

Report to Development Permit Panel

To: **Development Permit Panel** Date: July 31, 2023

From: Wayne Craig File:

DP 22-027199

Director, Development

Application by Farrell Estates Ltd. for a Development Permit at 20455 Dyke Road, Re:

7500 No. 9 Road and a portion of PID 031-553-231

Staff Recommendation

That a Development Permit be issued which would permit the construction of a light industrial building at 20455 Dyke Road, 7500 No. 9 Road and a portion of PID 031-553-231 on a site zoned "Industrial Business Park and Marina (ZI20) - Graybar Road (East Richmond)", abutting the edge of the Agricultural Land Reserve (ALR).

1. F for

Wayne Craig Director, Development (604-247-4625)

WC:sds Att. 4

Staff Report

Origin

Farrell Estates Ltd. has applied to the City of Richmond for permission to develop a light industrial building at 20455 Dyke Road, 7500 No. 9 Road and a portion of PID 031-553-231 on a site zoned "Industrial Business Park and Marina (ZI20) – Graybar Road (East Richmond)", abutting the edge of the Agricultural Land Reserve (ALR). The site currently contains a marina/boat yard and associated buildings, structures and parking.

The subject site is part of a phased industrial development, including 6831 Graybar Road, 20455 Dyke Road, 20911 Dyke Road, 7500 No. 9 Road, PID 031-553-231 and a portion of Graybar Road, which is being rezoned from the "Industrial and Marina (ZI17) – Graybar Road (East Richmond)", "Industrial Business Park (IB1)", and "Light Industrial (IL)" zones to the "Industrial Business Park and Marina (ZI20) – Graybar Road (East Richmond)" zone under Bylaw 10336 (RZ 21-928623), which received third reading on July 18, 2022. The applicant proposes to consolidate the site into two lots and construct a multi-phase (5 phases) light industrial development consisting of two buildings (Phase 1 and 2) and three additional buildings in undetermined future phases (Phase 3-5) (Attachment 1).

The subject Development Permit application only applies to Phase 2, as it abuts the edge of the Agricultural Land Reserve (ALR). As per the City's Official Community Plan (OCP) Development Permit (DP) Guidelines, all significant new development abutting the ALR (with no intervening road) requires a Development Permit to address the urban/rural interface by adequate setbacks, screening and landscaping. If the subject site did not have direct ALR adjacency, a Development Permit application would not be required.

A Servicing Agreement is required as a condition of rezoning approval and includes, but is not limited to, new sidewalk and landscaped boulevard along the site's road frontages and site servicing upgrades.

Development Information

Please refer to attached Development Application Data Sheet (Attachment 2) for a comparison of the proposed development data with the relevant Bylaw requirements.

Background

Development surrounding the subject site is as follows:

To the north: an active farm operation on a property at 20500 Westminster Highway zoned

"Agriculture (AG1)" and located in the Agricultural Land Reserve (ALR);

To the east: Phase 1 of the subject site's phased industrial development (see Attachment 1 for

phasing plan), including the development of a new light industrial building;

To the south: Phases 3-5 of the subject site's phased development, Dyke Road and the south

arm of the Fraser River, including a boat yard associated with the subject site; and

To the west: an active rail right-of-way and properties zoned "Agriculture (AG1)" and "Light

Industrial (IL)", including properties owned by Lafarge Canada Inc.

Rezoning and Public Hearing Results

The Public Hearing for the rezoning of this site was held on July 18, 2022. At the Public Hearing, concerns expressed about rezoning the property were primarily related to tree removal and retention. As required by the associated rezoning application, 46 replacement trees are required to be planted as part of Phase 2. Staff worked with the applicant to increase the number of replacement trees to 99 trees as part of the subject Agricultural Land Reserve (ALR) Development Permit application.

Staff Comments

The proposed scheme attached to this report has satisfactorily addressed the issues and other staff comments identified as part of the review of the subject Agricultural Land Reserve (ALR) Development Permit application. In addition, it complies with the intent of the applicable sections of the Official Community Plan and is generally in compliance with the "Industrial Business Park and Marina (ZI20) – Graybar Road (East Richmond)" zone (no variances are proposed).

Food Security and Agricultural Advisory Committee Comments

The Food Security and Agricultural Advisory Committee (FSAAC) reviewed and supported the subject Agricultural Land Reserve (ALR) Development Permit application at its meeting held on June 29, 2023. An excerpt from the June 29, 2023 FSAAC meeting minutes is provided in Attachment 3.

