

Agenda

# **Planning Committee**

**Council Chambers, City Hall** 6911 No. 3 Road Wednesday, January 6, 2021 4:00 p.m.

Pg. # ITEM

# MINUTES

PLN-6 Motion to adopt the minutes of the meeting of the Planning Committee held on December 1, 2020.

# NEXT COMMITTEE MEETING DATE

February 2, 2021, (tentative date) at 4:00 p.m. in Council Chambers.

PLANNING AND DEVELOPMENT DIVISION

HOUSING AGREEMENT BYLAW NO. 10214 TO PERMIT THE CITY 1. OF RICHMOND TO SECURE AFFORDABLE HOUSING UNITS AT 5740, 5760, AND 5800 MINORU BOULEVARD

(File Ref. No. 08-4057-05) (REDMS No. 6547639)

**PLN-11** 

See Page PLN-11 for full report

**Designated Speaker:** Cody Spencer

### STAFF RECOMMENDATION

That Housing Agreement (5740, 5760, and 5800 Minoru Boulevard) Bylaw No. 10214 to permit the City to enter into a Housing 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 Rezoning Application RZ 18-807640, be introduced and given first, second and third readings.

2. APPLICATION BY GRADUAL ARCHITECTURE INC. FOR REZONING AT 6520 WILLIAMS ROAD FROM THE "SINGLE DETACHED (RS1/E)" ZONE TO THE "LOW DENSITY TOWNHOUSES (RTL4)" ZONE

(File Ref. No. 12-8060-20-010224; RZ 17-792242) (REDMS No. 6562809 v. 4)

**PLN-41** 

See Page PLN-41 for full report

Designated Speakers: Wayne Craig and Jordan Rockerbie

#### STAFF RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10224, for the rezoning of 6520 Williams Road from the "Single Detached (RS1/E)" zone to the "Low Density Townhouses (RTL4)" zone, be introduced and given First Reading.

3. APPLICATION BY CLASSICO DEVELOPMENT LTD. FOR A STRATA TITLE CONVERSION AT 10531/10551 ANAHIM DRIVE (File Ref. No. SC 20-905121) (REDMS No. 6546884 v. 3)

**PLN-80** 

### See Page **PLN-80** for full report

Designated Speakers: Wayne Craig and Steven De Sousa

#### STAFF RECOMMENDATION

- (1) That the application for a Strata Title Conversion by Classico Development Ltd. for the property located at 10531/10551 Anahim Drive be approved on fulfilment of the following conditions within 180 days of the date of this resolution:
  - (a) Payment of all City utility charges and property taxes up to and including the current year;
  - (b) Submission of appropriate plans and documents to the City and

execution of same by the Approving Officer; and

- (c) Discharge of the existing covenant registered on Title (#BE119606), which restricts the use of the property to a maximum of two units.
- (2) That the City, as the Approving Authority, delegate to the Approving Officer the authority to execute the strata conversion plan on behalf of the City, as the Approving Authority, on the basis that the conditions set out in Recommendation 1 have been satisfied.

4. APPLICATION BY CHOICE SCHOOL FOR GIFTED CHILDREN SOCIETY FOR AN AGRICULTURAL LAND RESERVE NON-FARM USE AT 20451 WESTMINSTER HIGHWAY

(File Ref. No. AG 19-881146) (REDMS No. 6543001 v. 3)

PLN-95	See Page PLN-95 for staff memorandum
PLN-98	See Page PLN-98 for original staff report

Designated Speakers: Wayne Craig and Steven De Sousa

Please note: The following staff recommendation was tabled from the December 1, 2020 Planning Committee meeting

STAFF RECOMMENDATION

That the application by Choice School for Gifted Children Society for an Agricultural Land Reserve Non-Farm Use at 20451 Westminster Highway be endorsed and forwarded to the Agricultural Land Commission.

5. STEVESTON VILLAGE HERITAGE CONSERVATION GRANT PROGRAM (COUNCIL POLICY 5900) (File Ref. No. 08-4200-01) (REDMS No. 6525846 v. 10)

PLN-117

See Page PLN-117 for full report

Designated Speaker: Barry Konkin

### STAFF RECOMMENDATION

That the proposed minor amendments to the Steveston Village Heritage Conservation Grant Program (Council Policy 5900), as detailed in the staff report titled "Steveston Village Heritage Conservation Grant Program (Council Policy 5900)," dated November 9, 2020 from the Director, Policy Planning, be approved.

#### 6. COMPREHENSIVE REVIEW OF THE ARTERIAL ROAD LAND USE POLICY DESIGNATION ALONG RAILWAY AVENUE (File Ref. No. 08-4057-01) (REDMS No. 6567061 v. 4)

**PLN-143** 

See Page PLN-143 for full report

Designated Speaker: Barry Konkin

### STAFF RECOMMENDATION

That staff be authorized to undertake community and industry consultation regarding possible amendments to the Arterial Road Housing Development Map for sites located within the Railway Avenue Corridor.

7. APPLICATION BY RAMAN KOONER FOR REZONING AT 10200/10220 RAILWAY AVENUE FROM THE "TWO-UNIT DWELLINGS (RD1)" ZONE TO THE "COACH HOUSES (RCH1)" ZONE

(File Ref. No. 12-8060-20-010035RZ 17-784927) (REDMS No. 6560853 v. 5)

PLN-165

See Page PLN-165 for full report

Designated Speakers: Wayne Craig and Jordan Rockerbie

#### STAFF RECOMMENDATION

- (1) That the following recommendation be forwarded to a Public Hearing:
  - (a) That Single-Family Lot Size Policy 5420 in Section 36-4-7, adopted by Council on October 16, 1989, be amended to exclude 5026 Williams Road and the 45 properties bordering Railway Avenue between Williams Road and 10700 Railway Avenue; and

(2) That Richmond Zoning Bylaw 8500, Amendment Bylaw 10035, for the rezoning of 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, be referred to the Tuesday, February 16, 2021 Public Hearing at 7:00 p.m. in the Council Chambers of Richmond City Hall.

### 8. MANAGER'S REPORT

## **ADJOURNMENT**



# **Planning Committee**

Date:	Tuesday, December 1, 2020
Place:	Council Chambers Richmond City Hall
Present:	Councillor Linda McPhail, Chair Councillor Alexa Loo (by teleconference) Councillor Carol Day Councillor Bill McNulty Councillor Harold Steves (by teleconference)
Also Present:	Councillor Michael Wolfe (by teleconference)
Call to Order:	The Chair called the meeting to order at 4:00 p.m.

# MINUTES

It was moved and seconded *That the minutes of the meeting of the Planning Committee held on April 7,* 2020, be adopted as circulated.

### CARRIED

# NEXT COMMITTEE MEETING DATE

January 6, 2021, (tentative date) at 4:00 p.m. in the Anderson Room

**Minutes** 

# PLANNING AND DEVELOPMENT DIVISION

### 1. PROPOSED UPDATES TO ACCESS AND INCLUSION POLICY 4012 AND RESCINDMENT OF CITY BUILDINGS – ACCESSIBILITY POLICY 2012

(File Ref. No. 07-3190-01) (REDMS No. 6520294 v. 13; 5364387; 6554399; 6506387)

Discussion ensued with regard to advocating senior levels of government for funding and it was suggested that the City send a letter on the matter. Staff advised that advocacy to senior levels of government is noted within the proposed policy update. Staff added that staff can explore sending a letter to other levels of government regarding funding support.

It was moved and seconded

- (1) That the proposed updates to Access and Inclusion Policy 4012, as outlined in the staff report titled, "Proposed Updates to Access and Inclusion Policy 4012 and Rescindment of City Buildings – Accessibility Policy 2012", dated November 2, 2020, from the Director, Community Social Development, be approved; and
- (2) That City Buildings Accessibility Policy 2012 be rescinded.

CARRIED

2. APPLICATION BY FLAT ARCHITECTURE INC. FOR REZONING AT 8951 AND 8971 SPIRES ROAD, 8991 SPIRES GATE, AND THE SURPLUS PORTION OF THE SPIRES ROAD ROAD ALLOWANCE FROM THE "SINGLE DETACHED (RS1/E)" ZONE TO THE "PARKING STRUCTURE TOWNHOUSES (RTP4)" ZONE (File Ref. No. 12-8060-20.010218: R7 18-818420) (REDMS No. 6544384 # 5)

(File Ref. No. 12-8060-20-010218; RZ 18-818420) (REDMS No. 6544384 v. 5)

Staff reviewed the application, highlighting that (i) the proposed development would be comprised of 22 townhouse units and include two secondary suites, (ii) a section of Spires Road fronting the subject site is proposed for purchase by the applicant for incorporation into the development, and (iii) a servicing agreement will be required for frontage improvements and sanitary sewer upgrades.

Discussion ensued with regard to options to expand the number of proposed parking spaces on-site and staff noted that proposed parking complies with the City's zoning requirements and due to the site's configuration, addition of parking spaces will be challenging. Also, it was added that subject site is in proximity to the Canada Line and as such, the number of required parking spaces in new developments in this area of the City is reduced. Discussion then ensued with regard to simultaneous construction projects and concerns for traffic in the area. Staff noted that the City is currently involved with capital project works in the area with expected completion in early 2021. Staff added that on-going development projects in the area have submitted a construction and traffic plan as required by the City.

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10218, for the rezoning of 8951 and 8971 Spires Road, 8991 Spires Gate, and the surplus portion of the Spires Road road allowance from the "Single Detached (RS1/E)" zone to the "Parking Structure Townhouses (RTP4)" zone, be introduced and given First Reading.

CARRIED

### 3. APPLICATION BY WESTMARK DEVELOPMENTS (CAMOSUN) LTD. FOR REZONING AT 9300 AND 9320 CAMBIE ROAD FROM THE "SINGLE DETACHED (RS1/F)" ZONE TO THE "LOW RISE APARTMENT (ZLR43)" ZONE

(File Ref. No. 12-8060-20-010219; RZ 18-835042) (REDMS No. 6457608 v. 4)

Staff reviewed the application, noting that (i) the proposed five-storey development will be located in the northern portion and the proposed private outdoor space will be located in the southern portion of the subject site, (ii) vehicle and loading access will be through McKim Way, (iii) the development will connect to the Alexandra District Energy Utility (ADEU) and will be designed to meet energy step code requirements, and (iv) a servicing agreement will be required for frontage improvements and sanitary sewer upgrades.

In reply to queries from Committee, Rav Bains, representing the applicant, noted that the current house on-site was previously damaged by fire and was rebuilt by the previous property owner and occupant. He added that the structure on-site will be demolished to allow for the proposed development.

Discussion ensued with regard to resident access to the proposed private garden space and potential expansion of the ADEU service area.

### It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10219 to create the "Low Rise Apartment (ZLR43) – Alexandra Neighbourhood (West Cambie)" zone, and to rezone 9300 and 9320 Cambie Road from the "Single Detached (RS1/F)" zone to the "Low Rise Apartment (ZLR43) – Alexandra Neighbourhood (West Cambie)" zone, be introduced and given first reading.

CARRIED

### 4. APPLICATION BY CHOICE SCHOOL FOR GIFTED CHILDREN SOCIETY FOR AN AGRICULTURAL LAND RESERVE NON-FARM USE AT 20451 WESTMINSTER HIGHWAY

(File Ref. No. AG 19-881146) (REDMS No. 6543001 v. 3)

Staff reviewed the application, noting that (i) the non-farm use application will allow for existing education uses to continue and construction of a new classroom building, (ii) the site is zoned Assembly and is located in the Agricultural Land Reserve, (iii) the applicant has worked with staff on a farm plan for the adjacent site, and (iv) the Food Security and Agricultural Advisory Committee has reviewed and supported the proposal.

Discussion ensued with regard to (i) the history of the subject site including original uses as a site for a church that transitioned to a school, (ii) the current legal conditions of the site, (iii) the Agricultural Land Commission process for non-farm use approval, and (iv) the site's dimensions and building footprint.

It was suggested that staff further review this application given that there are potential legal circumstances related to other non-farm applications, and as a result the following motion was introduced:

It was moved and seconded

That the application by Choice School for Gifted Children Society for an Agricultural Land Reserve Non-Farm Use at 20451 Westminster Highway be tabled to the next Planning Committee meeting.

### CARRIED

### 5. MANAGER'S REPORT

### (i) Upcoming Planning Referrals and Projects

Joe Erceg, General Manager, Planning and Development, noted the following:

- a study on industrial intensification including proposed changes to the Official Community Plan and Zoning Bylaw is forthcoming;
- staff is currently working on a comprehensive review of the Railway Avenue land use corridor, including the existing arterial road policy and rapid transit scenarios;
- staff will be bringing forward an adjustment review of the Steveston Heritage Grant Program;
- staff reports on passive home design criteria and farming first strategy will be brought forward in early 2021;
- staff will be bringing forward a Terms of Reference on a housing study which will complement an upcoming review of the Official Community Plan in 2022; and

a staff report reviewing the Tree Bylaw is forthcoming;

### (ii) City Snapshot

Suzanne Smith, Program Manager, Development, provided an update on the online open house - City Snapshot, which is hosted on Let's Talk Richmond and provides information on planning projects and policy in the City. Staff added that an information summary will be provided to Council.

### ADJOURNMENT

It was moved and seconded *That the meeting adjourn (4:45 p.m.).* 

### CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, December 1, 2020.

Councillor Linda McPhail Chair Evangel Biason Legislative Services Associate



# **Report to Committee**

То:	Planning Committee	Date:	November 18, 2020
From:	Kim Somerville Director, Community Social Development	File:	08-4057-05/2020-Vol 01
Re:	Housing Agreement Bylaw No. 10214 to Permit Secure Affordable Housing Units at 5740, 5760,	-	

### Staff Recommendation

That Housing Agreement (5740, 5760, and 5800 Minoru Boulevard) Bylaw No. 10214 to permit the City to enter into a Housing 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 Rezoning Application RZ 18-807640, be introduced and given first, second and third readings.

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

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REPORT CONCURRENCE				
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER		
Law Development Applications	<b>凶</b>	be Erceg		
SENIOR STAFF REPORT REVIEW	INITIALS:			

### Staff Report

### Origin

The purpose of this report is to recommend that City Council adopt Housing Agreement Bylaw No. 10214 to secure at least  $6,430.5 \text{ m}^2 (69,217 \text{ ft}^2)$  in the form of a stand-alone affordable rental housing building, including a minimum of 88 low-end-market-rental (LEMR) housing units, in the proposed development located at 5740, 5760, and 5800 Minoru Boulevard (Attachment 1).

This report supports Council's Strategic Plan 2018-2022 Strategic Focus Area #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 supports Council's Strategic Plan 2018-2022 Strategic Focus Area #6 Strategic and Well-Planned Growth:

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

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

### Strategic Direction #1: Expand Housing Choices

This report is also 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 December 17, 2019, the rezoning application (RZ 18-807640) for 5740, 5760, and 5800 Minoru Boulevard was considered by Planning Committee and referred back to staff. Following Planning Committee's referral, the applicant made key changes to their proposal including increasing the number of affordable housing units from 47 to 88 units, and entering into a Memorandum of Understanding with S.U.C.C.E.S.S, a non-profit operator, to manage the standalone affordable rental housing building. On September 8, 2020, the revised subject application was given second and third readings at a Public Hearing meeting. The registration of a Housing Agreement and Housing Covenant are required prior to adoption of the Rezoning Bylaw and will secure approximately 19 per cent of the development's total residential floor area as the habitable area of the 88 affordable housing units with maximum rental rates and tenant incomes as established by the City's Affordable Housing Strategy.

It is recommended that the proposed Housing Agreement Bylaw for the subject development (Bylaw No. 10214) be introduced and given first, second and third reading. Following adoption of the Bylaw, the City will be able to execute the Housing Agreement and arrange for notice of the agreement to be filed in the Land Title Office.

### Analysis

The subject development application involves the development of approximately 429 residential units including 88 affordable rental housing units in a stand-alone building. As the applicant has agreed to enter into a Memorandum of Understanding with S.U.C.C.E.S.S., a non-profit housing operator, to manage the development's affordable housing units, the City has accepted clustering of the affordable housing units in the form of a stand-alone building.

The habitable area of the 88 affordable housing units proposed represent approximately 19 per cent of the development's total residential floor area. Approximately 47 of these units will be family-friendly, two and three-bedroom units, and the remaining 41 units will be studio and one-bedroom units.

The affordable housing units in the stand-alone building are anticipated to be delivered as shown in the following table. All the affordable units will comply with the Zoning Bylaw's Basic Universal Housing (BUH) standards.

	Affordable Housing Strategy Requirements			Project Targets	
Unit Type	Min. Unit Area	Max. Monthly Unit Rent*	Total Max. Household Income*	# of Units	
Studio	37 m² (400 ft²)	\$811	\$34,650 or less	15	
1-BR	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less	26	
2-BR	69 m² (741 ft²)	\$1,218	\$46,800 or less	41	
3-BR	91m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480	\$58,050 or less	6	
TOTAL	6,430.5 m <sup>2</sup> (69,217 ft <sup>2</sup> )	Varies	Varies	88	

\*To be adjusted annually based on the terms of the Housing Agreement.

The Housing Agreement restricts the annual household incomes and maximum rents for eligible occupants and specifies that the units must be made available at affordable rental housing rates in perpetuity. The Agreement includes provisions for annual adjustment of the maximum annual housing incomes and rental rates in accordance with City requirements. In addition, the Agreement restricts the owner from imposing any age-based restrictions on the tenants of the affordable housing units.

The Agreement specifies that occupants of the affordable rental housing units shall have unlimited access to dedicated indoor amenity space in the stand-alone affordable housing building. The affordable rental units will also have access to all outdoor residential amenity space as well as access to shared indoor amenity space with the market residential units. Affordable housing tenants will not be charged any additional costs over and above their rent (i.e. move in/move out or parking fees). In order to ensure that the Owner is managing the affordable housing units according to the terms outlined in the Housing Agreement, the Agreement permits the City to conduct a statutory declaration process no more than once a year. Should the owner choose to sell the affordable housing units, the Housing Agreement requires that the Owner sell all units to a single owner.

The applicant has agreed to the terms and conditions of the Housing Agreement and to register notice of the Housing Agreement on title to secure the 88 affordable rental units.

6547639

November 18, 2020

### **Financial Impact**

None.

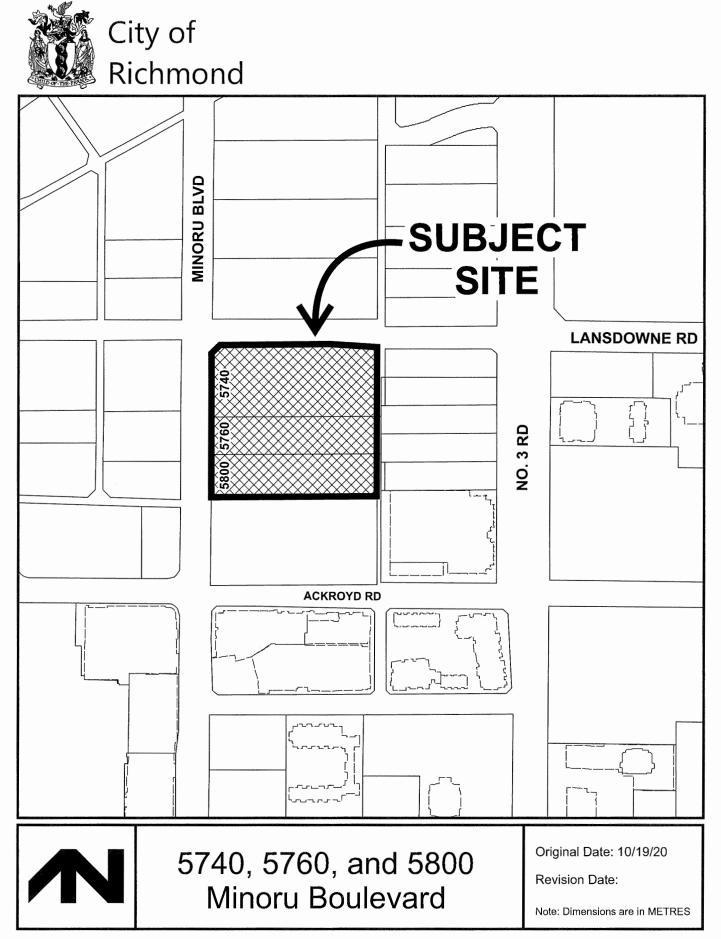
### Conclusion

In accordance with the *Local Government Act* (Section 483), adoption of Bylaw No. 10214 is required to permit the City to enter into a Housing Agreement. Together with the Housing Covenant, this will secure 88 affordable rental units that are proposed in association with rezoning application RZ 18-807640.

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

Att. 1: Map of 5740, 5760, and 5800 Minoru Boulevard





### Housing Agreement (5740, 5760, and 5800 Minoru Boulevard) Bylaw No. 10214

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, substantially in the form set out as Schedule A to this Bylaw, with the owner of the lands legally described as:

PID 017-151-694	Lot A Section 5 Block 4 North Range 6 West New Westminster District Plan NWP88228
PID 006-638-741	Lot 26 Except: East 10 Feet, Section 5 Block 4 North Range 6 West New Westminster District Plan 32135
PID 003-640-591	Lot 47 Section 5 Block 4 North Range 6 West New Westminster District Plan 34383

2. This Bylaw is cited as Housing Agreement (5740, 5760, and 5800 Minoru Boulevard) Bylaw No. 10214.

FIRST READING	 CITY OF RICHMOND
SECOND READING	 APPROVED for content by originating dept.
THIRD READING	 BQ
ADOPTED	 APPROVED for legality by Soficitor

MAYOR

CORPORATE OFFICER

### Schedule A

To Housing Agreement (5740, 5760, and 5800 Minoru Boulevard) Bylaw No. 10214.

### HOUSING AGREEMENT BETWEEN MINORU VIEW HOMES LTD., INC. NO. BC1139237AND THE CITY OF RICHMOND

### HOUSING AGREEMENT – AFFORDABLE HOUSING (Section 483 Local Government Act)

THIS AGREEMENT is dated for reference \_\_\_\_\_, 2020,

#### **BETWEEN:**

#### MINORU VIEW HOMES LTD., INC. NO. BC1139237, a

corporation duly incorporated under the laws of the Province of British Columbia and having its registered office at #700 – 4211 Kingsway, Burnaby, BC V5H 1Z6

(the "Owner")

#### 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. Section 483 of the *Local Government Act* permits the City to enter into and, by legal notation on title, note on title to lands, housing agreements which may include, without limitation, conditions in respect to the form of tenure of housing units, availability of housing units to classes of persons, administration of housing units and rent which may be charged for housing units;
- B. The Owner is registered owner of the Lands and the only beneficial owner of the Lands; and
- C. The Owner and the City wish to enter into this Agreement to provide for affordable housing on the terms and conditions set out in this Agreement,

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:

### ARTICLE 1 DEFINITIONS AND INTERPRETATION

1.1 In this Agreement the following words have the following meanings:

{00665960; 6 }

Housing Agreement (Section 483 Local Government Act) 5740, 5760 and 5800 Minoru Boulevard Application No. RZ 18-807640

6568733

- (a) "Affordable Housing Building" means a stand alone building fronting a municipal highway along the east frontage of the Lands, forming an integral part of the Development, designed and built to contain all of the Affordable Housing Units and the Affordable Housing Building Amenity;
- (b) "Affordable Housing Building Amenity" means an indoor and outdoor amenity space (if any) contained in the Affordable Housing Building, designated in the Development Permit for the exclusive use of occupants of Affordable Housing Units;
- (c) **"Affordable Housing Strategy"** means the Richmond Affordable Housing Strategy approved by the City on March 12, 2018, and containing a number of recommendations, policies, directions, priorities, definitions and annual targets for affordable housing, as may be updated, amended or replaced from time to time;
- (d) "Affordable Housing Unit" means a Dwelling Unit or Dwelling Units designated as such in accordance with a building permit and/or development permit issued by the City and/or, if applicable, in accordance with any rezoning consideration applicable to the development on the Lands and includes, without limiting the generality of the foregoing, the Dwelling Units charged by this Agreement;
- (e) **"Agreement"** means this agreement together with all schedules, attachments and priority agreements attached hereto;
- (f) **"Building Permit"** means the building permit authorizing construction on the Lands, or any portion(s) thereof;
- (g) "City" means the City of Richmond;
- (h) **"City Solicitor"** means the individual appointed from time to time to be the City Solicitor of the Law Division of the City, or his or her designate;
- (i) "Common Indoor Amenity" means an indoor amenity space within the Development, designated in the Development Permit for the shared use of all residential occupants of the Development, including occupants of Affordable Housing Units;
- (j) "Common Outdoor Amenity" means an outdoor amenity space within the Development, designated in the Development Permit for shared use of all residential occupants of the Development, including occupants of Affordable Housing Units;
- (k) **"CPI"** means the All-Items Consumer Price Index for Vancouver, B.C. published from time to time by Statistics Canada, or its successor in function;

{00665960; 6 }

Housing Agreement (Section 483 Local Government Act) 5740, 5760 and 5800 Minoru Boulevard Application No. RZ 18-807640

- (1) "Daily Amount" means \$100.00 per day as of January 1, 2020 adjusted annually thereafter by adding thereto an amount calculated by multiplying \$100.00 by the percentage change in the CPI since January 1, 2020, to January 1 of the year that a written notice is delivered to the Owner by the City pursuant to section 6.1 of this Agreement. In the absence of obvious error or mistake, any calculation by the City of the Daily Amount in any particular year will be final and conclusive;
- (m) **"Development"** means the mixed-use residential and commercial development to be constructed on the Lands, including the Affordable Housing Building;
- (n) **"Development Permit"** means the development permit authorizing development on the Lands, or any portion(s) thereof;
- (o) **"Dwelling Unit"** means a residential dwelling unit or units located or to be located on the Lands whether those dwelling units are lots, strata lots or parcels, or parts or portions thereof, and includes single family detached dwellings, duplexes, townhouses, auxiliary residential dwelling units, rental apartments and strata lots in a building strata plan;
- (p) "Eligible Tenant" means a Family having a cumulative gross annual income of:
  - (i) in respect to a studio unit, \$34,650.00 or less;
  - (ii) in respect to a one-bedroom unit, \$38,250.00 or less;
  - (iii) in respect to a two-bedroom unit, \$46,800.00 or less; and
  - (iv) in respect to a three or more bedroom unit, \$58,050.00 or less,

provided that, commencing January 1, 2021, the annual incomes set-out above will be adjusted annually on January 1<sup>st</sup> of each year this Agreement is in force and effect, by a percentage equal to the percentage of the increase in the CPI for the period January 1 to December 31 of the immediately preceding calendar year. If there is a decrease in the CPI for the period January 1 to December 31 of the annual incomes set-out above for the subsequent year will remain unchanged from the previous year. In the absence of obvious error or mistake, any calculation by the City of an Eligible Tenant's permitted income in any particular year will be final and conclusive;

- (q) **"Family"** means:
  - (i) a person;
  - (ii) two or more persons related by blood, marriage or adoption; or
  - (iii) a group of not more than 6 persons who are not related by blood, marriage or adoption;

Housing Agreement (Section 483 Local Government Act) 5740, 5760 and 5800 Minoru Boulevard Application No. RZ 18-807640

#### {00665960; 6 }

- (r) "GST" means the Goods and Services Tax levied pursuant to the *Excise Tax Act*, R.S.C., 1985, c. E-15, as may be replaced or amended from time to time;
- (s) **"Housing Covenant"** means the agreements, covenants and charges granted by the Owner to the City (which includes covenants pursuant to section 219 of the *Land Title Act*) charging the Lands from time to time, in respect to the use and transfer of the Affordable Housing Units;
- (t) *"Interpretation Act"* means the *Interpretation Act*, R.S.B.C. 1996, Chapter 238, together with all amendments thereto and replacements thereof;
- (u) *"Land Title Act"* means the *Land Title Act*, R.S.B.C. 1996, Chapter 250, together with all amendments thereto and replacements thereof;

"Lands" means the lands and premises legally described as , including a building or a portion of a building, or any part into which said lands are Subdivided; [NTD: this is to include post-consolidation/subdivision lands, excluding roads and City park lot]

- (v) *"Local Government Act"* means the *Local Government Act*, R.S.B.C. 2015, Chapter 1, together with all amendments thereto and replacements thereof;
- (w) "LTO" means the New Westminster Land Title Office or its successor;
- (x) "Non-Profit Organization" means a non-profit organization acceptable to the City which has as one of its prime objectives the operation of affordable housing within the Province of British Columbia;
- (y) "Owner" means the party described on page 1 of this Agreement as the Owner and any subsequent owner of the Lands or of any part into which the Lands are Subdivided, and includes any person who is a registered owner in fee simple of an Affordable Housing Unit from time to time;
- (z) "**Permitted Rent**" means no greater than:
  - (i) \$811.00 (exclusive of GST) a month for a studio unit;
  - (ii) \$975.00 (exclusive of GST) a month for a one-bedroom unit;
  - (iii) \$1,218.00 (exclusive of GST) a month for a two-bedroom unit; and
  - (iv) \$1,480.00 (exclusive of GST) a month for a three (or more) bedroom unit,

provided that, commencing January 1, 2021, the rents set-out above will be adjusted annually on January  $1^{st}$  of each year this Agreement is in force and effect, by a percentage equal to the percentage of the increase in the CPI for the period January 1 to December 31 of the immediately preceding calendar year. In

{00665960; 6 }

the event that, in applying the values set-out above, the rental increase is at any time greater than the rental increase permitted by the *Residential Tenancy Act*, then the increase will be reduced to the maximum amount permitted by the *Residential Tenancy Act*. If there is a decrease in the CPI for the period January 1 to December 31 of the immediately preceding calendar year, the permitted rents set-out above for the subsequent year will remain unchanged from the previous year. In the absence of obvious error or mistake, any calculation by the City of the Permitted Rent in any particular year will be final and conclusive;

- (aa) "*Real Estate Development Marketing Act*" means the *Real Estate Development Marketing Act*, S.B.C. 2004, Chapter 41, together with all amendments thereto and replacements thereof;
- (bb) *"Residential Tenancy Act"* means the *Residential Tenancy Act*, S.B.C. 2002, Chapter 78, together with all amendments thereto and replacements thereof;
- (cc) *"Strata Property Act"* means the *Strata Property Act* S.B.C. 1998, Chapter 43, together with all amendments thereto and replacements thereof;
- (dd) **"Subdivide"** means to divide, apportion, consolidate or subdivide the Lands, or the ownership or right to possession or occupation of the Lands into two or more lots, strata lots, parcels, parts, portions or shares, whether by plan, descriptive words or otherwise, under the *Land Title Act*, the *Strata Property Act*, or otherwise, and includes the creation, conversion, organization or development of "cooperative interests" or "shared interest in land" as defined in the *Real Estate Development Marketing Act*;
- (ee) **"Tenancy Agreement"** means a tenancy agreement, lease, license or other agreement granting rights to occupy an Affordable Housing Unit; and
- (ff) **"Tenant"** means an occupant of an Affordable Housing Unit by way of a Tenancy Agreement.
- 1.2 In this Agreement:
  - (a) reference to the singular includes a reference to the plural, and *vice versa*, unless the context requires otherwise;
  - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - (c) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
  - (d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;

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- (e) any reference to any enactment is to the enactment in force on the date the Owner signs this Agreement, and to subsequent amendments to or replacements of the enactment;
- (f) the provisions of section 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (g) time is of the essence;
- (h) all provisions are to be interpreted as always speaking;
- (i) reference to a "party" is a reference to a party to this Agreement and to that party's respective successors, assigns, trustees, administrators and receivers. Wherever the context so requires, reference to a "party" also includes an Eligible Tenant, agent, officer and invitee of the party;
- (j) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided; and
- (k) where the word "including" is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word "including".

#### ARTICLE 2

### **USE AND OCCUPANCY OF AFFORDABLE HOUSING UNITS**

- 2.1 The Owner agrees that each Affordable Housing Unit may only be used as a permanent residence occupied by one Eligible Tenant at Permitted Rent. An Affordable Housing Unit must not be occupied by the Owner, the Owner's family members (unless the Owner's family members qualify as Eligible Tenants), or any tenant or guest of the Owner, other than an Eligible Tenant. For the purposes of this Article, "permanent residence" means that the Affordable Housing Unit is used as the usual, main, regular, habitual, principal residence, abode or home of the Eligible Tenant.
- 2.2 Within 30 days after receiving notice from the City, the Owner will, in respect of each Affordable Housing Unit, provide to the City a statutory declaration, substantially in the form (with, in the City Solicitor's discretion, such further amendments or additions as deemed necessary) attached as Schedule A, sworn by the Owner (or in the case of a corporate owner the director, officer or authorized signatory of the Owner), containing all of the information required to complete the statutory declaration. The City may request such statutory declaration in respect to each Affordable Housing Unit no more than once in any calendar year; provided, however, notwithstanding that the Owner may have already provided such statutory declaration in the particular calendar year, the City may request and the Owner will provide to the City such further statutory declarations as requested by the City in respect to an Affordable Housing Unit if the City reasonably believes that the Owner is in breach of any of its obligations under this Agreement.

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- 2.3 The Owner hereby irrevocably authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 2.4 The Owner agrees that notwithstanding that the Owner may otherwise be entitled, the Owner will not:
  - (a) be issued with a Development Permit unless:
    - (i) the Development Permit includes the Affordable Housing Units;
    - (ii) the Development Permit includes the design for the Affordable Housing Building, to the satisfaction of the City;
    - (iii) the Development Permit includes the design for the Affordable Housing Building Amenity, the Common Indoor Amenity and the Common Outdoor Amenity, all the satisfaction of the City; and
    - (iv) the Owner has delivered to the City a memorandum of understanding with a Non-Profit Organization intended to operate the Affordable Housing Units pursuant to section 3.5, demonstrating, at the minimum, that the Non-Profit Organization supports the design and features of the proposed Affordable Housing Building;
  - (b) be issued with a Building Permit unless:
    - (i) the Building Permit includes the Affordable Housing Units; and
    - (ii) the Building Permit includes the Affordable Housing Building, the Affordable Housing Building Amenity, the Common Indoor Amenity and the Common Outdoor Amenity; and
    - (iii) the Building Permit shows that the Affordable Housing Building is integrated with the Development, to the satisfaction of the City;
  - (c) request final inspection permitting occupancy, nor occupy, nor permit any person to occupy any residential portion of the Development, in whole or in part, until all of the following conditions are satisfied:
    - the Affordable Housing Building, including the Affordable Housing Building Amenity, and related uses and areas have been constructed to the satisfaction of the City, and have received final building permit inspection granting occupancy;
    - (ii) all the Affordable Housing Units in the Development have been constructed to the satisfaction of the City, and have received final building permit inspection granting occupancy;

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(iii) the Owner is not otherwise in breach of any of its obligations under this Agreement or any other agreement between the City and the Owner in connection with the development of the Lands.

If and to the extent that the Housing Covenant contemplates staged construction and occupancy of the Affordable Housing Units, the Affordable Housing Building, or any of the associated features, the Housing Covenant will govern.

#### ARTICLE 3

### DISPOSITION AND ACQUISITION OF AFFORDABLE HOUSING UNITS

- 3.1 The Owner will not permit an Affordable Housing Unit to be subleased, or the Affordable Housing Unit Tenancy Agreement to be assigned, except as required under the *Residential Tenancy Act*.
- 3.2 The Owner will not permit an Affordable Housing Unit to be used for short term rental purposes (being rentals for periods shorter than 30 days), or any other purposes that do not constitute a "permanent residence" of a Tenant or an Eligible Tenant.
- 3.3 If this Housing Agreement encumbers more than one Affordable Housing Unit, the following will apply:
  - (a) the Owner will not, without the prior written consent of the City, sell or transfer less than <u>all the Affordable Housing Units in the Development</u> in a single or related series of transactions, with the result that when the purchaser or transferee of the Affordable Housing Units becomes the owner, the purchaser or transferee will be the legal and beneficial owner of not less than <u>all the Affordable Housing</u> Units in the Development;
  - (b) the Lands will not be Subdivided such that one or more Affordable Housing Units form their own air space parcel, separate from other Dwelling Units, without the prior written consent of the City.

Without limiting the foregoing, it is anticipated that all of the Affordable Housing Units will be located in the Affordable Housing Building which will be subdivided from the Development as a separate air space parcel, subject to the City's prior written consent to the proposed subdivision, reciprocal access rights and cost sharing obligations of the proposed air space parcel; and

- (c) the Affordable Housing Building will not be Subdivided pursuant to *Strata Property Act*, or otherwise, without the prior written consent of the City.
- 3.4 Subject to the requirements of the *Residential Tenancy Act*, the Owner will ensure that each Tenancy Agreement:
  - (a) includes the following provision:

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"By entering into this Tenancy Agreement, the Tenant hereby consents and agrees to the collection of the below-listed personal information by the Landlord and/or any operator or manager engaged by the Landlord and the disclosure by the Landlord and/or any operator or manager engaged by the Landlord to the City and/or the Landlord, as the case may be, of the following personal information which information will be used by the City to verify and ensure compliance by the Owner with the City's strategy, policies and requirements with respect to the provision and administration of affordable housing within the municipality and for no other purpose, each month during the Tenant's occupation of the Affordable Housing Unit:

- (i) a statement of gross annual income from all sources (including employment, disability, retirement, investment, and other) of all members of the Tenant's household who are 18 years of age and over and who reside in the Affordable Housing Unit;
- (ii) number of occupants of the Affordable Housing Unit;
- (iii) number of occupants of the Affordable Housing Unit 18 years of age and under; and
- (iv) number of occupants of the Affordable Housing Unit 55 years of age and over."
- (b) defines the term "Landlord" as the Owner of the Affordable Housing Unit; and
- (c) includes a provision requiring the Tenant and each permitted occupant of the Affordable Housing Unit to comply with this Agreement.
- 3.5 At all times that this Agreement encumbers the Lands, the Owner shall retain and maintain in place a Non-Profit Organization to operate and manage all of the Affordable Housing Units, the Affordable Housing Building and the Affordable Housing Building Amenity, all in accordance with this Agreement and in accordance with the Housing Covenant. All Affordable Housing Units must be managed and operated by one Non-Profit Organization. At the request of the City, from time to time, the Owner shall deliver to the City a copy the agreement (fully signed and current) with the Non-Profit Organization, to evidence the Owner's compliance with this Section 3.5.
- 3.6 If the Owner sells or transfers the Affordable Housing Units (pursuant to section 3.3), the Owner will notify the City Solicitor of the sale or transfer within 3 days of the effective date of sale or transfer.
- 3.7 The Owner will not rent, lease, license or otherwise permit occupancy of any Affordable Housing Unit except to an Eligible Tenant and except in accordance with the following additional conditions:
  - (a) the Affordable Housing Unit will be used or occupied only pursuant to a Tenancy Agreement;

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- (b) the monthly rent payable for the Affordable Housing Unit will not exceed the Permitted Rent applicable to that class of Affordable Housing Unit;
- (c) the Owner will allow the Tenant and any permitted occupant and visitor to have full access to use and enjoy the Common Indoor Amenity and the Common Outdoor Amenity, on the same basis as all residential occupants of the Development;
- (d) the Owner will allow the Tenant and any permitted occupant and visitor to have full access to use and enjoy the Affordable Housing Building Amenity, and all other features and amenities designated in the Development Permit for the exclusive use of Affordable Housing Units, on the same basis as all occupants of Affordable Housing Units;
- (e) the Owner will not require the Tenant or any permitted occupant to pay any of the following:
  - (i) move-in/move-out fees;
  - (ii) strata fees;
  - (iii) strata property contingency reserve fees;
  - (iv) any fees and charges for the use of parking spaces assigned for the exclusive use of the Affordable Housing Unit;
  - (v) except as expressly set out in paragraph (x), any fees and charges for the use of any indoor or outdoor common areas, facilities or amenities, including: the Affordable Housing Building Amenity, the Common Indoor Amenity, the Common Outdoor Amenity, guest suites (if any), parking, loading, bicycle storage, electric vehicle charging stations or related facilities;
  - (vi) any fees and charges for the use of sanitary sewer, storm sewer, water; or
  - (vii) property or similar tax;

provided, however, that the Owner may charge the Tenant the Owner's cost of the following, unless included in strata fees (if applicable):

- (viii) providing cable television, telephone, other telecommunications, or electricity fees (including electricity fees and charges associated with the Tenant's use of electrical vehicle and/or bicycle charging infrastructure);
- (ix) installing electric vehicle and/or bicycle charging infrastructure (in excess of that pre-installed by the Owner at the time of construction of the building), by or on behalf of the Tenant; and

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- (x) security and fees for the use of any guest suites (if any), provided that such charges are the same as payable by other residential occupants of the Development.
- (f) subject to any contrary provisions in the *Residential Tenancy Act*, the Owner will include in the Tenancy Agreement a clause entitling the Owner to terminate the Tenancy Agreement if:
  - (i) an Affordable Housing Unit is occupied by a person or persons other than an Eligible Tenant;
  - (ii) the annual income of an Eligible Tenant rises above the applicable maximum amount specified in section 1.1(p) of this Agreement;
  - (iii) the Affordable Housing Unit is occupied by more than the number of people the City's building inspector determines can reside in the Affordable Housing Unit given the number and size of bedrooms in the Affordable Housing Unit and in light of any relevant standards set by the City in any bylaws of the City;
  - (iv) the Affordable Housing Unit remains vacant for three consecutive months or longer, notwithstanding the timely payment of rent; or
  - (v) the Tenant subleases the Affordable Housing Unit or assigns the Tenancy Agreement in whole or in part,

and in the case of each breach, subject to any contrary provisions in the *Residential Tenancy Act*, the Owner hereby agrees with the City to forthwith provide to the Tenant a notice of termination. Except for paragraph (f)(ii), above *[Termination of Tenancy Agreement if Annual Income of Tenant rises above amount prescribed in section 1.1(p) of this Agreement]*, the notice of termination will provide that the termination of the tenancy will be effective two months following the date of the notice of termination. In respect to paragraph (f)(ii), above, termination will be effective on the day that is six months following the date that the notice of termination to the Tenant;

- (g) the Tenancy Agreement will identify all occupants of the Affordable Housing Unit and will stipulate that anyone not identified in the Tenancy Agreement will be prohibited from residing at the Affordable Housing Unit for more than 30 consecutive days or more than 45 days total in any calendar year; and
- (h) the Owner will forthwith deliver a certified true copy of the Tenancy Agreement to the City upon demand.
- 3.8 The Owner will not impose any age-based restrictions on Tenants of Affordable Housing Units.

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- 3.9 The Owner will include in the Tenancy Agreement a clause requiring the Tenant and each permitted occupant of the Affordable Housing Unit to comply with this Agreement. This requirement will not lessen the Owner's obligations under this Agreement, or be deemed a delegation of the Owner's obligations under this Agreement.
- 3.10 The Owner will attach a copy of this Agreement to every Tenancy Agreement.
- 3.11 If the Owner has terminated the Tenancy Agreement, then the Owner will use commercially reasonable efforts to cause the Tenant and all other persons that may be in occupation of the Affordable Housing Unit, as applicable, to vacate the Affordable Housing Unit on or before the effective date of termination.

