

## Planning Committee

Date: Tuesday, June 2, 2009

Place: Anderson Room  
Richmond City Hall

Present: Councillor Evelina Halsey-Brandt, Chair  
Councillor Bill McNulty, Vice-Chair  
Councillor Linda Barnes  
Councillor Sue Halsey-Brandt  
Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:00 p.m.

### MINUTES

1. It was moved and seconded  
*That the minutes of the meeting of the Planning Committee held on Wednesday, May 20, 2009, be adopted as circulated.*

**CARRIED**

### AGENDA

2. *Motion to approve the agenda.*  
Staff memo regarding application (AG – 360109) 6480 No. 4 Road (D. Blackstock) deferred from the May 20, 2009 Planning Committee meeting.

**CARRIED**

### NEXT COMMITTEE MEETING DATE

3. The next meeting of the Committee will be held on Tuesday, **June 16, 2009**, at 4:00 p.m. in the Anderson Room.

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## PLANNING & DEVELOPMENT DEPARTMENT

4. **APPLICATION BY GERRY BLONSKI, ARCHITECT FOR REZONING AT 11111 AND 11131 CAMBIE ROAD FROM "SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) AND TWO-FAMILY HOUSING DISTRICT (R5)" RESPECTIVELY TO "TOWNHOUSE DISTRICT (R2 - 0.6)"**

(RZ 06 - 330589) (File Ref. No. 12-8060-20-8425) (REDMS No. 2603462)

Applicant Gerry Blonski addressed Committee and, using a display board, advised that the garage units are conventional side-by-side, not tandem.

It was moved and seconded

*That Bylaw No. 8425, for the rezoning of 11111 and 11131 Cambie Road from "Single-Family Housing District, Subdivision Area E (R1/E)" and "Two-Family Housing District (R5)" respectively to "Townhouse District (R2 - 0.6)", be introduced and given first reading.*

**CARRIED**

5. **APPLICATION BY KAMIL MASHUKUR, SAKHINA RAHAM, ALEJANDRO CUSTODIO AND EDNA CUSTODIO FOR A STRATA TITLE CONVERSION AT 7391/7411 NO. 2 ROAD**

(SC 09 - 467216) (REDMS No. 2620414)

In response to a query, Brian J. Jackson, Director of Development advised that: (i) staff supports the application and (ii) the applicant has made a payment to the City covering all City utility charges and property taxes.

It was moved and seconded

*(1) That the application for a Strata Title Conversion by Kamil Mashukur, Sakhina Raham, Alejandro Custodio and Edna Custodio for the property located at 7391/7411 No. 2 Road be approved on fulfilment of the following conditions:*

- (a) payment of all City utility charges and property taxes up to and including the year 2009;*
- (b) registration of a Restrictive Covenant on title that would require the existing two (2) driveways to be consolidated into a single 6 m wide and 6 m deep driveway to be located in the middle of the No. 2 Road frontage should the site be redeveloped with a new building. The driveway letdowns must be built as per City engineering specifications and the driveway design approved by the Transportation Department;*
- (c) registration of a flood indemnity covenant on title; and*

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- (d) *submission of appropriate plans and documents for execution by the Approving Officer within 180 days of the date of this resolution.*
- (2) *That the City, as the Approving Authority, delegate to the Approving Officer the authority to execute the plan on behalf of the City, as the Approving Authority, after the conditions set out in Recommendation 1 have been satisfied.*

**CARRIED**

6. **APPLICATION BY INTERFACE ARCHITECTURE INC. FOR A HERITAGE ALTERATION PERMIT AT 12020 1ST AVENUE**  
(HA 09-469805) (REDMS No. 261724)

Mr. Jackson advised that this application to develop a three-storey, mixed use building on 1<sup>st</sup> Avenue in Steveston represents the first Heritage Alteration Permit (HAP) impacted by the new guidelines outlined in the set of six heritage conservation bylaws.