Analysis

Background

The subject site is not located in the Agricultural Land Reserve (ALR), but has direct adjacency to the ALR boundary (with no intervening road). As per the City's Official Community Plan (OCP) Development Permit (DP) Guidelines, all significant new development abutting to the edge of the ALR is required to submit an ALR DP application to address the urban/rural interface by adequate setbacks, screening and landscaping. The focus of staff's review is the proposed landscape buffer between the subject site and the adjacent ALR property.

Proposal

Although the associated rezoning application is for the larger phased light industrial development, only Phase 2, involving 20455 Dyke Road, 7500 No 9 Road and a portion of PID 031-553-231, has direct adjacency with the ALR boundary and is subject to the ALR Development Permit process. The remaining phases of the development do not require an ALR DP.

The proposal for Phase 2 includes consolidation of the subject lots and construction of a two-storey 22-unit multi-tenant industrial building with approximately 8,044 m² (86,586 ft²) of floor area. Phase 2 also includes vehicle/bicycle parking and loading, and outdoor amenities (picnic tables and benches). The proposed building design and sustainability features for Phase 2 are consistent with what was presented as part of the associated rezoning application for the overall multi-phase development and were secured as part of the rezoning, including:

- a minimum of 12 EV charging stations to be provided for each building (60 stations in total across all five phases);
- rooftop solar photovoltaic panels capable of powering all landlord/common area electrical needs, including exterior lighting and lighting in mechanical and service areas;
- pre-ducting/conduit rough-in within each unit for future rooftop solar photovoltaic infrastructure as an alternative energy source for individual tenants; and
- buildings are proposed to be constructed to achieve a minimum 10 per cent better energy efficiency than the base building code requirement.

As part of the associated rezoning application, the applicant is required to register a legal agreement on Title to ensure that development of the subject site proceeds in accordance with the above commitments.

The proposal for Phase 2 also includes a 5 m wide landscape buffer on-site along the adjacency with the ALR boundary (north property line) to address the urban/rural interface. The applicant is proposing to plant 99 replacement trees as part of Phase 2, including 75 trees within the ALR landscape buffer and a variety of shrubs and groundcover. An additional 24 trees are being provided throughout the Phase 2 site, outside of the ALR landscape buffer. As per the OCP DP Guidelines, an ALR landscape buffer is required to be provided, consistent with the following:

- The landscape buffer should have an appropriate width and located between the development and the agricultural land;
 - The proposed landscape buffer is 5.0 m wide and located between the light industrial building and the adjacent agricultural property. This is consistent with what was proposed through the associated rezoning application. The landscape buffer includes secondary exit stairs and a 1.5 m wide pathway as per BC Building Code requirements. Permeable material (gravel) is proposed for the pathway to provide permeability and limit runoff.
- The landscape buffer should be designed, established and maintained in accordance with the Ministry of Agriculture's Guide to Edge Planning; and
 - The proposed landscape buffer is generally consistent with the Ministry of Agriculture's Guide to Edge Planning, including:
 - o low-maintenance and drought-tolerant plants, and no invasive species;
 - o selection of tree and shrub species which will not harbour insects or diseases harmful to nearby farm crops; and
 - selection of tree and shrub species that will filter dust and spray drift from the agricultural area.
- The design of the development should protect the landscape buffer from potential impacts related to on-site activities (e.g. drainage).

The proposed landscape buffer will match the existing grade of the adjacent ALR property and will not introduce any outward drainage flow from the subject site to the adjacent ALR property. The landscape buffer will also consist of permeable soft landscaping and free drainage material (gravel) to account for precipitation landing directly on the buffer area.

All runoff flows from the building and paved areas are graded to directly feed into the proposed onsite drainage system located under the drive aisle along the south side of the building (i.e. no additional drainage flows directed to the landscape buffer or adjacent ALR property).

The proposed landscape buffer will also provide screening of the light industrial building and a six-foot-high chain link fence along the property line to contain the proposed vegetation and on-site activities, consistent with the Ministry of Agriculture's Guide to Edge Planning. The proposed fence extends around Phase 2 in order to secure the site, along with wall-mounted lighting on the building to provide consistent outdoor security illumination, including the landscape buffer area.

In addition, the applicant reviewed the proposed landscape buffer with the neighbouring farm operator at 20500 Westminster Highway (Maybog Farms Ltd.). The farm operator requested that only conifer species be planted in order to avoid impacts from fallen leaves on the adjacent reservoir located on the farm property. The proposed landscape buffer was revised to accommodate the farm operator's request and includes only conifer plantings.

