



REPORT TO COUNCIL

TO: Richmond City Council
FROM: Councillor Malcolm Brodie, Chair
Planning Committee
RE: **APPLICATION FOR REZONING (WITH AN AMENDMENT TO THE
OFFICIAL COMMUNITY PLAN) – KABEL ATWALL**

To Council - May 28, 2001
DATE: May 24th, 2001
FILE: 8060-20-7235/7236

The Planning Committee, at its meeting held on Wednesday, May 23rd, 2001, considered the attached report, and recommends as follows:

COMMITTEE RECOMMENDATION

None. (Staff recommendation defeated on a tied vote with Cllrs. Barnes and Steves opposed.)

Councillor Malcolm Brodie, Chair
Planning Committee

Attach.

VARIANCE

Please note that staff recommended the following:

- (1) That No. 7235, to redesignate 20471, 20491, 20511, 20531, 20551, 20571 and 20591 Westminster Highway from "Agriculture" to "Business and Industry" in Attachment 1 and 2 to Schedule 1 of Official Community Plan Bylaw No. 7100, be introduced and given first reading.
- (2) That Bylaw No. 7235, having been examined in conjunction with the Capital Expenditure Program, the Waste Management Plan, the Economic Strategy Plan, and the 5 Year Financial Plan, is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3) of the Local Government Act.
- (3) That Bylaw No. 7235, having been examined in accordance with the City Policy No. 5002 on referral of Official Community Plan Amendments, is hereby deemed to have no effect upon an adjoining Municipality nor function or area of the Greater Vancouver Regional District, in accordance with Section 882(3)(d) and (e) of the Local Government Act.
- (4) That Bylaw No. 7235, having been examined in accordance with the requirement in the Accord between the City and the Vancouver International Airport Authority, is hereby deemed to be outside the areas affected by aeronautical operations.
- (5) That Bylaw No. 7236, for the rezoning of 20471, 20491, 20511, 20531, 20551, 20571 and 20591 Westminister Highway from "Agricultural District (AG1)" to "Business Park Industrial District (I3)", be introduced and given first reading.



CITY OF RICHMOND

REPORT TO COMMITTEE

TO: Planning Committee **DATE:** May 17, 2001
FROM: Joe Erceg **FILE:** RZ 01-114257
Manager, Development Applications
RE: APPLICATION BY KABEL ATWALL FOR OFFICIAL COMMUNITY PLAN AMENDMENT FROM "AGRICULTURE" TO "BUSINESS AND INDUSTRY" AND FOR REZONING FROM "AGRICULTURAL DISTRICT (AG1)" TO "BUSINESS PARK INDUSTRIAL DISTRICT (I3)" AT 20471, 20491, 20511, 20531, 20551, 20571 AND 20591 WESTMINSTER HIGHWAY

STAFF RECOMMENDATION

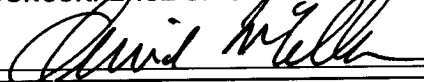
1. That Official Community Plan Amendment Bylaw No. 7235, to redesignate 20471, 20491, 20511, 20531, 20551, 20571 and 20591 Westminster Highway from "Agriculture" to "Business and Industry" in Attachment 1 and 2 to Schedule 1 of Official Community Plan Bylaw No. 7100, be introduced and given first reading.
2. That Bylaw No. 7235, having been examined in conjunction with the Capital Expenditure Program, the Waste Management Plan, the Economic Strategy Plan, and the 5 Year Financial Plan, is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3) of the Local Government Act.
3. That Bylaw No. 7235, having been examined in accordance with the City Policy No. 5002 on referral of Official Community Plan Amendments, is hereby deemed to have no effect upon an adjoining Municipality nor function or area of the Greater Vancouver Regional District, in accordance with Section 882(3)(d) and (e) of the Local Government Act.
4. That Bylaw No. 7235, having been examined in accordance with the requirement in the Accord between the City and the Vancouver International Airport Authority, is hereby deemed to be outside the areas affected by aeronautical operations.
5. That Bylaw No. 7236, for the rezoning of 20471, 20491, 20511, 20531, 20551, 20571 and 20591 Westminister Highway from "Agricultural District (AG1)" to "Business Park Industrial District (I3)", be introduced and given first reading.


