



**To:** Planning Committee **Date:** January 25, 2010  
**From:** Brian J. Jackson **File:** RZ 09-493545  
 Director of Development  
**Re:** **Application by Ralph A. May (on behalf of Ocean Spray of Canada) for Rezoning at Lots 61 to 70 Section 4 Block 4 North Range 4 West NWD Plan 1593 (5700 Dhillon Way) from Golf Course (GC) to Agriculture (AG4)**

**Staff Recommendation**

That Bylaw No. 8581, to create the Agriculture (AG4) zone and for the rezoning of Lots 61 to 70 Section 4 Block 4 North Range 4 West NWD Plan 1593 (5700 Dhillon Way) from "Golf Course (GC)" to "Agriculture (AG4)", be introduced and given first reading.

Brian J. Jackson  
Director of Development

BJ:ke  
Att.

<b>FOR ORIGINATING DEPARTMENT USE ONLY</b>
<b>CONCURRENCE OF GENERAL MANAGER</b>

## Staff Report

### Origin

Ralph A. May (on behalf of Ocean Spray of Canada) has applied for permission to rezone Lots 61 to 70 Section 4 Block 4 North Range 4 West NWD Plan 1593 (5700 Dhillon Way) from "Golf Course" (GC) to "Agriculture" (AG4) in order to permit a cranberry processing facility. A location map is contained in **Attachment 1**.

### Background of Previous Applications

Due to the subject site's location in the Agricultural Land Reserve (ALR), the proponents were required to submit and go through a "non-farm use" application. A summary of the previous process and approvals is as follows:

- February 2008 to March 2009 -- Processing of the "non-farm use" application to permit the development of a cranberry processing facility in the ALR on the subject site. The application also included a request to utilize the existing unopened road allowance (Dhillon Way) for access/egress purposes for the facility.
- March 9, 2009 – Richmond City Council granted authorization of the application to proceed to the Agricultural Land Commission (ALC).
- April 23, 2009 – The ALC approved the "non-farm use" application, subject to the following conditions:
  - The facility be in substantial compliance with the submitted plans.
  - Consolidation of the subject properties into one parcel within 3 years from the date of ALC approval.
  - Approval for the facility is granted to the sole benefit of the applicant (Ocean Spray) and is non-transferable.

Concurrent to the ALC "non-farm use" application, a request was also made to the Administrative Board of the Greater Vancouver Sewerage and Drainage District (GVS&DD) to amend the Fraser Sewerage Area (FSA) boundary to enable the development to be serviced by a sanitary sewer system. A summary of this process is as follows:

- March 9, 2009 – Richmond City Council granted authorization to staff to request an amendment to the FSA boundary to the GVS&DD.
- June 26, 2009 – GVS&DD Board approved an amendment to the FSA boundary to include the building footprint and surrounding areas of the cranberry receiving and processing facility. A map of the amended FSA boundary is contained in **Attachment 2**.

As a result of the ALC approval of the "non-farm use" application and extension of the FSA boundary, the next required step involves the processing of the rezoning application.

### **Summary of Development – Ocean Spray Cranberry Processing Facility**

The existing cranberry processing station is located at 5400 No. 6 Road. The existing facility has a number of processing capacity constraints as well as limited sorting capabilities that would hinder future growth and diversification of the local and regional cranberry sector. Due to the constraints at the existing location and anticipated future growth and diversification, Ocean Spray requires a new facility on a different site. In the examination by Ocean Spray of possible locations, the following factors were taken into consideration:

- The location of a facility that was in close proximity to existing cranberry growers (cranberry acreage in Richmond farms represents approximately 47% of the Province's total cranberry acreage).
- The facility requires access to major transportation routes as a majority of berries are transported to Washington State.
- The size of the site needed to be large enough to accommodate the processing facility, truck queuing/loading areas, sufficient outside storage, parking and landscape buffers.

The subject site (Lots 61-70; 5700 Dhillon Way) is sufficiently large enough (8.66 acres) to accommodate the proposed development and is situated in an excellent location that offers close proximity to cranberry bogs in east Richmond and access to nearby major transportation routes (Highway 91). A Development Application Data Sheet providing details about the development proposal is contained in **Attachment 3**. A preliminary site plan of the facility and related building plans is contained in **Attachment 4**.

Siting of the building facilitates the delivery, off-load, processing and shipment of cranberries to and from the site. Sufficient drive-aisles and manoeuvring space for semi-trailer trucks is required around the facility. Two vehicle driveways from Dhillon Way will provide vehicle access to the development. The south access is provided for growers delivering raw cranberries to the site for weighing, washing and sorting. The north access is provided for trucks transporting the processed berries off-site.

Operation of the facility will be seasonal, which will correspond with the cranberry harvest. As a result, the facility will be in operation typically from mid-September to mid-November with the peak of the harvest occurring during a four week period in October. Timing and length of the cranberry harvest period can vary slightly due to weather conditions and quality/ripeness of the berries. During peak harvest periods, the proposed cranberry processing facility will employ approximately 75 employees divided into three shifts. Outside of the harvest period, 4 employees will be at the facility year-round.

The proposed facility's layout and size is designed to accommodate the existing regional demands of producers, growth in the cranberry sector from additional areas coming into production, and diversification of cranberry products (sweetened dried cranberries).

### **Surrounding Development**

To the North: An unopened road allowance. Agricultural activities on AG1 zoned lots in the ALR further north.

To the East: An unopened road allowance. Agricultural activities on AG1 zoned lots in the ALR further east.

To the South: A combination of AG1 zoned lots (with a dwelling and school yard) and an Assembly (ASY) zoned lot (containing a school) in the ALR. There are also Industrial Business Park (IBI) zoned properties not within the ALR, containing a warehouse building and staging area for heavy equipment.

To the West: An opened road allowance (Dhillon Way) that provides access to the subject property partially extending along the west property line of the development site. Further west of the road allowance, agricultural activities (greenhouses) on an AG1 zoned lot in the ALR.

### **Related Policies & Studies**

#### City of Richmond Official Community Plan

The City's Official Community Plan (OCP) contains broad objectives and policies to support farming in Richmond and enhance agricultural viability. The OCP land use map designation for the subject site is 'Agriculture'. The proposed cranberry processing facility is a land use that is directly related to agriculture in Richmond. Furthermore, the proposal has obtained "non-farm use" approval from the ALC. As a result, the proposed development is consistent with the broad objectives contained in the OCP and accompanying 'Agriculture' land use designation applicable to the subject lots. The subject lots will also remain in the ALR.

