

Report to Committee

To: Planning Committee Date: August 22, 2022

From: Wayne Craig File: AG 22-007162

Director, Development

Re: Application by Grootendorst's Flowerland Nursery Ltd. for an Agricultural Land

Reserve Non-Adhering Residential Use at 15140 Westminster Highway

Staff Recommendation

That the application by Grootendorst's Flowerland Nursery Ltd. for an Agricultural Land Reserve Non-Adhering Residential Use to allow an addition to an existing single-family dwelling at 15140 Westminster Highway for the purpose of accommodating accessibility features be forwarded to the Agricultural Land Commission.

Wayne Craig

Director, Development

WC:sds Att. 5

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Grootendorst's Flowerland Nursery Ltd. has submitted an Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) application to allow an addition to an existing single-family dwelling at 15140 Westminster Highway for the purpose of accommodating accessibility features. A location map and aerial photograph are provided in Attachment 1. The subject property is currently occupied by a principal single-family dwelling, additional single-family dwelling (the subject of this application), and an active farming operation.

Background

The existing principal dwelling (304.1 m² (3,273 ft²)) and additional dwelling (256.9 m² (2,765 ft²)) on the subject site were constructed in the 1980s when the City's Zoning Bylaw allowed additional dwellings on agriculturally zoned lots based on lot area. The existing additional dwelling, which is the subject of this application, is considered non-conforming, as the current "Agriculture (AG1)" zone permits a maximum one dwelling per lot.

The existing additional dwelling also exceeds the current 90 m² (968 ft²) maximum size limit identified in the Agricultural Land Reserve (ALR) Use Regulation. An ALR Non-Adhering Residential Use (NARU) application is required for requests for residential uses in excess of those residential uses permitted. This includes applications to alter existing residences that exceed the current requirements.

In order to allow the proposed addition (64.0 m² (689 ft²)) to the additional dwelling for the purpose of accommodating accessibility features, an ALR NARU application is required to be considered by Council and the ALC. As per the *Agricultural Land Commission Act* (ALCA), an ALR NARU application may not proceed to the ALC unless authorized by a resolution of the local government. Should Council and the ALC approve the subject ALR NARU application, a subsequent rezoning application would also be required to permit a secondary dwelling to facilitate the proposed addition.

Findings of Fact

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

Surrounding Development

To the North: Across Westminster Highway, an active farming operation on a property zoned

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

To the South: Across the Granville Avenue unopened road allowance, an active landfill

operation on a property zoned "Agriculture (AG1)" and located in the ALR, operating under previous ALR non-farm use approvals from Council and the

ALC (AG 14-654361 / AG 19-863866).

To the East & Active farming operations on properties zoned "Agriculture (AG1)" and

West: located in the ALR.

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 also include other uses as permitted under the *Agricultural Land Commission Act* (ALCA). The proposal is consistent with this designation.

OCP policy includes limiting the number of dwelling units to one on lots within the ALR and any proposal for additional dwelling units require approval from both Council and the ALC.

Floodplain Management Implementation Strategy

The proposed addition complies with the exemption provisions in the Flood Plain Designation and Protection Bylaw 8204, as the addition would increase the size of the existing additional dwelling by less than 25%.

Riparian Management Area & Environmentally Sensitive Area Designation

The property contains a small portion of Riparian Management Area (RMA) & Environmentally Sensitive Area (ESA) designation at the rear of the property. No impact to the RMA or ESA is proposed as part of this application.

Food Security and Agricultural Advisory Committee

The proposal was reviewed and supported by the Food Security and Agricultural Advisory Committee (FSAAC) at its meeting held on July 7, 2022. An excerpt from the July 7, 2022 FSAAC meeting minutes is provided in Attachment 3.

Analysis

Proposal

The purpose of the Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) application is to allow a 64.0 m² (689 ft²) addition to the existing 256.9 m² (2,765 ft²) additional dwelling for the purpose of accommodating accessibility features. The subject site is approximately 40 acres (16 hectares), has farm status as per BC Assessment, and is actively farmed (nursery, including shrubs, trees, plants, vegetables, and ornamental flowers). The applicant has indicated that the associated farm operation has operated in Richmond since 1953 and was incorporated in 1970. In addition to the subject site, the farm operation also farms 6360 No. 7 Road, an additional 9.1 acres (3.7 hectares). The farm operation currently includes 18 full-time farm workers and 5 seasonal farm workers. The proposed addition would not impact the current farm operation as it is located within the existing farm home plate. In addition, no changes are proposed to the existing site access or septic system.

The additional dwelling is occupied by the head grower of the farm operation and son of the property owner. Responsibilities include ordering cuttings, seeds, pots, containers, overseeing watering, fertilizing, time schedules, writing invoices, and general assistance for customers. The

occupant of the additional dwelling was involved in an accident in 2020 and now requires a wheelchair. The purpose of the proposed addition is to incorporate accessibility features into the existing additional dwelling in order for the occupant to continue living in the dwelling and supporting the farm's operations. The applicant's statement is provided in Attachment 4.

