



# City of Richmond


## Report to Council

**To:** General Purposes Committee  
**From:** Joe Erceg, MCIP  
 General Manager, Planning and Development  
**Re:** Referral Response: Proposed 2041 Regional Growth Strategy (RGS)

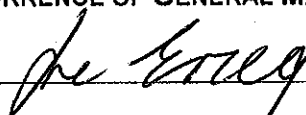

**Date:** February 25, 2011  
**File:**

### Staff Recommendation

That the staff report entitled: "Referral Response: Proposed 2041 Regional Growth Strategy (RGS), dated February 25, 2011, from the General Manager, Planning and Development be received for information.

  
 Joe Erceg, MCIP, General Manager,  
 Planning and Development

Att. 1

FOR ORIGINATING DEPARTMENT USE ONLY					
ROUTED TO:		CONCURRENCE		CONCURRENCE OF GENERAL MANAGER	
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## Staff Report

### Origin

On Monday, February 21, 2011 the General Purposes Committee passed the following referral motion:

*That the proposed Metro Vancouver Regional Growth Strategy Bylaw 1136, 2010, entitled "Metro Vancouver 2040, Shaping Our Future" be referred back to staff for:*

- (1) comment on the situation involving the Department of National Defence (DND) lands; the Terra Nova lands; and the Garden City lands including their status and alternatives;*
- (2) more information on small parcels in the Agricultural Land Reserve in the context of Section 2.3.4 of the proposed Regional Growth Strategy;*
- (3) more information in the context of Section 2.3.10 of the proposed Regional Growth Strategy;*
- (4) comment on the mechanisms for future amendments to the proposed Regional Growth Strategy; and*
- (5) more information on the ramifications and process if the City were to not accept the proposed Regional Growth Strategy.*

### Referral

The following report sections respond to the above referral.

***1. Comment on the situation involving the Department of National Defence (DND) lands; the Terra Nova lands; and the Garden City lands including their status and alternatives***

Each of the three sites will be discussed separately below with a summary of their current status, and an overview of Council's direction regarding the regional designation to be applied within RGS.

**Attachment 1** provides RGS definitions for the "General Urban", "Agricultural", "Conservation and Recreation" and "Rural" designations. It is noted that the RGS definition for "General Urban" allows park use, while the RGS definition of "Agricultural" does not.

#### **A. The Garden City Lands (GCL)**

##### Current Status

The Garden City Lands are in the ALR. In the 1996 Livable Region Strategic Plan (LRSP), the GCL are designated Urban. The City OCP designates these lands Public & Open Space. The proposed 2041 RGS designates them General Urban which is the designation which most closely corresponds with the current Urban designation in the LRSP.

### Council Comments on the 2041 RGS Preparation

Since 2008, Council has reviewed the RGS several times and has accepted the RGS General Urban designation for the GCL by resolution the last two (2) times it has considered the latest revisions of the RGS. There has been no formal Council direction to change the proposed General Urban RGS designation for the Garden City Lands.

Staff regard the proposed RGS General Urban designation to be the most appropriate designation because it corresponds with the existing Urban designation in the LRSP and provides the most flexibility (e.g., possible recreation facilities, parks) which is desirable to ensure at this time as detailed plans for the GCL have not been adopted. As well, the RGS Agricultural designation does not promote park uses and is more limiting than the ALR regulations.

For similar reasons, staff suggest that the RGS Conservation and Recreation designation is not appropriate for the GCL.

### Alternative 2041 RGS Designations

Alternative RGS designations include changing from RGS General Urban to:

- (1) Agriculture, or
- (2) Conservation & Recreation.

Please note that RGS designation definitions are contained in Attachment 1. Process options for requesting an amendment to the RGS are outlined later in this report.

## **B. The Department of National Defence (DND) Lands**

### Current Status

The DND Lands are in the ALR. In the 1996 Livable Region Strategic Plan (LRSP), the DND lands are designated Urban. The City OCP designates these lands Public & Open Space. The proposed 2041 RGS designates them General Urban which is the designation which most closely corresponds with the current LRSP Urban designation.

### Council Comments on the 2041 RGS Preparation

Since 2008, Council has reviewed the RGS several times and has accepted the RGS General Urban designation for the DND lands by resolution the last two (2) times it has considered the latest revisions of the RGS. There has been no formal Council direction to change the proposed RGS designation for the DND Lands.

Staff regard the proposed RGS General Urban designation to be the appropriate designation because it corresponds with the existing Urban designation in the LRSP and provides the most flexibility.