Joe Erceg
Manager, Development Applications

Att.

FOR ORIGINATING DIVISION USE ONLY

CONCURRENCE OF GENERAL MANAGER



STAFF REPORTORIGIN

Kabel Atwall of Khevin Development Services Ltd. has applied on behalf of Richberry Farms Ltd. to rezone seven lots at 20471 to 20591 Westminster Highway (see **Appendix 1**) from "Agricultural District (AG1)" to "Business Park Industrial District (I3)" to permit future light industrial and business park uses. The Official Community Plan (OCP) designations for the properties will also have to be amended from "Agriculture" to "Business and Industry".

FINDINGS OF FACT

| ITEM | EXISTING | PROPOSED |
|-----------------|--|--------------------------|
| Owner | Richberry Farms Ltd. | No change |
| Applicant | Kabel Atwall | No change |
| Site Size | 7 lots, each 0.35 ha (0.86 acres) in area Total site area is 2.45 ha (6.05 acres) | No change |
| Land Uses | Vacant | Business Industrial Park |
| Zoning | AG1 | I3 |
| OCP Designation | Agricultural | Business and Industry |

Site Context:

- North: Richview Golf Centre, zoned AG2 (Golf Course District)
 South: Highway 91; Fraserwood Industrial Park south of Highway 91 (I2, I3, I4, and CD zoned properties)
 East: AG1 zoned lands that accommodate the offices and buildings of Richberry Farms
 West: Choice School, zoned ASY (Assembly District)

Land Reserve Exclusion:

On September 25, 2000, City Council authorized Richberry Farms Ltd. to proceed with an application to the Land Reserve Commission (LRC) to exclude the subject properties from the Provincial Agricultural Land Reserve (ALR).

The LRC approved the exclusion in March 2001, subject to the registration of a restrictive covenant, in favour of the LRC, on all remaining farm properties owned by Richberry Farms to:

- prohibit buildings except for agricultural structures that received prior written authorization from the LRC; and
- restrict land use on the properties to agriculture.

The restrictive covenant would apply to approximately 121 hectares of land in the immediate vicinity that are now being used for cranberry farming. The covenant is currently being reviewed by the LRC. Once registered, the lands will be officially excluded from the ALR.

Proposed Uses

The I3 zone being requested by this application will permit a range of light industrial uses together with independent office uses. There are no buildings and specific land uses proposed as part of this application. Future development will be subject to the issuance of Development Permits, Building Permits and other permits as applicable.

STAFF COMMENTS

Transportation

- Frontage improvements include shoulder widening along the north side of Westminster Highway in front of site (similar to that at Fraserwood).
- 100% funding contribution towards the future implementation of a full traffic signal at the intersection of Westminster Highway with Westminster Highway south of Highway 91.
- Corner improvements at two intersections where Westminster Highway turns to pass underneath Highway 91 and connect with Westminster Highway south of Highway 91.
- Left turn bays on Westminster Highway at each access point to the site.

Policy Planning

- New developments require Development Permits as they are adjacent to the ALR.
- New developments should provide landscaped buffers adjacent to the ALR along the north and east property lines.
- Drainage works for the development area should be designed to ensure that runoff does not negatively impact agricultural lands.
- Connection to the sanitary trunk forcemain or a form of on-site sewage disposal that is acceptable to the City and Environmental Health will be required.
- City seeks approximately 1.0 acre of land in the area for a community service building (fire, police, and/or ambulance).

Development Applications

- Ministry of Transportation and Highways approval is required.
- Require confirmation that lands are officially excluded from the Provincial ALR.
- Consolidation of lots to create larger parcels.

Engineering Works

- Design and construct Westminster Highway (north frontage road) with 12 m wide pavement, curb/gutter, street lighting, treed boulevard and 1.5 m concrete sidewalk along the full frontage of the site.
- Off-site improvements suggested include construction of 12 m wide pavement with 1 m wide gravel shoulders on both sides from west end of subject properties to the intersection where Westminster Highway joins with the portion of Westminster Highway that is south of Highway 91.
- A Servicing Agreement is required for all the above works.
- An application to the GVRD is required to include the site into their sewer area for sanitary servicing.