#### ARTICLE 4 DEMOLITION OF AFFORDABLE HOUSING UNIT

- 4.1 The Owner will not demolish an Affordable Housing Unit unless:
  - (a) the Owner has obtained the written opinion of a professional engineer or architect who is at arm's length to the Owner that it is no longer reasonable or practical to repair or replace any structural component of the Affordable Housing Unit, and the Owner has delivered to the City a copy of the engineer's or architect's report; or
  - (b) the Owner has obtained the written opinion of a professional engineer or architect who is at arm's length to the Owner that the Affordable Housing Unit is damaged or destroyed, to the extent of 40% or more of its value above its foundations,

and, in each case, a demolition permit for the Affordable Housing Unit, as applicable, has been issued by the City and the Affordable Housing Unit, as applicable, has been demolished under that permit.

Following demolition, the Owner will use and occupy any replacement Dwelling Unit in compliance with this Agreement and the Housing Covenant both of which will apply to any replacement Dwelling Unit to the same extent and in the same manner as those agreements apply to the original Dwelling Unit, and the Dwelling Unit must be approved by the City as an Affordable Housing Unit in accordance with this Agreement.

### ARTICLE 5 STRATA CORPORATION BYLAWS

- 5.1 This Agreement will be binding upon all strata corporations created upon the strata title Subdivision of the Lands or any Subdivided parcel of the Lands.
- 5.2 Any strata corporation bylaw which prevents, restricts or abridges the right to use the Affordable Housing Units as affordable rental accommodation, imposes age-based restrictions on Tenants of Affordable Housing Units, or is otherwise inconsistent with this Agreement, will have no force and effect.

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- 5.3 No strata corporation will pass any bylaws preventing, restricting or abridging the use of the Affordable Housing Units as affordable rental accommodation in accordance with this Agreement.
- 5.4 No strata corporation will pass any bylaw or approve any levies which would result in only the Owner or the Tenant or any other permitted occupant of an Affordable Housing Unit (and not include all the owners, tenants, or any other permitted occupants of all the strata lots in the applicable strata plan which are not Affordable Housing Units) paying any extra charges or fees for the use of any common property, limited common property or other common areas, facilities, or indoor or outdoor amenities of the strata corporation contrary to section 3.7.
- 5.5 No strata corporation will pass any bylaws or approve any levies, charges or fees which would result in the Owner or the Tenant or any other permitted occupant of an Affordable Housing Unit paying for the use of parking, bicycle storage, electric vehicle and/or bicycle charging stations or related facilities contrary to section 3.7. Notwithstanding the foregoing, the strata corporation may levy parking, bicycle storage, electric vehicle and/or bicycle charging stations or other related facilities charges or fees on all the other owners, tenants, any other permitted occupants or visitors of all the strata lots in the applicable strata plan which are not Affordable Housing Units. For greater certainty, electricity fees and charges associated with the Owner or the Tenant's use of electrical vehicle and/or bicycle charging infrastructure are excluded from this provision.
- 5.6 The strata corporation will not pass any bylaw or make any rule which would restrict the Owner or the Tenant or any other permitted occupant of an Affordable Housing Unit from using and enjoying any common property, limited common property or other common areas, facilities or amenities of the strata corporation, including parking, bicycle storage, electric vehicle and/or bicycle charging stations or related facilities, except on the same basis that governs the use and enjoyment of these facilities by all the owners, tenants, or any other permitted occupants of all the strata lots in the same strata plan as the Affordable Housing Unit.

### ARTICLE 6 DEFAULT AND REMEDIES

- 6.1 The Owner agrees that, in addition to any other remedies available to the City under this Agreement or the Housing Covenant or at law or in equity, if:
  - (a) an Affordable Housing Unit is used or occupied in breach of this Agreement or rented at a rate in excess of the Permitted Rent; or
  - (b) the Owner is otherwise in breach of any of its obligations under this Agreement or the Housing Covenant,

then the Owner will pay the Daily Amount to the City for every day that the breach continues after 45 days written notice from the City to the Owner stating the particulars of the breach. For greater certainty, the City is not entitled to give written notice with {00665960; 6 } {00666960; 6 } {00666960; 6 } {00666960; 6 } {00666960; 6

respect to any breach of the Agreement until any applicable cure period, if any, has expired. The Daily Amount is due and payable five business days following receipt by the Owner of an invoice from the City for the same.

6.2 The Owner acknowledges and agrees that a default by the Owner of any of its promises, covenants, representations or warranties set out in the Housing Covenant will also constitute a default under this Agreement.

### ARTICLE 7 MISCELLANEOUS

#### 7.1 Housing Agreement

The Owner acknowledges and agrees that:

- (a) this Agreement includes a housing agreement entered into under section 483 of the *Local Government Act*;
- (b) where an Affordable Housing Unit is a separate legal parcel the City may file notice of this Agreement in the LTO against the title to the Affordable Housing Unit and, in the case of a strata corporation, may note this Agreement on the index of the common property of the strata corporation stored in the LTO and on title to all strata lots in the Development (including Affordable Housing Units and non-Affordable Housing Units);
- (c) where the Lands have not yet been Subdivided to create the separate parcels to be charged by this Agreement, the City may file a notice of this Agreement in the LTO against the title to the Lands;
- (d) if the Lands are Subdivided pursuant to the *Land Title Act* (including standard and air space parcels), this Agreement will secure only the legal parcels which contain the Affordable Housing Units. The City will partially discharge this Agreement accordingly, provided however that:
  - the City has no obligation to execute such discharge until a written request therefor from the Owners is received by the City, which request includes the registrable form of discharge;
  - (ii) the cost of the preparation of the aforesaid discharge, and the cost of registration of the same in the Land Title Office is paid by the Owners;
  - (iii) the City has a reasonable time within which to execute the discharge and return the same to the Owners for registration; and
  - (iv) the Owners acknowledge that such discharge is without prejudice to the indemnity and release set forth in Section 7.5.

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Notwithstanding a partial discharge of this Agreement, this Agreement will be and remain in full force and effect and, but for the partial discharge, otherwise unamended;

- (e) if the Lands, or a portion of the Lands, containing the Affordable Housing Units is Subdivided pursuant to the *Strata Property Act*, this Agreement will remain noted on the common property sheet of the strata corporation stored in the LTO and on title to all strata lots which are Affordable Housing Units; and
- (f) if the Lands, or a portion of the Lands, containing the Affordable Housing Units is Subdivided in any manner not contemplated in paragraph (d) or (e), this Agreement will remain on title to interests into which the Lands are subdivided.

#### 7.2 No Compensation

The Owner acknowledges and agrees that no compensation is payable, and the Owner is not entitled to and will not claim any compensation from the City, for any decrease in the market value of the Lands or for any obligations on the part of the Owner and its successors in title which at any time may result directly or indirectly from the operation of this Agreement.

#### 7.3 Modification

This Agreement may be modified or amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.

#### 7.4 Management

The Owner will furnish good and efficient management of the Affordable Housing Units and will permit representatives of the City to inspect the Affordable Housing Units at any reasonable time, subject to the notice provisions in the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Affordable Housing Units in a good state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Lands. At the request of the City, the Owner will, at the Owner's expense, hire a person or company with the skill and expertise to manage the Affordable Housing Units.

#### 7.5 Indemnity

The Owner will indemnify and save harmless the City and each of its elected officials, officers, directors, and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:

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- (a) any negligent act or omission of the Owner, or its officers, directors, agents, contractors or other persons for whom at law the Owner is responsible relating to this Agreement;
- (b) the City refusing to issue a development permit, building permit or refusing to permit occupancy of any building, or any portion thereof, constructed on the Lands;
- (c) the construction, maintenance, repair, ownership, lease, license, operation, management or financing of the Lands or any Affordable Housing Unit or the enforcement of any Tenancy Agreement; and/or
- (d) without limitation, any legal or equitable wrong on the part of the Owner or any breach of this Agreement by the Owner.

### 7.6 Release

The Owner hereby releases and forever discharges the City and each of its elected officials, officers, directors, and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of or which would or could not occur but for the:

- (a) construction, maintenance, repair, ownership, lease, license, operation or management of the Lands or any Affordable Housing Unit under this Agreement;
- (b) the City refusing to issue a development permit, building permit or refusing to permit occupancy of any building, or any portion thereof, constructed on the Lands; and/or
- (c) the exercise by the City of any of its rights under this Agreement or an enactment.

### 7.7 Survival

The obligations of the Owner set out in this Agreement will survive termination or discharge of this Agreement.

#### 7.8 **Priority**

The Owner will do everything necessary, at the Owner's expense, to ensure that this Agreement, if required by the City Solicitor, will be noted against title to the Lands in priority to all financial charges and encumbrances which may have been registered or are pending registration against title to the Lands save and except those specifically approved in advance in writing by the City Solicitor or in favour of the City, and that a notice under section 483(5) of the *Local Government Act* will be filed on the title to the Lands.

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### 7.9 City's Powers Unaffected

This Agreement does not:

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Lands;
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
- (c) affect or limit any enactment relating to the use or subdivision of the Lands; or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Lands.

### 7.10 Agreement for Benefit of City Only

The Owner and the City agree that:

- (a) this Agreement is entered into only for the benefit of the City;
- (b) this Agreement is not intended to protect the interests of the Owner, any Tenant, or any future owner, lessee, occupier or user of the Lands or the building or any portion thereof, including any Affordable Housing Unit; and
- (c) the City may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.

### 7.11 No Public Law Duty

Where the City is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the City is under no public law duty of fairness or natural justice in that regard and agrees that the City may do any of those things in the same manner as if it were a private party and not a public body.

### 7.12 **Notice**

Any notice required to be served or given to a party herein pursuant to this Agreement will be sufficiently served or given if delivered, to the postal address of the Owner set out in the records at the LTO, and in the case of the City addressed:

To: Clerk, City of Richmond 6911 No. 3 Road Richmond, BC V6Y 2C1

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And to: City Solicitor City of Richmond 6911 No. 3 Road Richmond, BC V6Y 2C1

or to the most recent postal address provided in a written notice given by each of the parties to the other. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery.

### 7.13 Enuring Effect

This Agreement will extend to and be binding upon and enure to the benefit of the parties hereto and their respective successors and permitted assigns.

### 7.14 Severability

If any provision of this Agreement is found to be invalid or unenforceable, such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.

### 7.15 Waiver

All remedies of the City will be cumulative and may be exercised by the City in any order or concurrently in case of any breach and each remedy may be exercised any number of times with respect to each breach. Waiver of or delay in the City exercising any or all remedies will not prevent the later exercise of any remedy for the same breach or any similar or different breach.

### 7.16 Sole Agreement

This Agreement, and any documents signed by the Owners contemplated by this Agreement (including, without limitation, the Housing Covenant), represent the whole agreement between the City and the Owner respecting the use and occupation of the Affordable Housing Units, and there are no warranties, representations, conditions or collateral agreements made by the City except as set forth in this Agreement. In the event of any conflict between this Agreement and the Housing Covenant, except as outlined in Section 2.4 hereof where the Housing Covenant prevails, this Agreement will, to the extent necessary to resolve such conflict, prevail.

### 7.17 **Further Assurance**

Upon request by the City the Owner will forthwith do such acts and execute such documents as may be reasonably necessary in the opinion of the City to give effect to this Agreement.

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### 7.18 Covenant Runs with the Lands

This Agreement burdens and runs with the Lands and every parcel into which it is Subdivided in perpetuity. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its personal administrators, successors and assigns, and all persons who after the date of this Agreement, acquire an interest in the Lands.

### 7.19 Equitable Remedies

The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for any breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.

### 7.20 No Joint Venture

Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.

### 7.21 Applicable Law

Unless the context otherwise requires, the laws of British Columbia (including, without limitation, the *Residential Tenancy Act*) will apply to this Agreement and all statutes referred to herein are enactments of the Province of British Columbia.

### 7.22 **Deed and Contract**

By executing and delivering this Agreement the Owner intends to create both a contract and a deed executed and delivered under seal.

### 7.23 Joint and Several

If the Owner is comprised of more than one person, firm or body corporate, then the covenants, agreements and obligations of the Owner will be joint and several.

### 7.23 Limitation on Owner's Obligations

The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands provided however that notwithstanding that the Owner is no longer the registered owner of the Lands, the Owner will remain liable for breaches of this Agreement that occurred while the Owner was the registered owner of the Lands.

**IN WITNESS WHEREOF** the parties hereto have executed this Agreement as of the day and year first above written.

MINORU VIEW HOMES LTD.by its authorized signatory(ies):

Per: \_\_\_\_\_\_Name:

Per:

Name:

**CITY OF RICHMOND** by its authorized signatory(ies):

Per:

Malcolm D. Brodie, Mayor

Per:

Claudia Jesson, Corporate Officer

CITY OF RICHMOND APPROVED for content by originating dept. APPROVED for legality by Solicitor DATE OF COUNCIL APPROVAL

Housing Agreement (Section 483 Local Government Act) 5740, 5760 and 5800 Minoru Boulevard Application No. RZ 18-807640

{00665960; 6 }

#### Schedule A to Housing Agreement

#### STATUTORY DECLARATION (Affordable Housing Units)

	<ul> <li>IN THE MATTER OF Unit Nos</li> <li>(collectively, the "Affordable Housing Units") located</li> </ul>
CANADA	) at
PROVINCE OF BRITISH COLUMBIA	<ul> <li><i>(street address)</i>, British Columbia, and Housing</li> <li>Agreement dated, 20 (the</li> </ul>
TO WIT:	) "Housing Agreement") between
	<ul> <li>the City of Richmond (the "City")</li> </ul>

]	I,	(full name),
(	of	(address) in the Province

of British Columbia, DO SOLEMNLY DECLARE that:

- 1.  $\Box$  I am the registered owner (the "**Owner**") of the Affordable Housing Units; *or*,
  - □ I am a director, officer, or an authorized signatory of the Owner and I have personal knowledge of the matters set out herein;
- 2. This declaration is made pursuant to the terms of the Housing Agreement in respect of the Affordable Housing Units for each of the 12 months for the period from January 1, 20\_\_\_\_\_ to December 31, 20\_\_\_\_\_ (the "**Period**");
- 3. To the best of my knowledge, continuously throughout the Period:
  - a) the Affordable Housing Units, if occupied, were occupied only by Eligible Tenants (as defined in the Housing Agreement); and
  - b) the Owner of the Affordable Housing Units complied with the Owner's obligations under the Housing Agreement and any housing covenant(s) registered against title to

{00665960; 6 }

Housing Agreement (Section 483 Local Government Act) 5740, 5760 and 5800 Minoru Boulevard Application No. RZ 18-807640

the Affordable Housing Units;

- 4. To the best of my knowledge, the information set out in the table attached as Appendix A hereto (the "**Information Table**") in respect of each of the Affordable Housing Units is current and accurate as of the date of this declaration; and
- 5. The tenancy agreements entered into between the Owner and the respective occupants of the Affordable Housing Units contains the prior written consent from each of the occupants of the Affordable Housing Units named in the Information Table to: (i) collect the information set out in the Information Table, as such information relates to the Affordable Housing Unit occupied by such occupant/resident; and (ii) disclose such information to the City, for purposes of complying with the terms of the Housing Agreement.

And I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

)
)
)
) <i>(Signature of Declarant)</i> Name:
) ) )

Declarations should be signed, stamped, and dated and witnessed by a lawyer, notary public, or commissioner for taking affidavits.

{00665960; 6 }

Housing Agreement (Section 483 Local Government Act) 5740, 5760 and 5800 Minoru Boulevard Application No. RZ 18-807640

#### APPENDIX A (to Statutory Declaration) Information Table

	Unit#	Unit Type	# of Occupants	Related to Owner	# of Occupants 18 Years and Under	55 Years	Before-tax Employment Income (if Tenant is 18+ Years)	Other Income (if Tenant is 18+ Years)	Income Verification Received	Before-tax (gross) Income of all Tenants	Monthly Rent	Planned % Rent Increase in the Next Year	Parking Fees	Move- in/Move- out Fees	Storage Fees	Amenit Usage Fees
1										-						
2																
3													0			
4										-						
5																
		er: 5960485								}						

Housing Agreement (Section 483 Local Government Act) 5740, 5760 and 5800 Minoru Boulevard Application No. RZ 18-807640



- To: Planning Committee
- From: Wayne Craig Director, Development

Date: December 11, 2020 File: RZ 17-792242

Re: Application by Gradual Architecture Inc. for Rezoning at 6520 Williams Road from the "Single Detached (RS1/E)" Zone to the "Low Density Townhouses (RTL4)" Zone

#### **Staff Recommendation**

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10224, for the rezoning of 6520 Williams Road from the "Single Detached (RS1/E)" zone to the "Low Density Townhouses (RTL4)" zone, be introduced and given First Reading.

ague la

Wayne Craig Director, Development (604-247-4625)

WC:jr Att. 6

REPORT CONCURRENCE			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Affordable Housing		be Erceg	

#### Staff Report

#### Origin

Gradual Architecture Inc. on behalf of Londonpark Holdings Ltd. (Director Long Fei Liu) has applied to the City of Richmond for permission to rezone 6520 Williams Road from the "Single Detached (RS1/E)" zone to the "Low Density Townhouses (RTL4)" zone, to permit the development of eight townhouse units with vehicle access from Williams Road. A location map and aerial photo are provided in Attachment 1.

#### Findings of Fact

A Development Application Data Sheet providing details about the development proposal is provided in Attachment 2.

#### Subject Site Existing Housing Profile

The subject site currently contains a single-family dwelling, which does not contain a secondary suite. The existing dwelling would be demolished.

#### **Surrounding Development**

Development immediately surrounding the subject site is generally as follows:

- To the North: A single-family dwelling on a property zoned "Single Detached (RS1/C)" with vehicle access from Sheridan Road.
- To the South and West: Steveston London Secondary School and Park, on properties zoned "School and Institutional Use (SI)".
- To the East: A single-family dwelling on a property zoned "Single Detached (RS1/E)" with vehicle access from Williams Road. This property is part of a separate rezoning application including both 6560 and 6580 Williams Road (RZ 18-808261), which is currently under staff review. The proposed rezoning would permit development of townhouses with shared vehicle access from the subject site. A staff report on this application will be provided to Council for consideration upon the completion of the staff review.

#### **Related Policies & Studies**

#### Official Community Plan

The subject site is located in the Blundell planning area, and is designated "Neighbourhood Residential" in the Official Community Plan (OCP) (Attachment 3). Parks staff have confirmed that the subject property has not been identified for future acquisition. The proposed rezoning is consistent with this designation.

#### Arterial Road Policy

The subject site is located in an area governed by the Arterial Road Land Use Policy, and is designated "Arterial Road Townhouses". The minimum development site frontage on minor arterial roads, such as Williams Road, is 40 m (131 ft.). The subject site has a 36.6 m (120 ft.) frontage; however, the application is being considered based on consistency with the guiding principles of the Policy, provision of a shared access point for future development, and having not created an orphan development site to the east.

#### Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on title is required prior to final adoption of the rezoning bylaw.

#### Affordable Housing Strategy

The City's Affordable Housing Strategy requires a cash-in-lieu contribution of \$8.50 per buildable square foot towards the City's Affordable Housing Reserve Fund for all rezoning applications involving townhouses. A \$90,285 contribution is required prior to final adoption of the rezoning bylaw.

#### **Public Consultation**

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant First Reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

#### **School District**

This application was referred to School District No. 38 (Richmond) for general information as the subject site is immediately adjacent to a School District property. Staff have not received any comments or concerns from the School District to date.

#### Analysis

#### Urban Design and Site Planning

The applicant proposes eight units in two four-unit clusters arranged on either side of a central east-west drive aisle. The site plan and massing are generally consistent with the Development Permit Guidelines for Arterial Road Townhouses. Conceptual development plans are provided in Attachment 4.

The four units along Williams Road have direct pedestrian access to the sidewalk though landscaped front yards. All of the units are three storeys, with living space primarily located on the second and third storeys. Two of the units include a bedroom on the ground floor. The end units do not step down to two storeys as the west adjacency is an open park space, and a larger setback is provided on the east side yard interface with the neighbouring single-family dwelling. The guidelines suggest reducing building height to two storeys within 7.5 m of a side yard interface with single-family dwellings, and the proposed development provides a 7.9 m setback.

The four units at the rear of the property have pedestrian access from the drive aisle. As with the front units, the proposed rear units are all three storeys with living space primarily on the second and third storeys. Rear units in Arterial Road Townhouse developments are typically two-storey duplexes to provide a sensitive transition to adjacent single-family properties, however that is not a concern at this location due to the park and school interfaces. Interface with the single-family property to the east is accounted for through an 8.4 m side yard setback.

All of the units have private outdoor space at grade in the form of a landscaped front or rear yard. Four of the units would have a private outdoor space on a rooftop deck recessed within the structure of the roof. Two of the proposed decks overlook the interior drive aisle, and two overlook the school parking lot.

The shared outdoor amenity area is proposed at the rear of the site at the end of the drive aisle. The current concept includes a play structure for young children, bench seating, retention of a mature tree, and open lawn area. Detailed design and programming of the private and shared outdoor amenity areas will be reviewed through the Development Permit process.

#### Existing Legal Encumbrances

There is an existing 1.5 m wide statutory right-of-way (SRW) along the rear property line for the sanitary sewer. The applicant is aware that no construction or tree planting is permitted within the SRW area.

#### Transportation and Site Access

Vehicle access to the subject site is proposed from a driveway crossing to Williams Road. The driveway is aligned opposite Sheridan Road, creating a four-way intersection. This location is preferred by staff as it reduces the number of potential conflict points between vehicles and pedestrians. A cash-in-lieu contribution for upgrades to the existing pedestrian crossing is required prior to adoption of the rezoning bylaw.

The vehicle access will be shared with the future development to the east. A statutory right-of-way (SRW) for public rights-of-passage (PROP) will be registered on title prior to adoption of the rezoning bylaw. The future development will be required to provide an SRW on its own drive aisle, in order to accommodate vehicle maneuvering on-site.

In the interim, on-site vehicle maneuvering is accommodated by a turn-around area at the end of the drive aisle. Upon completion of the future development to the east, turning movement will be accommodated in the resulting T-shaped drive aisle, and the turn-around area will no longer be required. This area could be added to the shared outdoor amenity area if the turn-around area

is not required. Staff will work with the applicant to investigate potential concepts for the conversion of this area as part of the Development Permit review process.

Vehicle and bicycle parking for residents are provided consistent with Richmond Zoning Bylaw 8500, including Level 2 EV charging for all residential vehicle spaces. Each unit includes a two-car garage with space for Class 1 bicycle parking. Four of the units have parking spaces in a side-by-side arrangement, and four have parking spaces in a tandem arrangement. Prior to final adoption of the rezoning bylaw, a restrictive covenant is required to be registered on title prohibiting the conversion of the tandem garage area into habitable space.

Visitor parking is provided consistent with Richmond Zoning Bylaw 8500. Two visitor parking spaces are provided on the west side of the site, and Class 2 bicycle parking is provided adjacent to the driveway entrance.

A 0.1 m wide road dedication is required across the entire Williams Road frontage in order to accommodate the standard sidewalk and boulevard width. This road dedication is required prior to final adoption of the rezoning bylaw.

#### Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses four bylaw-sized trees on the subject property, one tree on a neighbouring property, and four street trees on City property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and supports the Arborist's findings, with the following comments:

- One Magnolia tree located on the development site (Tag # 5) is in good condition and is located in the proposed shared outdoor amenity area. This tree will be retained and protected.
- Two trees (Tag # 8 and 9) located on the development site are in good condition but in conflict with the proposed driveway. Two of these trees are located in the driveway connection to Williams Road, which must be aligned with Sheridan Road for traffic safety reasons.
- One tree (Tag # 7) located on the development site is in good condition but in conflict with the proposed turn-around area. This turning area is only necessary until the neighbouring property redevelops, at which point vehicle maneuvering would be accommodated within the driveway. This tree could be retained if the requirement for a turn-around area is removed and the driveway is shifted to provide a 2.5 m tree protection zone between the edge of the driveway and the trunk of the tree.
- One tree (Tag # 6) located on neighbouring property to be protected as per Arborist Report recommendation.
- Replacement trees should be specified at 2:1 ratio as per the Official Community Plan (OCP).

Parks staff have reviewed the Arborist's Report and support the recommendations, with the following comments:

- One tree (Tag # 1) located in the Williams Road frontage to be relocated as part of the frontage works. A \$5,000 Tree Survival Security is required.
- Three trees (Tag # 2, 3, and 4) located in London Steveston Park are to be retained and protected. A \$20,000 Tree Survival Security is required.

#### Tree Protection

One tree on the subject site (Tag # 5), one tree on a neighbouring property (Tag # 6), and four trees on City property (Tag # 1-4) are to be retained and protected. An additional tree on the subject site (Tag # 7) may be retained pending further review of the driveway design and necessity of the proposed turn-around area. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 5). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.
- Prior to adoption of the rezoning bylaw, submission to the City of a Tree Survival in the amount of \$35,000 (i.e., \$10,000 for the on-site tree and \$25,000 for City trees).

#### Tree Replacement

The applicant wishes to remove three on-site trees (Tag # 7, 8, and 9) due to conflicts with the proposed driveway, however staff will work with the applicant and the neighbouring development to determine if Tree # 7 can be successfully retained through modification to the driveway design should the adjacent development to the east proceed.

The 2:1 replacement ratio would require a total of six replacement trees. The preliminary landscape plan provides for 10 new trees. The landscape plan will be further reviewed as part of the Development Permit. The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree	
4	8 cm	4 m	

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	6 cm	3.5 m

#### Variance Requested

The proposed development is generally consistent with the "Low Density Townhouses (RTL4)" zone, except for the variances noted below (Staff comments in *bold italics*).

1. Decrease the minimum lot width from 40.0 m to 36.6 m.

Staff support the requested variance as the proposal is generally consistent with the guiding principles of the Arterial Road Land Use Policy and does not result in the creation of an orphan development site. The two properties to the east meet the minimum assembly size for Arterial Road Townhouses, and would share the driveway access to Williams Road with the subject site.

#### Townhouse Energy Efficiency and Renewable Energy

The proposed development consists of townhouses that staff anticipate would be designed and built in accordance with Part 9 of the BC Building Code. As such, this development would be required to achieve Step 3 of the BC Energy Step Code for Part 9 construction (Climate Zone 4). As part of a future Development Permit application, the applicant will be required to provide a report prepared by a Certified Energy Advisor which demonstrates that the proposed design and construction will meet or exceed these required standards.

#### Amenity Space

The applicant is proposing a cash contribution in-lieu of providing the required indoor amenity space on-site. The total cash contribution required for the proposed eight-unit townhouse development is \$14,152, based on \$1,769 per unit as per the current OCP rate and must be provided prior to rezoning adoption.

Outdoor amenity space is provided on site. Based on the preliminary design, the size of the proposed outdoor amenity space is consistent with the OCP minimum requirement of  $6 \text{ m}^2$  per unit. Staff will work with the applicant at the Development Permit stage to ensure the design of the outdoor amenity space meets the Development Permit Guidelines contained in the OCP.

#### **Development Permit Application**

Prior to final adoption of the rezoning bylaw, a Development Permit application is required to be processed to a satisfactory level. Through the Development Permit, the following issues are to be further examined:

- Compliance with Development Permit Guidelines for the form and character of multiple-family projects provided in the OCP.
- Refinement of the design to have end units fronting the adjacent park space.
- Review of the size and species of on-site trees to ensure bylaw compliance and to achieve an acceptable mix of coniferous and deciduous species on-site.

- Review of the proposed driveway design and requirement for a vehicle turn-around area, which may enable retention of Tree # 7.
- Refinement of the shared outdoor amenity area design, including the choice of play equipment, to create a safe and vibrant environment for children's play and social interaction.
- Review the long-term design of the temporary turn-around area, such as future conversion to additional outdoor amenity space.
- Review of relevant accessibility features for the one proposed convertible unit and aging-in-place design features in all units.
- Review of a sustainability strategy for the development proposal.

#### Site Servicing and Frontage Improvements

Prior to issuance of a Building Permit, the applicant is required to enter in to a Servicing Agreement for the design and construction of the required site servicing and frontage works, as described in Attachment 6. Frontage improvements include, but may not be limited to:

- Removal of the existing sidewalk and replacement with 1.5 m concrete sidewalk at the property line, 1.5 m landscaped boulevard, and 0.15 m concrete curb and gutter.
- Removal of the existing driveway crossing and replacement with frontage works as described above.

#### **Financial Impact**

This rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees, and traffic signals).

#### Conclusion

The purpose of this application is to rezone 6520 Williams Road from the "Single Detached (RS1/E)" zone to the "Low Density Townhouses (RTL4)" zone, to permit the development of eight townhouse units with vehicle access from Williams Road.

The proposed rezoning and ensuing development of the site is generally consistent with the land use designations and applicable policies contained in the Official Community Plan (OCP) for the subject site. Further review of the project design will be completed as part of the Development Permit application review process.

The list of rezoning considerations is included in Attachment 6, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10224 be introduced and given First Reading.

- 9 -

Jordan Rockerbie Planner 1 (604-276-4092)

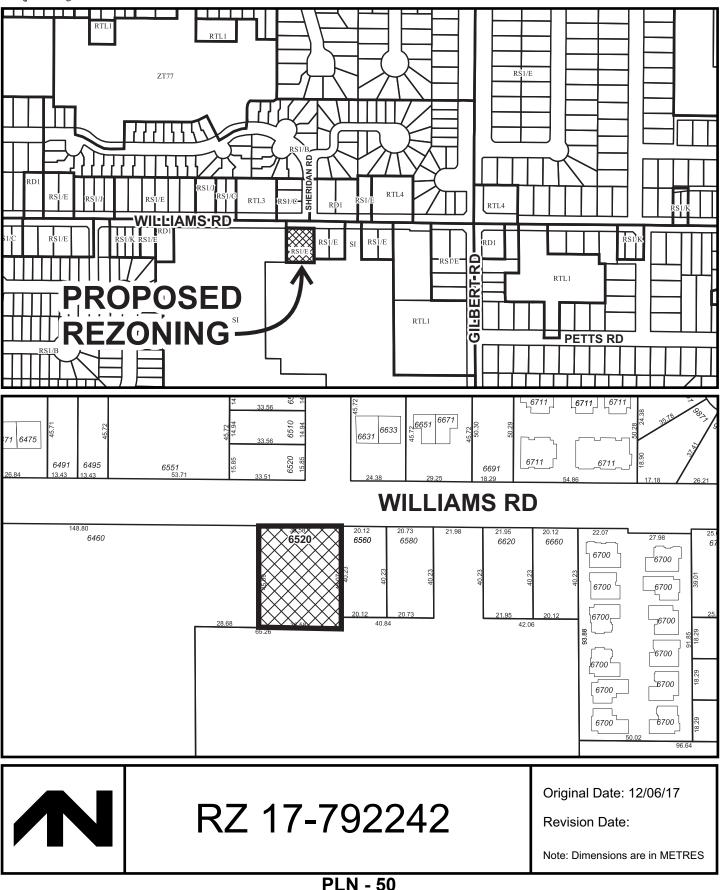
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Attachments:

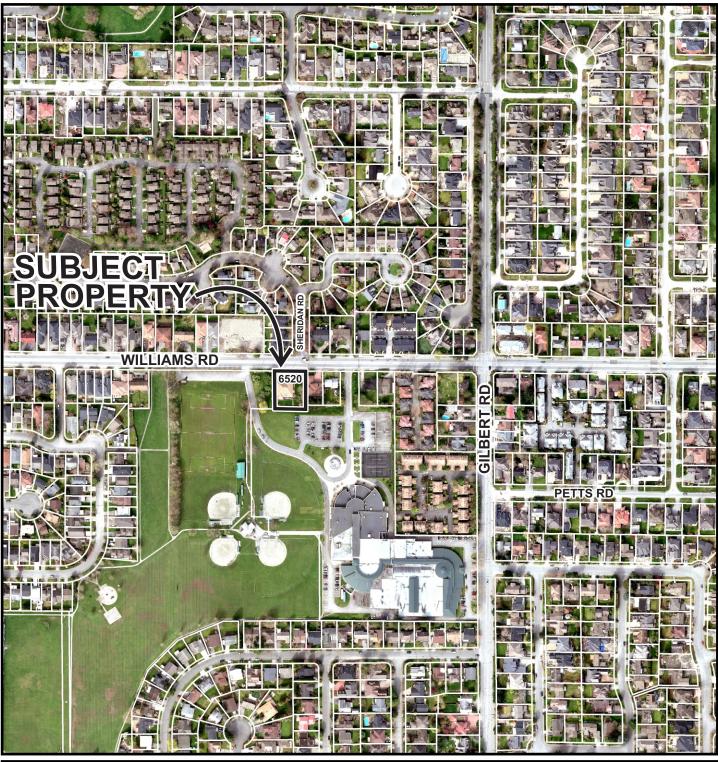
- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Blundell Area Land Use Map
- Attachment 4: Conceptual Development Plans
- Attachment 5: Tree Retention Plan

Attachment 6: Rezoning Considerations











RZ 17-792242

Original Date: 12/06/17

Revision Date:

Note: Dimensions are in METRES



# **Development Application Data Sheet**

**Development Applications Department** 

## RZ 17-792242

Address: 6520 Williams Road

Applicant: Gradual Architecture Inc.

Planning Area(s): Blundell

	Existing	Proposed
Owner:	Londonpark Holdings Ltd. (Director Long Fei Liu)	To be determined
Site Size (m <sup>2</sup> ):	1,648.1 m <sup>2</sup>	1,644.6 m <sup>2</sup>
Land Uses:	Single-family	Townhouses
OCP Designation:	Neighbourhood Residential	No change
Zoning:	Single Detached (RS1/E)	Low Density Townhouses (RTL4)
Number of Units:	One single-family dwelling	Eight townhouse dwellings

On Future Development Site	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60	0.60	None permitted
Buildable Floor Area (m <sup>2</sup> ):*	Max. 986.8 m <sup>2</sup> (10,622 ft <sup>2</sup> )	986.8 m² (10,622 ft²)	None
Lot Coverage (% of lot area):	Building: Max. 40% Non-porous Surfaces: Max. 65% Live Landscaping: Min. 25%	Building: 36.4% Non-porous Surfaces: 64.9% Live Landscaping: Min. 25%	None
Lot Size:	No minimum	1,644.6 m <sup>2</sup>	None
Lot Dimensions (m):	Width: 40 m Depth: 35 m	Width: 36.6 m Depth: 45 m	Vary lot width by 3.4 m
Setbacks (m):	Front: Min. 6.0 m Rear: Min. 3.0 m West Side: Min. 3.0 m East Side: Min. 3.0 m	Front: 6.1 m Rear: 4.8 m West Side: 3.1 m East Side: 7.9 m	None
Height (m):	Max. 12.0 m	11.43 m	None
Off-street Parking Spaces – Regular (R) / Visitor (V):	2 (R) and 0.2 (V) per unit	2 (R) and 0.2 (V) per unit	None
Off-street Parking Spaces – Total:	20 (R) and 2 (V)	20 (R) and 2 (V)	None
Tandem Parking Spaces:	Permitted – Maximum of 50% of required spaces	8 (50%)	None
Small Parking Spaces	Small Parking SpacesNone if fewer than 31 required spaces on site		None
Bicycle Parking Spaces – Class 1	1.25 per unit	10 (1.25 per unit)	None

#### Attachment 2

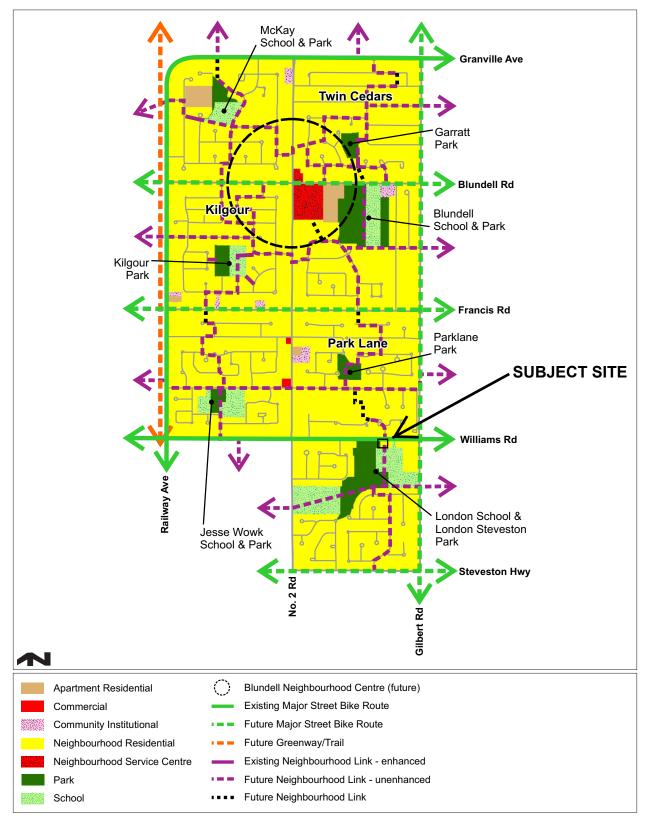
On Future Development Site	Bylaw Requirement	Proposed	Variance
Bicycle Parking Spaces – Class 2	0.2 per unit	2 (i.e. 0.2 per unit)	None
Amenity Space – Indoor:	Min. 50 m <sup>2</sup> or cash-in-lieu	Cash-in-lieu	None
Amenity Space – Outdoor:	Min. 6.0 m <sup>2</sup> per unit	53 m <sup>2</sup> (i.e. 6.6 m <sup>2</sup> per unit)	None

Other: Tree replacement compensation required for loss of significant trees.

\* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.