The applicant has provided plans demonstrating that the intent of the proposed addition is solely to accommodate a variety of accessibility features, including wheelchair maneuverability (clearances and turning radiuses), space for physical therapy equipment, and storage for different types of wheelchairs. The City's Accessibility Coordinator has reviewed the plans and deemed it reasonable based on current established accessibility standards. The proposed plans are provided in Attachment 5.

Non-Adhering Residential Use

Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) applications are requests for residential uses and permissions in excess of those permitted by the *Agricultural Land Commission Act* (ALCA) or its regulations. This includes applications to alter existing residences that exceed the current requirements.

The current ALR Use Regulation permits a small secondary dwelling based on lot size. In this case, an additional residence with a total floor area of 90 m² (968 ft²) would be permitted under the Regulation. In addition, the Regulation allows local governments to further regulate or prohibit additional residences. As per the City's current "Agriculture (AG1)" zone, a maximum one dwelling is permitted per lot (additional dwellings are not permitted). The existing additional dwelling on the subject site exceeds the requirements contained in both the ALR Use Regulation and Zoning Bylaw 8500.

Zoning

As per the City's current "Agriculture (AG1)" zone, a maximum one dwelling is permitted per lot. The existing additional dwelling on the site is approximately 256.9 m² (2,765 ft²) and the proposed addition is 64.0 m² (689 ft²), for a total of 320.9 m² (3,454 ft²). The existing principal dwelling is 304.1 m² (3,273 ft²) and is occupied by the property owner. The existing principal dwelling and additional dwelling on the subject site were constructed in the 1980s when the City's Zoning Bylaw allowed additional dwellings on agriculturally zoned lots based on lot size, and is considered non-conforming.

In addition, the existing additional dwelling was constructed prior to the adoption of farm home plate area, farm home plate setback, single-detached housing maximum setback from a public road, and farm house footprint requirements contained in the "Agriculture (AG1)" zone. The table below provides an analysis comparing current bylaw requirements and the proposal.

	Bylaw Requirement (AG1)	Proposal
Residential Density:	Max. one dwelling unit per lot	Principal dwelling and additional dwelling (existing)
Farm Home Plate Area:	Max. 1,000 m ²	Approx. 3,500 m ² (existing)
Setback – Farm Home Plate:	Max. 75 m	85 m (existing)

Setback – Single-Detached Housing Building:	Max. 50 m	62 m (existing), 68 m (proposed)
Farm House Footprint	Max. 60%	100% (existing)

Should Council and the ALC approve the subject ALR NARU application, a subsequent rezoning application would also be required to be considered by Council to allow the proposed addition. As part of the rezoning application, a legal agreement will be required to ensure non-stratification and limiting the occupancy of the additional dwelling to farm labour or immediate family only.

Financial Impact

None.

Conclusion

Grootendorst's Flowerland Nursery Ltd. has submitted an Agricultural Land Reserve (ALR) Non-Adhering Residential Use (NARU) application to allow an addition to an existing single-family dwelling at 15140 Westminster Highway for the purpose of accommodating accessibility features.

It is recommended that the ALR NARU application be forwarded to the Agricultural Land Commission (ALC).



Steven De Sousa Planner 2

SDS:cas

Attachment 1: Location Map & Aerial Photo

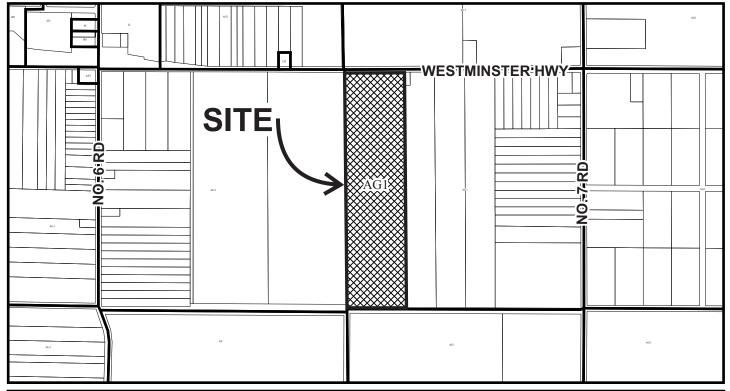
Attachment 2: Development Application Data Sheet

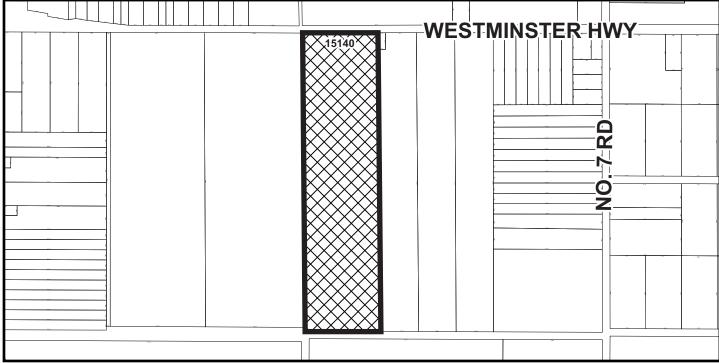
Attachment 3: Excerpt from the July 7, 2022 FSAAC Meeting Minutes

Attachment 4: Applicant's Statement

Attachment 5: Conceptual Development Plan









AG 22-007162

Original Date: 02/08/22

Revision Date:

Note: Dimensions are in METRES







AG 22-007162

Original Date: 02/08/22

Revision Date:

Note: Dimensions are in METRES



Development Application Data Sheet

Development Applications Department

AG 22-007162 Attachment 2

Address: 15140 Westminster Highway

Applicant: Grootendorst's Flowerland Nursery Ltd.

