



Planning Committee

**Council Chambers, City Hall
6911 No. 3 Road**

**Tuesday, July 6, 2021
4:00 p.m.**

Pg. # ITEM

MINUTES

PLN-4 *Motion to adopt the **minutes** of the meeting of the Special Planning Committee held on June 23, 2021.*



NEXT COMMITTEE MEETING DATE

July 21, 2021, (tentative date) at 4:00 p.m. in Council Chambers.

PLANNING AND DEVELOPMENT DIVISION

- 1. APPLICATION BY CHRISTIAN & MISSIONARY ALLIANCE –
CANADIAN PACIFIC DISTRICT FOR AN AGRICULTURAL LAND
RESERVE NON-FARM USE AT 11371 NO. 3 ROAD**
(File Ref. No. AG 19-853589) (REDMS No. 6482489)

PLN-21

See Page PLN-21 for full report

Designated Speaker: Wayne Craig

STAFF RECOMMENDATION

That the application by Christian & Missionary Alliance – Canadian Pacific District for an Agricultural Land Reserve non-farm use to allow the existing education and child care use at 11371 No. 3 Road be forwarded to the Agricultural Land Commission.



2. **APPLICATION BY BRIAN DAGNEAULT FOR AN AGRICULTURAL LAND RESERVE TRANSPORTATION, UTILITY, AND RECREATIONAL TRAIL USE APPLICATION AT 6808 FINN ROAD**
(File Ref. No. AG 21-933868) (REDMS No. 6676798)

PLN-40

See Page PLN-40 for full report

Designated Speaker: Wayne Craig

STAFF RECOMMENDATION

That authorization for Brian Dagneault to forward an Agricultural Land Reserve Transportation, Utility, and Recreational Trail Use Application to the Agricultural Land Commission, to improve a portion of Finn Road to municipal road standards, be denied.



3. **ASSEMBLY (ASY) ZONED SITES IN THE AGRICULTURAL LAND RESERVE**
(File Ref. No. 08-4050-10) (REDMS No. 6690742)

PLN-62

See Page PLN-62 for full report

Designated Speaker: John Hopkins

STAFF RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10279, which revises the:

- (a) *“Assembly (ASY)” zoning district to restrict the permitted and secondary uses for sites located in the Agricultural Land Reserve and grant a site-specific allowance for an education use; and*
- (b) *purpose statement in the “Religious Assembly (ZIS7) – No. 5 Road” zoning district,*

be introduced and granted first reading.



Planning Committee Agenda – Tuesday, July 6, 2021

Pg. # ITEM

4. **LOW END MARKET RENTAL UNIT PLACEMENT**
(File Ref. No. 08-4057-05) (REDMS No. 6670870)

PLN-73

[See Page PLN-73 for full report](#)

Designated Speaker: Cody Spencer

STAFF RECOMMENDATION

That the City continues the practice of permitting clustering of Low End Market Rental (LEMR) units when a partnership with a non-profit housing provider is established, as described in the report titled “Low End Market Rental Unit Placement” dated May 31, 2021 from the Director, Community Social Development.

☐

5. **MANAGER’S REPORT**

ADJOURNMENT

☐



Planning Committee

Date: Wednesday, June 23, 2021

Place: Council Chambers
Richmond City Hall

Present: Councillor Linda McPhail, Chair
Councillor, Alexa Loo (by teleconference)
Councillor Carol Day (by teleconference)
Councillor Bill McNulty
Councillor Harold Steves (by teleconference)

Absent: Councillor Chak Au (by teleconference)
Councillor Andy Hobbs
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 June 8, 2021, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

July 6, 2021, (tentative date) at 4:00 p.m. in Council Chambers

Special Planning Committee
Wednesday, June 23, 2021

PLANNING AND DEVELOPMENT DIVISION

1. **APPLICATION BY KENNETH KIM ARCHITECTURE INC. FOR REZONING AT 6500 COONEY ROAD FROM THE “LOW DENSITY TOWNHOUSES (RTL1)” ZONE TO THE “PARKING STRUCTURE TOWN HOUSING (ZT93) - BRIGHOUSE (CITY CENTRE)” ZONE**

(File Ref. No. RZ 08-429600; 12-8060-20-010265/008618) (REDMS No. 6657013 v. 2)

It was moved and seconded

- (1) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 10265 to create the “Parking Structure Town Housing (ZT93) - Brighthouse (City Centre)” zone, and to rezone 6500 Cooney Road from the “Low Density Townhouses (RTL1)” zone to the “Parking Structure Town Housing (ZT93) - Brighthouse (City Centre)” zone, be introduced and given first reading; and*
- (2) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 8618, for the rezoning of 6500 Cooney Road from the “Low Density Townhouses (RTL1)” zone to the “Parking Structure Townhouses (RTP4)” zone, be abandoned.*

CARRIED

2. **APPLICATION BY ZHAO XD ARCHITECT LTD. FOR REZONING AT 9200, 9220, 9240, 9260, 9280, 9300, 9320 & 9340 FRANCIS ROAD FROM “SINGLE DETACHED (RS1/E)” TO “TOWN HOUSING (ZT94) – FRANCIS ROAD (BROADMOOR)”**

(File Ref. No. RZ 20-907463; 12-8060-20-10254) (REDMS No. 6673518 v. 4A)

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10254, to create the “Town Housing (ZT94) – Francis Road (Broadmoor)” zone, and to rezone 9200, 9220, 9240, 9260, 9280, 9300, 9320, and 9340 Francis Road from “Single Detached (RS1/E)” to “Town Housing (ZT94) – Francis Road (Broadmoor),” be introduced and given first reading.

CARRIED

3. **SECURING MARKET RENTAL HOUSING IN NEW DEVELOPMENT AND INCREASING LOW END MARKET RENTAL (LEMR) CONTRIBUTIONS**

Staff reviewed the proposed Market Rental Housing and Low-End Market Rental (LEMR) regulations, noting the following:

Special Planning Committee

Wednesday, June 23, 2021

- the proposed recommendations would (i) introduce city-wide requirements securing 10% of the floor area for market rental housing in multi-family developments that include more than 60 apartment units, (ii) introduce an expansion of required LEMR floor area from 10% to 15% of the total residential floor area for sites within the City Centre, and maintain the required LEMR floor area at 10% for sites outside of the City Centre in multi-family developments that include more than 60 apartment units, (iii) update LEMR cash-in-lieu rates for single-family, townhouse and apartment development with less than 60 units, and (iv) introduce a new community amenity contribution for townhouse and apartment developments with 5 to 60 units;
- the proposals include consideration of incentives for development market rental housing, including consideration of a variable density bonus to secure market rental housing; and
- the City undertook a review of affordable housing initiatives in other municipalities and conducted consultation with key stakeholders.

The Chair noted the following pieces of correspondence were distributed:

- Raman Kooner, Richmond Home Builders Group (attached to and forming part of these minutes as Schedule 1);
- Anne McMullin, Urban Development Institute (attached to and forming part of these minutes as Schedule 2);
- Jesse Galicz, Vanprop Investments Ltd. (attached to and forming part of these minutes as Schedule 3); and
- John Roston, Richmond Rental Housing Advocacy Group (attached to and forming part of these minutes as Schedule 4).

Discussion ensued with regard to (i) enhancing incentives to develop market rental projects, (ii) adopting city-wide policies related to market rental requirements, (iii) reviewing building height restrictions, (iv) reducing development costs for market rental projects, (v) comparing the market rental policies and rates in other municipalities, and (vi) connecting new developments into the City's district energy.

In reply to queries from Committee, staff noted that proposed incentives to develop market rental projects include a density bonus, a reduction in parking rates and certainty in the development review process.

John Roston, Richmond Rental Housing Advocacy Group, referenced his submission and spoke on the proposed Market Rental Housing and LEMR Policy and the various development factors such as cost of land, land parcel size and total floor area.

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Robin Glover, Polygon Homes, spoke on the proposed Market Rental Housing and LEMR Policy and potential impact to the feasibility of future development projects. He encouraged the City to (i) implement the policies incrementally, (ii) grandfather instream applications to the current regulations, and (iii) enhance incentives to develop market rental projects.

Discussion ensued with regard to grandfathering instream rezoning applications with the current regulations and conducting an information workshop for Committee members.

In reply to queries from Committee, staff noted that (i) the current market rental and LEMR policies have yielded a significant number of market rental units, (ii) utilizing certain types of incentives or the scale at which they are applied will vary across all proposed developments, (iii) it would be extremely difficult to extrapolate the number of potential market rental units from the proposed requirements, and (iv) there are currently six instream rezoning applications with two of those applications located outside of the city centre area.

As a result of the discussion, the following **motion** was introduced:

It was moved and seconded

(1) *That the following staff reports titled:*

- (a) *“Options to Secure Market Rental Housing in New Development and Options to Increase Low End Market Rental (LEMR) Contributions”, dated April 19, 2021, from the Director, Policy Planning;*
- (b) *“Low End Market Rental Contribution Rate Review,” dated April 19, 2021, from the Director, Community Social Development; and*
- (c) *“Supplementary Information: Options To Secure Market Rental Housing In New Development And Options To Increase Low End Market Rental (LEMR) Contributions,” dated June 7, 2021, from the Director, Policy Planning;*

be referred back to staff; and

(2) *That staff be directed to conduct a workshop for Council members on the proposed changes related to market rental housing policy and low-end market rental housing regulations.*

CARRIED

Opposed: Cllr. Day

Discussion then ensued with regard to options to grandfathering instream applications, and as a result, the following **referral motion** was introduced:

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It was moved and seconded

That instream rezoning applications are grandfathered under the current market rental housing policy and low-end market rental housing regulations and are processed concurrently during the consideration of the new proposed market rental housing policy and low-end market rental housing regulations.

CARRIED

Opposed: Cllrs. Day
Steves

4. **SUPPLEMENTARY INFORMATION - STEVESTON VILLAGE ADVISORY DESIGN COMMITTEE AND STEVESTON AREA PLAN REVIEW**

(File Ref. No. 08-4200-01) (REDMS No. 6696866)

Staff noted that the proposed Steveston Village Advisory Design Committee will be incorporated into the Richmond Heritage Committee (RHC) and as such, the RHC's terms of reference and composition will be updated. Staff added that staff will report back to Committee on the member selection process this coming Fall 2021.

It was moved and seconded

- (1) *That Richmond Heritage Commission Bylaw No. 7906, Amendment Bylaw 10280, to revise the terms of reference for and composition of the Richmond Heritage Commission to clarify and strengthen the review of relevant development applications city-wide and in the Steveston Village, be introduced and given first, second and third reading;*
- (2) *That the enhanced development review process described in the report titled "Steveston Village Advisory Design Committee and Steveston Area Plan Review" dated May 25, 2021, from the Director of Policy Planning (considered at the June 8, 2021 Planning Committee meeting), be endorsed;*
- (3) *That the revised implementation strategy, as further described in the report titled "Supplementary Information – Steveston Village Advisory Design Committee and Steveston Area Plan Review" dated June 14, 2021, from the Director of Policy Planning, be endorsed, and that all new and in-stream applications be referred to the Richmond Heritage Commission once the proposed design members are appointed by Council; and*

Special Planning Committee
Wednesday, June 23, 2021

- (4) *That staff be directed to report back to Council in two years regarding the effectiveness of the enhanced development application review process and the revised Richmond Heritage Commission.*

CARRIED

5. **MANAGER'S REPORT**

(i) *Special Planning Committees*

Joe Erceg, General Manager, Planning and Development, noted that due to the number of upcoming agenda items, staff are recommending that additional Planning Committee meetings be scheduled in September, October and November 2021.

(ii) *Steveston Streetscape Design*

Mr. Erceg noted that staff are planning to meet with TransLink to discuss the matter and will be presenting a report to Committee in the Fall 2021.

ADJOURNMENT

It was moved and seconded
That the meeting adjourn (5:43 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, June 23, 2021.

Councillor Linda McPhail
Chair

Evangel Biason
Legislative Services Associate



Richmond Home Builders Group

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Schedule 1 to the Minutes of the
Special Planning Committee
meeting of Richmond City
Council held on Wednesday,
June 23, 2021.

Hello Spencer,

To start I wanted to thank you and the rest of the staff who participated in the discussion with us about the proposed changes to the City's rental housing policies. We now have a clear understanding of the changes that are being proposed.

We feel that changes are needed, and we are in support of these changes. We did express some concerns. However, we do feel that if these concerns were addressed that it would not only make it easier for developers to build more rental homes in Richmond, but encourage it.

The goal should be to have developers build as much as possible, but they will only do so if it is feasible, if it is not they simply just will not build.

The concerns that were expressed during the meeting was as follows:

- Proposed increase in Affordable Housing contribution rate or additional community amenity contribution requirements to create rental housing/LEMR will negatively affect the housing affordability in Richmond for entry level homes especially condos and townhouses by way of increased cost associated with the development and lack of return on these units. A relaxation in Development costs will ease this burden.
- In a smaller townhouse development, as developer we found that density bonusing for LEMR is not enough to make it worthwhile for small developers to include such rental housing in these projects. It is too difficult to fit the bonus density on these sites because of size constraints. These smaller developers will end up holding those units as they are difficult to sell because of the economics of rental of returns and the market value for those rental units with LEMR decreased substantially and with ongoing inflation and increased cost of construction, the return of the unit is not justifiable against the cost of building those units.
- Additional density bonus that is flexible and that fits to allow for more Market Rental and LEMR Units
- Reduced parking requirements should be considered to encourage developers to consider building rental housing.
- Reduction of DCC rates for Market Rentals and DCC waivers for LEMR units would help to bring the cost down to encourage for more of these units to be built.



Builders Choice – Builders Voice

Richmond Home Builders Group

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-
- Those projects where developer opts for building Market rental or LEMR should be considered as priority and should be rezoned on fast-track basis.
 - Potential variance approvals to adjust for bonus density to allow for Market Rentals and LEMR units.
 - All in-stream application should be considered for being grandfathered under old rules.

Thank You

Raman Kooner

Schedule 2 to the Minutes of the
Special Planning Committee
meeting of Richmond City
Council held on Wednesday,
June 23, 2021.

From: MayorandCouncillors
Sent: June 23, 2021 9:25 AM
To: MayorandCouncillors
Subject: UDI Letter - Proposed New Market Rental Policy and Increased LEMR Requirements - Planning Committee - June 23, 2021
Attachments: UDI Letter - Additional Comments on Proposed Market Rental and LEMR Requirements - Richmond Planning Committee, June 23, 2021.pdf

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

From: Cassandra McColman <cmccolman@udi.org>
Sent: June 22, 2021 2:20 PM
To: McPhail,Linda <LMcPhail@richmond.ca>; Loo,Alexa <ALoo@richmond.ca>; Day,Carol <CDay@richmond.ca>; McNulty,Bill <BMcNulty@richmond.ca>; Steves,Harold <hsteves@richmond.ca>
Cc: Anne McMullin <AMcMullin@udi.org>; Hopkins,John <JHopkins@richmond.ca>; Spencer,Cody <CSpencer@richmond.ca>; Craig,Wayne <WCraig@richmond.ca>; CityClerk <CityClerk@richmond.ca>; Nikolic,Diana <DNikolic@richmond.ca>
Subject: UDI Letter - Proposed New Market Rental Policy and Increased LEMR Requirements - Planning Committee - June 23, 2021

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

Good afternoon Councillor McPhail,

Ahead of tomorrow's Planning Committee meeting, please find attached UDI's additional comments regarding the proposed new market rental policy and increased LEMR requirements and the supplementary information provided for consideration.

If you have any questions regarding our comments, please let us know.

Warm regards,

Cassandra McColman | Manager, Policy and Research
Urban Development Institute
cmccolman@udi.org Direct: 604.661.3032
udi.bc.ca





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June 22, 2021

Councillor Linda McPhail
Chair, Planning Committee
City of Richmond
6911 No. 3 Road
Richmond BC V6Y2C1

Dear Cllr. McPhail:

RE: Draft Low End Market Rental and Secured Market Rental Policies

We would like to thank the Council for its continued leadership on rental housing policies for both market rental and Low End Market Rental (LEMR) homes in new projects to address the housing crisis. Following discussions at our UDI Liaison Committee meeting in May, and after reviewing the supplementary information provided by staff, UDI does have additional comments on the implementation of the policy that would assist our members in delivering the affordable housing Richmond needs.

Clarification of Proposed Density Bonus and the Need for Certainty

UDI appreciates the clarification of the density bonus approach currently in place to secure additional rental units. This is helpful to our members in providing an enhanced sense of certainty and predictability for calculating the viability of projects with market rental and LEMR requirements.

