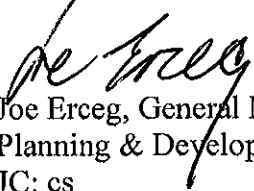




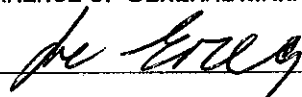
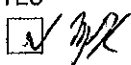

To: Planning Committee **Date:** November 4, 2009
From: Joe Erceg, MCIP **File:**
 General Manager, Planning and Development
Re: **An Enhanced OCP "Community Institutional" Definition and New Policy To Better Manage "Religious Assembly Uses": OCP Amendment Bylaw No. 8533**

Staff Recommendations

1. That Richmond Official Community Plan Bylaw 7100, Amendment Bylaw No. 8533, proposing text amendments to Schedule 1 of Richmond Official Community Plan Bylaw 7100 by replacing the definition of "Community Institutional" and establishing a new policy to better manage religious assembly uses in "Community Institutional" designated areas, be introduced.
2. That Bylaw No. 8533 having been considered in conjunction with:
 - the City's Financial Plan and Capital Program; and
 - the Greater Vancouver Regional District (GVRD) Solid Waste and Liquid Waste Management Plans;
 be hereby deemed to be consistent with said program and plans, in accordance with Section 882(3) (a) of the Local Government Act.
3. That Bylaw No. 8533 consultation be as per the City Policy on consultation during an OCP Amendment, namely the Public Hearing and that no further consultation is required.


 Joe Erceg, General Manager
 Planning & Development
 JC: cs

Att.3

FOR ORIGINATING DEPARTMENT USE ONLY			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Development Applications	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Community Services (Affordable Housing)	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			

Staff Report

Origin

The origin of this report is to provide needed clarity in the Official Community Plan (OCP), as to how to better manage assembly (e.g., primarily religious: mosque, synagogue, temple and church) land uses, as:

- (1) Developers are inquiring about and in some cases optioning assembly backlands, to see if they can be redeveloped for market purposes (e.g., townhouses, apartments); and
- (2) The existing OCP land use definition of "Community Institutional," particularly the phrase "may include adjunct residential development which results in a community benefit," is not sufficiently clear regarding, what "adjunct residential" means, under what circumstances assembly lands may be re-developed for market non religious uses, and what the term "community benefit" means.

This situation has lead to developer and religious property owner speculation and frustration, and considerable staff time in trying to determine what is appropriate.

This report proposes minor administrative changes to the OCP, namely a revised definition of "Community Institutional" and a new religious assembly policy, to better clarify:

- How religious assembly uses and sites should be retained and managed;
- Under what circumstances religious assembly sites may be allowed to convert to non market uses; and
- During any such land use conversions, what and how much the community benefit is to be.

Synopsis Of The Solution

In summary, the solution lies, in West Richmond (i.e., outside City Centre and outside the ALR), for religious assembly sites with the OCP "Community Intuitional" designation, by:

- retaining at least 50% of each religious site with its own onsite parking, and
- where there is still room on the remainder of the site (e.g., the rear), allowing only built affordable housing with its own onsite parking.

Developers would be required to build the affordable housing (possibly with senior government or other funding). The City would not be required to financially contribute to the built affordable housing. Council may contribute financially if it so chooses, at its sole discretion.

Background

The Challenge

Religious assembly uses are an important component of community life in Richmond.

The need for better managing them arises because they will always be needed as it is anticipated that a growing population will need more such lands, the current supply is limited, developers are speculating if they can be redeveloped for market uses (e.g., multi family) and such sites will be difficult to replace if they are converted to other higher value land uses (e.g., residential).

Yet, each year, the City receives requests from:

- some existing religious assembly organizations to sell some or all of their backlands for redevelopment, as they either: need a smaller assembly building, are relocating elsewhere, or wish to generate revenue;
- a variety of religious organizations asking for help to find suitable land for their purposes which is difficult to find, as such lands are scarce, expensive, and usually the organization has a limited budget.

Some religious sites for which staff have received inquiries to convert are (see **Attachment 1**):

- 9051 Dayton Ave;
- 7431 Francis Rd; and
- 3360 Sexsmith Rd.

