



City of Richmond

Report to Committee

To: Planning Committee **Date:** July 26, 2019
From: Kim Somerville **File:** 12-8060-20-010037/Vol 01
 Director, Community Social Development
Re: **Housing Agreement Bylaw No. 9933, Amendment Bylaw No. 10037 to Permit the City of Richmond to Amend the Existing Housing Agreement Securing Affordable Housing Units located at 5333 No. 3 Road (formerly 7960 Alderbridge Way and 5333 and 5411 No. 3 Road)**

Staff Recommendation

That Housing Agreement (5333 No. 3 Road) Bylaw No. 9933, Amendment Bylaw No. 10037 be introduced and given first, second and third readings to permit the City to amend the existing Housing Agreement pursuant to an Amending Agreement substantially in the form attached hereto, in accordance with the requirements of section 483 of the *Local Government Act*, to secure the Affordable Housing Units required by the Rezoning Application RZ 15-692485.

Kim Somerville
 Director, Community Social Development
 (604-247-4671)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
Real Estate Services	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

The purpose of this report is to recommend that Council approve the amendment of the existing Housing Agreement Bylaw No. 9933, Amendment Bylaw No. 10037 that secures 38 affordable housing units and 115 market rental units in the development located at 5333 No. 3 Road (formerly 7960 Alderbridge Way and 5333 and 5411 No. 3 Road). The amendment is required to align the description of the lands in the Housing Agreement with the fully assembled Development Lot (defined below) and to release the Housing Agreement from the Rem. 46 (defined below).

This report and bylaw supports Council's Strategic Plan 2018-2022 Strategy #4 An Active and Thriving Richmond:

An active and thriving community characterized by diverse social and wellness programs, services and spaces that foster health and well-being for all.

This report and bylaw also 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.

This report also supports the Social Development Strategy Goal #1: Enhance Social Equity and Inclusion:

Strategic Direction #1: Expand Housing Choices

This report and bylaw are consistent with the Richmond Affordable Housing Strategy 2017–2027, adopted on March 12, 2018, which specifies the creation of affordable rental housing units as a key housing priority for the City.

On October 22, 2018, Council adopted Housing Agreement Bylaw 9933 to secure the 38 affordable rental housing units and the 115 market rental units at 5333 No. 3 Road. The Housing Agreement was signed and annotation of the Housing Agreement was filed against the original lands owned by the Developer.

Analysis

At the time Housing Agreement Bylaw No. 9933 was adopted, there were three lots subject to the rezoning and the Housing Agreement (Lot 46, Lot 79 and Lot 80).

Following the adoption of the Housing Agreement and as part of the rezoning process, the Developer subdivided the original three lots (Lot 46, Lot 79 and Lot 80) and an adjacent portion of a closed road to create a development lot (the "Development Lot") and a remainder lot 46 ("Rem. 46") (Attachment 1). Both the portion of the road as well as the Rem. 46 were transferred to the City as part of the Rezoning Conditions.

A Housing Agreement amendment is now required to release the Housing Agreement from the newly created and now City-owned Rem. 46 and to amend the legal description in the Housing Agreement to match the legal description of the Development Lot. The proposed revised Housing Agreement (Bylaw No. 9933, Amendment Bylaw No. 10037) is presented here.

It is recommended that the proposed Housing Agreement Bylaw for the subject development (Bylaw No. 9933, Amendment Bylaw No. 10037) be introduced and given first, second and third readings. Following adoption of the Amendment Bylaw, the City will modify the Housing Agreement as per the Modification Agreement, file a notice of modification of the Housing Agreement on title to the subject lands, and release the Housing Agreement from title to Rem. 46.

Financial Impact

None.

Conclusion

In accordance with the *Local Government Act* (Section 483), adoption of Bylaw No. 9933, Amendment Bylaw No. 10037, is required to permit the City to amend the existing Housing Agreement, which will release the Housing Agreement from the City-owned Rem. 46.