# 5. Blundell



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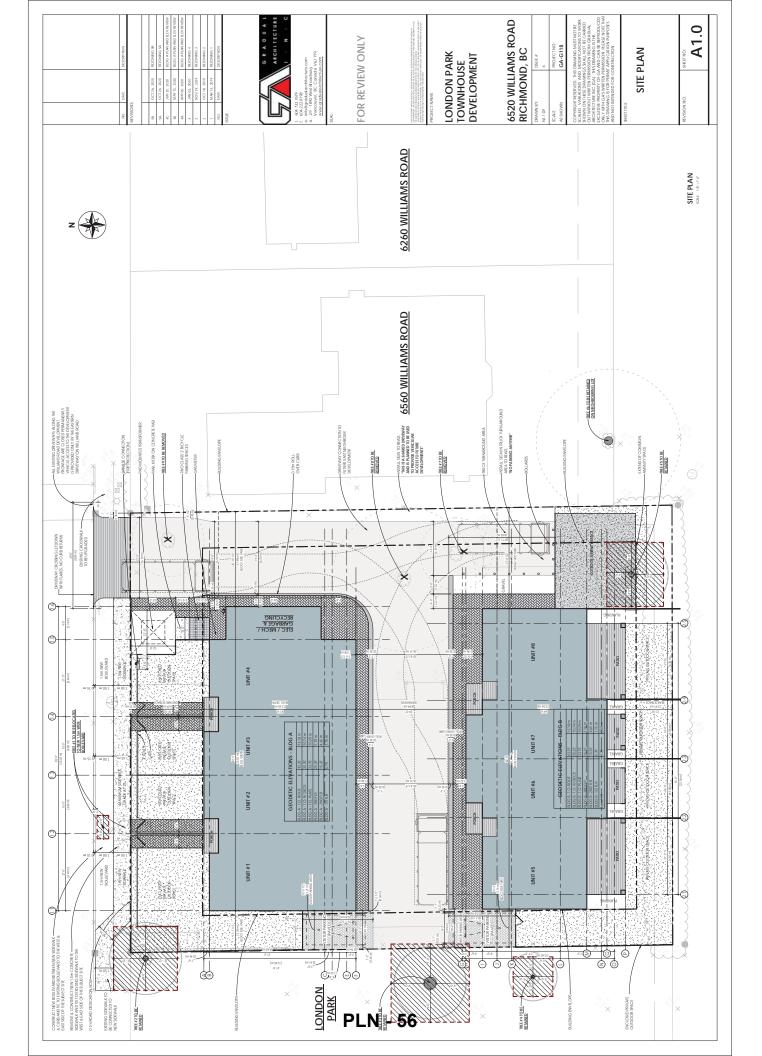
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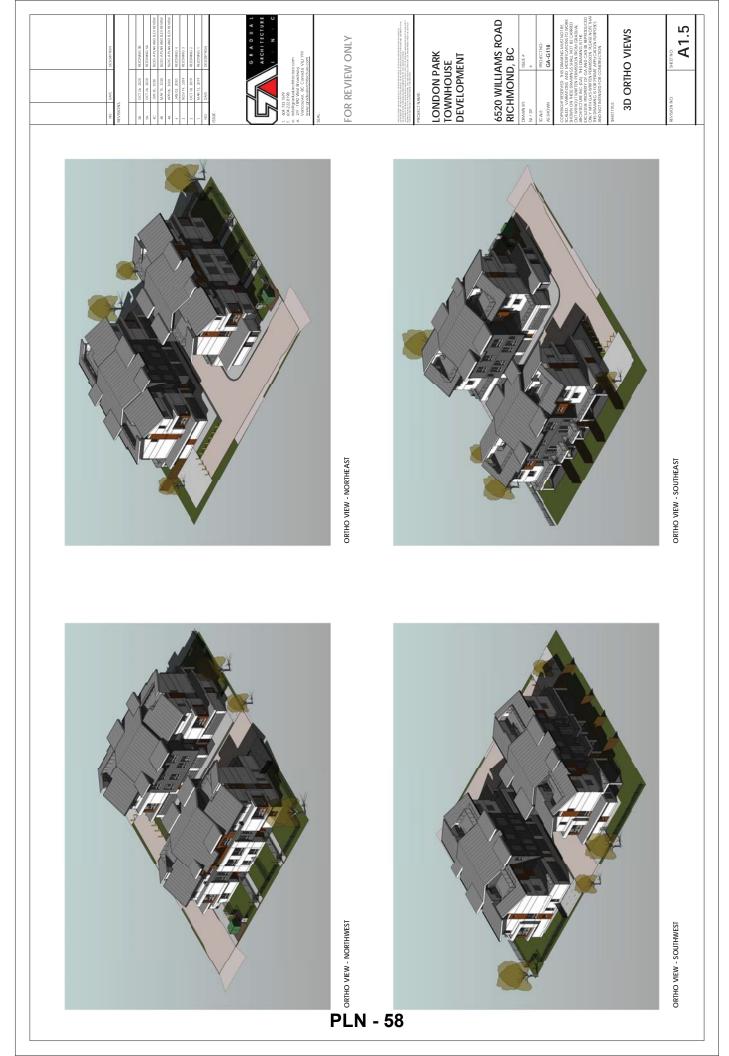


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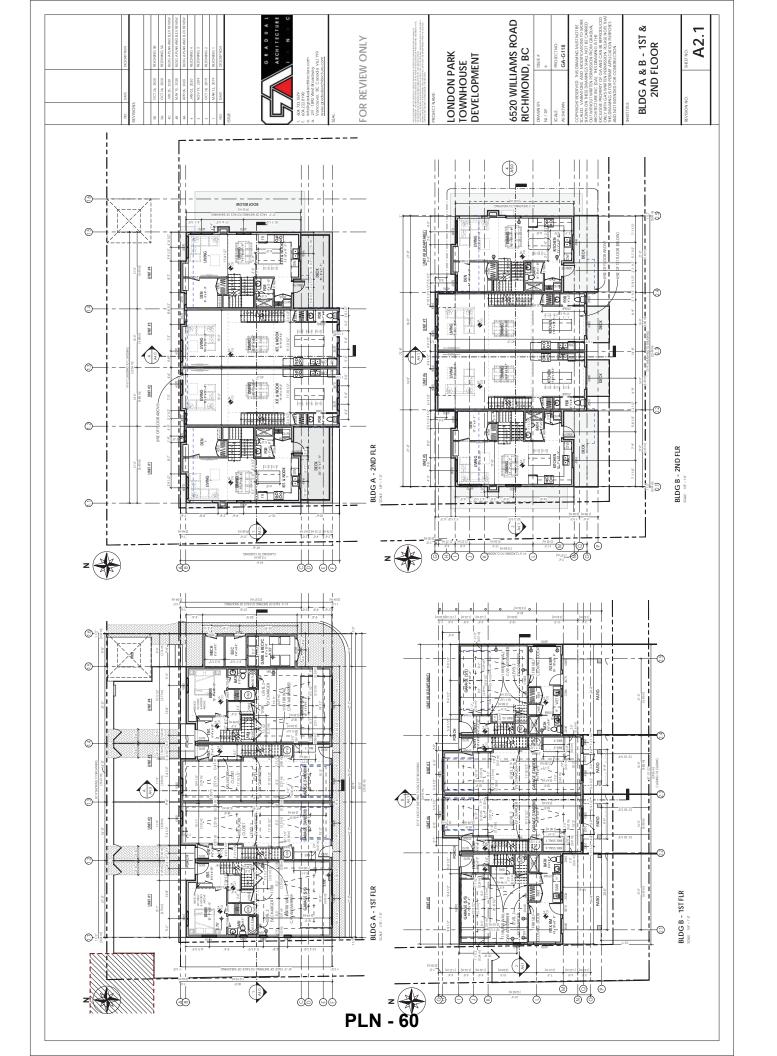
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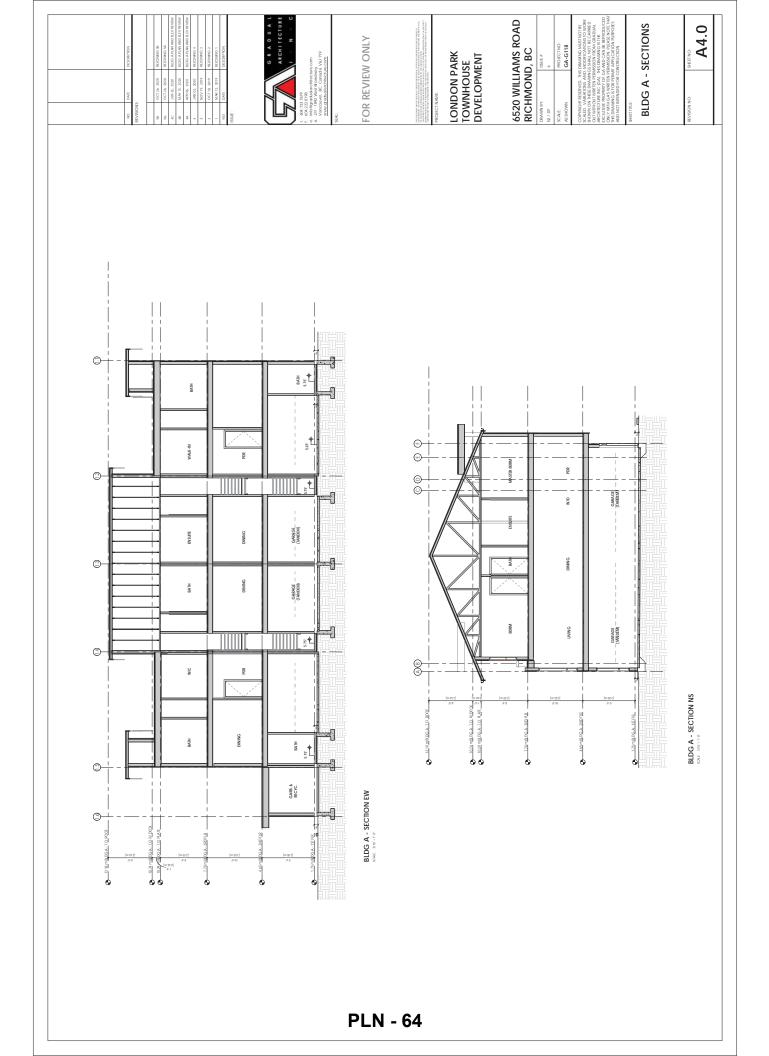


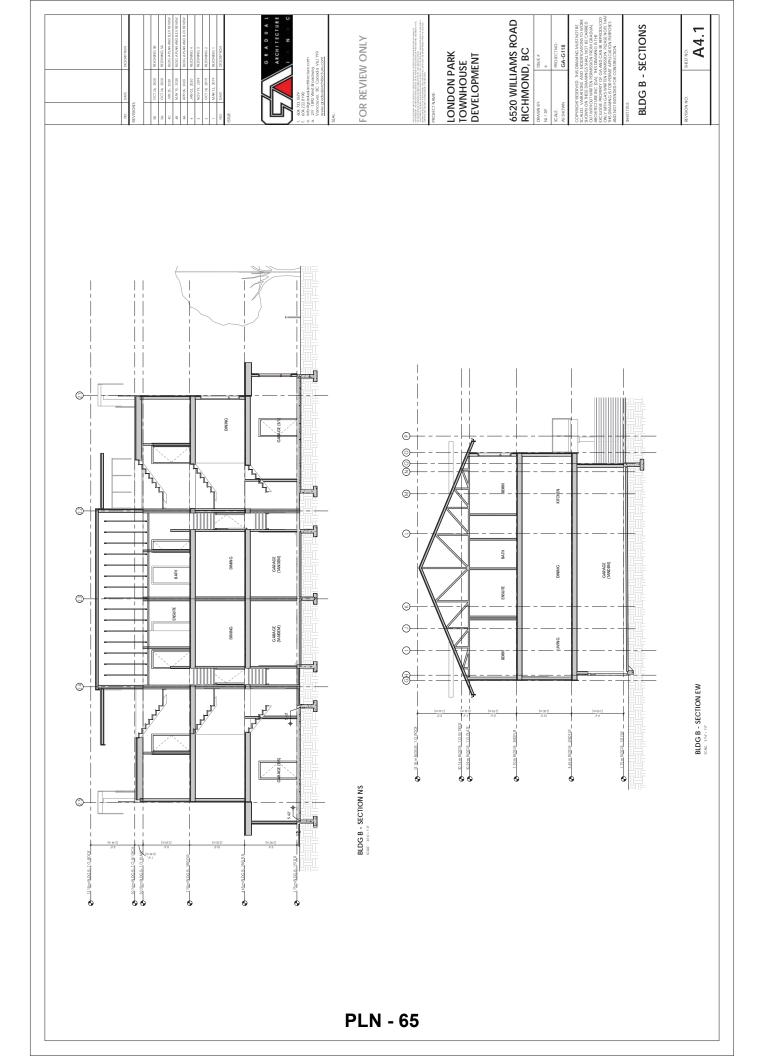


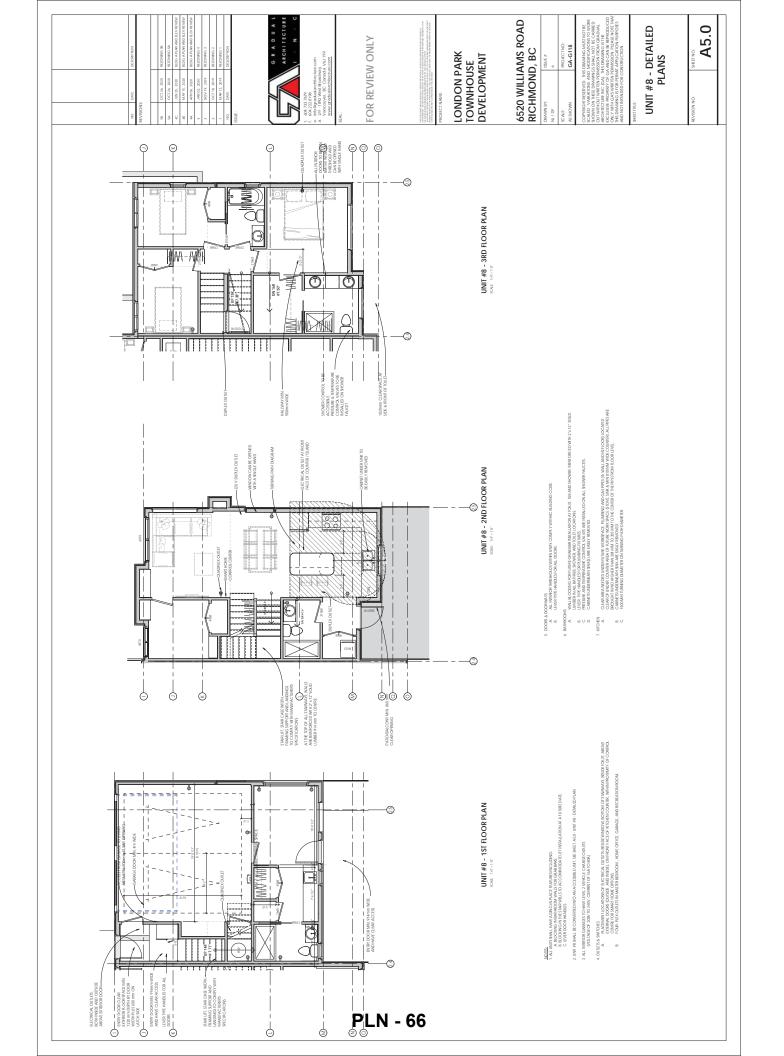


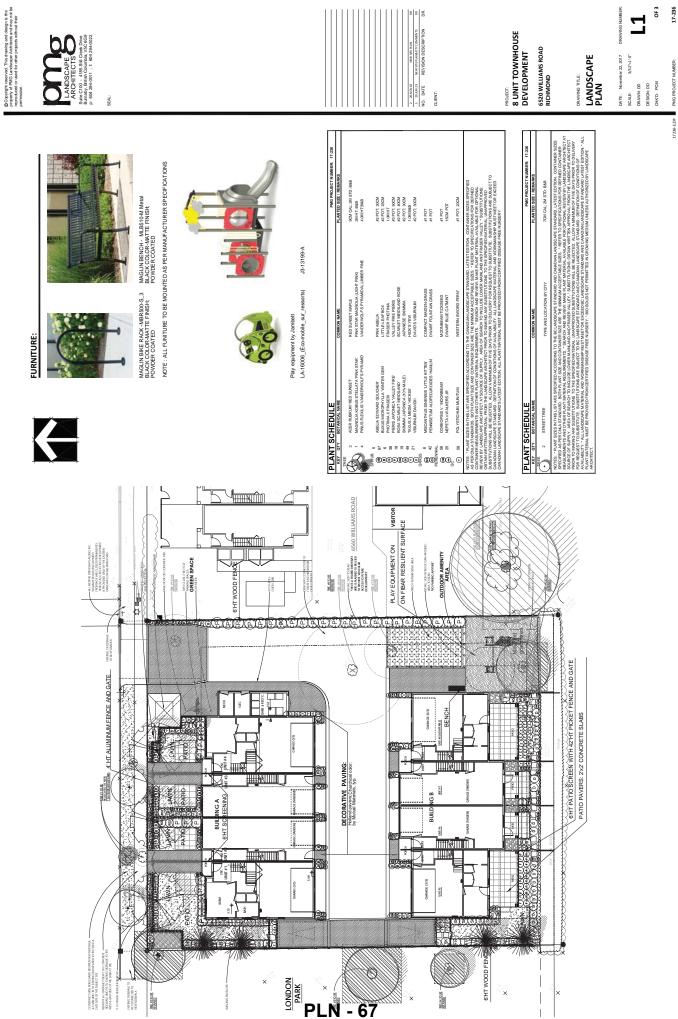








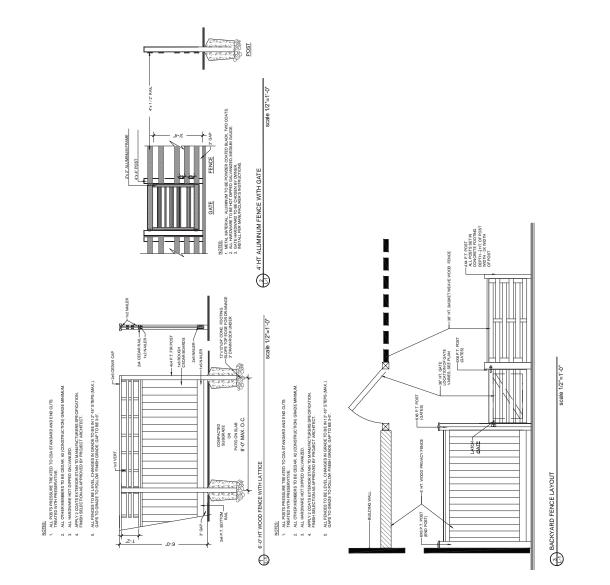


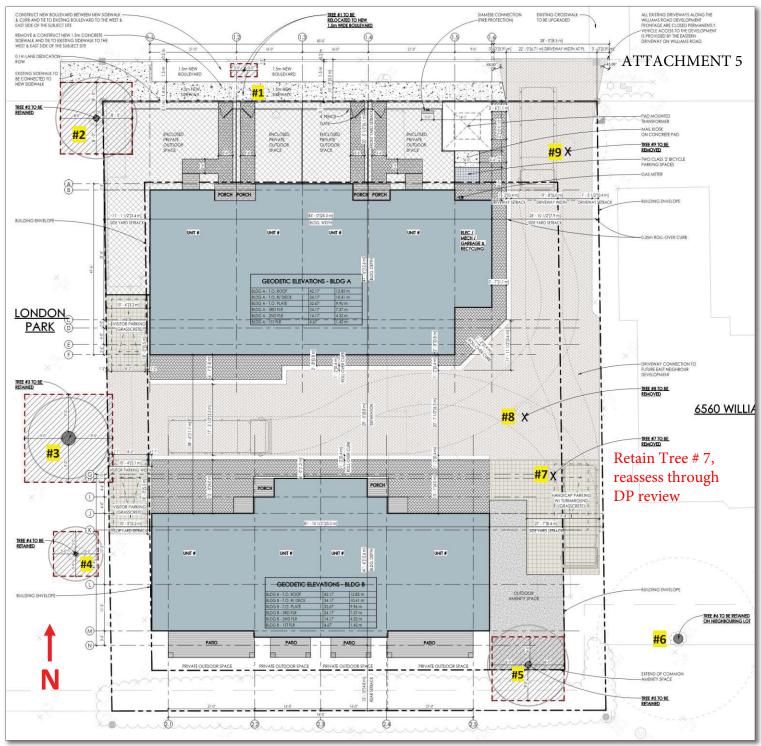


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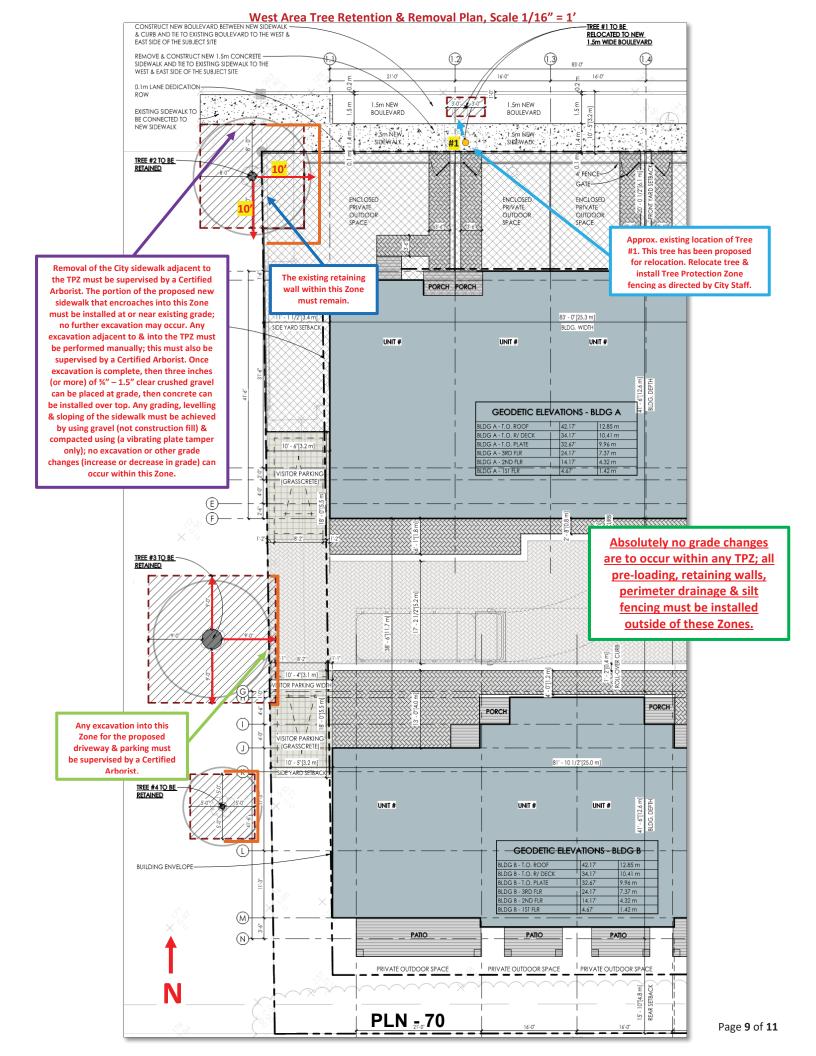
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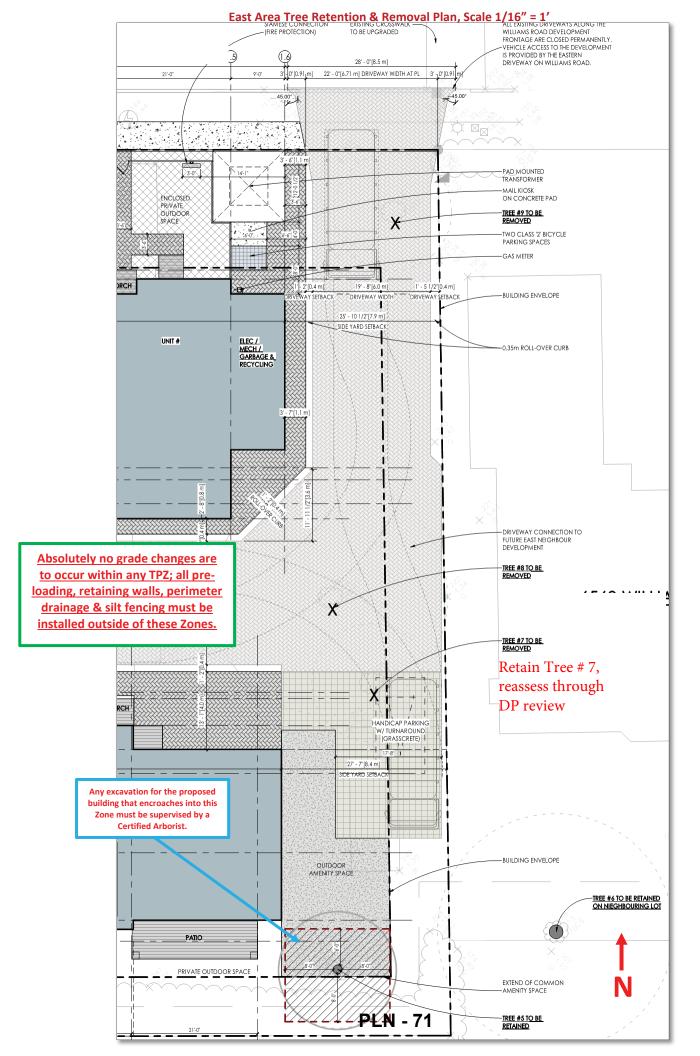
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© Copyright reserved. This drawing al property of PMG Landscape Architec proproduction used for other projects permission.	LANDSCAPE ARCHITECTS ARCHITECTS State Comments Friend Scholments Friend Scholments		0,000,00	A DATE AND	ROJECT 8 UNIT TOWNHOI DEVELOPMENT 6520 WILLIAMS ROAD	DE	-	DATE: November 22, 2017 SCALE: DRAWK DD DE SIGN: DD CHKD: PCM	PMG PROJECT NUMBER:
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Site Plan – Not to Scale







# ATTACHMENT 6 Rezoning Considerations

Development Applications Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

#### Address: 6520 Williams Road

# File No.: RZ 17-792242

# Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10224, the developer is required to complete the following:

- 1. 0.1 road dedication along the entire Williams Road frontage.
- 2. Consolidation of all the lots into one development parcel (which will require the demolition of the existing dwellings).
- 3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
- 4. Submission of a Tree Survival Security to the City in the amount of \$35,000 for the five trees to be retained (\$5,000 for each of Tree # 1, 3, and 4; \$10,000 for Tree # 2; and \$10,000 for Tree # 5). This security should be increased to \$45,000 if Tree # 7 is retained. Tree # 7 is not to be removed until after the Development Permit is issued.
- 5. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
- 6. Registration of a flood indemnity covenant on title (Area A).
- 7. Registration of a cross-access easement, statutory right-of-way, and/or other legal agreements or measures, as determined to the satisfaction of the Director of Development, over the internal drive-aisle in favour of future developments to the east, including the installation of way-finding and other appropriate signage on the subject property, and requiring a covenant that the owner provide written notification of this through the disclosure statement to all initial purchasers, provide an acknowledgement of the same in all purchase and sale agreements, and erect signage in the initial sales centre advising purchasers of the potential for these impacts.
- 8. Contribution of \$1,769 per dwelling unit (e.g. \$14,152) in-lieu of on-site indoor amenity space to go towards development of City facilities.
- 9. City acceptance of the developer's offer to voluntarily contribute \$8.50 per buildable square foot (e.g. \$90,285) to the City's affordable housing fund.
- 10. Registration of a legal agreement on title prohibiting the conversion of the tandem parking area into habitable space.
- 11. Contribution of \$6,000 for upgrades to the existing pedestrian crossing at Williams Road and Sheridan Road.
- 12. The submission and processing of a Development Permit\* completed to a level deemed acceptable by the Director of Development.

# Prior to a Development Permit<sup>\*</sup> being forwarded to the Development Permit Panel for consideration, the developer is required to:

- 1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and a cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
  - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
  - include a mix of coniferous and deciduous trees;
  - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
  - include the 6 required replacement trees with the following minimum sizes:

Initial: \_\_\_\_

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	Minimum Height of Coniferous Tree
4	8 cm	4 m
2	6 cm	3.5 m

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$750/tree to the City's Tree Compensation Fund for off-site planting is required.

2. Complete a proposed townhouse energy efficiency report and recommendations prepared by a Certified Energy Advisor which demonstrates how the proposed construction will meet or exceed the required townhouse energy efficiency standards (BC Energy Step Code Step 3 or better), in compliance with the City's Official Community Plan.

## Prior to a Development Permit\* being forwarded to Council for consideration, the development must complete the following requirements:

1. Submission of a Landscape Security based on the cost estimate provided by the Landscape Architect plus a 10% contingency.

#### Prior to Building Permit\* Issuance, the developer must complete the following requirements:

- 1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- 2. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
- 3. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.
- 4. Enter into a Servicing Agreement\* for the design and construction of engineering infrastructure improvements. A Letter of Credit or cash security for the value of the Service Agreement works, as determined by the City, will be required as part of entering into the Servicing Agreement. Works include, but may not be limited to:

#### Water Works:

- a) Using the OCP Model, there is 449.00 L/s of water available at a 20 psi residual at the Williams Road frontage. Based on your proposed development, your site requires a minimum fire flow of 220.00 L/s.
- b) The Developer is required to:
  - i) Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage building designs.
  - ii) Obtain approval from Richmond Fire Rescue for all fire hydrant locations, relocations, and removals, as required.
  - iii) Provide a right-of-way for the water meter. Minimum right-of-way dimensions to be the size of the meter box (from the City of Richmond supplementary specifications) + any appurtenances (for example, the bypass on W2o-SD) + 0.5 m on all sides. Exact right-of-way dimensions to be finalized during the building permit process (or via the servicing agreement process, if one is required).
- c) At Developer's cost, the City is to:
  - i) Cut, cap, and remove the existing water service connection and meter.
  - ii) Install a new water service connection, complete with meter and meter box, sized for the proposed development.

#### **Storm Sewer Works:**

Initial: \_\_\_



Development Applications Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

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- c) At Developer's cost, the City is to:
  - i) Cut, cap, and remove the existing water service connection and meter.
  - ii) Install a new water service connection, complete with meter and meter box, sized for the proposed development.

#### **Storm Sewer Works:**

Initial: \_\_\_\_

- (1) Removal of the existing sidewalk and replacement with new 1.5 m wide concrete sidewalk at the property line, 1.5 m wide landscaped boulevard with street trees and street lighting, and 0.15 m curb and gutter; and
- (2) Removal of the driveway crossing and replacement with frontage works as described above

#### **General Items:**

- i) The Developer is required to:
  - i) Provide, prior to start of site preparation works or within the first servicing agreement submission, whichever comes first, a preload plan and geotechnical assessment of preload, dewatering, and soil preparation impacts on the existing utilities fronting the development site and provide mitigation recommendations.
  - ii) Provide a video inspection report of the existing storm sewer along the Williams Road frontage and sanitary sewer along the south property line prior to start of site preparation works or within the first servicing agreement submission, whichever comes first. A follow-up video inspection after site preparation works are complete (i.e. pre-load removal, completion of dewatering, etc.) to assess the condition of the existing utilities is required. Any utilities damaged by the pre-load, de-watering, or other ground preparation shall be replaced at the Developer's cost.
  - iii) Monitor the settlement at the adjacent utilities and structures during pre-loading, dewatering, and soil preparation works per a geotechnical engineer's recommendations, and report the settlement amounts to the City for approval.
  - iv) Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, dewatering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

#### Note:

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

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- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

- d) The Developer is required to:
  - i) Provide an erosion and sediment control plan for all on-site and off-site works, to be reviewed as part of the servicing agreement design.
  - ii) Perform a storm capacity analysis based on the 2041 OCP condition to determine if storm sewer upgrades along the Williams Road frontage of the property are required. The capacity analysis shall be included within the servicing agreement drawings for the City's review/approval.
  - iii) Upgrade the existing storm sewer fronting the proposed development. Pipe sizes shall be determined via the storm capacity analysis to be performed by the Civil consultant.
- e) At Developer's cost, the City is to:
  - i) Cut and cap the existing storm service connection STCN26475 located at the northeast corner of the site. The existing inspection chamber shall be retained to service 6560 Williams Road.
  - ii) Install a new storm service connection, complete with inspection chamber.

#### **Sanitary Sewer Works:**

- f) The Developer is required to:
  - i) Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
- g) At Developer's cost, the City is to:
  - i) Cut, cap and remove the existing sanitary service connection off of the existing manhole SMH589 at the southeast corner of the site.
  - ii) Install a new sanitary service connection off of the existing manhole SMH589 at the southeast corner of the site, appropriately sized for the proposed development.

#### **Frontage Improvements:**

- h) The Developer is required to:
  - i) Coordinate with BC Hydro, Telus and other private communication service providers:
    - (1) To pre-duct for future hydro, telephone and cable utilities along all road frontages.
    - (2) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
    - (3) To underground overhead service lines.
    - (4) To locate/relocate all above ground utility cabinets and kiosks required to service the proposed development, and all above ground utility cabinets and kiosks located along the development's frontages, within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development design review process. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown on the architectural plans/functional plan, the servicing agreement drawings, and registered prior to SA design approval:
      - BC Hydro PMT 4.0 x 5.0 m
      - BC Hydro LPT 3.5 x 3.5 m
      - Street light kiosk 1.5 x 1.5 m
      - Traffic signal kiosk 2.0 x 1.5 m
      - Traffic signal UPS 1.0 x 1.0 m
      - Shaw cable  $kiosk 1.0 \times 1.0 \text{ m}$
      - Telus FDH cabinet 1.1 x 1.0 m
  - ii) Review street lighting levels along all road and lane frontages, and upgrade as required.
  - iii) Provide other frontage improvements as per Transportation's requirements. Improvements shall be built to the ultimate condition wherever possible. Frontage improvements include:

Initial: \_\_\_\_

- (1) Removal of the existing sidewalk and replacement with new 1.5 m wide concrete sidewalk at the property line, 1.5 m wide landscaped boulevard with street trees and street lighting, and 0.15 m curb and gutter; and
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CITY OF RICHMOND

APPROVED by Director or Solicitor



### Richmond Zoning Bylaw 8500 Amendment Bylaw 10224 (RZ 17-792242) 6520 Williams Road

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "LOW DENSITY TOWNHOUSES (RTL4)".

P.I.D. 017-923-808 Lot A Section 31 Block 4 North Range 6 West New Westminster District Plan LMP6445

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10224".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER



То:	Planning Committee	Date:	December 2, 2020
From:	Wayne Craig Director of Development	File:	SC 20-905121

## Re: Application by Classico Development Ltd. for a Strata Title Conversion at 10531/10551 Anahim Drive

#### **Staff Recommendation**

- 1. That the application for a Strata Title Conversion by Classico Development Ltd. for the property located at 10531/10551 Anahim Drive be approved on fulfilment of the following conditions within 180 days of the date of this resolution:
  - (a) Payment of all City utility charges and property taxes up to and including the current year;
  - (b) Submission of appropriate plans and documents to the City and execution of same by the Approving Officer.
  - (c) Discharge of the existing covenant registered on Title (#BE119606), which restricts the use of the property to a maximum of two units.
- 2. That the City, as the Approving Authority, delegate to the Approving Officer the authority to execute the strata conversion plan on behalf of the City, as the Approving Authority, on the basis that the conditions set out in Recommendation 1 have been satisfied.

Wayne Co

Wayne Craig Director of Development

WC:sds Att. 6

	REPORT CONCURRENCE		
CONC	CONCURRENCE OF GENERAL MANAGER		
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#### Staff Report

#### Origin

Classico Development Ltd. has applied to the City of Richmond for a Strata Title Conversion of an existing duplex at 10531/10551 Anahim Drive, currently zoned "Two-Unit Dwellings (RD1)" to facilitate the creation of two strata lots. A location map and aerial photograph are provided in Attachment 1. A site survey, showing the existing duplex to remain is provided in Attachment 2.

On September 10, 2018, Council approved a Strata Title Conversion (SC 17-792263) at the subject property with the following conditions:

- a. Registration of a flood indemnity covenant on title;
- b. Payment of all City utility charges and property taxes up to and including the current year;
- c. Submission of appropriate plans and documents for execution by the Approving Officer within 180 days of the date of the resolution; and
- d. Final inspection approval of Building Permits (B7 18-822793 & B7 18-828874) for previous construction without a permit.

The applicant was unable to complete final inspection approval of the associated Building Permits within the 180 day deadline and as such the application was unable to proceed. The applicant has subsequently submitted a new application to proceed with the proposed stratification. The associated Building Permits received final inspection approval on September 15, 2020. The purpose of this application is to strata title the existing duplex in order to sell each unit to future owners. No changes are proposed from the original Strata Title Conversion application approved by Council in 2018.

#### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

#### Existing Housing Profile

The proposal will retain the existing duplex on-site, no demolition is proposed. More information regarding the status of the existing duplex is provided in the "Analysis" section of this report.

#### **Surrounding Development**

Development immediately surrounding the subject site is as follows:

To the north, south, east and west: single-family dwellings on lots zoned "Single Detached (RS1/E)".

#### **Related Policies & Studies**

#### Official Community Plan

The Official Community Plan (OCP) land use designation for the subject site is "Neighbourhood Residential (NRES)", which comprises of those areas of the City where the principal uses are

single-family, two-family and multiple family housing. The proposal would comply with this designation.

#### Council Policy 5042

The subject application is for a Strata Title Conversion of an existing duplex, with no rezoning required. However, Council Policy 5042 "Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings" (adopted by Council on March 29, 2005 and last amended in 2018) (Attachment 4) is used for the purposes of guiding staff in the review of applications of this nature. A summary of this review is provided in the "Analysis" section of this report.

#### Floodplain Management Implementation Strategy

As part of the previous Strata Title Conversion application (SC 17-792263), a flood indemnity covenant was registered on Title.

#### Analysis

#### Existing Legal Encumbrances

There is an existing 3.0 m (10 ft.) wide utility Statutory Right-of-Way (SRW) located along the rear property line for sanitary sewer services, which will not be impacted by the proposal.

There is also an existing restrictive covenant registered on Title restricting the use of the subject property to a maximum of two units and two families (#BE119606). The applicant has requested that the covenant be discharged due to the provision of new secondary suites in each unit of the two-family dwelling. Accordingly, the covenant is to be discharged prior to approval of the Strata Title Conversion.

#### Proposed Strata Title Conversion

The applicant is proposing a Strata Title Conversion of an existing duplex, currently zoned "Two-Unit Dwellings (RD1)" to facilitate the creation of two strata lots. No new buildings, structures or demolition is proposed. Existing vehicle access to each unit of the duplex is via separate driveways from Anahim Drive, which will be maintained.

There are two existing trees on the property, one in the front yard and one in the rear yard. No tree removal is proposed as part of this application.

The application has been reviewed in accordance with Council Policy 5042 "Rezoning Applications for Two-Family Housing Districts, Involving Existing Non-Conforming Two-Family Dwellings" (Attachment 4). Based on this review, the following information is provided:

- The applicant has submitted a legal survey plan (Attachment 2) demonstrating that the existing duplex complies with all regulations of the existing "Two-Unit Dwellings (RD1)" zone.
- On September 15, 2020, Building Approvals staff granted final inspection approval of the associated Building Permit (B7 18-822793 & B7 18-828874) to legitimize existing construction, interior renovations, and the provision of secondary suites in each of the

duplex units. The secondary suites each contain two-bedrooms and are approximately  $89.8 \text{ m}^2$  (966 ft<sup>2</sup>) in floor area.

- A written statement has been provided by the applicant, which indicates the side-by-side duplex is 45 years old and is in livable condition. The applicant has recently completed renovations to update the interior space with a more modern design.
- The existing duplex is currently vacant. The duplex has been vacant since the property owners acquired the property in April 2018. The duplex was previously rented prior to acquisition.
- The purpose of the Strata Title Conversion is to sell each unit of the duplex independently.
- The external building condition of the duplex appears to be in original condition (other than repainting), is generally consistent with the neighbouring dwellings, and is in good condition. No exterior renovations are proposed.
- No off-site engineering or servicing improvements have been identified.
- The subject site could be subdivided into two single-family residential lots in accordance with Section 2.3.7 of the Richmond Zoning Bylaw, which allows existing duplex sites to be rezoned and subdivided into no more than two lots. The proposed Strata Title Conversion of the existing duplex would not preclude further development potential.
- The applicant has submitted a preliminary strata plan (Attachment 5). The proposed plan meets City requirements, and is acceptable to the City's Approving Officer.
- The applicant is aware that Council's endorsement of the Strata Title Conversion will lapse in 180 days, and has committed to meet all requirements within this time period.

#### **Financial Impact**

None.

#### Conclusion

The purposes of this application is to facilitate a Strata Title Conversion of an existing duplex at 10531/10551 Anahim Drive, currently zoned "Two-Unit Dwellings (RD1)".

The application complies with the land use designations and applicable policies contained within the OCP for the subject site.

The list of strata title conversion considerations is included in Attachment 6, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that the application for Strata Title Conversion be approved.

Steven De Sousa Planner 1 SDS:cas Attachment 1: Location Map & Aerial Photo

6546884

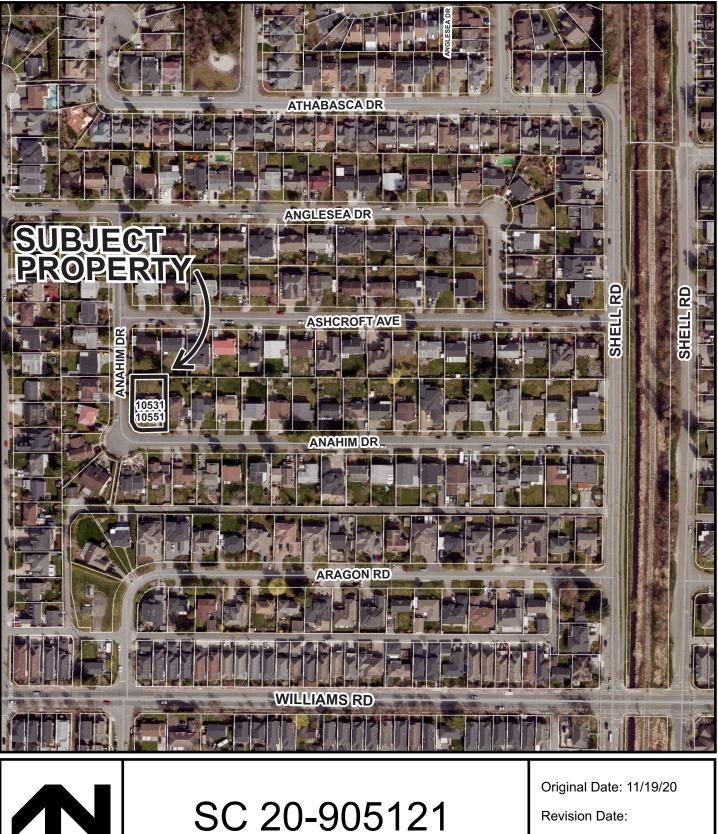
Attachment 2: Survey Plan

- Attachment 3: Development Application Data Sheet
- Attachment 4: Council Policy 5042
- Attachment 5: Preliminary Strata Plan
- Attachment 6: Strata Title Conversion Considerations



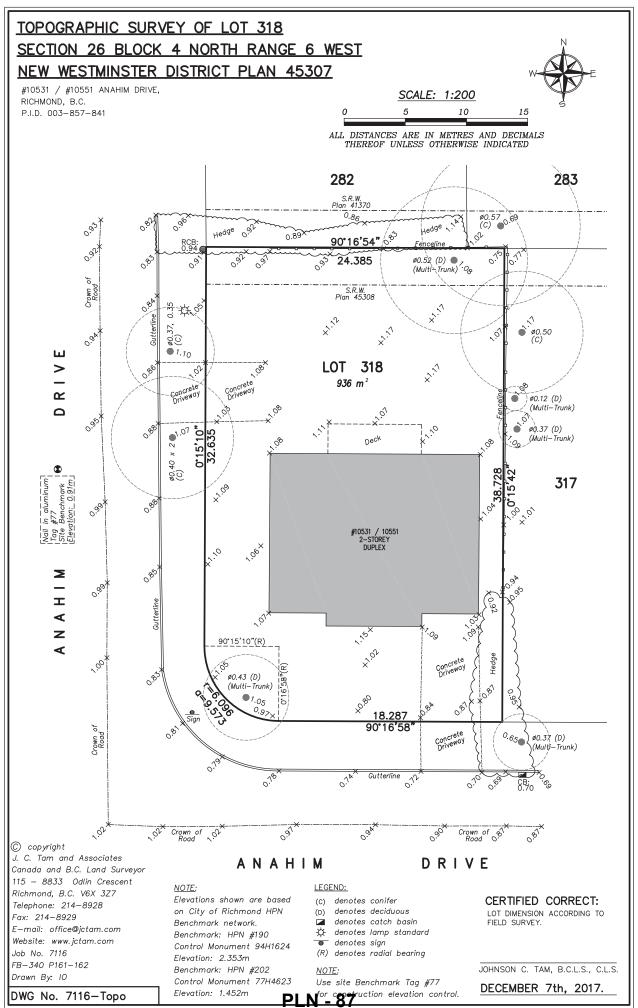






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Note: Dimensions are in METRES





## **Development Application Data Sheet**

**Development Applications Department** 

#### SC 20-905121

Address: 10531/10551 Anahim Drive

Applicant: Classico Development Ltd.

