, the Property presumably cannot be sold to Richmond General Hospital in the future, thereby removing a significant (albeit different) social benefit to the City's community.

**F. No Compensation**

Under step (3) a percentage market rental requirement will contribute a significant portion of the City's estimated need for new market rental units. The owners are encouraged to increase rental units in upcoming projects with incentives from the City such as a density bonus, which lessens the impact of decreased market housing stock while increasing rental housing stock.

When compared to step (2) and step (3), step (1) does not provide any balance of rights between the City and Brown Bros., nor does it incentivize any owner to create rental housing stock for the City. Under step (1), the City does not provide any incentive for an owner upon limiting the tenure to rental only and further, the City proposes no compensation for the loss of use and decrease in value that will affect each owner.

In our view, the proposed residential rental tenure zoning, though conceptually feasible to protect rental housing stock, must be refined so that fair treatment and due consideration is given to an owner's right to property ownership and their ability to make plans for the future. As public consultation is underway, we remain optimistic and confident that further consultation will result in a meaningful discussion where the rights of all owners and the City's community in general, are equally considered and respected.

Yours truly,

Boughton Law Corporation

\_\_\_\_\_  
\_\_\_\_\_  
Per:  
Richard K.Uhrle  
RKU/ssyc  
Encl.