Alternative 2041 RGS Designations

Alternative RGS designations include changing from RGS General Urban to:

- (1) Agriculture, or
- (2) Conservation & Recreation.

Please note that RGS designation definitions are contained in Attachment 1. Process options for requesting an amendment to the RGS are outlined later in this report.

**C. The Terra Nova (TN) Lands**

Current Status

The Terra Nova lands are not in the ALR. In the 1996 Livable Region Strategic Plan (LRSP), the Terra Nova lands are designated Urban. The City OCP designates these lands Agriculture & Open Space. The proposed 2041 RGS designates them General Urban which is the designation which most closely corresponds with the current LRSP Urban designation.

Council Comments on the 2041 RGS Preparation

Since 2008, Council has reviewed the RGS several times and has accepted the RGS General Urban designation for Terra Nova by resolution the last two (2) times it has considered the latest revisions of the RGS. There has been no formal Council direction to change the proposed RGS designation for the Terra Nova Lands, although some discussion about alternative designations did occur.

Staff regard the proposed RGS General Urban designation to be the most appropriate designation because it corresponds with the existing Urban designation in the LRSP and provides the most flexibility.

Alternative 2041 RGS Designations

Alternative RGS designations include changing, from RGS General Urban to:

- (1) Agriculture, or
- (2) Conservation & Recreation.

Please note that RGS designation definitions are contained in Attachment 1. Process options for requesting an amendment to the RGS are outlined later in this report.

In consultation with the General Manager of Parks and Recreation, it has been determined that if a RGS designation change is proposed, the RGS Conservation & Recreation designation is preferred.

**2. Provide more information on small parcels in the Agricultural Land Reserve in the context of Section 2.3.4 of the proposed Regional Growth Strategy**

Policy 2.3.4 states: “*Work with the Agricultural Land Commission to protect the region’s agricultural land base and not amend the Agricultural or Rural land use designation of a site if it is still part of the Agriculture Land Reserve, except to change it to an Agricultural land use designation.*”

Discussion with senior MV staff confirmed that RGS Policy 2.3.4 does not hinder any future City review of small parcels at the ALR/Urban area interface as the proposed RGS enables a range of solutions to be considered. Under the proposed RGS, the City would still have flexibility to consider City rezoning of small lots to Rural, or re-designation and rezoning of small parcels to Rural.

**3. Provide more information in the context of Section 2.3.10 of the proposed Regional Growth Strategy;**

RGS Policy 2.3.10 states: “*That the province, in consultation with municipalities, establish and enforce maximum residential floor area and setback regulations for development within the Agricultural Land Reserve, while recognizing existing municipal regulations.*”

City staff discussions with senior MV staff confirmed that under this policy, the MV Board will ask the Province to establish provincial regulations which respect any existing municipal regulations (e.g., in Richmond, houses must be located within 50 m of the road).

**4. Comment on the mechanisms for future amendments to the proposed Regional Growth Strategy**

The RGS establishes a decision making framework which requires that the more regionally significant an issue is, the higher the degree of MV Board involvement and the less regionally significant an issue is, the less the MV Board will be involved.

The RGS identified the following range of RGS amendment processes:

- (1) **Type 1 - Major** (e.g., to change a fundamental goal or strategy of the RGS) which involves **acceptance by all 24 local governments**, a weighted 50% + 1 MV Board vote and a public hearing;
- (2) **Type 2 - Minor** (e.g., to amend the Urban Containment Boundary of the RGS) which involves a weighted 66% MV Board vote and a public hearing;
- (3) **Type 3 - Minor** (e.g., to change a RGS designation within the Urban Containment Boundary) which involves only a 50% + 1 MV Board vote and no public hearing.

In additional, for RGS designation changes within the Urban Containment Boundary, a municipality can make RGS designation changes of up to one hectare without MV Board referral or approval.

**5. *Provide more information on the ramifications and process if the City were to not accept the proposed Regional Growth Strategy***

City Staff have reviewed this subject with MV staff and provide the following overview.

**Option 1: Not Accept the Proposed RGS**

In order to not accept the RGS, the City of Richmond must clearly state its objections to the proposed RGS. The MV Board must then notify the BC Minister of Community, Sport and Cultural Development who determines the process by which a local government's specific objections will be resolved for example by either:

- (1) a non binding process which involves the affected local government, MV Board representatives and a neutral expert appointed by the Minister, or,
- (2) several binding arbitration methods.

The non-binding process may result in an agreement between the MV Board, the affected local government, and all of the participating local governments. A local government that chooses not to participate will, unless they have noted an objection, be bound by such an agreement.