The existing 0.1 FAR density bonus for the provision of market rental units, and .2/.25 FAR density bonus for additional rental provision or 100% purpose-built rental projects are helpful offsets – especially since Richmond faces unique challenges for increasing density as the result of soil conditions and the YVR flight path. We encourage Council to consider additional options to incentivize rental housing given these constraints, such as:

- Allowing builders to retain Low Carbon District Energy Systems (LCES) instead of providing them to the City at no cost; and
- Allowing an aggregation of the required market rental and LEMR units to be provided in stand-alone PBR buildings.

UDI further recommends that Council consider a menu of options with additional incentives to increase the provision of additional rental homes. This would provide greater certainty for builders than a negotiated approach does. By creating a moving target for the provision of rental units, it is difficult for builders to purchase sites because they do not know what their costs will be – ultimately this undermines their ability to move forward with projects. In addition, unanticipated costs or expectations jeopardize the viability of new projects, contradicting the goal to provide more rental and affordable housing.

New DCC Waivers for LEMR Offsets

UDI supports the new recommendation brought forward by staff to Council to request a review and assessment of the feasibility of reducing or waiving DCCs for affordable housing provided in new developments. A DCC waiver would help support the delivery of affordable housing in the City. If Council supports this recommendation, we would be pleased to work collaboratively with staff to support this review.

Review of Additional Parking Rates

While further assessment of parking rates is currently conducted on a case-by-case basis, UDI encourages additional review of parking rates. We would like to see further parking reductions to enable our members to deliver more affordable housing. In the Metro Vancouver *2018 Regional Parking Study*, it was found there was a substantial surplus of parking spaces in projects, with parking supply exceeding utilization by over 35%. With parking spaces costing \$50,000 per stall, our members have found that enabling reduction of parking can create substantial savings if parkades no longer require additional below-grade floors. This is particularly relevant given Richmond's soil conditions. These savings increase viability of market rental and LEMR units in projects, in addition to promoting transit use.

We ask that Planning Committee consider the recommendations provided in this letter while evaluating the proposals brought forward by staff. UDI looks forward to working collaboratively with Richmond in delivering more affordable homes for City residents, as well as other key issues.

Yours sincerely,



Anne McMullin
President and CEO

Schedule 3 to the Minutes of the
Special Planning Committee
meeting of Richmond City Council
held on Wednesday, June 23,
2021.

From: MayorandCouncillors
Sent: June 23, 2021 9:24 AM
To: MayorandCouncillors
Subject: June 23rd Planning Committee Agenda Item #3 Securing Market Rental Housing in
New Development & Increasing LEMR Contributions
Attachments: 210623 Vanprop letter to Planning Ctte.pdf

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

From: Pansy <pansy@vanpropinvestments.com>

Sent: June 21, 2021 4:01 PM

To: CityClerk <CityClerk@richmond.ca>

Cc: Kim McInnes <kim@vanpropinvestments.com>; Jesse Galicz <jesse@vanpropinvestments.com>; Alexander
Changfoot <alexander@vanpropinvestments.com>; Pansy <pansy@vanpropinvestments.com>

Subject: June 23rd Planning Committee Agenda Item #3 Securing Market Rental Housing in New Development &
Increasing LEMR Contributions

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

Good afternoon,

Please find attached Vanprop's letter to the Mayor and Councillors in response to the proposed draft policies to secure
Market Rental Housing in New Development and Increasing LEMR contributions to be presented at the June
23rd Planning Committee as part of Agenda item #3.

Sincerely,

PANSY HUI
Communications & Office Manager

VANPROP

355 – 601 W Cordova Street
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Office: 604 398 6033
Cell: 604 809 4946
lansdownedistrict.com



VANPROP

June 21st, 2021

City of Richmond Mayor and Councillors
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Dear Planning Committee and Richmond City Council,

RE: Draft Policies – Securing Market Rental Housing in New Development and Increasing Low End Market Rental (LEMR) Contributions (Agenda Item #3)

Vanprop Investments (“Vanprop”), as long-time owner, operator, and now the master planner of the redevelopment of Lansdowne Centre recognizes the value and need for more access to diverse forms of housing in Richmond, of which affordable housing plays an important role. However, upon reviewing the updated Staff report, our concerns related to the need for more supportive measures for the development community to implement the increased affordable housing requirements as set out in the proposed policy do not seem to have been considered.

At Vanprop we believe that a collaborative approach is required to achieve the development of more affordable housing. To accomplish this, as stated in our previous letter dated May 3rd, 2021 to Council, Vanprop believes that more supportive measures are needed in the form of increased density bonus provisions to facilitate the creation of more affordable and rental housing within Richmond. While we acknowledge that Richmond is challenged with both ground water conditions and YVR flight paths, exploring reduced setbacks and allowing for design flexibility will enable innovative solutions to these constraints.

In addition to density bonus provisions, other ways to support the development of Market Rental and LEMR housing would be to reduce parking requirements, relax height and unit restrictions where possible, and reduce fees for Affordable and Market Rental housing components.

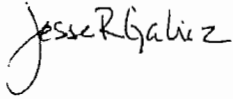
Therefore, Vanprop again respectfully suggests that the City considers revising its policy to include more supportive measures to help facilitate the delivery of more affordable housing. Most importantly, a more meaningful density bonus provision to offset the financial impacts of the increased LEMR and Market Rental proposed policy is required. Without significant incentives, the development community's ability to deliver other much needed affordable housing will be negatively impacted.

VANPROP

We ask that Planning Committee consider the concerns and recommendations provided in this letter while evaluating the proposed market rental housing and LEMR policy requirements.

Thank you for your consideration and we at Vanprop look forward to continuing our work together with staff and Councillor in building a stronger, more vibrant Richmond City Centre.

Sincerely,

A handwritten signature in black ink that reads "Jesse Galicz". The signature is written in a cursive style with a large initial 'J'.

Jesse Galicz
Vice President, Development
Vanprop Investments Ltd.

Schedule 4 to the Minutes of the
Special Planning Committee
meeting of Richmond City
Council held on Wednesday,
June 23, 2021.

From: MayorandCouncillors
Sent: June 23, 2021 12:00 PM
To: MayorandCouncillors
Subject: Market Rental Housing Policy - Planning Committee - June 23, 2021.
Attachments: Planning Committee June 23 2021 Market Rental Policy.pdf

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

From: John Roston, Mr <john.roston@mcgill.ca>

Sent: June 22, 2021 8:26 PM

To: McPhail,Linda <LMcPhail@richmond.ca>; Loo,Alexa <ALoo@richmond.ca>; Day,Carol <CDay@richmond.ca>;

McNulty,Bill <BMcNulty@richmond.ca>; Steves,Harold <hsteves@richmond.ca>

Cc: Brodie, Malcolm <MBrodie@richmond.ca>; Wolfe,Michael <MWolfe@richmond.ca>; Au,Chak <CAu@richmond.ca>;

Hobbs,Andy <AHobbs@richmond.ca>; Michelle Li (michelleli@shaw.ca) <michelleli@shaw.ca>; Laura Gillanders

(lauragillanders@gmail.com) <lauragillanders@gmail.com>; CityClerk <CityClerk@richmond.ca>; Hopkins,John

<JHopkins@richmond.ca>; Maria Rantanen <mrantanen@richmond-news.com>

Subject: Market Rental Housing Policy - Planning Committee - June 23, 2021.

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

Dear Councillor McPhail,

Submission attached from the Richmond Rental Housing Advocacy Group for tomorrow's Planning Committee on Agenda Item 3 with reference to the proposed Market Rental Housing Policy.

We urge the Committee to refer the proposed policy back to staff to address the issues outlined in the submission.

Note that the updated staff report to be presented at the meeting includes feedback from a developer pointing out that market rental housing is most profitable when an entire building is market rental. Major investors in rental housing such as pension plans are only interested in buying or financing entire buildings. While everyone is tired of the continuing saga to arrive at an effective rental housing policy, it's extremely important to get it right and the proposed policy has not yet got it right.

Thank you for your consideration.

Richmond Rental Housing Advocacy Group
John Roston, Coordinator

john.roston@mcgill.ca

12262 Ewen Avenue
Richmond, BC V7E 6S8
Phone: 604-274-2726



Planning Committee Meeting – June 23, 2021 – Agenda Item 3.

Richmond Rental Housing Advocacy Group Presentation on the Proposed Market Rental Housing Policy

We support the proposed below market LEMR housing policy. This presentation deals with the proposed market rental housing policy.

Policy Objective

The objective is to dramatically increase the amount of market rental housing in the city centre, close to mass transit, and alleviate the rental housing crisis by bringing supply and demand more into balance.

Reasons to Refer These Reports Back to Staff

1. The consultant's report assumed that in all cases the developer is purchasing the land required for the project and this has a major impact on reducing the profitability of market rental housing. No consideration is given to the situation where new housing is being added to an existing commercial and/or housing development and there is **little or no new cost of land**.
2. Although below market LEMR housing managed by a non-profit group can be incorporated into a building containing strata condo units, market rental housing is most profitable in buildings that are entirely market rental. No consideration is given to whether the **land parcel is large enough to construct a separate building which is entirely market rental**.
3. Although total floor area is given as a better measure of the size of a development, the staff reports stick to specifying one threshold of 60 housing units for requiring that market rental be built. This ignores increasing economies of scale whereby **the larger the development, the more profitable market rental becomes**.
4. The original staff report on a new market rental policy was requested in order to apply it to the very large Polygon Talisman Park development. The staff reports recommends not applying it to that development nor to five other projects of more than 60 housing units without saying how large they are. This reverses course and **abandons the opportunity to secure significant amounts of market rental housing**.

Recommendations for a Market Rental Policy

1. **Staff should establish a land parcel size threshold that enables two separate housing buildings to be built.** Below that threshold, the developer has the option of making cash contributions in lieu of building the market rental housing. Above that threshold, the required market rental housing must be built. Although a separate rental housing building is highly recommended, the developer can choose whether to do so.
2. **The amount of required market rental housing should be expressed as a percentage of the total floor area of all of the housing being constructed.** Under the existing policy which refers to housing units, staff do not calculate the required percentage on all of the housing units being constructed.

3. **There should be larger market rental requirements for projects where housing is being added to an existing commercial or housing development** and at least 80% of the land required has been owned by the developer or its associates for more than five years.
4. **The amount of required market rental housing:**
 - a) Below land size threshold: **10% built or cash in lieu**
 - b) Above land size threshold and more than 20% of land purchased in last 5 years: **25% built**
 - c) Land size is at least twice the threshold and less than 20% of land purchased in last 5 years: **50% built**

Relevant Factors When Developing a Market Rental Policy

1. Given the high purchase and operating cost of an individual condo, an investor cannot make a significant profit renting it out and therefore looks to evict the tenant and sell it a profit as soon as the market rises.
2. Major investors in rental housing gain the advantage of economies of scale and do make a profit on rental and look to hold the housing for the long term. However, they buy entire rental buildings and not individual condos.
3. If the limited amount of land in the city centre is used to build condos primarily for sale to individual investors, it becomes impossible thereafter to convert them to entirely rental buildings.
4. The profitability of building rental buildings depends largely on the cost of the land.
5. If the developer has owned the land for some time, then it will be profitable to build an entirely rental building, but not as profitable as building condos for sale to investors.
6. Developers will build rental buildings if they cannot build condos for sale to investors, but only City bylaws can make that happen.



City of Richmond

Report to Committee

To: Planning Committee
From: Wayne Craig
Director of Development

Date: June 16, 2021

File: AG 19-853589

Re: **Application by Christian & Missionary Alliance – Canadian Pacific District for an Agricultural Land Reserve Non-Farm Use at 11371 No. 3 Road**

Staff Recommendation

That the application by Christian & Missionary Alliance – Canadian Pacific District for an Agricultural Land Reserve non-farm use to allow the existing education and child care use at 11371 No. 3 Road be forwarded to the Agricultural Land Commission.

Wayne Craig
Director of Development

WC:sds
Att. 6

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Christian & Missionary Alliance – Canadian Pacific District has submitted an Agricultural Land Reserve (ALR) non-farm use application to allow the existing education and child care use at 11371 No. 3 Road to continue. A location map and aerial photograph are provided in Attachment 1. The subject property is zoned “Assembly (ASY)” and is currently occupied by a building (approximately 3,427.4 m² (36,892 ft²) of floor area) with religious assembly (church), ancillary uses (e.g. office), education, child care, and associated surface parking, consistent with the ASY zone. The primary use on the property is religious worship and related activities (Richmond Alliance Church). The existing education and child care use (Noah’s Ark Montessori School) is contained on the second floor. No changes to the existing building or uses are proposed.

Background

The existing church was under construction prior to the inception of the ALR in 1972 and has been in continuous use. Prior to 1983, the City’s Zoning Bylaw permitted religious assembly uses on agriculturally zoned properties in the ALR. Religious assembly was removed as a permitted use from the agriculture zone in 1983 and a comprehensive rezoning bylaw was adopted that rezoned all existing churches and private school lands to “Assembly (ASY)”, including the subject site. The ALC was informed of this in 1983 and expressed no concerns at that time.

In 1992, a non-farm use application was submitted for an expansion of the existing church on the subject site (LCA 92-188). On July 13, 1992, Council forwarded the application to the ALC and the ALC subsequently approved the application for an approximately 1,375 m² (14,800 ft²) addition, subject to a number of conditions, including no additional non-farm uses, in particular schools, day-cares or preschool facilities.

The applicant has indicated that after the ALC’s approval in 1992, the anticipated growth of the church was not realized. In order to recover financial losses, previous church leaders decided to lease out the space to tenants, including an independent school. A Building Permit was issued in 2007 for tenant improvements related to the school use and business licenses have been issued for the current school use on the subject property since 2007 (Noah’s Ark Montessori School), consistent with the ASY zoning.

Noah’s Ark Montessori School has provided a letter, which is attached to this report (Attachment 2), describing the school and child care operation, history of the school in the community, and the integration of agriculture into the school’s curriculum.

In 2018, ALC Compliance and Enforcement (C&E) staff identified that the school and child care use on the property (Noah’s Ark Montessori School) was not consistent with the conditions of the original ALC approval. The letter from ALC C&E staff to the property owner is provided in Attachment 3. ALC C&E staff instructed the property owner to apply for a non-farm use application, should the property owner wish to continue to operate the school and child care on

the property. As per the *Agricultural Land Commission Act* (ALCA), the non-farm use application may not proceed to the ALC unless authorized by a resolution of the local government.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 4).

Surrounding Development

- To the North & South: Single-family dwellings on lots zoned “Agriculture (AG1)” with active agricultural uses, fronting No. 3 Road.
- To the East: Across No. 3 Road, large lots zoned “Agriculture (AG1)” with active agricultural uses, fronting No. 3 Road.
- To the West: Single-family dwelling and agricultural uses on a property zoned “Agriculture (AG1)”, fronting McKenzie Road.

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 uses as permitted under the *Agricultural Land Commission Act* (ALCA), including non-farm uses approved by Council and the ALC.

Riparian Management Area Designation

A 15 m wide Riparian Management Area (RMA) designation exists along the subject site’s east property line associated with a drainage canal along No. 3 Road. As no construction or site changes are proposed, there is no impact on the RMA.

Food Security and Agricultural Advisory Committee

The proposal was reviewed and supported by the Food Security and Agricultural Advisory Committee (FSAAC) at its meeting held on May 21, 2020. The FSAAC encouraged the applicant to consider implementing an agricultural component to the proposal (e.g. community gardens). An excerpt from the May 21, 2020 FSAAC meeting minutes is provided in Attachment 5. In response, the applicant is proposing to install a number of garden plots at the site for use by the students of the school. More information regarding the proposal is provided in the “Analysis” section of this report.

Analysis

Zoning

The subject property is zoned “Assembly (ASY)”, which currently provides for religious assembly, education and other limited community uses (including child care). Council recently adopted amendments to the ASY zone on May 17, 2021, in association with the No. 5 Road

Backlands Policy amendments. These amendments include requiring Agricultural Land Commission (ALC) approval for any change or increase of use for sites zoned ASY and located in the ALR. This amendment addressed the issue of existing uses being converted to other uses permitted in the ASY zone, such as education, without Council and ALC approvals.

This report is being brought forward for Council's consideration concurrently with another report titled "Assembly (ASY) Zoned Sites in the Agricultural Land Reserve" dated June 3, 2021 from the Director, Policy Planning that includes options for Council to remove education as a permitted use in the ASY zone for properties located in the ALR, outside of the No. 5 Road Backlands Policy area. Should Council decide to remove education as a permitted use, the education use on the subject property would be considered non-conforming and be permitted to continue (subject to ALC approval of the non-farm use application). However, any change or expansion of the education use would be subject to the current zoning regulations in place at the time and require both Council and ALC approval. If Council or the ALC denies the non-farm use application, the education and child care use on the subject property becomes an ALC enforcement and compliance issue.