Planning Area(s): <u>Shellmont</u>

	Existing	Proposed
Owner:	1105061 B.C. Ltd.	To be determined
Site Size:	936 m <sup>2</sup> (10,075 ft <sup>2</sup> )	No change
Land Uses:	Two-family residential	No change
OCP Designation:	Neighbourhood Residential (NRES)	No change
Zoning:	Two-Unit Dwellings (RD1)	No change
Number of Units:	2	No change

	Bylaw Requirement	Existing	Variance
Floor Area Ratio:	Max. 0.55 for 929 m <sup>2</sup> of lot area plus 0.3 for remainder	0.48	None permitted
Buildable Floor Area:	Max. 513 m <sup>2</sup> (5,522 ft <sup>2</sup> )	451 m² (4,855 ft²)	None permitted
Lot Coverage:	Buildings: Max. 45% Non-porous: Max. 70% Landscaping: Min. 30%	Buildings: 26% Non-porous: 30% Landscaping: 60%	None
Lot Size:	864.0 m²	936 m <sup>2</sup>	None
Lot Dimensions:	N/A	Width: 24.3 m Depth: 38.7 m	None
Setbacks:	Front: Min. 6.0 m Rear: Min. 6.0 m Interior Side: Min. 1.2 m Exterior Side: Min. 3.0 m	Front: 7.7 m Rear: 16.8 m Side: 1.9 m Exterior Side: 5.2 m	None
Height:	Max. 2 ½ storeys	2 storeys	None



## **Policy Manual**

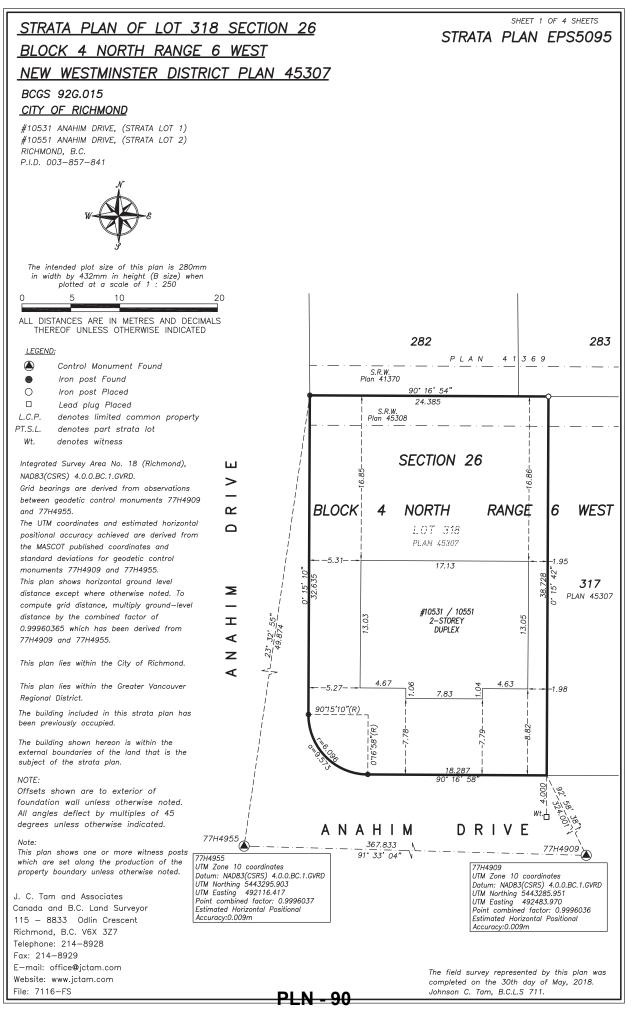
Page 1 of 1	Rezoning Applications for Two-Family Housing Districts – Involving Existing Non-Conforming Two-family Dwellings	Policy 5042
	Adopted by Council: March 29, 2005 Amended by Council: May 14, 2018	

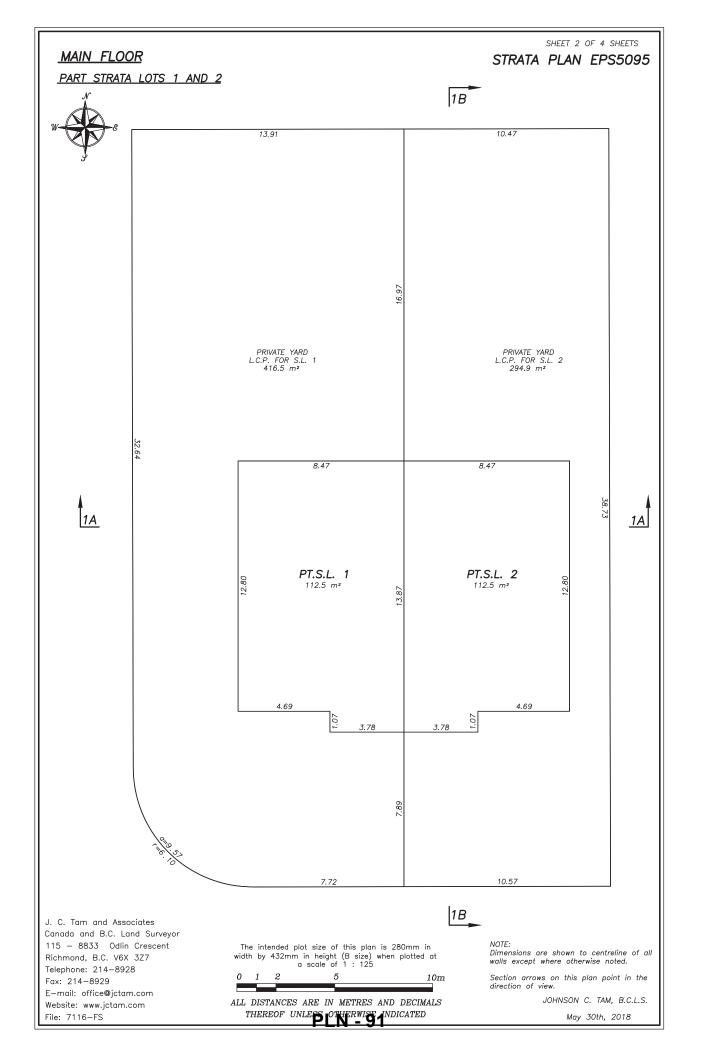
#### **POLICY 5042:**

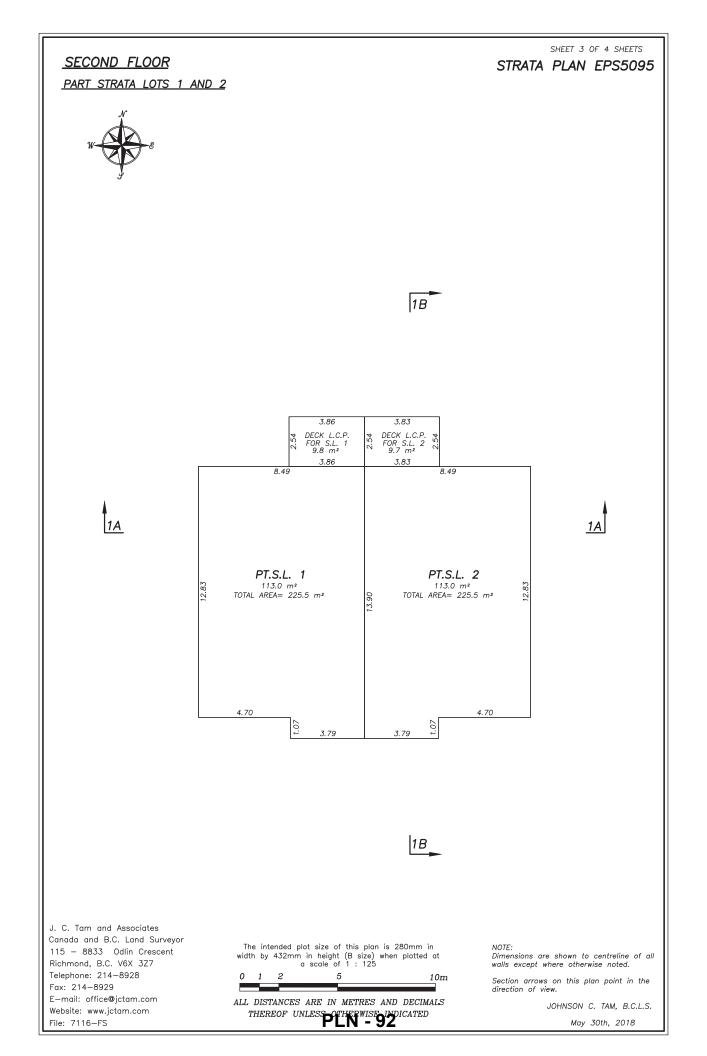
It is Council policy that:

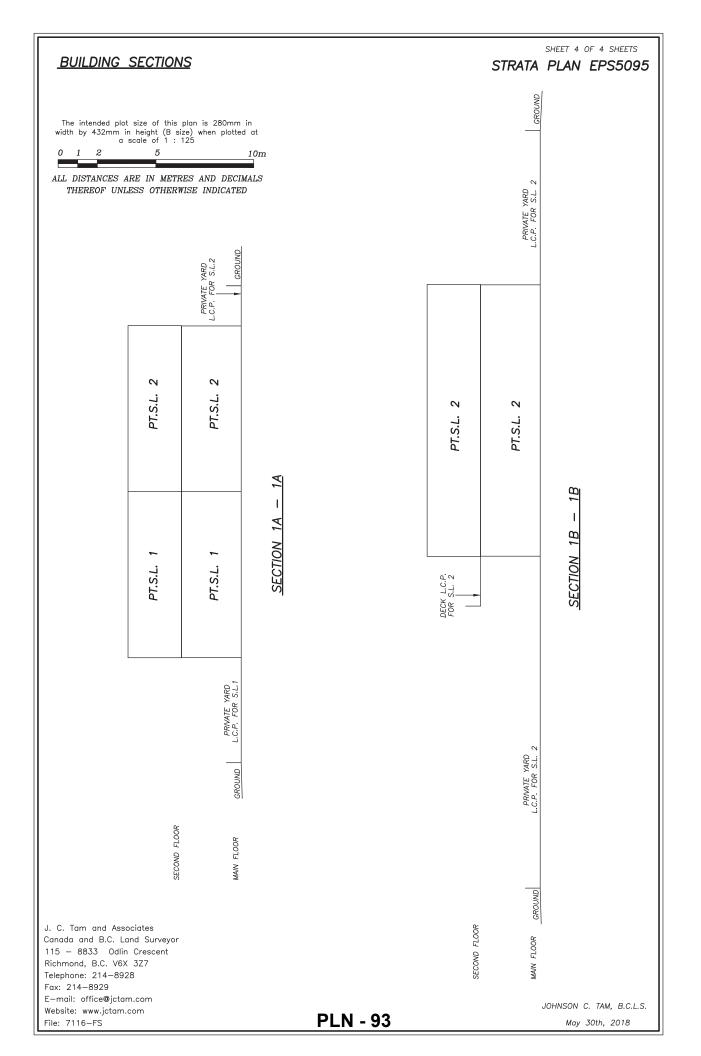
Rezoning applications seeking a rezoning to "Two-Unit Dwellings Zone (RD1)", involving existing non-conforming two-family dwellings, must be supported with adequate information to assist Council assess all potential impacts arising from the rezoning application in the following areas:

- 1. A certificate prepared by a registered B.C. Land Surveyor showing the location, dimensions, and setbacks of all buildings and structures presently on the property, together with a floor area ratio calculation is required to verify Zoning Bylaw compliance.
- 2. An inspection of the existing structure by City Staff is required to confirm no alterations have been made without a Building Permit.
- 3. The property owner shall provide a written statement on the following items:
  - a) The building's age, quality, general conditions and any measures proposed to upgrade or alter the buildings appearance; and
  - b) The occupancy of the existing structure and what impact the proposed rezoning may have on the existing residents of the two-family dwelling.
- 4. Where as a result of the normal rezoning process, the public has raised concerns over the design of an existing structure or construction of a new two-family dwelling on the subject site, staff will present to Council a summary of the public concerns along with options available to address the concerns.
- 5. Each application shall be reviewed to determine if there are any off-site improvements required to bring the site up to City standards. Should any off-site improvements be required, such improvements are required as a condition of final adoption of a rezoning bylaw.
- 6. Where a Council approved 702 Single Family Lot Size Policy would permit the subject site to be subdivided, Council will be advised of the site's future subdivision potential.
- 7. Rezoning applications intended to facilitate a strata title conversion of the existing structure shall be accompanied by a Strata Title Conversion Application and such application forwarded to Council concurrently with the rezoning proposal.











### **Strata Title Conversion Considerations**

Development Applications Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

#### Address: 10531/10551 Anahim Drive

#### File No.: SC 20-905121

#### Prior to approval of a Strata Title Conversion, the applicant must complete the following:

- 1. Payment of all City utility charges and property taxes up to and including the current year.
- 2. Submission of appropriate plans and documents to the City and execution of same by the Approving Officer within 180 days of the date of Council's resolution.
- 3. Discharge of the existing covenant registered on Title (#BE119606), which restricts the use of the property to a maximum of two units.

#### Note:

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

[Signed copy on file]

Signed Date



To:	Planning Committee
From:	Wayne Craig Director, Development

 Date:
 December 10, 2020

 File:
 AG 19-881146

#### Re: Application by Choice School for Gifted Children Society for an Agricultural Land Reserve Non-Farm Use at 20451 Westminster Highway

#### Purpose

At its meeting of December 1, 2020, Planning Committee considered an application by Choice School for Gifted Children Society for an Agricultural Land Reserve (ALR) non-farm use at 20451 Westminster Highway (AG 19-881146) and resulted in a number of questions from Planning Committee members. The purpose of this memorandum is to provide Mayor and Councillors with clarification in response to those questions.

#### Background

The purpose of the subject ALR non-farm use application is to allow the existing education uses to continue and to construct a new classroom building in support of the existing school operation. The property is zoned "Assembly (ASY)" and located in the ALR. Although the proposal is consistent with the ASY zone, Agricultural Land Commission (ALC) staff confirmed the property is subject to the *Agricultural Land Commission Act* (ALCA) and the proposal requires ALC approval in order to proceed.

The associated recreational fields and playgrounds are located on the adjacent property to the west (20411 Westminster Highway) also owned by Choice School, and the two sites share the required vehicle parking. The adjacent property is zoned "Agriculture (AG1)" and located in the ALR, however, ALC staff confirmed the adjacent property is not subject to the ALCA and thus does not require ALC approval.

#### Related Referral Regarding School Use in the Agricultural Land Reserve - No. 5 Road Backlands

At its meeting of December 1, 2020, Planning Committee also made reference to existing referrals related to schools within the No. 5 Road Backlands Policy area.

The current referrals regarding school uses within the ALR are specific to the No. 5 Road Backlands Policy area. The subject ALR non-farm use application at 20451 Westminster Highway is not located within this area.

Staff are currently working on responding to the referral for the No. 5 Road Backlands Policy area, and anticipate a staff report being forwarded to Council in early 2021.



#### <u>Analysis</u>

The proposal includes a new two-storey classroom building of approximately  $261.0 \text{ m}^2 (2,810 \text{ ft}^2)$  in floor area located between the existing school building and existing vehicle parking area, and is expected to increase the capacity of the school by 30 students.

As a result of the discussion from the December 1, 2020 Planning Committee meeting regarding the subject site at 20451 Westminster Highway and the adjacent property at 20411 Westminster Highway, staff have produced a map provided in Attachment 1 to illustrate the components of the proposal and provide further clarity, including:

- Existing zoning of both sites;
- Identifying which sites are subject to the Agricultural Land Commission Act (ALCA);
- Identifying the proposed new classroom building on the subject property; and
- Identifying the proposed agricultural improvements on the adjacent property.

For staff's detailed analysis of the proposal, please refer to the staff report for the application dated November 16, 2020.

If you have any questions on the ALR non-farm use application, please contact Wayne Craig at 604-247-4625. For any questions on the No. 5 Road Backlands Policy referral, please contact Barry Konkin at 604-276-4139.

Wayne Con

Wayne Craig Director, Policy Planning

WC:sds

pc: Senior Management Team (SMT)
 Barry Konkin, Director, Policy Planning
 John Hopkins, Program Manager, Policy Planning
 Josh Reis, Program Manager, Development

Attachment 1: Map of the Proposal

ATTACHMENT 1

### Choice School ALR Non-Farm Use Application



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### **Report to Committee**

Det	Application by Chains School for Cifted Childre	n Saaia	w for an Agricultural
From:	Wayne Craig Director, Development	File:	AG 19-881146
To:	Planning Committee	Date:	November 16, 2020

#### Re: Application by Choice School for Gifted Children Society for an Agricultural Land Reserve Non-Farm Use at 20451 Westminster Highway

#### Staff Recommendation

That the application by Choice School for Gifted Children Society for an Agricultural Land Reserve Non-Farm Use at 20451 Westminster Highway be endorsed and forwarded to the Agricultural Land Commission.

Wayne Co

Wayne Craig Director, Development (604-247-4625)

WC:sds Att. 5

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER	

#### Staff Report

#### Origin

Choice School for Gifted Children Society has submitted an Agricultural Land Reserve (ALR) non-farm use application at 20451 Westminster Highway (the "Subject Property") in order to allow the existing education uses to continue and to construct a new classroom building. The subject property is currently zoned "Assembly (ASY)" and contains an existing school building and gymnasium building. The associated recreational fields and playgrounds are located on the adjacent property to the west at 20411 Westminster Highway (the "Adjacent Property"), and the two sites share the required vehicle parking and septic system. A location map and aerial photograph are provided in Attachment 1.

#### Background

The existing school building on the subject property was originally constructed as a church, which received Building Permit approval in 1981. The subject site was previously zoned "Agriculture (AG1)" and religious assembly was a permitted use in the AG1 zone at the time. Religious assembly was removed as a permitted use from the AG1 zone in 1983 and the subject property was rezoned to "Assembly (ASY)" in order to accommodate the existing use. Choice School purchased the property in 1992 and subsequently received Building Permit approvals to convert the church building into an education use, which was consistent with the ASY zoning. The existing gymnasium building on the subject site received Building Permit approval in 1996, along with a Development Variance Permit (DV 96-000137) to vary the side yard setback.

In 2019, during the pre-application stage for the subject proposal, staff advised the applicant to confirm with the Agricultural Land Commission (ALC) if ALC approval is required. ALC staff confirmed the property is subject to the *Agricultural Land Commission Act* (ALCA) and that an ALR non-farm use application is required to allow the existing education uses to continue and to construct a new classroom building. As per the ALCA, an ALR non-farm use application may not proceed to the ALC unless authorized by a resolution of the local government.

Also during the pre-application stage, ALC staff confirmed the adjacent property (20411 Westminster Highway) is not subject to the ALCA, due to the exception section in the ALCA (less than 2 acres and on separate title prior to December 21, 1972). The adjacent property is zoned "Agriculture (AG1)" and designated "Agriculture (AGR)" in the Official Community Plan (OCP). As the two sites function together, staff requested the applicant to provide an agricultural component as part of the non-farm use application. In response, the applicant has provided a farm plan (including vegetable planting boxes, fruit trees/shrubs, soil-based greenhouse and an agricultural education component) for the adjacent property (20411 Westminster Highway) to incorporate into the school's curriculum. More information regarding the proposal is provided in the "Analysis" section of this report.

#### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 2).

#### Surrounding Development

To the North:	A cranberry processing facility and associated surface parking and loading on a lot zoned "Agriculture (AG4)" and located in the ALR, fronting Dhillon Way.
To the South:	Across Westminster Highway and Highway 91, active agricultural operations on large lots zoned "Agriculture (AG1)" located in the ALR.
To the West:	Property at 20411 Westminster Highway, also owned by Choice School for Gifted Children Society, containing recreational fields, playgrounds and surface parking associated with the school operation on the subject property, on a lot zoned "Agriculture (AG1)" and located in the ALR.

To the East: Light industrial uses with associated surface parking and loading on a lot zoned "Industrial Business Park (IB1)", fronting Westminster Highway.

#### **Related Policies & Studies**

#### Official Community Plan

The Official Community Plan (OCP) land use designation for the subject site is "Agriculture (AGR)", which comprises of those areas of the City where the principal use is agriculture and food production, but may include other land uses as permitted under the *Agricultural Land Commission Act* (ALCA), including non-farm uses approved by Council and the ALC. No amendments are required to the OCP.

#### Food Security and Agricultural Advisory Committee

The Food Security and Agricultural Advisory Committee (FSAAC) reviewed and supported the subject ALR non-farm use application at its meeting held on September 17, 2020. An excerpt from the September 17, 2020 FSAAC meeting minutes is provided in Attachment 3.

#### Richmond School District No. 38

As per Council Policy "Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools", the subject application was referred to School District staff for information purposes. As per the Policy, School District staff may provide comments if desired. No comments were provided by School District staff regarding the subject application.

#### Analysis

#### Zoning

The subject property is zoned "Assembly (ASY)", which provides for religious assembly, education and other limited community uses. Education is a permitted use in the zone and the proposal is consistent with the existing ASY zoning, including permitted density, lot coverage, setbacks and height.

The existing school building is approximately 1,069.1 m<sup>2</sup> (11,508 ft<sup>2</sup>) in floor area and the existing gymnasium is approximately 346.9 m<sup>2</sup> (3,735 ft<sup>2</sup>) in floor area. The proposed new classroom

#### **PLN - 100**

building is approximately  $261.0 \text{ m}^2 (2,810 \text{ ft}^2)$  in floor area and includes two classrooms, washroom facilities, bicycle room for staff, and storage area. The proposed new classroom building is projected to increase the school's capacity by 30 students (for a total of 110 students). A site plan and proposed floors plans are provided in Attachment 4.

#### Non-Farm Use

Although the proposal is consistent with the existing "Assembly (ASY)" zoning, ALC staff confirmed the property is subject to the *Agricultural Land Commission Act* (ALCA) and therefore requires an application to the ALC in order to allow the existing and proposed non-farm uses. As per the ALCA, the non-farm use application may not proceed to the ALC unless authorized by a resolution of the local government.

As part of the non-farm use application, the applicant has provided a farm plan on the adjacent property (20411 Westminster Highway) to implement agricultural activities as part of the curriculum of the existing education use. The farm plan includes vegetable planting boxes, fruit trees/shrubs, soil-based greenhouse and an agricultural education component. In addition, the proposed classroom building will also provide storage for farm tools, equipment and materials in support of the farm. Existing playground equipment will also be consolidated in order to accommodate the proposed farm plan. The farm plan proposal and site plan is provided in Attachment 5.

#### Adjacent Property

The adjacent property to the west at 20411 Westminster Highway is also owned by Choice School for Gifted Children Society and currently contains recreational fields, playgrounds and surface parking associated with the education use on the subject site. The property is zoned "Agriculture (AG1)", designated "Agriculture (AGR)" in the OCP and located in the ALR. ALC staff have confirmed that although the subject property at 20451 Westminster Highway is subject to the ALCA, the adjacent property at 20411 Westminster Highway is not subject to the ALCA, due to the exception section in the ALCA (less than 2 acres and on separate title prior to December 21, 1972). Therefore, a nonfarm use application is not required to permit uses associated with the school operation for the adjacent property at 20411 Westminster Highway.

#### **Future Development Applications**

The existing uses on the adjacent property (20411 Westminster Highway) are not consistent with "Agriculture (AG1)" zoning. In addition, the parking and septic system is currently shared between the two properties. Should Council and the ALC approve the non-farm use application at the subject property (20451 Westminster Highway), the following would be required:

- Rezoning application at 20411 Westminster Highway to legitimize the existing uses, including the recreational fields, playgrounds and surface parking and to secure the implementation of the proposed farm plan; and
- Consolidation of the two properties (20411 & 20451 Westminster Highway).

#### **Financial Impact**

None.

#### Conclusion

Choice School for Gifted Children Society has submitted an Agricultural Land Reserve (ALR) non-farm use application at 20451 Westminster Highway in order to allow the existing education uses to continue and to construct a new classroom building.

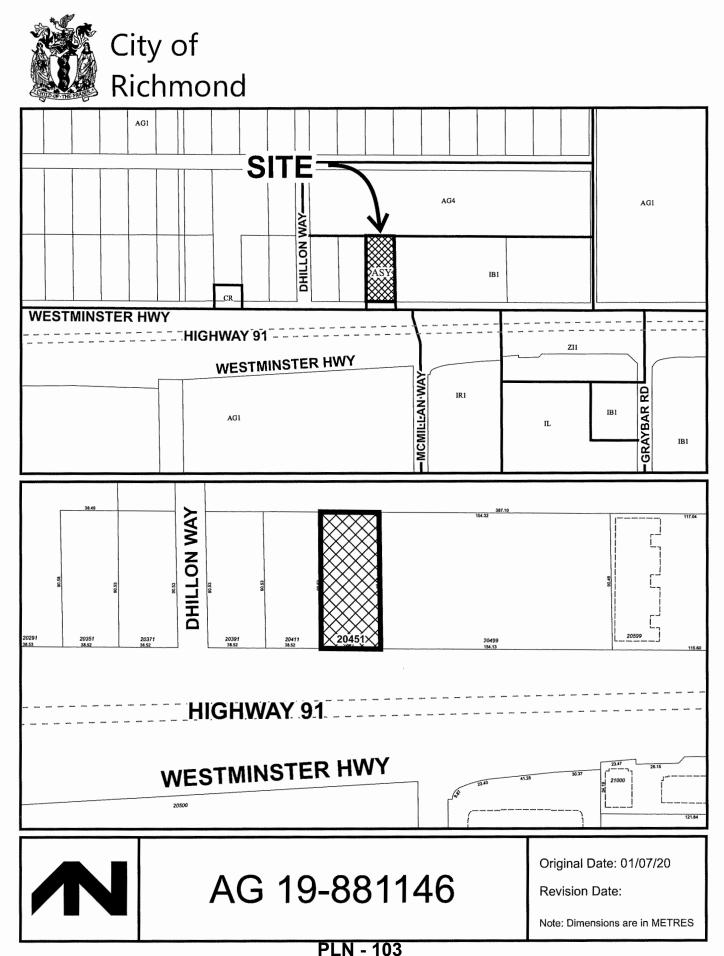
It is recommended that the ALR non-farm use application be endorsed and forwarded to the Agricultural Land Commission (ALC).

Steven De Sousa Planner 1 (604-204-8529)

SDS:blg

Attachments:

Attachment 1: Location Map and Aerial Photo Attachment 2: Development Application Data Sheet Attachment 3: Excerpt from the FSAAC September 17, 2020 Meeting Minutes Attachment 4: Conceptual Plans Attachment 5: Farm Plan Proposal





# City of Richmond



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Note: Dimensions are in METRES



### **Development Application Data Sheet**

**Development Applications Department** 

#### AG 19-881146

Attachment 2

Address: 20451 Westminster Highway

Applicant: Choice School for Gifted Children Society

Planning Area(s): East Richmond

	Existing	Proposed
Owner:	Choice School for Gifted Children Society	No change
Site Size:	3,486 m² (0.86 ac / 0.35 ha)	No change
Land Uses:	Education	No change
OCP Designation:	Agriculture (AGR)	No change
Zoning:	"Assembly (ASY)"	No change
Other Designations:	Agricultural Land Reserve (ALR)	No change

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	Existing: 0.4 Proposed Building: 0.08 Total: 0.48	None permitted
Lot Coverage – Buildings:	Max. 35%	Existing: 19% Proposed Building: 4% Total: 23%	None
Lot Size:	N/A	3,552 m <sup>2</sup>	None
Setbacks:	Front: Min. 6.0 m Rear: Min. 7.5 m Side: Min. 1.2 m	Proposed Building: Front: 16.8 m Rear: 58.5 m Side: 7.5 m	None
Height:	12.0 m	Proposed Building: 6.0 m	None
Off-street Parking Spaces:	Min. 31	36	None
Off-street Parking Spaces: Accessible:	Min. 1	2	None
Bicycle Parking - Class 1:	Min. 9	9	None
Bicycle Parking – Class 2:	Min. 24	24	None

### Excerpt from the Meeting Minutes of the Food Security and Agricultural Advisory Committee (FSAAC)

#### Thursday, September 17, 2020 – 7:00 p.m. Rm. M.2.002 (Webex) Richmond City Hall

#### ALR Non-Farm Use Application – 20451 Westminster Highway

Steven De Sousa, Planner 1, introduced the non-farm use application, and provided the following comments:

- The subject property is zoned "Assembly (ASY)", designated Agriculture in the OCP and located in the ALR. The ALC has confirmed the property is subject to the Provincial ALR Regulations;
- The associated adjacent property is zoned "Agriculture (AG1)", designated Agriculture in the OCP and located in the ALR. The ALC has confirmed the property is not subject to the Provincial ALR Regulations because it was less than 2 acres prior to December 21, 1972 and on separate title;
- The proposed non-farm use application is required for the proposed expansion of the school;
- The proposal is consistent with the City's ASY Zone; and
- Should the application be approved by Council and the ALC, a subsequent development application will be required for the adjacent property to legitimize the existing uses.

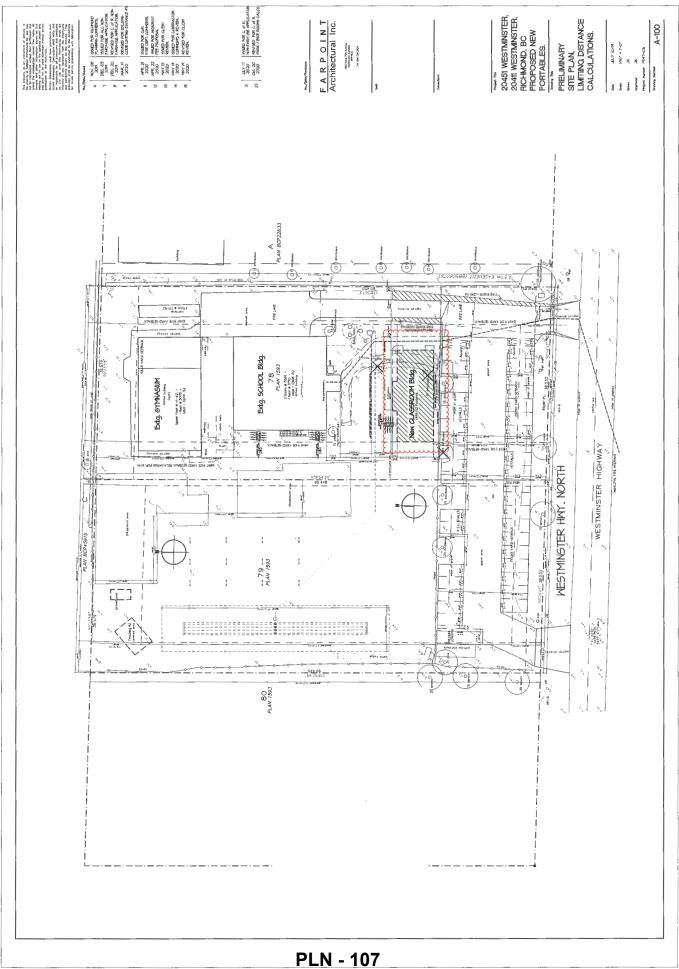
The applicant provided additional details regarding the school operation, proposed new classroom building and impacts of the ongoing COVID-19 pandemic.

Discussion ensued regarding the proposed building type, implementation of agriculture in the curriculum and finding a balance between the farm plan and recreational facilities.

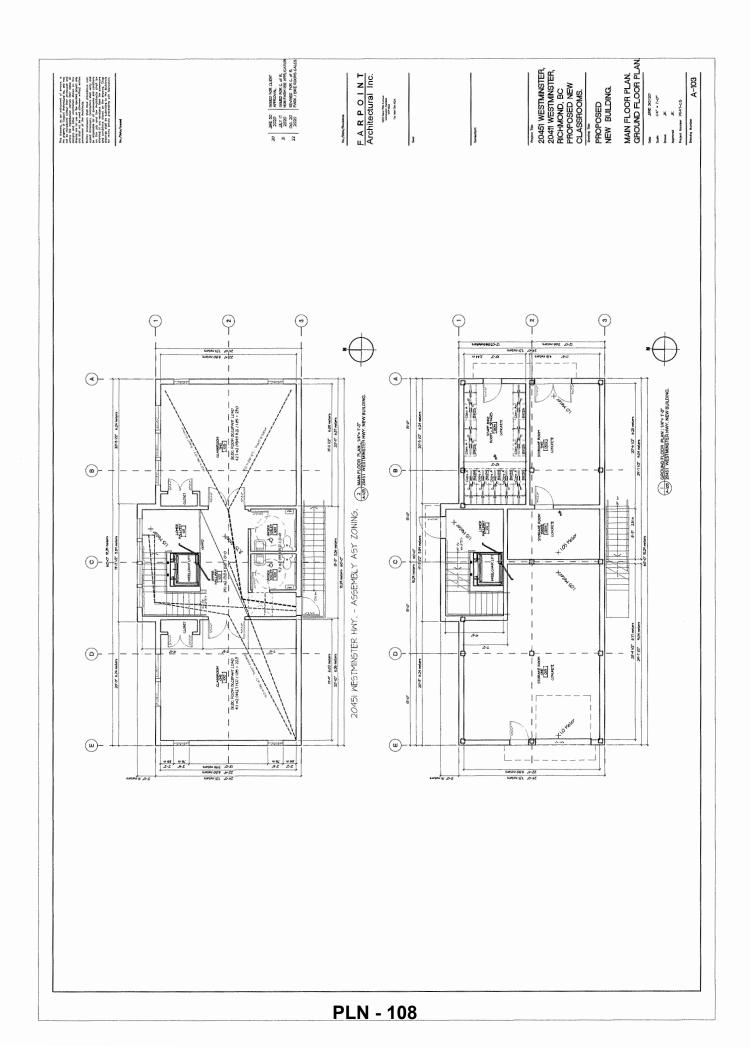
The Committee passed the following motion:

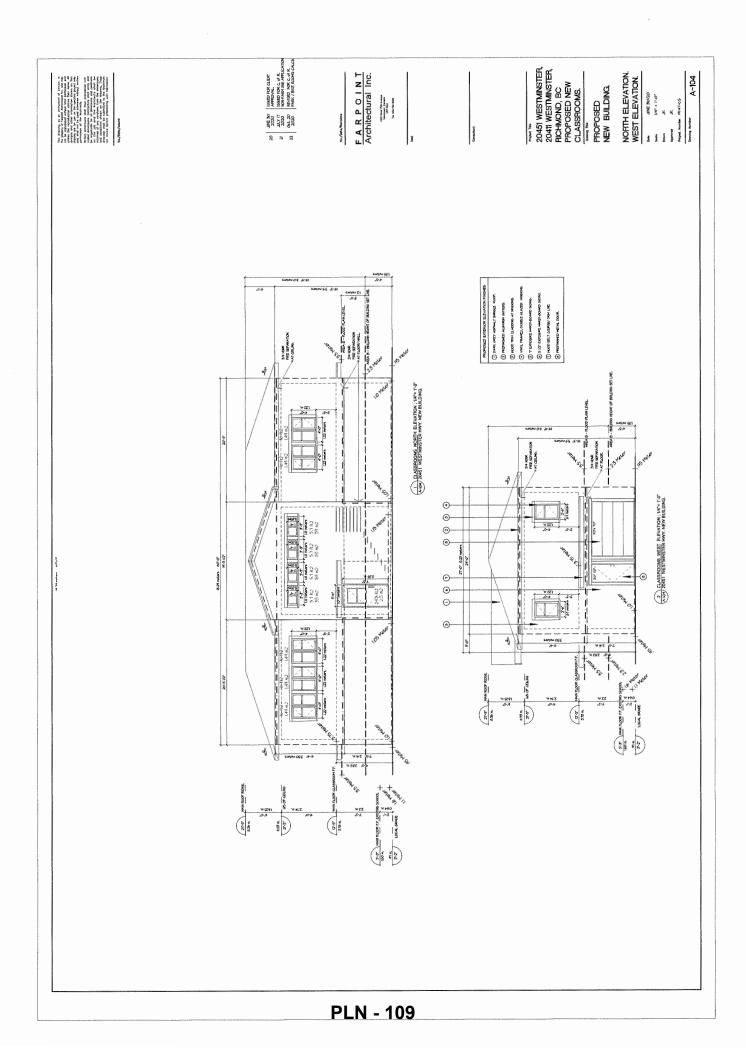
That the Food Security and Agricultural Advisory Committee support the ALR Non-Farm Use Application at 20451 Westminster Highway (AG 19-881146).

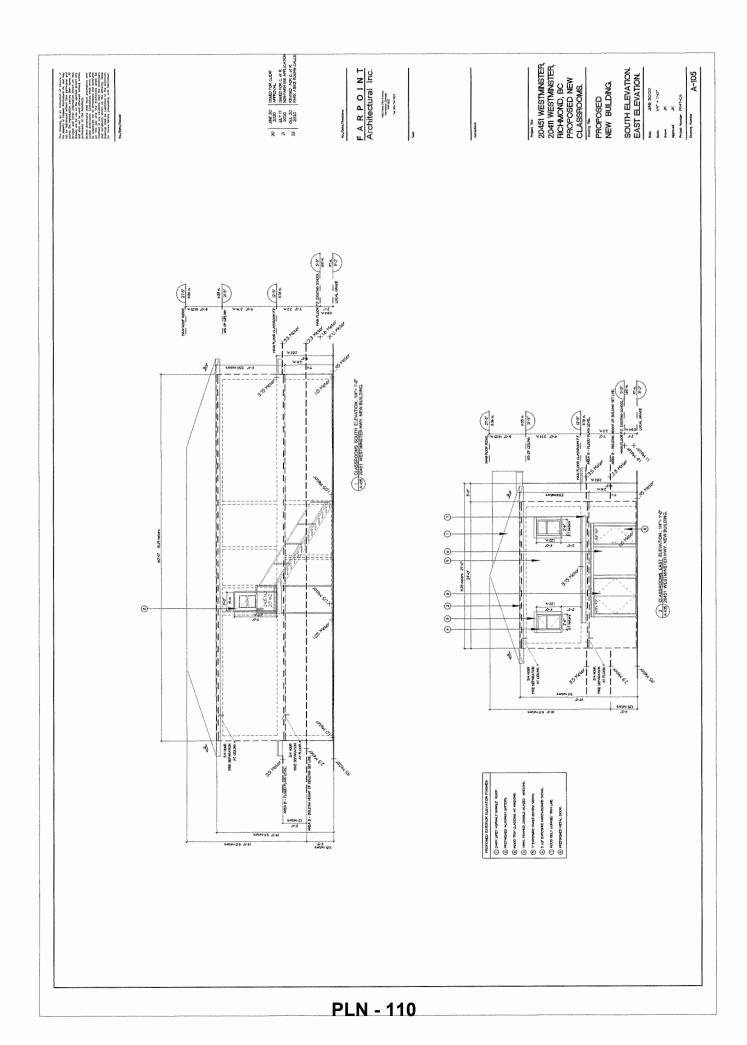
Carried Unanimously



#### **ATTACHMENT 4**









### Farm Plan Proposal for 20411 Westminster Highway, Richmond, BC

In response to Comment 10 in the City's Preliminary Comments letter dated April 17th, 2020, Choice School offers the following Farm Plan proposal for the City's review.

The attached Farm Plan drawing No. A-110, shows a delineated area totalling 50.2% of the property that the school will dedicate to agricultural use. Please note that we have not included the portion of the property covering the septic field within the calculation of the proposed 50.2% agricultural use area.

Note also, that in order to create the proposed 50.2% area for agricultural use, we propose to reconfigure the portion of the property that currently houses our playground equipment sets. The two currently separated gravel and lumber edged areas housing two swings sets and two jungle gyms, will be consolidated into one single gravel and lumber edged area and all the existing playground equipment re-located to within the new proposed area. As included in our written response to your preliminary comments letter regarding the City's request for "removal of as much of the play equipment/field as possible..." we offer the following response:

"As a Special Education School designated by the Ministry of Education, Choice provides students with a broad range of support functions, especially for those of our students with emotional, behavioral and other learning difficulties associated with giftedness. Our playground space and equipment represent one of these essential support functions. Frequent outside exercise and physical exertion forms a key component in helping students learn to regulate their emotions and behaviors so that students are able to return to the classroom ready to learn with fewer disruptions and behavioral challenges. It is well-documented in literature that regular physical activity has many benefits for children, including the development of: fine and gross motor coordination; co-operative play skills with peers; visual motor integration; improved mental health; physical fitness and endurance; and self-regulation skills. Research has shown that physical activity is decreasing in Canadian children and there is an increase in obesity among our students. Researchers have found that poor play environments and an increase in structured activities (Elkind, 2007; Tremblay 2018) contribute to the decrease in physical activity we see in children. Our playground equipment is an essential part of providing our students the opportunity for vigorous exercise in a safe and unstructured environment. This allows children of all ages and abilities at our school to engage with each other socially and cooperatively during recesses, lunch breaks and before and after the school day. Consequently, we respectfully request that with our proposed



agricultural use covering 50.2% of the property, the City will allow us to retain all of our current playground equipment in a reconfigured form."

This farm plan proposal will significantly reduce the currently available play area for our students. An area that is well-established and has been utilized for play and sports for more than 25 years.

However, we recognise that in order to comply with AG1 zoning and in order to obtain the necessary City permits for the construction of our proposed new classroom building on the adjacent lot, we are prepared to make the changes being requested in accordance with this farm plan proposal.

### **Existing Agricultural Use**

The school does have an already established annual produce growing activity as part of our educational curriculum. Students, with help from staff, plant, nurture and harvest a range of produce including strawberries, radishes, tomatoes, squash, melons and other summer crops. To facilitate this, the school utilizes the existing greenhouse, the existing outdoor teaching hut and several planters. The resulting produce is donated to local food banks.

### **Proposed Agricultural Use**

Our farm plan for this development application proposes to greatly expand on the current growing activities by the planting, cultivation and harvesting of three distinct crop types in three areas as indicated on Farm Plan A-110, these include:

- Approximately 90 Christmas trees located around the property perimeter.
- Rows of assorted fruit trees and bushes,
- Assorted vegetables in 12 new 6' x 2' vegetable raised bed planters

### **Christmas Trees**

The specific Christmas tree varieties will be selected based on local environmental and soil conditions. Christmas trees are anticipated to be much less work intensive than the fruit and vegetable growing activities proposed and this was big consideration in their inclusion. After initial planting, the trees will grow and mature over a number of years. Further research and a more specific plan defining how we will select, procure, plant, harvest, and sell or donate the trees, will be determined following the City's anticipated approval of this proposal.

# PLN - 112





**Choice School – Existing Vegetable Growing Activity** 

### **Fruit Trees/Bushes**

The proposed fruit trees/bushes will be selected from a combination of blueberry, raspberry, apple, fig and plum. Varieties of each will be selected based on those best suited for our local environmental conditions and the results of soil testing performed following the City's anticipated approval of this proposal.

### Vegetables

Assorted vegetables to be grown in the twelve proposed raised beds will be selected annually from a list of lettuce, tomatoes, squash, pumpkin, onions, leeks, beans, peas, broccoli and other such annual vegetable crops that are typically grown successfully in this area. Similar to the



school's current small-scale growing operation, much of this produce will be raised from seed and nurtured in the greenhouse prior to planting out in the raised beds.

We determined that a series of raised beds represents the best option for success for vegetable growing. We can ensure that each one contains the optimum mix of fertile soil for growing, the height of the raised beds will be optimised for easy student access and the areas around the beds will continue to provide some play-space for students without any risk of plant damage.

### Farm Work Area

Also included in our proposal is a farm use work area providing for equipment and vehicle access via the gate at the south west corner of the south fence for loading/unloading, staging of materials, work preparation and other farm work related uses. Should the development permit be approved for the proposed new classroom building on our adjacent property, the proposed storage area underneath this building will provide secure storage for farm tools, equipment and materials, etc. This will also pre-empt the need to erect a farm building within the proposed agricultural use area on the subject property for secure storage purposes.

### **Educational Curriculum**

The school's current produce growing activities are already integrated into the school curriculum and a similar approach will be taken to incorporate the broader crop growing activities proposed here.

In its new curriculum, the BC Ministry of Education suggests that learning can and should take place beyond the walls of the classroom. The farm/garden environment this proposal describes provides a genuine context for learning about nature and the Ministry's curricula Big Ideas that connect understandings in Science throughout the grades. At each grade level, several of the Big Ideas in Science centre on living things:

- Plants and animals have observable features.
- Daily and seasonal changes affect all living things.
- Living things have features and behaviours that help them survive in their environment.
- Living things have life cycles adapted to their environment.
- Living things are diverse, can be grouped, and interact in their ecosystems.
- All living things sense and respond to their environment.
- Living things have features and behaviours that help them survive their environment

The curricular competencies, skills, strategies and processes that support the development of these understandings are most effectively acquired in an environment where students hypothesize, predict, observe and analyze the results of their experiments and their explorations

# PLN - 114



of a real-world environment. The results will be the authentic product, the crop harvest that results from their efforts.