If these trends are not better managed with a clearer OCP “Community Institutional” definition and policy, there is a good chance of not having enough religious assembly land to meet the short and long term needs of the population, and where conversions are allowed, not securing the appropriate community benefit.

Related Policies and Regulations

OCP Definition of “Community Institutional”

In the OCP, religious assembly lands are primarily managed by the current OCP “Community Institutional” definition which is:

“Those areas of the City which are intended for institutions engaged in religious, educational or cultural activities, and may include adjunct residential development which results in a community benefit, provided the site is not located in the Agricultural Land Reserve or a non-residential area.”

How Religious Assembly Uses Are Designated and Managed in the OCP and Area Plans

In the OCP, the 70 existing religious assembly uses are designated under the following designations:

- Community Institutional (56 properties – 80%),
- Agriculture (10 properties – 14%),
- Business and Industry (2 properties – 3%), and
- Neighbourhood Residential (2 properties – 3%).

Attachment 2 provides the details regarding the OCP and Area Plan designations for religious assembly uses.

The improved management focus is on religious assembly sites which have an OCP “Community Institutional” designation because the issue of losing religious assembly uses is occurring mainly in West Richmond (outside the City Centre and outside the ALR) where the OCP “Community Institutional” designation is used.

Religious assembly uses in the:

- “OCP Agricultural” designation (10 properties – 14%), are not being lost and are to be managed as per the OCP Agricultural policies and ALC regulations, which restrictively limit their possible conversion to non religious uses;
- “OCP Business and Industry” designation (2 properties – 3%), are not being lost and are located in the City Centre where the City Centre Area Plan (CCAP) policies enable the retention of religious assembly uses by a range of density bonusing possibilities and where they are allowed to convert to appropriate non-religious assembly uses as Council determines;
- OCP Neighbourhood Residential” designation (2 properties – 3%) may be allowed to convert to non-assembly uses as per the Area Plans and Council will be able to manage their rezoning to non-assembly uses.

No. 5 Road Backlands Policy No. 5037

The purpose of the No. 5 Road Backlands Policy No. 5037 is to allow religious and related assembly uses along the east side of No 5 Road, in the ALR, as finding and buying land for such purposes elsewhere in West Richmond is difficult and expensive. The Policy allows, in the ALR, in an area bounded by Blundell Road, Highway 99, Steveston Highway and No. 5 Road:

- within 110 metres (361 ft.) east of No 5 Rd - religious assembly and related uses (e.g., child care, education, private club); and
- beyond 110 metres of No. 5 Rd (the backlands) - farming.

Note: In the No. 5 Road Backlands Policy area, there are approximately 9 remaining properties that still could be rezoned for Assembly (ASY) purposes.

Analysis

Proposed Solution

City staff propose minor administrative changes to the OCP, namely a revised definition of, “Community Institutional” and a new religious assembly policy, to better clarify:

- How religious assembly uses and sites should be retained and managed;
- Under what circumstances religious assembly sites may be allowed to convert to non market uses; and
- During any such land use conversions, what and how much the community benefit is to be.

A comprehensive OCP review of religious uses and sites is not required, as the existing 1999 OCP “Community Institutional” definition establishes that there is a degree of religious assembly site management flexibility which simply needs some clarification.

Determining An Appropriate Community Benefit

In determining the appropriate community benefit when surplus religious assembly uses are converted, it is important to note the following objectives:

- The retention of existing religious assembly uses is encouraged;
- Re-designating additional land for religious assembly purposes is encouraged;

- The conversion of any “surplus” religious assembly sites is not to be regarded as the principal source for obtaining a “community benefit” as the retention of religious assembly uses is a priority and the acceleration of the rate of conversion to non-assembly uses is not encouraged; and
- A significant community benefit must be secured.

Upon reviewing the type of community benefit to be secured, staff recommend that it be for built affordable housing, which means, as per the Richmond Affordable Housing Strategy and the Richmond Zoning By-law 8500 either: affordable subsidized rental housing, affordable low end market rental housing, residential community care facilities or affordable congregate care housing with its own onsite parking.

