



Public Notice is hereby given of a Special Council Meeting for Public Hearings being held on:

Tuesday, November 24, 2015 – 7 p.m.

**Executive Airport Plaza Hotel
7311 Westminster Highway
Richmond, BC V6X 1A3**

OPENING STATEMENT

Page

1. **ESTABLISHMENT OF UNDERLYING ZONING FOR LAND USE CONTRACTS THAT INCLUDE SINGLE FAMILY PROPERTIES; AND EARLY TERMINATION OF LAND USE CONTRACTS**
(File Ref. No. 12-8060-20-009300 to 009485; 08-4430-03-11) (REDMS No. 4713081)

See Report, LUC Summaries, Bylaws & Written Submissions

PH-9

See Page PH-9 for memorandum from Director, Development

- Location:** Multiple Properties throughout Richmond
- Applicant:** City of Richmond
- Purpose:**
- (1) The purpose of the Zoning Amendment Bylaws is to establish underlying zoning for properties developed under 93 Land Use Contracts (see list of Bylaws in **Schedule 1** to the Agenda); and
 - (2) The purpose of the Land Use Contract Early Termination Bylaws is to terminate the same 93 Land Use Contracts by bylaw, with an effective date of one year following bylaw adoption (see list of Bylaws in **Schedule 1** to the Agenda).
- First Reading:** 93 Zoning Amendment Bylaws and 93 Land Use Contract Early Termination Bylaws were given first reading on October 13, 2015.

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Order of Business:

1. Presentation from the City of Richmond.
2. Acknowledgement of written submissions received by the City Clerk since first reading.
3. Submissions from the floor.

Council Consideration:

1. Action on second and third readings of Amendment Bylaws to Richmond Zoning Bylaw 8500 (as listed in **Schedule 1**, Column 2).

2. Action on second and third readings of Richmond Land Use Contract Early Termination Bylaws (as listed in **Schedule 1**, Column 3).

3. Adoption of Amendment Bylaws to Richmond Zoning Bylaw 8500 (as listed in **Schedule 1**, Column 2).

4. Adoption of Richmond Land Use Contract Early Termination Bylaws (as listed in **Schedule 1**, Column 3).

ADJOURNMENT

Schedule1

Special Public Hearing Agenda – Tuesday, November 24, 2015

Column 1	Column 2	Column 3
LUC NO.	ZONING AMENDMENT BYLAWS	LUC EARLY TERMINATION BYLAWS
LUC 002	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9300	Richmond Land Use Contract 002 Early Termination Bylaw No. 9301
LUC 003	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9302	Richmond Land Use Contract 003 Early Termination Bylaw No. 9303
LUC 006	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9304	Richmond Land Use Contract 006 Early Termination Bylaw No. 9305
LUC 007	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9306	Richmond Land Use Contract 007 Early Termination Bylaw No. 9307
LUC 009	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9308	Richmond Land Use Contract 009 Early Termination Bylaw No. 9309
LUC 010	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9310	Richmond Land Use Contract 010 Early Termination Bylaw No. 9311
LUC 011	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9312	Richmond Land Use Contract 011 Early Termination Bylaw No. 9313
LUC 012	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9314	Richmond Land Use Contract 012 Early Termination Bylaw No. 9315
LUC 014	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9316	Richmond Land Use Contract 014 Early Termination Bylaw No. 9317
LUC 015	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9318	Richmond Land Use Contract 015 Early Termination Bylaw No. 9319
LUC 018	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9320	Richmond Land Use Contract 018 Early Termination Bylaw No. 9321
LUC 020	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9322	Richmond Land Use Contract 020 Early Termination Bylaw No. 9323
LUC 023	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9324	Richmond Land Use Contract 023 Early Termination Bylaw No. 9325
LUC 027	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9326	Richmond Land Use Contract 027 Early Termination Bylaw No. 9327

