

LUC Speaking Notes

The Public Hearing on November 24, 2015 is not simply about zoning amendments and terminating or prematurely ending LUC's. The issue is much more important than that. It's about an unfair process that has unfolded since 2010 to terminate LUC's under a veil of secrecy and without consideration for public consultation. The citizens of Richmond deserve an open public process that allows for their input on any major issue that impacts so many homeowners. We did not get an opportunity to provide our input prior to the Mayor and Council lobbying the BC government to terminate LUC's. I am very disappointed that our politicians and city staff handled the LUC issue behind closed doors.

There has not been any transparency in the process undertaken by city staff, the Mayor and Councillors. I know because I have had numerous conversations with city staff over many years and recently, and not only did I get repeated misinformation about LUC's since 2000 when we bought our home, but many times thereafter, including recently.

I went as far as contacting city staff to protest this secrecy and encourage an open and transparent process so all LUC owners have an opportunity to protect their property rights and be well informed well before the Public Hearing on November 24, 2015.

Some LUC owners did not get their booklets until late last week, or not at all, and some do not receive the Richmond News so they would have not seen the insert about this meeting placed by city staff. How does this add up to transparency and fairness, especially when the city staff waited until the last minute to mail out the booklets on LUC's.

The people of Richmond deserve city staff and a Mayor and Council which can provide fair representation, leadership, fairness, and transparency, and work to protect our property rights in a fair process. We should have been consulted in advance of any lobbying, but what can these groups do for us now, after the fact, to lessen the blow of losing our LUC's?

What should LUC homeowners expect from the Mayor and Council

- *Terminate LUC's in 2024 as per BC government legislative changes*
- *In the alternative, provide a minimum of a 5 year transition period to end LUC's*

Why

There was lack of a fair public process

There are reasons why the BC government and their legal team legislated the 10 year transition period

The time restriction of one year is too limited and results in unfairness, and financial and emotional strain to LUC homeowners

There will be financial hardships on LUC homeowners who neither cannot afford the appeal to the Variance Board nor afford to apply for a permit to rebuild under an LUC which has a deadline

LUC's cannot be blamed for creating non-conformity in residential structures and design, but rather past and present elected politicians as they are the ones who have amended Richmond zoning by-laws over the years; little has been known about LUC's until recently

There is much misinformation about LUC's among LUC homeowners and many do not fully understand the full implications and interpretation of LUC; homeowners need more time to fully understand the LUC booklet that was dropped at their door step at the last minute

There is no discrimination in any neighborhood if all the properties come under LUC. The only issue is the timing of when neighbors would sell as LUC or rebuild

Smaller lots under LUC such as 3,000-5,000 sq ft will not be able to benefit from the new zoning by-laws because they are too small to accommodate or take advantage of secondary suits, B&B's, home business etc and nor any other benefits claimed by council and city staff

In the real-estate market in Richmond the value is in the land and not the home and therefore removing LUC from smaller properties devalues the LUC property further

Premature termination goes against the original purpose of LUC, as it is our understanding, as told to us by city staff, that LUC's were partly put in place to protect home prices for homeowners with larger lots and larger homes in subdivisions with smaller lots and homes, such as found in cul-de-sacs

Most of the newish LUC built homes noted in West Richmond are attractive and blend well within the neighborhood; the few that don't still don't compare to the many regular zoned newish and older homes that are lacking in appeal and uniformity

Activists against LUC's are depicting photos of LUC properties next to older smaller homes to demonstrate their point; however, one has to remember that over time these smaller older properties will be torn down, and the size difference between homes will not be so noticeable

There is a very slight 2 feet height difference between LUC homes and the newer homes built on regular zoned homes; one has to look very closely to see the difference between the two

Most of the homes in West Richmond have rebuilt 2 ½ stories and not a full 3 storey structure

Many LUC properties sit on pie shaped or smaller lots (3,000-5,000 sq ft +/-) and premature termination of LUC's will devalue their properties further and create even more of a price gap in property values as compared to the larger and wider lots 60x100 or greater. Larger and wider lots are in greater demand and selling for a premium in the current real-estate market as compared to smaller properties under LUC.

