



City of Richmond
Urban Development Division

Report to Committee

To: Planning Committee
From: Raul Allueva
Director of Development

To Planning - May 18, 2004
Date: May 6, 2004
File: RZ 03-254766
File: 12-8060-20-7720

**RE: APPLICATION BY MATTHEW CHENG ARCHITECT TO DISCHARGE LAND USE
CONTRACT 106 AND REZONE 8280 NO. 5 ROAD TO ASSEMBLY DISTRICT
(ASY) AND AGRICULTURAL DISTRICT (AG1)**

Staff Recommendation

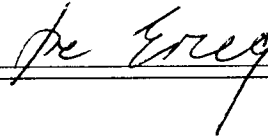
That "Land Use Contract 106" be discharged from 8280 No. 5 Road and that Bylaw No. 7720, to rezone the west 110 m of 8280 No. 5 Road" to "Assembly District (ASY)" and the remainder to "Agricultural District (AG1)", be introduced and given first reading.


Raul Allueva
Director of Development

RA:jl
Att. 4

FOR ORIGINATING DIVISION USE ONLY

CONCURRENCE OF GENERAL MANAGER



Staff Report

Origin

Matthew Cheng Architect has applied, on behalf of the Peace Evangelical Church, to discharge Land Use Contract 106 from 8280 No. 5 Road and rezone the west 110 m (360.9 ft.) to “Assembly District (ASY)” and the remaining land to “Agricultural District (AG1)”. The site location is shown in **Attachment 1**.

Findings of Fact

Item	Existing	Proposed
Owner	Maria Ferreira	Peace Evangelical Church
Applicant	Matthew Cheng Architect	No change
Site Size	1.05 ha (2.6 acres)	No change
Land Uses	Agricultural	Institutional and Agricultural
OCP Designation	Community Institutional and Agricultural	No change
ALR Designation	In the ALR	No change
Area Plan Designation	Agriculture, Institutional and Public	No change
Zoning	Land Use Contract 106	ASY and AG1

Project Description

The subject property is currently regulated by a Land Use Contract that was registered in 1978 and which permits agricultural uses. The west 110 m (360.9 ft.) is proposed to be rezoned to ASY (Assembly District) in order to develop the Peace Evangelical Church and associated parking area. The land area proposed to be rezoned to ASY is 4,381 m² (47,158 ft²) and the area of agricultural land is approximately 5,970 m² (64,263 ft²).

The church is proposed to be developed in two phases. The first phase consists of a sanctuary, classroom and offices. The second phase will include a multi-purpose room, and additional classroom and office space. An existing house at the northwest corner of the site is proposed to be retained as a pastor’s residence.

The proposed development has a floor area ratio of 0.25 and site coverage of 20%, which is well below the permitted maximum floor area ratio of 0.50 and site coverage of 35% specified in the ASY zone.

The height of the two storey building is proposed to be 11.0 m (36 ft.) which is below the maximum permitted height of 12 m (39 ft.). A total of 64 parking stalls is provided on-site; this conforms to bylaw requirements. The plans and elevations for the building are included as **Attachment 2**.

Site Context

The site context is as follows:

- North: Agricultural property that has been rezoned ASY and AG1, but no institutional uses have been developed yet.
- South: Agricultural property that has been rezoned ASY and AG1, but no institutional uses have been developed yet.
- West: Agricultural lands (zoned AG1)
- East: Shia Muslim School (zoned ASY) fronting Blundell Road

Related Policies & StudiesOfficial Community Plan

In 1992, the OCP was amended to create a 110 m (360.9 ft.) wide strip along the east side of No. 5 Road between Blundell Road and Steveston Highway to allow for institutional uses. This change responded to an increased demand by institutions seeking land in the Agricultural Land Reserve (ALR) for places of worship, cultural centres, private schools, etc.

The City and Agricultural Land Commission (ALC) agreed to the land use amendment on the condition that the lands remain in the ALR, and that institutional uses undertake active farming on the remaining backlands that would still be zoned for agricultural use.

Council Policy

Council policies to govern institutional development along No. 5 Road have been in place since 1990. Policy No. 5037, which was adopted on March 27, 2000, outlines a number of conditions for considering non-farm use in this area, including preparation of a farm plan, farm consolidation, infrastructure improvements, etc.

