

# Memorandum

Planning and Development Division Development Applications

To:

Planning Committee

Date:

December 10, 2020

From:

Wavne Craig

File:

AG 19-881146

Re:

Director, Development

Application by Ch

Application by Choice School for Gifted Children Society for an Agricultural Land

Reserve Non-Farm Use at 20451 Westminster Highway

# Purpose

At its meeting of December 1, 2020, Planning Committee considered an application by Choice School for Gifted Children Society for an Agricultural Land Reserve (ALR) non-farm use at 20451 Westminster Highway (AG 19-881146) and resulted in a number of questions from Planning Committee members. The purpose of this memorandum is to provide Mayor and Councillors with clarification in response to those questions.

#### Background

The purpose of the subject ALR non-farm use application is to allow the existing education uses to continue and to construct a new classroom building in support of the existing school operation. The property is zoned "Assembly (ASY)" and located in the ALR. Although the proposal is consistent with the ASY zone, Agricultural Land Commission (ALC) staff confirmed the property is subject to the *Agricultural Land Commission Act* (ALCA) and the proposal requires ALC approval in order to proceed.

The associated recreational fields and playgrounds are located on the adjacent property to the west (20411 Westminster Highway) also owned by Choice School, and the two sites share the required vehicle parking. The adjacent property is zoned "Agriculture (AG1)" and located in the ALR, however, ALC staff confirmed the adjacent property is not subject to the ALCA and thus does not require ALC approval.

Related Referral Regarding School Use in the Agricultural Land Reserve – No. 5 Road Backlands

At its meeting of December 1, 2020, Planning Committee also made reference to existing referrals related to schools within the No. 5 Road Backlands Policy area.

The current referrals regarding school uses within the ALR are specific to the No. 5 Road Backlands Policy area. The subject ALR non-farm use application at 20451 Westminster Highway is not located within this area.

Staff are currently working on responding to the referral for the No. 5 Road Backlands Policy area, and anticipate a staff report being forwarded to Council in early 2021.



# **Analysis**

The proposal includes a new two-storey classroom building of approximately 261.0 m<sup>2</sup> (2,810 ft<sup>2</sup>) in floor area located between the existing school building and existing vehicle parking area, and is expected to increase the capacity of the school by 30 students.

As a result of the discussion from the December 1, 2020 Planning Committee meeting regarding the subject site at 20451 Westminster Highway and the adjacent property at 20411 Westminster Highway, staff have produced a map provided in Attachment 1 to illustrate the components of the proposal and provide further clarity, including:

- Existing zoning of both sites;
- Identifying which sites are subject to the Agricultural Land Commission Act (ALCA);
- Identifying the proposed new classroom building on the subject property; and
- Identifying the proposed agricultural improvements on the adjacent property.

For staff's detailed analysis of the proposal, please refer to the staff report for the application dated November 16, 2020.

If you have any questions on the ALR non-farm use application, please contact Wayne Craig at 604-247-4625. For any questions on the No. 5 Road Backlands Policy referral, please contact Barry Konkin at 604-276-4139.

Wayne Craig

Director, Policy Planning

WC:sds

pc: Senior Management Team (SMT)

Barry Konkin, Director, Policy Planning

John Hopkins, Program Manager, Policy Planning

Josh Reis, Program Manager, Development

Attachment 1: Map of the Proposal

# Choice School ALR Non-Farm Use Application



0.07 km

0.0175

0.035



# **Report to Committee**

To:

Planning Committee

Date:

November 16, 2020

From:

Re:

Wayne Craig

File:

AG 19-881146

Director, Development

Application by Choice School for Gifted Children Society for an Agricultural Land Reserve Non-Farm Use at 20451 Westminster Highway

# **Staff Recommendation**

That the application by Choice School for Gifted Children Society for an Agricultural Land Reserve Non-Farm Use at 20451 Westminster Highway be endorsed and forwarded to the Agricultural Land Commission.