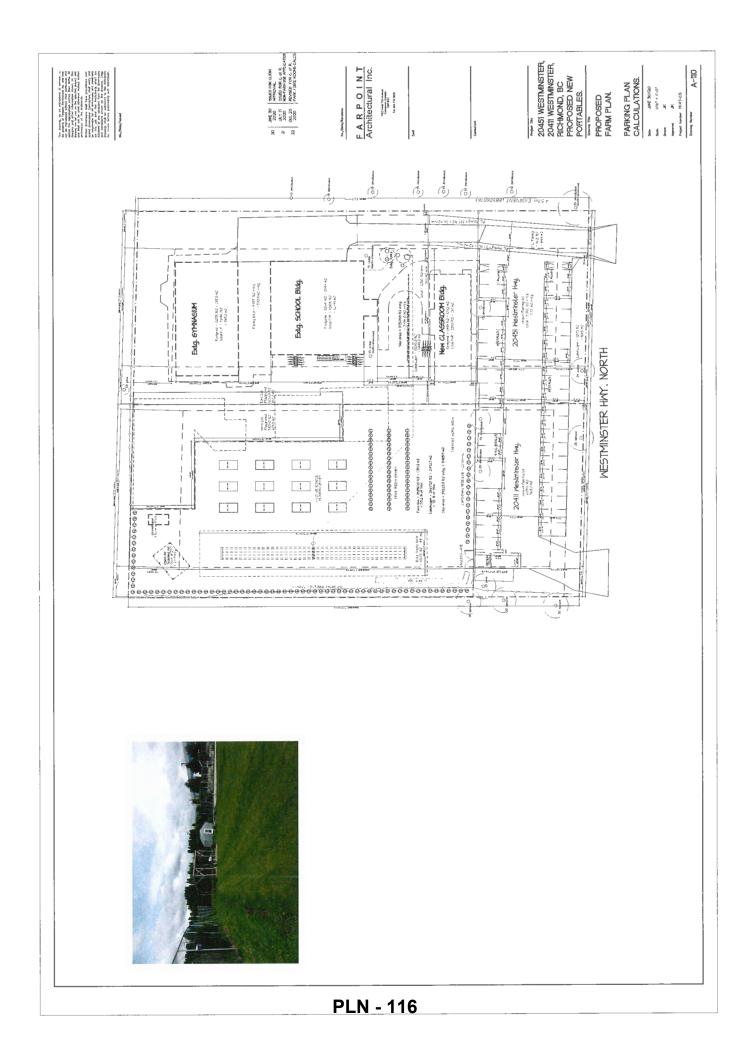
Also woven into the curriculum are opportunities for students to develop a deep understanding of Indigenous Knowledge and Perspectives: the interconnectedness of the natural world, traditional growth and harvest over time and the oral narratives through which this knowledge is shared. The farm/garden provides an optimal environment for this learning to grow.

### Operations

The fruit trees/bushes and vegetable growing will be at the heart of the school's proposed farm use operation. This size of activity compared to our current growing activities will place a significant burden of work on those involved. As is the case today, the proposed agricultural use will be operated by a combination of school staff, students and student families. In addition to teacher and student farm related educational activities in support of the proposed farm use, we have an active Parent Advisory Committee (PAC) and parent community. This includes a wellestablished volunteer incentive deposit program. At the start of each school year, each student family lodges a volunteer deposit with the school. Parents can then earn back that deposit during the school year by expending volunteer hours on defined activities in support of the school. We anticipate expanding and leveraging this program to incentivise parents to support farm activities. We anticipate that similar to today, any produce resulting from this proposed farm use will be donated to local food banks as it is harvested.

We hope the City will appreciate that due to the modest size of the school's enrollment, staff and related financial resources, there is a finite limitation to what we can realistically propose for a farm plan. We make this proposal in good faith and to the best of our limited ability to meet the agricultural use requirement being requested.







# **Report to Committee**

Re:	Steveston Village Heritage Conservation Grant Pi	rogram (	Council Policy 5900)
From:	Barry Konkin Director, Policy Planning	File:	08-4200-01/2020-Vol 01
To:	General Purposes Committee	Date:	November 9, 2020

### **Staff Recommendation**

That the proposed minor amendments to the Steveston Village Heritage Conservation Grant Program (Council Policy 5900), as detailed in the staff report titled "Steveston Village Heritage Conservation Grant Program (Council Policy 5900)," dated November 9, 2020 from the Director, Policy Planning, be approved.

Barry Konkin Director, Policy Planning

BK:cl Att. 5

REPORT CONCURRENCE			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Arts, Culture & Heritage Development Applications	<u>N</u>	be Erceg	
SENIOR STAFF REPORT REVIEW	Initials: QJ	APPROVED BY CAO	

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### **Staff Report**

### Origin

With Council's consideration of a recent Heritage Alteration Permit and Heritage Conservation Grant application associated with roof replacement at the Steveston Hotel (HA 19-881148), questions were raised that led staff to undertake a review of the Steveston Village Heritage Conservation Grant Program (Council Policy 5900) to assess whether a portion of each grant should be tied to visual enhancements to protected buildings as part of a grant application. This report presents the findings from that review and recommends amendments to the Grant Program.

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

5.2 Clear accountability through transparent budgeting practices and effective public communication.

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

6.4 Recognize Richmond's history and heritage through preservation, protection and interpretation.

### **Related Policies & Studies**

#### Steveston Village Heritage Conservation Grant Program (Council Policy 5900)

The Steveston Village Heritage Conservation Grant Program (Council Policy 5900) was adopted by Council in 2009 (Attachment 1), as part of the implementation of the Steveston Village Conservation Strategy, to provide financial assistance to property owners for conserving the 17 protected heritage buildings in the Steveston Village Heritage Conservation Area, as identified in the Steveston Area Plan (Attachment 2).

The Grant Program plays an important role in the conservation of Steveston's protected heritage buildings as there is a lack of meaningful grant funding available through higher levels of government, and eligibility requirements vary.

Funds for the Grant Program are provided by developer contributions secured through the density bonus mechanisms outlined in the Steveston Area Plan, obtained through development applications (which have been collected since 2015).

At the time of the Grant Program's establishment, eligible expenses included roof replacement, foundation, the conservation of building exteriors such as walls, siding, doors, and windows, as well as costs directly related to the preparation of plans associated with physical improvements to the building. Maintenance work has never been an eligible expense in the Grant Program.

From 2009 to 2018, no Heritage Conservation Grant applications were received and no funds had been disbursed from the Grant Program account, which had grown to \$1,047,315.

The Grant Program was amended by City Council in November 2018 to better promote and facilitate the conservation of the protected heritage buildings in the Steveston Village Heritage Conservation Area and to utilize the funds collected to-date for their intended purpose. Amendments to the Grant Program in 2018 included:

- increasing the maximum grant amount available per protected heritage building to \$150,000 (on a 50/50 cost sharing basis);
- increasing the additional grant amount available to achieve exceptional<sup>1</sup> heritage conservation to \$100,000 (on a 50/50 cost sharing basis), such that the maximum grant amount available per protected heritage building under this scenario is a total of \$250,000;
- modifying the required 50/50 cost sharing basis for protected heritage buildings owned by a registered non-profit society to 75/25, thereby applying for a grant to cover up to 75% of the total eligible expenses and only being required to pay the remaining 25%; and
- clarifying and expanding the types of conservation expenses eligible for funding to include all actions or processes aimed at safeguarding the character-defining elements of an historic place to retain its heritage value and extend its physical life, as defined in the *Standards and Guidelines for the Conservation of Historic Places in Canada*, such as, but not limited to:
  - Façade restoration or rehabilitation to improve the appearance and convey the heritage significance of the building;
  - Repair or restoration of the character-defining elements such as wood windows or original cladding;
  - Reconstruction of lost heritage elements such as front porches or exterior trims;
  - Roof replacement;
  - Structural upgrades, including seismic upgrades, and stability work (e.g., new foundations) to extend the physical life of the building; and
  - Directly related consultant costs, including the cost to prepare a conservation plan and architectural drawings, up to 10% of the total grant amount. Consultant costs without associated physical improvements to the building are not eligible.

Since the Grant Program was amended in 2018, City Council has approved three grants:

- \$150,000 to the Richmond Hospital/Healthcare Auxiliary on May 13, 2019, to assist with foundation replacement work for the protected heritage building located at 3711 and 3731 Chatham Street, known as the "Steveston Methodist Church";
- \$15,159.38 to Brett Martyniuk of Village Bikes on July 8, 2019, to assist with roof replacement for the protected heritage building located at 3891 Moncton Street, known as the "Tasaka Barbershop"; and
- \$72,800 to Kanaris Demetre Lazos on July 27, 2020, to assist with roof replacement for the protected heritage building located at 12111 3<sup>rd</sup> Avenue, known as the "Sockeye/Steveston Hotel".

<sup>&</sup>lt;sup>1</sup> means a complete and comprehensive restoration of a building, in the opinion of the Director, Policy Planning and a retained heritage consultant, that would greatly enhance the heritage value of the Steveston Village Heritage Conservation Area, and with a final determination from City Council.

As of October 31, 2020, the Grant Program account balance is \$1,057,979. This balance reflects the disbursement of the Grant that Council approved for the Village Bikes roof replacement, however the fund balance after the remaining two Grants are disbursed will be approximately \$834,492<sup>2</sup>. The remaining two Grant recipients (i.e., Richmond Hospital/Healthcare Auxiliary and the Steveston Hotel) have completed their projects and are currently in the process of submitting the necessary documents for the disbursement of their grant funds in accordance with Council Policy 5900 (e.g., paid invoice(s) showing the actual cost of the completed project, independent project completion report, written warranties, photos etc.).

### Analysis

With Council's recent consideration of the Heritage Conservation Grant application associated with the roof replacement at the Steveston Hotel, questions were raised that led staff to undertake a review of the Steveston Village Heritage Conservation Grant Program (Policy 5900) to assess whether a portion of each grant should be tied to visual enhancements to protected buildings as part of a grant application.

#### **Options**

Staff have identified two options for consideration regarding possible amendments to the Grant Program for this purpose:

Option A: Status Quo (not recommended)

The existing Grant Program supports conservation of protected heritage resources in the Steveston Village Heritage Conservation Area to retain their heritage value and extend their physical life, consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*. Interventions such as roof replacement and structural upgrades, each with their own unique contexts, do not necessarily involve visual enhancements to protected buildings.

An advantage to the current Grant Program's funding of non-visual work that is necessary to extend the physical life of protected heritage buildings is that such work may be among the most critical contributions a property owner can undertake in the building's overall conservation.

A disadvantage of the current Grant Program is that it does not require property owners of protected heritage buildings to initiate a conservation plan that identifies all of the long-term efforts needed to safeguard the heritage character-defining elements of the building or to provide for their restoration to convey the building's historic significance.

• Option B: Amendments to the Grant Program (recommended)

Minor amendments to the Grant Program (Council Policy 5900) are recommended to strengthen its' long-term effectiveness while providing for visual enhancements to protected heritage buildings in the short-term.

<sup>&</sup>lt;sup>2</sup> Grants approved by City Council cannot be disbursed until the projects are demonstrated to be completed in accordance with the criteria in Council Policy 5900. Grants are disbursed based on the actual cost of the work (on a cost-sharing basis), rather than based on the approved grant amount.

While maintaining the existing content of Council Policy 5900, two amendments are proposed:

- Introduce the requirement for all Heritage Conservation Grant applications to include visual enhancements to streetfronting façades as part of the proposed scope of work (10% of the overall grant amount), including, but not limited to, repair or restoration of original building forms, façades, materials, and heritage character-defining elements as outlined in the resource's Statement of Significance. Consistent with the existing content of the Policy, maintenance to the building exterior does not qualify as a visual enhancement as this type of work is not eligible for a Grant; and
- 2. Imbed the explicit requirement for an acceptable Heritage Conservation Plan<sup>3</sup> prepared by a professional heritage consultant<sup>4</sup> to be submitted as part of all Heritage Conservation Grant applications, to enable evaluation and justification of the proposed work in the context of the agreed-upon long-term conservation efforts. Note: while a Heritage Conservation, it does not compel the applicant to complete the works identified in the Plan in the future.

One potential impact of the proposed amendments to the Grant Program is that it may deter small business or property owners from undertaking the necessary work to conserve their protected heritage buildings, particularly with the current economic climate, as it will involve increased costs associated with the preparation of the required Heritage Conservation Plan and with undertaking the added visual enhancements in order to be considered for a grant.

To address such concerns, two additional amendments to Council Policy 5900 are also proposed, as follows:

- 1. To increase the City's portion of the cost-sharing approach (i.e., from 50/50 to 60/40), so that additional funds are available to cover increased costs associated with the requirement for visual enhancements; and
- 2. To increase the maximum eligible percentage of funding available to cover consultant costs associated with the preparation of a Heritage Conservation Plan and architectural drawings from 10% to 15% of the overall grant amount.

#### Proposed Amendments

Staff recommend Option B as it strengthens the Grant Program's objective of providing for the long-term conservation of the 17 protected heritage resources in the Steveston Village Heritage Conservation Area while providing for short-term visual enhancements.

<sup>&</sup>lt;sup>3</sup> A Heritage Conservation Plan is a document that explains the significance of an historic place, its contemporary context, and sets out a policy framework and long-term strategy to guide the retention of heritage values through effective interventions. It also includes detailed information for the sustainable use, management, maintenance, repair, and alteration of the historic place. A Heritage Conservation Plan is important because it assists in informing the direction of conservation decisions in the context of heritage value retention.

<sup>&</sup>lt;sup>4</sup> A professional heritage consultant is someone who has specialized knowledge, supported by formal training and/or work experience, and who conforms to accepted technical and ethical standards in the field of heritage conservation. Such professionals hold membership in the BC Association of Heritage Professionals, and are recognized as being capable of preparing a Heritage Conservation Plan.

Attachment 3 provides a side-by-side comparison of the existing relevant sections of Council Policy 5900 with the proposed amendments to the Policy.

The proposed amendments to the Grant Program are reflected in the attached draft Council Policy 5900 (Attachment 4).

Should Council adopt the staff recommendation, the proposed amendments will also be reflected in the attached draft bulletin "Steveston Village Heritage Conservation Grant Program (No.: Planning-03)", which outlines the grant application process, minimum submission requirements, and provides City staff contact information to obtain further information on the Grant Program (Attachment 5).

### **Richmond Heritage Commission**

The Richmond Heritage Commission reviewed the proposed amendments outlined in the draft Policy at its meeting held on November 4, 2020 and passed the following resolution:

That the Richmond Heritage Commission recommend that the requirement for visual enhancements to streetfronting façades be removed from the proposed amendments to the Steveston Village Heritage Conservation Grant Program outlined in the draft Policy 5900.

Overall, the Commission was not supportive of requiring visual enhancements equating to 10% of the overall grant amount. Further, Commission members requested more clarity about the qualifications of a professional heritage consultant, and what streetfronting visual enhancements would mean. The draft minutes of the meeting are included in Attachment 6.

While the input of the Richmond Heritage Commission is important in the review of the Policy, staff maintain that there is merit to including a requirement for small-scale visual enhancements to façades of the 17 protected heritage buildings in the Steveston Village Heritage Conservation Area.

Staff have addressed some of the Commission's comments in the recommended draft Council Policy, including:

- Adding clarity that a professional heritage consultant is a member in the BC Association of Heritage Professionals, and is recognized as having the necessary skills and expertise to prepare a Heritage Conservation Plan; and
- Providing examples of what constitutes visual enhancement of façades (e.g., repair or restoration of original building forms, façades, materials, and heritage character-defining elements as outlined in the resource's Statement of Significance).

### Stakeholder Consultation

Should Council adopt the staff recommendation, the revised bulletin "Steveston Village Heritage Conservation Grant Program (No.: Planning-03)" will be posted on the City's Website, and staff propose to hold a virtual information session with the property owners of the 15<sup>5</sup> privately-owned

<sup>&</sup>lt;sup>5</sup> The other two protected heritage resources in the Village are City-owned sites.

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protected heritage resources in the Steveston Village Heritage Conservation Area about the revised Grant Program in the first quarter of 2021. The purpose of the information session will be to share information about the revised Grant Program and submission requirements, and to obtain feedback from the property owners on the revised Program.

Staff will offer one-on-one virtual meetings, at the request of individual property owners, to enable tailored assistance and to encourage potential conservation, restoration, and rehabilitation projects that may be eligible for grant applications.

Staff will report back to Council regarding the outcome of the stakeholder outreach and on the status of the Grant Program upon consideration of the next Grant application submitted to the City.

### **Financial Impact**

The recommendations in this report have no financial impact as the source of funds for the Grant Program remains unchanged (i.e., density bonus contributions, other grants and donations), and there is no increase proposed to the maximum funding amounts established in the Grant Program. Consistent with the existing content of Council Policy 5900, if no program funds are available, no grant applications will be considered (i.e., grant applications will be considered on a first-come, first-serve basis).

### Conclusion

Staff has undertaken a minor review of the Steveston Village Heritage Conservation Grant Program (Policy 5900) to assess whether a portion of each grant should be tied to visual enhancements to protected buildings as part of a grant application.

Staff recommend that the proposed amendments to the Grant Program included in this report be approved to strengthen its' long-term effectiveness in conserving the 17 protected heritage resources in the Steveston Village Heritage Conservation Area while providing for short-term visual enhancements.

Should Council adopt the staff recommendation, staff will hold a virtual information session and virtual meetings with individual private property owners (upon request) to share information about the revised Grant Program and explore conservation ideas.

Cynthia Lussier Planner 2

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Attachments:	
Attachment 1:	Current Council Policy 5900
Attachment 2:	Map Showing the 17 Protected Heritage Resources
Attachment 3:	Side-by-Side Comparison of Relevant Sections of Existing vs. Proposed Council
	Policy 5900
Attachment 4:	Draft Council Policy 5900 with Proposed Amendments

- Attachment 5: Draft Information Bulletin (Planning-03) with Proposed Amendments
- Attachment 6: Excerpt from the Minutes of the November 4, 2020 Richmond Heritage Commission Meeting



# **Policy Manual**

Page 1 of 4	Steveston Village Heritage Conservation Grant Program	Policy 5900
	Adopted by Council: April 27, 2009	
	Amended by Council: November 13, 2018	

### POLICY 5900:

It is Council policy that:

The Steveston Village Heritage Conservation Grant (SVHCG) Program is established to provide financial assistance to property owners – on a cost share basis - for conserving the exterior of 17 heritage buildings in the Steveston Village Heritage Conservation Area, as identified in the Steveston Area Plan.

The 17 identified heritage buildings make a significant contribution to the heritage character of Steveston Village. The intent of the program is to help conserve the exterior of these significant buildings and support their continued legacy for future generations.

### 1. Program Funding Sources

The source of funds for the SVHCG Program includes:

- Density bonus contributions, as set out in the Steveston Area Plan\*;
- Senior government and Non-Governmental Organization grants; and
- Other private donations.

\*Specific sites within the "Steveston Village Land Use Density and Building Height Map" are identified for a maximum possible Floor Area Ratio (FAR) of 1.6. In order to achieve this maximum density, a contribution of \$608.05 per m<sup>2</sup> (\$56.49 per ft<sup>2</sup>) - based on the increase in net building floor area between the 1.2 FAR base density and up to the 1.6 FAR maximum density - must be provided.

Contribution amounts may be reduced by an amount equivalent to any cash-in-lieu contributions received under the City's Affordable Housing Strategy.

The above contribution rate to the SVHCG Program will be revised, starting February 28, 2019, and then by February 28 every two years thereafter, by adding the annual inflation for the preceding two calendar years using the Statistic Canada *Vancouver Construction Cost Index – Institutional* inflation rate. The revised rates will be published in a City Bulletin.

### 2. Grant Amounts

- Maximum grant of \$150,000 per identified heritage building. The grant may not exceed 50% of the total cost of eligible expenses (e.g. only projects with eligible expenses of \$300,000 or more would be able to apply for the maximum amount).
- An additional maximum grant of \$100,000 per identified heritage building may be considered by Council, with private matching funding, to achieve exceptional heritage conservation. Exceptional heritage conservation means a complete and comprehensive restoration of a building, in the opinion of Manager of Policy Planning and a retained heritage consultant, that would greatly enhance the heritage value of the Steveston Village Heritage Conservation Area. The final determination of what is exceptional will



# **Policy Manual**

Page 2 of 4	Steveston Village Heritage Conservation Grant Program	Policy 5900
	Adopted by Council: April 27, 2009	
	Amended by Council: November 13, 2018	

be made by Council based on the project's overall contribution to conserving the character of Steveston Village.

- If the registered owner of the property containing one of the identified heritage buildings is a registered non-profit society, Council may consider providing up to 75% of the total cost of eligible expenses.
- As heritage conservation may occur in stages, an owner/developer may apply more than once; however, the total grant amount per identified heritage building is limited to \$150,000, and for exceptional conservation projects, it is limited to \$250,000.
- If no program funds are available, no grant applications will be considered (i.e., firstcome, first-serve basis).

### 3. Eligible Expenses

Eligible expenses are limited to works related to the exterior conservation of the identified heritage buildings. These include, but are not limited to, the following:

- Façade restoration or rehabilitation to improve the appearance and convey the heritage significance of the building;
- Repair or restoration of the character-defining elements such as wood windows or original cladding;
- Reconstruction of lost heritage elements such as front porches or exterior trims;
- Roof replacement;
- Structural upgrades, including seismic upgrades, and stability work (e.g. new foundations) to extend the physical life of the building; and
- Directly related consultant costs, including the cost to prepare a conservation plan and architectural drawings, up to 10% of the total grant amount. Consultant costs without associated physical improvements to the building are not eligible.

Ineligible expenses include, but are not limited to, the following:

- General on-going maintenance work (e.g. power washing, gutter cleaning);
- Renovation or replacement of the non-historic elements of the building;
- New additions and/or construction of accessory buildings;
- Interior works; and
- Any other work deemed to be inappropriate at the discretion of the Manager of Policy Planning.

The Standards and Guidelines for the Conservation of Historic Places in Canada shall be used as a guide in determining eligible expenses. The Standards and Guidelines for the Conservation of Historic Places in Canada defines "conservation" as all actions or processes aimed at safeguarding the character-defining elements of a resource to retain its heritage value and extend its physical life.

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# PLN - 126



# Page 3 of 4Steveston Village Heritage Conservation Grant ProgramPolicy 5900Adopted by Council: April 27, 2009<br/>Amended by Council: November 13, 2018

### 4. Grant Applications

- Grant applications must be submitted in accordance with the procedures and forms provided by the City;
- Owners or developers of sites with identified heritage buildings may include public entities (e.g. City or other levels of government), and are eligible to apply for a grant;
- Contributors to the SVHCG Program may apply for a grant (e.g., if the site proposed to be redevelop contains one of the 17 identified heritage buildings). However, the required contribution must be provided to the City prior to final approval of the accompanying rezoning or a Heritage Revitalization Agreement application;
- All grant applications that meet the eligibility criteria will be considered by Council. A
  grant will not be provided where work has already been undertaken prior to Council
  approval;
- Final decision on all grant applications that meet the eligibility criteria will be made by Council;
- If Council approves the application, the eligible works must be completed before the grant is issued. The following items must be submitted and accepted by City staff prior to the grant's issuance:
  - A letter from the applicant/owner indicating the actual cost of the completed project accompanied by paid bills as proof and a request for payment of the grant;
  - A project completion report from the project manager (e.g., independent contractor who has completed the work) confirming that the work has been completed in accordance with the approved plans and specifications, including a complete list of actual improvements and installation methods. The report must include a copy of written warranties of all applicable work; and
  - Photographs of the completed project; and
- The completed works must be inspected and deemed satisfactory by the City staff.
- The works covered by the approved grant must be completed within 24 months of the date of the approval by Council. After 24 months from the date of the approval, the grant approval will expire.

### 5. Evaluation Criteria

The following considerations will form the basis for evaluation of grant applications:

- How the proposed work contributes to preserving and enhancing the overall historic fabric of Steveston Village;
- The level of contribution of the proposed work in conserving the heritage character and conveying the historic significance of the building;

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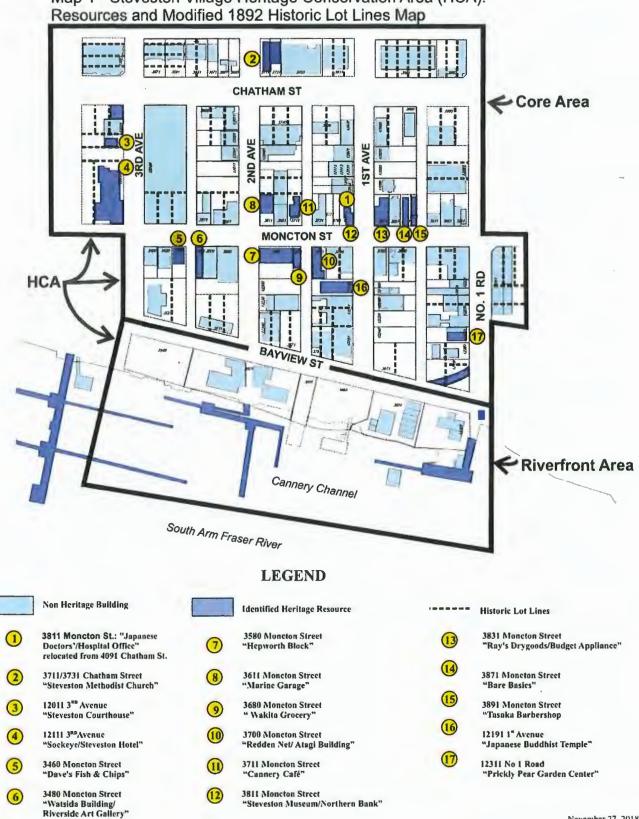


# **Policy Manual**

Page 4 of 4	Steveston Village Heritage Conservation Grant Program	Policy 5900
	Adopted by Council: April 27, 2009 Amended by Council: November 13, 2018	

- · How the proposed work helps extend the physical life of the building; and
- The overall quality of the submission and the applicant's ability to carry out the project on a reasonable time-frame at reasonable costs and secure other funding sources.

November 27, 2018



Map 1 - Steveston Village Heritage Conservation Area (HCA):

**PLN - 129** 

Side-by-Side Comparison of Relevant Sections of Existing vs. Proposed Council Policy 5900

Existing Council Policy 5900	Proposed Amendments to Council Policy 5900
<ul> <li>Grant Amounts</li> <li>Maximum grant of \$150,000 per identified heritage building. The grant may not exceed 50% of the total cost of eligible expenses (e.g. only projects with eligible expenses of \$300,000 or more would be able to apply for the maximum amount).</li> </ul>	<ul> <li>Grant Amounts</li> <li>Maximum grant of \$150,000 per identified heritage building. The grant may not exceed 60% of the total cost of eligible expenses (e.g. only projects with eligible expenses of \$250,000 or more would be able to apply for the maximum amount).</li> </ul>
3. Eligible Expenses Eligible expenses are limited to works related to the exterior conservation of the identified heritage buildings. These include, but are not limited to, the following:	3. Eligible Expenses Eligible expenses are limited to works related to the exterior conservation of the identified heritage buildings, and are subject to resulting visual enhancements to streetfronting façades (10% of the overall grant amount). These include, but are not limited to, the following:
<ul> <li>Façade restoration or rehabilitation to improve the appearance and convey the heritage significance of the building;</li> <li>Repair or restoration of the character-defining elements such as wood windows or original cladding;</li> <li>Reconstruction of lost heritage elements such as front porches or exterior trims;</li> <li>Roof replacement;</li> <li>Structural upgrades, including seismic upgrades, and stability work (e.g. new foundations) to extend the physical life of the building; and</li> <li>Directly related consultant costs, including the cost to prepare a conservation plan and architectural drawings, up to 10% of the total grant amount. Consultant costs without associated physical improvements to the building are not eligible.</li> </ul>	<ul> <li>Façade restoration or rehabilitation to improve the appearance and convey the heritage significance of the building;</li> <li>Repair or restoration of the character-defining elements such as wood windows or original cladding;</li> <li>Reconstruction of lost heritage elements such as front porches or exterior trims;</li> <li>Roof replacement;</li> <li>Structural upgrades, including seismic upgrades, and stability work (e.g. new foundations) to extend the physical life of the building; and</li> <li>Directly related consultant costs, including the cost to prepare architectural drawings and the required Heritage Conservation Plan by a professional heritage consultant<sup>1</sup>, up to 15% of the total grant amount. Consultant costs without associated physical improvements to the building are not eligible.</li> <li>Visual enhancements include, but are not limited to:</li> <li>Repair or restoration of original building forms, façades, materials, and heritage character-defining elements as outlined in the resource's Statement of Significance.</li> </ul>

<sup>&</sup>lt;sup>1</sup> A professional heritage consultant is someone who has specialized knowledge, supported by formal training and/or work experience, and who conforms to accepted technical and ethical standards in the field of heritage conservation. Such professionals hold membership in the BC Association of Heritage Professionals, and are recognized as being capable of preparing a Heritage Conservation Plan.

Existing Council Policy 5900	Proposed Amendments to Council Policy 5900
<ul> <li>Grant Applications         <ul> <li>Grant applications must be submitted in accordance with the procedures and forms provided by the City;</li> </ul> </li> </ul>	<ul> <li>Grant Applications</li> <li>Grant applications must be submitted in accordance with the procedures and forms provided by the City, and must include an acceptable Heritage Conservation Plan prepared by a professional heritage consultant;</li> </ul>
5. Evaluation Criteria	5. Evaluation Criteria
The following considerations will form the basis for evaluation of grant applications:	The following considerations will form the basis for evaluation of grant applications:
<ul> <li>How the proposed work contributes to preserving and enhancing the overall historic fabric of Steveston Village;</li> </ul>	<ul> <li>How the proposed work contributes to preserving and enhancing the overall historic fabric of Steveston Village;</li> </ul>
<ul> <li>The level of contribution of the proposed work in conserving the heritage character and conveying the historic significance of the building;</li> </ul>	<ul> <li>The level of contribution of the proposed work in conserving the heritage character and conveying the historic significance of the building, and in advancing the implementation of the accepted Heritage Conservation Plan;</li> </ul>
<ul> <li>How the proposed work helps extend the physical life of the building; and</li> </ul>	<ul> <li>How the proposed work helps extend the physical life of the building, and advance the implementation of the accepted Heritage Conservation Plan; and</li> </ul>
• The overall quality of the submission and the applicant's ability to carry out the project on a reasonable time-frame at reasonable costs and secure other funding sources.	• The overall quality of the submission and the applicant's ability to carry out the project on a reasonable time-frame at reasonable costs and secure other funding sources.



# **Policy Manual**

Page 1 of 4	Steveston Village Heritage Conservation Grant Program	Policy 5900
	Adopted by Council: April 27, 2009 Amended by Council: November 13, 2018 Amended by Council: XXXX, 2020	

### POLICY 5900:

It is Council policy that:

The Steveston Village Heritage Conservation Grant (SVHCG) Program is established to provide financial assistance to property owners – on a cost share basis - for conserving the exterior of 17 heritage buildings in the Steveston Village Heritage Conservation Area, as identified in the Steveston Area Plan.

The 17 identified heritage buildings make a significant contribution to the heritage character of Steveston Village. The intent of the program is to help conserve the exterior of these significant buildings and support their continued legacy for future generations.

### 1. Program Funding Sources

The source of funds for the SVHCG Program includes:

- Density bonus contributions, as set out in the Steveston Area Plan\*;
- Senior government and Non-Governmental Organization grants; and
- Other private donations.

\*Specific sites within the "Steveston Village Land Use Density and Building Height Map" are identified for a maximum possible Floor Area Ratio (FAR) of 1.6. In order to achieve this maximum density, a contribution of \$608.05 per m<sup>2</sup> (\$56.49 per ft<sup>2</sup>) - based on the increase in net building floor area between the 1.2 FAR base density and up to the 1.6 FAR maximum density - must be provided.

Contribution amounts may be reduced by an amount equivalent to any cash-in-lieu contributions received under the City's Affordable Housing Strategy.

The above contribution rate to the SVHCG Program will be revised, starting February 28, 2019, and then by February 28 every two years thereafter, by adding the annual inflation for the preceding two calendar years using the Statistic Canada *Vancouver Construction Cost Index – Institutional* inflation rate. The revised rates will be published in a City Bulletin.

### 2. Grant Amounts

- Maximum grant of \$150,000 per identified heritage building. The grant may not exceed 60% of the total cost of eligible expenses (e.g. only projects with eligible expenses of \$250,000 or more would be able to apply for the maximum amount).
- An additional maximum grant of \$100,000 per identified heritage building may be considered by Council, with private matching funding, to achieve exceptional heritage conservation. Exceptional heritage conservation means a complete and comprehensive restoration of a building, in the opinion of the Director of Policy Planning and a retained heritage consultant, that would greatly enhance the heritage value of the Steveston





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	Amended by Council: November 13, 2018	
	Amended by Council: XXXX, 2020	

Village Heritage Conservation Area. The final determination of what is exceptional will be made by Council based on the project's overall contribution to conserving the character of Steveston Village.

- If the registered owner of the property containing one of the identified heritage buildings is a registered non-profit society, Council may consider providing up to 75% of the total cost of eligible expenses.
- As heritage conservation may occur in stages, an owner/developer may apply more than once; however, the total grant amount per identified heritage building is limited to \$150,000, and for exceptional conservation projects, it is limited to \$250,000.
- If no program funds are available, no grant applications will be considered (i.e., firstcome, first-serve basis).

### 3. Eligible Expenses

Eligible expenses are limited to works related to the exterior conservation of the identified heritage buildings, and are subject to resulting visual enhancements to streetfronting facades (10% of the overall grant amount). These include, but are not limited to, the following:

- Façade restoration or rehabilitation to improve the appearance and convey the heritage significance of the building;
- Repair or restoration of the character-defining elements such as wood windows or original cladding;
- Reconstruction of lost heritage elements such as front porches or exterior trims;
- Roof replacement;
- Structural upgrades, including seismic upgrades, and stability work (e.g. new foundations) to extend the physical life of the building; and
- Directly related consultant costs, including the cost to prepare architectural drawings and the required Heritage Conservation Plan by a professional heritage consultant<sup>1</sup>, up to 15% of the total grant amount. Consultant costs without associated physical improvements to the building are not eligible.

Visual enhancements include, but are not limited to:

 Repair or restoration of original building forms, façades, materials, and heritage character-defining elements as outlined in the resource's Statement of Significance.

<sup>&</sup>lt;sup>1</sup> A professional heritage consultant is someone who has specialized knowledge, supported by formal training and/or work experience, and who conforms to accepted technical and ethical standards in the field of heritage conservation. Such professionals hold membership in the BC Association of Heritage Professionals, and are recognized as being capable of preparing a Heritage Conservation Plan. See <a href="https://cahp-acecp.ca/bc-yk/">https://cahp-acecp.ca/bc-yk/</a> for more information.



# **Policy Manual**

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Ineligible expenses include, but are not limited to, the following:

- General on-going maintenance work (e.g. painting, power washing, gutter cleaning);
- · Renovation or replacement of the non-historic elements of the building;
- New additions and/or construction of accessory buildings;
- Interior works; and
- Any other work deemed to be inappropriate at the discretion of the Manager of Policy Planning.

The Standards and Guidelines for the Conservation of Historic Places in Canada shall be used as a guide in determining eligible expenses. The Standards and Guidelines for the Conservation of Historic Places in Canada defines "conservation" as all actions or processes aimed at safeguarding the character-defining elements of a resource to retain its heritage value and extend its physical life.

#### 4. Grant Applications

- Grant applications must be submitted in accordance with the procedures and forms provided by the City, and must include an acceptable Heritage Conservation Plan prepared by a professional heritage consultant;
- Owners or developers of sites with identified heritage buildings may include public entities (e.g. City or other levels of government), and are eligible to apply for a grant;
- Contributors to the SVHCG Program may apply for a grant (e.g., if the site proposed to be redeveloped contains one of the 17 identified heritage buildings). However, the required contribution must be provided to the City prior to final approval of the accompanying rezoning or a Heritage Revitalization Agreement application;
- All grant applications that meet the eligibility criteria will be considered by Council. A
  grant will not be provided where work has already been undertaken prior to Council
  approval;
- Final decision on all grant applications that meet the eligibility criteria will be made by Council;
- If Council approves the application, the eligible works must be completed before the grant is issued. The following items must be submitted and accepted by City staff prior to the grant's issuance:
  - A letter from the applicant/owner indicating the actual cost of the completed project accompanied by paid bills as proof and a request for payment of the grant;





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- A project completion report from the project manager (e.g., independent contractor who has completed the work) confirming that the work has been completed in accordance with the approved plans and specifications, including a complete list of actual improvements and installation methods. The report must include a copy of written warranties of all applicable work; and
- Photographs of the completed project; and
- The completed works must be inspected and deemed satisfactory by the City staff.
- The works covered by the approved grant must be completed within 24 months of the date of the approval by Council. After 24 months from the date of the approval, the grant approval will expire.

### 5. Evaluation Criteria

The following considerations will form the basis for evaluation of grant applications:

- How the proposed work contributes to preserving and enhancing the overall historic fabric of Steveston Village;
- The level of contribution of the proposed work in conserving the heritage character and conveying the historic significance of the building, and in advancing the implementation of the accepted Heritage Conservation Plan;
- How the proposed work helps extend the physical life of the building, and advance the implementation of the accepted Heritage Conservation Plan; and
- The overall quality of the submission and the applicant's ability to carry out the project on a reasonable time-frame at reasonable costs and secure other funding sources.



Policy Planning Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

### www.richmond.ca

# Steveston Village Heritage Conservation Grant Program

### No.: PLANNING-03 Date: 2011-07-13 Rev.: 2020-XX-XX

### Purpose:

The Steveston Village Heritage Conservation Grant (SVHCG) Program is established to provide financial assistance to property owners – on a cost share basis – for conserving the exterior of identified heritage buildings in the Steveston Village Heritage Conservation Area, as identified in the Steveston Area Plan. The identified heritage buildings are shown in Attachment 1.

# Program Funding Sources:

The source of funds for the SVHCG Program includes:

- Density bonus contributions, as set out in the Steveston Area Plan\*;
- Senior government and Non-Governmental Organization grants; and
- Other private donations.

\*Specific sites within the "Steveston Village Land Use Density and Building Height Map" are identified for a maximum possible Floor Area Ratio (FAR) of 1.6. In order to achieve this maximum density, a contribution of \$608.05 per m<sup>2</sup> (\$56.49 per ft<sup>2</sup>) - based on the increase in net building floor area between the 1.2 FAR base density and up to the 1.6 FAR maximum density - must be provided.

Contribution amounts may be reduced by an amount equivalent to any cash-in-lieu contributions received under the City's Affordable Housing Strategy.

The above contribution rate to the SVHCG Program will be revised, starting February 28, 2019, and then by February 28 every two years thereafter, by adding the annual inflation for the preceding two calendar years using the Statistic Canada Vancouver Construction Cost Index – Institutional inflation rate. The revised rates will be published in a City Bulletin.

# Grant Amount:

- Maximum grant of \$150,000 per identified heritage building. The grant may not exceed 60% of the total cost of eligible expenses (e.g. only projects with eligible expenses of \$250,000 or more would be able to apply for the maximum amount).
- An additional maximum grant of \$100,000 per identified heritage building may be considered by Council with private matching funding to achieve exceptional heritage conservation, based on its overall contribution to conserving the character of Steveston Village, as determined by Council. Exceptional heritage conservation means a complete and comprehensive restoration of a building, in the opinion of the Director of Policy Planning and a retained heritage consultant, that would greatly enhance the heritage value of the Steveston Village Heritage Conservation Area. The final determination of what is exceptional will be made by Council based on the project's overall contribution to conserving the character of Steveston Village.
- If the registered owner is a registered non-profit society, Council may consider providing up to 75% of the total cost of eligible expenses.

See over >

Total maximum grant per identified heritage building is \$250,000.

(As heritage conservation may occur in stages, an owner/developer of the may apply more than once.)

If no program funds are available, no grant applications will be considered (i.e., first-come, first-serve basis).

### **Eligible Expenses:**

Eligible expenses are limited to works related to the exterior conservation of the identified heritage buildings, and are subject to resulting visual enhancements to streetfronting façades (10% of the overall grant amount). These include, but are not limited to, the following:

- Façade restoration or rehabilitation to improve the appearance and convey the heritage significance of the building;
- Repair or restoration of the character-defining elements such as wood windows or original cladding;
- Reconstruction of lost heritage elements such as front porches or exterior trims;
- Roof replacement;
- Structural upgrades, including seismic upgrades, and stability work (e.g. new foundations) to extend the physical life of the building; and
- Directly related consultant costs including the cost to prepare architectural drawings and the required Heritage Conservation Plan by a professional heritage consultant<sup>1</sup>, up to 15% of the total grant amount. Consultant costs without associated physical improvements to the building are not eligible.

Visual enhancements include, but are not limited to:

 Repair or restoration of original building forms, facades, materials, and heritage character-defining elements as outlined in the resource's Statement of Significance.

Ineligible expenses include, but are not limited to, the following:

- General on-going maintenance work (e.g. painting, power washing, gutter cleaning);
- Renovation or replacement of the non-historic elements of the building;
- New additions and/or construction of accessory buildings;
- Interior works; and
- Any other work deemed to be inappropriate at the discretion of the Manager of Policy Planning.

The Standards and Guidelines for the Conservation of Historic Places in Canada shall be used as a guide in determining sligible expenses. The Standards and Guidelines for the Conservation of Historic Places in Canada defines "conservation" as all actions or processes aimed at safeguarding the character-defining elements of a resource to retain its heritage value and extend its physical life.

# **Grant Applications:**

- Grant applications must be submitted in accordance with the procedures and forms provided by the City, and must include an acceptable Heritage Conservation Plan prepared by a professional heritage consultant.
- Owners or developers of sites with identified heritage buildings may include public entities (e.g. City
  or other levels of government) and are eligible to apply for a grant.

See over →

<sup>&</sup>lt;sup>1</sup> A professional heritage consultant is someone who has specialized knowledge, supported by formal training and/or work experience, and who conforms to accepted technical and ethical standards in the field of heritage conservation. Such professionals hold membership in the BC Association of Heritage Professionals, and are recognized as being capable of preparing a Heritage Conservation Plan.

- Contributors to the SVHCG Program may apply for a grant but must provide the required contribution to the City prior to final approval of the accompanying rezoning or a Heritage Revitalization Agreement application.
- All grant applications that meet the eligibility criteria will be considered by Council. A grant will not be provided where work has already been undertaken prior to Council approval.
- Final decision on all grant applications that meet the eligibility criteria will be made by Council.

### **Evaluation Criteria:**

The following considerations will form the basis for evaluation of grant applications:

- How the proposed work contributes to preserving and enhancing the overall historic fabric of Steveston Village;
- The level of contribution of the proposed work in conserving the heritage character and conveying the historic significance of the building, and in advancing the implementation of the accepted Heritage Conservation Plan;
- How the proposed work helps extend the physical life of the building, and advance the implementation of the accepted Heritage Conservation Plan; and
- The overall quality of the submission and the applicant's ability to carry out the project on a
  reasonable time-frame and secure other funding sources.

# **Application Procedures:**

Step 1: Application Review

- Owners are encouraged to discuss their proposals as early as possible to learn about the process, requirements, and timing of a possible grant. The submission requirements are detailed in the attached application form.
- Staff will review the application for completeness and eligibility, and will notify the applicant if it
  does not provide all of the required information or does not meet the eligibility criteria.
- Once staff completes its initial review, the application will be forwarded to the Richmond Heritage Commission (RHC) for comment and advice. The RHC is made up of nine (9) members of the public, appointed by Council, and advises Council on heritage conservation and promotion matters.
- Staff will prepare a report to Council containing an assessment of the proposal, advice from the RHC and a recommendation.
- The report will be forwarded to the Planning Committee, which is made up of five City Council members, for consideration. The Planning Committee will review the staff report and recommendation. The applicants attendance is recommended as the Planning Committee may provide the applicant with an opportunity to make a presentation. The Planning Committee will also consider any comments from the public and make a recommendation to Council. The applicant will be contacted by staff regarding the meeting date, time and the location when the application is considered.
- The staff report and Planning Committee recommendations will be forwarded to Council for its consideration. Council will usually deal with the application at its next regular meeting following the Planning Committee meeting. The meeting date and time can be confirmed by viewing the Council agenda on the City website.
- When Council has received and reviewed all of the information, it will make a decision to:
  - Approve the grant;
  - Reject the grant; or
  - Refer the grant application back to the Planning Committee or staff for more information.