The expedited termination of LUC puts LUC homeowners at financial risk as it forces them to act quickly and possibly carelessly as they navigate through the whole building process from start to finish including the permit and building process, and/or are forced to put their home on the real-estate market out of fear of downward pressure on property prices

The LUC homeowner will face fear mongering and pressure from real-estate agents to act hastily and put their homes on the market prematurely or without careful consideration; this could result in financial hardship to the homeowner and under valuations of their property

A huge supply of LUC properties on the real-estate market could place downward pressures on LUC property prices causing an additional devaluation of LUC property

Increase demand for building permits will put upward pressure on costs to rebuild on a regular zoned and an LUC lot in Richmond, and homeowners will have to absorb the cost and pay a premium for builders, architects, trades etc

There is greater room for error when projects are rushed through the city and with the building process and homeowners will absorb the cost of those errors financially and through emotional strain. There will be errors in plans, designs, and costs over runs for homeowners who will be forced to rebuild within deadlines

LUC homeowners will be forced to tear down a perfectly livable house so they can meet the deadline

LUC homeowners who live in tear down condition homes get a huge financial advantage over homeowners who do not live in a tear down condition property, regardless if they want to sell or rebuild

LUC termination in 2024 will allow a smooth and guided transition with more control and order for LUC homeowners who have to seriously sort out their options and for city staff who have to deal with the prospect of a flood of building permits.

LUC homeowners need more time to consider and weigh all their options and financial risks. Their options can include: to sell as LUC, to rebuild for themselves, or do nothing. They may need to secure financing or find housing elsewhere; all of this takes time and serious thought.

LUC homeowners may have recently renovated their home at a huge cost to them and are not in a position to rebuild within the deadline

Most neighborhoods in Richmond don't have uniformity in size, height, structure, color and design etc. Waiting until 2024 to terminate LUC's will have little bearing on changing the current architectural landscape in Richmond

LUC owners in cul-de-sacs or with pie shaped lots, I have been told by BC Assessment have historically paid more property tax because their properties were valued at a higher rate for being

more desirable; however, in today's real-estate market properties with irregular shaped lots are less desirable and sell for less than larger lots. Premature termination of LUC's will devalue our property value further, regardless that for many years we have paid higher property taxes

What should LUC homeowners expect from the Mayor and Council

- *Any extension granted to a LUC homeowner by the Variance Board should be transferrable to the new homeowner until the LUC is terminated*

Why

LUC homeowners should be compensated for termination of LUC and therefore any extension granted should be transferable to the new homeowners

Transferring an extension to a new homeowner within the deadline should be allowed because not to do so would take away property value from the LUC owner if their future plans should change

LUC homeowners have a right to sell their property at any time and should be able to transfer the right of ownership of the LUC contract until such time it is terminated by law

The LUC homeowner may have building plans in place and because of personal, health and financial reasons may not be able to continue with the building permit and may be forced to sell their home; the building permit should become an asset of the home, otherwise it can devalue the property

What should LUC homeowners expect from the Mayor and Council

- *The costs of an appeal to the Variance Board should be eliminated under special circumstances*
- *In the alternative, the cost of an appeal to the Variance Board should be drastically reduced*

Why

LUC home owners are forced to give up their legal property rights which are registered on Land

LUC home owners have paid for the LUC in their property purchase price

LUC property rights were taken away without any fair public process and public consultation with homeowners to express their opinions prior to the city deciding to lobby the BC government to terminate LUC's

LUC homeowners should receive fair treatment in exchange for losing their legal property rights and terminating their property's LUC zoning

The cost of an appeal has unfairly been tripled or increase

The cost of an appeal is a financial hardship for many home owners

The costs of an appeal acts as a deterrent to defending one's property rights if you cannot afford to appeal, and this adds further to the unfairness and lack of the public process