Health

- If sanitary sewer is not available, applicant will have to submit an application and be granted a Health Permit to construct an on-site sewage disposal system prior to issuance of building permits.
- Recommend that the following land uses for the subject properties not be permitted due to potential conflicts with BC Environment aerial spray restrictions: schools, parks, playgrounds and health care facilities. (Note: Applicant has confirmed that these uses will not be located on the subject properties and these uses are not permitted in the I3 zone).

Ministry of Transportation and Highways

- Require more information before proceeding with application (i.e. size, number and type of businesses for proposed development).

ANALYSIS

Land Use

The seven lots are currently isolated from the remainder of Richberry Farms by the presence of adjacent non-agricultural uses such as the golf centre and the school. The proximity of a school and restrictions on spraying near such assembly uses acts as constraints to the use of the subject properties for intensive commercial agriculture.

These constraints led to the proposal by the applicant to remove the properties from the ALR and rezone them for business industrial park use. The types of uses that could be accommodated in the proposed I3 zone are consistent with the type of development that is occurring in the Fraserwood Industrial Park that is across the highway from the subject properties.

The proposed industrial zoning would increase the business and industrial land base in the City. On work related to the Agricultural Viability Strategy, industrial uses were found to be compatible neighbours to agricultural uses as there are less conflicts than other types of uses (i.e. assembly or residential).

Lot Size

The existing lots are each 0.35 ha (0.86 acres) in size, providing the potential for 7 small-scale industrial buildings to be constructed. In order to complement the type of industrial development that is occurring south of Highway 91, it would be desirable to create a larger site that can accommodate larger, significant industrial uses. Therefore, staff would prefer that the properties be consolidated into no more than two parcels as a condition of rezoning.

The applicant has indicated that they do not want to consolidate the seven properties at this time or at least until they have completed their marketing and know who the potential developers will be. However, they are prepared to limit the number of accesses to Westminster Highway and to have cross access agreements between the various development sites. This issue can be resolved at the Development Permit stage.

Buffering

The subject properties are also adjacent to the ALR. Two policies contained in the City's OCP relate to treatment of the boundary between agricultural and non-agricultural land uses:

"For all developments immediately adjacent to sites designated within the ALR (i.e. no intervening road), a landscaped buffer 15 m (49.2 ft.) wide must be provided between the development and the agricultural land."

"All development across a road from sites designated as ALR must provide a minimum 5 m (16.4 ft.) landscaped strip as measured from the back of curb, or, in the case of an unopened road, from the property line abutting the road right-of-way."

The purpose of the landscaped buffers are to provide protection of non-agricultural uses from agricultural impacts (e.g. aerial spraying). The location of Richview Golf Centre to the north functions as a buffer between farmland and Choice School (at 20451 Westminster Highway).

The presence of the golf centre now provides the subject properties of this application with a substantial buffer from agricultural uses along the north property lines. However, there are no assurances that this golf centre use will remain in perpetuity. Should the golf centre relocate someday, the lands could revert back to agricultural use.

To address this, it is recommended that any future buildings be set back at least 15 m (49.2 ft.) along the north property line to enable the installation of a fully landscaped 15 m buffer should it be required sometime in the future. As a minimum, there should be landscaping and/or fencing installed along the north property lines to provide visual screening of industrial uses from the golf centre.

The east end of the subject site is separated from agricultural land by an unopened road right-of-way. A buffer of 15 m (including the width of the road right-of-way) will be required along the east property line. These buffers can be identified and installed as part of future Development Permit requirements.

Servicing

In order to facilitate future industrial development, sanitary sewer servicing is desired in this area rather than the use of septic fields and holding tanks. A sewer trunk forcemain, funded by the Fraser River Port Authority, is proposed to be installed along Westminster Highway in this vicinity to serve the Fraserport lands at the south end of No. 7 and No. 8 Roads. Construction of the forcemain is tentatively scheduled for this summer or next year.

Richberry Farms has co-operated with the Fraser River Port Authority and the City in permitting a right-of-way across their land for a portion of the forcemain route. The applicant proposes to connect to this forcemain; staff have no objection to this proposal. Richberry Farms will provide the necessary pumping stations, sewerage systems, etc. up to the connection point.