Non-Farm Use

Although the existing education and child care use is consistent with the "Assembly (ASY)" zoning, ALC Compliance and Enforcement (C&E) staff identified that the education and child care use on the property was not consistent with the previous ALC approval. In 1992, Council and the ALC approved an approximately 1,375 m² (14,800 ft²) addition to the existing church. The ALC approval included a number of conditions, including prohibiting any additional non-farm uses, in particular schools, day-cares or preschool facilities.

In 2018, ALC C&E staff identified the school on the property as an ALC C&E issue (Attachment 3). ALC C&E staff instructed the property owner to apply for the subject non-farm use application, should the property owner wish to continue to operate the school and child care on the property. Council authorization is required for the non-farm use application to proceed to the ALC for a decision.

Agricultural Component

As part of the ALR non-farm use application and in response to the Food Security and Agricultural Advisory (FSAAC) comments, the applicant worked with staff to propose approximately 34.8 m² (375 ft²) of garden plots, compost, rain barrel and shed in an approximately 443.6 m² (4,775 ft²) grassed area along the south property line (Attachment 6). The agricultural components are proposed to be located in this area in order to maintain the required vehicle parking spaces and avoid impact to the Riparian Management Area along the front of the property. Noah's Ark Montessori School will manage the garden plots and integrate the growing of produce into the school's curriculum, with excess produce being donated to the community. The property owner has also provided a signed letter confirming the commitment to install the proposed agricultural component, along with a security amount of \$5,050 (based on a cost estimate for the works).

Financial Impact

None.

Conclusion

Christian & Missionary Alliance – Canadian Pacific District has submitted an Agricultural Land Reserve (ALR) non-farm use application to allow the existing education and child care use at 11371 No. 3 Road to continue.

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



Steven De Sousa
Planner 1

SDS:cas

Attachment 1: Location Map & Aerial Photo

Attachment 2: Letter from Noah's Ark Montessori School

Attachment 3: Letter from ALC Compliance & Enforcement Staff

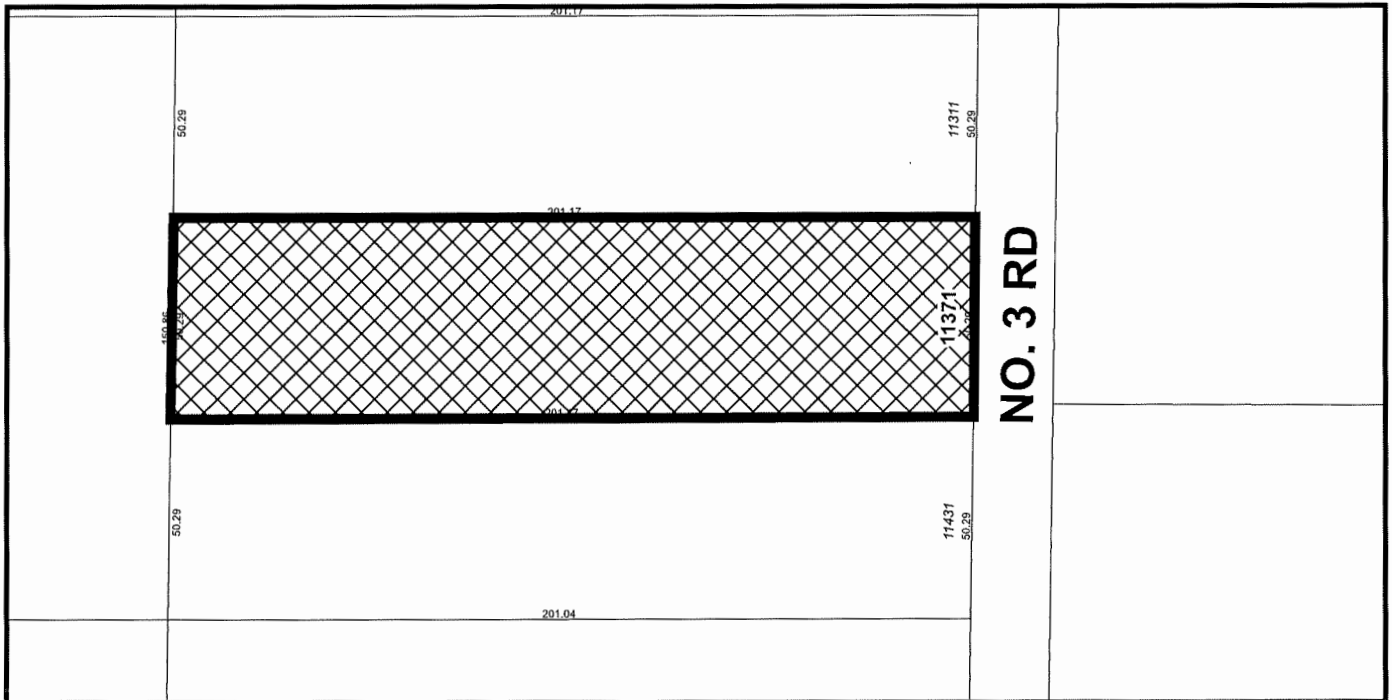
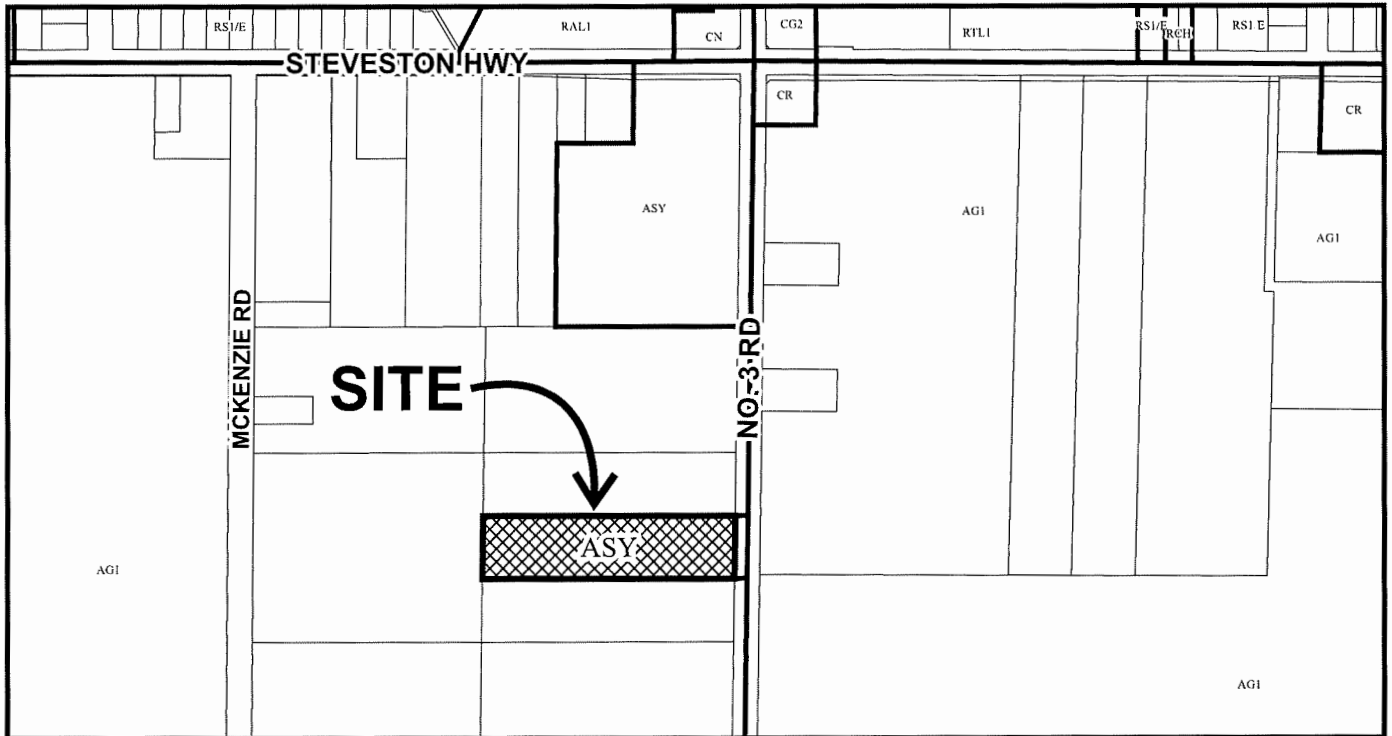
Attachment 4: Development Application Data Sheet

Attachment 5: Excerpt from the May 21, 2020 FSAAC Meeting Minutes

Attachment 6: Letter of Commitment and Proposed Agricultural Component



City of
Richmond



AG 19-853589

PLN - 26

Original Date: 02/25/19

Revision Date:

Note: Dimensions are in METRES



City of Richmond



AG 19-853589

PLN - 27

Original Date: 02/25/19

Revision Date:

Note: Dimensions are in METRES



Ark Montessori Reggio Elementary School
 Richmond Alliance Church
 11371 No. 3 Road
 Richmond, BC V7A 1X3

City of Richmond
 Policy Planning Department
 c/o Steven De Sousa
 604-204-8529

June 15, 2021

Dear Steven,

Re: Request for a Letter of Intent / Agricultural Land Use

It has come to our attention, through no fault of our own, that there are ALR issues regarding the permitting of school use in our current location at the Richmond Alliance Church and that a letter outlining background information is requested by the City's Planning Department.

Ark Montessori Reggio Elementary School has operated at this location for 14 years with the approval of the City, which has issued construction and development permitting, cleared annual business licences, and have been issued continuous health department and fire marshall clearances. Fourteen years ago, the City had installed a school road sign on No. 3 Road formally indicating our school presence and operations. Furthermore, City 'clearance for operations' letters have been issued every 5-6 years for operations affirmation to the Ministry of Education.



The Ark School has been serving the young children of the Richmond community for over 21 years. We operate a licensed daycare (Noah's Ark), pre-kindergarten, kindergarten and elementary program for children up to grade three/four. The Ark specializes in an alternative education only for the formative primary years, with a focus on Montessori and Reggio Emilia

pedagogy, rooted in values focused on the natural world and whole child development.



Approximately 55 children attend Ark Montessori Reggio Elementary school and we are proud to note that we have never had an empty space in our entire history. Our school employs six full-time teachers, two assistants and two volunteers, all required for support the students with developmental needs, primarily, Autism and Dyslexia. We are also practicum supervisors to train new Early Childhood Educator candidates from Douglas College, Delta and Vancouver Continuing Education, Capilano Collage and Capital College. Our community of highly dedicated parents also participate on rotation every single day of the school year to collaboratively learn with the teachers and children.

At any given time, 35% of our student enrolment has special needs and cannot successfully attend traditional schools with large class sizes, poor teacher-to-student-ratios and few-to-no opportunities for outdoor, hands-on educational experiences necessary for children to learn in a developmentally appropriate, healthy way. The Ark specializes in advanced developmental, targeted early-intervention and support, for which many families actually move to Richmond to attend our program.

With the advent of the possible construction of a larger, formalized community garden space at the Richmond Alliance Church, we are excited to be able to further facilitate a more expanded integrated natural-world curriculum, which would be readily accessible to the community of children and parents. 20% of our families receive financial BC Childcare Subsidy

assistance from the Ministry of Children and Families. Not only would the excess produce we grow be able to be donated within the Richmond community at large through the Richmond Food Bank, but a school community garden will also be able to better support some of our struggling families, many new to Canada, as well as the needy within the church, with better food security and healthier nutritional choices.

We currently maintain smaller food-growing plots and run a large, early-potato growing program. Just today, the children took home their first baggies of lettuce! At any given time, about 20% percent of the families enrolled are our local Richmond blueberry and cranberry farmers, who are very supportive of school's natural education values which truly reflect and represent of the actual community of our school's demographics.

("Mayberry Farms" written on the truck.)



Our school has had a very long and consistent history of community, farming-related, child education-centered gardening/farming practices and operations. When leasing space years ago at A.R. MacNeil High School when it was originally built, we erected a greenhouse and built a community garden in collaboration with the school administration and science staff. Arzeena Hamir, was a dedicated parent at our school for over 7 years, and worked to establish Richmond original Food Security and Agricultural Advisory. She currently sits at the Comox Valley Regional District Board as vice chair, and speaks for the National Farmers' Union. The Ark School has regularly participated in field educational and gardening experiences many years before school programs were more commonly available, such as at the Richmond Sharing Farm Society, when school education programs were only more formally established in 2017.

People

Arzeena

Hamir

Arzeena Hamir

Director, Area B at Comox Valley Regional District

Courtenay, British Columbia, Canada · 500+ connections

Comox Valley Regional District

University of London

Schedule 2 to the Minutes of the General Purposes Committee meeting held on Monday, January 16, 2012

Mayor and Councilors

From: Arzeena Hamir
 Date: January 9, 2012, 1:43 PM
 To: Mayor and Councilors
 Subject: FVH Road 2 water / Irrigation Application
 Categories: 06-4040-06-01 - Food Security
 Attachments: Road 2 Water Irrigation Application - 06-4040-06-01.pdf

Mayor and Councilors

Arzeena Hamir has been working on an application for funding from the Real Estate Foundation to do a feasibility study on the possibility of growing vegetables for food security. The study will be done in the summer of 2012. The study will be done in the summer of 2012. The study will be done in the summer of 2012.

There is a great degree of interest in the study. The study will be done in the summer of 2012. The study will be done in the summer of 2012. The study will be done in the summer of 2012.

Now that the agricultural land inventory has been completed, the next step is to analyze the data from the inventory of agricultural land. The study will be done in the summer of 2012. The study will be done in the summer of 2012. The study will be done in the summer of 2012.

I propose that the study be funded by the Real Estate Foundation. The study will be done in the summer of 2012. The study will be done in the summer of 2012. The study will be done in the summer of 2012.

I understand that Arzeena has to have the grant application in by next Friday.

Thank you.

Arzeena



The following photos are from our school's current growing cycle:





Our school staff and families are more than willing and capable of establishing and operating a community garden successfully. We have the skills, education and very strong motivation to be able to have the kind of environmental education resource a community garden program will foster. It will add immense value to the children's daily experiences and connect them deeply to their own bodies and health, their natural setting and place in the world, and to their greater Richmond community by contributing to food to benefit others in need.

If you have any further questions, please feel free to contact our school administration team. Thank you.

Sincerely,

Adina Priel
Principal

Regena Narayan
Head Teacher & Safe School Coordinator



Agricultural Land Commission

201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

December 28 2018

ALC C&E File 81192

VIA REGULAR MAIL

Christian and Missionary Alliance - Canadian Pacific District
101-17660 65A Avenue
Surrey BC
V3S 5N4

Dear Property Owners,

Unauthorized Activity in the Agricultural Land Reserve

CIVIC: 11371 No. 3 Road, Richmond BC
PID: 004-113-331
LEGAL: Lot 14, Block 3N, Plan NWP4120, Part S1/2, Section 5, Range 6W,
New Westminster Land District
(the "Property")

This letter serves to inform you that the Agricultural Land Commission (the "ALC" or the "Commission") has recently received information that alleges you are operating an educational facility namely, Noah's Ark School on the Property.

According to ALC Resolution #663/1992, the Commission approved an application to expand the existing church building from 10,000 ft² to 25,000 ft² and the parking lot from 120 to 198 spaces. The decision stated that the approval does not extend to permit any additional non-farm uses on the site, in particular schools, daycares or preschool facilities.

Commission records indicate that the Property is within the Agricultural Land Reserve ("ALR") and therefore is subject to the *Agricultural Land Commission Act* (the "Act") and BC Regulation 171/2002 Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the "Regulation").

Be advised that pursuant to s. 20(1) of the Act:

20(1) "A person must not use agricultural land for a non-farm use unless permitted by this Act";

Based on the above information, I determine that under the Act should you wish to operate a school on the Property you must submit a non-farm use application to the ALC.

In order to move forward in an effort to bring the Property into compliance with the Act, please submit the non-farm use application with respect to the Property no later than March 31 2019.

The application can be retrieved and subsequently submitted through the ALC's Application Portal via the ALC's website at: <http://www.alc.gov.bc.ca/alc/content/applications-and-decisions>

If you choose to submit an application, please advise me of the Application ID once your application has been submitted.

A lack of response to this letter may result in further action(s) which may include, but is/are not limited to; the recommendation of a monetary penalty and/or an order to rehabilitate the Property to a suitable agricultural standard.

Please contact me if you require further information. I can be reached at roland.persinovic@gov.bc.ca. I look forward to hearing from you to resolve this matter in a timely fashion.