Planning Area(s): East Richmond

	Existing	Proposed
Owner:	Grootendorst's Flowerland Nursery Ltd.	No change
Site Size:	40 acres (16 hectares)	No change
Land Uses:	Single-family residential and agriculture	No change
OCP Designation:	Agriculture (AGR)	No change
Zoning:	Agriculture (AG1)	Allow an addition to an existing secondary dwelling
Number of Units:	2	No change

	Bylaw Requirement	Proposed*
Residential Density:	Max. one dwelling unit per lot	Principal dwelling and secondary dwelling (existing)
Floor Area Ratio:	Max. 400 m² (4,305 ft²)	Principal dwelling (existing): 304.1 m² (3,273 ft²) Secondary dwelling (existing): 256.9 m² (2,765 ft²) Addition to secondary dwelling (proposed): 64.0 m² (689 ft²)
Farm Home Plate Area:	Max. 1,000 m² (10,763 ft²)	Approx. 3,500 m ² (37,674 ft ²) (existing)
Setback – Farm Home Plate:	Max. 75 m	85 m (existing)
Setback – Single Detached Housing Building:	Max. 50 m	Secondary dwelling (existing): 62 m Addition to secondary dwelling (proposed): 68 m
Setback – Front Yard:	Min. 6.0 m	Complies
Setback – Side Yard:	Min. 6.0 m	Complies
Setback – Rear Yard:	Min. 10.0 m	Complies
Farm House Footprint:	Max. 60%	Secondary dwelling (existing): 100%
Height:	Max. 9.0 m (2 storeys)	Secondary dwelling (existing): 1 storey

^{*}Note: Should Council and the ALC approve the subject ALR NARU application, a subsequent rezoning application would also be required to be considered by Council to allow the proposed addition.

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

Thursday, July 7, 2022 – 7:00 p.m. Webex

ALR Non-Adhering Residential Use Application – 15140 Westminster Highway

Steven De Sousa, Planner 2, introduced the ALR Non-Adhering Residential Use Application and provided the following comments:

- ALR Non-Adhering Residential Use applications are required for residential uses in excess of those residential uses permitted by the ALR Regulations, including alterations to existing residences that exceed the current requirements;
- The subject property contains an existing principal dwelling and additional dwelling, both built when the Zoning Bylaw and ALR Regulations allowed additional dwellings based on lot size;
- In order to allow the proposed addition to the existing additional dwelling, an ALR Non-Adhering Residential Use Application is required to be approved by Council and the ALC. Should Council and the ALC approve the application, a subsequent rezoning application would be also be required;
- The occupant of the additional dwelling is the head grower of the farm operation and now requires a wheelchair due to an accident in 2020. The applicant has provided plans demonstrating the intent to accommodate accessibility features into the existing additional dwelling. The City's Accessibility Coordinator has reviewed the plans and deemed it reasonable based on established accessibility standards; and
- The existing additional dwelling was constructed prior to the adoption of farm home plate area, farm home plate setback, single-detached housing setback, and farm house footprint requirements. The existing additional dwelling is considered non-conforming based on these current requirements.

The applicant provided the following additional information:

- Due to an accident in 2020, the occupant of the additional dwelling now requires a wheelchair;
- The proposed addition to the additional dwelling is required in order for the space to be accessible, including wheelchair maneuverability, space for physical therapy equipment, and storage for different types of wheelchairs; and
- The occupant of the additional dwelling is taking over the farm operation and requires a place to live on the farm.

The Committee expressed support for the proposal and acknowledged the applicant's needs to accommodate the proposed accessibility features.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the ALR Non-Adhering Residential Use Application at 15140 Westminster Highway (AG 22-007162).

Carried Unanimously

Proposal

What is the purpose of the proposal?

The purpose of the proposal is to add several feet to an existing farm house in order to make it handicap accessible so that Andre Grootendorst, who, is the primary resident of this house, able to move back home.

Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term. Andre Grootendorst (the person who lives in this home) was in a bus which crashed at the Columbia icefields by Jasper July 18, 2020. He suffered multiple injuries which left him paralyzed. A T7 complete spinal injury. He spent 3 months in hospitals and more than a year recuperating at his parents home.. Andre would now like to be able to move back into his house, however he is confined to a wheelchair. Our goal in this application is to be able to make Andre's house wheelchair accessible and make it possible for him to live. This would include making handicap washrooms including showers, making his kitchen larger and replacing the cabinets for wheelchair accessibility and extending his family room several feet in order to accommodate his exercise equipment and for wheelchair maneuverability.