In response to queries staff advised that:

- the development features a flat roof accessible to residents by a staircase structure commonly referred to as a ‘dog house stair tower’; and
- Hardi-plank siding will be applied to the townhouse wall facing the heritage residential home adjacent to the north, in compliance with the Heritage Conservation Area regulation.

Mr. Jackson noted that the Heritage Alteration Permit application is an in-stream development, coming after Council had approved a Development Permit (DP) to the applicant.

He added that it is unusual for a DP to be issued before Council has considered another application (an HAP for example) for the same development site, and that in future both applications will be brought forward concurrently for consideration at the same time.

It was moved and seconded

*That a Heritage Alteration Permit be issued which would permit the construction of a three-storey mixed-use building at 12020 1st Avenue on a site zoned “Steveston Commercial (Three-Storey) District (C5)” in accordance with Development Permit DP 06-345763, which was approved by Council on May 26, 2008.*

**CARRIED**

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7. **APPLICATION BY S-8008 HOLDINGS LTD., S-211 HOLDINGS LTD., AND PLATINUM MANAGEMENT INC. FOR REZONING AT 8200, 8220, 8240 AND 8260 BLUNDELL ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO TOWNHOUSE DISTRICT (R2-0.6)**

(RZ - 07-390411) (File Ref. No. 12-8060-20-8489) (REDMS NO. 2597134, 2633635)

Mr. Jackson noted that the applicant has worked with the City to preserve as many trees on site as possible while at the same time accomplishing a design layout for 16 two-storey townhouse units.

In response to a query regarding the City's acceptance of cash-in-lieu of the construction cost for sanitary sewer upgrades along the frontage, staff advised that an upgrade to the existing system should be done in the near future, but that the existing service is adequate for the purposes of the proposed development. The cash-in-lieu will be applied to the cost of the system upgrade when the work is undertaken.

A brief discussion ensued regarding the appeal of two-storey townhouse units and it was noted that this type of residential unit with fewer stairs than three-storey townhouse units, appeals to residents who wish to age in place.

It was moved and seconded

*That Bylaw No. 8489, for the rezoning of 8200, 8220, 8240 and 8260 Blundell Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Townhouse District (R2-0.6)", be introduced and given first reading.*

**CARRIED**

8. **APPLICATION BY FORTUNA DEVELOPMENT INC. FOR REZONING AT 4071, 4091, 4111 AND 4131 NO. 4 ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA F (R1/F) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD/185)**

(RZ - 07-381074) (File Ref. No. 12-8060-20-8497) (REDMS No. 2598300, 1790634, 2636579, 2636580)

A brief discussion regarding the City's Community and Engineering Planning Reserve Fund took place during which staff provided the following information:

- the Fund was introduced with Council's support as part of the West Cambie Area Plan; and
- the fund is intended to create a reserve so that future reviews, of area plans and the Official Community Plan for example, are funded from development fund, without using other City sources.

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It was moved and seconded

*That Bylaw No. 8497, for the rezoning of 4071, 4091, 4111 and 4131 No. 4 Road from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Comprehensive Development District (CD/185)", be introduced and given first reading.*

**CARRIED**

9. **APPLICATION BY PHILEO DEVELOPMENTS (RICHMOND) LTD. FOR A TEMPORARY COMMERCIAL USE PERMIT AT 5900 MINORU BOULEVARD**

(TU - 09-466032) (REDMS No. 2627996, 2646997)

Mr. Jackson advised that the applicant had appeared before Committee in 2008 with its plans to rezone the property at 5900 Minoru Boulevard in order to create a residential project that would also feature a community centre and a Trinity Western University campus.

The current application for a temporary use permit was sought so that the applicant could use the former auto dealership building that remains on the site for three separate temporary uses: (i) the sales centre for Phase 1 of the proposed five-tower residential component, (ii) an office space for the University that is to be established when the site is built out, and (iii) retail sales of golf equipment.