Wayne Craig

Director, Development

(604-247-4625)

WC:sds

Att. 5

REPORT CONCURRENCE

**CONCURRENCE OF GENERAL MANAGER** 

#### Staff Report

# Origin

Choice School for Gifted Children Society has submitted an Agricultural Land Reserve (ALR) non-farm use application at 20451 Westminster Highway (the "Subject Property") in order to allow the existing education uses to continue and to construct a new classroom building. The subject property is currently zoned "Assembly (ASY)" and contains an existing school building and gymnasium building. The associated recreational fields and playgrounds are located on the adjacent property to the west at 20411 Westminster Highway (the "Adjacent Property"), and the two sites share the required vehicle parking and septic system. A location map and aerial photograph are provided in Attachment 1.

# **Background**

The existing school building on the subject property was originally constructed as a church, which received Building Permit approval in 1981. The subject site was previously zoned "Agriculture (AG1)" and religious assembly was a permitted use in the AG1 zone at the time. Religious assembly was removed as a permitted use from the AG1 zone in 1983 and the subject property was rezoned to "Assembly (ASY)" in order to accommodate the existing use. Choice School purchased the property in 1992 and subsequently received Building Permit approvals to convert the church building into an education use, which was consistent with the ASY zoning. The existing gymnasium building on the subject site received Building Permit approval in 1996, along with a Development Variance Permit (DV 96-000137) to vary the side yard setback.

In 2019, during the pre-application stage for the subject proposal, staff advised the applicant to confirm with the Agricultural Land Commission (ALC) if ALC approval is required. ALC staff confirmed the property is subject to the *Agricultural Land Commission Act* (ALCA) and that an ALR non-farm use application is required to allow the existing education uses to continue and to construct a new classroom building. As per the ALCA, an ALR non-farm use application may not proceed to the ALC unless authorized by a resolution of the local government.

Also during the pre-application stage, ALC staff confirmed the adjacent property (20411 Westminster Highway) is not subject to the ALCA, due to the exception section in the ALCA (less than 2 acres and on separate title prior to December 21, 1972). The adjacent property is zoned "Agriculture (AG1)" and designated "Agriculture (AGR)" in the Official Community Plan (OCP). As the two sites function together, staff requested the applicant to provide an agricultural component as part of the non-farm use application. In response, the applicant has provided a farm plan (including vegetable planting boxes, fruit trees/shrubs, soil-based greenhouse and an agricultural education component) for the adjacent property (20411 Westminster Highway) to incorporate into the school's curriculum. More information regarding the proposal is provided in the "Analysis" section of this report.

#### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 2).

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### **Surrounding Development**

To the North: A cranberry processing facility and associated surface parking and loading on a

lot zoned "Agriculture (AG4)" and located in the ALR, fronting Dhillon Way.

To the South: Across Westminster Highway and Highway 91, active agricultural operations on

large lots zoned "Agriculture (AG1)" located in the ALR.

To the West: Property at 20411 Westminster Highway, also owned by Choice School for Gifted

Children Society, containing recreational fields, playgrounds and surface parking

associated with the school operation on the subject property, on a lot zoned

"Agriculture (AG1)" and located in the ALR.

To the East: Light industrial uses with associated surface parking and loading on a lot zoned

"Industrial Business Park (IB1)", fronting Westminster Highway.

#### **Related Policies & Studies**

# Official Community Plan

The Official Community Plan (OCP) land use designation for the subject site is "Agriculture (AGR)", which comprises of those areas of the City where the principal use is agriculture and food production, but may include other land uses as permitted under the *Agricultural Land Commission Act* (ALCA), including non-farm uses approved by Council and the ALC. No amendments are required to the OCP.

### Food Security and Agricultural Advisory Committee

The Food Security and Agricultural Advisory Committee (FSAAC) reviewed and supported the subject ALR non-farm use application at its meeting held on September 17, 2020. An excerpt from the September 17, 2020 FSAAC meeting minutes is provided in Attachment 3.

# Richmond School District No. 38

As per Council Policy "Referrals to the Board of Education of School District No. 38 (Richmond) for Development Applications Involving Independent Schools", the subject application was referred to School District staff for information purposes. As per the Policy, School District staff may provide comments if desired. No comments were provided by School District staff regarding the subject application.

# **Analysis**

#### Zoning

The subject property is zoned "Assembly (ASY)", which provides for religious assembly, education and other limited community uses. Education is a permitted use in the zone and the proposal is consistent with the existing ASY zoning, including permitted density, lot coverage, setbacks and height.