#### Richmond Agricultural Viability Strategy

The Richmond Agricultural Viability Strategy (RAVS), approved by Council on May 26, 2003, is a policy document aimed at enhancing agricultural viability in Richmond. This proposal addresses many specific objectives in the RAVS such as:

- ❑ Ensuring that proposed non-farm uses support agricultural viability, while not interfering with normal farm practices.
- ❑ Recognizing the preference for compatible land uses to mitigate potential conflicts with agricultural activities.
- ❑ Supporting agricultural growth through diversification.

The proposed cranberry processing facility supports the objectives and recommendations of the RAVS.

### Flood Plain Designation and Protection

The subject site is located in an area that requires a minimum 3.5 m GSM flood construction level elevation based on the City's Flood Plain Designation and Protection Bylaw (8204). As a result, a floodplain covenant is required and identifies a minimum flood construction level of 3.5 m GSM. Registration of this legal document will be a rezoning consideration to be completed prior to final adoption of the zoning amendment.

### **Consultation**

#### Agricultural Advisory Committee

Richmond's Agricultural Advisory Committee (AAC) reviewed the rezoning application on November 12, 2009. The Committee made the following recommendation:

*That the Agricultural Advisory Committee supports the rezoning application at 5700 Dhillon Way (Lots 61-70) to develop a new cranberry processing facility.*

A full excerpt of the AAC November 12, 2009 meeting minutes on the rezoning application is contained in **Attachment 5**. During the review of the previous non-farm use application, the AAC reviewed and endorsed the application on April 10, 2008.

#### Agricultural Land Commission

The ALC approved the non-farm use application to permit the use of the subject site for a cranberry processing facility on April 23, 2009 (Please refer to **Attachment 6** for the ALC's approval). The ALC identified three conditions in the approval of the application:

- The facility be in substantial compliance with the submitted plans.
- Consolidation of the subject properties into one parcel within 3 years from the date of ALC approval.
- Approval for the facility is granted to the sole benefit of the applicant (Ocean Spray) and is non-transferable.

Through the staff review of the rezoning application, the above conditions identified by the ALC have been addressed as follows:

- The submitted plans as part of the rezoning application are in substantial compliance with the plans submitted and approved by the ALC.
- Consolidation of the ten lots into one parcel will be completed as a rezoning consideration and prior to final adoption of the zoning amendment.
- Ocean Spray will be the only operator of the subject facility. The facility is also designed to specifically accommodate the unique processing method for cranberries.

### **Public Input**

No public comments were received on the rezoning application at the time of preparation of the staff report.

## Examination of Issues and Analysis

### Zoning Approach

The proposed approach is to amend the Agricultural zoning district to create a new sub zone (AG4) that contains specific regulations regarding density, site coverage, setback, building/structure height, parking spaces and other accessory use regulations proposed for the facility. In addition to these regulations contained in the new agriculture sub-zone (AG4), a new use (cranberry processing facility) is added as a permitted principal use. This new defined use captures the main operation of the facility as a processing facility involved in the receiving, weighing, sorting, testing, packing and distribution of cranberries.

This zoning approach results in only the subject site (8.66 acres) being rezoned to permit a cranberry processing facility. No other agricultural zoned properties will have this permitted use in Richmond.

### Traffic Management and Transportation

The approach to traffic management and transportation issues is determined by the seasonal nature of the operation for the cranberry processing facility. Peak traffic volumes to and from the subject site will be during the cranberry harvest (typically in the 3-4 week period in October depending on harvest conditions and cranberry ripeness). For remaining parts of the year, the cranberry processing facility is not in operation and is occupied by administrative staff only (approximately 4 employees). The following is a summary of comments related to transportation issues:

- The development and site layout can safely accommodate all required vehicle movements on the subject site and provides adequate parking, loading, drive aisles and truck queuing areas.
- Ocean Spray's existing operation involves detailed scheduling of cranberry deliveries (from growers) and transporting processed berries from the subject site. Ocean Spray will continue the practice of scheduling all deliveries and transports for the proposed new facility.
- To ensure proper vehicle routing for trucks travelling to and from the site, Ocean Spray has agreed to require all contracted truck operators not to turn right at the rail underpass to travel westbound on Westminster Highway west of the intersection (thus avoiding southbound to westbound right turns). Furthermore, Ocean Spray is also in agreement to provide qualified flag person(s) at the intersection of Westminster Highway and the rail underpass to facilitate safe truck traffic movement (**Attachment 7**).
- Trucks will not be permitted to turn left at the intersection of Dhillon Way and old Westminster Highway (southbound to eastbound left turns) due to the existing weight limited road. All truck movements must proceed westbound on old Westminster Highway.
- The ultimate widening of Westminster Highway to four lanes (subject to available funding and approval) will address future right turn truck movements at the rail underpass to travel westbound on Westminster Highway.

The agreement from Ocean Spray regarding limiting specific truck turns (to westbound on Westminster Highway west of the rail underpass intersection) and qualified flag person(s) is an interim measure to be in place until Westminster Highway is upgraded.

#### Servicing and Engineering

- Water analysis – Based on the conclusions of the water capacity analysis the City has received and approved for this development, no watermain upgrades are required.
- Sanitary analysis – Based on the conclusions of the sanitary sewer capacity analysis the City has received and approved for this development, no sanitary sewer upgrades are required.
- Storm analysis – The engineering consultant's January 15, 2010 storm capacity analysis has identified flooding related to the proposed project with solutions to alleviate and further mitigate the flooding problems. The storm sewer upgrades required for this development are as per the engineering consultants identified solutions.

Prior to the final adoption of the rezoning, all upgrades determined by the capacity analysis must be approved to the satisfaction of the Director of Engineering, and will be included in the Servicing Agreement. Service connections (storm, sanitary and water connections) for the development site are to be included in the Servicing Agreement design drawings set.