In response to queries Mr. Jackson stated that:

- temporary use permits allow for two years of the approved temporary use;
- an applicant may apply for an extension of the two year temporary use, and Phileo Developments (Richmond) Ltd. has not indicated to staff their intention to extend the temporary uses beyond two years;
- only office space, not university classrooms, are envisioned during the temporary use period; and
- at present a portico on the existing on-site building extends over the area dedicated for a future road, but during the period of construction for Phase 1 of the development, the portico will be eradicated so that the road can be unimpeded.

Mr. Wing Leung, Architect, spoke on behalf of the applicant and in response to the Chair's question regarding the anticipated start date of construction on the site, responded that after a servicing agreement is in place, the applicant foresees construction starting between six and 12 months from June, 2009.

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It was moved and seconded

*That the application by Phileo Developments (Richmond) Ltd. for a Temporary Commercial Use Permit for property at 5900 Minoru Boulevard be considered at the July 20, 2009 Public Hearing at 7:00 p.m. in the Council Chambers of Richmond City Hall, and that the following recommendation be forwarded to that meeting for consideration:*

*“That the Temporary Commercial Use Permit be issued to Phileo Developments (Richmond) Ltd. to allow retail trade and services (as defined in Zoning & Development Bylaw No. 5300), excluding gas station and the sales and servicing of automobiles, trailers or motorcycles at 5900 Minoru Boulevard.”*

**CARRIED**

## BUSINESS AND FINANCIAL SERVICES DEPARTMENT

### 10. **AFFORDABLE HOUSING STRATEGY: IMPLEMENTATION REVIEW AND HOUSING AGREEMENT REVISIONS**

(File Ref. No.: 12-8060-20-8493) (REDMS No.2604285)

In response to Committee's queries, Joan D'Angola, Affordable Housing Coordinator, provided the following information:

- the housing agreement template would be retained for use in the implementation of the Richmond Affordable Housing Strategy (RAHS), but with the removal of the template housing agreement from the Zoning and Development Bylaw, it would enable individual housing agreements to be registered as individual development projects come forward;
- 2003 data provided by Canada Mortgage and Housing Corporation (CMHC) was used by staff for the housing agreement as part of the Richmond Affordable Housing Strategy approved by Council in 2007; for the proposed amendments to the agreement, and now staff is relying on new information received from the CMHC to adjust the Annual Income Thresholds and the Maximum Permitted Rents; and
- as staff continue to implement the RAHS staff will continue the review of the Strategy but fewer adjustments and refinements will be necessary.

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In response to a comment regarding whether the Affordable Housing Coordinator position would remain in the Real Estate office of the Business and Financial Services Division, or was better suited to the social planning area of the Planning and Development Division, Joe Erceg, General Manager, Planning and Development, responded that the logic of placing and positioning the role in the Real Estate office was being reviewed.

A brief discussion between Committee and staff ensued regarding the statutory declaration request of the landlord and the tenant of the affordable unit, done up to four times per year. Staff proposed reducing this to once per year for the landlord, except when a breach in the housing agreement is perceived. In the case of the tenant, staff noted that the stigma attached to requesting residents of affordable housing units to submit information on their income could be reduced, they will be asked annually to produce a copy of their previous year's income.

In response to a query, staff advised that Richmond routinely compares its RAHS to Metro Vancouver's (MV) Regional Affordable Housing Strategy. It was noted that while MV's strategy defines its role on a regional basis, and Richmond's Strategy applies to the municipality's roles and responsibilities, the two strategies are complementary.

Developer Dana Westermarck, 13333 Princess Street, addressed Committee and offered his support for the revisions proposed in the staff report. He remarked that the issue is (i) complex and (ii) has an inordinate number of variables.

He stated that in his experience working with affordable housing groups it was clear that each group differs in their requirements and concerns.

Mr. Westermarck concluded his remarks and stated that CMHC and BC Housing both have individual sets of affordable housing issues, and that the affordable housing options and approaches are not "one-size fits all". He stressed that flexibility and creativity is key.

The Chair requested that Real Estate staff submit a memorandum informing Council of the number of affordable housing units that are in-stream, the type of units, and how they are being managed.