Before his accident Andre was fully engaged in the operation of Grootendorst's Flowerland Nursery as head grower. He already is resuming part of his work and as he gets stronger would like to work full time at what he would be able to. He cannot do the same physical work, but will be able to do much needed leadership in planning, ordering, office, and customer service

Grootendorst' Flowerland Nursery has been a family run business in Richmond since 1953, Incorporated 1970. We operate on 50 acers of land, employ between 20 to 25 people. We fully appreciate the agricultural land reserve. We are only asking to add a few feet to a house so that Andre can continue to live in his house. We will not be using any more of the home plate that is already being used.

Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

Residence no. 1 (Andre's house) A 1 story rancher, 3 bedrooms. 194.9 sq. m living space with a 61.9 sq. m garage. Built in 1980 Residence no. 2 Split level, 278.7 sq. m with a 25.36 sq m. garage built in 1984

What is the total floor area of the proposed additional residence in square metres? 64.0 m²

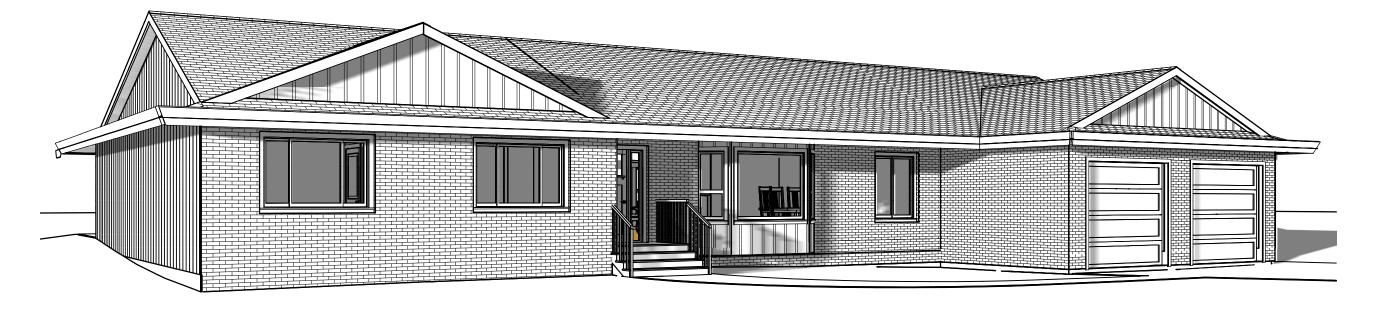
Describe the rationale for the proposed location of the additional residence.

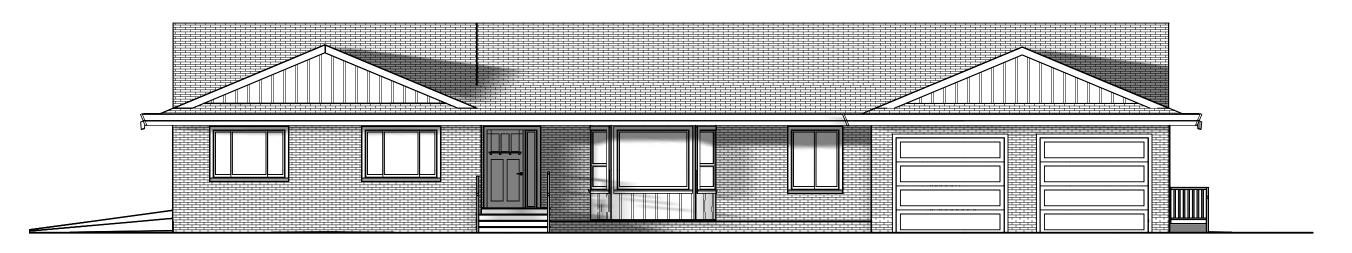
Would like to use the existing sundeck for the addition so we will not be using any agricultural land

What is the total area of infrastructure necessary to support the additional residence? There will not be any extra infrastructure necessary except for a wheelchair ramp.

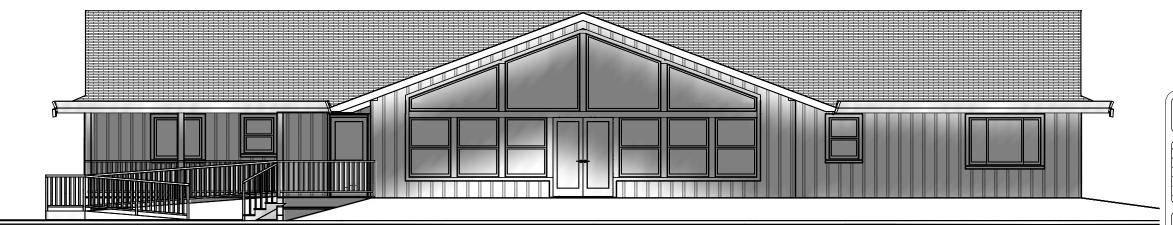
Do you need to import any fill to construct the additional residence or infrastructure? No