Column 1	Column 2	Column 3
LUC NO.	ZONING AMENDMENT BYLAWS	LUC EARLY TERMINATION BYLAWS
LUC 030	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9328	Richmond Land Use Contract 030 Early Termination Bylaw No. 9329
LUC 031	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9330	Richmond Land Use Contract 031 Early Termination Bylaw No. 9331
LUC 032	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9332	Richmond Land Use Contract 032 Early Termination Bylaw No. 9333
LUC 033	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9334	Richmond Land Use Contract 033 Early Termination Bylaw No. 9335
LUC 036	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9336	Richmond Land Use Contract 036 Early Termination Bylaw No. 9337
LUC 037	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9338	Richmond Land Use Contract 037 Early Termination Bylaw No. 9339
LUC 041	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9340	Richmond Land Use Contract 041 Early Termination Bylaw No. 9341
LUC 042	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9342	Richmond Land Use Contract 042 Early Termination Bylaw No. 9343
LUC 043	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9344	Richmond Land Use Contract 043 Early Termination Bylaw No. 9345
LUC 044	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9346	Richmond Land Use Contract 044 Early Termination Bylaw No. 9347
LUC 048	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9348	Richmond Land Use Contract 048 Early Termination Bylaw No. 9349
LUC 049	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9350	Richmond Land Use Contract 049 Early Termination Bylaw No. 9351
LUC 050	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9352	Richmond Land Use Contract 050 Early Termination Bylaw No. 9353
LUC 052	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9354	Richmond Land Use Contract 052 Early Termination Bylaw No. 9355
LUC 053	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9356	Richmond Land Use Contract 053 Early Termination Bylaw No. 9357
LUC 054	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9358	Richmond Land Use Contract 054 Early Termination Bylaw No. 9359

Column 1	Column 2	Column 3
LUC NO.	ZONING AMENDMENT BYLAWS	LUC EARLY TERMINATION BYLAWS
LUC 057	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9360	Richmond Land Use Contract 057 Early Termination Bylaw No. 9361
LUC 058	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9362	Richmond Land Use Contract 058 Early Termination Bylaw No. 9363
LUC 060	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9364	Richmond Land Use Contract 060 Early Termination Bylaw No. 9365
LUC 063	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9366	Richmond Land Use Contract 063 Early Termination Bylaw No. 9367
LUC 065	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9368	Richmond Land Use Contract 065 Early Termination Bylaw No. 9369
LUC 066	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9370	Richmond Land Use Contract 066 Early Termination Bylaw No. 9371
LUC 069	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9372	Richmond Land Use Contract 069 Early Termination Bylaw No. 9373
LUC 071	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9374	Richmond Land Use Contract 071 Early Termination Bylaw No. 9375
LUC 072	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9376	Richmond Land Use Contract 072 Early Termination Bylaw No. 9377
LUC 074	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9378	Richmond Land Use Contract 074 Early Termination Bylaw No. 9379
LUC 077	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9380	Richmond Land Use Contract 077 Early Termination Bylaw No. 9381
LUC 081	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9382	Richmond Land Use Contract 081 Early Termination Bylaw No. 9383
LUC 083	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9384	Richmond Land Use Contract 083 Early Termination Bylaw No. 9385
LUC 084	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9386	Richmond Land Use Contract 084 Early Termination Bylaw No. 9387
LUC 088	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9388	Richmond Land Use Contract 088 Early Termination Bylaw No. 9389
LUC 089	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9390	Richmond Land Use Contract 089 Early Termination Bylaw No. 9391