The existing school building is approximately 1,069.1 m<sup>2</sup> (11,508 ft<sup>2</sup>) in floor area and the existing gymnasium is approximately 346.9 m<sup>2</sup> (3,735 ft<sup>2</sup>) in floor area. The proposed new classroom

building is approximately 261.0 m<sup>2</sup> (2,810 ft<sup>2</sup>) in floor area and includes two classrooms, washroom facilities, bicycle room for staff, and storage area. The proposed new classroom building is projected to increase the school's capacity by 30 students (for a total of 110 students). A site plan and proposed floors plans are provided in Attachment 4.

#### Non-Farm Use

Although the proposal is consistent with the existing "Assembly (ASY)" zoning, ALC staff confirmed the property is subject to the *Agricultural Land Commission Act* (ALCA) and therefore requires an application to the ALC in order to allow the existing and proposed non-farm uses. As per the ALCA, the non-farm use application may not proceed to the ALC unless authorized by a resolution of the local government.

As part of the non-farm use application, the applicant has provided a farm plan on the adjacent property (20411 Westminster Highway) to implement agricultural activities as part of the curriculum of the existing education use. The farm plan includes vegetable planting boxes, fruit trees/shrubs, soil-based greenhouse and an agricultural education component. In addition, the proposed classroom building will also provide storage for farm tools, equipment and materials in support of the farm. Existing playground equipment will also be consolidated in order to accommodate the proposed farm plan. The farm plan proposal and site plan is provided in Attachment 5.

# **Adjacent Property**

The adjacent property to the west at 20411 Westminster Highway is also owned by Choice School for Gifted Children Society and currently contains recreational fields, playgrounds and surface parking associated with the education use on the subject site. The property is zoned "Agriculture (AG1)", designated "Agriculture (AGR)" in the OCP and located in the ALR. ALC staff have confirmed that although the subject property at 20451 Westminster Highway is subject to the ALCA, the adjacent property at 20411 Westminster Highway is not subject to the ALCA, due to the exception section in the ALCA (less than 2 acres and on separate title prior to December 21, 1972). Therefore, a nonfarm use application is not required to permit uses associated with the school operation for the adjacent property at 20411 Westminster Highway.

#### **Future Development Applications**

The existing uses on the adjacent property (20411 Westminster Highway) are not consistent with "Agriculture (AG1)" zoning. In addition, the parking and septic system is currently shared between the two properties. Should Council and the ALC approve the non-farm use application at the subject property (20451 Westminster Highway), the following would be required:

- Rezoning application at 20411 Westminster Highway to legitimize the existing uses, including the recreational fields, playgrounds and surface parking and to secure the implementation of the proposed farm plan; and
- Consolidation of the two properties (20411 & 20451 Westminster Highway).

#### **Financial Impact**

None.

# Conclusion

Choice School for Gifted Children Society has submitted an Agricultural Land Reserve (ALR) non-farm use application at 20451 Westminster Highway in order to allow the existing education uses to continue and to construct a new classroom building.

It is recommended that the ALR non-farm use application be endorsed and forwarded to the Agricultural Land Commission (ALC).



Steven De Sousa Planner 1 (604-204-8529)