Cody Spencer
Program Manager, Affordable Housing
(604-247-4916)

Att. 1: Map of 5333 and 5411 No. 3 Road



Housing Agreement (5333 No. 3 Road) Bylaw No. 9933, Amendment Bylaw No. 10037

The Council of the City of Richmond enacts as follows:

- 1. The Mayor and City Clerk for the City of Richmond are authorized to execute and deliver a Housing Agreement modification, substantially in the form set out as Schedule A to this Bylaw, with the owner of the lands legally described as:

PID: 030-721-733 Lot 1 Section 5 Block 4 North Range 6 West New Westminster District Plan EPP86098

- 2. The Mayor and City Clerk for the City of Richmond are authorized to execute for filing in the Land Title Office a release of Housing Agreement dated October 22, 2018, a notation of which is filed in the Land Title Office under number CA7160625, from title to the lands legally described as:

PID: 003-587-100 Lot 46 Section 5 Block 4 North Range 6 West New Westminster District Plan 34468 Except Part in Plan EPP87559

This Bylaw is cited as Housing Agreement (5333 No. 3 Road) Bylaw No. 9933, Amendment Bylaw No. 10037

FIRST READING

SECOND READING

THIRD READING

ADOPTED

Four horizontal lines for signatures.

CITY OF RICHMOND APPROVED for content by originating dept. CS APPROVED for legality by Solicitor

MAYOR

CORPORATE OFFICER

Schedule A

To Housing Agreement (5333 No. 3 Road) Bylaw No. 9933, Amendment Bylaw No. 10037

HOUSING AGREEMENT MODIFICATION BETWEEN ALDERBRIDGE WAY LIMITED
PARTNERSHIP AND THE CITY OF RICHMOND

**HOUSING AGREEMENT – AFFORDABLE AND MARKET RENTAL HOUSING
MODIFICATION
(Section 483 Local Government Act)**

THIS AGREEMENT is dated for reference _____, 2019,

AMONG:

ALDERBRIDGE WAY LIMITED PARTNERSHIP, a limited partnership duly formed under the laws of the Province of British Columbia and having its registered office at 2000 – 250 Howe Street, Vancouver BC V6C 3R6, by its general partner **ALDERBRIDGE WAY GP LTD.**, a corporation duly incorporated under the laws of the Province of British Columbia and having its registered office at 2000 – 250 Howe Street, Vancouver BC V6C 3R6

(the “**Beneficiary**”)

AND:

0989705 B.C. LTD. (INC. NO. BC0989705), a company duly incorporated under the laws of the Province of British Columbia and having its registered office at 1600 – 925 West Georgia Street, Vancouver British Columbia V6C 3L2

(the “**Nominee**”)

(the Beneficiary and the Nominee are, together, the “**Owner**” as more fully defined in section 1.1 of this Agreement)

AND:

CITY OF RICHMOND, a municipal corporation pursuant to the *Local Government Act* and having its offices at 6911 No. 3 Road, Richmond, British Columbia, V6Y 2C1

(the “**City**” as more fully defined in section 1.1 of this Agreement)

WHEREAS:

A. On October 22, 2018, the City, the Nominee and the Beneficiary entered into a Housing Agreement (the “**Housing Agreement**”) pursuant to section 483 of the *Local Government Act* in respect to certain lands and premises legally described as:

- (i) Parcel Identifier: 003-583-902, Lot 80 Section 5 Block 4 North Range 6 West New Westminster District Plan 37118;

- (ii) Parcel Identifier: 003-587-100, Lot 46 Section 5 Block 4 North Range 6 West New Westminster District Plan 34468; and
- (iii) Parcel Identifier: 003-582-663, Lot 79 Section 5 Block 4 North Range 6 West New Westminster District Plan 37118; and

B. The parties wish to modify the Housing Agreement as set out herein.

NOW THEREFORE, in consideration of \$10.00 and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by both parties), and in consideration of the promises exchanged below, the Owner and the City covenant and agree as follows:

1. All capitalized terms in this Agreement have the same meaning as in the Housing Agreement, unless expressly stated otherwise.
2. Section 1.1(s) is hereby deleted and the following is substituted:

“**Lands**” means the lands and premises legally described as follows:

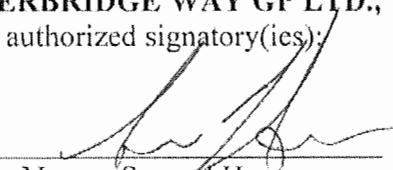
Parcel Identifier: 030-721-733

Lot 1 Section 5 Block 4 North Range 6 West New Westminster District Plan EPP86098

3. Except as set out in this Agreement, the Housing Agreement remains in full force and effect.

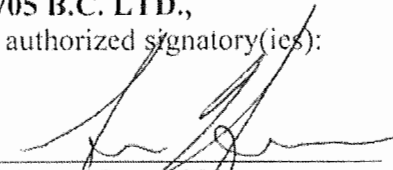
[SIGNATURE BLOCKS FOLLOW]

ALDERBRIDGE WAY LIMITED PARTNERSHIP,
by its general partner
ALDERBRIDGE WAY GP LTD.,
by its authorized signatory(ies):