Column 1	Column 2	Column 3
LUC NO.	ZONING AMENDMENT BYLAWS	LUC EARLY TERMINATION BYLAWS
LUC 090	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9392	Richmond Land Use Contract 090 Early Termination Bylaw No. 9393
LUC 093	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9394	Richmond Land Use Contract 093 Early Termination Bylaw No. 9395
LUC 095	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9396	Richmond Land Use Contract 095 Early Termination Bylaw No. 9397
LUC 098	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9398	Richmond Land Use Contract 098 Early Termination Bylaw No. 9399
LUC 099	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9400	Richmond Land Use Contract 099 Early Termination Bylaw No. 9401
LUC 101	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9402	Richmond Land Use Contract 101 Early Termination Bylaw No. 9403
LUC 102	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9404	Richmond Land Use Contract 102 Early Termination Bylaw No. 9405
LUC 105	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9406	Richmond Land Use Contract 105 Early Termination Bylaw No. 9407
LUC 107	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9408	Richmond Land Use Contract 107 Early Termination Bylaw No. 9409
LUC 109	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9410	Richmond Land Use Contract 109 Early Termination Bylaw No. 9411
LUC 110	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9412	Richmond Land Use Contract 110 Early Termination Bylaw No. 9413
LUC 111	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9414	Richmond Land Use Contract 111 Early Termination Bylaw No. 9415
LUC 112	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9416	Richmond Land Use Contract 112 Early Termination Bylaw No. 9417
LUC 113	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9418	Richmond Land Use Contract 113 Early Termination Bylaw No. 9419
LUC 114	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9420	Richmond Land Use Contract 114 Early Termination Bylaw No. 9421
LUC 116	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9422	Richmond Land Use Contract 116 Early Termination Bylaw No. 9423

Column 1	Column 2	Column 3
LUC NO.	ZONING AMENDMENT BYLAWS	LUC EARLY TERMINATION BYLAWS
LUC 117	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9424	Richmond Land Use Contract 117 Early Termination Bylaw No. 9425
LUC 120	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9426	Richmond Land Use Contract 120 Early Termination Bylaw No. 9427
LUC 121	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9428	Richmond Land Use Contract 121 Early Termination Bylaw No. 9429
LUC 123	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9430	Richmond Land Use Contract 123 Early Termination Bylaw No. 9431
LUC 124	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9432	Richmond Land Use Contract 124 Early Termination Bylaw No. 9433
LUC 125	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9434	Richmond Land Use Contract 125 Early Termination Bylaw No. 9435
LUC 129	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9436	Richmond Land Use Contract 129 Early Termination Bylaw No. 9437
LUC 130	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9438	Richmond Land Use Contract 130 Early Termination Bylaw No. 9439
LUC 132	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9440	Richmond Land Use Contract 132 Early Termination Bylaw No. 9441
LUC 133	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9442	Richmond Land Use Contract 133 Early Termination Bylaw No. 9443
LUC 134	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9444	Richmond Land Use Contract 134 Early Termination Bylaw No. 9445
LUC 135	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9446	Richmond Land Use Contract 135 Early Termination Bylaw No. 9447
LUC 136	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9448	Richmond Land Use Contract 136 Early Termination Bylaw No. 9449
LUC 137	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9450	Richmond Land Use Contract 137 Early Termination Bylaw No. 9451
LUC 140	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9452	Richmond Land Use Contract 140 Early Termination Bylaw No. 9453
LUC 141	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9454	Richmond Land Use Contract 141 Early Termination Bylaw No. 9455

Column 1	Column 2	Column 3
LUC NO.	ZONING AMENDMENT BYLAWS	LUC EARLY TERMINATION BYLAWS
LUC 142	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9456	Richmond Land Use Contract 142 Early Termination Bylaw No. 9457
LUC 143	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9458	Richmond Land Use Contract 143 Early Termination Bylaw No. 9459
LUC 144	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9460	Richmond Land Use Contract 144 Early Termination Bylaw No. 9461
LUC 145	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9462	Richmond Land Use Contract 145 Early Termination Bylaw No. 9463
LUC 146	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9464	Richmond Land Use Contract 146 Early Termination Bylaw No. 9465
LUC 147	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9466	Richmond Land Use Contract 147 Early Termination Bylaw No. 9467
LUC 148	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9468	Richmond Land Use Contract 148 Early Termination Bylaw No. 9469
LUC 149	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9470	Richmond Land Use Contract 149 Early Termination Bylaw No. 9471
LUC 152	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9472	Richmond Land Use Contract 152 Early Termination Bylaw No. 9473
LUC 157	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9474	Richmond Land Use Contract 157 Early Termination Bylaw No. 9475
LUC 159	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9476	Richmond Land Use Contract 159 Early Termination Bylaw No. 9477
LUC 160	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9478	Richmond Land Use Contract 160 Early Termination Bylaw No. 9479
LUC 161	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9480	Richmond Land Use Contract 161 Early Termination Bylaw No. 9481
LUC 162	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9482	Richmond Land Use Contract 162 Early Termination Bylaw No. 9483
LUC 164	Richmond Zoning Bylaw 8500, Amendment Bylaw No. 9484	Richmond Land Use Contract 164 Early Termination Bylaw No. 9485