#### Landscape Buffering and Land Use Adjacencies

A landscape buffer plan is being implemented around the perimeter of the subject site to address and mitigate specific adjacencies surrounding the subject site. The proposed landscape buffer plan was reviewed by the ALC (as part of the non-farm use application) and AAC with no concerns identified. A copy of the proposed landscape buffer plan is contained in **Attachment 8**. Specifics of the landscape approach proposed around the perimeter of the site is as follows:

- Northern and Eastern Adjacency (Existing agricultural operations – cranberry bogs): A 9 m (30 ft.) wide contiguous planted screen consisting of hedging and a combination of evenly spaced deciduous and coniferous trees. Groundcovers and trespass inhibiting shrubs are planted at the based of the trees. A chain link fence will enclose the site.
- Southern Adjacency (Existing light industrial operation): A 3 m (10 ft.) wide contiguous planted screen (hedging and deciduous trees) is proposed for the portion of the site with adjacency to the neighbouring industrial development. The buffer approach is meant to integrate with the existing ALR buffer that was implemented as part of the industrial development (DP 05-319300). A total landscape buffer width of 6 m is achieved when combining the landscaping proposed for the Ocean Spray site and neighbouring industrial site.
- Southern Adjacency (Existing school and yard and an agricultural zoned property): A contiguous buffer width between 6 m (20 ft.) and 9 m (30 ft) is proposed and consists of existing hedging, combination of deciduous and coniferous trees, trespassing inhibiting shrubs and groundcovers. Fencing will consist of existing chain link fencing along the south edge of the site.
- Western Adjacency (Dhillon Way and greenhouses on agriculturally zoned lots): A large storm water detention pond along the west side of the site adjacent to Dhillon Way is proposed. The detention pond will also be screened by landscaping (trees and hedging) and enclosed by a perimeter fence.

Plant and shrub selections, spacing and design was done in accordance with ALC guidelines and specifications for ALR buffers. In many places along the north, east and south property lines, there is existing cedar hedging from the previous golf driving range facility that is partially located on-site and partially located off-site on the adjacent unopened road allowance. The existing hedging is proposed to be retained and included as part of the buffer screen (for portions of the hedge located on the subject property). In limited areas where the hedging is in poor condition, existing hedging located on other parts of the site will be relocated to replace applicable portions of the perimeter hedge. For portions of hedge located off-site (on the City's road allowance), the hedging will remain. For portions of the hedge located on-site, the landscape buffer will integrate the existing hedging into the planted screen and implement new hedging around the entire perimeter of the site. (**Attachment 8**). A landscape letter of credit, based on the estimated costs of implementing the landscape plan, is required to be submitted as a rezoning consideration.

#### Existing Trees and Landscaping

All trees on the subject property are less than 20 cm in diameter and not subject to the provisions of the City's Tree Protection Bylaw (8057). Some of the trees situated along the west edge of the site will be retained, while other trees will be removed due to the reconfiguration of vehicle access to the site. Other trees situated in the vicinity of the driving range facility will also need to be removed. The proponent has indicated that where possible, efforts to relocate existing trees impacted by the development to the edges of the subject site will be undertaken. The substantial perimeter landscape buffer proposed will include an adequate number of new trees to compensate for removal of existing trees on-site.

There is also an existing hedge located within the subject site that will be relocated to provide buffering and screening to the proposed storm water detention pond proposed and to replace damaged sections of the existing hedge around the perimeter of the property (Please refer to the landscape plan contained in **Attachment 8**).

#### Dhillon Way Extension and Forthcoming Development Variance Permit

The site plan for the proposed facility requires two accesses to the development on the south and north edge of the site adjacent to Dhillon Way to facilitate truck movements to and from the property. Currently, the site is accessed by one driveway off Dhillon Way, which only extends partially along the sites west frontage. The proposed site plan and vehicle access arrangement requires extension and construction of Dhillon Way further north. The request to open up the Dhillon Way road allowance was included in the approved non-farm use application to the ALC. Please see **Attachment 9** for a diagram of the current opened Road (Dhillon Way) and future extension.

When the development of the Richview Golf Centre occurred, similar approval was granted to open the road allowance to enable access to the driving range. As a result, the golf course proposal requested and obtained approval for a Development Variance Permit (DV 96-000131) to reduce the standard of Dhillon Way (i.e., pavement width, design standard), based on the location of road allowance in the ALR and operations of the golf facility. The Development Variance Permit was only granted for the portion of the road (Dhillon Way) constructed approximately 130 m north of Westminster Highway.



The proposed extension of Dhillon Way for the Ocean Spray development is beyond the 130 m area where the previous development variance was granted.

The proponents have indicated that a standard similar to the existing constructed road along Dhillon Way will be applied to the extension. As a result, a Development Variance Permit application will be required to enable construction of the road allowance to a reduced standard. Ocean Spray is aware of this requirement and have reviewed turning radiuses with their traffic consultant and confirmed that the reduced standard is able to accommodate their vehicle movements. The proponents have indicated that a Development Variance Permit application will be submitted shortly to the City for staff review. The processing of the Development Variance Permit application to the satisfaction of the Director of Development will be a rezoning consideration. If the Development Variance Permit application is approved, the road extension would be constructed through a Servicing Agreement.

The Dhillon Way road extension will be designed to prevent any future access to the unopened road allowances situated north of the subject site. As a result, the Dhillon Way road extension will stop approximately 9 m south of the northern edge of the site. Existing landscaping also extends across the Dhillon Way Road allowance, which will not be removed. A final design measure to prevent access or future opening up of road allowances to the north will be a specific physical barrier (concrete blocks) placed at the end of the constructed road. Ultimate design of the Dhillon Way extension along with specific inclusion of physical barriers will be addressed and finalized through the forthcoming Development Variance Permit application (for the reduced road standard) and Servicing Agreement for the design and construction of the road.

#### Fill and Grading Approach for Development

Preliminary proposed finished site grades are identified on the site plan drawings to determine the grading approach for the facility and surrounding areas (parking lot, loading zones, drive aisles). The subject site is also required to adhere to a minimum 3.5 m GSM slab elevation for the facility to comply with the City's minimum flood construction levels identified for the area. The proposed grading plan is designed to accommodate a 3.5 m GSM slab elevation for the facility with appropriate transition grading gradually sloping away from the facility to a lower grade. In order to ensure appropriate interfaces between the facility and surrounding loading/staging areas, a significant portion of the grounds surrounding the facility will also be raised close to the slab elevation.

The zoning bylaw (8500) limits average finished site grade to a maximum of 2.3 m. Based on the grading approach for the proposed facility and surrounding area to ensure proper interfaces between the building and outside storage/loading areas in conjunction with a minimum flood construction level of 3.5 m, the proponents have indicated that the finished site grade will exceed the zoning bylaw maximum of 2.3 m. To address the issue, a maximum finished site grade to be applied to the subject site will be 3.5 m and will be included as a specific zoning provision in the proposed AG4 zone for the subject development.