See over →

- All applicants will be notified in writing following City Council's decision, and advised of the next steps.
- In most instances, a Heritage Alteration Permit (HAP) is required. The grant application may be
  processed concurrently with the required HAP application.

#### Step 2: Grant Issuance

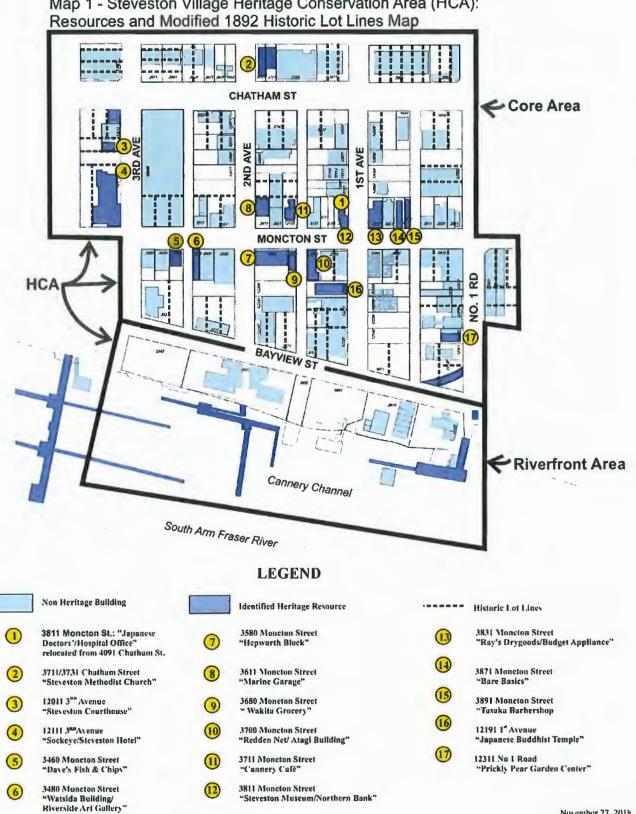
- If Council approves the grant, the applicant will be notified in writing and reminded that the work
  must be completed before the grant will be issued.
- The following items have been submitted and accepted by City staff prior to the grant's issuance:
  - A letter from the applicant/owner indicating the actual cost of the completed project and requesting for payment of the grant accompanied by paid bills as proof;
  - A project completion report from the project manager (e.g. Independent contractor who has completed the work) confirming that the work has been completed in accordance with the approved plans and specifications, including a complete list of actual improvements and installation methods. The report must include a copy of written warranties of all applicable work; and
  - Photographs of the completed project.
- Building permit must be applied for and issued before commencement of the proposed work.
- The work must be inspected and deemed satisfactory by the City staff. Once this has occurred, the
  applicant will receive a letter and grant payment from the City.
- The works covered by the approved grant must be completed within 24 months of the date of the
  approval by Council. After 24 months from the date of the approval, the grant approval will expire.

The application form including detailed submission requirements are attached to this Bulletin.

### **Program Contact:**

For further information, please contact Minhee Rark, Heritage Planner, at 604-276-4188 or mpark@richmond.ca.

### Attachment 1



Map 1 - Steveston Village Heritage Conservation Area (HCA):

November 27, 2018

# Excerpt from the Minutes to The Richmond Heritage Commission meeting

### Wednesday, November 4, 2020 – 7:00 p.m. via Cisco Webex

### Steveston Village Heritage Conservation Grant Program (Policy 5900)

The Staff Liaison provided an overview of the proposed amendments to the Steveston Village Heritage Conservation Grant Program with the aid of presentation materials, including a red-lined version of the Draft Policy 5900.

The Commission members raised the following questions and concerns about the proposed amendments, as well as provided the following feedback:

- The typical cost to prepare a Heritage Conservation Plan, and the implications to the applicant associated with the preparation of the Heritage Conservation Plan, particularly if the grant application were denied by City Council;
- There is some preference for the Heritage Conservation Plan to be optional;
- The qualifications to be a professional heritage consultant, and whether this is too restrictive;
- The requirement for visual enhancement to account for at least 10% of the overall grant amount is overly bureaucratic, arbitrary, subjective, and burdensome;
- Grant applications approved-to-date had extreme value to the protection of the buildings, while not including any visual enhancements;
- Non-visual improvements to heritage buildings are just as important as visual improvements;
- There are non-façade aspects that are critical to particular projects;
- There is a lack of clarity about the rationale for requiring visual enhancements, and it may be confusing for those who aren't familiar with the origin of the concerns about the desire for visual enhancements;
- There is subjectivity in determining what meets the visual enhancement criteria between one project to another;
- That applicants would have to come up with additions to the scope of their conservation efforts in order to meet the visual enhancement criteria and to be eligible for a grant;
- There is preference for the proposed requirement for visual enhancements to facades be dropped;

In response to the Commission's queries and concerns, staff provided the following information:

- The proposed amendments provide the opportunity to strengthen the Grant Program to facilitate the long-term conservation of protected buildings in Steveston Village while providing for visual enhancements in the short-term.
- The proposed increases to the City's portion of the cost-sharing approach and maximum percentage of consultant costs that can be funded is intended to offset the costs to the applicant associated with the proposed requirement for visual enhancements and Heritage Conservation Plan.

- Professional heritage consultants are members of the BC Association of Heritage Professionals, and are recognized as having the necessary skills and expertise to prepare a Heritage Conservation Plan.
- It is in the best interest of the applicant to have a Heritage Conservation Plan in place to assist and guide them in pursuing the required conservation interventions to their heritage building over time regardless of whether a grant application were approved or denied by City Council, and it will assist them in demonstrating the validity of any conservation efforts proposed as part of future Heritage Alteration Permit applications, which would ultimately strengthen their chances of approval.

It was moved and seconded:

That the Richmond Heritage Commission recommend that the requirement for visual enhancements to streetfronting façades be removed from the proposed amendments Steveston Village Heritage Conservation Grant Program outlined in the draft Policy 5900.

CARRIED



# **Report to Committee**

From:	Barry Konkin Director, Policy Planning	File:	08-4057-01/2020-Vol 01
Re:	Comprehensive Review of the Arterial Road Land Use Policy Designation Along Railway Avenue		

### Staff Recommendation

That staff be authorized to undertake community and industry consultation regarding possible amendments to the Arterial Road Housing Development Map for sites located within the Railway Avenue Corridor.

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

REPORT CONCURRENCE				
ROUTED TO: Development Applications Transportation Engineering Parks	Concurrence ☑ ☑ ☑ ☑	CONCURRENCE OF GENERAL MANAGER		
SENIOR STAFF REPORT REVIEW	INITIALS: CJ	APPROVED BY CAO		

#### Staff Report

#### Origin

This report responds to the following referral from the September 4, 2019 Planning Committee meeting:

# That staff be directed to do a comprehensive review of the Arterial Road Land Use Policy designation along Railway Avenue and report back.

This report responds to the referral and includes the following:

- An analysis of existing land use designations in the Arterial Road Housing Development Map for properties within the Railway Avenue Corridor and identification of sites where townhouse or row house development could be considered, where the uses are consistent with existing arterial road land use policy and development requirements.
- A request for Council approval to undertake community and industry consultation to seek feedback regarding possible amendments to the Arterial Road Housing Development Map.
- In response to various discussions at Planning Committee meetings, a preliminary analysis of the type and magnitude of land use changes that would be required to support rapid transit (rail) service within the Railway Avenue Corridor. Importantly, staff would like to advise Council that there is no assurance that significantly densifying the Railway Avenue Corridor will result in the corridor being considered by TransLink for rapid transit (rail) service.

The subject area ("Railway Avenue Corridor"), includes Railway Avenue, a section of Granville Avenue extending east to No. 3 Road, and a section of Moncton Street extending west to Bayview Street. The corridor is a designated Major Arterial Road to Steveston Highway and a Minor Arterial Road south of Steveston Highway (Attachment 1).

A site specific referral to staff to consider alternative density options for 10200 and 10220 Railway Avenue will be presented in a separate report.

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.

6.3 Build on transportation and active mobility networks.

6.5 Ensure diverse housing options are available and accessible across the housing continuum.

This report supports Council's Strategic Plan 2018-2022 Strategy #8 An Engaged and Informed Community:

Ensure that the citizenry of Richmond is well-informed and engaged about City business and decision-making.

8.1 Increased opportunities for public engagement.

#### Background

The Official Community Plan (OCP) supports densification along its arterial roads for properties that are in close proximity to commercial services, public amenities, schools, and transit service through the existing Arterial Road Land Use Policy. The policy supports a range of housing types including townhouse, row house, duplex/triplex, and compact lot duplex, coach house and single detached development (Section 3.6.1, pages 3-56 to 3-67, in the OCP). The existing policy includes location, access, interface and land assembly criteria for the housing forms that are supported along designated arterial roads.

The City has encouraged residential densification along arterial roads through an arterial road policy since the 1999 Official Community Plan (OCP) was adopted. It has been periodically reviewed and updated subject to extensive staff research and analysis, and community and industry consultation. The last significant update was in 2016 when the policy was amended to provide more specific implementation direction and to expand the housing types supported along designated arterial roads. The update included detailed staff analysis and considerable public consultation.

#### Analysis

#### Railway Avenue Corridor Densification Opportunities

In response to the referral to staff, the existing land use designations in the Arterial Road Housing Development Map for properties within the Railway Avenue Corridor were reviewed for opportunities to support additional density. Properties within the subject corridor with redevelopment potential were identified and organized into 18 sites comprised of 189 properties (Attachment 2).

Whether a site can be accessed via a lane is a fundamental criteria used to establish land use designations in the Arterial Road Housing Development Map. "Arterial Road Townhouse" and "Arterial Road Duplex/Triplex" development is accessed via an arterial road. Access via a lane is required to facilitate "Arterial Road Row House", and "Arterial Road Compact Lot" development, which includes compact duplex, coach house, and single detached development.

Although there is limited variation in the density (Floor Area Ratio) that is supported for the housing types that are permitted within the Railway Avenue Corridor, townhouse development is generally the densest form of development that is supported within the corridor. Staff reviewed the existing plan for opportunities to support additional density and identified eight (8) possible opportunities to amend the Arterial Road Housing Development Map to permit townhouse development (Attachment 2).

The possible amendments comply with existing arterial road townhouse location criteria (i.e. within 800 m /400 m or a 10 minute/5 minute walking distance to a Neighbourhood Centre, City Community Centre, a commercial service use, a public school, and/or a City park), and the sites can feasibly accommodate townhouse development (i.e. lot depth, consolidation opportunities, access options).

While the possible amendments would permit more townhouse development and are consistent with development requirements outlined in the existing policy, amending the Arterial Road Housing Development Map includes the following considerations:

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- The variety of available housing options within the Railway Avenue Corridor would decrease. To facilitate more townhouse development within the corridor, some sites that are currently designated to permit duplex/triplex and compact lot development would be amended to permit townhouse development.
- The study applied a long term approach to redevelopment. Some properties that have recently developed, or are in the process of developing as compact lot development are identified as possible townhouse development sites. Subsequent redevelopment is not anticipated in the near term.
- Some of the sites are subject to a Lot Size Policy and/or are included in the Steveston Area Plan, which would require amendments if the Arterial Road Housing Development Map is updated.

The review process also identified an opportunity to increase density and housing diversity by adding the option of row house development to a site's existing compact single family designation in the Arterial Road Housing Development Map. Applying the "Potential Row House Development Areas" designation will not affect the underlying permitted land use and will increase the site's redevelopment options. Similar to compact single family development, row house development is accessed via a lane.

Based on staff's review, there are opportunities to amend the Arterial Road Land Use Policy and Arterial Road Housing Development Map to permit additional townhouse development along the Railway Avenue Corridor, as well as an opportunity to support additional density and housing variety by amending a site's designation to permit row house development. If endorsed by Council, staff will undertake community and industry consultation regarding the possible amendments.

#### Proposed Community Consultation

While there is opportunity for additional density at specific sites within the Railway Avenue Corridor, consideration of possible amendments requires community and industry consultation. It is recommended that staff be authorized to conduct community and industry consultation.

Due to the COVID-19 pandemic, staff recommend an adapted consultation strategy to replace face to face engagement. Staff propose hosting a virtual Open House(s) using the City's interactive discussion and community engagement website, LetsTalkRichmond.ca. This would allow staff to both share information with the public and collect feedback regarding possibly amending the Arterial Road Housing Development Map for nine sites that are located within the Railway Avenue Corridor.

Potentially affected property owners and residents will receive notification in the mail (i.e. subject sites and properties within 50 m of the subject sites). Further, all registered LetsTalkRichmond.ca users will receive notification of the consultation process. Subject to the outcome of consultation with the community and the possible amendments proceeding, the public will also have an opportunity to comment on any proposed amendments at the Public Hearing.

Staff will discuss the possible amendments with the Urban Development Institute (UDI), the Greater Vancouver Home Builders Association (GVHBA) and the Richmond Small Home Builders Group during scheduled on-line consultation sessions. Feedback from these groups will be included in the consultation summary.

Staff will report back to Council with the consultation results, further analysis of the possible amendments and, if applicable, recommended bylaws.

#### Increased Transit Service Analysis

During various discussions at Planning Committee meetings, some members of Council have expressed interest in the Railway Avenue Corridor as a potential location of rapid transit (rail) service. A summary of this analysis is:

- 1. There is no 'formula' for population and employment density that TransLink would use to determine where a new rapid transit (rail) service would be located.
- 2. The order of magnitude of changes to land use and built form along the Railway Avenue Corridor would be similar or greater than the recent development along the No. 3 Road corridor / Canada Line in the City Centre.
- 3. Even if employment and population were developed over time, rapid transit (rail) service might not be provided, as the location of such services are considered on a case-by-case basis, and in accordance with TransLink's long-term service plans.
- 4. Consideration of such sweeping changes to land use and population along the Railway Avenue Corridor would be contrary to existing long standing growth policies in the Official Community Plan, and contrary to the Metro Vancouver Regional Growth Strategy, and the City's adopted Regional Context Statement.

These points are further discussed below.

#### TransLink Policies

TransLink is the sole provider of public transit in the region, and is responsible for planning, managing and delivering an integrated regional transit network. In consultation with stakeholders and customers, TransLink determines the appropriate type of service based on demand and determines how and where expenditures are prioritized.

TransLink has provided the Transit Service Guidelines which provide very general density benchmarks for the provision of transit services – from Basic to All Day Frequent Bus Service (Attachment 3). Staff note that guidelines are not provided for rapid transit (rail) service. Instead, TransLink relies on specialized studies on a corridor by corridor basis to consider eligibility for rapid transit (rail) service. The studies are undertaken at TransLink's discretion and the decision is not solely based on population and employment density.

#### Current OCP and Arterial Road Land Use Policy

Existing Richmond Official Community Plan Bylaw 9000 land uses are shown in Attachment 1. This illustrates that the Railway Avenue Corridor is intended as a modest growth area, characterized by a range of single family, coach house and townhouse development. The

Arterial Road Land Use Strategy provides further refinement to the growth potential in the area as shown in Attachment 4.

The growth and development along the Railway Avenue Corridor, in accordance with existing land use designations in the Richmond Official Community Plan Bylaw 9000 and the Arterial Road Development Strategy, is projected to increase population in the corridor by less than 5%.

#### Land Use Scenarios

As a theoretical exercise, staff have drafted development scenarios to extrapolate the scale of population and employment growth that could be required for both the highest level of regular bus service (All Day Frequent Bus Service) and rapid transit (rail) service within the Railway Avenue Corridor (Attachments 5 and 6). An improved bus service (All Day Frequent Bus Service) scenario has been included in the analysis as a reference to a potential intermediate densification between what could be achieved by the build out of the corridor by the existing Arterial Road Land Use Strategy (Attachment 4) and a theoretical rapid transit (rail) service scenario (Attachment 6).

TransLink's guidelines were used to analyze population and employment levels to develop a scenario for the highest level of regular bus service (All Day Frequent Bus Service). The land use, density and population along the No. 3 Road corridor and Canada Line are the starting point for staff's feasibility analysis of rapid transit (rail) service within the Railway Avenue Corridor.

The resulting theoretical scenarios include sweeping land use changes, including development that ranges from 0.6 to 3.0 FAR, and building heights up to 47 m. The hypothetical densification scenarios are built around the following parameters:

- A corridor width of 800 m 400 m east and west of Railway Avenue this is a 5 minute walk (400 m) on either side of Railway Avenue.
- Increased density is shown along the corridor, and mixed use areas are identified in order to meet TransLink guidelines for residents and employment.
- The scenarios identify lands in existing single family areas within the corridor where development would likely need to be considered to meet population and employment to support increased transit service.

The scenarios are summarized below:

- Highest Level of Regular Bus Service (All Day Frequent Bus Service) Scenario (Attachment 5):
  - Mid and low-rise development.
  - Mixed-use 4 storey apartment development at key intersections within 120 m of Railway and Granville Avenues.
  - Townhouse development extends 300 to 400 m into established single family neighbourhoods.
  - Population density within the corridor increases by approximately 105%.
- Rapid Transit (Rail) Service Scenario (Attachment 6):
  - High and low-rise development.

- Mixed-use 12 to 15 storey development at key intersections within 120 m of Railway and Granville Avenues.
- Townhouse development extends throughout the Railway Avenue Corridor.
- Population density within the corridor increases by approximately 215%.

Based on the theoretical analysis of land use and growth required to support rapid transit (rail) service, staff estimate that the residential and employment density within the corridor would need to increase by as much as up to 190% to achieve population and employment similar to areas adjacent to the Canada Line. If growth were to occur at these levels, there is a possibility that TransLink would consider the area for increased bus service or a specialized study for rapid transit (rail) service. Attachment 7 includes a summary of the Railway Avenue Corridor scenarios and includes reference to the densification area and land use assumptions.

Significantly increasing population and employment density along the Railway Avenue Corridor is not consistent with existing city and regional policies, and would not guarantee that rapid transit (rail) service would be considered by TransLink within the corridor.

#### Regional Growth Strategy Impacts

The City's OCP population and employment estimates to 2041 anticipate that the City will grow to approximately 280,000 people. The theoretical density scenarios increase the residential population within Railway Avenue Corridor by up to 77,000 additional people (Attachment 7). Any decision to increase the city-wide growth projections to 2041 by almost 30% would have implications for the City's Regional Context Statement (RCS), which is required for compliance with the Metro Vancouver Regional Growth Strategy (RGS), and Provincial legislation.

The RGS, sets regional planning goals. Amending OCP growth projections and increasing growth within the Railway Avenue Corridor as outlined in the theoretical land use scenarios would be inconsistent with the following RGS goals:

- Establishing each municipality's regional share of planned growth. The City's population projections would exceed the existing estimate by almost 30%.
- Focusing growth in designated urban centres. City Centre is the City's designated urban centre and is organized into a network of compact, walkable, urban villages that are strategically organized to maximize the benefits of the Canada Line and transit-oriented development. Its share of city-wide population growth would decrease from approximately 60% to 35%.
- Limiting development outside urban centres to lower density forms of development. The theoretical rapid transit (rail) service scenario includes mixed-use high density development.
- Establishing how municipalities will use land development patterns to meet their greenhouse gas reduction targets. The existing OCP concentrates growth within City Centre, which is among the strategies used by the existing OCP to support actions that target a 33% reduction in 2007 green house gas levels by 2020, subject to the conditions outlined in the RCS.
- Developing healthy and complete communities with access to a range of services and amenities. City Centre's urban, transit-oriented villages include provisions for community, arts, cultural, recreational, institutional, health, and social services.

Provisions for improvements to these types of services within the Railway Avenue Corridor are not planned.

An amendment to increase the municipal population by up to 77,000 additional people outside City Centre is expected to be classified a fundamental change to the RGS and subject to the highest level of review.

The Metro Vancouver Guidelines for Amendments to the RGS outline the amendment review process. Some changes to the RGS are considered more regionally significant than others and the amendment review process is stratified to reflect these differences. The amendment review process for proposed fundamental changes to the RGS includes the following:

- A municipal OCP bylaw amendment process.
- Unanimous acceptance by all affected local governments.
- An affirmative vote by the majority of the Metro Vancouver Regional District Board to accept the bylaw to amend the RGS.

A municipality can support OCP amendments to increase population and employment projections and to change land uses from low to high urban densities. However, when the amendments increase population and employment projections by almost 30% and effectively introduce a new urban centre, the resulting amendments are subject to approval in accordance with the *Local Government Act, Metro Vancouver 2040: Shaping our Future (Metro 2040)*, and the Greater Vancouver Regional District Regional Growth Strategy Procedures Bylaw. City Council does not have the authority to increase the City's population and employment projections if they are inconsistent with the RGS.

#### OCP Population, Employment and Land Use Impacts

Increasing the City's population and employment along an isolated corridor that does not connect designated Neighbourhood Centres and/or Area Plans that are identified as future growth centres, is inconsistent with fundamental OCP population, employment and land use planning policies.

While the subject section of Granville Avenue and Railway Avenue are designated arterial roads, achieving the estimated target density to potentially be considered for rapid transit (rail) service would require redevelopment to extend beyond arterial road fronting properties and encroach into existing single family areas. Extending the densification boundary into the established single family neighbourhoods within the corridor is contrary to OCP policy to continue to protect single family neighbourhoods outside the City Centre.

Increasing the employment density within the corridor to meet TransLink's guidelines for residents and employment would be contrary to both the Employment Land Strategy, which determines the City's employment land use needs for the next 30 years, and OCP land use designations that focus employment in key areas of the City. Introducing the significant employment levels within the corridor would likely draw employment away from areas that are already designated for commercial and office uses and would undermine efforts to support strategic employment policies.

#### High Rise Development Outside City Centre

The OCP currently concentrates the tallest building height at designated village centres in the City Centre, and limits the areas where mid-rise development is permitted outside of City Centre. Building height in the City Centre is limited by existing YVR flight paths.

In terms of this analysis, only a portion of Granville Avenue, between Railway Avenue and No. 3 Road, is within an existing YVR flight path that prohibits building heights greater than 47 m (155 ft.) geodetic. There are no restrictions on building heights along the remainder of the corridor.

If building density is increased to permit City Centre density, similarly tall or taller buildings would be an additional option to accommodate increased population and employment density within the corridor. The theoretical rapid transit (rail) scenario includes 12 to 15 storey buildings at key intersections within the corridor (Attachment 5). However, unlike the City Centre, the subject corridor is largely unaffected by the flight path and building heights could exceed those within the City Centre.

#### Increased Demand on Infrastructure and Services

Additional population and employment density within the corridor would increase demands on City infrastructure and would impact both existing roads and services, as well as availability and access to park spaces, which may affect the current Development Cost Charges (DCC) program (for roads, water, sanitary, drainage, and/or parks). The School District's population and student enrollment estimates, which reflect OCP population growth projections, would also be affected.

#### Summary

Based on staff assessment of the potential densification within the Railway Avenue Corridor in support of increased transit service, ultimately rapid transit (rail) service, this report identifies that significant land use changes (in contravention of existing City of Richmond OCP policies and the Metro Vancouver Regional Growth Strategy) would be required. While this analysis has been provided to Council for information purposes, staff would like to reinforce that there is no simple formula of population density plus employment equals rapid transit (rail) service.

Changing land use designations to support rapid transit (rail) service within the Railway Avenue Corridor would require decades of gradual land use change, and still might not result in the type or level of transit service desired. Accordingly, staff would recommend that the existing OCP land use designations and the Arterial Road Land Use Policy be maintained, and major transitserving growth and density continue to be focussed in the City Centre and in Neighbourhood Service Centres already identified in the OCP.

#### **Next Steps**

Subject to Council endorsing community consultation regarding opportunities to amend the Arterial Road Housing Development Map, staff will undertake consultation as outlined in this report.

#### **Financial Impact**

There is minimal financial impact associated with undertaking community and industry consultation regarding proposed amendments to the Arterial Road Housing Development Map for specific sites located within the Railway Avenue Corridor. This scale of community consultation is accommodated in Policy Planning's annual operating budget.

#### Conclusion

Staff are seeking Council's support to commence community and industry consultation regarding possible amendments to the Arterial Road Housing Development Map. The possible amendments are a result of analysis of existing land use designations in the Arterial Road Housing Development Map and associated development policy requirements in response to a Council referral to staff.

This report also includes an analysis of TransLink's guidelines for determining the type and level of transit service provided within a neighbourhood. With no assurance that significantly increasing density would guarantee a higher level of service, and in the absence of City policy to support densification within the Railway Avenue Corridor beyond the land uses supported by the OCP, staff recommend that no further rapid transit (rail) service feasibility studies be undertaken.

Diana Nikolic, MCIP Senior Planner/Urban Design (604-276-4040)

DN:cas

Attachment 1: Subject Area/Existing Land Uses

Attachment 2: Arterial Road Housing Development Map Identifying Study Sites and Site Evaluation Summaries

Attachment 3: Summary of TransLink Transit Service Guidelines

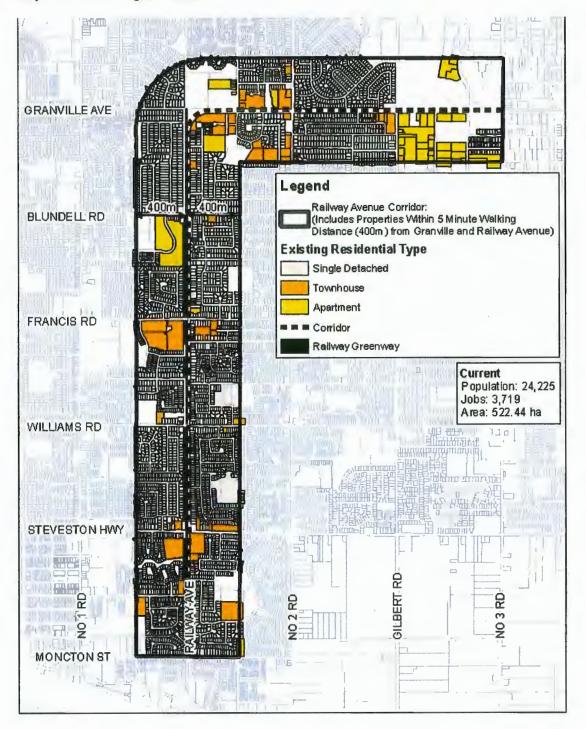
Attachment 4: Existing Arterial Road Land Use Policy Scenario

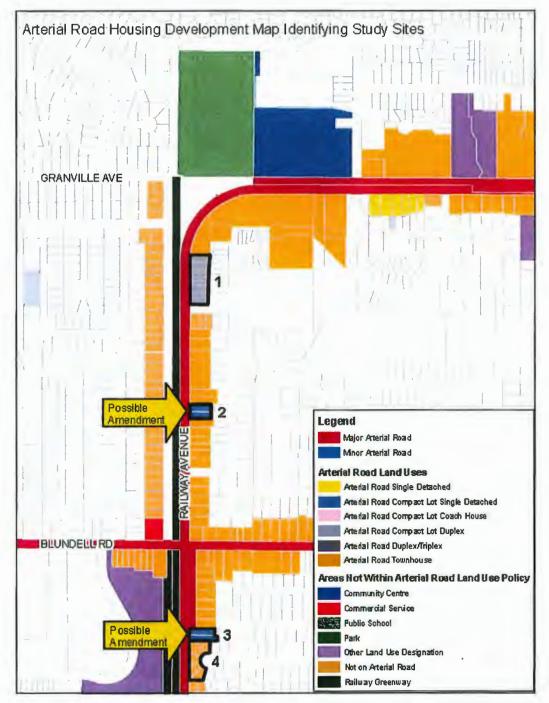
Attachment 5: Highest Level of Regular Bus Service (All Day Frequent Bus Service) Scenario

Attachment 6: Rapid Transit (Rail) Service Scenario

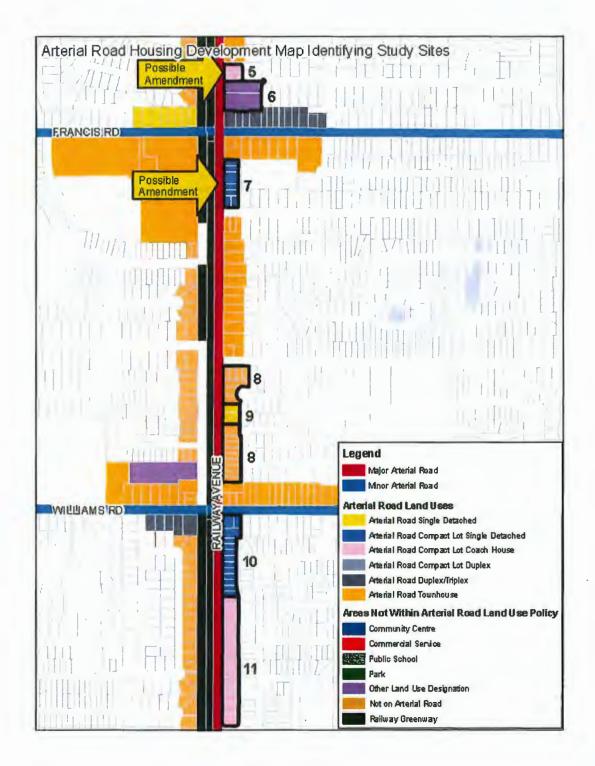
Attachment 7: Summary Table: Railway Avenue Corridor Development Scenarios

#### Subject Area/Existing Land Uses

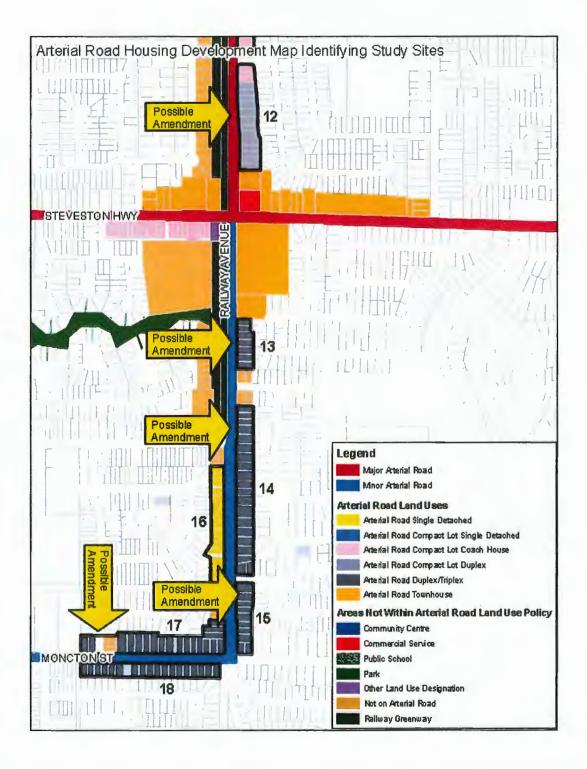




Arterial Road Housing Development Map Including Studied Sites and Site Evaluation Summaries



6567061



Site Evaluation Summaries

Site #	Existing Arterial Road Housing Development Map Designation	Complies with Policy Location Criteria*	Lane Access (Y/N)	Site Considerations	Recommendations*
1	Arterial Road Compact Lot Duplex	Yes school/ park	Y	The site includes new (rezoned in 2014) and a pending compact lot subdivision. Continuation of the current development pattern is supported.	No change
2	Arterial Road Compact Lot Single Detached	Yes commercial	Y	Although developed with newer homes (rezoned in 2002), the site's mid-block location and unlikely extension of the lane beyond the site limits future redevelopment to uses with arterial road access only.	Possible amendment to "Arterial Road Townhouses"
3	Arterial Road Compact Lot Single Detached	Yes commercial	Y	Although developed with newer homes (rezoned in 2004), the unlikely extension of the lane beyond the site limits future redevelopment to uses with arterial road access only.	Possible amendment to "Arterial Road Townhouses"
4	Not on Arterial Road	Outside Arterial Road Policy	Z	Established single family development with access via a cul de sac.	No change
5	Arterial Road Compact Lot Coach House	Yes park	Y	Although developed with newer homes (rezoned in 2007), the unlikely extension of the lane limits future redevelopment to uses with arterial road access only.	Possible amendment to "Arterial Road Townhouses"
6	Other land use designation	Outside Arterial Road Policy	N	Existing Ukrainian Catholic Church and seniors oriented apartment units. Applications to rezone assembly zoned land is considered on a case by case basis.	No change
7	Arterial Road Compact Lot Single Detached	Yes park	Y	Although portions of the site have been recently rezoned (properties were rezoned in 2000 and 2002), the existing lane presents an opportunity to increase density and contribute to housing diversity by adding the "Potential Row House Areas" designation to the site's existing compact lot designation.	Possible amendment to add "Potential Row House Areas" designation
8	Not on Arterial Road	Outside Arterial Road Policy	Z	Existing single family development with access via local roads.	No change

Site #	Existing Arterial Road Housing Development Map Designation	Complies with Policy Location Criteria*	Lane Access (Y/N)	Site Considerations	Recommendations
9	Arterial Road Single Detached	Yes -park	Ν	The site's existing "Arterial Road Single Detached" designation permits consideration of other land uses based on site specific merits.	No change
10	Arterial Road Compact Lot Single Detached	Yes -park	Y (partial)	Possibility of lane extension to Williams Road supports continued compact lot development pattern.	No change
11	Arterial Road Compact Lot Coach House	Yes -park & commercial	Y	The sites are well suited to development consistent with the existing designation (lane access, consistent compact lot development throughout the block). 10200/10220 Railway Avenue (RZ17- 784927), is within the site and is the subject of a separate Council referral.	No change
12	Arterial Road Compact Lot Duplex	Yes -park & commercial	Y	Consolidation opportunities and lot depths present opportunity for townhouse development and is consistent with abutting existing townhouse developments.	Possible amendment to "Arterial Road Townhouses"
13	Arterial Road Duplex/Triplex	Yes -park & commercial	N	Townhouse development is consistent with existing northern adjacent townhouse developments.	Possible amendment to "Arterial Road Townhouses"
14	Arterial Road Duplex/Triplex	Yes -park	N	Townhouse development would reduce the number of driveways with access to Railway Avenue and can be designed to compliment duplex development within this site. (Applications to rezone 11540 and 11480/11500 Railway Avenue to permit duplex development are pending rezoning bylaw adoption.)	Possible amendment to "Arterial Road Townhouses"
15	Arterial Road Duplex/Triplex	Yes -park	Ν	Potential opportunity for townhouse development conditional to demonstrated design. Townhouse development would reduce the number of driveways with access to Railway Avenue.	Possible amendment to "Arterial Road Townhouses"
16	Arterial Single Detached	Yes -park	N	The site's existing "Arterial Road Single Detached" designation permits consideration of other land uses based on site specific merits.	No change

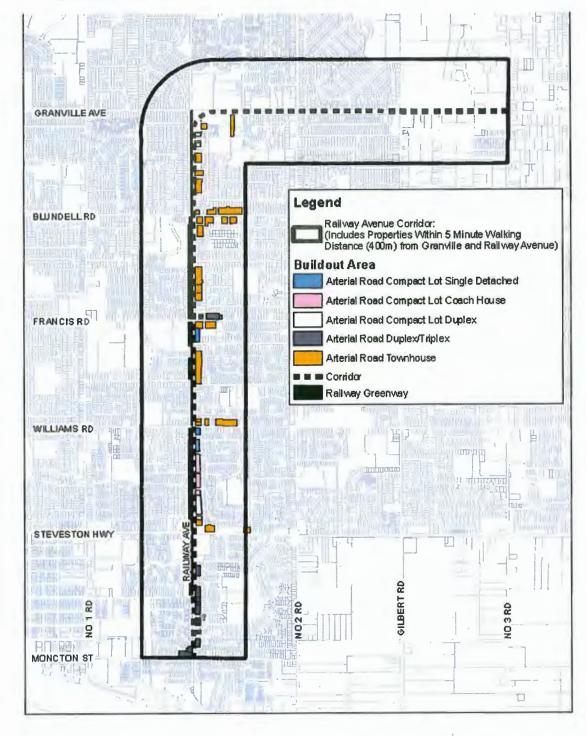
Site #	Existing Arterial Road Housing Development Map Designation	Complies with Policy Location Criteria*	Lane Access (Y/N)	Site Considerations	Recommendations*
17	Arterial Road Duplex/Triplex	Yes -Service Centre & park	N	Consolidation opportunities and lot depths present opportunity for townhouse development.	Possible amendment to "Arterial Road Townhouses"
18	Arterial Road Duplex/Triplex	Yes -Service Centre & park	N	Townhouse redevelopment potential is limited by the depth of the lots.	No change

\*Any amendments to the Arterial Road Housing Development Map are subject to Council approval. Further, redevelopment is subject to the standard development application review process (i.e. rezoning and development permit in accordance with the Arterial Road Land Use Policy). The application review process requires the applicant to demonstrate compliance with site assembly size requirements and design guidelines for development along arterial roads, to resolve site access and adjacency impacts, and to undertake road and servicing upgrades, as well as comply with all applicable zoning and associated bylaw requirements. Associated OCP (Steveston Area Plan) and Lot Size Policy amendments are required for some sites.

## Summary of TransLink Transit Service Guidelines

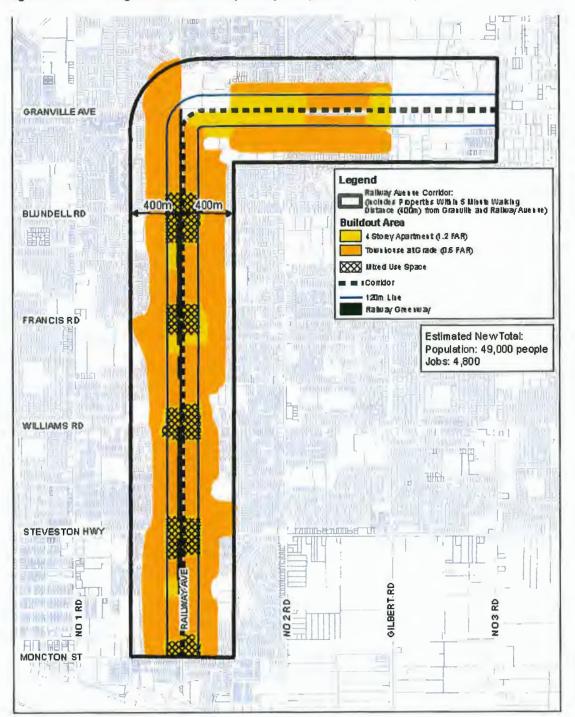
Service Type		Density (people + jobs per hectare)*	Diversity (level of land use mix)	Min. Avg. Passenger Demand Per Revenue Hour
Transit Light Rail studies focused primarily on hi decisions on these corridors w		ve been, and will continue to be, the result of specialized high-performing All Day Frequent routes. Investment will be reached regionally on a corridor-by-corridor basis. ed use development, including mid and high-rise buildings		
All Day Frequent Bus		40 – 100 (Mixed use, mid and high- rise development, low-rise multi- family)	High	50 - 60
Peak Frequent Bus		35 – 80 (Mixed use, mid-rise, low- rise multi-family, and single family development)	Medium – High	35 - 40
Standard Bus		30 – 70 (Limited multi-family and commercial, and single family development)	Medium	27 - 32
Basic Bus		30 – 60 (Limited multi-family and commercial, and single family development)	Low	15 – 20
#406 Bus (All Day Frequent) - Granville/Railway Comidor		53.5 (Existing land uses: limited multi-family and local commercial, and single family development)	Low	2 – 29 (depending on stop) Source: TransLink

\*including example land use(s)



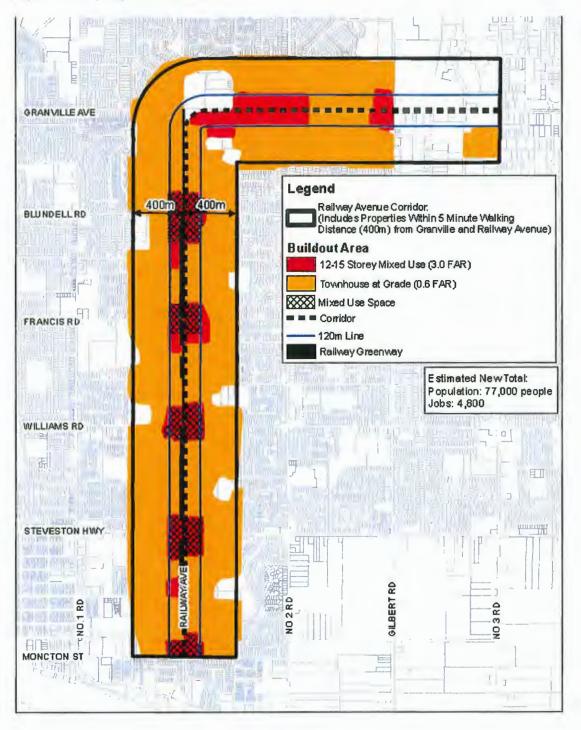
#### Existing Arterial Road Land Use Policy Scenario

Development in accordance with existing land use designations in the OCP is projected to increase density in the corridor by less than 5%.



Highest Level of Regular Bus Service (All Day Frequent Bus Service) Scenario

#### Rapid Transit (Rail) Service Scenario



		Existing	Existing Arterial Road Land Use Policy Scenario	Highest Level of Regular Bus Service (All Day Frequent Bus Service) Scenario	Rapid Transit (Rail) Service Scenario
Type of Development	Single Family (0.5 FAR)	~	~	~	$\checkmark$
Development	Duplex/Triplex, Compact Lot (0.5 – 0.6 FAR)	~	~		
	Townhouse (0.6 FAR)	~	~	~	~
	Mixed-use four storey apartment (1.2 FAR			~	
	Mixed-use 12-15 storey (3.0 FAR)				~
Densification Area	Road fronting property on east side of Railway Avenue only	~	~		
	5 minute walking distance (400 m) of Railway and Granville Avenues)			~	~
Estimated Corr Total	idor Residential Population	24,225 people	25,500 people	49,000 people	77,000 people
% Additional People *			5%	105%	215%
	ple and Employment		5%	90%	190%

## Summary Table: Railway Avenue Corridor Development Scenarios

\*Compared to estimated existing population: 24,225 \*\*Compared to estimated existing population and jobs per hectare: 53.5 people and jobs per hectare



- To: Planning Committee
- From: Wayne Craig Director, Development

Date: December 10, 2020 File: RZ 17-784927

# Re: Application by Raman Kooner for Rezoning at 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" Zone to the "Coach Houses (RCH1)" Zone

#### **Staff Recommendation**

- 1. That the following recommendation be forwarded to a Public Hearing:
  - a) That Single-Family Lot Size Policy 5420 in Section 36-4-7, adopted by Council on October 16, 1989, be amended to exclude 5026 Williams Road and the 45 properties bordering Railway Avenue between Williams Road and 10700 Railway Avenue.
- 2. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10035, for the rezoning of 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, be referred to the Tuesday, February 16, 2021 Public Hearing at 7:00 p.m. in the Council Chambers of Richmond City Hall.

ne Co

Wayne Craig Director, Development (604-247-4625)

WC:jr Att. 4

REPORT CONCURRENCE
CONCURRENCE OF GENERAL MANAGER
· /

## **Staff Report**

## Origin

Raman Kooner has applied to the City of Richmond for permission to rezone 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, to permit the property to be subdivided into three single-detached lots with coach houses. Concurrent with the rezoning application, the applicant requests that Council consider an amendment to Single-Family Lot Size Policy 5420 to exclude properties – including the subject site – along Railway Avenue between Williams Road and Steveston Highway from the Lot Size Policy 5420. A location map is provided in Attachment A.