Staff Comments

No objections to the proposed application were expressed by Staff. The proposed development is consistent with OCP policies for the area. The proposed building conforms to the zoning provisions of the ASY zone; no variances are requested.

Agricultural Advisory Committee Comments

The application was presented to the Agricultural Advisory Committee (AAC) on April 8, 2004 for review. The AAC noted that:

1. This part of Richmond has very poor drainage;
2. As the site does not extend all the way east to Highway 99, there is the potential for the agricultural backlands to be cut off from existing drainage systems along No. 5 Road and Highway 99;
3. New development should not cut the drainage of the agricultural backlands from the existing storm drainage system.

The AAC suggested that the applicant ensure that the agricultural backlands can be drained through methods such as:

- Creating a perimeter ditch around the backlands; or
- Connecting the backlands to a catch basin on the non-farm portion of the site in order to access site drainage to the No. 5 Road storm system.

The AAC passed the following recommendation at its April 8, 2004 meeting:

“That the application be supported subject to:

- Review of the Final Farm Plan;
- Ensuring that new development has no negative impacts to drainage on the agricultural backlands.”

Analysis

Non-Farm Use Approval

The site was the subject of an Non-Farm Use Application to the Agricultural Land Commission (Application No. AG 03-236991). This application to obtain permission to use the west 110 m for non-farm use was approved by the ALC on December 22, 2003 (see **Attachment 3**).

The ALC’s approval has the following conditions:

1. The non-farm use is restricted to the west 110 m of the site only;
2. Submission of a drainage plan to address surface and internal drainage;
3. Registration of a restrictive covenant on the agricultural backlands specifying its use as agricultural and restricting any non-farm related services or uses;
4. Development of the orchard proposed in the farm plan that was submitted by the applicant; and
5. Compliance with applicable Acts, regulations, bylaws or the local government.

Farm Plan

In accordance with the No. 5 Road policy, the applicant has submitted a Farm Plan with the application. The plan outlines a program to plant approximately 70 fruit trees in the backlands with proper spacing, irrigation and drainage.

The Church’s congregation would manage the proposed fruit tree orchard (i.e. planting, maintenance and harvesting). While most of the crops would be utilized by church members, any excess produce would be donated to local charities.

The use of the backlands for fruit trees is not new to the No. 5 Road institutional area. The Lingyen Mountain Temple, further to the south at 10060 No. 5 Road, has successfully used its agricultural backlands for a fruit tree orchard.

The ALC's approval of non-farm use on the property is conditional, among other things, on submission of a drainage plan to address surface and internal drainage, as well as development of the orchard proposed in the farm plan.

The City's AAC is also interested in reviewing the drainage plan and how it will be incorporated into the final Farm Plan.

To ensure that the drainage issues are addressed and that the Farm Plan is implemented, the City recommends the following as conditions of rezoning:

- Submission of a final Farm Plan, which includes the drainage plan, acceptable to the ALC and the City;
- That a Letter of Credit, in the amount of the value of the intended farm product (e.g. fruit trees) and physical improvements (e.g. drainage, etc.) be submitted (the Letter of Credit would be released upon completion of the works outlined in the Farm Plan); and
- That a restrictive covenant be registered on the property to specify that an Occupancy Permit for the proposed assembly building cannot be issued until completion of the works outlined in the Farm Plan.

Sanitary Sewer Extension

There is currently no sanitary sewer service to the site. The closest pump station is located at 8580 No. 5 Road (the Shia Muslim temple).

The applicant has submitted a proposal to extend the sanitary sewer system from the pump station to the site and across the frontage. Staff have reviewed and support the proposal. A right-of-way may be required for the sewer line across the front of the property (details to be determined at the design stage). Provision of sanitary sewer will enable the church to develop fully on the site and not provide a septic field. The other intervening properties to the south will be able to connect to the sanitary system when they redevelop, upon payment of a Latercomer's charge.

The Muslim School at 12300 Blundell Road, which is located directly behind the subject property to the east, has been anxious to connect to a sanitary sewer system. Should the proposed development at 8280 No. 5 Road proceed to extend the sanitary sewer system, there is an opportunity to provide a connection through the site to the rear of the Muslim School property.

The applicant has agreed to provide a 6.0 m (19.7 ft.) wide right-of-way along the south property line in order that sanitary sewer can be extended through their site to the Muslim School. The Muslim School would assume the costs of this extension from No. 5 Road.