The grading approach on the remaining areas of the property in the front parking lot, rear staging/loading area and perimeter landscaping strips will be significantly less than the elevation of the facility. The proposed grading of the entire site around the perimeter is designed to work with existing elevations (on-site and on neighbouring properties) and to minimize abrupt

differences in grade. Cross sections taken around the perimeter of the site exhibit the proposed grade interface between the subject property and abutting land uses (refer to **Attachment 8**)

#### Existing and Proposed Legal Documents to be Registered on Title

There is an existing restrictive covenant registered on all of the subject lots (Lots 61 to 70) under rezoning application registered in favour of the City and ALC as a result of previous land use applications (golf facility) on the property approved in 1996. The provisions in the covenants are:

- That the subject property(s) not be permitted to subdivide.
- That the subject lots 61 to 70 cannot be sold or transferred independently of one another.
- Construction of parking lot or buildings is prohibited on lots 64-70 (to remain as driving range area).
- Subject lots are to remain in the ALR and subject to the ALC Act and Regulations.
- The covenant runs with the title of the land.

As a result of the ALC's previous approval to permit the cranberry processing facility, consolidate the 10 subject lots into 1 parcel and develop the cranberry processing facility and surrounding parking/staging area on a majority of the site, the existing restrictive covenant will need to be discharged and a new legal document(s) will need to be registered that addresses:

- Prohibiting future subdivision.
- Removal of clauses relating to transfer of individual lots independent of one another (due to consolidation).
- Removal of clause that prohibits construction of buildings and structures on portions of the property.
- Subject lot is to remain in ALR and subject to ALC Act and Regulations.
- That the perimeter landscaping implemented on the subject site is to provide appropriate screening and buffering to the surrounding agricultural operations and related impacts associated with noise, dust and odour and that the landscape buffer cannot be removed or substantially modified.

The discharge of the existing covenants and registration of appropriate new legal document(s) is a rezoning consideration to be completed prior to final adoption of the zoning amendment.

#### Compliance with Green Roof and Other Option Bylaw 8385 Provisions

The Ocean Spray development is subject to the provisions of the Green Roof and Other Options Bylaw (8385). The provisions of the bylaw outline a number of options to comply with the bylaw with the objective of reducing storm water run-off by 20% from the building (i.e., water from the roof of the building). The applicant is proposing to meet the requirements of the Green Roof Bylaw by significantly increasing the amount of perimeter landscaping to almost double that required by the Zoning Bylaw together with a proposed significant on-site storm water detention pond. The Green Roof and Other Options Bylaw is applied at building permit stage. As a result, the proponents are required to prove compliance with the bylaw by submitting the specific details backed by a consultant's report through the building permit review and approval process.

## Analysis

The proposal to develop a new cranberry processing facility in East Richmond is a substantial benefit to agriculture in Richmond given the significant amounts of cranberry production acreage in the City. A new facility will provide improved sorting capabilities for berries as a result of diversification of Ocean Spray's cranberry products (juice and sweetened dried cranberries) in conjunction with increased processing capacity. The subject site (8.66 acres) is also larger than the existing facilities property at 5400 No. 6 Road (3 acres), which will enable improved site operations and logistics.

The rezoning proposal and related rezoning considerations comply with the previous approval granted from the ALC on the non-farm use application. Site specific issues relating to landscaping, perimeter buffering and providing appropriate adjacencies to neighbouring land uses have been addressed through the rezoning application.

A future application to request a development variance to reduce the road standard for the extension of Dhillon Way will be required to be completed as well as a City Servicing Agreement(s) for the related construction of City infrastructure.

## Conclusion

Staff supports the proposal to rezone the subject properties (Lots 61-70) from Golf Course (GC) to a new Agriculture (AG4) sub-zone for the development of a new cranberry processing facility.