This letter does not relieve the owner of occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

Sincerely,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Roland Persinovic
Compliance and Enforcement Officer



AG 19-853589

Attachment 4

Address: 11371 No. 3 Road

Applicant: Christian & Missionary Alliance – Canadian Pacific District

Planning Area(s): Gilmore

	Existing	Proposed
Owner:	Christian & Missionary Alliance – Canadian Pacific District	No change
Site Size:	10,108 m ² (2.5 ac / 1 ha)	No change
Land Uses:	Religious assembly, education and child care	No change
OCP Designation:	Agriculture (AGR)	No change
Zoning:	Assembly (ASY)	No change

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	Existing: 3,427.4 m ² (36,892 ft ²) (0.34 FAR) (No change)	None permitted
Lot Coverage – Buildings:	Max. 35%	No change	None
Lot Size:	N/A	No change	None
Setbacks:	Front: Min. 6.0 m Rear: Min. 7.5 m Side: Min. 7.5 m	No change	None
Height:	12.0 m	No change	None

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

**Thursday, May 21, 2020 – 7:00 p.m.
Webex**

Non-Farm Use Application – 11371 No. 3 Road (AG 19-853589)

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

- The purpose of the ALR non-farm use application is to allow the existing education use on the property to continue and address an ALC non-compliance issue;
- The existing church building was under construction prior to the inception of the ALR and has been in continuous use since then;
- In 1992, a non-farm use application was approved by both City Council and the ALC for an expansion to the church, with specific conditions, including prohibiting additional non-farm uses on-site, in particular schools, daycares or preschool facilities;
- After the approval in 1992, the anticipated growth was not realized and the church leaders at the time decided to lease out space to Richmond Music School and Noah's Ark Montessori School; and
- The existing uses are consistent with the "Assembly (ASY)" zoning, which allows education uses and the property is designated "Agriculture" in the OCP, which allows agriculture and food production, but may include other uses as permitted under the ALCA, including non-farm uses approved by Council and the ALC.

Ron Redekop, Richmond Alliance Church, provided additional comments regarding the proposal, including the following:

- The property was purchased and the church constructed before the inception of the ALR;
- The current church leaders were unaware of the conditions associated with the 1992 ALC approval; and
- There is no additional agricultural impact as a result of the existing school uses.

Discussion ensued regarding the potential for the applicant to incorporate a farming component to the proposal and lighting at the site.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the Non-Farm Use Application at 11371 No. 3 Road and encourage the applicant to consider implementing an agricultural component to the proposal (e.g. community gardens).

Carried Unanimously



Richmond Alliance Church

11371 No. 3 Road, Richmond BC, V7A 1X3, Tel.:604-277-3613

ATTACHMENT 6

May 20, 2021

Development Application Department
City of Richmond
6911 No. 3 Road
Richmond, BC V6T 2C1

Re: 11371 No. 3 Road (AG 19-853589)

To Whom It May Concern,

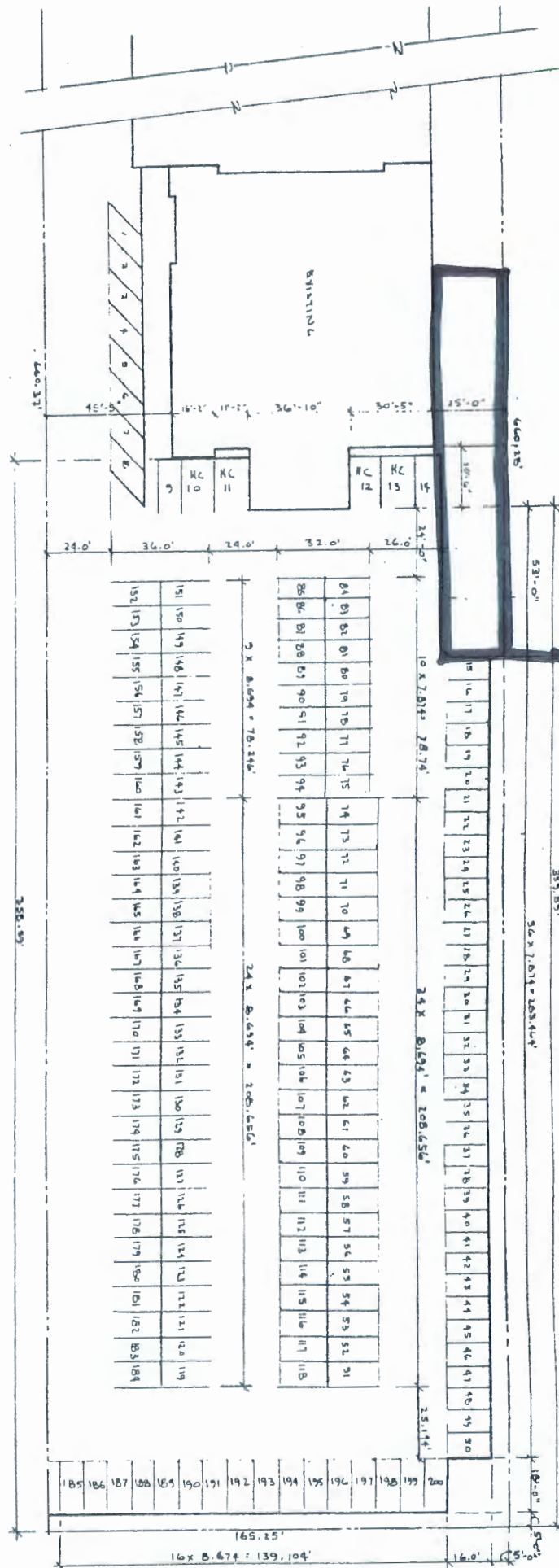
This letter confirms our commitment to installing the agricultural component as specified in the attached site plan/sketch.

The cost estimate for this component is \$5,050.00 (see attached).

Sincerely,

Kevin Krause

Subject area



South Property line

Shed (if necessary)	Rain Barrel	Composting	<p>Raised Vegetable Garden Approx 2.5' x 150' (375 sft)</p>
			<p>Grass Area Approx 22' x 200' (4,400 sft)</p> <p>***Total Green Area Approx 4,775 sft ***</p>



City of Richmond

Report to Committee

To: Planning Committee

Date: June 21, 2021

From: Wayne Craig
Director of Development

File: AG 21-933868

John Hopkins
Director of Policy Planning

Re: Application by Brian Dagneault for an Agricultural Land Reserve Transportation, Utility, and Recreational Trail Use Application at 6808 Finn Road

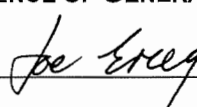
Staff Recommendation

That authorization for Brian Dagneault to forward an Agricultural Land Reserve Transportation, Utility, and Recreational Trail Use Application to the Agricultural Land Commission, to improve a portion of Finn Road to municipal road standards, be denied.

Wayne Craig
Director of Development

John Hopkins
Director of Policy Planning

WC:sds
Att. 9

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Building Approvals	<input checked="" type="checkbox"/>	
Engineering	<input checked="" type="checkbox"/>	

Staff Report

Origin

Brian Dagneault, on behalf of the property owner of 6808 Finn Road (Bill Zylmans), has requested permission from the City of Richmond to submit an Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application to the Agricultural Land Commission (ALC), to improve a portion of Finn Road to municipal road standards. A location map and aerial photograph showing the subject property and the portion of Finn Road proposed to be improved are provided in Attachment 1. The subject site is zoned "Agriculture (AG1)" and is currently being farmed.

Background

The subject property at 6808 Finn Road is classified as a "no access property" as it does not front a constructed municipal road. Road access to the general public along Finn Road is restricted west of the driveway access to the adjacent property at 6880 Finn Road (chain and lock). Only the City and the farming operation have access control to the restricted portion of Finn Road. As per the City's Official Community Plan (OCP), the portion of Finn Road along the northern portion of the subject property is identified as an "unimproved road" (Attachment 2). The road standard along Finn Road west of Gilbert Road is improved up to the driveway access of the adjacent property at 6880 Finn Road and the remaining portion of Finn Road along the subject property is unimproved with restricted access. The City only maintains the improved portion of Finn Road and does not maintain the portion of Finn Road along the subject property. Engineering has confirmed there is no active watermain west of Gilbert Road. The drainage infrastructure is maintained by the City (ditch), which is the case in unopened road corridors without improved roads in a number of locations throughout the City. Staff have also received correspondence from Agricultural Land Commission (ALC) staff confirming that this segment of Finn Road is not an improved road and that the proposal requires an ALR TUR application (Attachment 3).

As per the City's Building Regulation Bylaw No. 7230 and BC Building Code, the City cannot issue a Building Permit where a parcel does not have access to a constructed municipal road to municipal standards that meet the necessary specifications for emergency vehicle and life safety access. The purpose of the application is to improve the road to allow the property owner the flexibility to apply for Building Permits at 6808 Finn Road, including residential and agricultural buildings/structures. Constructing an improved road in the ALR on an existing right-of-way requires an ALR TUR Application to the ALC for approval. Since the existing right-of-way is City property, authorization from Council is required for the applicant to submit the application.

The City's OCP and Farming First Strategy discourage construction of new roads in the ALR due to the residential development impacts (e.g. creating residential development potential), and there are no plans to build an improved road in this area. The proposal to improve the road to municipal road standards in order to allow development is inconsistent with existing Council policies contained in the OCP and Farming First Strategy. Staff are recommending that the subject application be denied, due to the proposal being contrary to existing Council policies. Alternatively, Council also has the option to forward the application to the ALC for approval. For more information, please refer to the "Related Policies & Studies" section of this report.

Findings of Fact

A Development Application Data Sheet providing details about the development potential is attached (Attachment 4).

Surrounding Development

- To the North: Across the unimproved portion of Finn Road, a farm operation on a parcel zoned “Agriculture (AG1)” and located in the ALR, fronting Gilbert Road.
- To the East: A farm operation and single-family dwelling on a parcel zoned “Agriculture (AG1)” and located in the ALR, fronting Gilbert Road.
- To the South: A farm operation on a parcel zoned “Agriculture (AG1)” and located in the ALR, fronting Gilbert Road.
- To the West: A farm operation on a no access parcel zoned “Agriculture (AG1)” and located in the ALR.

Related Policies & StudiesOfficial Community Plan / Farming First Strategy

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 uses as permitted under the *Agricultural Land Commission Act* (ALCA). The OCP also identifies the portion of Finn Road along the northern portion of the subject property as an “unimproved road” (Attachment 2).

The OCP and Farming First Strategy discourage the construction of new roads in the ALR, due to the associated residential development impacts created by providing road access. Currently, the subject property is classified as a “no access property” and is not permitted to receive Building Permits (no residential development potential). As per the OCP and Farming First Strategy, farm access is still permitted to agricultural operations on sites with no direct road access (e.g. no access parcels) through the City’s existing right-of-way, which is currently the case for the subject property. However, the purpose of the subject application is to allow a portion of Finn Road to be improved in order to receive Building Permits, including both residential and agricultural buildings and structures consistent with the “Agriculture (AG1)” zone. Although the applicant has indicated that the property owner would like to build a new barn, the property owner also wishes to have the option of building a house in the future. Should Council and the ALC decide to approve the application, this would result in residential development potential on the subject site that does not currently exist.

Council Policy 5013 (Attachment 5) also provides guidance on requirements for properties fronting undeveloped roads and requires City services across the total frontage of the property for any purpose requiring a Building Permit. While the Policy indicates services should extend across the entire frontage, staff are proposing to only extend the services to the existing driveway access to avoid creating residential development potential on adjacent properties.

Food Security and Agricultural Advisory Committee

The application was reviewed by the Food Security and Agricultural Advisory Committee (FSAAC) at its meeting held on June 10, 2021 and the FSAAC supported the applicant's proposal. An excerpt from the June 10, 2021 FSAAC meeting minutes is provided in Attachment 6.

Analysis

Historical Land Uses

The applicant has submitted a statement of intent (Attachment 7), which indicates the property has been farmed since 1948 and used as the family's homestead until 1954. The existing barn on the property succumbed to a wind storm in December 2018. Photos of both the original homestead and the barn were provided by the applicant (Attachment 7).

While the City has no records of Building Permits being issued for the house or the barn, staff have found that historical building permit records during that time are incomplete. There is evidence that a barn was on the property based on a review of recent airphotos.

Proposed Land Uses

The property owner has indicated that there is no intention of selling the land and intends to continue farming the property (mixed vegetable crop), despite putting the property for sale earlier this year (the property is no longer on the market). Although the property owner has indicated that they intend to maintain ownership, the property owner still has the ability to sell the property if they wish. Staff requested that the applicant register a legal agreement to limit or prohibit construction of a residential building or sale of the property, but the property owner declined. While the applicant has indicated there is no intention to build a house at this time, the property owner wishes to have the option to do so at a later date.

The property has farm status as per BC Assessment. In addition to this property, the property owner farms approximately 400 acres in Richmond producing a variety of crops (strawberries, mixed vegetables, hay, potatoes, and forage crops) (Attachment 8). The property owner is considering replacing the barn and building a new agricultural building for the purposes of farm product and vehicle storage, in association with the property owner's farm operation.

Subject Application

The applicant is requesting permission from the City to submit an Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application to the Agricultural Land Commission (ALC), on behalf of the property owner, to allow the construction of an improved road in the identified portion of the Finn Road right-of-way. Since the existing right-of-way is City property, authorization from Council is required for the applicant to submit the application. Should Council wish to authorize the applicant to submit the application, the applicant would be required to provide notice (ALC's Advisory for Landowners in the ALR Brochure) to all registered owners of land in the ALR that are affected, prior to the application submission.

The construction of an improved road would allow the property owner to receive Building Permits consistent with the "Agriculture (AG1)" zone, including residential and agricultural buildings and structures. Construction of a single-family dwelling would be limited to a maximum floor area of 400 m² (4,305 ft²) and a maximum farm home plate area of 1,000 m² (10,763 ft²), as per the AG1 zone. The proposed improved road would not increase development potential on any other properties.

Site Servicing and Frontage Improvements

Should Council and the ALC approve the application, the Property Owner would be required to enter into a Servicing Agreement with the City to construct the required segment of road and services to City standards at the Property Owner's sole expense, prior to receiving any Building Permits. These works include, but are not limited to, construction of Finn Road from Gilbert Road to City standard (6.0 m wide road surface) and a watermain from Gilbert Road to the subject property for water service. The required servicing works and frontage improvements are described in Attachment 9.

Financial Impact

The 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

Brian Dagneault, on behalf of the property owner of 6808 Finn Road (Bill Zylmans), has requested permission from the City of Richmond to submit an Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application to the Agricultural Land Commission (ALC), to improve a portion of Finn Road to municipal road standards.

Due to the proposal's inconsistencies with Council policies contained in the OCP and Farming First Strategy, staff recommend that authorization to forward the subject application to the ALC be denied.



Steven De Sousa
Planner 1

SDS:cas

- Attachment 1: Location Map & Aerial Photo
- Attachment 2: OCP Existing Status of Road Improvements in the ALR Map
- Attachment 3: Correspondence from ALC Staff
- Attachment 4: Development Application Data Sheet
- Attachment 5: Council Policy 5013
- Attachment 6: Excerpt from the June 10, 2021 FSAAC Meeting Minutes
- Attachment 7: Letter & Photos from the Applicant

June 21, 2021

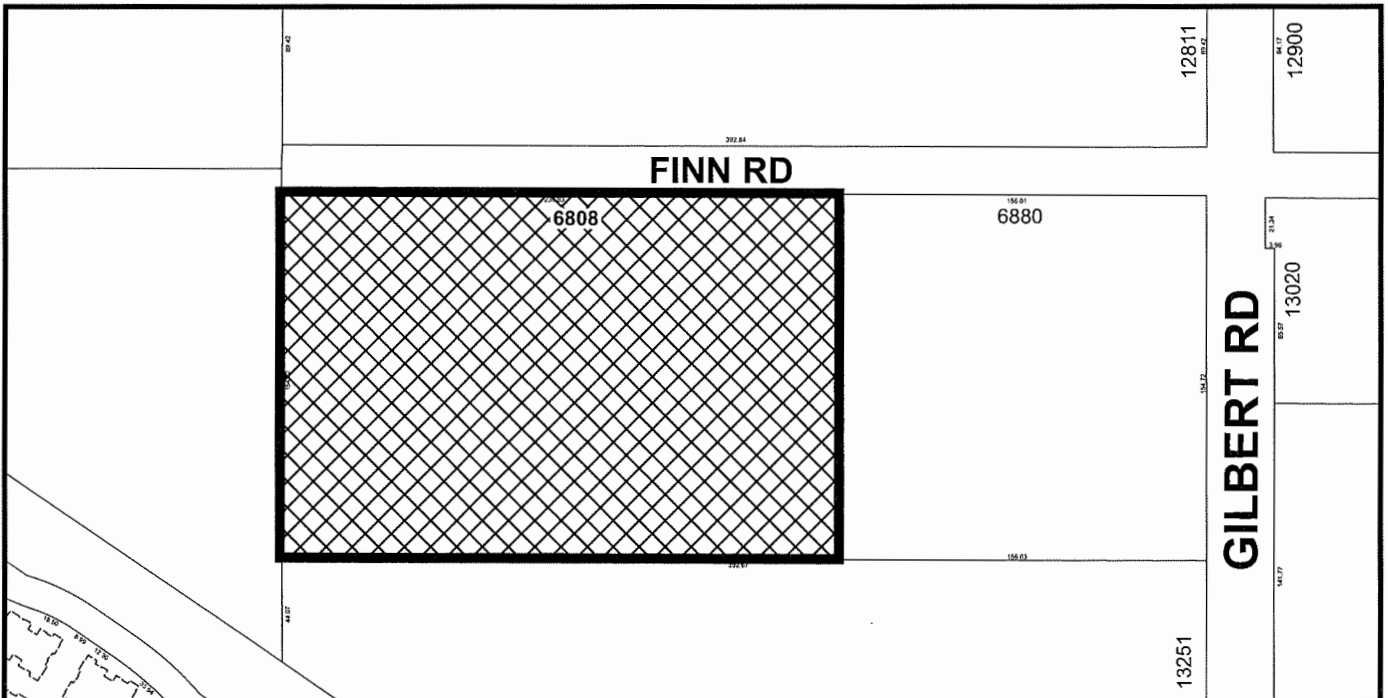
- 6 -

AG 21-933868

Attachment 8: Properties Farmed by W&A Farms Ltd.