The reasons that built affordable housing is recommended include:

- the existing OCP definition for Community Institutional makes it clear that any adjunct development should be residential and result in a community benefit;
- there is a significant lack of built affordable housing and land for it is scarce as identified in Richmond’s Affordable Housing Strategy;
- affordable housing is compatible with neighbourhoods; and
- another possible community benefit is child care, but it is already allowed and occurs in the Assembly (ASY) zone.

For these reasons, staff recommend that the community benefit to be secured when OCP “Community Institutional” designated land is converted be: “built affordable housing with its own on-site parking.”

Recommended OCP Changes

- *To The Policy: In West Richmond, Allow The Partial Conversion of Religious Assembly Sites to Non-Assembly Uses*

Description Of The Proposed OCP Changes

For existing OCP “Community Institutional” designated religious assembly sites, their conversion to built affordable housing and its onsite parking, may be allowed under the following conditions:

- a) At least 50% of the existing religious assembly use property must be retained for the existing religious assembly use and its onsite site parking;
- b) Consider on a case by case basis, as determined by Council through an OCP and rezoning amendment process, if and when religious site conversion proposals are made (e.g., by developers or assembly organizations), converting a portion of an existing religious assembly site, from “Community Institutional”, to another appropriate OCP designation, to permit only 100% built affordable housing and its onsite parking, which, as per the Richmond Affordable Housing Strategy and the Richmond Zoning By-law 8500, means either: built affordable subsidized rental housing, built affordable low end market rental housing, built residential community care facilities or built affordable congregate care housing; and

- c) No market rental housing or affordable entry-level ownership housing, market residential or commercial uses will be permitted during the conversion.

This approach is consistent with the existing 1999 OCP which allows some flexibility, and enables Council to consider the possible conversion of no more than 50% of existing religious assembly sites to built affordable housing uses with parking, as defined above and per the City's Affordable Housing Strategy. No market housing or market other uses will be permitted on the newly redesignated sites.

Pros:

- Retains religious assembly sites;
- The rate of land use conversion from religious assembly used land will be slow and the loss of such uses and sites limited;
- Provides some flexibility as:
 - Some religious assembly groups may have better success in finding land;
 - There is a potential to densify the use of religious assembly sites and to use any surplus land for a community benefit, namely built affordable housing with parking;
- Not permitting market residential will minimize land speculation and increases in land values; and
- Reduces non-farm pressure on the ALR.

Cons:

- Existing owners of religious assembly sites will have less flexibility in selling any surplus land for higher market (e.g., multi family) uses;
- An OCP amendment (from Community Institutional to another OCP designation) and a possible Area Plan amendment to another designation, and a rezoning will be required.

Notes:

Given that flexibility is needed, staff recommend that a minimum of 50% of the existing religious assembly site be retained for religious assembly use and its required onsite parking.

Not setting a minimum site size to be retained for the religious assembly use and required on site parking, allows land owners and developers flexibility to explore the possibility of converting existing OCP Community Institutional designated religious assembly sites.

It is noted that existing larger religious assembly sites (e.g., over 1 acre) appear large enough to retain the existing religious assembly use with onsite parking and partially covert surplus lands to built affordable housing with its own parking.

It may be that existing smaller existing religious assembly sites (e.g., less than 1 acre) may not be able to accommodate: the religious assembly use with its onsite site parking, and built affordable housing with its onsite parking on the remainder of the site.

– *Proposed OCP Change To The Definition of “Community Institutional”*

The current definition of “Community Institutional” is:

“Those areas of the City which are intended for institutions engaged in religious, educational or cultural activities, and may include adjunct residential development which results in a community benefit, provided the site is not located in the Agricultural Land Reserve or a non-residential area.”

The proposed improved OCP “Community Institutional” definition is:

“Those areas of the City which are intended for religious, educational or cultural uses and may include other land uses as permitted under Official Community Plan policies.”

Summary

Together, the proposed new OCP “Community Institutional” definition and the proposed OCP Community Institutional Lands policy provide needed policy clarity, flexibility and community benefit for the possible future limited conversion of existing religious assembly use lands in West Richmond.

Staff will monitor and report progress as necessary.