*for: Kevin Eng*  
for: Kevin Eng  
Planner 1

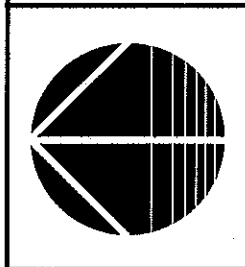
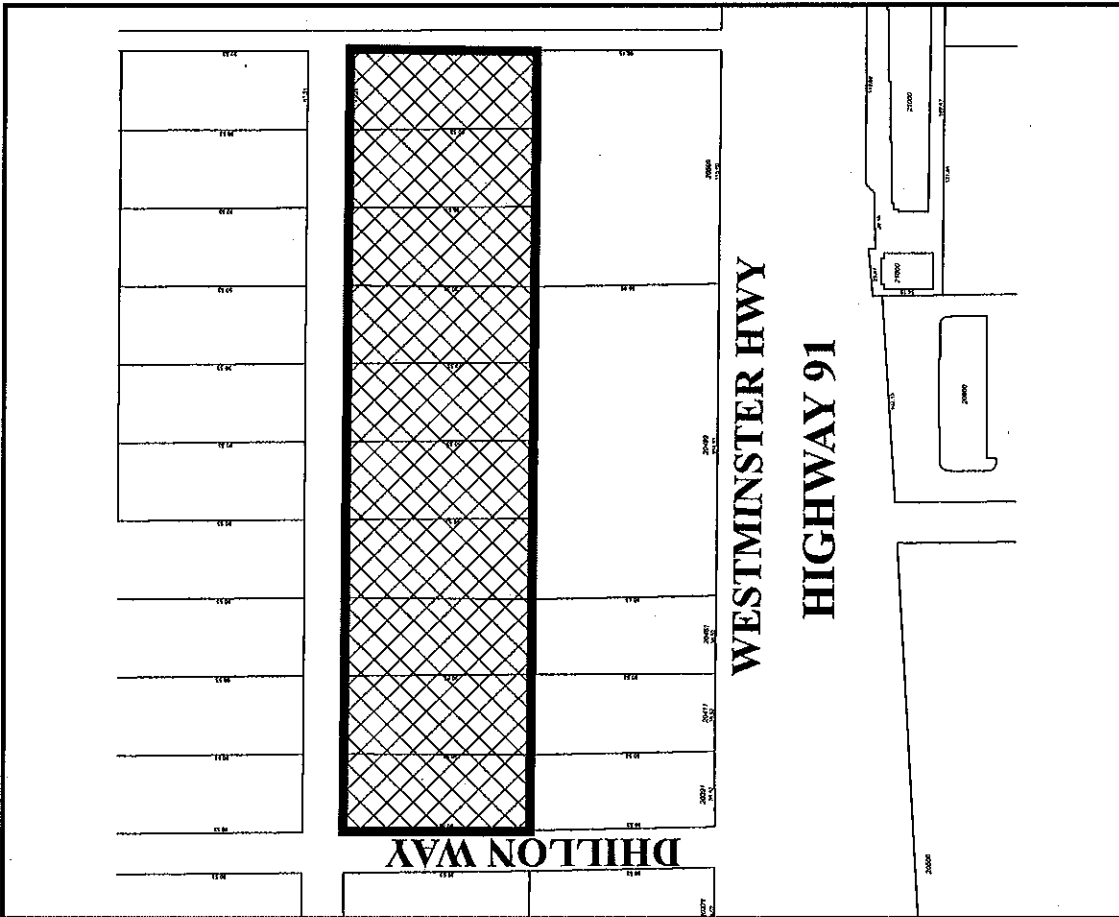
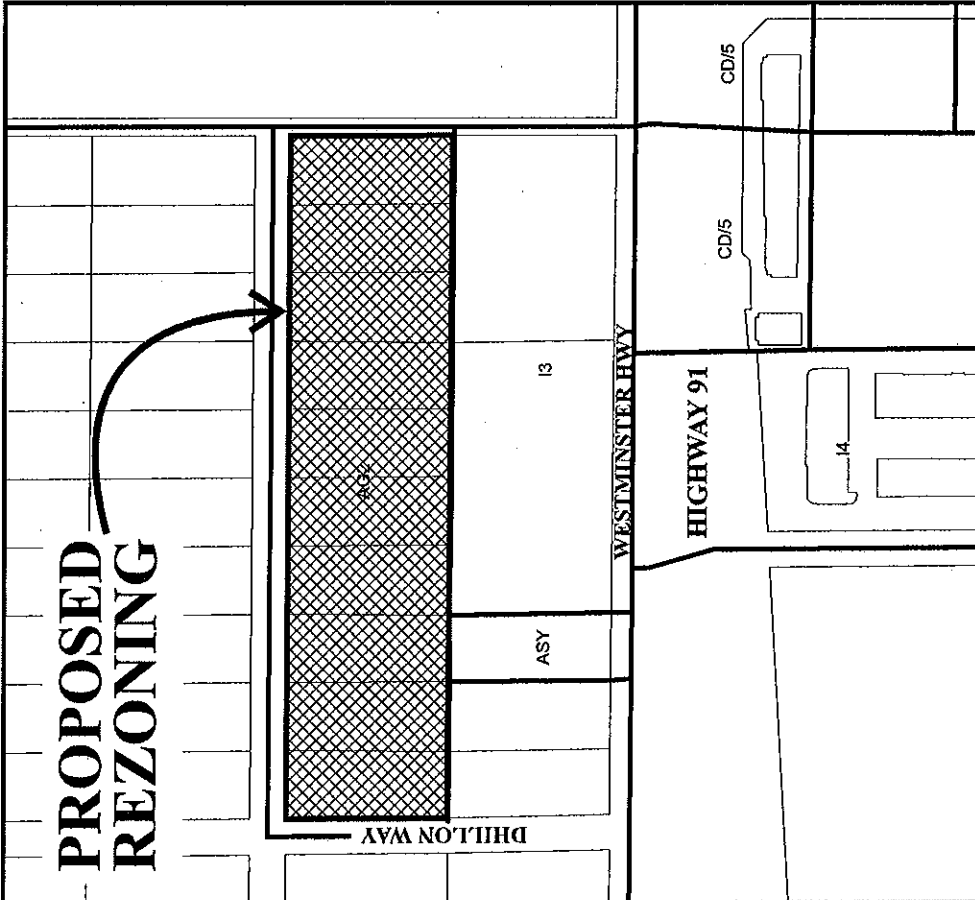
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- Attachment 1: Location Map
- Attachment 2: GVS&DD Fraser Sewerage Area Extension Approval
- Attachment 3: Development Application Data Sheet
- Attachment 4: Preliminary Site and Building Elevations
- Attachment 5: Agricultural Advisory Committee November 12, 2009 Minutes
- Attachment 6: ALC non-farm use approval – April 23, 2009 Minutes
- Attachment 7: Letter Agreement from Ocean Spray – Transportation Issues
- Attachment 8: Landscape Plan
- Attachment 9: Dhillon Way Extension
- Attachment 10: Rezoning Considerations Concurrence

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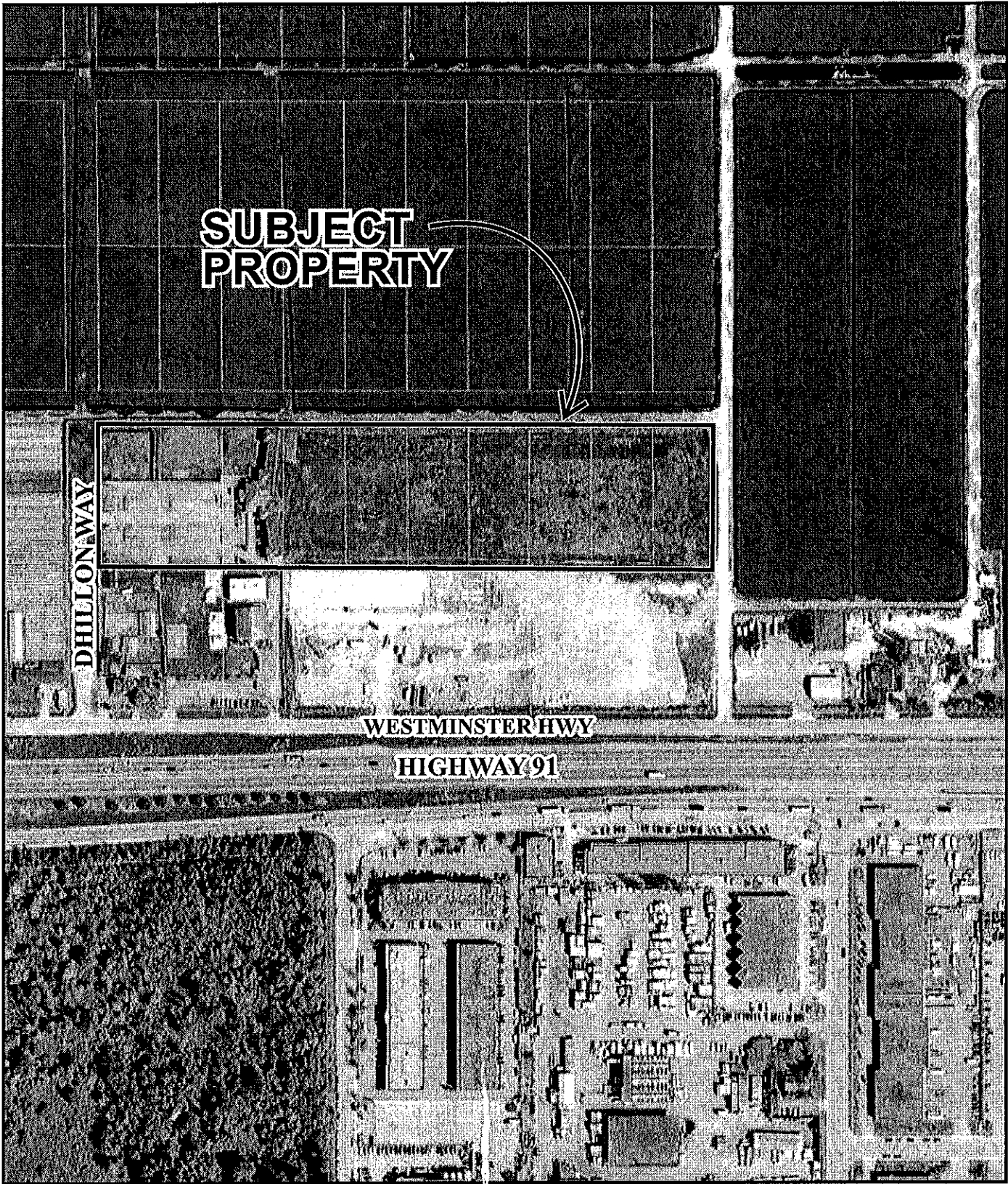