Attachment 9: Considerations

The map shows a section of the South Arm Fraser River and surrounding land parcels. A specific parcel is highlighted with a cross-hatch pattern and labeled 'SITE' with an arrow. The map includes labels for roads like NO-2 RD, PRINCESS ST, DYKE RD, LONDON RD, PRINCESS LANE, and GILBERT RD. Other labels include ZLRS, IL, ZMU13, ZMU24, ZMU14, ZMU8, ZMU20, ZLJ40, ZLR18, ZS11, ZD4, ZD1, ZS1, ZT43, and AG1.

**PLN – 46**

Note: Dimensions are in METRES



City of
Richmond



AG 21-933868

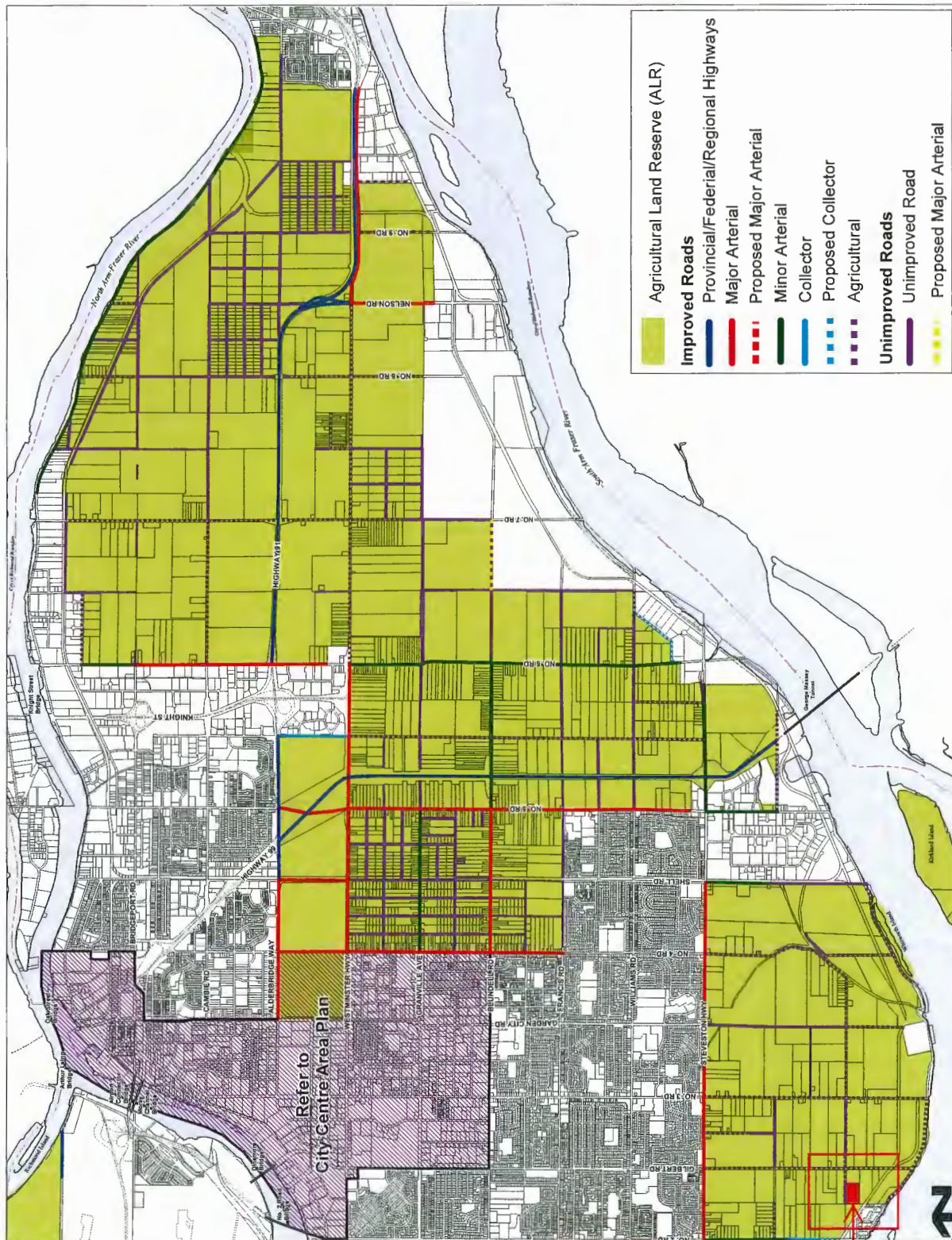
PLN - 47

Original Date: 06/03/21

Revision Date:

Note: Dimensions are in METRES

Existing Status of Road Improvements in the ALR Map



PLN – 48

City of Richmond Official Community Plan
Plan Adoption: November 19, 2012

From: [Lambie, Shannon ALC:EX](#)
To: [De Sousa, Steven](#)
Subject: RE: Opening roads in the ALR
Date: November 18, 2020 12:17:28 PM
Attachments: [image001.png](#)

Hi Steven,

I have searched the property identified as PID: 010-890-661 and I cannot see any record of the City applying for the road. When I look on our mapping system, Finn Road does not extend the entire length.

Let me know if I can help or provide any further information.

Best regards,
Shannon



From: [Lambie, Shannon ALC:EX](#)
To: [De Sousa, Steven](#)
Subject: Roads
Date: November 18, 2020 1:57:50 PM

Hi Steven,

As per our conversation, the regulations permit some road construction, detailed below, but I don't think the proponent meets the criteria. If not they would have to make a TUR application (also detailed below). Let me know if I can provide any further information, and I will let you know if I learn anything else.

ALC Use Regulations

Roads

18 The use of agricultural land for any of the following purposes is permitted and may not be prohibited as described in section 14:

- (a) constructing and upgrading roads within a dedicated right of way that has a constructed road bed for vehicular access and use;
- (b) upgrading an existing road that has vehicular access and use and that is declared to be a highway under section 42 of the Transportation Act;
- (c) widening an existing constructed road within a right of way
 - (i) to ease one curve, or
 - (ii) if the right of way width is 24 m or less, for safety or maintenance purposes or for drainage or flood control works;
- (d) declaring as a forest service road an existing road under the Forest Act or a new road in a managed forest;
- (e) increasing the width of a forest service road within a right of way by up to 4 m if the right of way width is
 - (i) 30 m or less, if the forest service road is located on Crown land, or
 - (ii) 20 m or less, in any other case;
- (f) constructing and upgrading a road, and conducting related works, for the purpose of realigning Highway 29 between Hudson's Hope and Charlie Lake, to the extent necessary to
 - (i) construct the dam and hydroelectric generating station on the Peace River known as the Site C Clean Energy Project, and
 - (ii) address potential adverse effects on the highway arising from the operation of the dam and generating station referred to in subparagraph (i).

ALC Act

Transportation and utility use applications

22 (1) For the purposes of section 34 (1) (d) [*local government or first nation government review not required*] of the Act, an application for any of the following uses must, unless the use is permitted under the Agricultural Land Reserve Use Regulation, be filed directly with the commission:

- (a) construction for the purpose of widening an existing road right of way;
 - (b) construction of a road within an existing right of way;
 - (c) construction of any of the following:
 - (i) a new road, railway or recreational trail;
 - (ii) a new forest service road under the *Forest Act*;
 - (iii) a utility corridor use;
 - (iv) a sewer or water line other than for ancillary utility connections;
 - (d) a new use of an existing right of way for a recreational trail.
- (2) If the applicant is not the owner of the agricultural land that is the subject of the application, the applicant must give notice of the application to the owner within the period stated by the commission.



AG 21-933868

Attachment 4

Address: 6808 Finn Road

Applicant: Brian Dagneault, on behalf of Bill Zylmans

Planning Area(s): Gilmore

	Existing	Proposed
Owner:	Bill Zylmans	No change
Site Size:	36,550 m ² (9.03 acres / 3.66 ha)	No change
Land Uses:	Agriculture	No change
OCP Designation:	Agriculture (AGR)	No change
Zoning:	Agriculture (AG1)	No change

	Bylaw Requirement	Proposed	Variance
Floor Area:	Max. 400 m ² (4,305 ft ²)	To be determined	None permitted
Farm Home Plate – Area:	Max. 1,000 m ² (10,763 ft ²)	To be determined	None
Farm Home Plate – Setback:	Max. 75 m	To be determined	None
Farm House Footprint:	Max. 60%	To be determined	None
Single Detached Housing Building – Setback:	Max. 50 m	To be determined	None
Setbacks:	Front: Min. 6.0 m Rear: 10.0 m Side: 1.2 m Other Side: 6.0 m	To be determined	None
Height:	Max. 2 storeys (9.0 m)	To be determined	None



Page 1 of 1	Property Fronting Undeveloped Roads – Construction Requirements	Policy 5013
	Adopted by Council: September 8, 1980 Re-affirmed: July 27, 1998	

POLICY 5013:

It is Council policy that:

Prior to property being utilized for any purpose requiring a building permit, the following requirements must be met:

1. The property must be legally registered as a single parcel of land in the Land Title Office.
2. The property must have frontage on a public road right-of-way containing City services across the total frontage of the property to the required standards for the zone and sized for future extensions. The services must be extended or improved to meet this criterion.
3. Where extensions of existing roads will open or will effectively service other properties, such extensions must receive Council approval.
4. A lot which is the site of an existing dwelling unit may be used as a site for a replacement dwelling, although the lot does not meet the requirements of this policy.
5. If the required services do not exist, they must be provided at the cost of the applicant.
6. This policy applies to all City zones.

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

**Thursday, June 10, 2020 – 7:00 p.m.
Webex**

ALR Transportation, Utility & Recreational Trail Use Application – 6808 Finn Road

Steven De Sousa, Planner 1, Policy Planning, introduced the Agricultural Land Reserve (ALR) Transportation Utility & Recreational Trail Use (TUR) Application at 6808 Finn Road and provided the following comments:

- The subject property is classified as a “no access parcel” as it does not front a constructed municipal road;
- There are many no access parcels in the ALR in Richmond, which are permitted to have farm access and be farmed, but as per the City’s Building Regulation Bylaw, are not permitted to receive Building Permits as they do not meet the requirements for emergency vehicle and life safety access;
- The City’s Official Community Plan and Farming First Strategy discourage the construction of new roads in the ALR due to the residential development impacts as a result of the road construction;
- The proposal to upgrade a portion of Finn Road to be able to receive Building Permits on the subject property is inconsistent with the policies contained in the OCP and Farming First Strategy;
- The proposal does have the potential of setting a precedent for other no access properties in the ALR to submit similar requests; and
- Should Council and the ALC decide to approve the application, the property owner would be required to enter into an agreement with City to construct the required servicing and road works at the property owner’s cost, prior to issuing any Building Permits.

Brian Dagneault, Applicant, and Bill Zylmans, Property Owner, provided the following comments:

- The property has been farmed since 1948 and used as the family’s homestead until 1954. The existing barn on the property succumbed to a wind storm in 2018 and was removed in 2019. Photos have been provided of both the homestead and the barn;
- There is no intention of selling the land and the intention is to continue farming the property;
- Finn Road has always been used as the primary access to the property and continues to be the sole access to the farm operation;
- The property owner is considering building a new barn on the property for the purposes of farm product and vehicle storage; and

- The proposal has a unique context compared to other no access properties in the ALR, as it has been the primary access for both residential and agricultural purposes for many years.

In response to questions from the Committee, the property owner provided details on the decommissioning of the home, the decision to continue farming and not sell the property, and the role of this property in the overall farming operation.

Discussion ensued regarding the greater issue of no access parcels in the ALR and the potential residential development impacts of new road construction in these areas. The Committee noted the uniqueness and historical context of the subject proposal, but also acknowledged that the greater issue will need to be addressed in the future.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the Agricultural Land Reserve Transportation Utility & Recreational Trail Use Application at 6808 Finn Road (AG 21-933868).

Carried Unanimously

DAGNEAULT PLANNING CONSULTANTS LTD.

By Email

April 29, 2021

File No. 318

City of Richmond
6911 No. 3 Road
Richmond British Columbia V6Y 2C1
Canada

RE: 6808 FINN ROAD, RICHMOND, B.C.

ATT: Steven De Sousa

Dear Steven,

You are in receipt of correspondence from Ms. Kim Grout, CEO of the Agricultural Land Commission advising that they have no requirement for Finn Road to be upgraded to allow for the approval of a Building Permit on the subject property. Finn Road has provided the only access to this farm property since 1948 and continues this function to this day.

The subject property has been continuously owned and farmed by the Zylmans family since 1948. The original house on the farm was the family homestead and was home to the Zylmans until 1954. After that time it was used to house farm workers until it was decommissioned in the early 1970s. The property was also occupied by a barn and other typical farm buildings. The barn was used to stable horses and cows, and eventually converted to storage for both hay and potatoes. The barn succumbed to a wind storm in December 2018 and the debris was removed in March of 2019. Photos of both the barn and home are attached.

Mr. Zylmans has no intention of selling this land and intends to continue farming this property and producing an mixed vegetable crop that is rotated annually as part of the overall farm plan that has been the practice for the last 73 years. In addition to this property Mr. Zylmans farms an additional 15 parcels including approximately 400 acres in Richmond producing a variety of crops including strawberries, mixed vegetables, hay, potatoes and forage crops. With the loss of the barn on this property Mr. Zylmans is considering constructing a new barn that can be used for crop storage or parking farm vehicles which are often subject to vandalism when left parked in the field unprotected. As a Building Permit will be required for this new barn, Mr. Zylmans will need City approval and we understand that the City will require that a Transportation, Utility, and Recreational Trail Use application to the ALC is required which, if approved, would allow Finn Road to be upgraded to the appropriate municipal standard.

By way of this letter we wish to formally request that the City of Richmond submit on behalf of Mr. Zylmans to the ALC a Transportation, Utility and Recreational Trail Use application. We understand that Mr. Zylmans will be responsible for the \$1,500 application fee.

We are aware that the City of Richmond has a policy that discourages the extension of non-improved roads in the ALR and understand the rationale for this policy. The policy, as we understand it, is intended to prevent the opening of roads that have never been used for any kind of traffic, farm or otherwise and could result in the access to properties that have never had historical access to them and could result in undesirable development on otherwise previously inaccessible lands.

This rationale, however, does not apply to this scenario. Finn Road has provided the sole access continuously and without interruption to the Zylmans farm for the last 73 years and served as access to not only the farmlands but to their home and farm buildings. During that time period this section of road has been improved by the city with asphalt paving, drainage, water and hydro to and beyond the access point to the site. This road has continually withstood the heavy farm equipment and truck traffic and remains in good serviceable condition. It is anything but "non-improved". Considering this portion of Finn Road as a non-access road would technically eliminate the ability of Mr. Zylmans to continue to farm this land.

We trust this provides you with the information that has been previously requested but should you require additional information please do not hesitate to contact the writer at any time. We also presume you will provide us with any direction required to formalize the application.

Yours truly,

DAGNEAULT PLANNING CONSULTANTS LTD.



Brian L. Dagneault MCIP, RPP

Cc: Mr. W. Zylmans

Att: Historical Building Photos
2021 B.C. Assessment Notice with Farm Designation
Correspondence from the ALC

D A G N E A U L T P L A N N I N G C O N S U L T A N T S L T D.