It was moved and seconded

***(1) That Bylaw No. 8493 to amend the Richmond Zoning and Development Bylaw No. 5300 (as outlined in Attachment 1 of the staff report dated May 1, 2009, from the General Manager of Business and Financial Services, entitled "Affordable Housing Strategy: Implementation Review and Housing agreement Revisions") be introduced and given first reading.***

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- (2) *That amendments to the Richmond Affordable Housing Strategy (as outlined in Attachment 2 to the staff report dated May 1, 2009, from the General Manager of Business and Financial Services, entitled “Affordable Housing Strategy: Implementation Review and Housing agreement Revisions”, which include annual household income thresholds and permitted maximum rental rates and the methodology used to determine same both now and in the future) be approved as an Addendum to the original Richmond Affordable Housing Strategy.*

**CARRIED**

## PLANNING & DEVELOPMENT DEPARTMENT

11. **AGRICULTURAL LAND RESERVE EXCLUSION APPLICATION BY GORDON PUSHEE AT 7340 NO. 4 ROAD**  
(AG 06-353859) (REDMS No. 2639844)

Mr. Jackson advised that staff recommended that Committee deny the agricultural land reserve exclusion application by Gordon Pushee, and stated that the basis upon which staff recommends the denial is the applicant's failure to provide required information.

Discussion ensued between Committee and staff and in particular on:

- that staff requests the same information from all applicants for similar applications; the requested information enables staff to conduct a complete review of the application;
- the Agriculture Land Reserve (ALR) was created in 1973 and lots of less than 2 acres that were created prior to 1973 were included in the ALR, and are governed by the City's OCP, Area Plans, and Zoning and Development Bylaw;
- the information requested of the applicant, but not forthcoming was: (i) a soils report (ii) a written rationale which justifies the ALR exclusion application (iii) information regarding how the exclusion application would result in agricultural viability and a significant benefit to agriculture and (iv) detailed information regarding the proposed ultimate future land use for the site.
- the application's inconsistency with the Official Community Plan's objectives and policies, and maintaining a uniform ALR boundary

A comment was made that a major precedent would be set if Council approved the applicant's Agricultural Land Reserve Exclusion application.



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Gordon Pushee, 7340 No. 4 Road addressed Committee and made the following points:

- 7340 No. 4 road never has been, and never will be, farmland;
- at least one precedent for removing 7340 NO. 4 Road from the ALR is the City's applications for removing the Garden City Lands from the ALR;
- as an applicant, he has submitted the necessary information to City staff via emails;
- a discussion regarding proposed future uses for 7340 No. 4 Road is premature as the application before Committee is for an exclusion application, not a rezoning application;

In response to the Chair's inquiry regarding the applicant's intended future land use at 7340 No. 4 Road, Mr. Pushee advised that there is no reason to keep his application in the ALR zone.

Roeland Hoegler, 6560 No. 4 Road addressed Committee and remarked that the application by Richberry Farms, to allow the exclusion of acres from the ALR was approved by Council in 2000, and ultimately approved by the Agricultural Land Commission.

Mr. Hoegler then referenced arterial roads, such as No. 4 Road, and buffers, and stated that a road cannot be compared to a vegetated strip. He added that consolidation of the existing small lots east of No. 4 Road is a non-starter.

It was moved and seconded

***That authorization for Gordon Pushee to apply to the Agricultural Land Commission for exclusion of 7340 No. 4 Road (AG 06-353859) from the Agricultural Land Reserve be denied.***

The question on the motion was not called as discussion ensued on the following topics:

- without the necessary documentation and information, staff cannot process an application nor can Council make an informed decision;
- historically, the size of lots, including those along No. 4 Road, were determined in the early 1900s and the 1940s, and it was determined at that time, and remains, that 1.6 acres constituted a farm; and
- an exclusion such as the one sought by the applicant would cause an increase in property values in the No. 4 Road area that would have a detrimental effect on the City's farmland.