ATTACHMENT 5





Presentation Exterior Elevation Front 1/8 in = 1 ft



Presentation Exterior Elevation Back 1/8 in = 1 ft CNCL - 102

PROPOSED

Revisions
umber Date Description

VANADE FNTERPRISES

A1

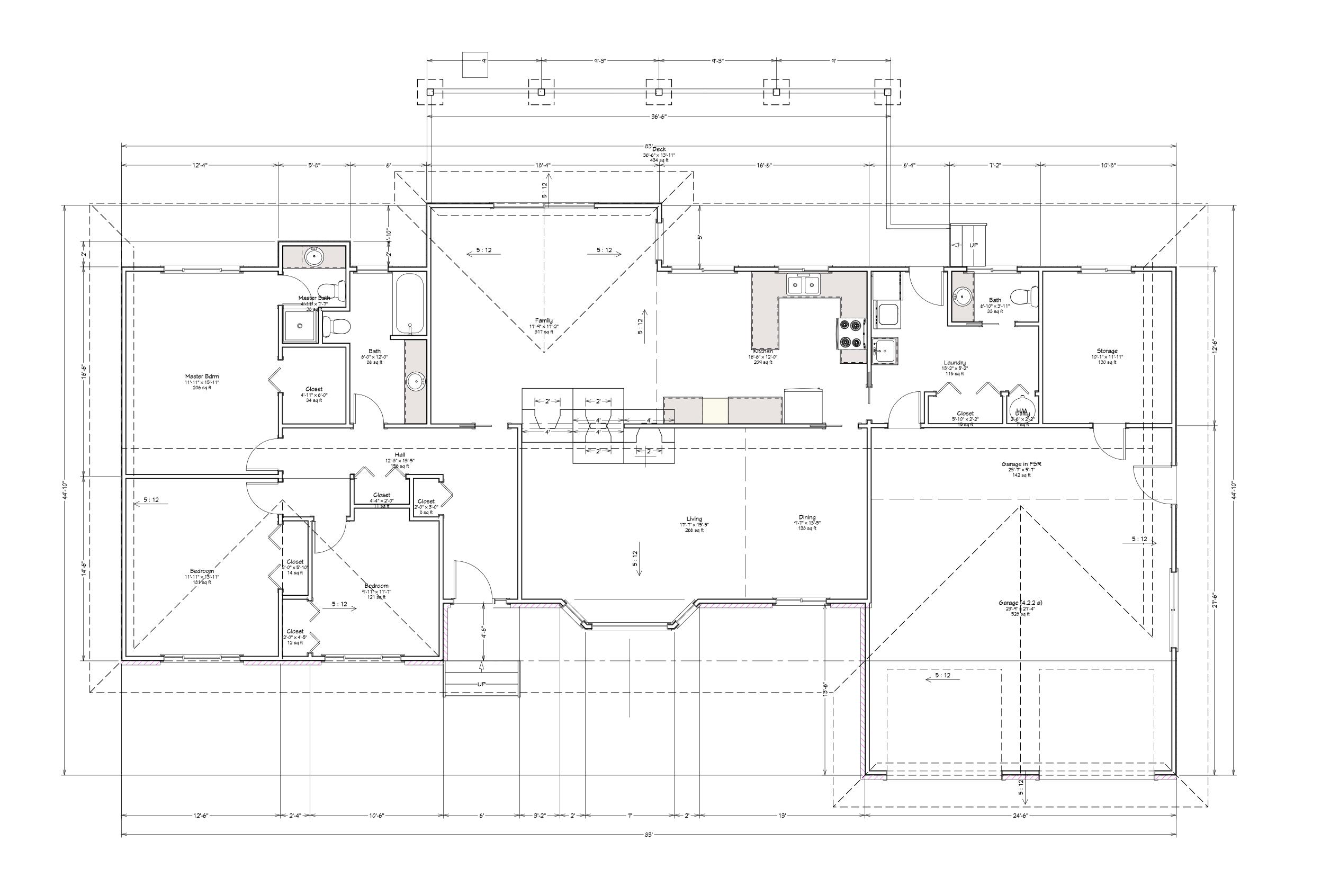
DRAWN FOR:

DIOG IIV I OIC.