**PROPOSED  
REZONING**



**RZ 09-493545**

Original Date: 09/30/09  
 Revision Date:  
 Note: Dimensions are in METRES

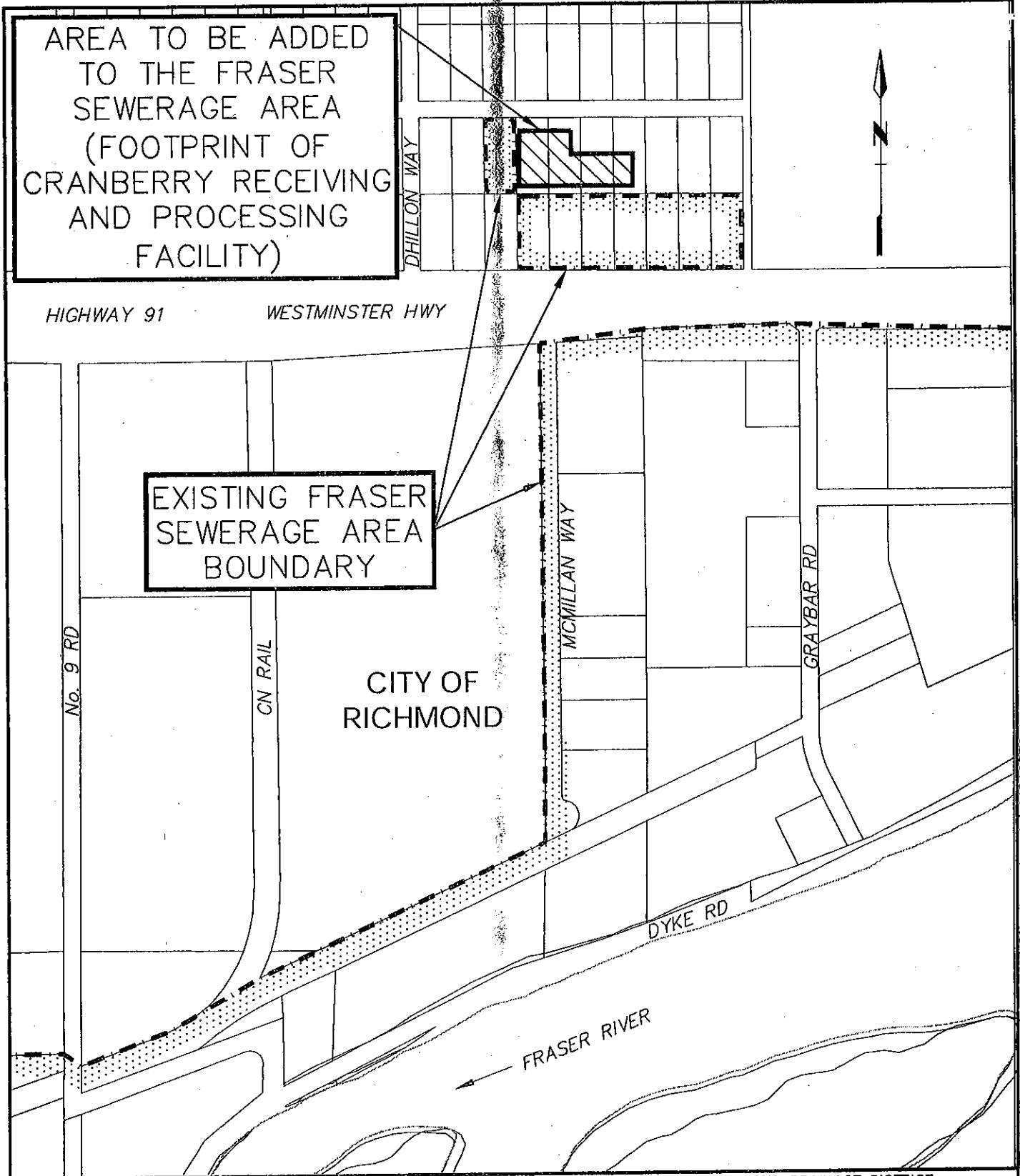


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Original Date: 09/30/09

Amended Date:

Note: Dimensions are in METRES



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**City of Richmond**

6911 No. 3 Road  
 Richmond, BC V6Y 2C1  
 www.richmond.ca  
 604-276-4000

**Development Application  
 Data Sheet**

**RZ 09-493545**

**Attachment 3**

Address: Lots 61 to 70 Section 4 Block 4 North Range 4 West NWD Plan 1593 (5700 Dhillon Way)

Applicant: Ralph A. May (on behalf of Ocean Spray of Canada)