The purpose of the ALR buffer is also to achieve public safety and minimize agricultural-urban land use conflicts and complaints. As part of the associated rezoning application, the applicant is required to register a legal agreement on Title to identify the ALR buffer zone, ensure that landscaping is not removed, and address public awareness for future tenants of the potential impacts of agricultural activities such as noise, dust and odour.

In order to ensure the proposed landscaping works are completed, the applicant is also required to submit a landscape security of \$128,472 prior to issuance of the Development Permit.

Conclusions

Farrell Estates Ltd. has applied to the City of Richmond for permission to develop a light industrial building at 20455 Dyke Road, 7500 No. 9 Road and a portion of PID 031-553-231 on a site zoned "Industrial Business Park and Marina (ZI20) – Graybar Road (East Richmond)", abutting the edge of the Agricultural Land Reserve (ALR).

As the proposed development would meet applicable policies and Development Permit Guidelines, staff recommend that the Development Permit be endorsed and issuance by Council be recommended.

The list of Development Permit Considerations is included in Attachment 4, which has been agreed to by the applicant (signed concurrence on file).

Steven De Sousa Planner 3

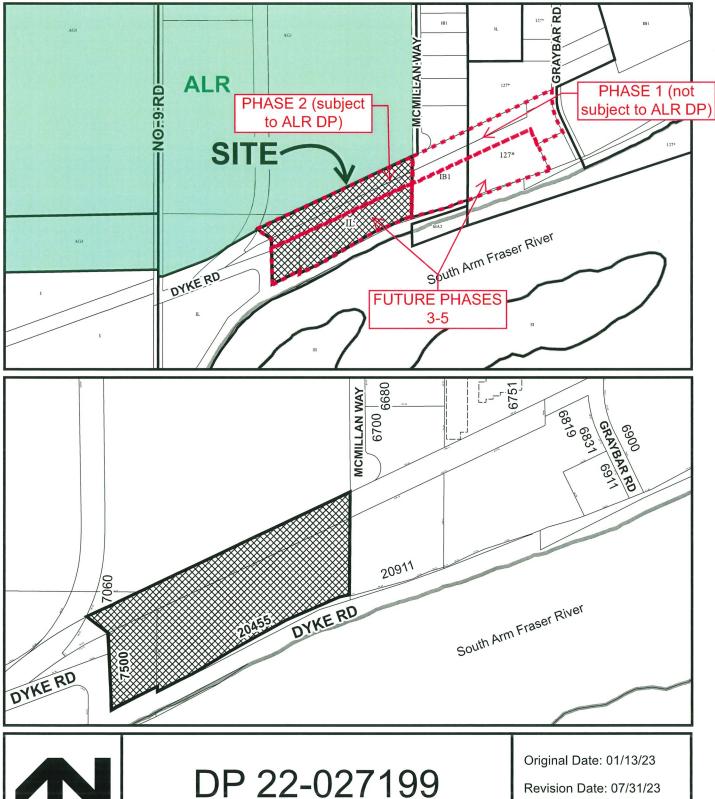
(604-204-8529)

SDS:he

- Att. 1. Location Map/Phasing Plan
 - 2. Development Application Data Sheet
 - 3. Excerpt from the June 29, 2023 FSAAC Meeting Minutes
 - 4. Development Permit Considerations

Note: Dimensions are in METRES







Development Application Data Sheet

Development Applications Department

DP 22-027199 Attachment 2

Address: 20455 Dyke Road, 7500 No. 9 Road, and a portion of PID 031-553-231

Applicant: Farrell Estates Ltd. Owner: Farrell Estates Ltd.

Planning Area(s): East Richmond

	Existing	Proposed
Site Area:	10.6 ac (4.3 ha)	No change
Land Uses:	Boat yard and marina	Light industrial, boat yard, and marina
OCP Designation:	Industrial (IND)	No change
Zoning:	Light Industrial (IL)	Industrial Business Park and Marina (Zl20) – Graybar Road (East Richmond)

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.0 FAR	0.19 8,044 m² (86,586 ft²)	None Permitted
Lot Coverage – Buildings:	Max. 75%	15%	None
Setback – North (abutting the ALR):	Min. 5.0 m	5.0 m	None
Setback – Interior Side Yard (East & West):	N/A	Complies	None
Setback – Rear Yard (South):	N/A	Complies	None
Height (m):	Max. 16.0 m	10.2 m	None
Lot Size:	N/A	10.6 ac (4.3 ha)	None
Off-street Parking Spaces:	Min. 62	168	None
Off-street Parking Spaces – Accessible:	2	3	None
Bicycle Parking Spaces – Class 1:	22	22	None
Bicycle Parking Spaces - Class 2:	22	29	None

