



To: General Purposes Committee **Date:** September 14, 2020
From: Barry Konkin **File:** 08-4045-00/Vol 01
 Director, Policy Planning
Re: **Amendments to Official Community Plan Bylaw Preparation Consultation Policy 5043 (Update to Referrals to the Board of Education of School District No. 38 (Richmond)) and New Policy on Independent School Referral to the Board of Education of School District No. 38 (Richmond)**

Staff Recommendation

1. That Council Policy 5043 “OCP Bylaw Preparation Consultation Policy” be amended to update the Board of Education of School District No. 38 (Richmond) referral process to lower the criteria for Richmond Official Community Plan Bylaw 9000 Amendment applications being forwarded to the Board of Education of School District No. 38 from 50 additional school-aged children to 25 additional school-aged children, and undertake minor administrative updates as outlined in the report dated September 14, 2020, from the Director of Policy Planning.
2. That the new proposed Council Policy “Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools” be approved to address referring Independent School proposals requiring a development application to the Board of Education of School District No. 38 (Richmond) as outlined in the report dated September 14, 2020, from the Director of Policy Planning.

Barry Konkin
Director, Policy Planning
(604-276-4139)

Att. 3

REPORT CONCURRENCE		
ROUTED TO: Development Applications	CONCURRENCE <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

At the open Planning Committee meeting of September 4, 2019, the following referral motion was passed:

“That staff explore options to amend the consultation policy to inform the Richmond School District No. 38 of all multiple family units and refer the amended consultation policy to the Council/School Board Liaison Committee.”

A separate referral motion was also passed at the December 3, 2019 Planning Committee meeting:

“That:

- (1) staff inform the Richmond School District No. 38 of any plans for rezoning applications involving future private schools in Richmond at the beginning of the planning process; and*
- (2) the above recommendation be referred to the Council/School Board Liaison Committee.”*

This report responds to both referrals and brings forward amendments to Council Policy 5043 (OCP Bylaw Preparation Consultation Policy) as a result of consultation with the Board of Education of School District No. 38 (Richmond) (Richmond Board of Education) and School District staff. Staff propose to amend Council Policy 5043 to revise the criteria for when the City refers Official Community Plan (OCP) amendments involving residential development to the Richmond Board of Education and make minor administrative revisions to reflect changes in legislation and update external agencies to reflect current organization names.

This report also presents a proposed Council Policy (Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools), which has been drafted for Council’s consideration in response to the December 3, 2019 Planning Committee referral.

This report supports Council’s Strategic Plan 2018-2022 Strategy #5 Sound Financial Management:

Accountable, transparent, and responsible financial management that supports the needs of the community into the future.

5.4 Work cooperatively and respectfully with all levels of government and stakeholders while advocating for the best interests of Richmond.

This report supports Council’s Strategic Plan 2018-2022 Strategy #6 Strategic and Well-Planned Growth:

Leadership in effective and sustainable growth that supports Richmond's physical and social needs.

6.1 Ensure an effective OCP and ensure development aligns with it.

Findings of Fact

Existing Council Policy 5043 (OCP Bylaw Preparation Consultation Policy)

Council Policy 5043, adopted in May 2005, provides direction to both staff and Council on when the City should consult with external agencies that may be affected by the enactment, repeal or amendment of the OCP or related Area Plans.

Residential development proposals that only require a rezoning (i.e., conform to the OCP Land Use Plan) are not referred to the Richmond Board of Education based on the School District's review and endorsement of the OCP. The City's OCP was drafted in consultation with the Richmond Board of Education and the School District's population and student enrollment projections reflect the allowable population growth provided by current OCP land use designations. Accordingly, these development applications that comply with the OCP are not referred to the Richmond Board of Education.

Furthermore, residential development information is provided to Richmond School District staff quarterly through the transfer of School Site Acquisition funds collected by the City on behalf of the School District. School District staff have communicated that the existing approach is sufficient and that all residential development proposals do not need to be forwarded to them.