Consultation

As the proposed OCP amendment is regarded as a minor OCP policy refinement to clarify how to better: (1) retain existing religious assembly sites, and (2) manage their possible conversion to built affordable housing with parking, staff recommend that the City’s Policy on consultation during an OCP amendment be followed; namely, advertise and hold the required Public Hearing.

No extra consultation is needed as:

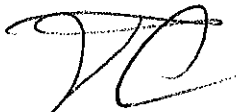
- (1) The proposed OCP change is minor and consistent with the existing OCP definition (basically a clarification that the “adjunct residential development and community benefit” is built affordable housing);
- (2) No School Board lands are affected;
- (3) Many existing religious assembly site owners do not intend to convert their sites;
- (4) It would be difficult to reach a consensus among the many different religious assembly owners, as each would likely see solutions differently;
- (5) Built affordable housing is needed;
- (6) A timely solution is important, as religious land owners and developers are requesting clarification.

Financial Impact

None.

Conclusion

The City has a limited supply of religious assembly sites which are needed for the long term. With the expected increase in population growth, the demand for religious assembly sites is expected to increase over time. Some developers and religious assembly organizations are asking if they can convert them to other market uses. To clarify the existing OCP definition and policy regarding the retention and possible conversion of religious assembly sites, staff propose a minor OCP text amendment and new religious assembly policy.



Terry Crowe
Manager, Policy Planning



June Christy
Senior Planner

JC:cas

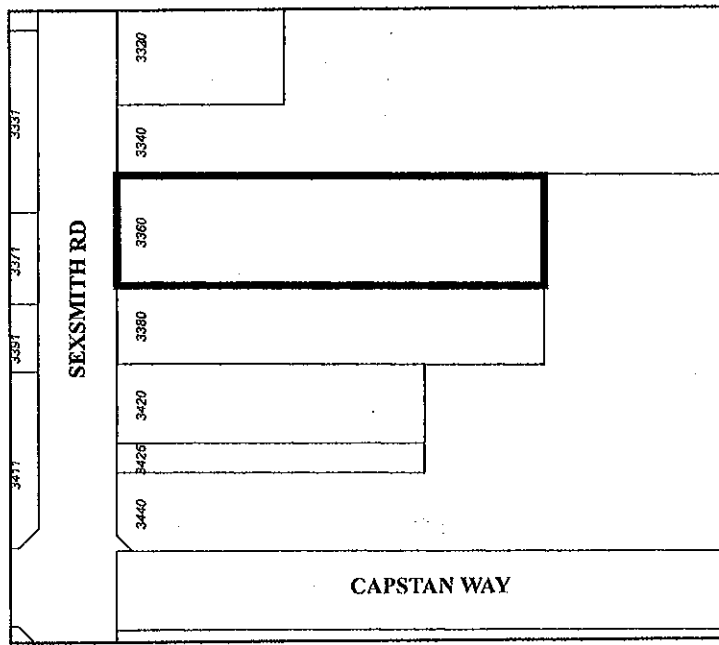
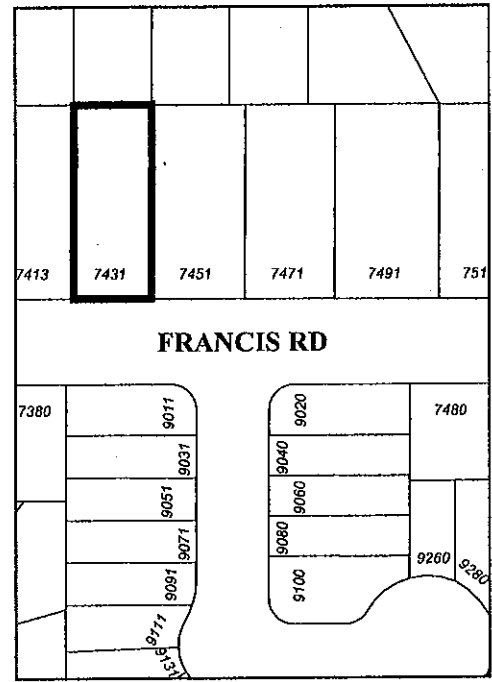
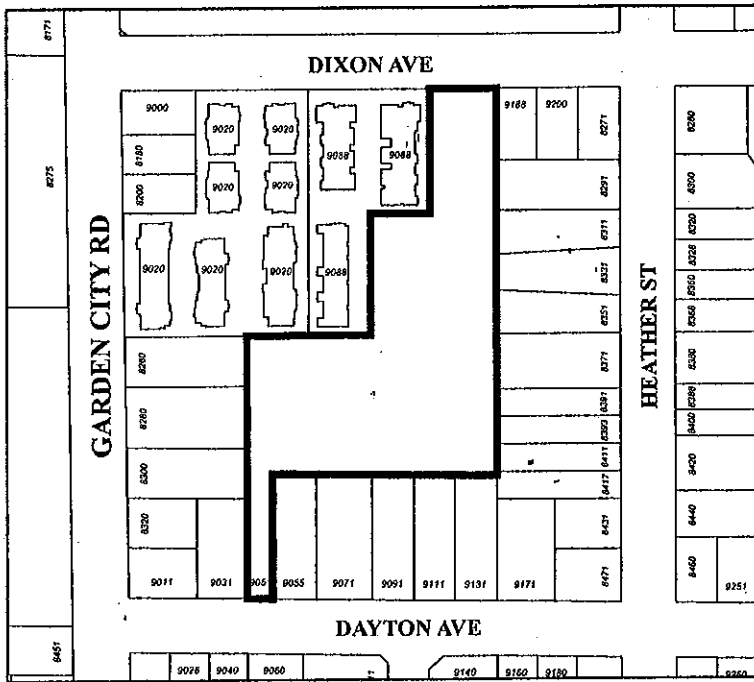
Attachment 1 - Maps