PLN – 57

Photos provided by the Applicant



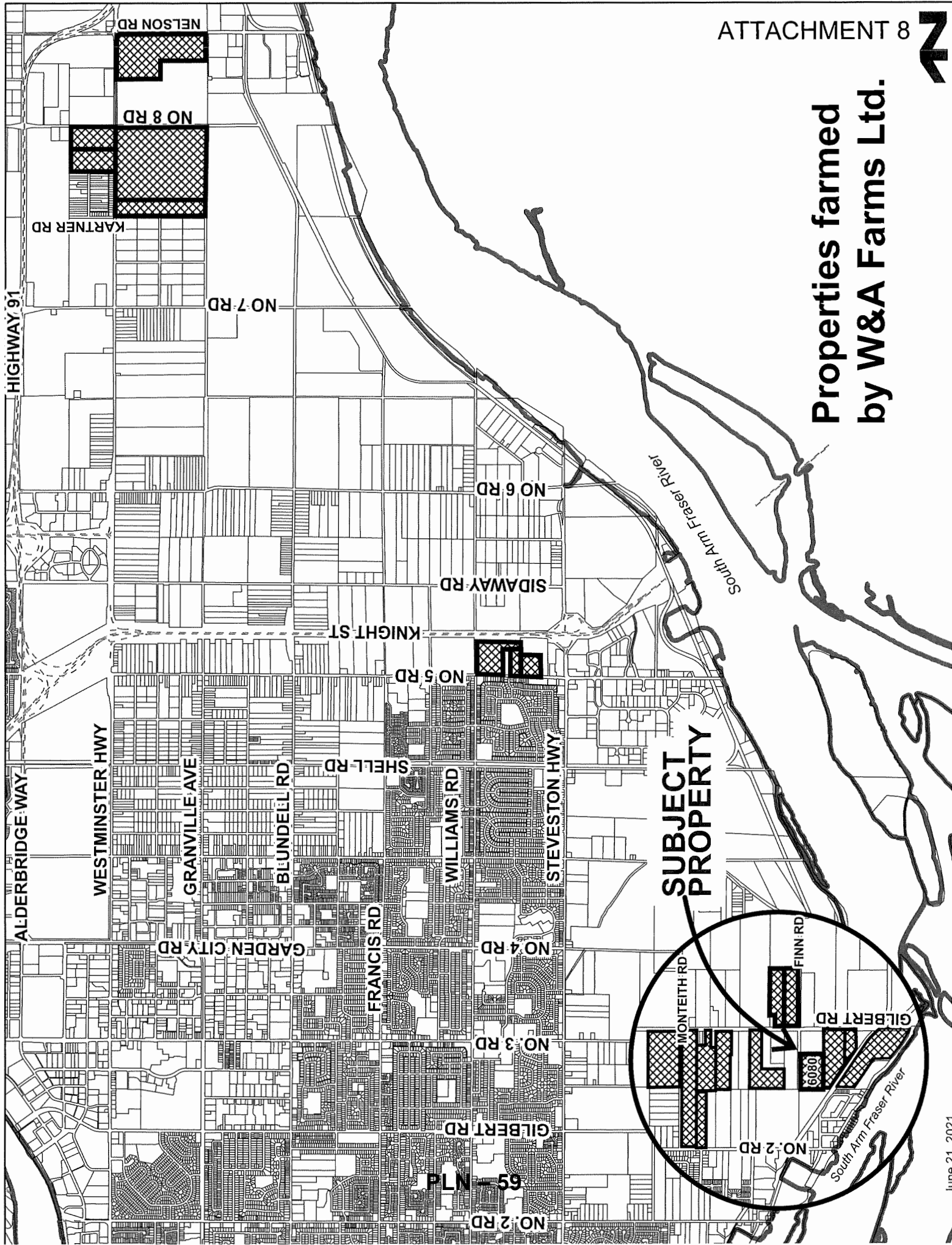
Photo of the homestead



Photo of the barn



Properties farmed by W&A Farms Ltd.





City of Richmond

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

Address: 6808 Finn Road

File No.: AG 21-933868

Prior to Building Permit Issuance, the property owner is required to complete the following requirements:

1. Council and Agricultural Land Commission (ALC) approval of the Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application.
2. Enter into a Servicing Agreement* for the design and construction of required site servicing and frontage improvements associated with the proposed extension of Finn Road west of Gilbert Road to the driveway access of 6808 Finn Road to the satisfaction of the Director of Engineering. 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 are required at the property owner's cost and include, but may not be limited to, the following:

Frontage Improvements:

- 6.0 m wide road surface: road to be widened from the Gilbert Road intersection to the existing driveway access at 6880 Finn Road. Applicant to verify existing road construction and, if it is not in accordance with City Engineering Specifications, existing road to be reconstructed. Remaining portion from the existing driveway access at 6880 Finn Road to the existing driveway access of 6808 Road to be constructed. Survey and geotechnical assessment required to confirm whether impacts to the existing ditch can be avoided, and if not, the applicant must produce a design to address the existing ditch.
- The pavement structure shall satisfy the City's local road standard, per the OCP Road Classification Map.
- The applicant will be required to submit a road design for the City's review.
- Driveway to access 6808 Finn Road would require a Water Course Crossing Permit* and design to build a culvert over the ditch.

Water Works:

- Construction of a watermain from Gilbert Road to the property, to provide water service to the property.
- Potential requirement for a new fire hydrant as determined by the City's Fire Department.

Storm Sewer Works:

- Storm sewer upgrade or alternate drainage infrastructure may be required if impacts to the existing watercourses cannot be avoided as result of road construction.
- The existing watercourses shall be maintained wherever possible.

Sanitary Sewer Works:

- Sanitary sewer upgrade shall not be provided to the subject property as it is located outside the regional sewerage boundary.
- Septic system to be provided on-site.

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 _____



City of Richmond

Report to Committee

To: Planning Committee
From: John Hopkins
Director, Policy Planning
Date: June 3, 2021
File: 08-4050-10/2021-Vol
01
Re: Assembly (ASY) Zoned Sites in the Agricultural Land Reserve

Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10279, which revises the:
 - a. "Assembly (ASY)" zoning district to restrict the permitted and secondary uses for sites located in the Agricultural Land Reserve and grant a site-specific allowance for an education use; and
 - b. purpose statement in the "Religious Assembly (ZIS7) – No. 5 Road" zoning district, be introduced and granted first reading.

John Hopkins
Director, Policy Planning
(604-276-4279)

Att. 3

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

Staff Report

Origin

This is a companion report to the report titled “Agricultural Land Commission Decision on No. 5 Road Backlands Policy” dated April 8, 2021 from the Director, Policy Planning. The Official Community Plan (OCP) No. 5 Road Backlands Policy and related Zoning Bylaw amendments were adopted by Council at the May 17, 2021 Public Hearing in response to the Agricultural Land Commission (ALC) decision recommending changes to the Backlands policy.

Those amendments addressed the March 3, 2020 referral related to schools/education uses and other accessory uses in the No. 5 Road Backlands Policy area and responded to the ALC’s recommended changes to restrict schools/education uses in the No. 5 Road Backlands Policy.

This report addresses the 9 Assembly (ASY) zoned sites in the Agricultural Land Reserve (ALR) that are located outside of the OCP No. 5 Road Backlands Policy, and proposes changes to land use regulations to be consistent with the Zoning Bylaw amendments adopted on May 17, 2021.

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

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

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

Findings of Fact

There are a total of 9 sites located in the ALR that have existing Assembly (ASY) zoning. These 9 sites are outside of and not subject to the No. 5 Road Backlands Policy. A table providing summary information about each site and existing uses is contained in Attachment 1. A map of the 9 Assembly (ASY) zoned sites in the ALR is contained in Attachment 2. Eight (8) sites contain a religious assembly building (church/temple) as the primary use and 1 site contains a school as the primary use. Of the 9 sites, 2 contain a school operation (1 site with a standalone school facility; 1 site has a school that operates in the same building containing religious assembly uses).

Background History – Assembly (ASY) Zoning in the ALR

Prior to 1983, the City’s Zoning Bylaw in place at the time permitted religious assembly uses on agriculturally zoned properties in the ALR. In 1983, the City’s agricultural zoning was amended to remove religious assembly as a permitted use and a comprehensive rezoning bylaw was adopted that rezoned all existing churches and schools to the Assembly (ASY) zone. The ALC reviewed this change and did not object to this rezoning bylaw in 1983 that resulted in the rezoning of existing church sites in the ALR to Assembly (ASY) zoning.

In-Stream Development Applications

There are 2 in-stream development applications that have been submitted for 2 of the 9 Assembly (ASY) zoned sites in the ALR. A summary of each application and their current status is provided below:

- 20451 Westminster Highway (AG 19-881146) – An ALR non-farm use application was submitted by Choice School for Gifted Children to allow the existing school and allow for an expansion for additional classroom space. On January 11, 2021, this application was forwarded to the ALC by Council. The ALR approved the application on April 16, 2021. The impact and approach to this in-stream application is detailed later in this report.
- 11371 No. 3 Road (AG 19-853589) – An ALR non-farm use application was submitted by the Christian & Missionary Alliance to permit an existing school and child care located on the subject site. No expansion or alteration of the existing facility is being proposed. A report providing details and recommendations on the ALR non-farm use application at 11371 No. 3 Road is being brought forward concurrently to the same Planning Committee meeting titled “Application by Christian & Missionary Alliance – Canadian Pacific District for an Agricultural Land Reserve Non-Farm Use at 11371 No. 3 Road” dated June 16, 2021 from the Director, Development. There are no impacts to this in-stream application based on the proposed Zoning Bylaw changes outlined in this report. If the ALR non-farm use application at 11371 No. 3 Road is approved by Council and the ALC, and the proposed zoning amendments in this report are approved by Council, the existing school would be rendered a non-conforming use. Any expansion to the school operation at this site would be subject to the current zoning regulations in place at the time and would require a rezoning application in addition to the required ALR non-farm use approval.

Related Policies and Studies

Official Community Plan

The OCP land use designation for each of these Assembly (ASY) zoned properties in the ALR is “Agriculture”. There is no land use policy in the OCP to support new or expanded assembly related facility development on land designated for “Agriculture” located in the ALR. On this basis, these proposals are reviewed on a case-by-case basis and considered on their own merits.

Assembly (ASY) Zoning

The current Assembly (ASY) zoning applicable to these 9 sites in the ALR permit a range of assembly activities as permitted uses such as religious assembly, education, child care and private club.

Agricultural Land Reserve

These 9 Assembly (ASY) sites are located in the ALR. The *Agricultural Land Commission Act* (ALCA) is the enabling Provincial legislation for land in the ALR. For sites that are subject to the provisions of the ALCA, a non-farm use application and approval is required for new or expanded assembly related development in the ALR. The ALCA includes a provision that allows some properties in the ALR not to be subject to the ALCA legislation if certain criteria

are met (less than 2 acres and on separate certificate of title prior to December 21, 1972). For these properties that are not subject to the ALCA, no application or approval from the ALC would be required for non-farm related development or uses.

Summary of Proposed Amendments to the Assembly (ASY) Zone

The proposed amendments to the Assembly (ASY) zone are administrative in nature and consistent with the recently Council approved amendments to the No. 5 Road Backlands Policy that restricted uses in response to an ALC decision that recommended changes to the Policy. The Zoning Bylaw amendments proposed in this report apply only to the 9 Assembly (ASY) zoned sites in the ALR. The rationale for these proposed amendments is contained in a subsequent section of this report.

The proposed revisions for these 9 Assembly (ASY) zoned sites in the ALR are summarized as follows:

- Amend permitted uses to remove education and private club.
- Amend uses to allow child care as a secondary use
- Include a site specific allowance to permit the school and proposed expansion approved by the previously referenced ALR application at 20451 Westminster Highway (AG 19-881146).
- Minor amendment to revise the purpose statement in the Religious Assembly (ZIS7) – No. 5 Road zone.

Analysis

Approach to In-stream Application at 20451 Westminster Highway (Choice School)

The Choice School ALR application to permit the existing school and classroom expansion on the subject site, currently zoned Assembly (ASY), was approved by the ALC on April 16, 2021. The amendments to the Assembly (ASY) zone proposed in this report would remove education (school) as a permitted use; therefore, a site-specific allowance is proposed to permit an education use at 20451 Westminster Highway to allow the Choice School facility to the extent granted in the recent ALC approval for the site. This zoning approach for a site specific allowance on this site is consistent with the ALC approval. If a site-specific allowance is not granted to 20451 Westminster Highway and the Assembly (ASY) zone is amended to remove schools as a permitted use, a rezoning application would be required for this site.

Expansion Potential and Consultation with Property Owners about Future Needs

The potential expansion to or redevelopment of these 9 Assembly (ASY) sites in the ALR is contingent on a number of factors:

- The current OCP “Agriculture” land use designation that applies to each of these sites and no OCP land use policy that supports new or expanded assembly development. As a result, proposals for assembly development on land designated for Agriculture would be considered on a case-by-case basis.
- Whether Assembly (ASY) zoning applies to all or only a portion of a site.
- Overall size of site to accommodate additional development and supporting off-street parking.

- Site specific factors and context that may include adjacent land uses, Environmentally Sensitive Areas (ESAs) and on-site buildings/uses.

Staff consulted with property owners about plans to develop or expand facilities based on their future needs. A summary of responses received is provided in Attachment 3. Key findings are as follows:

- 4 sites responded that they had no expansion plans.
- 1 site indicated they would like to expand existing church and day care facilities.
- Outside of the 2 in-stream applications identified previously for existing schools, no other property owners indicated plans for future school development.

Rationale for Amending the Assembly (ASY) Zoning

The proposed approach is to undertake Zoning Bylaw amendments that would apply to the 9 Assembly (ASY) zoned sites that are located in the ALR. No amendments to the OCP are required. The proposed changes to the Zoning Bylaw are related to the previous Council approved assembly use restrictions to the No. 5 Road Backlands Policy area to no longer permit schools and only allow religious assembly uses and other related secondary uses. To account for the approved in-stream ALC application for an existing school and proposed classroom expansion, a site specific allowance to permit a school at 20451 Westminster Highway is included in the amendments. Staff recommend making the proposed Zoning Bylaw changes for the following reasons:

- Establishes identical zoning regulations for all sites located in the ALR that have Assembly (ASY) zoning, whether they are located in the No. 5 Road Backlands Policy area or not.
- Applying a consistent set of zoning regulations in the ALR will avoid certain Assembly (ASY) zoned sites in the ALR being targeted for certain types of development (i.e., school facilities). There is a significant risk of this occurring if different zoning regulations exist in the ALR where some sites allow more non-farm uses than others.
- Based on the responses provided by property owners and site-specific allowance to permit a school at 20451 Westminster Highway, no existing schools would be impacted and potential future development would also not likely be impacted as no property owners indicated any plans for new school development.
- If no revisions are made to the Assembly (ASY) zoning, a property with this zoning could potentially build a school and would only be subject to a City building permit application that would not require Council approval under the current zoning bylaw. This scenario could arise for some of the 9 Assembly (ASY) zoned sites in the ALR that may not be subject to the ALCA based on a provision in the legislation (i.e., sites that are less than 2 acres and on separate certificate of title prior to December 21, 1972). Sites in the ALR that fall under this provision are not subject to the ALCA and would not need to go through an ALR non-farm use application.
- The proposed approach and amendments do not impact existing religious assembly facilities that are located on 8 of the 9 sites as religious assembly will remain a permitted use. The recommended approach does not preclude the ability for property owners to make a rezoning application to request a use not permitted in the zone.

- Maintaining the Assembly (ASY) zone without any revisions would not provide Council with the full ability to control and approve certain uses in the ALR (i.e., schools and private clubs).

Consultation

The Zoning Bylaw amendments proposed in this report will be subject to Council review and consideration, which includes a Public Hearing. Prior to the Public Hearing, the 9 Assembly (ASY) zoned property owners in the ALR will be notified and the public will have an opportunity to comment at the Public Hearing.

Financial Impact

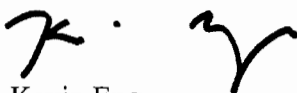
None.

Conclusion

Based on the previous Council approved revisions to the OCP No. 5 Road Backlands Policy and Zoning Bylaw and property owner responses about future development plans, the following administrative amendments are proposed to 9 sites with Assembly (ASY) zoning that are located in the ALR:

- Amend permitted uses to remove education and private club and allow child care as a secondary use.
- Include a site specific allowance to permit the school and proposed expansion approved by the previously referenced ALR application at 20451 Westminster Highway(AG 19-881146).
- Minor amendment to revise the purpose statement in the Religious Assembly (ZIS7) – No. 5 Road zone.

Staff recommend that Richmond Zoning Bylaw, Amendment Bylaw 10279, be granted first reading.