## Background

A Report to Committee (Attachment B) was presented to the Planning Committee on June 4, 2019. Council gave First Reading of Richmond Zoning Bylaw 8500, Amendment Bylaw 10035 on June 10, 2019. The Bylaw was considered at the July 15, 2019 Public Hearing, where the following referral motion was passed:

That the application be referred to staff to explore alternative density options for 10200/10220 Railway Avenue.

This supplementary Staff Report is being brought forward now to provide a summary of alternative designs considered and staff recommendations.

It is also noted that the following referral motion was carried at the following September 4, 2019 Planning Committee meeting:

That staff be directed to do a comprehensive review of the Arterial Road Land Use Policy designation along Railway Avenue and report back.

This related referral is addressed under a separate staff report on the same agenda for consideration. The report addressing the land use designation review has identified that the Arterial Road Land Use Policy designation for the subject site should remain as compact single detached or coach house.

### **Findings of Fact**

Please refer to the Development Application Data Sheet provided as Attachment 2 to the original Staff Report dated May 22, 2019 for a comparison of the proposed development data with the relevant bylaw requirements. The original Staff Report also includes information on the relevant City policies and studies, proposed amendment to Single-Family Lot Size Policy 5420, public consultation prior to the Planning Committee meeting, and staff comments on built form, architectural character, transportation and site access, tree retention and replacement, and site servicing and frontage improvements.

In response to the referral motion, the applicant has explored two concepts for the redevelopment of the subject site. Both concepts were evaluated by staff based on existing policies contained in the Official Community Plan (OCP) and zoning districts currently in current use or under consideration. Key considerations in the preparation and review of the concepts include:

- Maintaining a 0.6 FAR for consistency with the established density in the Arterial Road Land Use Policy;
- Maintaining a housing form and character that fits in to the neighbourhood and surrounding development;
- Maintaining a diversity of housing options as envisioned in the OCP; and
- Maintaining a safe and efficient circulation system in the neighbourhood.

## Analysis

Please refer to the below table for a comparison of the development data for each of the conceptual developments and the proposed coach houses on this site.

	Conceptual Townhouses	Conceptual Duplexes	Proposed Coach Houses
Density	0.6 FAR	0.6 FAR	0.6 FAR
Dwelling Units	6	6	3 single-family dwellings 3 coach houses (i.e. 6 dwelling units)
Building Height	3 storeys on Railway 2 storeys on rear	2 storeys	2 storeys
Residential Parking	12 (2 per dwelling)	6 (1 per dwelling)	9 (2 per single-family dwelling, 1 per coach house dwelling)
Visitor Parking	2	0	0
Vehicle Access	Railway Avenue	Rear lane	Rear lane
Single-Family Lot Size Policy Amendment	No	Yes	Yes
Steveston Area Plan Amendment	Yes	Yes	No

	Conceptual	Conceptual	Proposed Coach
	Townhouses	Duplexes	Houses
Variances Required	<ol> <li>Front yard setback: from 6.0 m to 4.5 m.</li> <li>Minimum lot width: from 40.0 m to 30.0 m.</li> <li>Lot coverage (non- porous): from 65% to 68%.</li> </ol>	1. <b>Resident parking:</b> from 12 spaces to 6 spaces	None

## Conceptual Townhouse Development

A concept for a six-unit townhouse development is provided in Attachment C. The concept was developed based on the current "Low Density Townhouses (RTL4)" zone, the Arterial Road Guidelines for Townhouses contained in the OCP, and the typical site access requirements for arterial road townhouse developments.

The concept includes three 3-storey units and three 2-storey units arranged on an L-shaped drive aisle. Vehicle access would be from Railway Avenue at the south end of the site. The overall floor area is 0.6 floor area ratio (FAR), and the total unit count is six dwelling units.

Staff do not recommend that a townhouse development be considered on the subject site based on the following:

1. The proposed vehicle access from Railway Avenue is not recommended.

The City's Arterial Road redevelopment policies in the OCP include guidelines regarding the utilization of existing lanes for new developments, in order to reduce vehicle access points along major routes. The proposed townhouse site plan is contrary to these access objectives as it relies on access to the arterial road.

The site plan also does not accommodate on-site vehicle maneuvering. Without an area for vehicles to perform a 3-point turn, some vehicles will be forced to back out on to Railway Avenue. This presents a safety concern as Railway Avenue is a major arterial road, and this section includes both a parking lane and a bicycle lane. This is especially concerning for large vehicles servicing the site for garbage and recycling pick-up. The site plan could be redesigned to locate the driveway access from Railway Avenue towards the centre of the site to accommodate on-site vehicle maneuvering, but doing so would reduce the number of units achieved unless the typical minimum side yard setbacks are varied.

The site plan could also be redesigned to provide vehicle access from the rear lane, however, a rear lane access would have similar site constraints as the original townhouse concept. Providing driveway access from the rear lane would also increase the number of vehicles utilizing the existing rear lane. 2. The concept does not meet the Arterial Road Guidelines for Townhouses.

## Building Massing & Heights

The Arterial Road Guidelines for Townhouses indicate that development sites on major arterial roads should have a minimum site width of 50m and that buildings should be limited to two storeys within 7.5 m of the side yard interface with single-family housing. The site is just over 30m wide which is significantly less than the 50m site assembly width identified in the OCP. A consequence of the reduced site width is that it would introduce 2.5 or 3-storey massing adjacent to the single-family dwelling to the north.

## Communal Outdoor Amenity Space

The Arterial Road Guidelines for Townhouses include the requirement for communal outdoor amenity space for the use of the residents. The proposed concept requires that the communal outdoor amenity area is split between two locations. Splitting the amenity area is discouraged in the OCP design guidelines and the proposed design is anticipated to create design challenges, especially in relation to the inclusion of robust play equipment.

Changes to the site plan aimed at achieving compliance with the Arterial Road Guidelines for Townhouses would likely result in a reduction to the unit count or achievable floor area.

3. Site coverage is negatively impacted.

Additional impermeable surfaces are required as a result of providing a driveway and drive aisle on site. Based on the concept provided, this would result in 68% of the site covered by impermeable surfaces, higher than the maximum of 65% allowed in the "Low Density Townhouses (RTL4)" zone. Increased coverage by impermeable surfaces limits opportunities to provide live landscaping. For comparison, the proposed single-family dwellings with coach houses have 45% site coverage with impermeable surfaces.

4. Potential rental units are lost.

The proposed development provides three coach houses, which cannot be stratified from the principal dwelling units. These accessory dwelling units therefore increase the diversity of housing options in the neighbourhood, while increasing the rental housing options available.

5. An amendment to the Steveston Area Plan would be required.

The subject site is designated "Single-Family" in the Steveston Area Plan, which would need to be changed to "Multiple-Family."

6. As part of the investigation of land use designations along the Railway Avenue corridor, staff concluded that this portion of Railway Avenue should be retained as compact lot single-family/coach house development due to the existing lane and current lot

geometries (approximately 12-15 m wide). The compact lot single-family/coach house designation reduces the need for site assemblies and additional driveways along the arterial road while also providing diversity of housing types, including rental housing units along the City's arterial roads.

### Conceptual Duplex Development

A concept for the development of three duplexes is provided in Attachment D. The concept was developed based on the current "Two-Unit Dwellings (RD2)" zone, the Arterial Road Guidelines for Duplexes contained in the OCP, and the typical site access requirements for compact lots with lane access.

The concept involves the same proposed subdivision resulting in three equally sized lots, however each lot would contain a duplex instead of a single-family dwelling with a coach house. Each duplex has a "front-back" configuration, with one dwelling unit fronting the street and the second located behind. Two vehicle parking spaces are located at the rear of each property, with access from the lane, however, this is not consistent with the number of required vehicle parking spaces (two spaces per unit) and would require a variance. The overall floor area is 0.6 FAR, and the total unit count is six dwelling units.

Staff do not recommend that a compact lot duplex development be considered on the subject site based on the following:

1. A significant parking variance would be required, which is not recommended.

The parking requirement for duplex development is two spaces per dwelling unit. The concept provides only one space per unit, representing a 50% shortfall of required parking. A third parking spot could be provided adjacent to the garage, but a parking variance would still be required.

2. An amendment to the Steveston Area Plan would be required in addition to the proposed amendment to Single-Family Lot Size Policy 5420.

The subject site is designated "Single-Family" in the Steveston Area Plan, which would need to be changed to "Single-Detached/Duplex/Triplex."

3. As per the overall review of land use designations along Railway Avenue, staff concluded that this portion of Railway Avenue should be retained as single-family/coach house development. Duplex development requires increased parking and reduces opportunities for rental housing, compared to coach house development.

### **Development Proposal**

No changes to the previous development proposal are contemplated. Please see the previous Staff Report for full details and drawings of the proposed development of three single-family dwelling with coach houses.

## Referral – Arterial Road Land Use Policy Along Railway Avenue

Staff recommends support for proceeding with the proposal at this site due to it being consistent with the current Arterial Road Land Use Policy, the application pre-dating the introduction of the referral motion, and it being consistent with the findings and recommendations contained in the staff report on the Railway Avenue corridor included on the same agenda. Specifically, staff would emphasize that:

- The proposal to utilize the lane is consistent with City policies including the Arterial Road Land Use Policy and Richmond Residential Lot (Vehicular) Access Regulation Bylaw 7222.
- The proposal provides a variety of housing types in the neighbourhood, including opportunities for rental housing in the detached coach houses.
- Existing lots in this area designated for coach houses are generally between 12-15 m wide, with the exception of the subject site and one other site (5011/31 Hollymount Gate). The current Arterial Road lands use policy designation considers the existing lot pattern in the neighbourhood and allows coach house development without requiring land assemblies or additional driveways along the arterial road.

## Conclusion

The application to rezone 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, in order to permit the development of three single-family dwellings with coach houses on the subject site, is consistent with the Arterial Road Land Use Policy in the Official Community Plan and the land use designation contained in the Steveston Area Plan.

Staff recommend that coach house development on the subject site be considered based on the following:

- 1. Coach house development is consistent with the Arterial Road Policy designation, contained in the OCP.
- 2. The form of development proposed for coach houses is consistent with the form and character of the surrounding single-family neighbourhood.
- 3. The coach house proposal utilizes the existing lane for vehicle access, eliminating the need for additional driveways along the arterial road.
- 4. The coach house proposal would provide additional housing diversity, including three rental units.

On this basis, staff recommend support of the application to rezone the property and amend Single-Family Lot Size Policy 5420 as described in the original Staff Report.

The applicant has agreed to the list of rezoning considerations included in Attachment 11 of the original Staff Report dated May 22, 2019 (Attachment B) (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10035, be referred to the Tuesday, February 16, 2021 Public Hearing at 7:00 p.m. in the Council Chambers of Richmond City Hall.

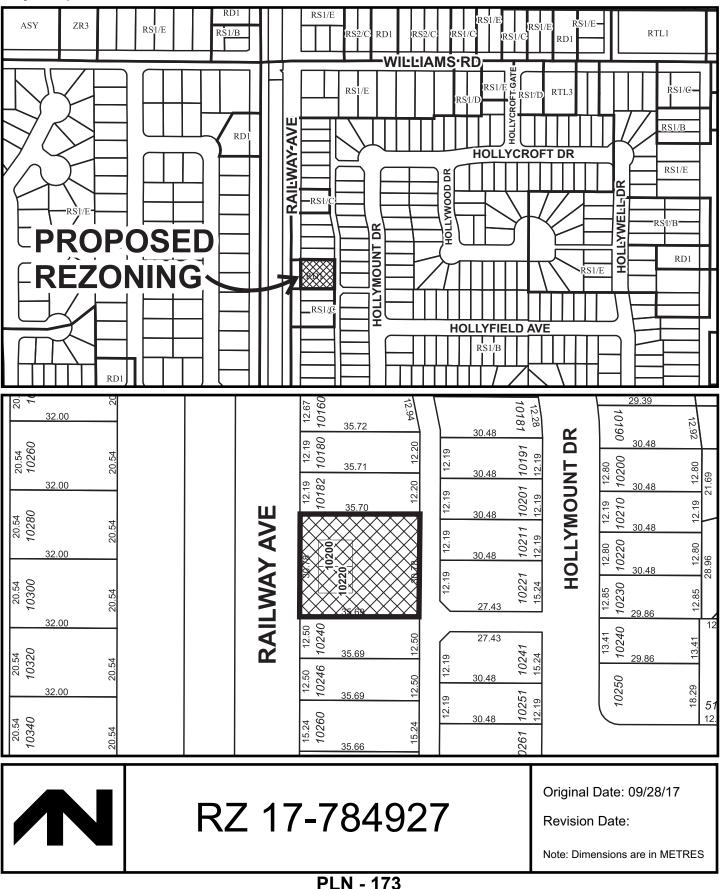
Jordan Rockerbie Planner 1 (604-276-4092)

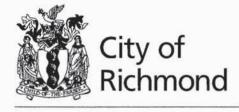
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<u>Attachments:</u> Attachment A: Location Map Attachment B: Report to Committee dated May 22, 2019 Attachment C: Conceptual Townhouse Development Plan Attachment D: Conceptual Duplex Development Plan



# City of Richmond





# **Report to Committee**

To:	Planning Comm	ittee
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From: Wayne Craig Director, Development Date: May 22, 2019 File: RZ 17-784927

# Re: Application by Raman Kooner for Rezoning at 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" Zone to the "Coach Houses (RCH1)" Zone

#### Staff Recommendation

- 1. That the following recommendation be forwarded to a Public Hearing:
  - a) That Single-Family Lot Size Policy 5420 for the area generally bounded by Steveston Highway, Railway Avenue, Williams Road and the rear property lines of the properties located along No. 2 Road, in a portion of Section 36 Block 4 North Range 7 West, be amended as shown in the proposed draft Single-Family Lot Size Policy 5420 (Attachment 5);
- That Richmond Zoning Bylaw 8500, Amendment Bylaw 10035, for the rezoning of 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, be introduced and given First Reading.

Wayne Craig Director, Development (604-247-4625)

WC:JR Att. 11

REPORT CONCURRENCE			
CONCURRENCE	CONCURRENCE OF GENERAL MANAGER		
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	CONCURRENCE		

## Staff Report

#### Origin

Raman Kooner has applied to the City of Richmond for permission to rezone 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, to permit the property to be subdivided to create three single-family lots each with a coach house suite, with vehicle access from the rear lane (Attachment 1). The proposed subdivision is shown in Attachment 2.

In order to consider this rezoning application, an amendment to Single-Family Lot Size Policy 5420 is required to remove the subject site from the Lot Size Policy area. The proposed amendment would remove a total of 46 properties fronting Railway Avenue between Williams Road and Steveston Highway, and two properties fronting Williams Road. Further discussion on the proposed amendment is provided below.

### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is provided in Attachment 3.

#### Subject Site Existing Housing Profile

There is an existing duplex on the property, which would be demolished. One of the duplex units was owner-occupied and the second was vacant before purchase by the developer. Both duplex units are now tenanted on an interim basis.

### Surrounding Development

Existing development immediately surrounding the subject site is as follows:

- To the North: A single-family dwelling on a lot zoned "Single Detached (RS1/B)".
- To the South: A single-family dwelling on a lot zoned "Single Detached (RS1/C)".
- To the East: Single-family dwellings on lots zoned "Single Detached (RS1/B)".
- To the West: Railway Avenue and an off-street multipurpose pathway, beyond which are single-family dwellings on lots zoned "Single Detached (RS1/E)".

### **Related Policies & Studies**

#### Official Community Plan/Steveston Area Plan

The Official Community Plan (OCP) land use designation for the subject site is "Neighbourhood Residential." The proposed rezoning is consistent with this designation.

The subject site is located in the area governed by the Steveston Area Plan, and is designated "Single-Family" (Attachment 4). The proposed rezoning is consistent with this designation.

#### Arterial Road Land Use Policy

Since 2001, the City has encouraged redevelopment to compact lots along arterial roads where access is or can be made available to a rear lane. The Arterial Road Land Use Policy identifies the subject site for redevelopment to compact single-detached or coach house lots. The proposed rezoning is consistent with this designation.

#### Single-Family Lot Size Policy 5420

The subject site is located in the area governed by Single-Family Lot Size Policy 5420 (Attachment 5). The Lot Size Policy permits properties fronting Railway Avenue with rear lane access to rezone and subdivide in accordance with the "Single Detached (RS1/B)" zone (i.e., minimum 12 m wide lots, minimum 360 m<sup>2</sup> in area).

Where there is a rezoning application along an arterial road in an existing Lot Size Policy area that has been in place over five years, Council has the discretion to determine whether to remove all the properties in the block which front the subject arterial road from the applicable Lot Size Policy when considering the rezoning application.

It is on this basis that the proposed rezoning application and amendment to the Lot Size Policy are being considered.

The proposed amendment to the Lot Size Policy is to exclude the 46 properties fronting Railway Avenue and two properties fronting Williams Road with existing or planned rear lane access between Williams Road and Steveston Highway from the Lot Size Policy. This would enable these lots to apply for rezoning to permit redevelopment to a compact single detached housing form, in keeping with the Arterial Road Land Use Policy. All other provision of the Lot Size Policy would remain unchanged. The proposed amendment is shown in Attachment 6.

### Affordable Housing Strategy

The applicant proposes a coach house on each of the three proposed lots, consistent with the City's Affordable Housing Strategy. Each proposed coach house is  $57.88 \text{ m}^2 (623 \text{ ft}^2)$  and contains a single bedroom. Prior to final adoption of the rezoning bylaw, the applicant is required to register a covenant on Title ensuring that the dwelling unit located in each coach house cannot be stratified or otherwise held under separate Title.

### Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

## **Public Consultation**

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

A letter dated March 29, 2019 (Attachment 7) was sent to the owners and residents of all the properties located within the area governed by Lot Size Policy 5420 describing the proposed amendment and to advise them of the proposed rezoning application at the subject site. The letter indicated that any comments or concerns with either the proposed Lot Size Policy amendment or rezoning application submitted to the City by April 30, 2019 would be included in this Staff Report to Council.

In response to this letter, the City received four pieces of written correspondence and two telephone calls. A summary of the correspondence is provided below, and the full text of each response is provided in Attachment 8.

- Two telephone calls asking for additional information.
- Two letters in support of the application.
- One letter in opposition to the application.
- One letter in support of the proposed Lot Size Policy amendment, but in opposition to the proposed rezoning to allow coach houses

Positive responses were supportive of locating additional density on Railway Avenue. Concerns included an increase to traffic and parking demand in the neighbourhood. Comments on housing affordability came from two different perspectives: a perception that single-detached homes with coach houses would be more expensive to build and therefore more expensive to buy, and appreciation that there are three potential rental units included in the proposal.

Staff support the proposed rezoning and Lot Size Policy amendment as the proposed development complies with the Arterial Road Land Use Policy and the "Coach Houses (RCH1)" zone, including the requirement for three on-site parking spaces. On-street parking is also available on Railway Avenue. Removal of the two existing driveways will increase the on-street parking capacity.

Should the Planning Committee endorse this application and Council grant First Reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

### Analysis

### Built Form and Architectural Character

The preliminary conceptual plans have satisfactorily addressed the staff comments identified as part of the rezoning application review process. These include a site plan and architectural elevations for the coach houses on each proposed lot (Attachment 9).

The three proposed coach houses have identical massing, with differentiation achieved through varying the window size, dormer style, and cladding materials. All of the coach houses are sited closest to the south property line, which is a requirement of the "Coach Houses (RCH1)" zone.

Each of the proposed coach houses includes a one bedroom unit above a detached garage. There is additional living space at grade, which includes direct access to private outdoor space for the coach house. Additional private outdoor space is located in the rear yard beside the coach house.

Living space is oriented away from neighbouring properties, with the living room, kitchen, and den all having windows facing the principal dwelling. Windows in the bedroom overlook the rear lane. No balconies are proposed.

For each new lot, parking is proposed in a detached garage. Parking for the principal dwelling consists of two parking spaces provided in a tandem arrangement, which is permitted in the "Coach Houses (RCH1)" zone for the principal dwelling only. One parking space for the coach house is provided in the garage, for a total of three on-site parking spaces on each lot proposed. In addition to the parking provided on-site, on-street parking is permitted on Railway Avenue. The removal of the two existing driveways will increase opportunities for on-street parking.

Prior to final adoption of the rezoning bylaw, the applicant is required to provide:

- A Landscape Plan, prepared by a Registered Landscape Architect, that is consistent with the landscape regulations contained in Richmond Zoning Bylaw 8500 and the Arterial Road Land Use Policy. The Landscape Plan must include a cost estimate for all works, including any trees, soft and hard landscaping materials, fencing, installation costs, and a 10% contingency.
- A Landscape Security based on 100% of the cost estimate.

Furthermore, the applicant must register legal agreements on Title to ensure that:

- The coach house cannot be stratified.
- The area used for tandem parking cannot be converted to habitable space.
- The Building Permit application and ensuing development of the site is generally consistent with the conceptual plans included in Attachment 9.

### Transportation and Site Access

Vehicle access to the proposed lots is from the rear lane, with no access permitted to Railway Avenue in accordance with Richmond Residential Lot (Vehicular) Access Regulation Bylaw No. 7222. The two existing driveways to Railway Avenue will be removed as part of the frontage works.

Pedestrian access to the principal dwelling and coach house is proposed from Railway Avenue and the rear lane in accordance with the requirements of the "Coach Houses (RCH1)" zone.

Prior to issuance of the Building Permit, the applicant is required to submit a Construction Parking and Traffic Management Plan to the City's Transportation Department for review.

## Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses four bylaw-sized trees on the subject property and two street trees on City property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and supports the Arborist's findings, with the following comments:

- Two trees (Tag # 32 and 33) located on the development site are in good condition, however the trees are in direct conflict with the proposed coach houses and will be negatively impacted by the required sanitary service works. As a result of proposed construction impacts, these trees are not good candidates for retention and should be removed and replaced.
- One Katsura tree (Tag # 91) located on the development site has a previously topped crown with poorly attached regrown leaders, but is in fair condition. This tree is in close proximity to the existing duplex and will be impacted by demolition. As a result this tree is not a good candidate for retention and should be removed and replaced.
- One Japanese Maple tree (Tag # 92) located on the development site is in fair condition. This tree is growing in a crowded location adjacent to the existing fence and other landscaping, including Trees # 91 and 717. As a result of proposed construction impacts, this tree should be removed and replaced.
- Replacement trees should be provided at 2:1 ratio as per the Official Community Plan (OCP).

City Parks staff have reviewed the Arborist's Report and support the Arborist's finding, with the following comments:

- One tree located in the site frontage (Tag # 34) is in good condition and should be retained and protected during construction.
- One tree located outside the site frontage (Tag # D) is in good condition and should be retained and protected during construction.
- One Elderberry shrub located in the site frontage (Tag # 717) is in poor condition and will be in conflict with the proposed new sidewalk. This shrub should be removed. Compensation is not required for shrubs.
- One Cedar hedgerow located in the boulevard in front of Proposed Lots B and C is in fair condition, but will be in conflict with the required frontage works and should be removed. Compensation is not required for hedges.

### Tree Protection

Two City-owned trees in the boulevard (Tag # 34 and D) are proposed to be retained. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 10). To ensure that the trees

identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.
- Prior to final adoption of the rezoning bylaw or demolition of the existing dwelling, whichever is first, submission of a \$1,980 Tree Survival Security to the City.

## Tree Replacement

The applicant wishes to remove four on-site trees (Tag # 32, 33, 91, and 92). Two trees located in the front yard (Tag # 91 and 91) are in a crowded location close to the existing duplex, existing fence, and other trees and shrubs. These trees will be negatively affected by the proposed building demolition, fence removal, and site grading. Two trees located in the rear yard (Tag # 32 and 33) are in conflict with the proposed detached garage and coach houses on Proposed Lots B and C. Siting of the detached garage and coach houses is established in the "Coach Houses (RCH1)" zone, which requires that accessory buildings be oriented closest to the south property line in order to reduce shadow impacts on properties to the north.

The 2:1 replacement ratio would require a total of eight replacement trees. The applicant has agreed to plant three trees on each proposed lot, for a total of nine trees in the development. A minimum of two trees in the front yard and one tree in the rear yard should be planted on each proposed lot, consistent with the landscaping requirements contained in Richmond Zoning Bylaw 8500 and the Arterial Road Land Use Policy. A Landscape Plan showing the proposed size, species, and location of the replacement trees is required prior to final adoption of the rezoning bylaw. The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
4	9 cm	5 m
2	8 cm	4 m
3	6 cm	3.5 m

## Existing Legal Encumbrances

There is an existing Statutory Right of Way (SRW) for the sanitary sewer inspection chamber. This SRW will be discharged and replaced with new SRWs when the sanitary connections are relocated on site to service the three proposed lots.

There is a strata plan registered on the property, as well as a covenant on Title restricting the use of the property to a duplex only. The strata plan must be cancelled and the covenant discharged at Subdivision stage.

## Site Servicing and Frontage Improvements

The applicant is required to complete the site servicing and off-site improvements described in Attachment 11. Works are to be constructed through a City work order, and include:

- A cash-in-lieu contribution for future upgrades to the rear lane.
- Removal of the existing concrete sidewalk and grass boulevard, and replacement with new 2.0 m wide sidewalk at the property line, landscaped boulevard, and concrete curb and gutter in existing location.
- Permanent closure of the existing driveway crossings and replacement with the frontage works described above.

## **Financial Impact**

The rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

## Conclusion

The purpose of this application is to rezone 10200/10220 Railway Avenue from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, to permit the property to be subdivided to create three single-family lots each with a coach house suite, with vehicle access from the rear lane. Concurrent with the rezoning application, the applicant requests that Council consider an amendment to Lot Size Policy 5420 to exclude properties along Railway Avenue between Williams Road and Steveston Highway from the Lot Size Policy.

This rezoning application complies with the land use designations and applicable policies for the subject site contained in the OCP and Richmond Zoning Bylaw 8500.

The list of rezoning considerations is included in Attachment 11, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10035 be introduced and given First Reading.

ochhi

Jordan Rockerbie Planning Technician (604-276-4092)

JR:blg

Attachment 1: Location Map and Aerial Photo

Attachment 2: Site Survey with Proposed Subdivision Plan

Attachment 3: Development Application Data Sheet

Attachment 4: Steveston Area Land Use Map

Attachment 5: Single-Family Lot Size Policy 5420

Attachment 6: Proposed Amendment to Single-Family Lot Size Policy 5420

Attachment 7: City's Letter Dated March 29, 2019

Attachment 8: Written Correspondence Received from Residents

Attachment 9: Conceptual Development Plans

Attachment 10: Tree Management Plan

Attachment 11: Rezoning Considerations

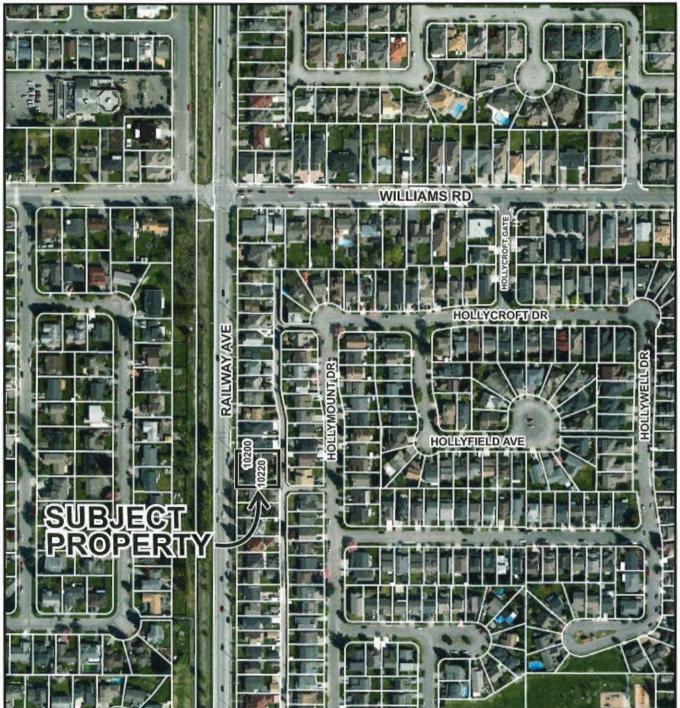


# City of Richmond





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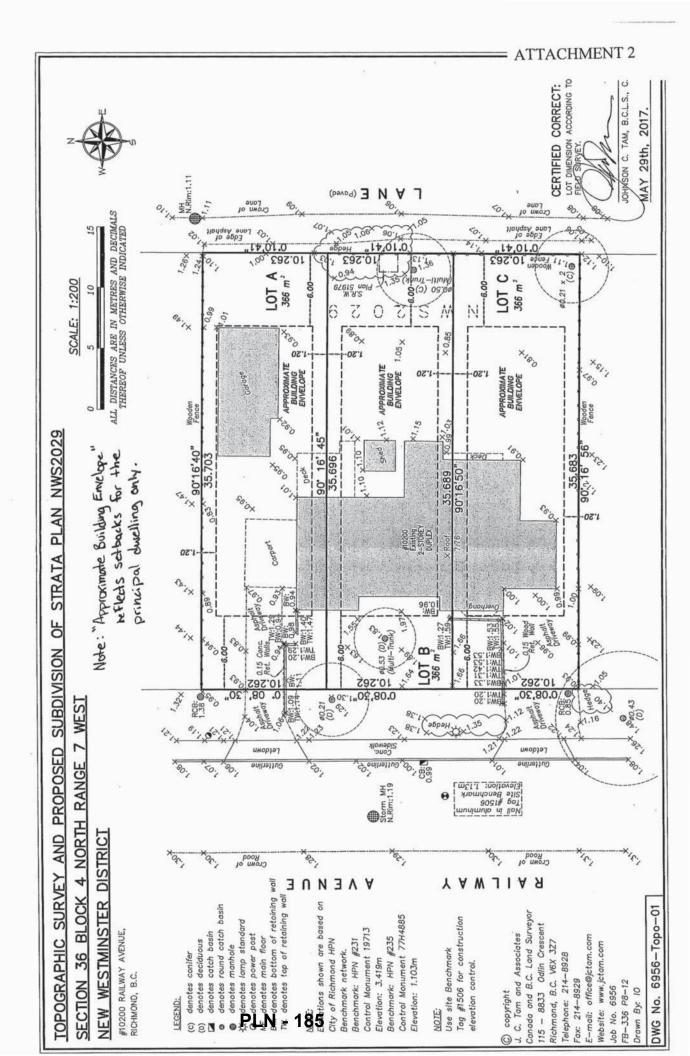
RZ 17-784927

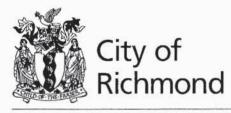
Original Date: 09/28/17

Revision Date:

Note: Dimensions are in METRES

PLN - 184





## **Development Application Data Sheet**

**Development Applications Department** 

## RZ 17-784927

Address: 10200/10220 Railway Avenue

Applicant: Raman Kooner

Planning Area(s): Steveston

ST ALE	Existing	Proposed
Owner:	0845785 BC Ltd.	To be determined
Site Size (m <sup>2</sup> ):	1,098 m <sup>2</sup>	Three lots, each 366 m <sup>2</sup>
Land Uses:	One two-unit dwelling	Three single-family dwellings with coach houses
OCP Designation:	Neighbourhood Residential	No change
Area Plan Designation:	Single-Family	No change
702 Policy Designation:	Single Detached (RS1/B)	Amendment to remove the property from the Lot Size Policy
Zoning:	Two-Unit Dwellings (RD1)	Coach Houses (RCH1)
Other Designations:	Arterial Road Compact Lot Coach House	No change

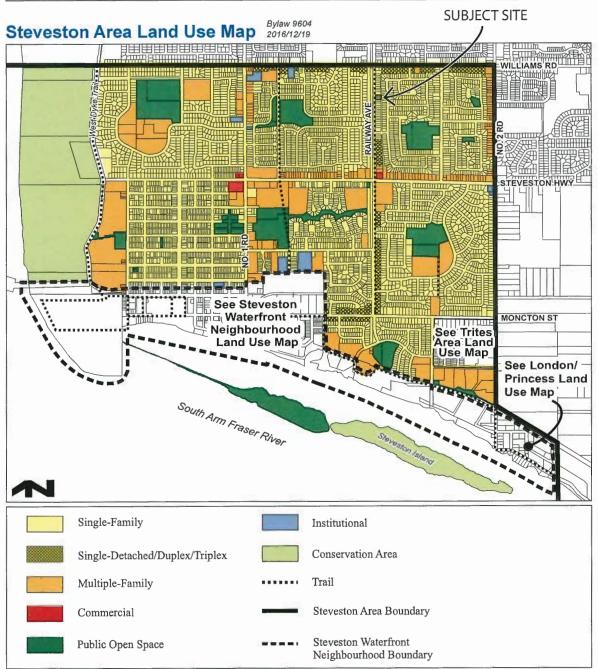
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60	Max. 0.60	none permitted
Total Buildable Floor Area (m <sup>2</sup> ):*	Max. 219.6 m² (2,363 ft²)	Max. 219.6 m² (2,363 ft²)	none permitted
Principal Dwelling Floor Area (m <sup>2</sup> ):*	Max. 186.6 m <sup>2</sup> (2,008 ft <sup>2</sup> )	Max. 161.72 m <sup>2</sup> (1,740 ft <sup>2</sup> )	None
Coach House Floor Area (m <sup>2</sup> ):*	Min. 33.0 m <sup>2</sup> (355 ft <sup>2</sup> ) Max. 60 m <sup>2</sup> (645 ft <sup>2</sup> )	57.88 m² (623 ft²)	None
Lot Coverage:	Building: Max. 45% Non-porous Surfaces: Max. 70%	Building: Max. 45% Non-porous Surfaces: Max. 70%	None
Lot Size (m <sup>2</sup> ):	315 m <sup>2</sup>	366 m <sup>2</sup>	None
Lot Dimensions (m):	Width: Min. 9.0 m Depth: Min. 35.0 m	Width: 10.26 m Depth: 35.69 m	None
Principal Dwelling Setbacks (m):	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	Front: Min. 6.0 m Rear: Min. 6.0 m Side: Min. 1.2 m	None

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Coach House Setbacks (m):	Rear: Min. 1.2 m Interior Side (Ground): Min. 0.6 m Interior Side (Upper): Min. 1.2 m Opposite Interior Side: Min. 1.8 m Building Separation: Min. 4.5 m	Rear: 1.2 m Interior Side (Ground): 0.6 m Interior Side (Upper): 1.2 m Opposite Interior Side: 2.2 m Building Separation: 5.29 m	None
Principal Dwelling Height (m):	Max. 9.0 m	Max. 9.0 m	None
Coach House Height (m):	Max. 6.5 m, measured from the crown of the lane	6.45 m, measured from the crown of the lane	None
Off-street Parking Spaces:	Principal Dwelling: 2 Coach House: 1	Principal Dwelling: 2 Coach House: 1	None
Tandem Parking Spaces:	Permitted for the principal dwelling only	2 spaces in the garage for the principal dwelling	None
Outdoor Amenity Space:	Principal Dwelling: Min. 30.0 m <sup>2</sup> Coach House: No minimum	Principal Dwelling: Min. 30.0 m <sup>2</sup> Coach House: 22.18 m <sup>2</sup>	None

Other: Tree replacement compensation required for loss of significant trees.

\* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.





Policy Manual

## City of Richmond

Page 1 of 2	Adopted by Council: October 16, 1989 Amended by Council: August 17, 1992 Lassam Rd. Adopted by Council: August 21, 1995	POLICY 5420
File Ref: 4045-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECT	TION 36-4-7

#### **POLICY 5420:**

The following policy establishes lot sizes for the area, bounded by **Steveston Highway**, **Railway Avenue**, **Williams Road and the rear of the properties located along No. 2 Rd.** in Section 36-4-7:

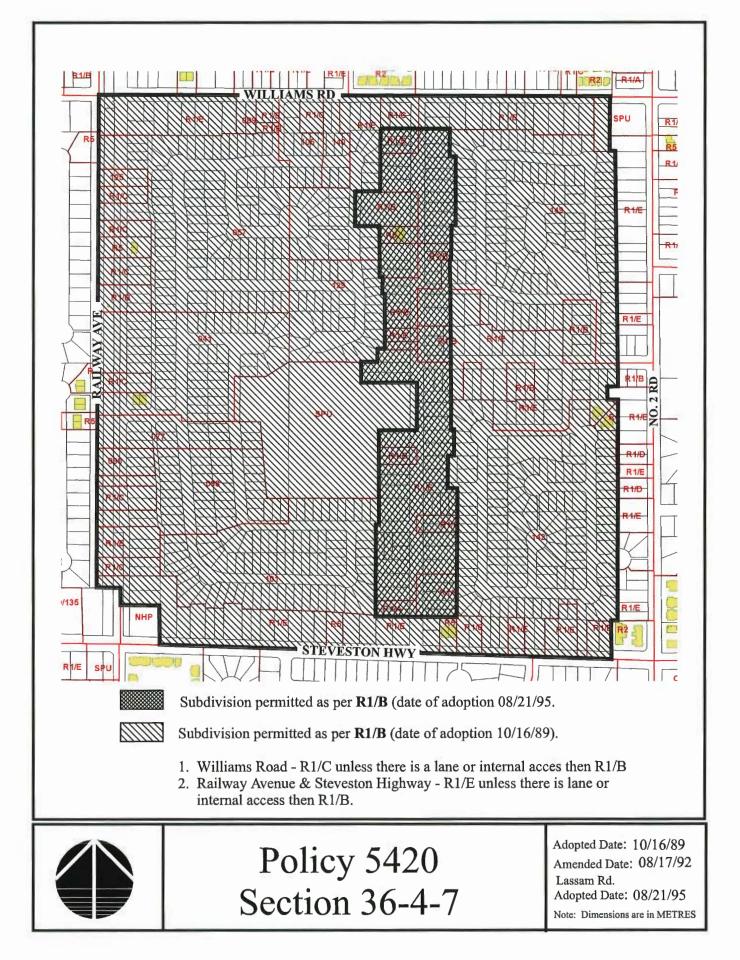
That properties within the area bounded by Steveston Highway, Railway Avenue, Williams Road and the rear property lines of the properties located along No. 2 Rd. (Section 36-4-7), be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/B) in Zoning and Development Bylaw 5300, with the following provisions:

- If there is no lane or internal road access, then properties along Railway Avenue and Steveston Highway will be restricted to Single-Family Housing District (R1/E);
- (b) Properties along Williams Road will be permitted Single-Family Housing District (R1/C) unless there is lane or internal road access in which case Single-Family Housing District (R1/B) will be allowed;
- (c) The Policy for the properties along Lassam Rd. (as cross-hatched on the attached map) was adopted on August 21, 1995;

and that this policy, as shown on the accompanying plan, be used to determine the disposition of future single-family rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.

**Note:** Council adopted the above noted Single-Family Lot Size Policy, with an amendment clarifying that the western boundary of the policy area is <u>the middle of Railway Avenue</u>.

Note: There are two adoption dates for two separate portions of Policy 5420.



A Later.		
	City of Richmond	<b>Policy Manual</b>
Page 1 of 2	Adopted by Council: October 16, 1989 Amended by Council: August 17, 1992 Lassam Rd. Adopted by Council: August 21, 1995 Amended by Council:	DRAFT PROPOSED POLICY 5420
File Ref: 4045-00	SINGLE-FAMILY LOT SIZE POLICY IN QUARTER	R-SECTION 36-4-7

ATTACHMENT 6

#### POLICY 5420:

The following policy establishes lot sizes for the area, bounded by **Steveston Highway**, **Railway Avenue**, **Williams Road and the rear of the properties located along No. 2 Rd.** in Section 36-4-7:

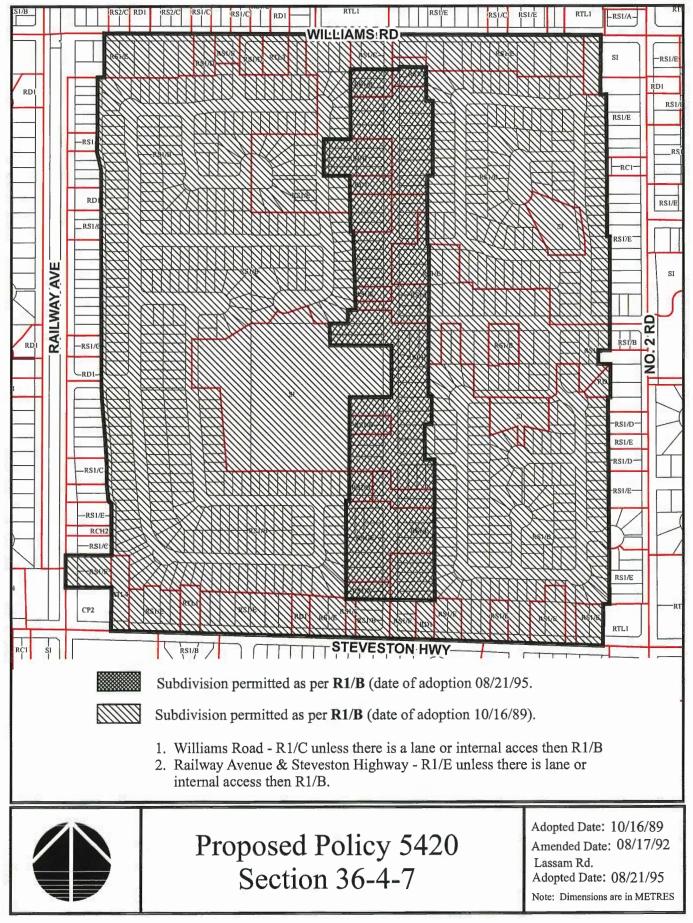
That properties within the area bounded by Steveston Highway, Railway Avenue, Williams Road and the rear property lines of the properties located along No. 2 Rd. (Section 36-4-7), be permitted to subdivide in accordance with the provisions of Single-Family Housing District (RS2/B) in Richmond Zoning Bylaw 8500, with the following provisions:

- (a) If there is no lane or internal road access, then properties along Steveston Highway will be restricted to Single-Family Housing District (RS2/E);
- (b) Properties along Williams Road will be permitted Single-Family Housing District (RS2/C) unless there is lane or internal road access in which case Single-Family Housing District (RS2/B) will be allowed;
- (c) The Policy for the properties along Lassam Rd. (as cross-hatched on the attached map) was adopted on August 21, 1995;

and that this policy, as shown on the accompanying plan, be used to determine the disposition of future single-family rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in Richmond Zoning Bylaw 8500.