With respect to consultation with the Richmond Board of Education in accordance with Council Policy 5043, the City refers OCP amendment applications for residential development where the proposal results in an additional 295 multi-family dwelling units or 200 single-family dwelling units above what the existing OCP allows for in terms of growth and development. For reference, the 295 multi-family units or 200 single-family dwelling units is equivalent to having the potential to generate enrolment for approximately 50 school-aged children.

Independent Schools – Zoning Information

Private or independent schools are institutions that generally provide for education within the Provincial curriculum of Kindergarten to Grade 12 (K-12). Independent schools are permitted in the "education" use definition of the Zoning Bylaw. Generally, independent schools being developed on sites that permit "education" would only require a Building Permit.

Analysis

Residential Development Information Provided to School District Staff

Residential development information, including the number of dwelling units and their location, is provided quarterly to Richmond School District staff through the process of transferring funding associated with School Site Acquisition Charges that are collected by the City on behalf of the School District from development. Information provided to the School District is as follows:

- Address/location of residential development.
- Total number of dwelling units.
- School Site Acquisition Charges collected.

Based on discussions with School District staff, the information provided on residential developments that conform to the OCP through the School Site Acquisition Charge transfer of funds is adequate to inform projected student enrolment.

Richmond Board of Education Referral Process – Proposed Amendments to Council Policy 5043

The proposed revisions will amend the criteria in the Policy to indicate that residential developments for projects involving 150 new multi-family dwelling units or 60 new single-family dwelling units above what the OCP currently permits, will be referred to the Richmond Board of Education. This scale of development has the potential to generate enrollment for approximately 25 school-aged children.

Proposed Administrative Amendments to Council Policy 5043

Administrative amendments are also proposed to Council Policy 5043 to ensure consistency with Provincial legislation (*Local Government Act*) and update the list of external agencies and stakeholders to reflect current organization names.

Proposed Council Policy – Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools

In response to the December 3, 2019 Planning Committee referral, staff propose a new Council Policy that would require the referral of any independent school proposals that require a development application (i.e., rezoning, temporary use permit application, and/or Agricultural Land Reserve – ALR non-farm use application) to the Richmond Board of Education for information purposes only. Sites with existing zoning that allows for an independent school where no development application is required would not be referred to the Richmond Board of Education. The new proposed Council Policy is contained in Attachment 3. A summary of the provisions contained in the proposed Council Policy is summarized as follows:

- Development applications (i.e., rezoning, temporary use permit and/or ALR non-farm use applications) for proposed independent schools will be referred to the Richmond Board of Education for information purposes.
- Prior to Council's consideration of the application, City staff will coordinate with Richmond School District staff to facilitate the referral of the proposed independent school to the Richmond Board of Education as part of the processing of the application.
- Any comments from the Richmond Board of Education and/or Richmond School District staff, including project responses, will be provided in the staff report to Council on the application.

Consultation with Richmond School District

City staff have discussed amendments to Council Policy 5043 with the Council/School Board Liaison Committee and School District staff who support the amended criteria and revised policy as the basis for referrals. Residential development information will continue to be provided to the School District quarterly through the transfer of School Site Acquisition Charges collected by the City.

The Council/School Board Liaison Committee were notified of the December 3, 2019 Planning Committee motion about being informed about independent school proposals at their meeting on December 4, 2019, with direction provided to City and Richmond School District staff to develop a suitable approach.

The drafted amendments to Council Policy 5043 and new policy on referring independent school proposals to the Richmond Board of Education incorporates all feedback from Richmond School District staff.

Financial Impact

None.

Conclusion

This report responds to separate Planning Committee referrals from September 4, 2019 and December 3, 2019. Based on consultation undertaken with Richmond Board of Education and School District staff, the following is being recommended for Council's consideration:

- Approve amendments to the existing Council Policy 5043 (OCP Bylaw Preparation Consultation Policy) to amend the criteria for referring residential developments involving an OCP amendment to the Richmond Board of Education from 50 additional school-aged children to 25 school-aged children, and undertake minor administrative changes to the Policy; and
- Approve a New Council Policy (Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools) to refer independent school development applications to the Richmond Board of Education, which is consistent with the direction provided by Planning Committee on December 3, 2019.