SDS:blg

# Attachments:

Attachment 1: Location Map and Aerial Photo

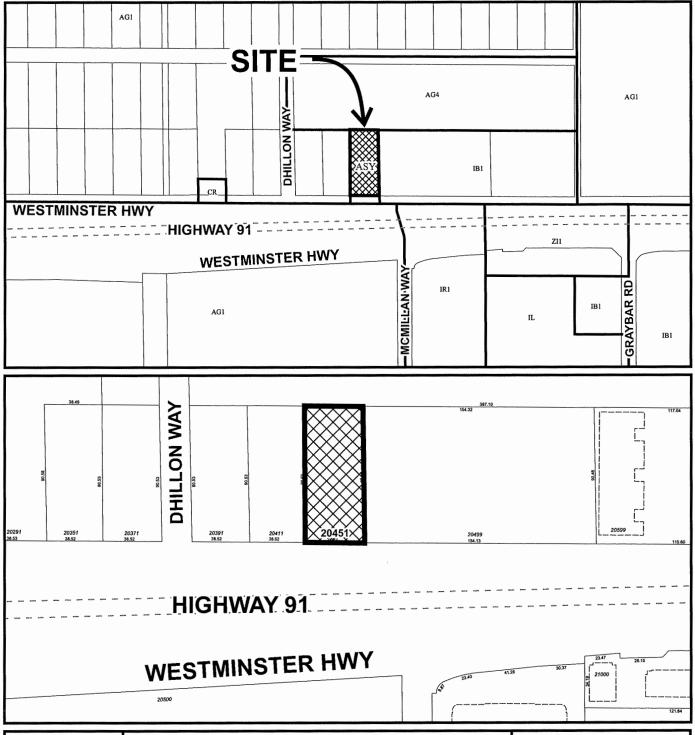
Attachment 2: Development Application Data Sheet

Attachment 3: Excerpt from the FSAAC September 17, 2020 Meeting Minutes

Attachment 4: Conceptual Plans

Attachment 5: Farm Plan Proposal







AG 19-881146

Original Date: 01/07/20

Revision Date:

Note: Dimensions are in METRES







AG 19-881146

Original Date: 01/07/20

Revision Date:

Note: Dimensions are in METRES



# **Development Application Data Sheet**

**Development Applications Department** 

AG 19-881146 Attachment 2

Address: 20451 Westminster Highway

Applicant: Choice School for Gifted Children Society

Planning Area(s): East Richmond

	Existing	Proposed
Owner:	Choice School for Gifted Children Society	No change
Site Size:	3,486 m² (0.86 ac / 0.35 ha)	No change
Land Uses:	Education	No change
OCP Designation:	Agriculture (AGR)	No change
Zoning:	"Assembly (ASY)"	No change
Other Designations:	Agricultural Land Reserve (ALR)	No change

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	Existing: 0.4 Proposed Building: 0.08 Total: 0.48	None permitted
Lot Coverage – Buildings:	Max. 35%	Existing: 19% Proposed Building: 4% Total: 23%	None
Lot Size:	N/A	3,552 m <sup>2</sup>	None
Setbacks:	Front: Min. 6.0 m Rear: Min. 7.5 m Side: Min. 1.2 m	Proposed Building: Front: 16.8 m Rear: 58.5 m Side: 7.5 m	None
Height:	12.0 m	Proposed Building: 6.0 m	None
Off-street Parking Spaces:	Min. 31	36	None
Off-street Parking Spaces: Accessible:	Min. 1	2	None
Bicycle Parking – Class 1:	Min. 9	9	None
Bicycle Parking - Class 2:	Min. 24	24	None

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

Thursday, September 17, 2020 – 7:00 p.m. Rm. M.2.002 (Webex)
Richmond City Hall

# ALR Non-Farm Use Application – 20451 Westminster Highway

Steven De Sousa, Planner 1, introduced the non-farm use application, and provided the following comments:

- The subject property is zoned "Assembly (ASY)", designated Agriculture in the OCP and located in the ALR. The ALC has confirmed the property is subject to the Provincial ALR Regulations;
- The associated adjacent property is zoned "Agriculture (AG1)", designated Agriculture in the OCP and located in the ALR. The ALC has confirmed the property is not subject to the Provincial ALR Regulations because it was less than 2 acres prior to December 21, 1972 and on separate title;
- The proposed non-farm use application is required for the proposed expansion of the school;
- The proposal is consistent with the City's ASY Zone; and
- Should the application be approved by Council and the ALC, a subsequent development application will be required for the adjacent property to legitimize the existing uses.