Excerpt from the Meeting Minutes of the Food Security and Agricultural Advisory Committee (FSAAC)

Thursday, June 29, 2023 – 7:00 p.m. Webex

ALR Development Permit - 20455 Dyke Road, 7500 No. 9 Road, and a portion of PID 031 553-231

Steven De Sousa, Planner 2, Policy Planning, introduced the ALR Development Permit application and provided the following comments:

- The subject property has a direct adjacency with the ALR, which triggers the requirement to submit an ALR DP and provide a landscape buffer to address the urban/rural interface;
- The Committee's role in reviewing this type of application is to review the proposed landscape buffer from an agricultural perspective;
- The purpose of the application is to develop a 22-unit multi-tenant industrial building as part of Phase 2 of the subject site's redevelopment;
- The proposal includes a 5 m wide landscape buffer along the ALR boundary, generally consistent with the Ministry of Agriculture's Guide to Edge Planning;
- The proposed landscape buffer was reviewed with the neighbouring farm operator and was revised to accommodate the farm operator's comments; and
- No additional drainage flows will be directed to the adjacent ALR property.

The applicant provided the following additional comments:

- The proposed siting of the building provides a wall along the ALR boundary and screening of parking and light industrial activity area;
- All access will be from McMillan Way:
- The proposed landscape buffer is consistent with the Ministry of Agriculture's Guide to Edge Planning and the neighbouring farm operator was consulted in the development of the plan;
- Plantings within the BC Hydro Right-of-Way (ROW) will comply with BC Hydro requirements; and
- A six foot high chain link fence is proposed along the ALR boundary to provide separation between the uses.

In response to questions from the Committee, the applicant provided the following additional comments:

• Future tenants will be advised that the property is adjacent to the ALR and associated

farm activities;

- The buildings are located along the north property line, front loaded, and facing south, providing separation between the light industrial uses and the neighbouring farm;
- Potential shading of proposed trees would be limited to only the reservoir portion of the adjacent farm; and
- No deciduous trees are proposed as per the farm operator's request to avoid impacts to the adjacent reservoir from fallen leaves.

The Committee appreciated the applicant consulting the neighbouring farm operator and accommodating their concerns into the proposal.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the ALR Development Permit at 20455 Dyke Road, 7500 No. 9 Road, and a portion of PID 031-553-231 (DP 22-027199).

Carried Unanimously



Development Permit Considerations

Development Applications Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 20455 Dyke Road, 7500 No. 9 Road, and a portion of PID 031-553-231 File No.: DP 22-027199

Prior to forwarding the application to Council for approval, the developer is required to complete the following:

- 1. Final Adoption of Zoning Amendment Bylaw 10336.
- 2. Receipt of a Letter-of-Credit for landscaping in the amount of \$128,472. The letter-of-credit will not be returned until the Letter of Assurance, confirming the landscaping is installed as per the Development Permit, prepared by the Landscape Architect, is reviewed by staff. Up to 90% of the Landscape Security will be refunded after a Landscape Inspection, with the remainder held for up to one year to ensure the agreed upon landscaping survives.

Note:

- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.
 - All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.
 - The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.
- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial Wildlife Act and Federal Migratory Birds Convention Act, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

[Signed copy in file]		
Signed	Date	_



Development Permit

No. DP 22-027199

To the Holder: Farrell Estates Ltd.