If this application is approved, the City would make an application to the GVRD to amend the sewer area before any development sites can be connected to the new forcemain. A separate report on this matter would be prepared for the Public Works and Transportation Committee's consideration by the Engineering Department.

Traffic and Transportation

Westminster Highway in front of and leading to the subject properties is currently a two-lane road that primarily serves local traffic. The agricultural and non-agricultural uses currently in this area are not major traffic generators. If industrial uses are introduced, it is expected that there will be increased truck and/or commuter traffic along Westminster Highway.

In most development scenarios, a rezoning application such as this would require that the road in front of and/or leading to the site be upgraded to full industrial standards as outlined in the comments provided by Engineering Works. However, the exclusion of this site from the ALR and its potential rezoning is unique due to site-specific circumstances.

It is highly unlikely that any more lots in this area will be removed from the ALR. If industrial uses develop on the subject properties, it is anticipated that they will be the only ones along this portion of Westminster Highway. Therefore, upon review, staff are satisfied that a lesser standard of road (i.e. no curbs, gutters, sidewalks) will be sufficient to service the new uses.

The frontage requirements being requested are shoulder widening and the installation of left turn bays into the site at each access point. The reduced standards may be incorporated as a variance in the future Development Permits that will be required for development proposals on the subject property.

As the roads around the subject development site are currently used for local traffic, some off-site improvements will also be required to address traffic impacts that would result from new industrial uses. In view of the lack of a traffic study to identify these off-site improvements, the City's Transportation Department has indicated that a traffic signal should be installed at the intersection of Westminster Highway with Westminster Highway (south of Highway 91) and the need for corner improvements in the same vicinity as conditions of rezoning approval. These works would help to improve circulation around the site and accommodate the needs of larger vehicles associated with industrial use.

The applicant has agreed in principle to fund off-site works and to enter into a Servicing Agreement wherein these off-site improvements would be examined further by a traffic consultant and/or civil engineer. Their concern is that a traffic signal may not be warranted depending on who the industrial developer/user is and that there may not be room for the corner improvements requested by the Transportation Department off-site on Westminster Highway. Staff and the applicant have agreed that this issue will be resolved when actual users have been identified for the site, prior to the final adoption of the rezoning bylaw. The applicant will be required to prepare a Traffic Study based upon Terms of Reference established by the Manager of Transportation and to fund all necessary off-site works.

Community Service Building

The area has been identified as a potential location for a new community service building to provide fire, police and/or ambulance service to the East Richmond area. The applicant has indicated a willingness to allocate some land for such a building. However, it was staff's impression that this 1 acre may be dedicated at no cost to the City as part of the ALR and rezoning approval process. The applicant has since indicated that this is not the case, but that they would be prepared to sell the City a portion of the area currently used as part of parking lot for the Richview Golf Centre. Under this scenario, the applicant and City would enter into negotiations to determine the most appropriate size and location of property for this use. Whichever approach is utilized, the site for a community service building will have to be rezoned to "School and Public Use (SPU)".

FINANCIAL IMPACT

None.

CONCLUSION

This application is to rezone approximately 2.45 hectares (6.05 acres) of agricultural land that are constrained from intensive farming due to proximity to non-agricultural and assembly uses. The lands have been approved by the Land Reserve Commission to be excluded from the ALR; exclusion will be finalized when a restrictive covenant in favour of the LRC is registered on remaining lands owned by Richberry Farms Ltd.

Approval of this application will create a pocket of industrial zoned and designated land in this part of East Richmond. Improvements will be required to upgrade the roads and services to accommodate development of this site. The light industrial uses that can be located within the I3 zone complement the type of industrial development that is south of Highway 91.

It is recommended that the Zoning Amendment Bylaw to rezone the subject properties from AG1 (Agricultural District) to I3 (Business Industrial Park District) and the Official Community Amendment Bylaw to re-designate the property from "Agricultural" to "Business and Industry" be approved and introduced for First Reading.