Overall Siting and Design

The new assembly building is proposed to be set back approximately 42.5 m (140 ft.) from the front property line. The finished floor elevation of the building is required to be 2.6 m geodetic for floodproofing.

Parking is located both in front of and behind the assembly building. An existing two-storey dwelling, sited between the assembly building and the front property line, is proposed to be retained as a pastor's residence. The retention of the house will help to reduce the impact of surface parking on the No. 5 Road streetscape.

A landscape plan (**Attachment 4**) submitted with the application shows that several existing trees on the property, along the front property line and the north property line, are proposed to be retained. Extensive landscaping is also proposed along property lines and within the parking area.

As there is no treed boulevard along No. 5 Road, the landscape plan provides for a mix of trees, shrubs and hedging along the front property line to help soften the appearance of the development from the street.

A 3 m (9.8 ft.) wide landscape buffer is also proposed to be planted within the west 110 m of the property, to separate the assembly and agricultural areas. This buffer helps to reinforce the use of the backlands for agriculture and to discourage the extension of non-farm uses onto the backlands.

Financial Impact

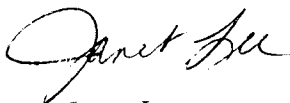
None.

Conclusion

The proposal is consistent with City policies respecting institutional development along this portion of No. 5 Road, and complies with the ALC's policies respecting non-farm uses in this area. The site plan has been well thought out to respond to City concerns and complement the existing scale of institutional development along No. 5 Road.

A number of conditions surrounding the implementation of the Farm Plan will help to ensure that farming occurs on the backlands. The proposed development provides benefit to the area by extending sanitary sewer service across neighbouring properties which will enable future developments to be serviced through Latecomer Agreements. The applicant has also agreed to provide a right-of-way through the entire length of the property to enable the Muslim School to connect to sanitary sewer.

It is recommended that this application be approved to proceed subject to the conditions identified in this report.



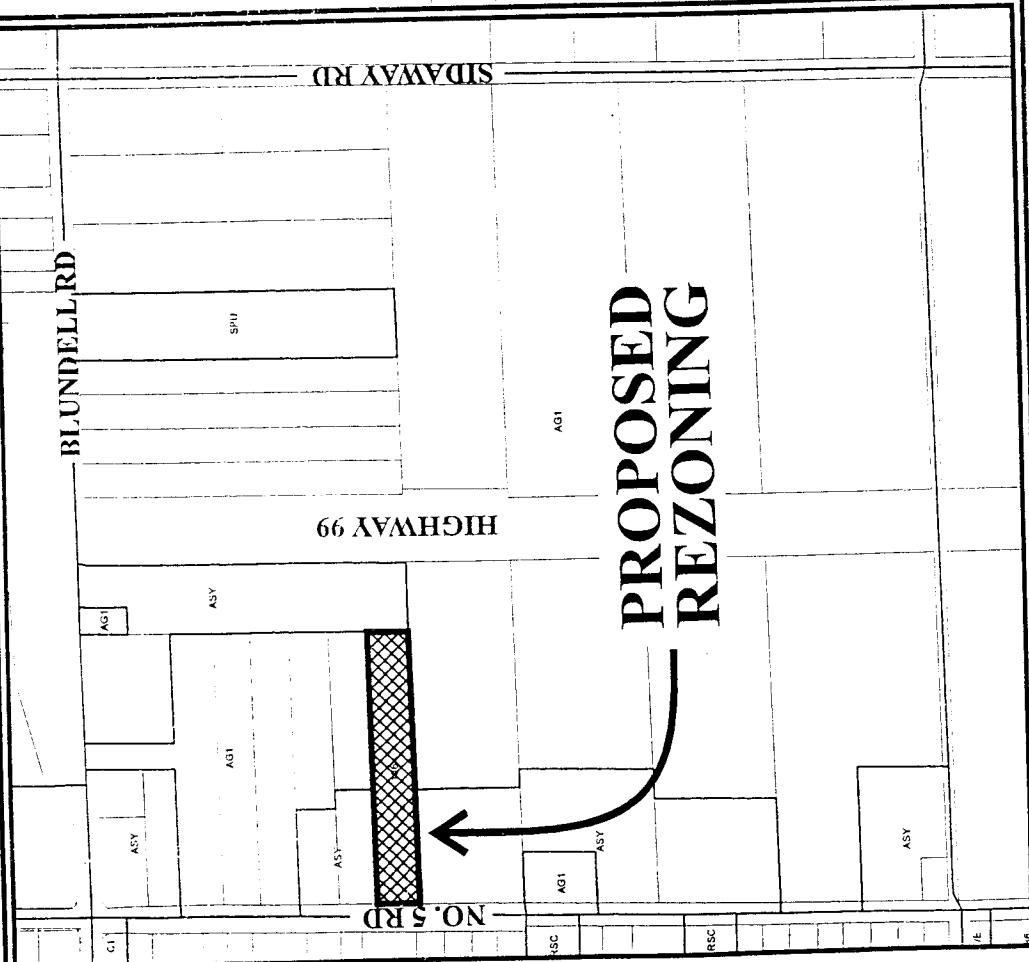
Janet Lee
Planner 2
(4108)