Property Address: 20455 Dyke Road, 7500 No. 9 Road, and a portion of

PID 031-553-231

Address: Unit 200 - 6911 Graybar Road, Richmond BC, V6W 1H3

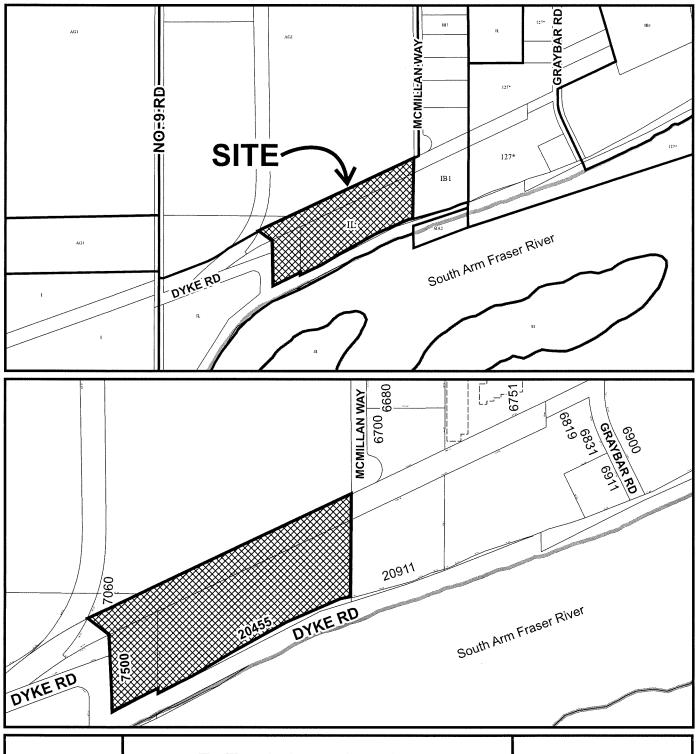
1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.

- 2. This Development Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
- 3. Subject to Section 692 of the Local Government Act, R.S.B.C.: buildings and structures; off-street parking and loading facilities; roads and parking areas; and landscaping and screening shall be constructed generally in accordance with Plans #1 attached hereto.
- 4. Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
- 5. As a condition of the issuance of this Permit, the City is holding the security in the amount of \$128,472 to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder. Should the Holder carry out the development permitted by this permit within the time set out herein, the security shall be returned to the Holder. The City may retain the security for up to one year after inspection of the completed landscaping in order to ensure that plant material has survived.
- 6. If the Holder does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse and the security shall be returned in full.

Development Permit No. DP 22-027199

To the Holder:	Farrell Estates Ltd.				
Property Address:	20455 Dyke Road, 7 PID 031-553-231	20455 Dyke Road, 7500 No. 9 Road, and a portion of PID 031-553-231			
Address:	Unit 200 - 6911 Gra	ybar Road, Richmond BC, V6W 1H3			
	ns of this Permit and and a part hereof.	generally in accordance with the terms and many plans and specifications attached to this			
AUTHORIZING RESOLU DAY OF ,	TION NO.	ISSUED BY THE COUNCIL THE			
DELIVERED THIS	DAY OF ,				
MAYOR					





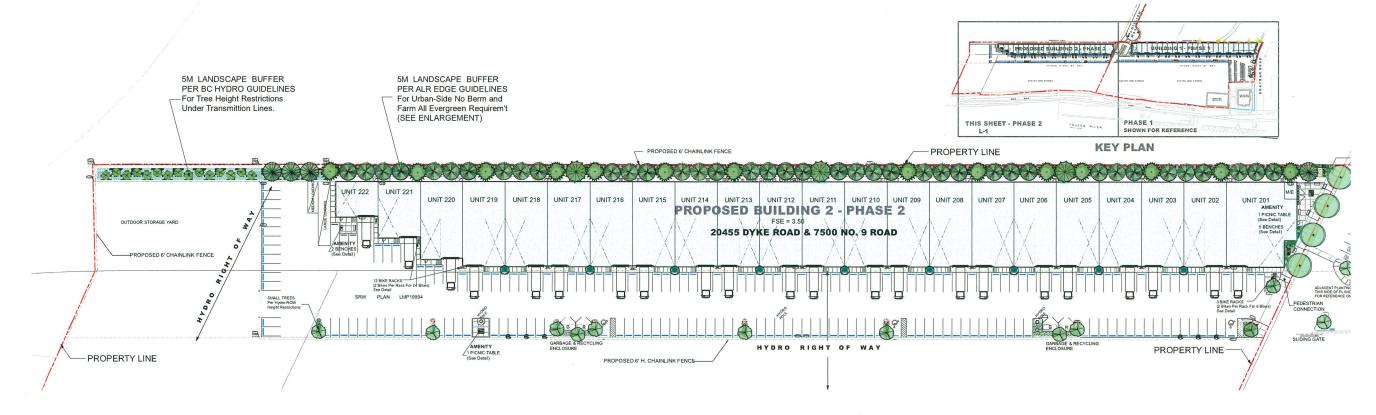


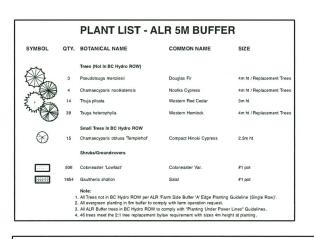
DP 22-027199 SCHEDULE "A"