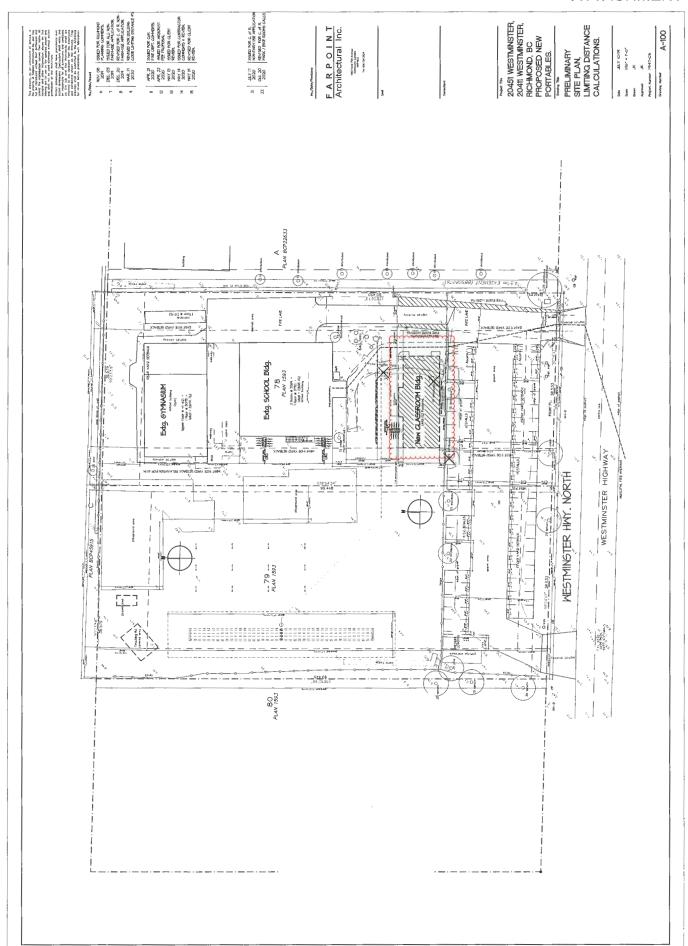
The applicant provided additional details regarding the school operation, proposed new classroom building and impacts of the ongoing COVID-19 pandemic.

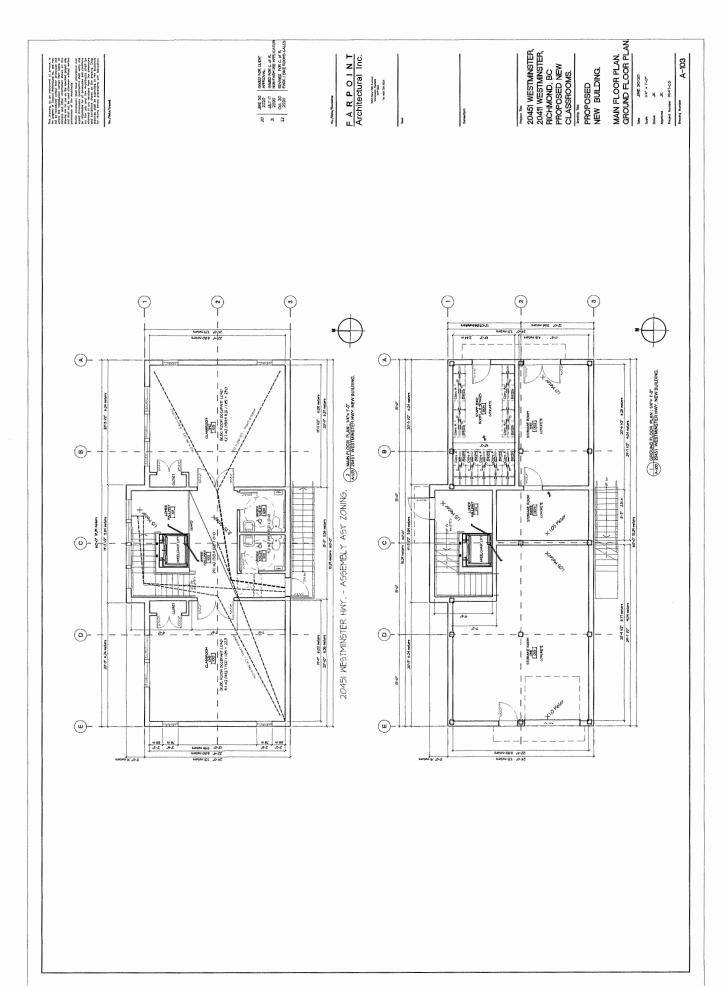
Discussion ensued regarding the proposed building type, implementation of agriculture in the curriculum and finding a balance between the farm plan and recreational facilities.