To: Mayor and Councillors **Date:** November 20, 2015
From: Wayne Craig **File:** 08-4430-03-11/2015-Vol 01
Director of Development
**Re: Summary of Issues on Proposed Underlying Zoning and Early Termination of
Single-Family Land Use Contracts Since Public Hearing Notification**

Starting on Monday, November 9, 2015, over 12,000 Richmond residents (tenants and property owners) began receiving the notice of public hearing on the proposed underlying zoning and early termination of single-family land use contracts (LUC). The public hearing notice was a 112-page booklet that outlined the proposed bylaws for 93 separate LUC areas which included maps and a list of addresses for affected properties. Additionally, two 16-page newspaper inserts were included in the November 13, 2015 and November 18, 2015 publications of the Richmond News advising residents of the upcoming public hearing scheduled for November 24, 2015 beginning at 7pm at the Executive Airport Plaza Hotel (7311 Westminster Highway).

Residents and property owners have been encouraged to go online at the City's webpage (<http://www.richmond.ca/plandev/planning2/projects/LUC.htm>), drop by City Hall, phone the LUC phone line at 604-204-8626 or send an email to luc@richmond.ca to obtain additional information.

Since November 9, 2015, staff have received close to 200 phone calls and emails. Staff have also met with several residents to discuss particular aspects of the bylaws. Listed below is a summary of the issues that have been brought forward to date.

General Inquiries

In general, the public hearing notice was well received and most residents who contacted the City were able to navigate through the booklet to find their property. However, a number of residents who called were unclear of the intent of the proposed bylaws, or were looking for clarification. Once staff provided an explanation, most residents were either neutral or supportive of terminating LUCs. It was also found that once residents reviewed the contents on the City's website, including the frequently asked questions (Attachment 1), they had a better idea on why Council is considering the proposed bylaws.

Some residents who sent in emails were looking for information to compare their LUC regulations and the proposed zoning. Staff were able to direct those residents to the LUC summary pages which compared some of the key regulations such as maximum floor area, height, and lot coverage, and minimum setbacks. This proved to be helpful in assisting residents to understand the implications of the bylaws.

Timing of the Early Termination of Land Use Contracts

Some residents have expressed concern about the timing of the early termination of LUCs and expressed a preference to let them terminate at the sunset date of June 30, 2024 as stipulated in the *Local Government Act*.

Development Potential for Single-Family Dwellings

Residents were somewhat polarized on this issue. Some residents were pleased that most single-family LUC areas would be zoned to RS1, and that the majority of single-family properties would be subject to the same development regulations as the other 21,000 single-family properties zoned as RS1. Other residents expressed concern that they were losing development potential and that they had purchased their property to build a larger house for extended family at a later date. Those residents were notified that the City's Board of Variance has been given new authority through the new Provincial legislation to consider appeals by a property owner regarding timing of the LUC termination date due to hardship.

Potential Impact on Property Values

For most residents who expressed concern that they were losing development potential under the proposed RS1 zone, they also expressed concern that this would have a negative impact on their property value. As there are several factors involved in assessing property values, it would be difficult to accurately measure the exact impact from the early termination of land use contracts. Although there may be a reduction in the maximum floor area and height potential of a new dwelling, the RS1 zone allows a range of secondary uses including a secondary suite, boarding and lodging and home businesses such as a child care facility for up to 10 children, and licensed home offices, subject to certain regulations. It's important to note that Section 914 of the *Local Government Act* states that compensation is not payable to any person for any reduction in the value of that person's interest in land, or for any loss or damages that result from the termination of a land use contract under Section 914.1 of the *Local Government Act*.