Kevin Eng
Planner 2
(604-247-4626)

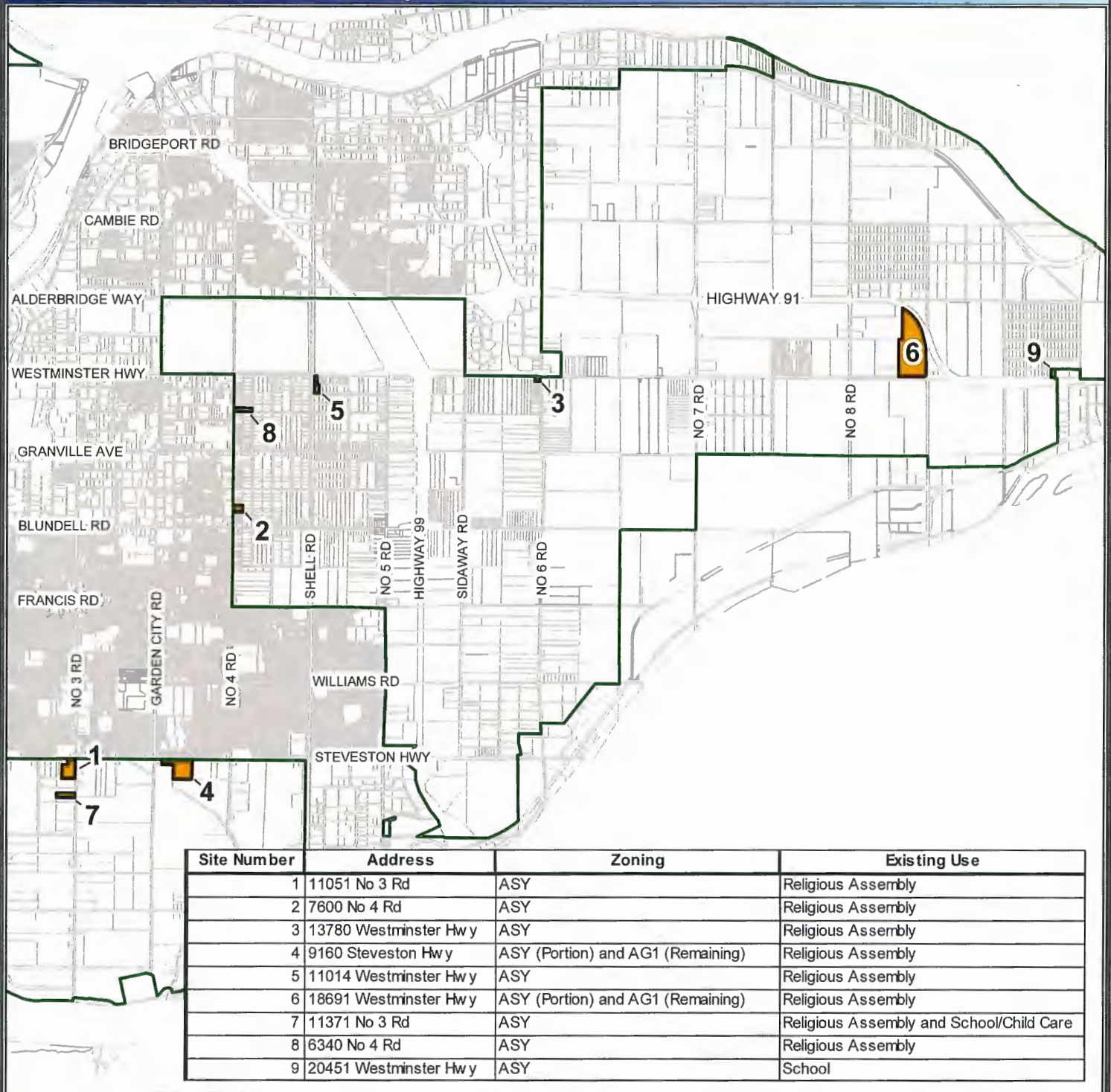
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- Att. 1: Summary Information – 9 Assembly (ASY) Zoned Sites in the ALR
2: Map of 9 Assembly Zoned Sites in the ALR
3: Summary of Public Consultation Responses about Potential Future Development and Uses – 9 Assembly (ASY) Zoned Sites in the ALR



ATTACHMENT 1

Summary Information – 9 Assembly (ASY) Zoned Sites in the ALR

Owner/Site	Zoning	Site Area	Existing Uses	Existing Development Applications
Congregation of the South Arm United Church of Canada 11051 No. 3 Road	ASY	6.3 acres	Primary - Religious Assembly Other/Secondary – Child care	N/A
Immanuel Christian Reformed Church 7600 No.4 Road	ASY	1.79 acres	Primary - Religious Assembly Other/Secondary – Child care and house	N/A
Armenian Apostolic Church of BC 13780 Westminster Hwy	ASY	0.65 acres	Primary - Religious Assembly Other/Secondary – Child care	N/A
International Buddhist Society 9160 Steveston Hwy	ASY (portion) AG1 (remaining)	11 acres	Primary - Religious Assembly	N/A
Lansdowne Congregation of Jehovah's Witnesses 11014 Westminster Hwy	ASY	1.66 acres	Primary - Religious Assembly	N/A
Nanaksar Gurdwara Gursikh Temple 18691 Westminster Hwy	ASY (portion) AG1 (remaining)	41.34 acres	Primary - Religious Assembly	Rezoning application has been granted 3 rd reading for a temple expansion (RZ 02-208277); also approved through ALR application (AG 00-175102) ALR application for agriculture and temple overflow parking (AG 14-668409)
Christian & Missionary Alliance 11371 No. 3 Road	ASY	2.5 acres	Primary – Religious Assembly Other/Secondary – School and child care	In process ALR non-farm use application (AG 19-853589)
Our Saviour Lutheran Church of Richmond 6340 No. 4 Road	ASY	1.75 acres	Primary - Religious Assembly Other/Secondary – Child Care	N/A
Choice School for Gifted Children Society 20451 Westminster Hwy	ASY	0.88 acres	Primary - School	ALR non-farm use application approved to allow school and classroom expansion (AG 19-881146) 20411 Westminster Highway – Future rezoning application required



Legend

-  Subject Properties
-  ALR Boundary

NOTE – Assembly (ASY) zoned properties contained in the OCP No. 5 Road Backlands Policy area are not identified on this map.

Note:
The information shown on this map is compiled from various sources and the City makes no warranties, expressed or implied, as to the accuracy or completeness of the information.
Users are reminded that lot sizes and legal description must be confirmed at the Land Title office in New Westminster.
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City of
Richmond



ATTACHMENT 3

Summary of Public Consultation Responses Received from the 9 Assembly (ASY) Zoned Properties in the ALR on Potential Future Development and Uses

Owner/Site	Consultation Response from Owner/Congregation about Future Development Plans						
	No future plans	School or School expansion	Dormitories	Child Care	Religious Assembly	No response	Other
Congregation of the South Arm United Church of Canada 11051 No. 3 Road						<input checked="" type="checkbox"/>	
Immanuel Christian Reformed Church 7600 No.4 Road				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Armenian Apostolic Church of BC 13780 Westminster Hwy						<input checked="" type="checkbox"/>	
International Buddhist Society 9160 Steveston Hwy	<input checked="" type="checkbox"/>						
Lansdowne Congregation of Jehovah's Witnesses 11014 Westminster Hwy	<input checked="" type="checkbox"/>						
Nanaksar Gurdwara Gursikh Temple 18691 Westminster Hwy					<input checked="" type="checkbox"/>		
Christian & Missionary Alliance 11371 No. 3 Road	<input checked="" type="checkbox"/>						
Our Saviour Lutheran Church of Richmond 6340 No. 4 Road	<input checked="" type="checkbox"/>						
Choice School for Gifted Children Society 20451 Westminster Hwy		<input checked="" type="checkbox"/>					



**Richmond Zoning Bylaw 8500
Amendment Bylaw 10279 (Revisions to the Assembly (ASY) and
Religious Assembly (ZIS7) – No. 5 Road Zoning Districts**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended by:
 - a. adding Sections 13.3.11.6 and 13.3.11.7 to the Assembly (ASY) zoning district (13.3) as follows:
 - “6. For any **site** that is located in the **Agricultural Land Reserve**:
 - a) **religious assembly** shall be the only permitted **principal use**;
 - b) **child care** shall only be permitted as a **secondary use**; and
 - c) **education** and **private club** are not permitted.
 7. Notwithstanding Section 13.3.11.6.c), **education** shall be permitted on the following **site** only and subject to the applicable approval granted by the Agricultural Land Commission, in accordance with the *Agricultural Land Commission Act* (as amended), prior to the date of adoption of Amendment Bylaw 10279:

20451 Westminster Highway
PID 003-934-268
Lot 78 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593”
 - b. deleting Section 24.7.1 of the Religious Assembly (ZIS7) – No. 5 Road zoning district (24.7) and replacing it with the following:

“Purpose

The **zone** provides for **religious assembly** and other limited community **uses**.”
2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 10279**”.

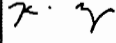

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee

To: Planning Committee

Date: May 31, 2021

From: Kim Somerville
Director, Community Social Development

File: 08-4057-05/2021-Vol 01

Re: Low End Market Rental Unit Placement

Staff Recommendation

That the City continues the practice of permitting clustering of Low End Market Rental (LEMR) units when a partnership with a non-profit housing provider is established, as described in the report titled "Low End Market Rental Unit Placement" dated May 31, 2021 from the Director, Community Social Development.

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

Att. 2

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

Staff Report

Origin

On January 6, 2021, Planning Committee initiated a staff referral regarding the placement of Low End Market Rental units within developments.

The referral directed the following actions to be completed and report back:

1. That staff review the City's affordable housing integration policy;
2. That staff conduct an anonymous livability survey of affordable housing residents; and
3. That the Richmond Community Services Advisory Committee (RCSAC) be consulted on the affordable housing integration policy.

The purpose of this report is to provide a summary of engagement activities with the RCSAC and Low End Market Rental (LEMR) tenants.

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

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

This report is also consistent with the Richmond Affordable Housing Strategy 2017–2027:

Strategic Direction 2: Maximize Use of City Resources and Financial Tools.

Analysis

Introduced in 2007, Richmond's LEMR program has achieved significant success by securing more than 900 affordable housing units in private-market condominium developments. While the majority of LEMR units are dispersed amongst market units, the Affordable Housing Strategy (2017–2027) directs the City to consider clustering LEMR units in standalone buildings on the condition that a non-profit organization is secured to manage the units.

In 2018, the City's Affordable Housing Strategy was updated to allow clustered units in response to feedback from non-profit housing providers. Non-profits stated that clustered units provided several benefits including management efficiencies as well as the possibility for dedicated amenity space with exclusive programming for affordable housing residents. Further, non-profit organizations often prefer to purchase clustered LEMR units, particularly when located in standalone buildings, as this allows non-profits to achieve management efficiencies, reduce maintenance fees and increase control of common spaces.

The City ensures non-profit management of clustered LEMR units by including a term in the Housing Agreement or Housing Covenant that requires the developer to secure a non-profit operator. Developments such as Richmond Centre and Thind also include an additional term in their respective Housing Covenants that require the developer to enter into a memorandum of understanding with a specific non-profit operator as a condition of development permit issuance.

As of May 2021, the City has permitted clustering of 312 LEMR units spread across seven developments (Table 1). Consistent with the Affordable Housing Strategy, six of these seven developments will have a non-profit operator or owner secured, with the exception of the Grand development, where the LEMR units were secured prior to the City's non-profit requirement.

Table 1: Developments with Clustered LEMR Units

Application Number	Development Name	Development Address	Development Status	Non-Profit Organization	# of LEMR Units
RZ 14-665416	Rivermark Apartments	6900 Pearson Way	Building occupied	Catalyst Community Development Society	31
RZ 12-602449	Cadence	5688 Hollybridge Way	Building occupied	Atira Women's Resource Society	15
DP 12-600815	The Grand	5599 Cooney Road	Building occupied	None	7
RZ 17-779229	One Park	8071 and 8091 Park Road	Building under construction	TBD	21
CP 16-752923	Richmond Centre (Phase 1)	6551 No. 3 Road	Building under construction	Richmond Kiwanis Senior Citizens Housing Society	79
CP 16-752923	Richmond Centre (Phase 2)*	6551 No. 3 Road	Development Permit has not been applied to for Phase 2 at this time	TBD	62
RZ 15-694855	Times Square	6560, 6600, 6640 and 6700 No. 3 Road	Rezoning at 3 rd reading	TBD	9
RZ 18-807640	Thind	5740, 5760 and 5800 Minoru Boulevard	Rezoning at 3 rd reading	S.U.C.C.E.S.S.	88

*The Development Permit for Richmond Centre (Phase 2) has not been applied for at this time. Through Phase 1 of the Development Permit application, it was identified that Phase 2 would include 62 LEMR units.

Engagement Activities

As part of the January 6 Planning Committee referral, staff were directed to seek input regarding the City's current unit placement practices. As a result the following engagement activities took place:

- City staff met with the Richmond Community Services Advisory Committee (RCSAC) to seek the perspective of non-profit organizations and housing providers; and
- A City letter and online survey were distributed to all 364 occupied LEMR units (Attachment 1). Tenants were asked to identify any experiences of discrimination and to provide feedback on their interactions with other residents, their property manager and strata manager.

Consultation with RCSAC

On January 14, 2021, City staff met with the RCSAC for feedback regarding the placement of LEMR units in new developments. During this meeting, RCSAC members expressed their support for both the clustered and dispersed models of LEMR unit placement and provided the following comments:

- Members support clustered LEMR units to facilitate non-profit management, particularly when wrap-around supports, dedicated programming or peer support services are offered;
- RCSAC members noted that LEMR non-profit operators help to ensure that LEMR units are occupied by eligible tenants;
- Members supported dispersed LEMR units when residents are not in need of additional supports; and
- RCSAC members noted that discrimination against low-income tenants can occur in both models, and that the attitude of a building's property manager is key in providing a respectful and equitable approach.

During the meeting, RCSAC members expressed interest in learning about upcoming developments with LEMR units as well as the process for selecting non-profit operators to manage LEMR units. RCSAC has since formed a working group and has requested that the City include qualified RCSAC members on the list of non-profit operators suitable to manage LEMR units. In May 2021, RCSAC members were asked to complete an online survey if they were interested in managing LEMR units. Qualified organizations that complete the survey will be added to the list of operators provided to developers when a non-profit housing provider is required for a development.

Anonymous LEMR Tenant Survey

In March 2021, staff distributed a letter and online survey to all 364 occupied LEMR units (Attachment 1). Tenants were asked to identify any experiences of discrimination and to provide feedback on their interactions with other residents, their property manager and strata manager.

Staff mailed 364 surveys, including 311 to tenants living in dispersed LEMR units and 53 to tenants living in clustered LEMR units. Overall, staff received 71 responses out of the 364 surveys distributed, equivalent to a response rate of 20 per cent. Of these 71 responses, 60 were from tenants living in dispersed LEMR units and 11 were from tenants living in clustered LEMR units.

Results

Based on survey results, experiences of stigma or discrimination amongst tenants were very rare, with only three out of 71 tenants (4 per cent) reporting stigma or discrimination related to living in an affordable housing unit. Two of these tenants lived in dispersed LEMR units and one lived in a clustered LEMR unit. Of these three tenants, two described negative experiences relating to their interactions with a property manager or rental agent. The third LEMR tenant who reported experiencing stigma and who lives in a dispersed unit described negative experiences with another resident related to the LEMR tenant's religion.

Overall, the majority of tenants in both clustered and dispersed units reported positive interactions with the other residents of their building. Residents of both clustered and dispersed LEMR units often described other residents with words such as “polite,” “courteous,” and “friendly.” Of those that reported negative interactions, many of these were attributed to other residents’ disrespect of common spaces. Only three people out of 71 respondents (4 per cent) described being treated negatively by other residents.

The majority of tenants who reported negative experiences either with other residents or with their property manager described issues common to tenants living in any rental unit, regardless of its affordability, with the most commonly reported issues relating to unresponsive property management and other residents’ disrespect of common areas. Attachment 2 provides detailed survey results.

Staff Recommendation

As described above, staff found that RCSAC members expressed support for clustered units and that LEMR tenants overall reported very low rates of discrimination. These findings were consistent with the previous feedback provided by non-profits in 2017 in conjunction with engagement activities completed for updating the Affordable Housing Strategy. Accordingly, staff recommend maintaining the current direction in the Affordable Housing Strategy regarding LEMR unit placement and continuing to permit clustering of LEMR units when a partnership with a non-profit housing provider is established.

Financial Impact

None.

Conclusion

The public engagement completed for this report indicated that there was limited evidence to suggest that LEMR tenants experienced discrimination or stigmatization in their buildings. In addition, LEMR unit placement (clustered or dispersed) did not play a significant role in tenants’ experiences of discrimination.