The recommended amendments to Council Policy 5043 and new Council Policy will ensure excellent communication is maintained between the City and Richmond School District on residential development and development applications for proposed new independent schools.



Kevin Eng
Planner 2
(604-247-4626)
KE:

- Att. 1: Existing Council Policy 5043 (OCP Bylaw Preparation Consultation Policy)
- 2: Proposed Amended Council Policy 5043 (OCP Bylaw Preparation Consultation Policy)
- 3: Proposed New Council Policy (Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools)



Page 1 of 2	OCP Bylaw Preparation Consultation Policy	Policy 5043
Adopted by Council: May 9, 2005 Amended by Council: April 24, 2006		

POLICY 5043:

It is Council Policy that:

1. PURPOSE

In accordance with the requirements of the *Local Government Act* section 879 and section 881 that require a local government to consider opportunities for consultation during the presentation, repeal or amendment of an Official Community Plan (OCP), this policy provides direction to City staff and Council.

2. CONSULTATION CONSIDERATIONS

It is Council policy that, where the development, repeal or amendment of an Official Community Plan (OCP) (including an Area Plan) bylaw is proposed:

- 1) Staff will consider consultation with persons, organizations and authorities that may be affected by the enactment, repeal or amendment of the Official Community Plan bylaw (e.g. where the other parties' land use, programming, servicing, transportation and environmental interests may be affected).
- 2) Staff will consider early and ongoing consultation with the external agencies listed below and with any other persons, organizations and authorities, as deemed appropriate:

External Agencies which will be Considered for Consultation
<input type="checkbox"/> The Board of the Greater Vancouver Regional District (GVRD)
<input type="checkbox"/> The Councils of adjacent Municipalities
<input type="checkbox"/> First Nations (e.g., Sto:lo, Tsawwassen, Musqueam)
<input type="checkbox"/> TransLink
<input type="checkbox"/> Port Authorities (Fraser River, North Fraser, Steveston Harbour Authority)
<input type="checkbox"/> Vancouver International Airport Authority (VIAA) (Federal Government Agency)
<input type="checkbox"/> BC Land Reserve Commission
<input type="checkbox"/> Richmond School Board
<input type="checkbox"/> Richmond Coastal Health Authority
<input type="checkbox"/> Community Groups and Neighbours
<input type="checkbox"/> All relevant Federal and Provincial Government Agencies



Page 2 of 2	OCP Bylaw Preparation Consultation Policy	Policy 5043
Adopted by Council: May 9, 2005 Amended by Council: April 24, 2006		

- 3) School Board Consultation
 - a) City staff shall refer proposed OCP amendments to the Richmond School Board where the OCP amendment involves a residential development which would have the potential to generate for 50 or more school aged children (e.g., 295 or more multiple family housing units and/or 200 or more single-family housing units).
 - b) Where in a calendar year, should there be no OCP bylaw amendment that meets this criteria, City staff will consult with the School Board, on the overall OCP and its implications on the School Board (e.g., school needs) at the beginning of each school term in September of each year.
 - c) The City and the School Board have agreed to share information (e.g., statistics, maps, reports) to co-ordinate City and School Board interests and facilitate consultations.
- 4) Prior to the first reading of a proposed Official Community Plan Bylaw, Council will consider, through the receipt of a staff report summarizing the consultation undertaken, if additional consultation with external agencies, persons, organizations and authorities is required.
- 5) Consultation may involve a variety of methods, including information meetings, dialogue and/or written correspondence.