Legal Non-Conformities

When applying the RS1 zone to almost 4,000 single-family properties, there will be some properties that will not conform to the bylaw as the setbacks may not conform, or the livable floor area is larger than what the RS1 zone would permit. This has been an issue and concern for some residents in LUC157 which is located in the Westwind neighbourhood, but is also an issue in a few other LUC areas. Listed below is a summary of some of the non-conformities that would occur if the proposed bylaws are adopted:

Floor Area	Setbacks
<p>Most homes that were built during the 1970s and early 1980s under LUC would conform to today's RS1 zone. However, housing trends in the 1980s started to include homes with a larger floor area. Some homes built towards the end of the LUC era, during the early to mid 1980s, may be larger than what is permitted under the RS1 zone. The vast majority of those homes are no larger than 46 m² (496 ft²) greater than the maximum allowable under the RS1 zone.</p>	<p>Some LUC properties have setbacks that do not conform to the RS1 zoning standard. In particular, there are a number of LUCs that allow a minimum 4.5m (14.8 ft) front setback whereas the RS1 zone has a minimum front setback of 6 m (19.7 ft). In other situations, there are some LUCs where single detached dwellings are built to one of the side lot lines.</p>

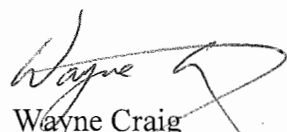
Existing buildings and structures which were lawfully built will have legal non-conforming protection. The retention of these buildings and structures would include the ability to fully renovate thus preserving the established character of the neighbourhood. All new buildings and structures will have to comply with the underlying zoning regulations in place when a building permit application is submitted. Council would possess the ability to consider individual rezoning applications to address site specific issues related to overall house size or setbacks and this would provide an opportunity for design input through the statutory rezoning process.

Zero Lot Line Properties

Four (4) separate LUCs are for neighbourhoods where the dwelling unit is built to one of the side lot lines. In most cases, two (2) dwellings are attached at the property lot line as a semi-detached dwelling. The proposed semi-detached zero lot line (ZS24) zone was created to address the unique siting for those properties. An issue that has been brought forward is the ability to redevelop those properties and allow a single detached dwelling rather than a semi-detached dwelling. Staff have advised that this could be reviewed during a separate rezoning process which would allow staff to review the unique siting characteristics of a single detached dwelling on a narrow lot. It would also allow staff to consider requirements to ensure that the wall of the dwelling which would remain is properly reconstructed to meet building code requirements and to ensure consistency in building design.

Neighbourhood Specific Zones

Residents from certain neighbourhood have requested the possibility of a neighbourhood specific zone. Neighbourhood zoning would require consultation with each neighbourhood to determine which aspects of the RS1 zone should be amended to reflect specific neighbourhood characteristics that residents believe warrants special zoning considerations. This would have significantly delayed the process to consider early termination of land use contracts as underlying zoning must be established first. Further, it would be difficult to establish neighbourhood specific zoning for one neighbourhood and not consider establishing neighbourhood specific zoning for another neighbourhood. Staff believe that it would take several years to negotiate and prepare neighbourhood specific zoning. In addition, it would displace other planning projects and initiatives. Following the public hearing, Council could direct staff to review the concept of neighbourhood zoning for specific LUC areas. This would delay adoption of the early termination bylaw for those specific LUC areas.


Wayne Craig
Director of Development
604-247-4625

WC:jh

Attachment 1–Frequently Asked Questions Brochure



City of
Richmond

**Early Termination of
Land Use Contracts**
Planning and Development Division
Policy Planning

A Frequently Asked Questions (FAQ) Brochure

This brochure has been designed to provide you with essential background information on Land Use Contracts and the process that the City of Richmond is undertaking to consider the possible early termination of single-family Land Use Contracts prior to June 30, 2024 when all Land Use Contracts will be extinguished by Provincial legislation. The brochure has organized the FAQs under the following categories:

1. General Information
2. Early Termination Process
3. Post Early Termination
4. Underlying Zoning
5. Potential Implications of Underlying Zoning
6. Other Information

Please take a minute to review.

1. General Information

1.1 What is a Land Use Contract?

A Land Use Contract (LUC) is a contract that was typically entered into between the original developer of land and a local government addressing the use and development rights of a property. LUCs, which are similar to zoning regulations, are registered on the title of each property and remain in force today. Until recently, agreement from both the property owner and municipality was required to amend or discharge the contract.

