



City of Richmond
Urban Development Division

Report to Committee

To: Planning Committee

From: Raul Allueva
Director of Development

Re: **Application by Richberry Farms for Rezoning at
20471/20491/20511/20531/20551/20571 and 20591 Westminster Highway from
Business Park Industrial District (I3) to Comprehensive Development
District (CD/149)**

*To Council - Aug 30, 2004
To Planning - Aug 24, 2004*

Date: August 11, 2004

RZ 04-274416

File: 12-8060-20-7790

Staff Recommendation

That Bylaw No. 7790, to create a new "Comprehensive Development District (CD/149)", which permits development of an educational institution and to rezone 20471, 20491, 20511, 20531, 20551, 20571 and 20591 Westminster Highway from "Business Park Industrial District (I3)" to "Comprehensive Development District (CD/149)", be introduced and given first reading.

Raul Allueva
Director of Development

WC:blg

Att.

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER
<i>Joe Erceg</i>

Staff Report

Origin

Richberry Farms Ltd. has applied to the City of Richmond for permission to rezone seven (7) lots at 20471 through 20591 Westminster Highway (**Attachment 1**) from “Business Park Industrial District (I3)” to “Comprehensive Development District (CD/149)” in order to permit Educational Institution uses in addition to the uses currently permitted in the Business Park Industrial District (I3).

Background

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 of the subject properties in March, 2001. A Certificate of Order to certify exclusion of the subject properties was issued by the LRC on July 10, 2001.

On May 17, 2001, City Council considered a rezoning application (RZ 01-114257) to amend the Official Community Plan (OCP) from “Agriculture” to “Business and Industry” and to rezone the subject properties from “Agricultural District (AG1)” to “Business Park Industrial District (I3)”. City Council granted final adoption to the associated bylaws (Bylaw 7235 and Bylaw 7236) on June 29, 2004.

Findings of Fact

Item	Existing	Proposed
Owner	Richberry Farms Ltd.	No change
Applicant	Richberry Farms Ltd. (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 Park Industrial
OCP Designation	Business and Industry	Business and Industry
Zoning	I3	CD/149 (I3 plus Educational Institution Use)

Surrounding Development

The subject site is located in the East Richmond Planning Area and is comprised of seven (7) properties on the north side of Westminster Highway east of No. 9 Road. The existing development surrounding the subject site is described as follows:

- To the north, Richview Golf Centre, zoned “Golf Course District (AG2)”;
- To the east, across a dedicated road allowance, a large agricultural lot zoned “Agricultural District (AG1)”, which accommodates agriculture fields and the offices and buildings of Richberry Farms;

- To the south, across Westminster Highway and Highway 91, two (2) industrial properties zoned “Limited Industrial Retail District (I4)” and “Comprehensive Development District (CD/5)” respectively, both of which accommodate multiple industrial buildings; and
- To the west, Choice School, zoned “Assembly District (ASY)”.

Related Policies & Studies

Official Community Plan

The proposed development is consistent with the “Business and Industry” Official Community Plan (OCP) designation. The subject site is designated a Development Permit area, as it is directly adjacent to the ALR. Future development on the subject site will require the issuance of a Development Permit.

Staff Comments

Proposed Use

The applicant is requesting a Comprehensive Development District (CD/149) that would be identical to the Business Park Industrial District (I3) with the exception of adding Educational Institution as a permitted use. Educational Institution, as defined in Zoning & Development Bylaw No. 5300, is “a place of learning which offers supplementary courses at the primary, elementary, secondary or post-secondary level.” Educational Institution specifically excludes public or private schools that offer ordinary courses equivalent to those offered between kindergarten and grade 12 in the public school system.

The applicant has indicated that Kingston College is a potential tenant for the subject site. Kingston College is a private university college that offers a wide selection of Bachelor's and Master's Degree Programs through articulation agreements, with a number of Canadian and American universities. Kingston College also has a gateway program designed at assisting global students entry into North American learning systems.

There are no buildings proposed at this time, however, future development will be subject to the issuance of Development Permits, Building Permits and other permits as applicable.

Analysis

Land Use

The seven (7) lots are currently isolated from the surrounding agricultural uses by the presence of the existing non-agricultural uses to the north and west (Richview Golf Centre and Choice School). A dedicated but unconstructed road allowance separates the site from the agricultural uses to the east.

Educational Institution uses are currently permitted in the “Limited Industrial Retail District (I4)”, which is permitted within the Business and Industry OCP designation. A rezoning to the proposed CD is therefore consistent with the intent of the OCP designation. The types of uses that could be accommodated in the proposed CD zone are also consistent with the type of development that exists in the Fraserwood Industrial Park across Highway 91.

Engineering – Servicing

Engineering servicing requirements were identified under the previous rezoning application (RZ 01-114257). A preliminary Servicing Agreement (SA 03-223042) and securities are in place, however, the engineering drawings have not yet been approved.

Lot Size, Access & Circulation

The seven (7) existing lots are each 0.35 ha (0.86 acres) in size, providing the potential for a small-scale industrial building to be constructed on each lot. To complement the existing development in the Fraserwood Industrial Park and minimize accesses to Westminster Highway, staff would prefer that the properties be consolidated into no more than two parcels.