Attachment 2 - OCP Religious Assembly Use Designations

Attachment 3 - Religious Assembly Site Ownership, OCP and Area Plan Details

Examples Of Religious Assembly Sites Where Developers Have Inquired Regarding Their Conversion To Other Uses

1. 9051 Dayton Ave;
2. 7431 Francis Rd; and
3. 3360 Sexsmith Rd.



OCP Religious Assembly Use Designations

1. General

In the OCP, the 70 religious assembly lands are designated under a variety of terms, namely:

- Community Institutional (56 properties – 80%),
- Agriculture (10 properties - 14%),
- Business and Industry (2 properties – 3%), and
- Neighbourhood Residential (2 properties – 3%).

2. OCP Designations

The OCP designations are:

- (1) The OCP "Community Institutional" designation allows a range of assembly uses (e.g., religious, educational, cultural) on a site. This approach is acceptable as the uses have similar land use, servicing and parking requirements. As well, the approach provides needed flexibility, as an assembly organization may wish to have all uses or to change the range of assembly uses on a site, and this can be done without having to change the OCP designation, or requiring a rezoning. As well, some religious groups of different faiths or denominations share their buildings with other groups for a range of assembly uses.
- (2) The OCP "Agricultural" designation emphasizes agricultural uses, but also allows other land uses as permitted under the Agricultural Land Commission Act (e.g., assembly uses, which require the approval of the Agricultural Land Commission and the City).
- (3) The OCP "Business and Industry" designation emphasizes production or distribution of goods or business services, but also allows other land uses.
- (4) The OCP "Neighbourhood Residential" designation emphasizes single family, two-family and multi-family housing, accompanied by complementary uses such as local commercial, childcare facilities, community use, and home occupation.

3. Area Plan Designations

Area Plan, Assembly Zoned sites are designated as:

- Community Institutional (19 properties),
- Institutional (17 properties),
- Agriculture, Institutional, and Public (12 Assembly properties),
- Agriculture (10 properties),
- Public Institutional and Open Space (4 properties),
- General Urban (3 properties),
- School/Park/Institutional (2 properties),
- Low Density Residential (1 property),
- Residential Single Family (1 property), and
- Residential and Institutional (1 property).

4. Summary

The OCP and Area Plans flexibly enable religious assembly uses to locate across the City thereby providing locational choice.