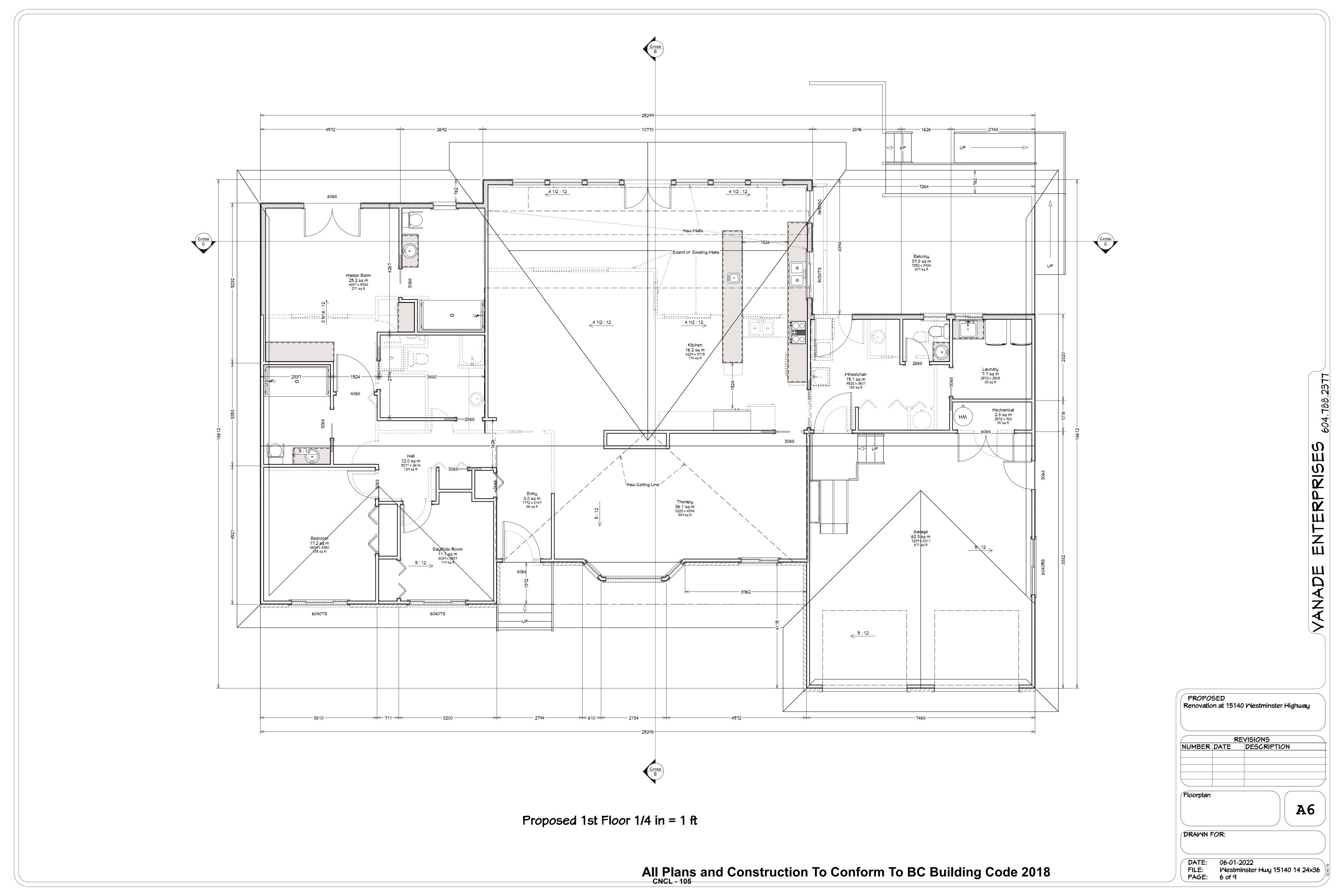
DATE: 06-01-2022 FILE: Mestminster

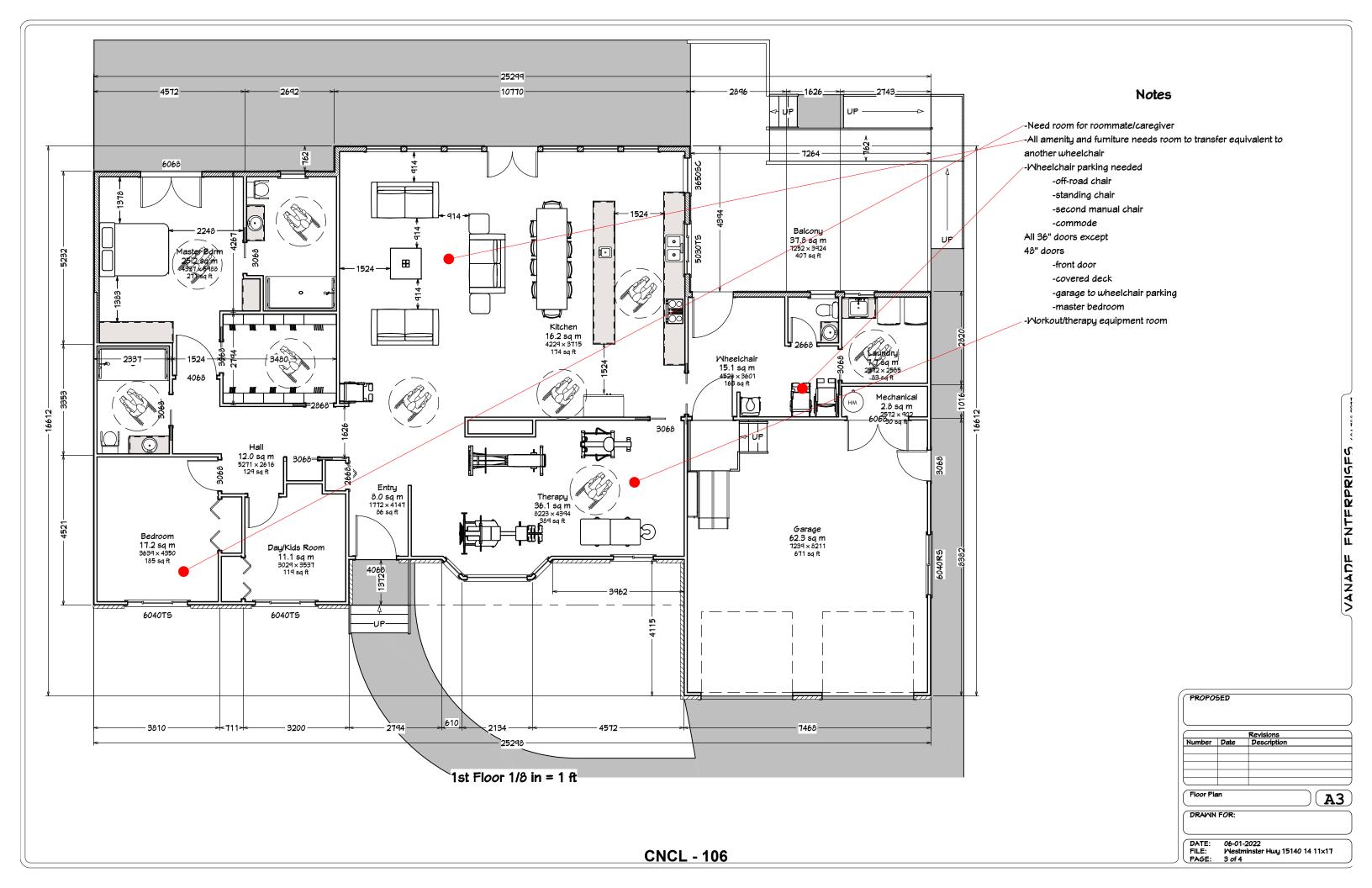