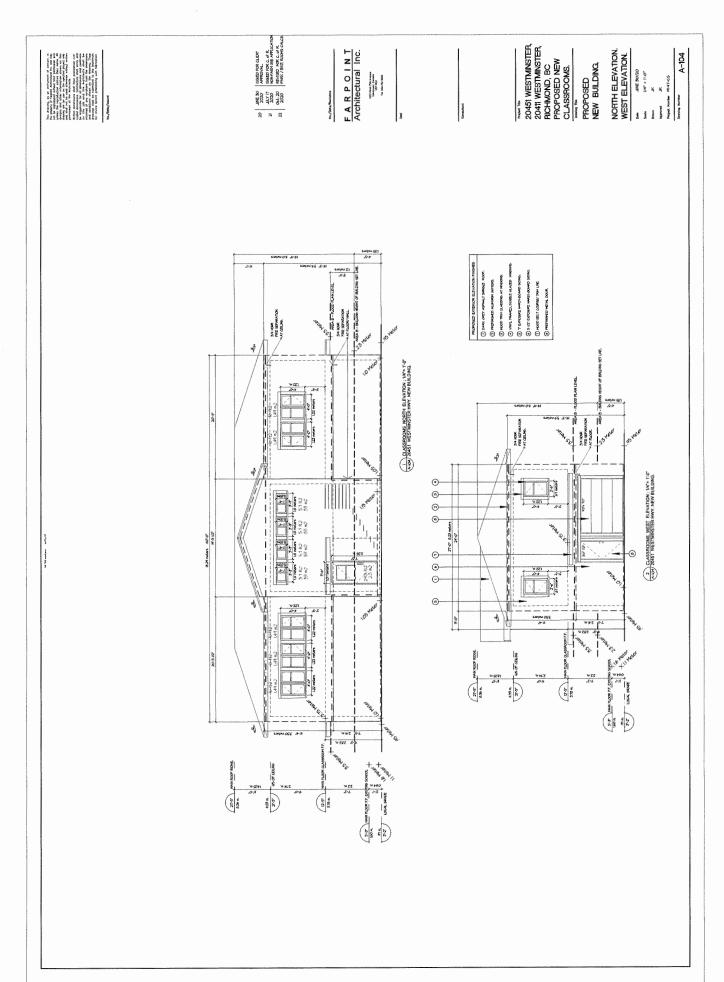
The Committee passed the following motion:

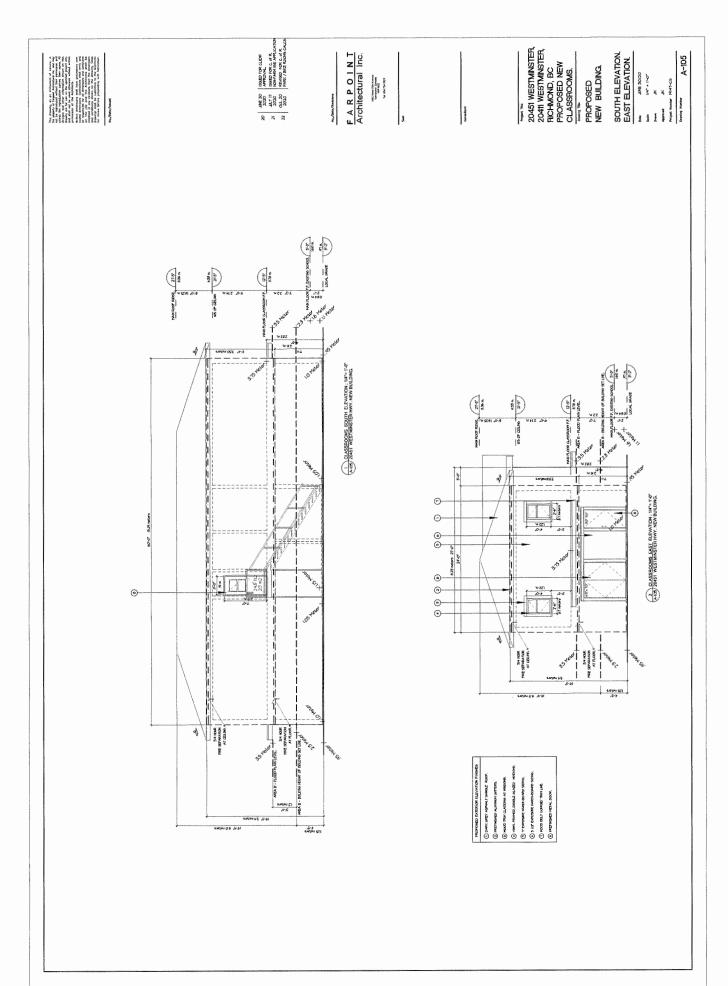
That the Food Security and Agricultural Advisory Committee support the ALR Non-Farm Use Application at 20451 Westminster Highway (AG 19-881146).