Religious Assembly Site Ownership, OCP and Area Plan Details

Assembly (ASY) and Similar Zoned Properties Within the City Centre		
Owner	OCP General Designation	Area Plan Designation
Pentecostal Assemblies Of Can. (9260 Westminster Hwy)	Community Institutional	General Urban T4, Institution
Pentecostal Assemblies of Canada (9300 Westminster Hwy)	Community Institutional	General Urban T4, Institution
North Richmond Alliance Church	Community Institutional	General Urban T4, Institution
Congregation Of The United Church	Community Institutional	General Urban T4, Institution
Parish Of St Alban's (Richmond)	Community Institutional	General Urban T4, Institution
Trinity Lutheran Church - Richmond	Community Institutional	General Urban T5, Institution
North Richmond Alliance Church	Community Institutional	General Urban T5, Institution
Congregation Of The Richmond United	Community Institutional	General Urban T4, Institution
Rec Holdings	Community Institutional	General Urban T4, Park, Proposed Streets
Church in Richmond	Business and Industry	General Urban T4
I Kuan Tao (Fayi Chungder)	Business and Industry	General Urban T4
Assembly (ASY) and Similar Zoned Properties in West Richmond (Outside City Centre and Outside the ALR)		
Owner	OCP General Designation	Area Plan Designation
Bethany Baptist Church	Community Institutional	Small/Large Res & Institutional
Roman Catholic Archbishop Of Van	Community Institutional	School/Park/Institutional
Richmond Baptist Church	Community Institutional	Community Institutional
Richmond Baptist Church	Community Institutional	Community Institutional
Gov Council Salvation Army Can West	Community Institutional	Community Institutional
Catholic Independent Schools Of	Community Institutional	Community Institutional
Bakerview Gospel Chapel	Community Institutional	Community Institutional
Richmond Gospel Society	Community Institutional	Public Institutional & Open Space
Vancouver Gospel Society	Community Institutional	Public Institutional & Open Space
Vancouver Gospel Society	Neighbourhood Residential	Low Density Residential
Eitz Chaim Congregation	Community Institutional	Community Institutional
New Wineskins Society	Community Institutional	Community Institutional
Convention Of Baptist Churches Of	Community Institutional	Community Institutional
Christian Reformed Church Of	Community Institutional	Community Institutional
Pres Lethbridge Stakeco Church	Community Institutional	Community Institutional
Bc Conf Of The Mb Churches	Community Institutional	School/Park/Institutional
Conference Of Mennonites In Bc	Community Institutional	School/Park/Institutional
Parish Of St Edward, Bridgeport	Community Institutional	Residential Single Family
Holy Spirit Association For The	Neighbourhood Residential	Public Institutional & Open Space
Johrei Fellowship Inc	Community Institutional	Public Institutional & Open Space
Northwest Canada Conference	Community Institutional	School/Park/Institutional
Steveston Buddhist Temple	Community Institutional	Institutional
Steveston Congregation Of The	Community Institutional	Institutional
Roman Catholic Archbishop Of Vancouver	Community Institutional	Community Institutional