The applicant has indicated that they are not prepared to consolidate the properties at this time as the future development plans for the site have not yet been formalized. However, it is anticipated that the proposed Educational Institution will require some site consolidation to accommodate buildings and parking. As part of the previous rezoning application (RZ 01-114257), the applicant indicated that they are prepared to limit the number of accesses to Westminster Highway and to have access agreements between the various development sites as necessary.

The future access/egress conditions and vehicle queuing, storage and parking requirements will have to be resolved as part of a future Development Permit and possible subdivision (consolidation) application.

Buffering

The OCP Development Permit guidelines require a landscape buffer between non-agricultural land uses and sites designated within the ALR. A 15 m (49.2 ft.) wide landscape buffer is required along the north property line, while a minimum 5 m (16.4 ft.) wide landscape buffer is required along the east property line due to the dedicated road allowance that currently provides separation between the east property line and the ALR boundary.

The existing Richview Golf Centre to the north currently provides a buffer between the agricultural uses and the subject site, however, there are no assurances that this use will remain in perpetuity. The previous rezoning application recommended that any future buildings be setback a minimum 15 m (49.2 ft.) from the north property in order to enable this landscape buffer to be provided. At a minimum, the previous rezoning application recommended that landscaping and/or fencing should be installed along the north property line to provide visual screening.

The proposed rezoning is not anticipated to result in a substantial intensification of the currently approved industrial use. The proposed rezoning should therefore not impede the agricultural viability, including the ability to conduct aerial spraying, on the surrounding ALR lands. The Ministry of Water, Land and Air Protection (MWLAP) has confirmed that the proposed rezoning will not result in any additional legislative restrictions on aerial spraying applications, however, permits must be obtained through MWLAP prior to conducting any aerial spraying.

The required landscape buffers will have to be designed and installed as part of a future Development Permit.

Financial Impact

None.

Conclusion

Rezoning of the subject site as proposed conforms to the "Business and Industry" OCP designation and would be compatible with the surrounding land uses. A Development Permit is required prior to any future development on the subject site. The Development Permit will have to resolve site access/egress conditions, vehicle queuing, storage and parking requirements and design an adequate buffer to the ALR. On this basis, staff recommend that the proposed rezoning be approved.



Wayne Craig
Program Coordinator - Development
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WC:blg

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

1. Ministry of Transportation approval is required.
2. Development requirements, specifically the submission and processing of a Development Permit completed to a level deemed acceptable by the Director of Development, including resolution of access, parking, site and landscape design, ALR landscape buffer and possible consolidation issues.



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7790 (RZ 04-274416)
20471/20491/20511/20531/20551/20571/20591 Westminster Highway**

The Council of the City of Richmond enacts as follows:

1. Richmond Zoning and Development Bylaw 5300 is amended by inserting Section 291.149 thereof the following:

“291.149 COMPREHENSIVE DEVELOPMENT DISTRICT (CD/149)”

The intent of this zoning district is to provide for clean industrial uses together with independent office uses and educational institution uses.

291.149.1 PERMITTED USES

LIGHT INDUSTRY;
CUSTOM WORKSHOPS, TRADES & SERVICES, but excluding personal services;
RECREATION FACILITY;
OFFICE;
FOOD CATERING ESTABLISHMENT, but excluding banquet hall facility;
EDUCATIONAL INSTITUTION;
COMMUNITY USE;
PUBLIC LIBRARY;
CARETAKER RESIDENTIAL ACCOMODATION, limited to one such unit per lot;
ACCESSORY USES, BUILDINGS & STRUCTURES.

291.149.2 PERMITTED DENSITY

.01 Maximum Floor Area Ratio: 1.0

291.149.3 MAXIMUM LOT COVERAGE: 50%

291.149.4 MINIMUM SETBACKS FROM PROPERTY LINES

.01 Road Setbacks: 6 m (19.685 ft.).

- .02 **Waterfront Setbacks:** A **food catering establishment** shall not be located within 20 m (65.617 ft.) of the high water mark.

291.149.5 MAXIMUM HEIGHTS

- .01 **Buildings:** 12 m (39.370 ft.).
- .02 **Structures:** 20 m (65.617 ft.).

2. 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 **COMPREHENSIVE DEVELOPMENT DISTRICT (CD/149)**

PID: 002-522-551

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

PID: 002-522-543

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

PID: 002-522-535

Lot 75 Section 4 Block 4 North Range 4 West New Westminster District Plan 1593

PID: 002-522-527

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

PID: 002-522-519

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

PID: 002-522-501

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

PID: 002-522-489

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

3. This Bylaw is cited as **“Richmond Zoning and Development Bylaw 5300 Amendment Bylaw 7790”**.

FIRST READING

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION APPROVAL

DEVELOPMENT REQUIREMENTS SATISFIED

ADOPTED

AUG 30 2004

CITY OF RICHMOND
APPROVED for content by originating dept. <i>REA</i>
APPROVED for legality by Solicitor <i>[Signature]</i>

MAYOR

CITY CLERK