JL:cas

There are requirements to be dealt with prior to final adoption:

1. Ministry of Transportation approval required.
2. Legal requirements, including:
 - a. Registration of a restrictive covenant on the agricultural backlands specifying its use as agricultural and restricting any non-farm related services or uses;
 - b. Registration of a restrictive covenant that Occupancy Permits will not be issued for the assembly building until completion of the works outlined in the Farm Plan;
 - c. Registration of a restrictive covenant that limits development to the siting and general building design generally in keeping with the plans presented with this application;
 - d. Registration of a right-of-way across the frontage of the property (width to be determined at the design stage) to accommodate the sanitary sewer line;
 - e. Registration of a 6.0 m (19.7 ft.) wide right-of-way along the south property line in order to enable extension of the sanitary sewer connection to 12300 Blundell Road.
3. Development requirements, including:
 - a. Submission of a final Farm Plan, acceptable to the Agricultural Land Commission and the City;
 - b. Submission of a Letter of Credit in the amount of the value of the intended farm product (e.g. fruit trees) and physical improvements (e.g. drainage, etc.).
 - c. Enter into a Servicing Agreement to design and construct the sanitary sewer works across the frontage of the property and along the south property line to service 12300 Blundell Road.

City of Richmond



HIGHWAY 99

NO. 5 RD

SIDAWAY RD

HIGHWAY 99

NO. 5 RD

AG1

ASY

150 m

110 m

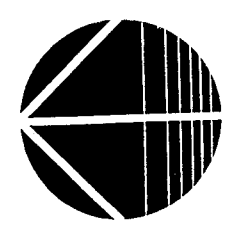
**PROPOSED
REZONING**

Original Date: 01/07/04

Revision Date:

Note: Dimensions are in METRES

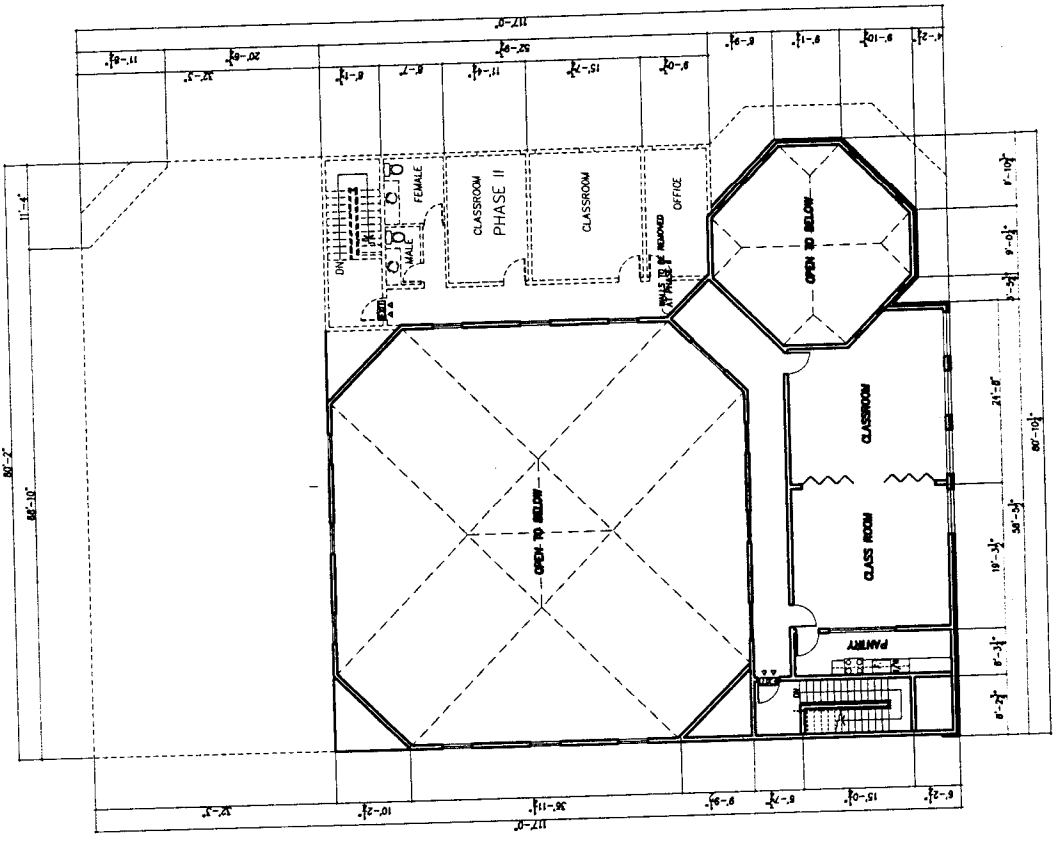
RZ 03-254766



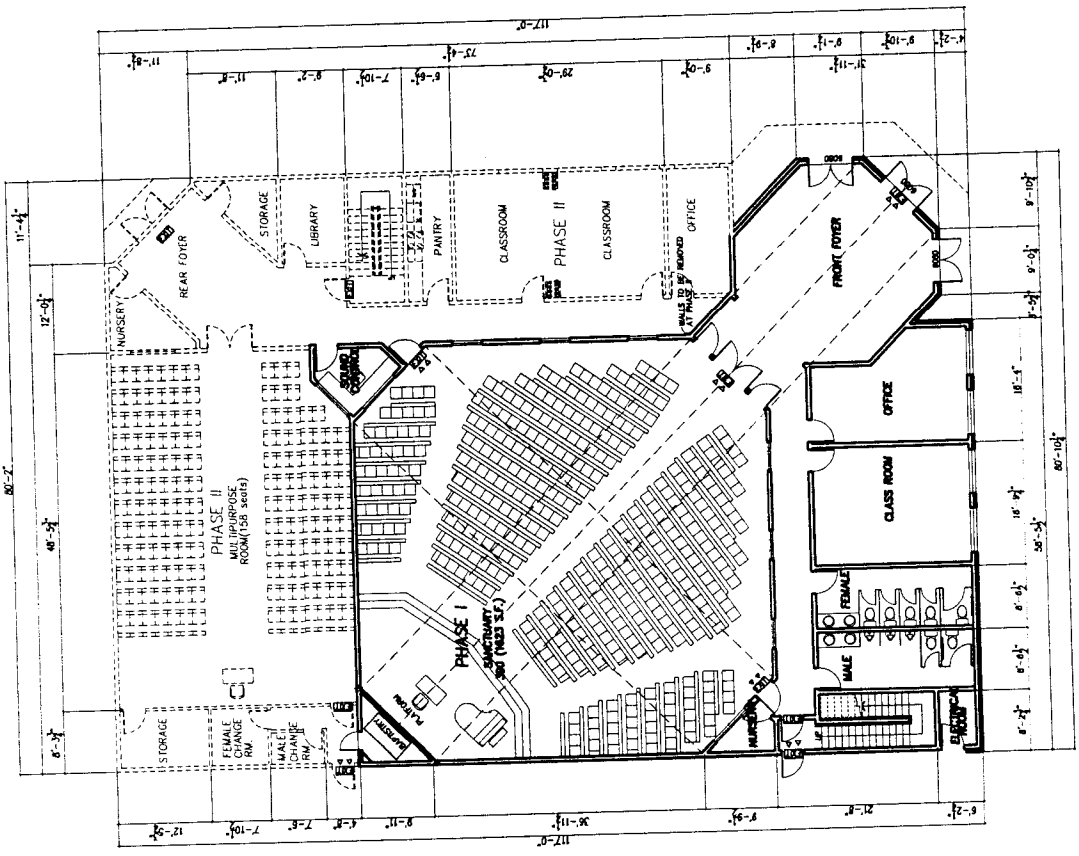
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MATTHEW CHENG
ARCHITECT INC.
2223 N. BROADWAY, VANDERBILT, B.C. WAK 214
Tel: (604) 731-5012 / Fax: (604) 731-5008