1.2 When were Land Use Contracts used?

The provincial legislation enabling LUCs was in effect for a short period of time during the 1970s and allowed the ability to create tailor-made development contracts for specific sites.

1.3 Do Land Use Contracts continue to affect the use and development rights of a property?

Yes. Even though the legislation that enabled LUCs was repealed in 1978, LUCs still affect the use and development rights of a property until the LUC is terminated.

1.4 Why have Land Use Contracts not changed over time like the City's Zoning Bylaw?

As LUCs are legal contracts registered on the title of the property, LUCs could only be amended or discharged with the property owner's consent. The City's Zoning Bylaw in contrast has had multiple amendments over time to address various land and building issues such as building interface, landscaping, sustainability and overall building form. Bringing the LUC properties under the City's Zoning Bylaw will ensure consistent land use regulations are applied throughout the City.

1.5 How many Land Use Contracts are there in Richmond?

Today, there are 139 separate LUCs in the City of Richmond affecting over 5,500 properties which include residential (single-family and multi-family), commercial, institutional and industrial properties. Of those 139 LUCs, there are 93 separate LUCs that affect over 4,000 single-family properties throughout Richmond.

2. Early Termination Process

2.1 Why is the City considering the early termination of Land Use Contracts?

For some time, City Council has requested the Province to enact legislation to allow municipalities the ability to amend or terminate LUCs. This is largely due to the fact that LUCs reflect out of date land use regulations.

In 2014, the Province adopted new legislation which will terminate all LUCs by June 30, 2024. The new legislation also establishes a process that enables local governments to undertake early termination of LUCs prior to the June 30, 2024 date when all LUCs will cease to exist. Council has decided to undertake a process to consider the early termination of those LUCs with single-family properties.

2.2 What will be the process for the early termination of Land Use Contracts?

Utilizing the new legislation, Council has introduced and granted first reading to a set of bylaws that will terminate 93 LUCs that include single-family lots and establish new zoning designations in their place.

A Public Hearing will be held on Tuesday, November 24 to consider the proposed bylaws. The Public Hearing will provide an opportunity for those who believe that their interest in property is affected by the proposed bylaws to be heard or to present written submissions. Following the Public Hearing, Council may consider adoption of the bylaws.

2.3 How will I find out about the Public Hearing?

In early November, a Public Hearing notice in the form of an information booklet will be sent to all affected property owners and tenants, in addition to surrounding property owners and tenants. Due to anticipated attendance the November 24 Public Hearing will be held at the Executive Airport Plaza Hotel, 7311 Westminster Highway, beginning at 7 p.m.

2.4 How Can I make a Submission to the Public Hearing?

Interested parties may make a presentation to Council in person at the Public Hearing. Written submissions are also accepted and can be sent by mail to 6911 No. 3 Road, Richmond, BC, V6Y 2C1 Attn: City Clerk by Fax to 604-278-5139 or by using the online form found at: www.richmond.ca/cityhall/council/hearings/about. Written submissions may also be delivered in person, in advance of or during the Public Hearing. All submissions become part of the public record.

3. Post Early Termination

3.1 Once a Land Use Contract is terminated, is there a transition period to adjust to the new zoning regulations?

Yes. The new legislation allows for a transition period of at least one (1) year after the LUC termination bylaw is adopted. For example if LUC termination bylaws for the 93 affected LUCs are adopted on December 1, 2015, then the LUC would still be valid until December 1, 2016 before the LUC is terminated. In order to build under the LUC regulations, a complete building permit application must be received by the City prior to the end of the transition period.

3.2 Can I appeal to have the minimum one year transition period extended?

Yes. The City's Board of Variance has been given new authority through the new Provincial legislation to consider appeals by a property owner regarding timing of the LUC termination date due to hardship. The Board of Variance can extend the termination date for a LUC for a particular property to a later date up to June 30, 2024. If granted, the extension would only apply to the particular property owner and would end if the property ownership changes.