If the minister is of the view that the non-binding process will not likely be successful or if the non-binding process is followed but does not result in an agreement between the board and the affected local government then the minister decides which, of three possible binding arbitration/settlement processes will be followed. Once determination is made under the binding arbitration/settlement process, then the board and the affected local government have 60 days to reach and agreement on acceptance of the RGS. If the board and the affected local government agree to such changes prescribed by the binding arbitration, then such changes must be approved by all of the local governments. If the board and the affected local government do not agree to them, the changes prescribed by the binding arbitration become binding on the board and all affected local governments whether or not they participated in the settlement process."

The City of Richmond has constructively co-operated in the review of the RGS over an extended period of time. Not accepting the RGS at this stage would be a dramatic departure from previous City positions.

Given the relatively minor nature (from a regional perspective) of potential changes, the following additional options are presented for consideration in the event that the Council wishes to modify the RGS.

**Option 2: Not Accept the Proposed RGS and Request Changes Prior to City of Richmond Acceptance**

Under this option Council would not accept the RGS and would request specific changes to the RGS prior to acceptance. The MV Board must then notify the BC Minister of

Community, Sport and Cultural Development who determines the process by which a local government's specific objections will be resolved, for example by either:

- (1) a non binding process which involves the affected local government, MV Board representatives and a neutral expert appointed by the Minister, or,
- (2) several binding arbitration methods.

See the above implications regarding the non-binding and binding arbitration processes.

The advantage of this option is that it can achieve any desired changes. The disadvantages include that it unnecessarily delays approval of the whole RGS may require acceptance of the RGS changes by all 24 local governments, may open up other concerns and delay approval of the RGS. The City would have to share in the cost of arbitration.

### **Option 3: Accept the RGS and Then Request Specific Changes**

Under this option Council would accept the RGS, and would request that specific changes be made after its approval. The MV Board would initiate a RGS amendment specifically for the requested changes and send it to all 24 governments **for comment only**. Unlike Options 1 and 2, no dispute resolution process is triggered and all 24 local governments do not need to accept the changes. The MV Board would approve the changes and no public hearing would be required.

The advantages of this option are that the RGS can be approved which would provide overall certainty, Council's changes can be made in an easier and timely manner, (e.g. no arbitration, not all 24 local governments need to accept it) and no costs are attributed to the City. The disadvantages of this option are that some may feel that the changes should be made before the RGS is approved.

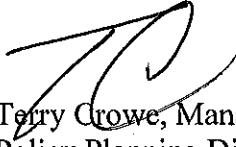
Based on discussion with senior MV staff, City staff believe that MV is willing to consider changes to the RGS with respect to the Garden City Lands, Department of National Defence Lands, and Terra Nova Lands. Given the long history of constructive co-operation between the City of Richmond and MV in the preparation of the RGS, staff believe that Option 3 above is the most appropriate course of action if Council wishes to modify the RGS.

### **Financial Impact**

None.

**Conclusion**

On February 21, 2011, the General Purposes Committee referred the RGS report to staff, to provide more information. This report responds to that request.



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## Regional Growth Strategy (RGS) Designation Definitions

For reference, the meanings of some RGS Designations are presented below.

### General Urban

- General Urban areas are intended for residential neighbourhoods and centres, and are supported by shopping, services, institutions, recreational facilities and parks. Within General Urban areas, higher density trip-generating development is to be directed to Urban Centres and Frequent Transit Development Areas. General Urban areas are intended to emphasize place-making, an enriched public realm, and promote transit-oriented communities, where transit, multiple occupancy vehicles, cycling and walking are the preferred modes of transportation.

### Agricultural

- Agricultural areas are intended primarily for agricultural uses, facilities and supporting services with an emphasis on food production where appropriate. These areas reinforce provincial and local objectives to protect the agricultural land base of the region.

### Conservation and Recreation

- Conservation and Recreation areas are intended to protect significant ecological and recreation assets, including: drinking watersheds, conservation areas, wildlife management areas and ecological reserves, forests, wetlands, riparian corridors, major parks and recreation areas, ski hills and other tourist recreation areas. Limited primarily soils based agriculture is permitted. (Note that municipalities may include limited primarily soil-based agriculture uses).

### Rural

- Rural areas are intended to protect the existing character of rural communities, landscapes and environmental qualities. Land uses include low density residential development, small scale commercial, industrial, and institutional uses, and agricultural uses that do not require the provision of urban services such as sewer or transit. Rural areas are not intended as future urban development areas, and generally will not have access to regional sewer services.