SECOND FLOOR PLAN



GROUND FLOOR PLAN



Project No.
2010-001
Date
2010-001
Project No.
2010-001
Sheet No.
2010-001

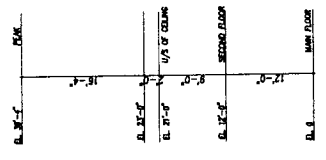
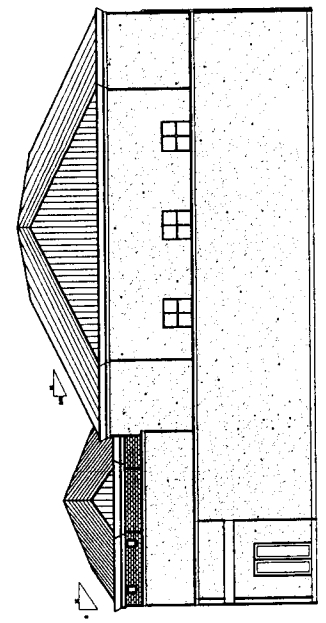
PEACE EVANGELICAL CHURCH
2010-001
2010-001

Drawn By
2010-001
2010-001

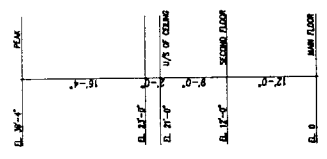
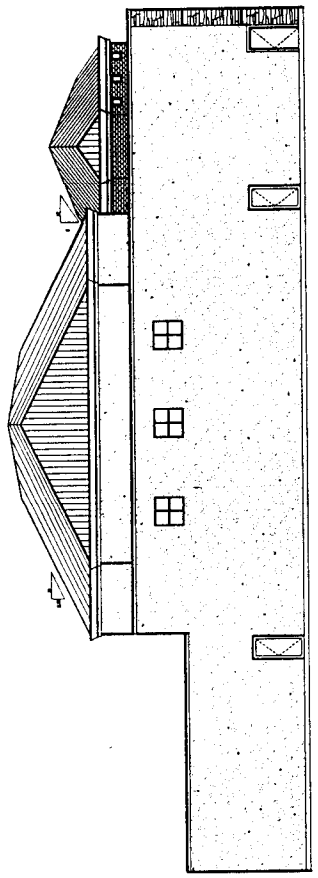
30 APR 2010 FOR P.A.

MATTHEW CHENG
ARCHITECT INC.
2210 - 2223 W BRADWAY, VANCOUVER, B.C. V6K 2E4
TEL: (604) 731-2012 / FAX: (604) 731-2008

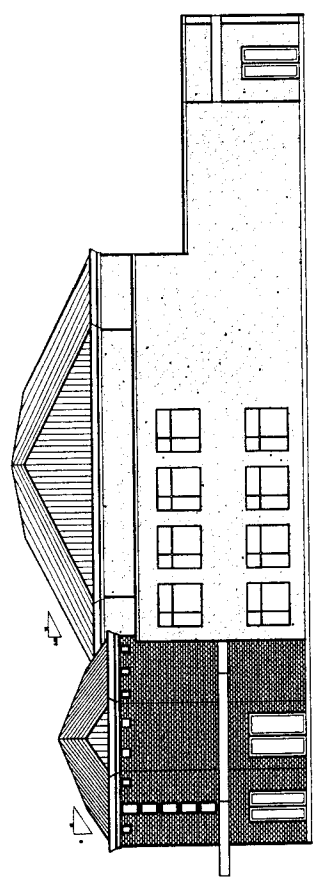
EAST ELEVATION



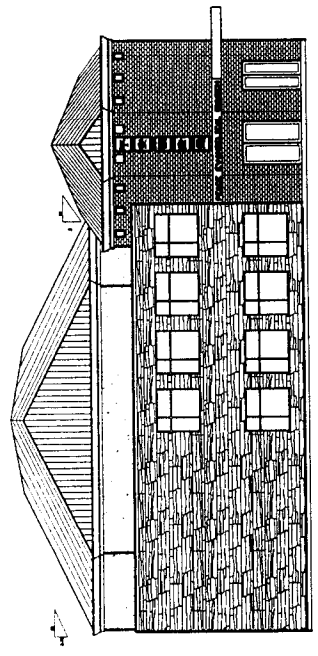
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION





Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

December 22, 2003

Reply to the attention of Sherry Gordon

Maria Ferreira
8280 No. 5 Road
Richmond, BC - V6Y 2V4

Dear Madam:

RE: Application #O-35076-0
**Lot 24, Block 4 North, Section 19, Range 5 West, New Westminster District,
Plan 55080**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to use the westerly 110 metres of the 1.0 ha property for assembly uses. The proposal includes leaving an area of 0.56 ha available for agricultural use. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it approved your application subject to the following conditions intended to address drainage issues and the agricultural development and use of the site:

- the use being restricted to the westerly 110m area identified on the attached plan;
- submission of a drainage plan to address surface and internal drainage;
- registration of a restrictive covenant on the agricultural backlands specifying its use as agricultural and restricting any non-farm related services or uses;
- development of the orchard proposed in the Farm Plan submitted with the application; and,
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact the City of Richmond at your earliest convenience.

The decision noted above is recorded as Resolution #598/2003.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

K. B. Miller, Chief Executive Officer

cc: City of Richmond - AG-03-236991
Kabel Atwall, 140 - 4651 Shell Road, Richmond, BC - V6X 3M3
BC Assessment, Richmond

SG/lv

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is prohibited. This drawing is an
instrument of service to the property
of the landscape architect and may
not be used in any way without the
written permission of this office.



1. All plant materials shall meet or exceed BC SARI/CI/NA Standard
2. All grasses shall be topped unless otherwise indicated
3. *Type 1ED seedless hybrids to be determined at the nursery during plant inspection
4. For all other requirements, see Landscape Specifications & Details on 8.5"x11" sheets. (to be provided at the time for tendering use)

NOTE 1 All plant materials shall meet or exceed BCS/ANCLNA Standard.



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7720 (RZ 03-254766)
8280 NO. 5 ROAD**

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

1. Bylaw No. 3547 is repealed and the Mayor and Clerk are hereby authorised to execute any documents necessary to discharge the Land Use Contract adopted by that Bylaw in the Land Title Office.
2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by designating the following area **“ASSEMBLY DISTRICT (ASY)”** and **“AGRICULTURAL DISTRICT (AG1)”**.

That area shown cross-hatched on "Schedule A attached to and forming part of Bylaw No. 7720"

3. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7720”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

OTHER REQUIREMENTS SATISFIED

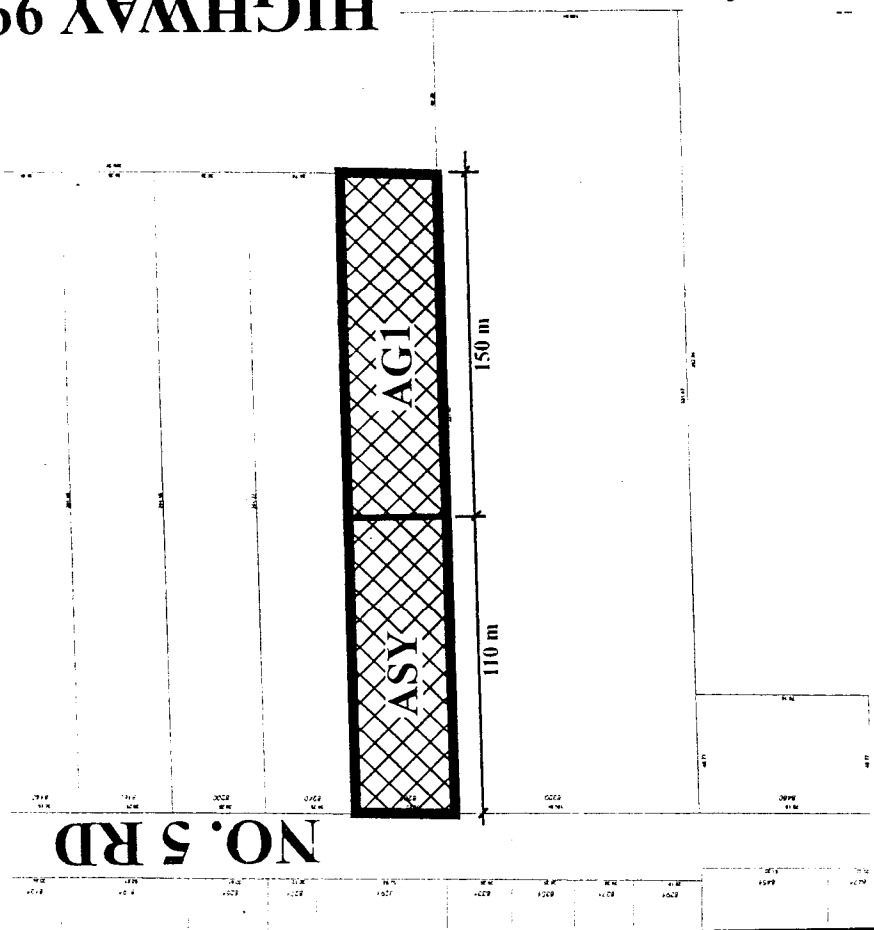
ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept HB
APPROVED for legality by Solicitor FO