4. Underlying Zoning

4.1 How was the underlying zoning for my property determined?

The City reviewed the primary "use" of each property for each LUC, and reviewed the City's most up to date zoning regulations for that "use". The City also reviewed what the zoning within the immediate area of the affected LUC is for the same "use" to ensure consistent regulations are applied to a neighbourhood.

4.2 Why was the RS1 zone used for most of the affected single-family Land Use Contracts?

For single-family lots the RS1 single detached zone (including the 10 sub-zones) is the standard zone and is proposed for over 95% of the single-family properties affected by the termination bylaws. The RS1 single detached zone is the most commonly used single-family zone and is applied to over 21,000 single-family properties in Richmond. For each of the sub-zones, the core development regulations related to the maximum floor area ratio, building height, and lot coverage are consistent.

4.3 Were there cases where the RS1 could not be used for single-family properties?

There were five (5) LUCs where the siting of the homes did not fit well into an existing RS1 zone. In those cases, a new zone was created. For single-family properties, two new zones were created for the following reasons:

- ZS25 Single Detached (Bylaw 9438) – properties along Yoshida Court in Steveston where lots are smaller, and buildings have unique side yard setbacks; and
- ZS24 Semi-Detached Zero Lot Line (Bylaws 9324, 9334, 9338 and 9342) – zero lot line properties which are essentially a fee-simple duplex.

4.4 How did the City determine the zoning for non-single family uses such as townhouses, apartments, and office/medical buildings?

A number of single-family LUCs included parks, school sites, multi-family residential uses, office and health care uses. For park and school properties within the 93 LUCs, the existing School & Institutional (SI) zone was used. For townhouses, apartment buildings, office commercial properties, and a health care facility, 11 new zones were created which reflect the regulations under the specific LUC to ensure existing uses continue to be permitted.

5. Potential Implications of Underlying Zoning

5.1 What effect does the underlying zoning have on my property while the Land Use Contract is still in effect?

As long as the LUC remains in place a property may be developed in keeping with the LUC regulations.

5.2 What effect does the underlying zoning have on my property, when the Land Use Contract is terminated?

Once the LUC is no longer effective on the property, any new construction must conform to the zoning placed on the property.

5.3 What are some of the key differences between the RS1 zone and single-family Land Use Contracts?

Some of the key differences include the following:

1. Secondary Uses – The RS1 zone allows a range of secondary uses including a secondary suite, boarding and lodging and home businesses such as a child care facility for up to 10 children, and licensed home offices, subject to certain regulations.
2. Lot Coverage – The RS1 zone allows buildings and structures to cover up to 45% of the lot. Most LUCs have a maximum lot coverage between 33% to 40%. The only exceptions are LUC011 and LUC012 which have a maximum lot coverage of 50%.
3. Floor Area – The RS1 zone limits the size of a house using a floor area ratio (FAR) which is determined by using the prescribed FAR and multiplying it by the size of the lot.
4. Building Height – The RS1 zone also restricts the building height to 2 ½ storeys (29.5 ft. maximum) and prevents a box shaped house massing by having certain building envelope requirements. For single-family properties under a LUC the maximum height for a house is typically 3 storeys (35 ft. maximum).

5.4 What is the implication of the underlying zoning on my lot, if there are any aspects of my existing house or lot that does not meet today's zoning regulations?

Existing buildings and structures which were lawfully built will have legal non-conforming protection. The retention of these buildings and structures would include the ability to fully renovate thus preserving the established character of the neighbourhood. All new buildings and structures will have to comply with the underlying zoning regulations in place when a building permit application is submitted.

6. Other Information

6.1 How Can I Find Out if I am in a Land Use Contract?

To learn more about Land Use Contracts or see if your property is covered by a Land Use Contract, go to www.richmond.ca and click on the Land Use Contracts link under Featured Topics on the home page. More information is also available by emailing luc@richmond.ca, calling 604-204-8626 or by viewing an information display in the City Hall Atrium.

6.2 Where can I obtain a copy of my Land Use Contract?

Copies of LUCs are registered on title to the affected properties and may be obtained from the [BC Land Title Office](#).

Please note this brochure provides general information only; a property owner may wish to obtain more detailed information about any relevant LUC or proposed zoning bylaw.