Given the lack of evidence to indicate that LEMR tenants face discrimination based on LEMR unit location, staff recommend continuing the practice of permitting clustering of LEMR units when a non-profit operator is secured. This practice is consistent with comments provided by RCSAC, previous feedback provided by various non-profit housing providers and the current direction outlined in the City’s Affordable Housing Strategy (2017–2027).



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

Att. 1: Low End Market Rental (LEMUR) Tenant Survey
2: 2021 LEMR Tenant Survey Results



**City of
Richmond**

Low End Market Rental (LEMR) Tenant Survey

6911 No. 3 Road, Richmond, BC V6Y 2C1

Introduction

The purpose of this survey is to gather anonymous feedback from you as a tenant about your experience living in a Low End Market Rental (LEMR) unit.

Survey responses will help the City better understand your experiences as a tenant and will be used to further shape the City's LEMR program. The survey will take approximately 10-15 minutes to complete.

Please note: All demographic questions at the end of the survey are optional. The responses to these questions will be used to better understand the demographic makeup of individuals renting the LEMR units.

Low End Market Rental (LEMR) Unit Survey

1. **I am aware that I live in a Low End Market Rental (LEMR) unit that has maximum rental rates that can be charged as well as maximum income levels for tenants (Please select one option):**

☐ Yes

☐ No

2. **I have lived in my unit for (please select one option):**

☐ 0–12 months

☐ 2–5 years

☐ 1–2 years

☐ 5+ years

3. **I rate the quality of interactions with other residents in my building (for example, in common shared spaces such as the lobby, elevator, exercise room, pool, etc.) as (please select one option):**

☐ Mostly negative

☐ Somewhat positive

☐ Somewhat negative

☐ Mostly positive

☐ Both positive and negative

☐ I never interact with other residents

4. **I would like to share the following about my positive and/or negative interactions with other residents when using my building/complex's common spaces and amenities:**

5. I rate the quality of interactions with my unit's property manager (the individual who manages my unit) as (please select one option):

- | | |
|---|--|
| <input type="checkbox"/> Mostly negative | <input type="checkbox"/> Somewhat positive |
| <input type="checkbox"/> Somewhat negative | <input type="checkbox"/> Mostly positive |
| <input type="checkbox"/> Both positive and negative | <input type="checkbox"/> I never interact with my property manager |

6. I rate the quality of interactions with my building's strata manager (the individual who provides management services for the entire building) as (please select one option):

- | | |
|---|--|
| <input type="checkbox"/> Mostly negative | <input type="checkbox"/> Somewhat positive |
| <input type="checkbox"/> Somewhat negative | <input type="checkbox"/> Mostly positive |
| <input type="checkbox"/> Both positive and negative | <input type="checkbox"/> I never interact with my strata manager |

7. I would like to share the following about my positive and/or negative interactions with my unit's property manager or building's strata manager:

8. Do you ever experience stigma or discrimination from people related to your building/complex (for example, other residents or your property manager) because you live in an affordable housing unit (please select one option)?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

9. If yes, please share more details here:

10. During the COVID-19 pandemic, my interactions with other residents, my unit's property manager and/or building's strata manager have changed in the following ways (select all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Fewer interactions with other residents | <input type="checkbox"/> I moved into my unit during the COVID-19 pandemic |
| <input type="checkbox"/> Fewer interactions with my property manager | <input type="checkbox"/> Other (please specify): _____ |
| <input type="checkbox"/> Fewer interactions with my building's strata manager | |
| <input type="checkbox"/> No change | |

11. Optional: In addition to the above, I would like to share the following experiences I've had living in a Low End Market Rental unit:

OPTIONAL: Demographic questions

The following questions about your age, number of people in your household, gender, marital status, education level, employment status and ethnic origin are all optional. The responses to these questions will be anonymous and will be used to better understand the demographic makeup of individuals living in LEMR units.

12. My age is between the following (please select one):

- | | |
|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> 15–19 years | <input type="checkbox"/> 35–54 years |
| <input type="checkbox"/> 20–34 years | <input type="checkbox"/> 55+ years |

13. The best description of my household is (please select one):

- | | |
|--|--|
| <input type="checkbox"/> One person household | <input type="checkbox"/> Live with roommates |
| <input type="checkbox"/> Couple without children | <input type="checkbox"/> Live with relatives |
| <input type="checkbox"/> Couple with child/children | <input type="checkbox"/> Other (please specify): _____ |
| <input type="checkbox"/> Lone-parent with child/children | |

14. I identify as (e.g. woman/man/non-binary etc.): _____

15. My marital status is (please select one):

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Married or common law | <input type="checkbox"/> Divorced |
| <input type="checkbox"/> Never married | <input type="checkbox"/> Widowed |
| <input type="checkbox"/> Separated | |

16. **My highest education level achieved is** (please select one):

- | | |
|--|---|
| <input type="checkbox"/> No diploma or degree | <input type="checkbox"/> College or trades certificate, diploma or degree |
| <input type="checkbox"/> High school diploma or equivalent | <input type="checkbox"/> University certificate, diploma or degree |

17. **My current employment status is** (please select one):

- | | |
|---|---|
| <input type="checkbox"/> Unemployed | <input type="checkbox"/> Retired |
| <input type="checkbox"/> Employed full-time | <input type="checkbox"/> In school/studying |
| <input type="checkbox"/> Employed part-time | |

18. **My ethnic origin is** (select all that apply):

- | | |
|--------------------------------------|--|
| <input type="checkbox"/> Chinese | <input type="checkbox"/> Filipino |
| <input type="checkbox"/> East Indian | <input type="checkbox"/> Other (please specify): _____ |
| <input type="checkbox"/> European | |

19. **The language(s) I speak most commonly at home is/are** (select all that apply):

- | | |
|------------------------------------|--|
| <input type="checkbox"/> English | <input type="checkbox"/> Punjabi |
| <input type="checkbox"/> Cantonese | <input type="checkbox"/> Tagalog |
| <input type="checkbox"/> Mandarin | <input type="checkbox"/> Other (please specify): _____ |

Thank you for taking the time to complete this survey.
All responses will be anonymous.

2021 LEMR Tenant Survey Results

In March 2021, staff distributed a letter, as well as a paper and online survey to all LEMR tenants to evaluate the experience of living in a LEMR unit. The primary focus of the survey was to assess the quality of interactions that LEMR tenants have had with other people in their building, including neighbours and property managers. Tenants were also asked to report any occurrences of discrimination or stigmatization.

Overall, survey results indicated that experiences of stigma or discrimination amongst tenants were very rare, with only three out of 71 tenants (4 per cent) reporting stigma or discrimination related to living in an affordable housing unit. Tenants also generally reported positive interactions with neighbours and property managers. The sections below summarize the survey results.

Number of Completed Surveys Received

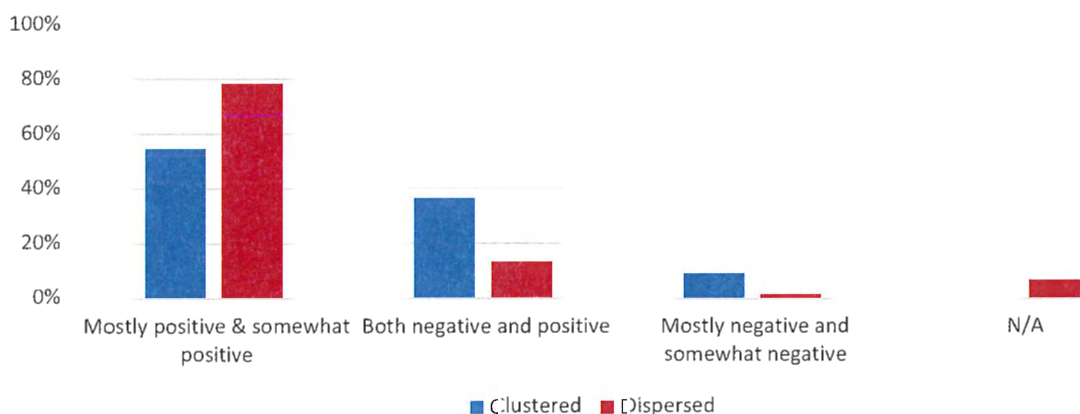
In total, the survey was mailed to 364 LEMR units. The survey had an overall response rate of 20 per cent or 71 responses. 60 responses received were from tenants living in a LEMR unit that was dispersed amongst market units, while 11 responses received were from tenants living in a clustered unit.

Length of Tenancy

For tenants residing in a dispersed unit, 43 people or 72 per cent of participants stated they had lived in their unit for over one year. For clustered units, only one person had lived in their unit for more than one year. The overall shorter average length of tenancy is likely due to the fact that the majority (58 per cent) of completed, clustered LEMR units received occupancy within the last year.

Interactions with Building Residents

Q3. Quality of Interactions with other Residents

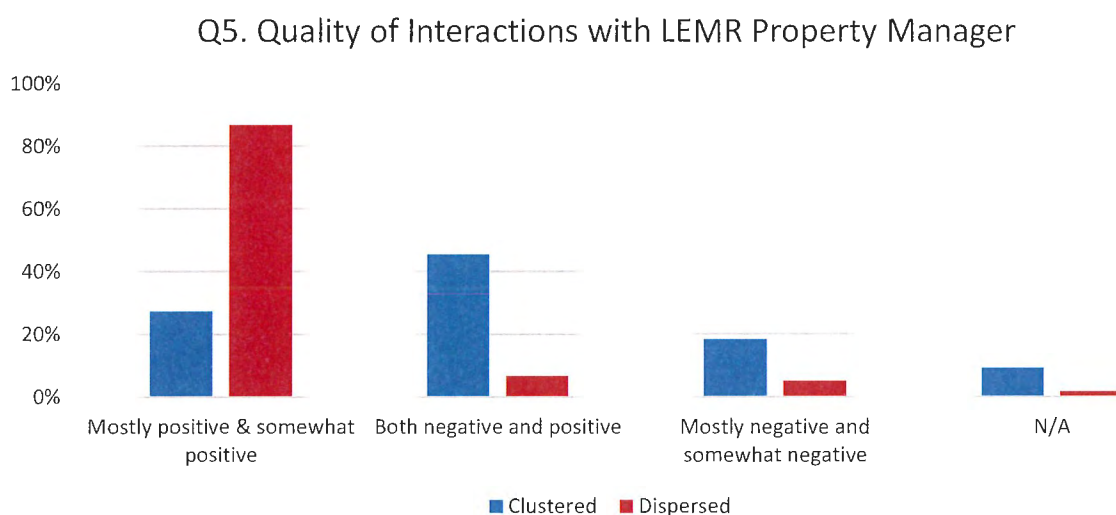


For dispersed units, 47 people or 78 per cent of respondents indicated that their interactions with other residents were either mostly positive (40 people) or somewhat positive (7 people). Those who had positive experiences with other building residents described other residents as “polite,” “courteous,” and “friendly.”

Of people who had negative experiences associated with other building residents, the majority of these experiences were attributed to other residents’ disrespect of common spaces. For example, smoking or allowing pets to urinate in common areas or residents not adhering to the proper recycling/garbage disposal protocols for the building. One person’s comment was related to rude behaviour from another resident after this resident found out the respondent’s religion.

For clustered units, 6 people or 55 per cent of respondents indicated that their interactions with other residents were either mostly positive (3 people) or somewhat positive (3 people). Of the 5 people who had “both negative and positive” interactions (4 people), and “mostly negative” interactions (one person), two comments were related to poor sound-proofing of the units, one comment was related to littering and one comment was related to the rude behaviour of other residents.

Interactions with the Property Manager

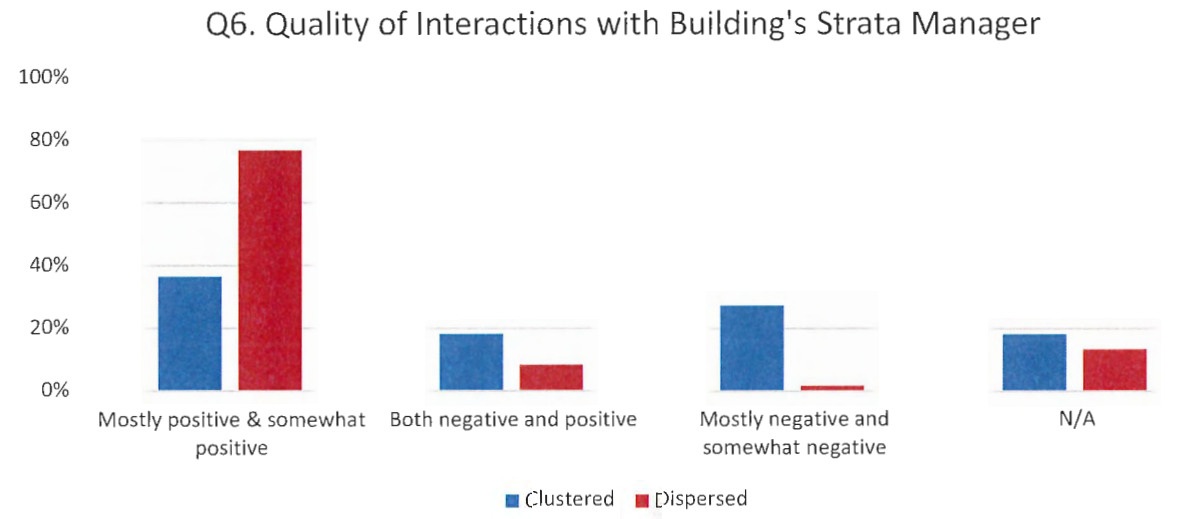


For dispersed units, 52 people or 87 per cent of respondents indicated that their interactions with their property manager were either mostly positive (39 people) or somewhat positive (13 people). Those who had positive experiences with their property manager described their property manager as “professional,” “responsive,” and “helpful.” Of those who had negative experiences, respondents generally described their property manager as slow to respond to requests for assistance.

For clustered units, 3 people or 27 per cent of respondents indicated that their interactions with their property manager were “mostly positive”, 5 people (45 per cent) had “both negative and positive” interactions, and 2 people (18 per cent) had “somewhat negative” interactions with their property manager.

Of the 5 people residing in a clustered unit that provided comments related to their interactions with their property manager, 4 comments were related to an overall lack of responsiveness from the property manager regarding issues with their unit.

Interactions with the Building’s Strata Manager (the individual who provides management services for the entire building)

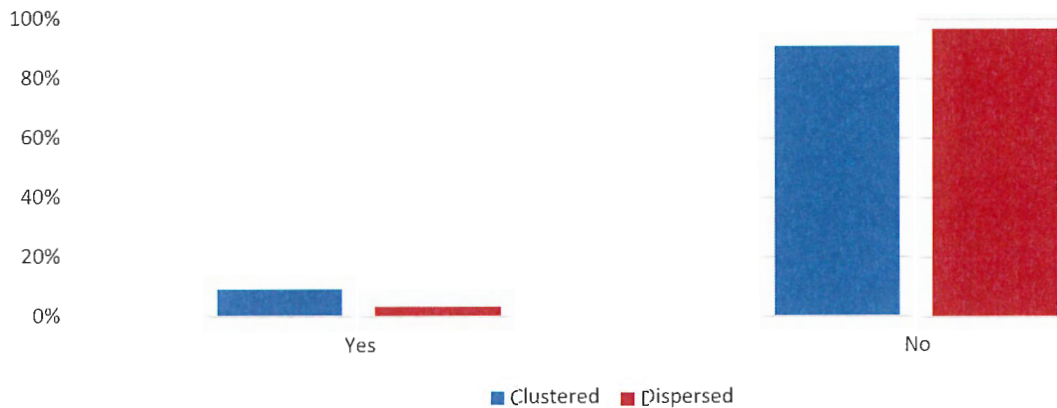


With dispersed units, 46 people or 77 per cent of respondents rated their interactions with their strata manager as either mostly positive (33 people) or somewhat positive (13 people).

With clustered units, 4 people or 36 per cent of respondents rated their interactions with their strata manager as either mostly positive (3 people) or somewhat positive (1 person) with 2 additional people rating their interactions “both negative and positive.”

Experiences of Discrimination

Q8. Do you ever experience stigma or discrimination because you live in an affordable housing unit?



For dispersed units, 58 people or 97 per cent of respondents reported experiencing no discrimination as a result of living in an affordable housing unit. Of the two people who reported discrimination, one person described how their property manager entered their unit without notice while the tenant was not home, and another person described negative interactions with another building resident based on the LEMR tenant's religion.

For clustered units, 10 people or 91 per cent of respondents reported experiencing no discrimination as a result of living in an affordable housing unit. The one person who reported discrimination living in a LEMR unit described poor customer service and unprofessional conduct from the rental agents during the showing of the unit.