E: Mestminster Hwy 15140 14 11×1 GE: 1 of 4

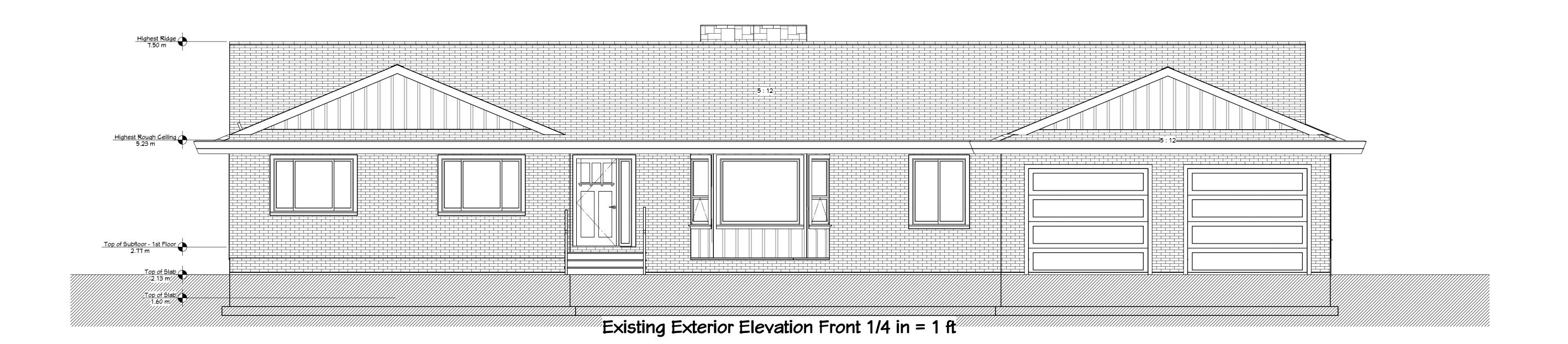
Presentation Exterior Elevation Right 1/8 in = 1 ft CNCL - 103