MAYOR

CITY CLERK

HIGHWAY 99



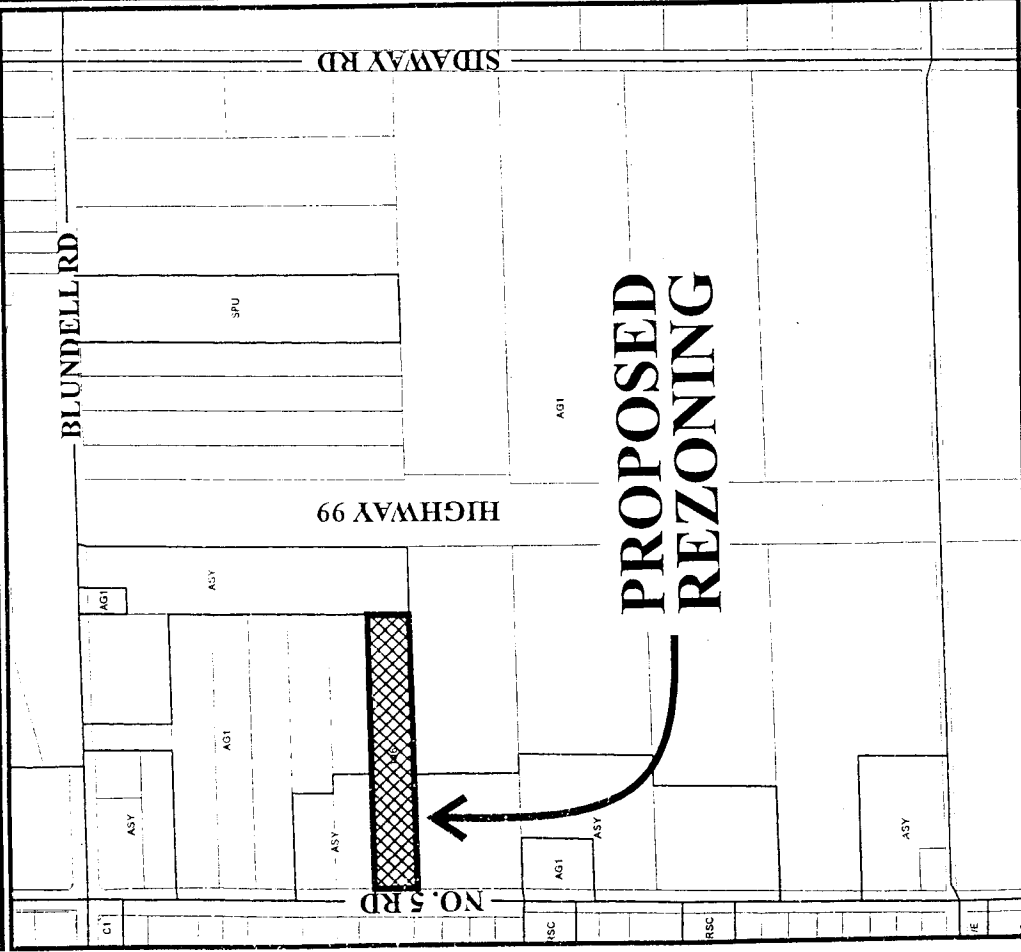
NO. 5 RD

Original Date: 01/07/04

Revision Date:

Note: Dimensions are in METRES

City of Richmond



SIDAWAY RD

HIGHWAY 99

BLUNDELL RD

PROPOSED
REZONING

RZ 03-254766