H. Burlee

for
Janet Lee
Planner 2

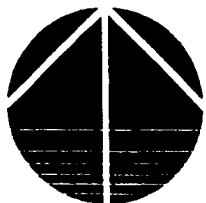
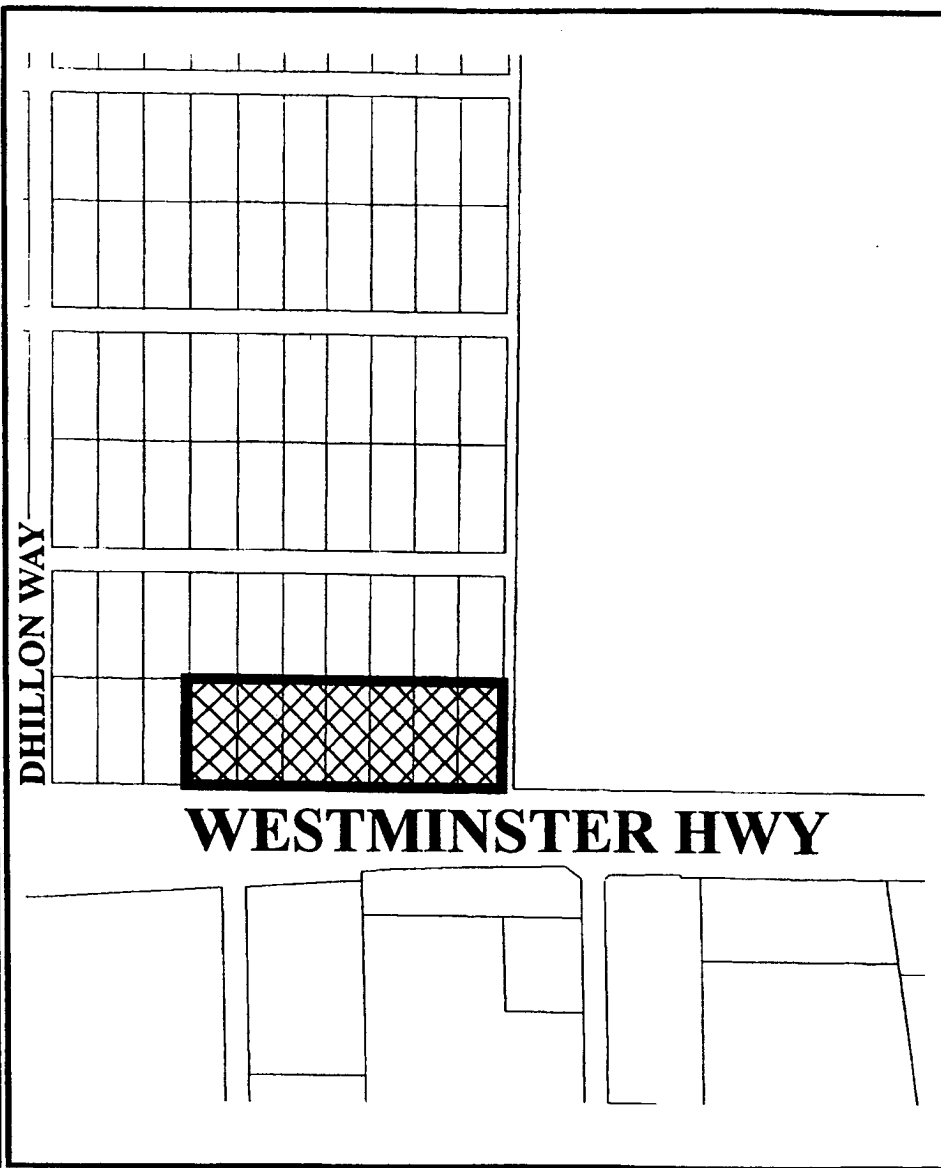
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The following items require completion prior to Fourth Reading:

- Confirmation by the Land Reserve Commission that the requirements for exclusion from the ALR have been completed.
- Approval by the Ministry of Transportation and Highways.
- Confirmation by the GVRD that the lots have been included in their sewer area.
- Enter into a Servicing Agreement for the following:
 - frontage improvements (shoulder widening along north side of Westminster Highway).
 - left turn bays on Westminster Highway at each site access.
 - connection to the proposed sanitary sewer trunk main to the Fraser River Port Authority lands.
 - 100% contribution towards the cost of a traffic signal at the intersection of Westminster Highway and Westminster Highway south of Highway 91 if warranted by a Traffic Study.
 - corner improvements at two intersections where Westminster Highway turns to pass underneath Highway 91 and connect to Westminster Highway south of Highway 91 if warranted by a Traffic Study.