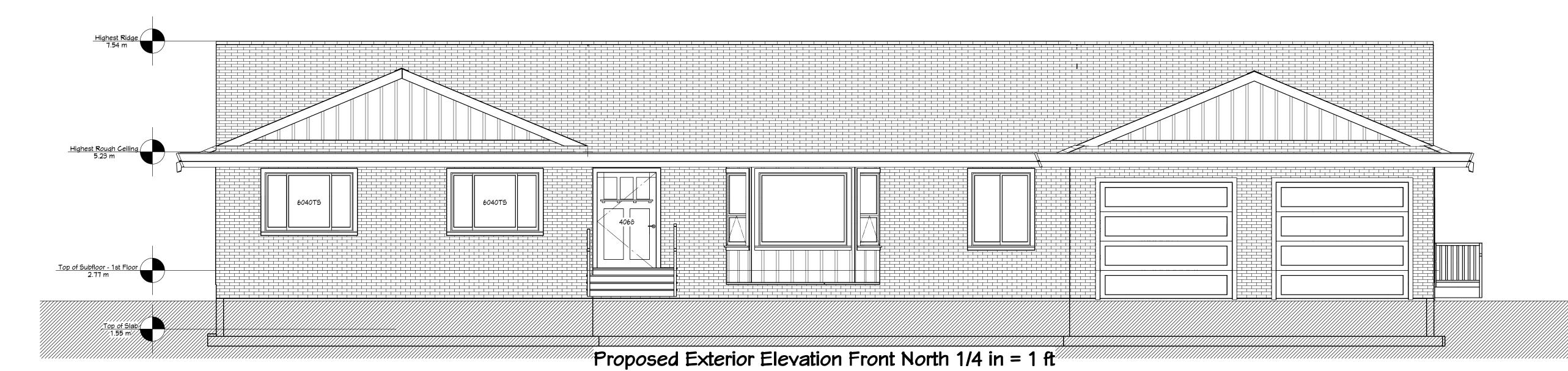


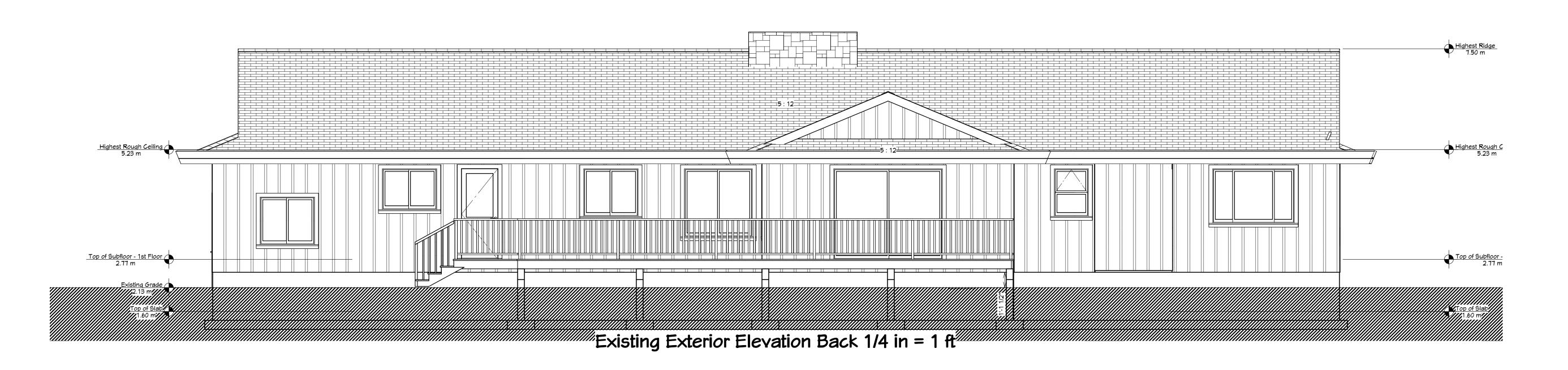
Existing 1st Floor 1/4 in = 1 ft

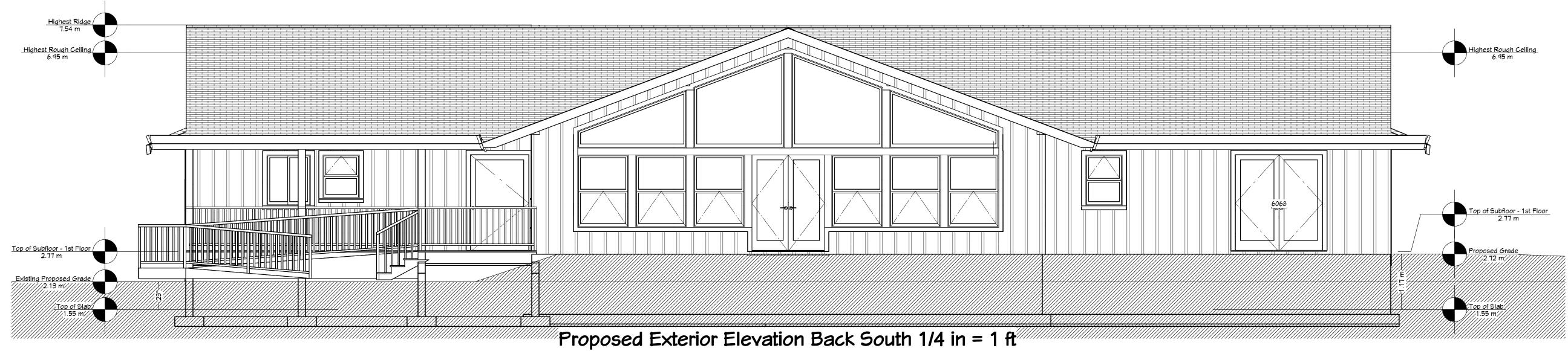












PROPOSED
Renovation at 15140 Westminster Highway

REVISIONS
NUMBER DATE DESCRIPTION

Elevations

A2

DATE: 06-01-2022
FILE: Westminster Hwy 15140 14 24x36
PAGE: 2 of 9