Page 1 of 2	OCP Bylaw Preparation Consultation Policy	Policy 5043
Adopted by Council: May 9, 2005 Amended by Council: April 24, 2006 Amended by Council:		

POLICY 5043:

It is Council Policy that:

1. PURPOSE

In accordance with the requirements of the *Local Government Act* section 475, 476 and section 477 that require a local government to consider opportunities for consultation during the presentation, repeal or amendment of an Official Community Plan (OCP), this policy provides direction to City staff and Council.

2. CONSULTATION CONSIDERATIONS

It is Council policy that, where the development, repeal or amendment of an Official Community Plan (OCP) (including an Area Plan) bylaw is proposed:

- 1) Staff will consider consultation with persons, organizations and authorities that may be affected by the enactment, repeal or amendment of the Official Community Plan bylaw (e.g. where the other parties' land use, programming, servicing, transportation and environmental interests may be affected).
- 2) Staff will consider early and ongoing consultation with the external agencies listed below and with any other persons, organizations and authorities, as deemed appropriate:

External Agencies which will be Considered for Consultation
<input type="checkbox"/> The Board of Metro Vancouver
<input type="checkbox"/> The Councils of adjacent Municipalities
<input type="checkbox"/> First Nations (e.g., Sto:lo, Tsawwassen, Musqueam)
<input type="checkbox"/> TransLink
<input type="checkbox"/> Port Authorities (Vancouver Fraser Port Authority and Steveston Harbour Authority)
<input type="checkbox"/> Vancouver International Airport Authority (VIAA) (Federal Government Agency)
<input type="checkbox"/> Agricultural Land Commission
<input type="checkbox"/> Board of Education of School District No. 38 (Richmond)
<input type="checkbox"/> Vancouver Coastal Health Authority
<input type="checkbox"/> Community Groups and Neighbours
<input type="checkbox"/> All relevant Federal and Provincial Government Agencies



Page 2 of 2	OCP Bylaw Preparation Consultation Policy	Policy 5043
Adopted by Council: May 9, 2005 Amended by Council: April 24, 2006 Amended by Council:		

- 3) Board of Education of School District No. 38 (Richmond) Consultation
 - a) City staff shall refer proposed OCP amendments to the Board of Education of School District No. 38 (Richmond) where the OCP amendment involves a residential development proposing an additional 150 or more multiple family housing units or 60 or more single-family housing units, above what the current OCP allows for.
 - b) As needed, City staff will consult with the Board of Education of School District No. 38 (Richmond) on the overall OCP and its implications (e.g., school needs).
 - c) The City and the Board of Education of School District No. 38 (Richmond) have agreed to share information (e.g., statistics, maps, reports) to co-ordinate interests and facilitate consultations.
- 4) Prior to the first reading of a proposed Official Community Plan Bylaw, Council will consider, through the receipt of a staff report summarizing the consultation undertaken, if additional consultation with external agencies, persons, organizations and authorities is required.
- 5) Consultation may involve a variety of methods, including information meetings, dialogue and/or written correspondence.



Page 1 of 1	Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools	Policy 5XXX
Adopted by Council: <date>		

POLICY 5XXX:

It is Council policy that:

Development applications involving proposed independent schools will be referred to the Board of Education of School District No. 38 (Richmond) for information purposes as part of the processing of the application. The following criteria and processes will apply:

1. Types of applications to be referred to the Board of Education of School District No. 38 (Richmond) – Development applications involving a proposed independent school requiring a:
 - a. Rezoning application;
 - b. Temporary Use Permit application; and/or
 - c. Agricultural Land Reserve Non-Farm Use application.
2. Only those independent schools requiring a development application identified above will be covered under this policy.
3. While referrals made to the Board of Education of School District No. 38 (Richmond) will be for information purposes only, School District staff may provide comments if desired.
4. Referrals to the Board of Education of School District No. 38 (Richmond) will be made during the City staff processing of a development application involving an independent school, prior to Richmond City Council consideration of the proposal.
5. Summary information on any response to the referral of the independent school development application from the School District will be provided in the City staff report to Council on the proposal.