Carried Unanimously









PLN - 110



# Farm Plan Proposal for 20411 Westminster Highway, Richmond, BC

In response to Comment 10 in the City's Preliminary Comments letter dated April 17th, 2020, Choice School offers the following Farm Plan proposal for the City's review.

The attached Farm Plan drawing No. A-110, shows a delineated area totalling 50.2% of the property that the school will dedicate to agricultural use. Please note that we have not included the portion of the property covering the septic field within the calculation of the proposed 50.2% agricultural use area.

Note also, that in order to create the proposed 50.2% area for agricultural use, we propose to reconfigure the portion of the property that currently houses our playground equipment sets. The two currently separated gravel and lumber edged areas housing two swings sets and two jungle gyms, will be consolidated into one single gravel and lumber edged area and all the existing playground equipment re-located to within the new proposed area. As included in our written response to your preliminary comments letter regarding the City's request for "removal of as much of the play equipment/field as possible..." we offer the following response:

"As a Special Education School designated by the Ministry of Education, Choice provides students with a broad range of support functions, especially for those of our students with emotional, behavioral and other learning difficulties associated with giftedness. Our playground space and equipment represent one of these essential support functions. Frequent outside exercise and physical exertion forms a key component in helping students learn to regulate their emotions and behaviors so that students are able to return to the classroom ready to learn with fewer disruptions and behavioral challenges. It is well-documented in literature that regular physical activity has many benefits for children, including the development of: fine and gross motor coordination; co-operative play skills with peers; visual motor integration; improved mental health; physical fitness and endurance; and self-regulation skills. Research has shown that physical activity is decreasing in Canadian children and there is an increase in obesity among our students. Researchers have found that poor play environments and an increase in structured activities (Elkind, 2007; Tremblay 2018) contribute to the decrease in physical activity we see in children. Our playground equipment is an essential part of providing our students the opportunity for vigorous exercise in a safe and unstructured environment. This allows children of all ages and abilities at our school to engage with each other socially and cooperatively during recesses, lunch breaks and before and after the school day. Consequently, we respectfully request that with our proposed



agricultural use covering 50.2% of the property, the City will allow us to retain all of our current playground equipment in a reconfigured form."

This farm plan proposal will significantly reduce the currently available play area for our students. An area that is well-established and has been utilized for play and sports for more than 25 years.

However, we recognise that in order to comply with AG1 zoning and in order to obtain the necessary City permits for the construction of our proposed new classroom building on the adjacent lot, we are prepared to make the changes being requested in accordance with this farm plan proposal.

# **Existing Agricultural Use**

The school does have an already established annual produce growing activity as part of our educational curriculum. Students, with help from staff, plant, nurture and harvest a range of produce including strawberries, radishes, tomatoes, squash, melons and other summer crops. To facilitate this, the school utilizes the existing greenhouse, the existing outdoor teaching hut and several planters. The resulting produce is donated to local food banks.

#### **Proposed Agricultural Use**

Our farm plan for this development application proposes to greatly expand on the current growing activities by the planting, cultivation and harvesting of three distinct crop types in three areas as indicated on Farm Plan A-110, these include:

- Approximately 90 Christmas trees located around the property perimeter.
- Rows of assorted fruit trees and bushes,
- Assorted vegetables in 12 new 6' x 2' vegetable raised bed planters

# **Christmas Trees**

The specific Christmas tree varieties will be selected based on local environmental and soil conditions. Christmas trees are anticipated to be much less work intensive than the fruit and vegetable growing activities proposed and this was big consideration in their inclusion. After initial planting, the trees will grow and mature over a number of years. Further research and a more specific plan defining how we will select, procure, plant, harvest, and sell or donate the trees, will be determined following the City's anticipated approval of this proposal.