City of Richmond



RZ 01-114257

Original Date: 02/28/01

Revision Date: 03/19/01

Note: Dimensions are in METRES

CITY OF RICHMOND

BYLAW 7235

RICHMOND OFFICIAL COMMUNITY PLAN BYLAW 7100
AMENDMENT BYLAW 7235 (RZ 01-114257)
20471, 20491, 20511, 20531, 20551, 20571, 20591 WESTMINSTER
HIGHWAY

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

- 1. Richmond Official Community Plan Bylaw 7100 is amended by repealing the existing land use designation in Attachment 1 and 2 to Schedule 1 thereof of the following area and by designating it "Business and Industry".

P.I.D. 002-522-489
Lot 71 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-501
Lot 72 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-519
Lot 73 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-527
Lot 74 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-535
Lot 75 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-543
Lot 76 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-551
Lot 77 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

- 2. This Bylaw may be cited as "Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 7235".

FIRST READING

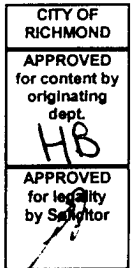
PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

MAY 28 2011



MAYOR

CITY CLERK

CITY OF RICHMOND
BYLAW 7236

**RICHMOND ZONING AND DEVELOPMENT BYLAW 5300
AMENDMENT BYLAW 7236 (RZ 01-114257)
20471, 20491, 20511, 20531, 20551, 20571, 20591 WESTMINSTER
HIGHWAY**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **"BUSINESS PARK INDUSTRIAL DISTRICT" (I3)**.

P.I.D. 002-522-489

Lot 71 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-501

Lot 72 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-519

Lot 73 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-527

Lot 74 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

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P.I.D. 002-522-543

Lot 76 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

P.I.D. 002-522-551

Lot 77 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

2. This Bylaw may be cited as **"Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7236"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MAY 28 2001

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|--|
| CITY OF RICHMOND |
| APPROVED for content by originating dept. |
| HB |
| APPROVED for legality by Solicitor |

MINISTRY OF TRANSPORTATION AND
HIGHWAYS APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

MAYOR

CITY CLERK



CITY OF RICHMOND
URBAN DEVELOPMENT DIVISION

MEMORANDUM

TO: Mayor and Council
FROM: Joe Erceg
Manager, Development Applications
DATE: June 11, 2001
FILE: RZ 01-114257
RE: **Official Community Amendment Bylaw No. 7235**
Zoning Amendment Bylaw No. 7236
20471, 20491, 20511, 20531, 20551, 20571 and 20591 Westminster Highway
Information Update

Background

On May 28, 2001, Council gave First Reading to Bylaw Nos. 7235 and 7236 to re-designate the subject properties from "Agriculture" to "Business and Industry" and to rezone them from "Agricultural District (AG1)" to "Business Industrial Park District (I3)". The Public Hearing for the bylaws is scheduled for June 18, 2001.

One of the conditions of the Rezoning and Official Community Plan Amendment applications is to complete the exclusion of the properties from the Agricultural Land Reserve (ALR). Approval was granted by the Land Reserve Commission (LRC) to exclude the subject properties from the ALR subject to the registration of a restrictive covenant against all remaining properties owned by Richberry Farms to restrict the land use on those properties to agriculture and to prohibit the construction of any more buildings.

Council requested Staff to report at the Public Hearing on the status of registration of the covenant.

Status Update

On June 11, 2001, LRC Staff advised that the restrictive covenant has not been registered. The LRC is still awaiting submission of the final documents from the applicant for review and registration. Therefore, the lands have not yet been removed from the ALR.

Conclusion

In view of the above, Council may give Bylaw Nos. 7235 and 7236 Third Reading after the Public Hearing. However, Final Reading of the bylaws should be held until the covenant is registered and the City has received official notification from the LRC that the properties have been officially removed from the ALR.

Joe Erceg
Manager, Development Applications

JE:jl

pc: Richard McKenna, City Clerk
David Weber, Manager, Legislative Services
David McLellan, General Manager, Urban Development