The Chair stated that it is the applicant's responsibility to supply information related to applications to staff. She noted that email correspondence between staff and an applicant does not constitute submitted information.

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The Chair added that all applicants are required to identify the intended future use of a site, and only when that is done can Council make a considered decision on an application.

The question on the motion was then called and it was **CARRIED**.

12. **AGRICULTURAL LAND RESERVE EXCLUSION APPLICATION BY ROLAND HOEGLER (ACTING AGENT FOR STUART TAYLOR) AT 8400 NO. 4 ROAD**

(AG 06-355496) (REDMS No. 2641368, 1361302)

Mr. Jackson advised that staff recommended that Committee deny the agricultural land reserve exclusion application by Roland Hoegler, and stated that the basis upon which staff recommends the denial is the applicant's failure to provide required information.

In response to a query Mr. Jackson advised that the information requested of the applicant, but not forthcoming was: (i) a soils report (ii) a written rationale which justifies the ALR exclusion application (iii) information regarding how the exclusion application would result in agricultural viability and a significant benefit to agriculture and (iv) detailed information regarding the proposed ultimate future land use for the site.

Roeland Hoegler addressed Committee and remarked that (i) the site was less than 2 acres in size, and (ii) the property is zoned Agricultural District (AG1). He made reference to section 23 of the ALC Act, and noted that the section that restricts the use of agricultural land does not apply to the site.

With the use of a geology map of Richmond Mr. Hoegler remarked that an agrologist had identified the soil type on his site as peat. Peat extraction is allowed under the zoning of the site, but other types of agricultural uses were unlikely to be achieved at 8400 No. 4 Road. He stated that City policies and bylaws make 8400 No. 4 Road ineligible for farm status.

Mr. Hoegler remarked that buffers could work well in areas where a new development was being considered, but that a buffer may not always be a practical solution. With the use of a City map he indicated sites where buffering separates ALR land from adjacent non-ALR land and he stated that there is no buffer on No. 4 Road between the ALR (east) side and the buildings on the west side of the road.

In conclusion Mr. Hoegler stated that he wanted the City to take responsibility for how No. 4 Road residents are impacted by the continued inclusion of their lots in the ALR.

In response to a query regarding the applicant's intended future land use at 8400 No. 4 Road, Mr. Hoegler advised that he had no options for future land use. He added that there is a stigma attached to the property, and other No. 4 Road properties, due to their inclusion in the ALR.

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Discussion ensued between Committee and Mr. Hoegler and in particular on:

- 8400 No. 4 Road was created in 1980, and the present owner acquired it in 1996; and
- AG1 allows agriculture and this could include livestock or small animals such as chickens.

In response to the Chair's query regarding the intended use of the site if it was excluded from the ALR, Mr. Hoegler referred to the 2000 exclusion of the Richberry Farm property and stated that the intended use stated at the time of the exclusion changed as the exclusion process proceeded.

Mr. Pushee addressed Committee and stressed that the application was not a rezoning application, but the applicant sought exclusion from the ALR. He remarked for this reason, staff did not have to request a soil report.

The Chair advised that staff was following Council's directives in requesting information of all applicants, for all applications. She added that emails did not meet the definition of information required.

It was moved and seconded

*That authorization for Roland Hoegler (acting agent for Stuart Taylor) to apply to the Agricultural Land Commission for exclusion of 8600 No. 4 Road (AG 06-355496) from the Agricultural Land Reserve be denied.*

**CARRIED**

## **13. AGRICULTURAL LAND RESERVE EXCLUSION APPLICATION BY PHILIP LEE AT 6580 NO. 4 ROAD**

(AG 07-358609) (REDMS No. 2641374, 2286927)

Phillip Lee, 6580 No. 4 Road distributed his written remarks to Committee (on file in the City Clerk's Office) and drew Committee's attention to the following points:

- the property is not being farmed, to the best of the applicant's knowledge it has never been farmed, and the property would never be viable for farming;
- the site is less than one-half an acre (approximately 1770 square metres) and no parcel of land in the City of this size has been granted farm status by the BC Assessment Authority; in addition, according to a City bylaw, raising domestic farm animals is not permitted on site;
- one notable precedent for exclusion of land from the ALR was the approval in 2000 of the applications of Richberry Farms; and a second precedent for an application for removal of lands from the ALR was the City's application with regard to the Garden City Lands;

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- there is data available to staff on the soil characteristics in the area to fulfill staff's request for a soil report;
  - excluding the property from the ALR would not adversely impact the agricultural viability of the site; and
  - any proposed future land use is subject to a rezoning application.

It was moved and seconded

*That authorization for Philip Lee to apply to the Agricultural Land Commission for exclusion of 6580 No. 4 Road (AG 07-358609) from the Agricultural Land Reserve be denied.*

The question on the motion was not called as discussion ensued on:

- the importance of the submission by the applicant of a study soil as requested by staff;
- even if small parcels of land within the ALR are determined to be unviable for farming activities, exclusion of lands within the ALR could create land speculation and an increase in prices for farmland and could, as a result, further devalue agriculture activity in the City; and
- some criteria should be established to distinguish between allowing livestock and allowing other animals, such as chickens, on small lots;

The Chair asked staff to submit information to Committee on details regarding agricultural activities allowed in the AG1 zone.

She added that without information from the applicant on future land use, Council is unable to consider the request for supporting an application for exclusion of the site from the ALR.

The question on the motion was then called and it was **CARRIED**.

A brief discussion ensued during which it was mentioned that some properties in the No. 4 Road neighbourhood have no road access. As a result of the discussion the Chair asked staff to review the properties in the area to identify those that are landlocked.

(Councillor Bill McNulty left the meeting at 6:15 p.m. and did not return.)

## 14. MANAGER'S REPORT

### (1) *Official Community Plan (OCP)*

Terry Crowe, Manager, Policy Planning reported that staff is drafting the public consultation strategy and industrial study terms of reference for the City's OCP update.

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## **(2) *Social Planning Strategy***

Mr. Crowe reported that staff is arranging a staff Social Planning Strategy workshop on July 7, 2009.

## **(3) *Steveston Village Conservation Strategy***

Mr. Crowe reported that on Thursday, June 4, 2009, a public information house, co-sponsored by the Steveston Community Society and the City, would be held regarding the Strategy.

## **(4) *Regional Growth Strategy (RGS)***

Mr. Crowe reported that Metro Vancouver (MV) notified its 22 member municipalities that the timeline for the RGS has been extended. MV also informed municipalities that MV staff would meet with each Council, including Richmond City Council, to seek solutions to issues in the draft RGS.

## **(5) *Council's Goals***

Mr. Jackson reported that when a rezoning application is submitted, staff works closely with the applicant to ensure that Council's goals regarding (i) green innovations and (ii) the preservation of agricultural lands, in addition to Council's other stated goals, are taken into consideration.

## **(6) *Richmond School Board***

Mr. Jackson advised that he and Mr. Crowe attended the Monday, June 1, 2009 meeting of the Richmond School Board, during which the issue Dana Westermarck's residential development property near Tait School was discussed and solutions would be co-operatively explored.

## **(7) *Environmentally Sensitive Areas (ESA)***

In response to a Committee query, staff advised of the following: (i) ESAs are designated in the OCP and, as the mapping is outdated, as part of the OCP update an ESA study will be undertaken to better clarify where ESAs are and how they should be managed; (ii) agriculture use overrides ESA designations; (iii) staff are preparing the terms of reference for the ESA study and will discuss them with Committee when they are ready; and (iv) Policy Planning staff will provide Council with a memorandum regarding the background of ESAs.

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## ADJOURNMENT

It was moved and seconded  
*That the meeting adjourn (6:35 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 2, 2009.

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Councillor Evelina Halsey-Brandt  
Chair

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Sheila Johnston  
Committee Clerk