Planning Area(s): East Richmond

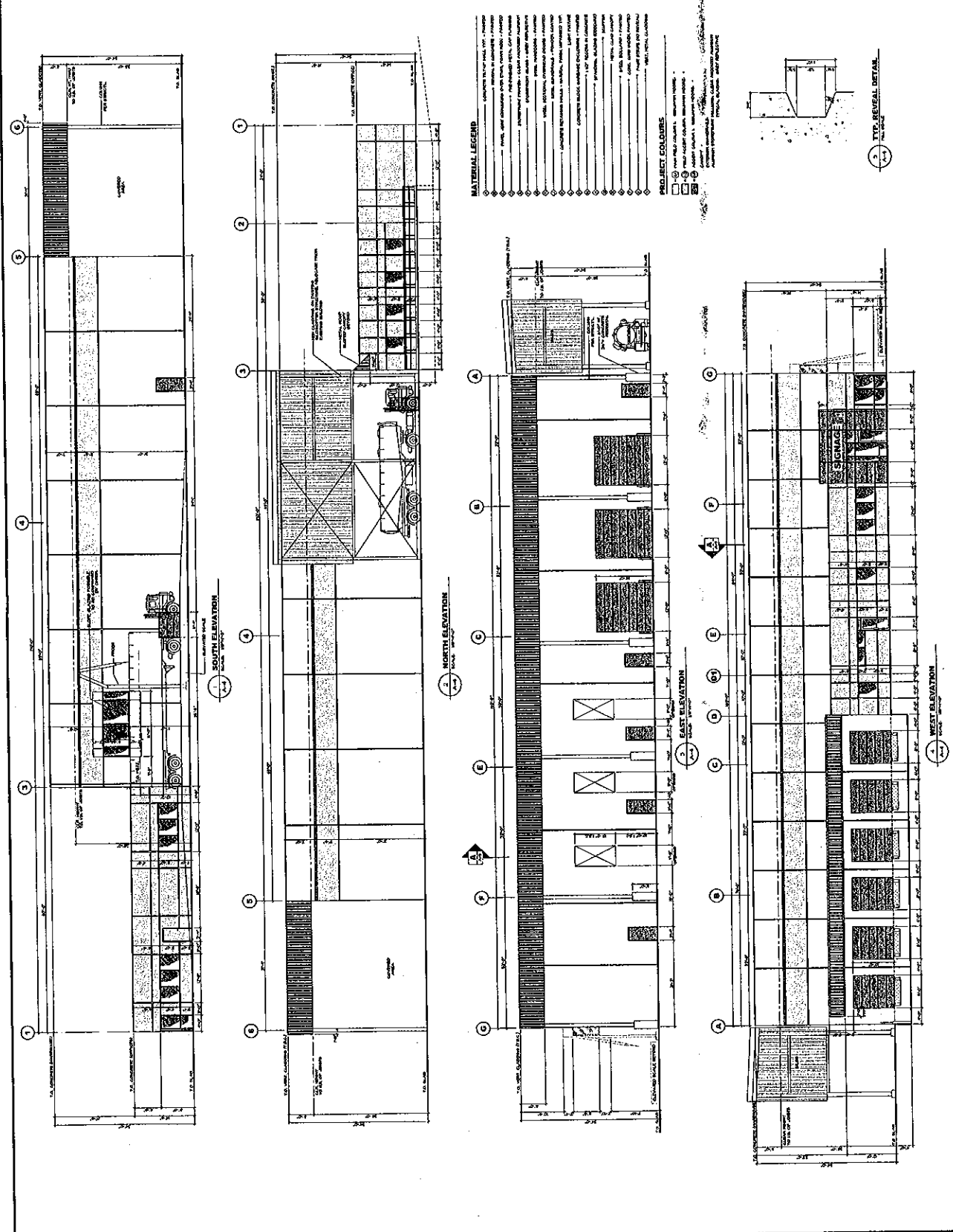
	Existing	Proposed
<b>Owner:</b>	Richberry Farms	Ocean Spray of Canada
<b>Site Size (m<sup>2</sup>):</b>	35,056 sq.m (8.66 acres) Total of Lots 61-70	No change Lots 61-70 to be consolidate
<b>Land Uses:</b>	Former driving range facility that is no longer in operation.	Cranberry processing facility
<b>OCP Designation:</b>	Agriculture	No change – proposal complies with designation.
<b>Zoning:</b>	Golf Course (GC)	Agriculture (AG4)

On Future Subdivided Lots	Bylaw Requirement (Proposed in zone)	Proposed	Variance
Floor Area Ratio:	Max. 0.11	.09 FAR	none permitted
Lot Coverage – Building, Canopies, Structures and Cranberry Pools:	Max. 13%	10%	none
Setback – West (Dhillon Way):	Min. 20 m	80 m	none
Setback – North:	Min. 13 m	15 m	none
Setback – East:	Min. 20 m	200 m	none
Setback – South:	Min. 18 m	20 m	none
Height (m):	14 m	10.4 m (measured from top of slab)	none
Off-street Parking Spaces:	1 stall per 100 sq.m of gross leasable floor area	62 parking spaces	none

Other: N/A

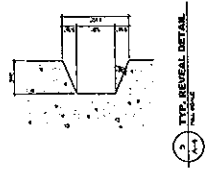






- MATERIAL LEGEND**
- 1. CONCRETE BLOCK (EXTERIOR WALL)
  - 2. BRICK (EXTERIOR WALL)
  - 3. METAL CLADDING (EXTERIOR WALL)
  - 4. GLASS (EXTERIOR WALL)
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- PROJECT COLOURS**
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  - 50. METAL CLADDING (EXTERIOR WALL)





City of Richmond

Minutes

## AGRICULTURAL ADVISORY COMMITTEE (AAC)

Held Thursday, November 12, 2009 at 3:30 p.m.

T.8.132

Richmond City Hall

### In Attendance:

Todd May (Chair); Bill Zylmans; Bruce May; Bill Jones; Carol Southgate; Dave Sandhu; Councillor Harold Steves; Kathleen Zimmerman (Ministry of Agriculture and Lands); Terry Crowe (Policy Planning); Kevin Eng (Policy Planning)

### Regrets:

Ken May; Dave Johnston; Jose Sarabia

### Guests:

Ralph May (Ocean Spray); Rick Ball (Ocean Spray); Al Schmidt (Ocean Spray); Taizo Yamamoto (Yamamoto Architecture)

### 1. Adoption of Agenda

Item 4 (Action Items Table) was moved to after Item 6. The agenda for November 12, 2009 was adopted.

### 2. Minutes from July 9, 2009 and October 22, 2009

The minutes from July 9, 2009 and October 22, 2009 were adopted.

### 3. Business Arising from the Minutes

None – applicable updates will be provided in the Action Items Table.

### 4. Development Proposals

#### a) Ocean Spray (5700 Dhillon Way – Lots 61-70)

A brief summary of updates on the project were provided on the Agricultural Land Commission (ALC) approval of the non-farm use application and permission to extend the regional sewerage boundary to enable the facility to connect to the sanitary sewer system.

Lot consolidation of the development parcels, permission granted to Ocean Spray only and development in compliance with the plans reviewed by the ALC were the conditions attached to ALC's approval of the application. Staff identified that the review of the rezoning application was underway and that the overall development plan and landscape buffer responded to specific land use adjacencies highlighted in the non-farm use application has generally been addressed through the rezoning submission. A transportation study and engineering capacity analyses were also being submitted to City staff for review in conjunction with the proposal.