Assembly (ASY) and Similar Zoned Properties Within the City Centre		
Richmond Congregation Of The	Community Institutional	Community Institutional
Parish Of St Anne's	Community Institutional	Community Institutional
Congregation Of The Gilmore Park	Community Institutional	Community Institutional
Congregation Of The Richmond Gospel	Community Institutional	Community Institutional
Ukrainian Catholic Episcopal Corp	Community Institutional	Community Institutional
St Joseph The Worker Parish (Roman Catholic)	Community Institutional	Community Institutional
Richmond Christian School Assoc	Community Institutional	Community Institutional
Beth Taka Congregation And Centre	Community Institutional	Community Institutional
Emmanuel Christian Community Soc	Community Institutional	Institutional
Christian & Missionary	Community Institutional	Institutional
Stevenson Congregation Of Jehovah's	Community Institutional	Institutional
Assembly (ASY) and Similar Zoned Properties Within the ALR		
Owner	OCP General Designation	Area Plan Designation
Choice School For Gifted Children	Agriculture	Agriculture
Kanakas Gurdwara - Gursikh Temple	Agriculture	Agriculture
Armenian Apostolic Church Of BC	Agriculture	Agriculture
Cornerstone Evangelical Baptist	Community Institutional	Agriculture, Instit and Public
India Cultural Centre Of Canada	Community Institutional	Agriculture, Instit and Public
Shia Muslim Community Of Bc	Community Institutional	Agriculture, Instit and Public
Richmond Jewish Day School Society	Community Institutional	Agriculture, Instit and Public
Subramaniya Swamy Temple Of Bc	Community Institutional	Agriculture, Instit and Public
Richmond Chinese Evangelical Free	Community Institutional	Agriculture, Instit and Public
Richard Lehwald	Community Institutional	Agriculture, Instit and Public
Fujian Evangelical Church	Community Institutional	Agriculture, Instit and Public
Vedic Cultural Society Of BC	Community Institutional	Agriculture, Instit and Public
Dharma Drum Mountain Buddhist	Community Institutional	Agriculture, Instit and Public
Peace Evangelical Church	Community Institutional	Agriculture, Instit and Public
BC Muslim Association	Community Institutional	Agriculture, Instit and Public
BC Conf Of The Mb Churches	Community Institutional	Community Institutional
Lingyen Mountain Temple	Community Institutional	Community Institutional
Our Saviour Lutheran Church Of	Agriculture	Agriculture
Lansdowne Congregation Of Jehovah's	Agriculture	Agriculture
Immanuel Christian Reformed Church	Agriculture	Agriculture
Science Of Spirituality Skrm Inc	Agriculture	Agriculture
International Buddhist Society The	Agriculture	Agriculture
Congregation Of The South Arm	Agriculture	Agriculture
Richmond Alliance Church	Agriculture	Agriculture



**Richmond Official Community Plan Bylaw 7100
"Community Institutional Lands" Policy and
Definition of "Community Institutional"**

The Council of the City of Richmond enacts as follows:

1. Richmond Official Community Plan Bylaw 7100, Schedule 1, is amended by adding the following "Community Institutional Lands" policy after 6.9 under a new heading, as follows:

6.10 COMMUNITY INSTITUTIONAL LANDS

ISSUE:

Religious assembly uses are an important component of community life in Richmond. The current supply is limited and it is anticipated that a growing population will need more land designated for religious assembly uses. Religious assembly sites will be difficult to replace, if they are converted to other higher value land uses such as market residential uses. Thus, better managing the limited supply is beneficial.

If land containing religious uses is well managed, it is anticipated that the City will have enough such designated land to meet the short and long term needs of the population. If land is converted to non-religious assembly uses, securing the appropriate community benefits must also be ensured.

OBJECTIVE 1:

Retain OCP designated Community Institutional lands with existing religious uses for the long term.

POLICIES:

The following policy applies to all OCP designated Community Institutional religious assembly sites, excluding those existing religious assembly sites within the City Centre and the ALR.

General

- a) The retention of existing religious assembly uses and sites is encouraged.

- b) Market rental housing, affordable entry-level ownership housing, market residential and commercial uses are not permitted during conversions.

Conversion of Religious Assembly Sites

- c) The conversion of existing religious assembly sites (subdivision required) will be considered under the following conditions:
 - i) To create another religious assembly site; OR
 - ii) To build affordable housing which, as per the Richmond Affordable Housing Strategy and the Richmond Zoning By-law 8500, means affordable subsidized rental housing, affordable low end market rental housing, residential community care facilities and affordable congregate housing with its own parking.

For i) and ii):

- i. A minimum of 50% of the existing religious assembly site must be retained for religious assembly use and its on site parking.
- ii. The type of affordable housing may be an apartment or townhouse and is to be consistent with OCP policies, Area Plan, City policies and the Richmond Affordable Housing Strategy.
- iii. All applicable City by-laws and policies including the provision of adequate on site parking apply.

- 2. Richmond Official Community Plan Bylaw 7100, Schedule 1, is amended by replacing the Land Use Map Definition of "Community Institutional" with the following:

Community Institutional

Those areas of the City which are intended for religious, educational or cultural uses and may include other land uses as permitted under Official Community Plan policies.

- 3. This Bylaw is cited as "**Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 8533**".

FIRST READING

PUBLIC HEARING WAS HELD ON:

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating Dept.

APPROVED for legality by Solicitor