Choice School - Existing Vegetable Growing Activity

# Fruit Trees/Bushes

The proposed fruit trees/bushes will be selected from a combination of blueberry, raspberry, apple, fig and plum. Varieties of each will be selected based on those best suited for our local environmental conditions and the results of soil testing performed following the City's anticipated approval of this proposal.

# Vegetables

Assorted vegetables to be grown in the twelve proposed raised beds will be selected annually from a list of lettuce, tomatoes, squash, pumpkin, onions, leeks, beans, peas, broccoli and other such annual vegetable crops that are typically grown successfully in this area. Similar to the



school's current small-scale growing operation, much of this produce will be raised from seed and nurtured in the greenhouse prior to planting out in the raised beds.

We determined that a series of raised beds represents the best option for success for vegetable growing. We can ensure that each one contains the optimum mix of fertile soil for growing, the height of the raised beds will be optimised for easy student access and the areas around the beds will continue to provide some play-space for students without any risk of plant damage.

#### Farm Work Area

Also included in our proposal is a farm use work area providing for equipment and vehicle access via the gate at the south west corner of the south fence for loading/unloading, staging of materials, work preparation and other farm work related uses. Should the development permit be approved for the proposed new classroom building on our adjacent property, the proposed storage area underneath this building will provide secure storage for farm tools, equipment and materials, etc. This will also pre-empt the need to erect a farm building within the proposed agricultural use area on the subject property for secure storage purposes.

### **Educational Curriculum**

The school's current produce growing activities are already integrated into the school curriculum and a similar approach will be taken to incorporate the broader crop growing activities proposed here.

In its new curriculum, the BC Ministry of Education suggests that learning can and should take place beyond the walls of the classroom. The farm/garden environment this proposal describes provides a genuine context for learning about nature and the Ministry's curricula Big Ideas that connect understandings in Science throughout the grades. At each grade level, several of the Big Ideas in Science centre on living things:

- Plants and animals have observable features.
- Daily and seasonal changes affect all living things.
- Living things have features and behaviours that help them survive in their environment.
- Living things have life cycles adapted to their environment.
- Living things are diverse, can be grouped, and interact in their ecosystems.
- All living things sense and respond to their environment.
- Living things have features and behaviours that help them survive their environment

The curricular competencies, skills, strategies and processes that support the development of these understandings are most effectively acquired in an environment where students hypothesize, predict, observe and analyze the results of their experiments and their explorations



of a real-world environment. The results will be the authentic product, the crop harvest that results from their efforts.

Also woven into the curriculum are opportunities for students to develop a deep understanding of Indigenous Knowledge and Perspectives: the interconnectedness of the natural world, traditional growth and harvest over time and the oral narratives through which this knowledge is shared. The farm/garden provides an optimal environment for this learning to grow.

# **Operations**

The fruit trees/bushes and vegetable growing will be at the heart of the school's proposed farm use operation. This size of activity compared to our current growing activities will place a significant burden of work on those involved. As is the case today, the proposed agricultural use will be operated by a combination of school staff, students and student families. In addition to teacher and student farm related educational activities in support of the proposed farm use, we have an active Parent Advisory Committee (PAC) and parent community. This includes a well-established volunteer incentive deposit program. At the start of each school year, each student family lodges a volunteer deposit with the school. Parents can then earn back that deposit during the school year by expending volunteer hours on defined activities in support of the school. We anticipate expanding and leveraging this program to incentivise parents to support farm activities. We anticipate that similar to today, any produce resulting from this proposed farm use will be donated to local food banks as it is harvested.

We hope the City will appreciate that due to the modest size of the school's enrollment, staff and related financial resources, there is a finite limitation to what we can realistically propose for a farm plan. We make this proposal in good faith and to the best of our limited ability to meet the agricultural use requirement being requested.