Per: 
Name: Samuel Hanson

Per: _____
Name:

0989705 B.C. LTD.,
by its authorized signatory(ies):

Per: 
Name: Samuel Hanson

Per: _____
Name:

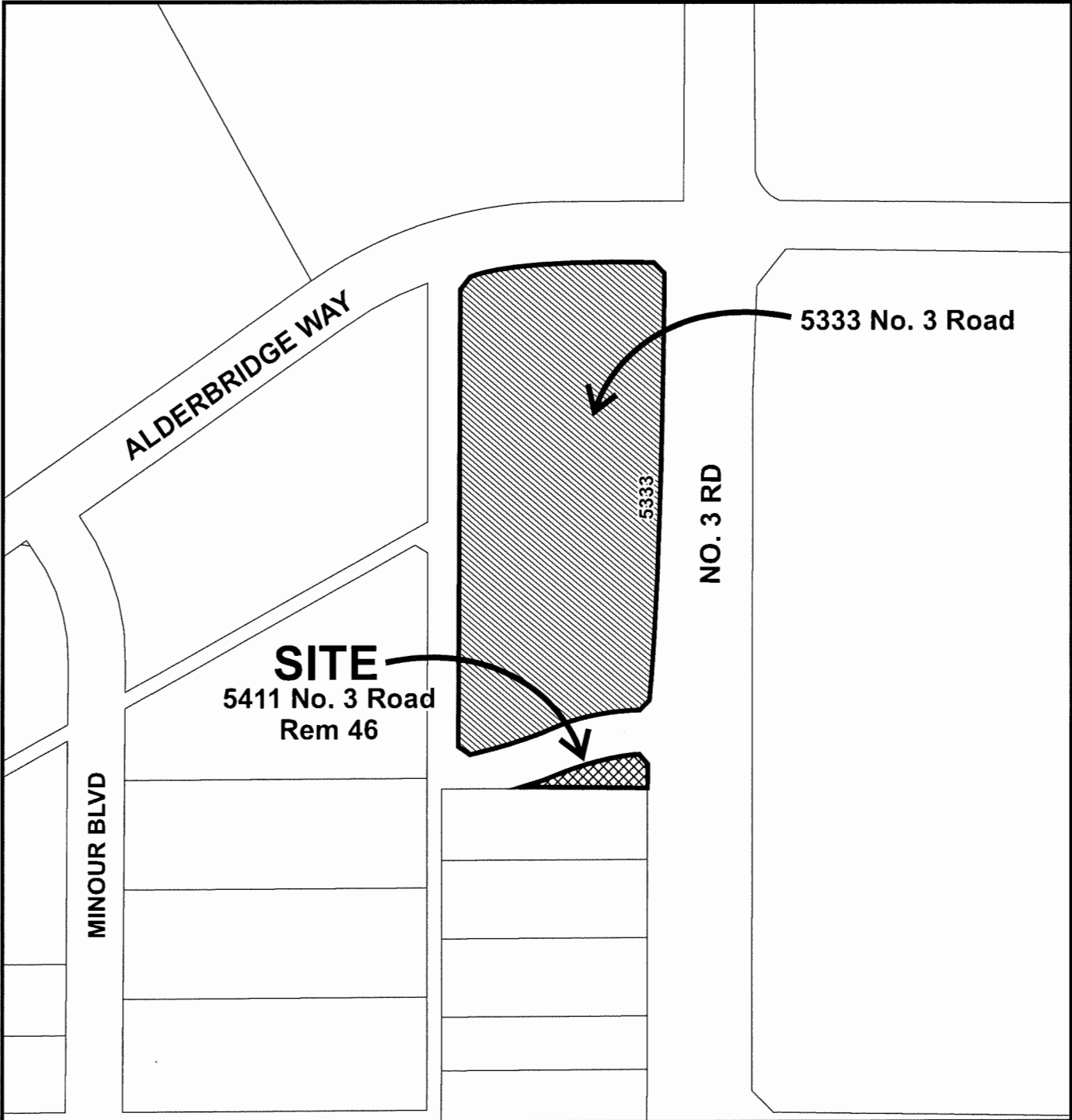
CITY OF RICHMOND
by its authorized signatory(ies):

Per: _____
Malcolm D. Brodie, Mayor

Per: _____
David Weber, Corporate Officer



City of
Richmond



5333 and 5411 No. 3 Road

PLN - 27

Original Date: 05/28/19

Revision Date:

Note: Dimensions are in METRES