**Note:** Council adopted the above noted Single-Family Lot Size Policy, with an amendment clarifying that the western boundary of the policy area is <u>the middle of Railway Avenue</u>.

Note: There are two adoption dates for two separate portions of Policy 5420.



PLN - 192

## ATTACHMENT 7

6911 No. 3 Road, Richmond, BC V6Y 2C1 www.richmond.ca



March 29, 2019 File: RZ 17-784927 Planning and Development Division Development Applications Fax: 604-276-4052

Dear Owner/Resident:

# Re: Proposed amendment to Single-Family Lot Size Policy 5420 and proposed rezoning application at 10200/10220 Railway Avenue

This is to advise you that the City of Richmond has received a rezoning application for a property in your neighbourhood at 10200/10220 Railway Avenue. The applicant proposes to subdivide the property to create three single-family lots, each with a width of 10 metres. A location map showing the property and proposed subdivision is provided in Attachment 1.

This property is located in the area governed by Single Family Lot Size Policy 5420, which restricts lot width to a minimum of 12 metres (39 feet). As such, the proposal includes an amendment to this Policy.

It is important to note that the proposed amendment to Single-Family Lot Size Policy 5420 and the proposed rezoning at 10200/10220 Railway Avenue do not change the zoning of other properties in the area. Additional development in your neighbourhood would be subject to the standard rezoning application review process, which includes opportunity for public input at a Public Hearing. Details on this application and the Lot Size Policy are provided in the letter.

## Rezoning Application at 10200/10220 Railway Avenue

Raman Kooner has applied to the City of Richmond for permission to rezone the property from the "Two-Unit Dwellings (RD1)" zone to the "Coach Houses (RCH1)" zone, to permit the property to be subdivided to create three single-family lots with vehicle access from the rear lane. Each lot would contain a single family dwelling as well as a coach house unit above a detached garage. The application is being processed under City file number RZ 17-784927. The proposed subdivision is shown in Attachment 1.

The proposed rezoning is consistent with the Arterial Road Land Use Policy contained in the Official Community Plan. Arterial Road Coach House development is permitted on designated lots with access to a municipal rear lane.

## Single-Family Lot Size Policy 5420

On October 16, 1989, City Council adopted Single-Family Lot Size Policy 5420 to establish the lot sizes that would be considered on properties generally bounded by Steveston Highway, Railway



• Avenue, Williams Road and the rear property lines of the properties located along No. 2 Road. A map of the current Policy area is provided in Attachment 2. The Lot Size Policy provides the following direction:

-2-

- Properties are permitted to subdivide in accordance with the provisions of the "Single-Detached (RS1/B)" zone, with the following provisions:
  - If there is no lane or internal road access, then properties along Railway Avenue and Steveston Highway will be restricted to the "Single-Detached (RS1/E)" zone;
  - Properties along Williams Road will be permitted the "Single Detached (RS1/C)" zone unless there is a lane or internal road access, in which case the "Single Detached (RS1/B)" zone will be allowed.

#### Proposed Amendment to Single-Family Lot Size Policy 5420

The proposed amendment to the Lot Size Policy would remove 46 properties on Railway Avenue, including the subject property, and two properties on Williams Road from the Lot Size Policy area. All other provisions in the Lot Size Policy would remain unchanged. A map showing the proposed Lot Size Policy area is provided in Attachment 3, with the changes highlighted in a bubbled area.

The Lot Size Policy currently permits the subject property to subdivide in accordance with the "Single Detached (RS1/B)" zone (see Table 1, below). This would yield two single-family lots with a minimum lot width of 12 metres. Each single-family lot would be permitted to contain one secondary suite.

The proposed amendment would permit this property to rezone and subdivide in accordance with the "Coach Houses (RCH1)" zone, which would yield three single-family lots with a minimum lot width of 9 metres each (see Table 1, below). Each single-family lot would be permitted to contain one detached garage with a coach house.

Zone	Min. Lot Width	Min. Lot Depth	Min. Lot Area	Max. Floor Area Ratio*	Purpose
Permitted Single Detached (RS1/B)	12.0 m (39.3 ft)	24.0 m (78.7 ft)	360.0 m <sup>2</sup> (3,875 ft <sup>2</sup> )	0.55 applied to a maximum of 464.5 m <sup>2</sup> of the lot area, together with 0.30 applied to the balance	Single-family dwelling; secondary suite is permitted
Proposed Coach Houses (RCH1)	9.0 m (29.5 ft)	35.0 m (114.8 ft)	315.0 m <sup>2</sup> (3,390 ft <sup>2</sup> )	0.60	Single-family dwelling with detached coach house secondary suite is not permitted

#### Process

Please review the accompanying materials, and forward any comments or concerns you may have about the proposed amendment to Single-Family Lot Size Policy 5420, and/or the redevelopment proposal at 10200/10220 Railway Avenue, to my attention by April 30, 2019, via:

Jordan Rockerbie, Planning Technician Development Applications Department City of Richmond 6911 No. 3 Road Richmond, BC V6Y 2C1

or

#### jrockerbie@richmond.ca

#### Next Steps

Staff will complete a report to Planning Committee on the proposed Lot Size Policy amendment and rezoning application, and will incorporate your feedback as part of the report. If supported by the Planning Committee, the application would be subsequently considered by Richmond City Council at a regular Council meeting. You will be provided with the opportunity to address Council directly if the proposed amendment to Single-Family Lot Size Policy 5420 and the application to rezone 10200/10220 Railway Avenue proceed to a Public Hearing.

It is emphasized that the proposed amendment to Single-Family Lot Size Policy 5420 and the proposed rezoning application at 10200/10220 Railway Avenue do not change the zoning of other properties in the area. Any future rezoning applications on other properties must undergo the standard rezoning application review process, which includes a public notification and a Public Hearing.

If you have any questions about the contents of this letter or require further explanation, please contact me by phone at 604-276-4092 or by email at jrockerbie@richmond.ca

Thank you,

Jordan Rockerbie *Planning Technician* T: 604-276-4092

JR:jr

Encl. 3

Attachments:

Attachment 1: Location Map showing proposed rezoning and subdivision Attachment 2: Existing Single-Family Lot Size Policy 5420 Attachment 3: Proposed Single-Family Lot Size Policy 5420

## Rockerbie, Jordan

From:	Bill de Mooy <bill@billdemooy.com></bill@billdemooy.com>
Sent:	Saturday, 6 April 2019 14:01
To:	Rockerbie,Jordan
Subject:	Re: Single-Family Lot Size Policy 5420

We'll support the change in Lot Size Policy and the rezoning application associated with it. The proposed allowance for (approx) 30' frontage lots have little to do with my lot or that of most properties on Railway Ave. without assembling and subdiving but it at least allows the duplex lot to be put to better use.

I look forward to learning more about your "suite of options" being put forth to city council.

Thanks.

Bill de Mooy

On Fri, Apr 5, 2019 at 4:08 PM Rockerbie, Jordan <<u>JRockerbie@richmond.ca</u>> wrote:

Hello Bill,

The purpose of the letter is twofold: first, to provide notice that the City is considering a change to the Lot Size Policy in your neighbourhood, and second, to gather feedback on the proposed change *and* the rezoning application associated with it. The mail-out went to all of the properties currently subject to the Lot Size Policy, i.e. the area generally bound by Williams Road, Steveston Highway, Railway Avenue, and No. 2 Road.

Regarding the BC Assessment Authority, I cannot make assurances on their behalf.

What I can tell you is that all of the properties on Railway Avenue in your neighbourhood currently have two conflicting land use designations: a designation under than Lot Size Policy introduced in 1989 and last amended in 1995, and a designation in the Arterial Road Land Use Strategy last amended in 2016. The proposed Lot Size Policy amendment addresses the conflicting policies by removing the land use designation from 1995 in favour of the designation applied in 2016. Depending on where you property is on Railway Avenue, the land use designation already supports redevelopment to "Compact Single Detached," "Compact Lot Coach House," "Arterial Road Duplex," or "Arterial Road Townhouses."

Part of my staff report to Council will include a tally of the number of positive and negative responses, as well as copies of those responses as an attachment. Please let me know if you would like your correspondence included in this attachment. Additionally, please let me know if you have further questions about the application at hand, the Lot Size Policy, or the Arterial Road Land Use Strategy.

## PLN<sup>1</sup>-196

Thank you,

Jordan Rockerbie

Planning Technician, Development Applications

City of Richmond | T: 604-276-4092

From: Bill de Mooy [mailto:<u>bill@billdemooy.com]</u> Sent: Thursday, 4 April 2019 16:23 To: Rockerbie,Jordan Subject: Re: Single-Family Lot Size Policy 5420

Thanks Jordan.

So what is it that planning would like from people living on Railway Ave between Williams Road and Steveston Hwy? Support or dissapproval of the application by the developer or of the lot size policy amendment?

The only concern I have is that the BC Assessment Authority assesses my property higher because of their mantra of "highest and best use" even though I am not rezoning my property to the revised lot size policy. If I can be assured that I will not be financial worse off by the amendment then I have no objection. If by allowing the amendment I'm likely to pay more in property taxes then HELL NO.

Cheers.

Bill de Mooy.

On Wed, Apr 3, 2019 at 9:27 AM Rockerbie, Jordan <<u>JRockerbie@richmond.ca</u>> wrote:

Hello William, thank you for your comments on this redevelopment.

At this time, the City is not proposing any changes to the Single Family Lot Size Policy other than a shift in the boundary. Policy Planning staff are currently working on a referral from Council regarding the effectiveness of the Lot Size Policy program as a whole in Richmond neighbourhoods. It is likely that staff will bring forward a suite of options for Council to consider, ranging from status quo to a complete reworking of the policy. Any changes to the Lot Size Policy program would involve significant public consultation.

Regarding the application at hand, the applicant is proposing to remove 10200/10220 Railway Avenue from the Lot Size Policy area, to enable a rezoning and subdivision to create three single-family lots with coach houses. If the property were to remain in the Lot Size Policy area, the redevelopment potential would be limited to two single-family lots with coach houses *or* secondary suites.

I would be happy to provide additional information or staff contacts for the various policies in Richmond which target housing affordability. Many of our policies are "living documents," with regular review, public feedback, and updates.

If you have any additional comments or concerns about the subject rezoning and Lot Size Policy amendment, do let me know.

Thank you,

Jordan Rockerbie

Planning Technician, Development Applications

City of Richmond | T: 604-276-4092

From: Bill de Mooy [mailto:bill@billdemooy.com] Sent: Tuesday, 2 April 2019 12:48 To: Rockerbie,Jordan Subject: Single-Family Lot Size Policy 5420

Hi Jordan

Just thinking.

Why is there a proposal to change a zoning that allows for a house with secondary accommodation to a zoning that does not allow for a house with secondary accommodation yet allows a coach house?

I'm led to understand that the building of a coach house is much more expensive that building a secondary accommodation as part of a house.

Where is affordable housing in this thought process? To merely allow building on smaller lots and collect more DCC money from subdividing?

If the creation of "affordable housing" is truely what those on Richmond Council want then I would think following the lead of Vancouver, North Vancouver, Surrey, Maple Ridge and Langley would be more thoughtful.

A lot size policy that allows for secondary accommodations AND a coach house or two secondary accommodations would allow for (1) more rentable units, as Richmond desperately requires, and (2) more mortgage helpers to help make a detached home be more affordable, or (3) more multi-generational family homes to supply the need for family support, with privacy, of an aging parents AND young adult children who are staying home longer because of the high cost of rents or real estate.

If you're going to change a policy, would now not be a good time to have a "more useful" land use policy. Even the reintroduction of the Flex-House and Coach house could be worthy of consideration. A home for all ages.

Just thinking.

William de Mooy

10540 Railway Ave.,

Richmond, BC V7E 2B8

## Rockerbie, Jordan

From:	L Neudorf <leleyn@telus.net></leleyn@telus.net>	
Sent:	Thursday, 18 April 2019 15:43	
То:	Rockerbie, Jordan	
Subject:	Rezoning appl 10200/10220 Railway Ave.	

Dear Jordon Rockerbie, Re: Rezoning application at 10200/10220 Railway Ave.

If I had a vote, we would vote against this rezoning application – I propose that the developer work with the current zoning (39.3 ft.). For sure, if we lived on the west side of Hollymount Dr. (with the back lane) I would not be keen to have a swath of laneway homes using the back alley, higher traffic, etc. and no doubt many Air BnB operations.

I see a slim lot of 29.5 ft. as only benefiting the developer and the City.

Per se I am not against higher densities, in fact rather than the standard 3 level townhomes going in along Steveston Hwy between Railway and No. Two Rd I would vote to allow 3-4 level apartment blocks in these land assembly areas, thus allowing many more housing units and many more lower price options.

Thank you. Len Neudorf – Res. 604-271-9147 10370 Hollymount Dr.



I am writing in response to the correspondence regarding the rezoning application at 10200/10220 Railway Avenue.

I do not have any objection to the change to the lot size. I do however, object to the coach house rezoning for the smaller lots.

The subdivision to the east of Railway Avenue, historically known as Holly Park, is already very crowded with vehicles. I live on Hollymount Drive. During weekdays the street is fairly clear of cars. In the evenings and on weekends, Hollymount is already very crowded with most street space completely used for parking. Please do a check evenings and weekends.

I believe, it is reasonable to assume that single family houses will have a minimum of 2 vehicles. If there are more than two adults living in the house it's possible each person over sixteen would have a vehicle. This is the norm in Richmond these days. If you add a coach house to the property, each adult living there, would also, presumably, own a vehicle. Where will all these cars park? The lane access garage could only accommodate 2 vehicles.

Our neighbourhood already serves as overflow parking for O'hares Pub. It is not unusual to have pub patrons parking here.

When I have family and friends visit they already have a hard time finding parking. I have a fire hydrant in my front yard, no one can park in front of my home.

I realize that densification is needed and inevitable, but, some consideration of existing neighbourhoods is required.

Yours truly,

Carolyn Payer 10420 Hollymount Drive V7E 4S3

## **Rockerbie**, Jordan

From: Sent: To: Subject: Michelle Li <michelleli@shaw.ca> Monday, 29 April 2019 19:15 Rockerbie,Jordan Redevelopment proposal to 10200/10220 Railway

Hello,

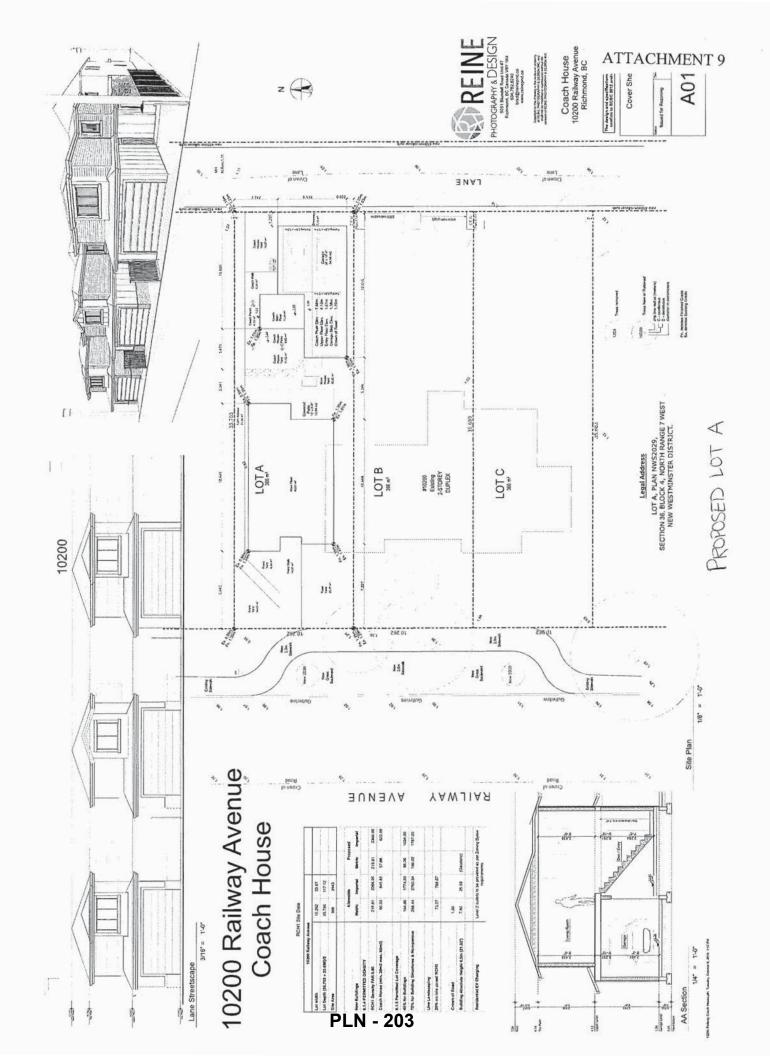
I received a package in the mail about this redevelopment in my neighbourhood and I want to show my strong support of this redevelopment. I would like to see coach homes allowed on any lots where it is suitable with no input from the public since this is a way to add affordable rental housing, housing for extended families, and allow for aging in place. It would also make home ownership more affordable and sustainable for families in our area.

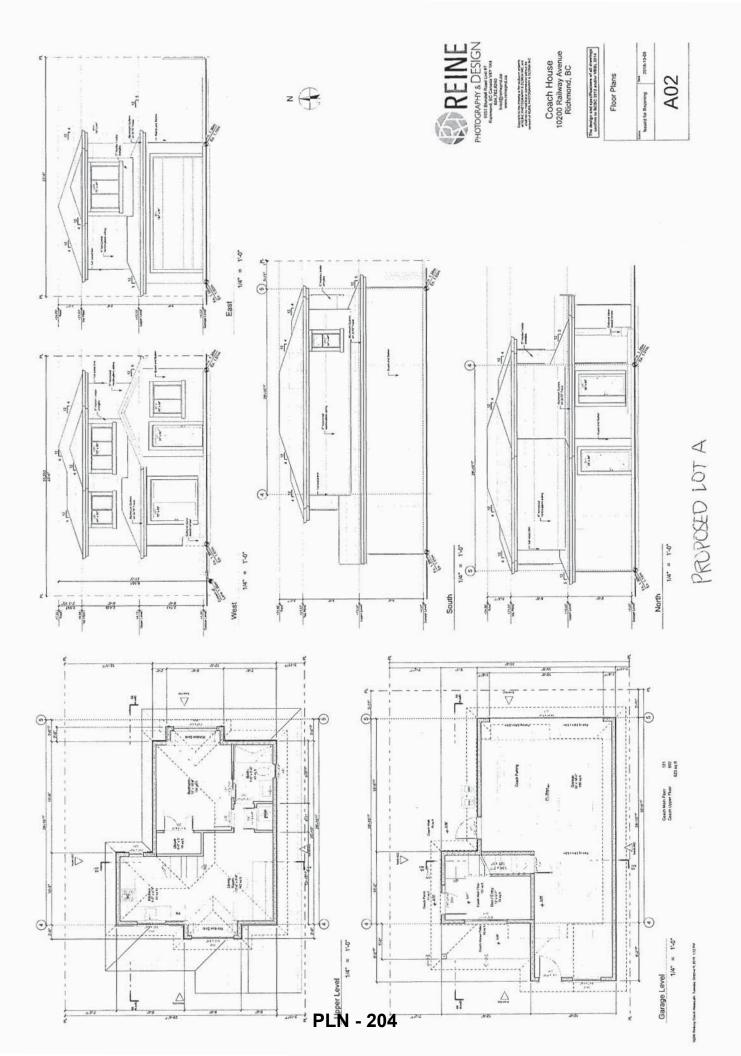
Sincerely,

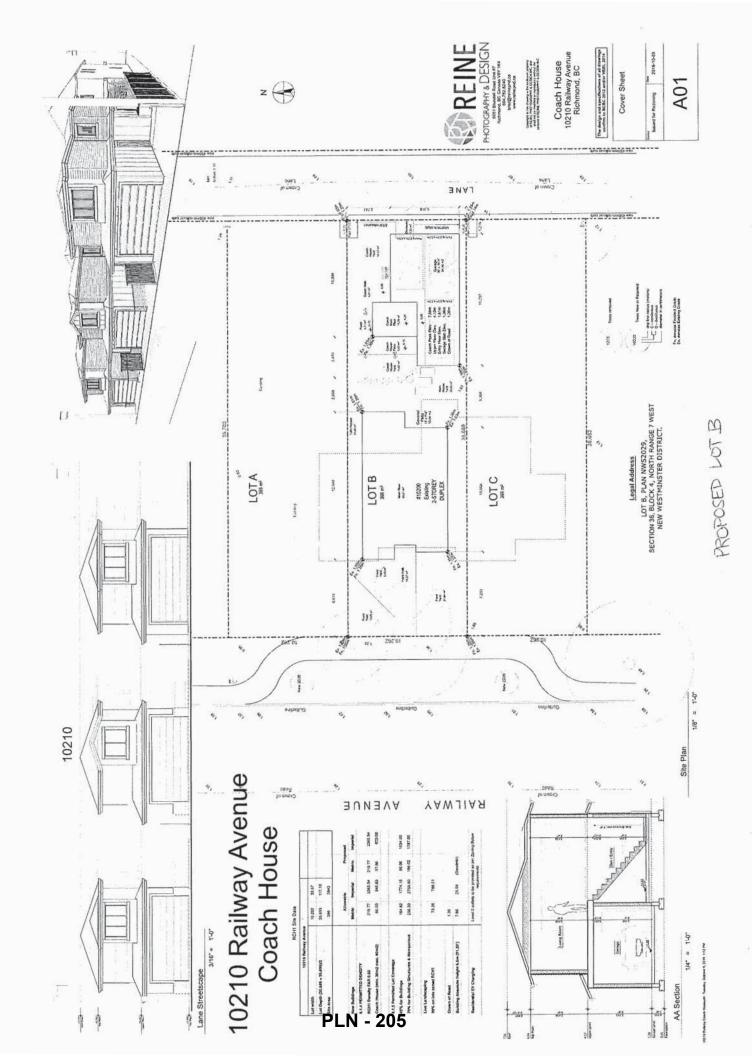
Michelle Li

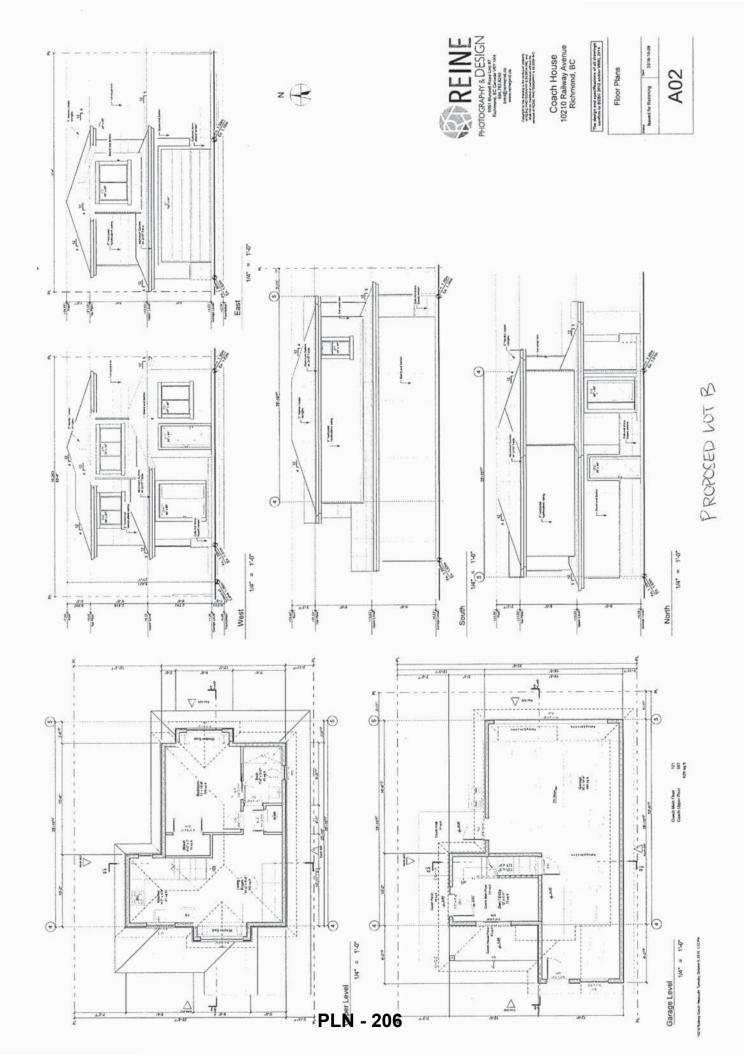
10350 Hollybank Drive

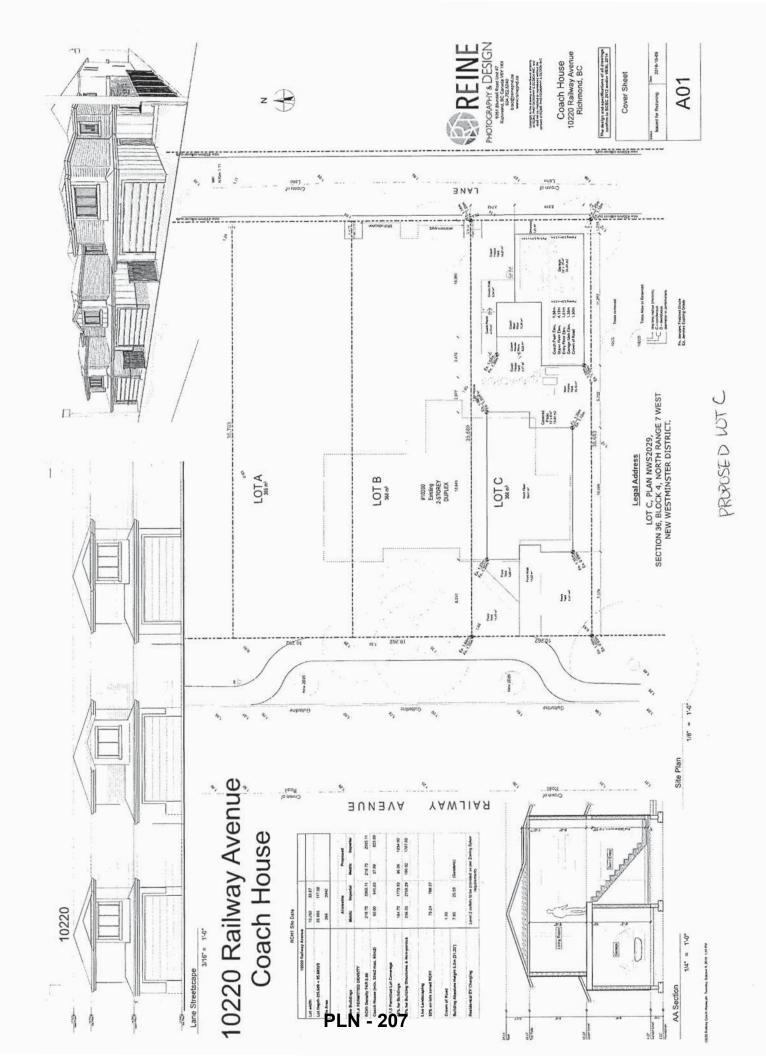
Richmond, BC

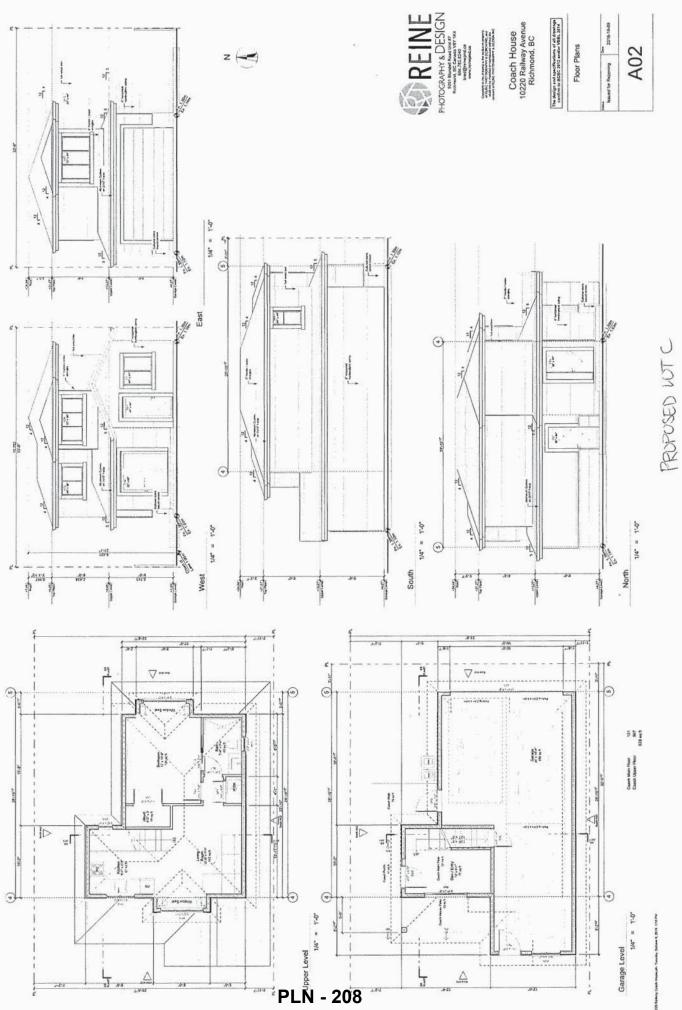


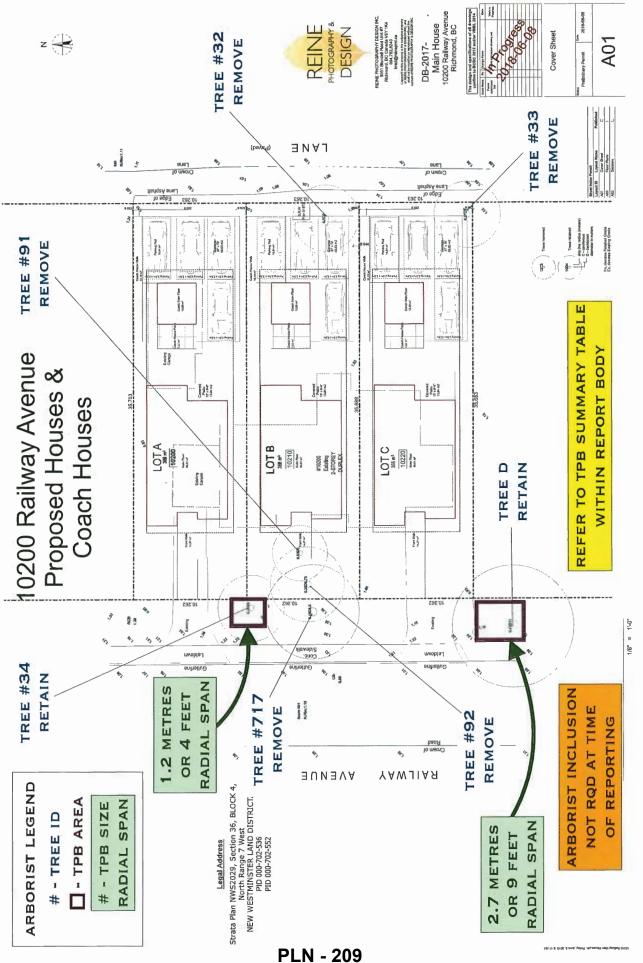














## Address: 10200/10220 Railway Avenue

## File No.: RZ 17-784927

# Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10035, the developer is required to complete the following:

- 1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs and a 10% contingency. The Landscape Plan should:
  - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
  - include a mix of coniferous and deciduous trees;
  - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
  - include the 9 required replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	Minimum Height of Coniferous Tree
4	9 cm	5 m
2	8 cm	4 m
3	6 cm	3.5 m

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

- 2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
- 3. Submission of a Tree Survival Security to the City in the amount of \$1,980 for the 2 trees to be retained.
- 4. Registration of a flood indemnity covenant on title.
- 5. Registration of a legal agreement on title ensuring that the coach house cannot be stratified.
- 6. Registration of a legal agreement on title prohibiting the conversion of the tandem parking area into habitable space.
- 7. Registration of a legal agreement on title to ensure that the Building Permit application and ensuing development at the site is generally consistent with the preliminary conceptual plans included in Attachment 8 to this staff report.

## Prior to Demolition Permit issuance, the developer must complete the following requirements:

- 1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
- 2. Submission of a Tree Survival Security to the City in the amount of \$1,980 for the 2 trees to be retained (if it has not already been received as part of the Rezoning Considerations Item 5, above).

## Prior to Building Permit Issuance, the developer must complete the following requirements:

- Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management
  Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and
  proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of
  Transportation) and MMCD Traffic Regulation Section 01570.
- 2. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated

fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

## At Subdivision\* stage, the developer must complete the following requirements:

- 1. Payment of the current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment fees.
- 2. Discharge of covenant RD147895, which restricts the land use to two-unit housing only.
- 3. Cancellation of Strata Plan NWS2029.
- 4. Complete the following site servicing works and off-site improvements through a City work order. Works include, but may not be limited to, the following:

#### Water Works:

- Using the OCP Model, there is 271.0 L/s of water available at a 20 psi residual at 10126 Railway Avenue frontage and 247.0 L/s of water available at a 20 psi residual at 10260 Railway Avenue frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- The Developer is required to:
  - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage building designs.
  - Confirm with the City's Fire Department whether a hydrant is required at the proposed site's Railway Ave frontage to comply with the maximum 120 meters hydrant spacing (per City's specifications) and to service the proposed development.
  - If required, replace the portions (two locations) of the existing AC watermain at Railway Avenue that may be exposed and impacted to facilitate installation of the required storm sewer service connections.
- At Developer's cost, the City is to:
  - Install 3 new water service connections to serve the proposed development, complete with meters and meter boxes. The meters shall be placed at the boulevard area between the property line and the sidewalk.
  - Cut and cap, at main, the existing water service connections to 10200 and 10220 Railway Ave.

## Storm Sewer Works:

- At Developer's cost, the City is to:
  - Provide a new storm sewer service connection complete with a type 3 inspection chamber at the common property line of the northernmost lot and the middle lot. Tie-in of the new service connection shall be to the existing opening at the east side of manhole STMH849. The new inspection chamber shall be placed at the boulevard area between the property line and the sidewalk.
  - Remove the existing storm service connection and IC off of the STMH849 fronting the adjoining property line of the north and middle lot.
  - Remove the existing storm sewer service connection and IC at the south property line of the southernmost lot to be created and replace it in the same alignment with a new storm service connection complete with a type 3 inspection chamber. Use the same tie-in point for the new connection as the old one. The new inspection chamber shall be placed at the boulevard area between the property line and the sidewalk.
  - Cut and cap the existing storm sewer service connection at the northwest corner of the proposed site.

## Sanitary Sewer Works:

- At Developer's cost, the City is to:
  - Remove the existing inspection chamber and sanitary pipe connections and discharge the existing utility right of way.
  - Cut and cap at main the existing sanitary lead that services 10200 and 10220 Railway Ave.

## PLN - 211

Initial:

- Provide a new sanitary sewer service connection complete with an inspection chamber at the common property line of the northernmost lot and the middle lot. The new inspection chamber shall be placed in a new 2.0 m wide x 1.0 m deep utility right of way that's divided equally between the northernmost lot and the middle lot.
- Provide a new sanitary sewer service connection complete with an inspection chamber in a new 1.5 m x 1.5 m utility right of way to service the southernmost lot.

#### Frontage Improvements:

- At the developer's costs, the developer is required to:
  - Coordinate with BC Hydro, Telus and other private communication service providers:
    - To underground the electric power and telecommunication lines required to service the proposed three-lot subdivision in compliance with the City's Subdivision and Development Bylaw 8751 and the City's Building Regulation Bylaw 7230.
    - To determine if above ground structures are required and coordinate their locations (e.g. PMT, LPT, Shaw cabinets, Telus Kiosks, etc). These should be located onsite.
    - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
  - Pay, in keeping with the Subdivision and Development Bylaw No. 8751, a \$53,010.00 cash-in-lieu of construction contribution for the design and construction of lane upgrades as set out below:
    - Lane-Asphalt Pavement \$16,740.00
    - Lane-Concrete Curb and Gutter \$12,400.00
    - Lane Drainage \$16,120.00
    - Lane-Lighting \$7,750.00
  - Complete frontage improvements to Railway Avenue, including:
    - 2.0 m sidewalk at the property line, landscaped boulevard, and concrete curb and gutter in the existing location;
    - Removal of the existing sidewalk and driveway crossings, and replacement with frontage improvements as described above;
    - New trees are not permitted behind the curb to avoid impact to the existing AC watermain, and therefore must be placed closer to the new sidewalk at property line to maintain minimum clearance of 1.5 m between the AC watermain and the trees; and
    - Lower the existing street light conduits at a minimum depth of 1.0 m below ground and replace the wiring along entire Railway Avenue frontage.

#### General Items:

- The Developer is required to:
  - Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, dewatering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

#### Note:

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants
  of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

PLN - 212

Initial:

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

Signed

Date



## Richmond Zoning Bylaw 8500 Amendment Bylaw 10035 (RZ 17-784927) 10200/10220 Railway Avenue

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "COACH HOUSES (RCH1)".

## P.I.D. 000-702-536

Strata Lot 1 Section 36 Block 4 North Range 7 West New Westminster District Strata Plan NW2029 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form 1

## P.I.D. 000-702-552

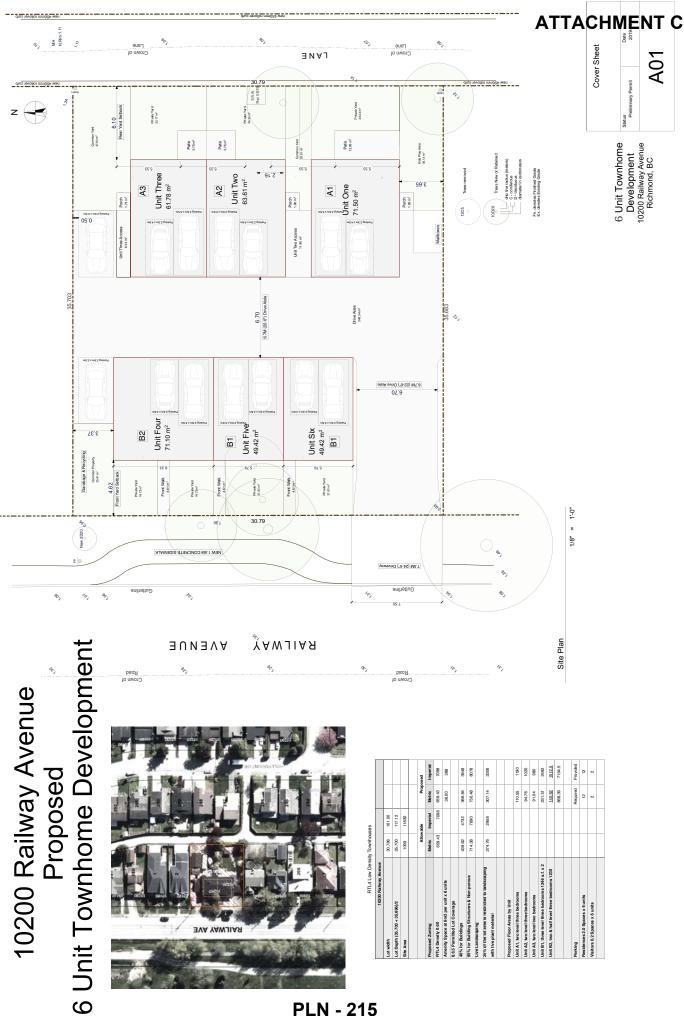
Strata Lot 2 Section 36 Block 4 North Range 7 West New Westminster District Strata Plan NW2029 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form 1

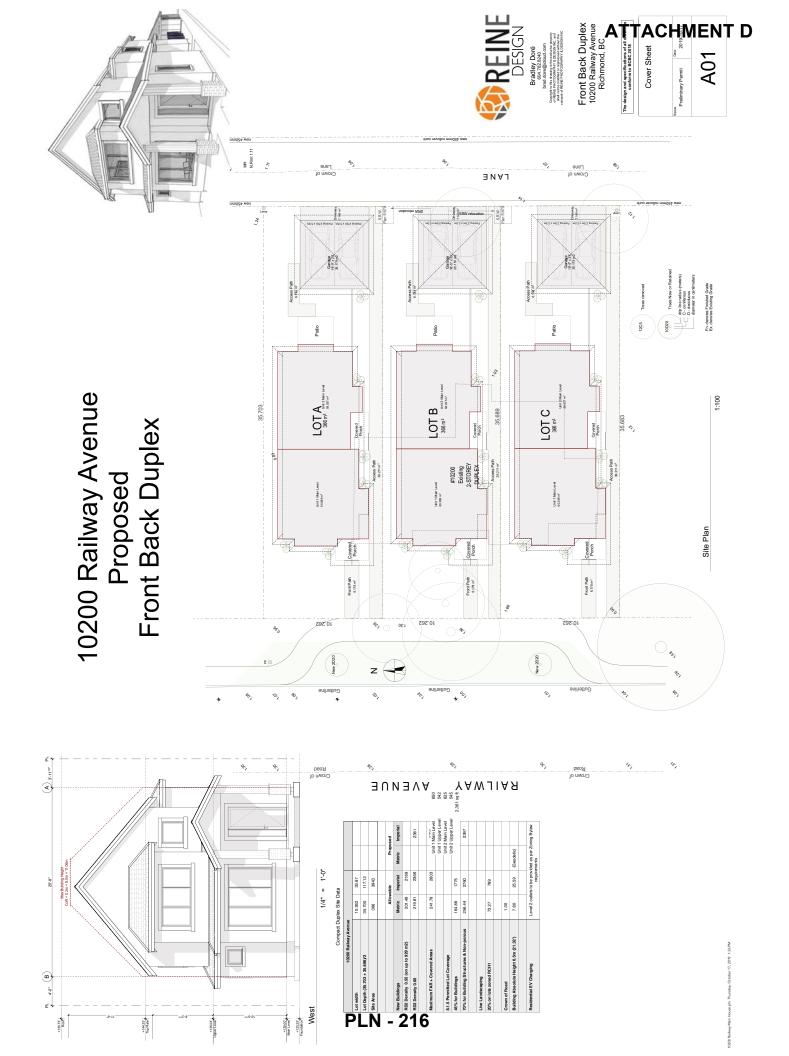
2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10035".

FIRST READING	JUN 1 0 2019	CITY OF RICHMOND
A PUBLIC HEARING WAS HELD ON	·	APPROVED
SECOND READING		APPROVED by Director or Solicitor
THIRD READING		
OTHER CONDITIONS SATISFIED		
ADOPTED		

MAYOR

CORPORATE OFFICER





z 😪