Original Date: 01/13/23

Revision Date: 07/31/23

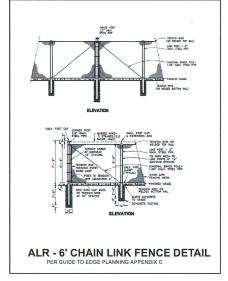
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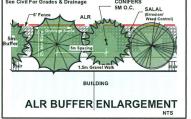


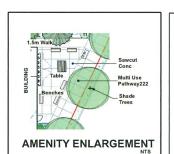
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	PLANT LIST - ON	SITE		1			
QTY.	BOTANICAL NAME	COMMON NAME	SIZE	0	1	Shrubs Continued Lonicera pileata	Evergreen Honeysuckle
	Trees ,			. ⊚	4	Pieris japonica 'Forest Flame'	Japanese Andromeda
11	Hibiscus syricus note: size subject to availability	Hardy Hibiscus	2.5m ht. / s-stem	×	76	Carex morrowii 'Aureo-variegata'	Variegated Japanese Sedg
4	Fraxinus americana 'Autumn Purple' alt: Liquidambar s. 'Worpledon'	Ash Var.	6cm cal. / 1.8m stnd.	€	45	Liriope muscari 'Big Blue'	Blue Lily-turf
9	Acer palmatum 'Butterfly' note: size subject to availability	Japanese Maple Var.	2.5m ht / stnd.	Ō	146	Prunus I. 'Otto Lyken'	Laurel Var
	Shrubs			0	3	Rosa meidiland 'Carefree Delight'	Hardy French Rose var.
6	Azalea japonica 'Amoena'	Japanese Azalea	#3 pot	0	4	Rhododendron 'Christmas Cheer'	Rhodo var.
56	Buxus (low)*	Boxwood Var.	#3 pot	3	8	Thuja occidentalis 'Smargd'	Hedging Cedar
						Ground Covers	

Landscape Notes:

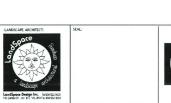
1. Specification as per most recent Canada (BC) 'Landscape Standards' and

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DP 22-02	271	9
PI	an	#
July 28,	20)2

#1- MAR 31'22 ISS'D FOR REZ SUBM	DRAWN: AT
#Z- MAY 09'22 REISS'D FOR REZ SUBM (add't 7 trees to Bidg1)	SCALE: 1"=30'-0"
#3- DEC 05'22 ISS'D FOR DP SUBM Review #4- JUN 14'23 Issue for FSAAC Review	DATE PLOTTED: DEC 21'20X
	DRAWING:
L CENTRE 2	OF 1
	ISS'D FOR REZ SUBM #Z- MAY 09'22 EZ SUBM (add' 7 trees to Bidg') #3- DEC 05'22 ISS'D FOR CP SUBM Review #4- JUN 14'23 ISSUE for FSAAC Review

PROPOSED INDUSTRIAL BUILDING FOR:

SHELTER ISLAND INDUSTRIAL CENTRE 2

20455 DYKE ROAD & 7500 No. 9 ROAD, RICHMOND, B.C.

LOT 24 EXCEPT, FIRSTLY, PARCEL "9" (REFERENCE PLAN 45212) SECONDLY, PARCEL "H" (REFERENCE PLAN 45212) SECTION 16 BLOCK 4 NORTH RANGE 4
MEST NAD PLAN 30257 LOT A SECTIONS 9, NO 16 BLOCK 4 NORTH RANGE 4 NEST NAD PLAN LAP 47879 LOT A SECTIONS 9, 16, 17 AND 20 BLOCK 4
NORTH RANGE 4 NEST NEW HESTININISTED DISTRICT PLAP PIPIS553



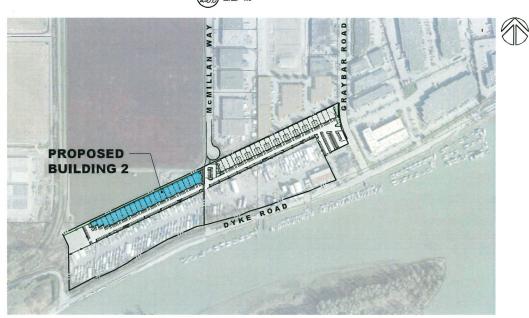
ARTIST'S RENDERING - VIEW TO THE NORTHWEST



ARTIST'S RENDERING - VIEW TO THE NORTHEAST



ARTIST'S RENDERING - VIEW TO THE SOUTHWEST



4 CONTEXT PLAN



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