The proponents outlined that the development of the new facility would enable improved processing capacity and sorting capabilities and would enhance agricultural viability for cranberry farmers in Richmond as well as other farms throughout the region. Ocean spray has targeted the September to November harvest of 2011 as the anticipated first operational season for the new facility.

Bruce May and Todd May disclosed their business relationship regarding Ocean Spray and the co-operative that they are members of.

The following motion was introduced by the AAC:

*That the Agricultural Advisory Committee supports the rezoning application at 5700 Dhillon Way (Lots 61-70) to develop a new cranberry processing facility.*

*Carried Unanimously*

b) Townhouse ALR Buffer (10911 to 10991 Steveston Highway)

Staff summarized that the AAC had previously reviewed the rezoning proposal and that the Development Permit application is being forwarded to them for consideration in relation to the Agricultural Land Reserve (ALR) buffer proposed along the Steveston Highway frontage. Staff outlined the buffer widths and landscape treatments within the City boulevard and along the front yards of the subject development site. A combination of street trees, low level planting and a sidewalk is proposed for the boulevard. A combination of coniferous and deciduous trees, hedging and fencing is proposed for the front yards of the units along Steveston Highway. Staff indicated that this proposed buffer scheme complies with Official Community Plan guidelines for screening and landscaping along ALR adjacencies.

In response to a question from the AAC, the proponent confirmed that the plantings along Steveston Highway contains a majority of coniferous trees to ensure a year-round green edge. The proponent also highlighted that ALC buffering guidelines were adhered to in the plan and that suitable equivalencies were implemented.

The following motion was introduced by the AAC:

*That the Agricultural Advisory Committee support the ALR landscape buffer proposal for the townhouse project at 10911 to 10991 Steveston Highway.*

*Carried Unanimously*



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 23, 2009 in Surrey, B.C.

<b>PRESENT:</b>	Sylvia Pranger Michael Bose John Tomlinson Ron Wallace	Chair, South Coast Panel Commissioner Commissioner Staff
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### For Consideration

Application: # O- 38892  
Applicant: Richberry Farms Ltd.  
Agent: Ralph May

Proposal: To develop a receiving station on the site for Ocean Spray Cranberries Inc. to receive cranberries harvested by its members.

Legal:

1. PID: 001-320-742  
Lot 61, Block 4, Section 4, North Range 4, New Westminister District, Plan 1593
2. PID: 004-138-473  
Lot 62, Block 4, Section 4, North Range 4, New Westminister District, Plan 1593
3. PID: 002-149-354  
Lot 63, Block 4, Section 4, North Range 4 West, New Westminister District, Plan 1593
4. PID: 002-522-365  
Lot 64, Block 4, Section 4, North Range 4 West, New Westminister District, Plan 1593
5. PID: 002-522-373  
Lot 65, Block 4, Section 4, North Range 4 West, New Westminister District, Plan 1593
6. PID: 002-522-411  
Lot 66, Block 4, Section 4, North Range 4, New Westminister District, Plan 1593
7. PID: 002-522-420  
Lot 67, Block 4, Section 4, North Range 4, New Westminister District, Plan 1593
8. PID: 002-522-446  
Lot 68, Block 4, Section 4, North Range 4, New Westminister District, Plan 1593
9. PID: 002-522-454  
Lot 69, Block 4, Section 4, North Range 4, New Westminister District, Plan 1593
10. PID: 002-522-462  
Lot 70, Block 4, Section 4, North Range 4 West, New Westminister District, Plan 1593

Location: 5700 Dhillon Way, Richmond

### **Site Inspection**

A site inspection was conducted on April 20, 2009. Those in attendance were:

- Sylvia Pranger                      Chair, South Coast Panel
- Michael Bose                        Commissioner
- Ron Wallace                         Staff
- Tony Pellett                         Staff
- Ralph May                          Agent
- Joe Benevides                      Project Coordinator, Ocean Spray Cranberries Ltd.
- Rick Ball                             Area Manager, Ocean Spray Cranberries Ltd.

The Commissioners and staff met with the proponents to discuss the proposal to develop a receiving station on the site for Ocean Spray Cranberries Inc. to receive cranberries harvested by its members. It was noted that the site is being used as a golf driving range facility and that the site is comprised of 10 separate parcels.

### **Commissioner Eligible to Vote**

Commissioner Tomlinson was not present at the site inspection. It was confirmed that a summary of the site inspection was provided thus establishing the Commissioner's eligibility to vote on the application.

### **Context**

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

### **Discussion**

#### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Organic Soils - Organic soils are grouped into seven classes, designated as O1 to O7. The organic soil class definitions are equivalent in terms of their relative capabilities and limitations for agricultural use to those defined for mineral soil.

Subclasses

W excess water

**Assessment of Agricultural Suitability**

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

**Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. It was believed the proposed cranberry receiving and processing facility on the subject site would provide a significant benefit to the local cranberry producers. As a condition of its support for this facility the Commission believes that the consolidated of the 10 subject properties into one parcel would be appropriate.

**Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposed receiving and processing facility will provide a benefit to agriculture.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Pranger  
**SECONDED BY:** Commissioner Tomlinson

THAT the application be allowed subject to the following conditions:

- That the proposed facility be in substantial compliance with the plan submitted with the application.
- That the ten (10) subject property be consolidated into one (1) parcel.
- The consolidation must be completed within three (3) years from the date of this decision.
- Approval for the proposed facility is granted for the sole benefit of the applicant and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**  
**Resolution # 171/2009**

# CAMPBELL FROH MAY & RICE LLP

BARRISTERS & SOLICITORS

RAYMOND P. FROH\*  
MARK E. STANDERWICK\*  
KATHERINE E. DUCEY\*  
WILLIAM D. MACLEOD\*  
MELINDA G. VOROS  
SPENCER O. MAY

RALPH A. MAY\*  
ERIC D. SCHROTER\*  
JEFFERSON N. FROH\*  
EDWARD L. MONTAGUE  
ROBERT R. ALLAN  
DANIEL F. HEPBURN

Suite 200 – 5811 Cooney Road  
Richmond, B.C.  
V6X 3J6

Telephone: 604 273-8481  
Toll Free: 1-800-883-8288  
Fax: 604 273-4729

Email: [rmay@cfmlaw.com](mailto:rmay@cfmlaw.com)  
Assistant: [smatonvlch@cfmlaw.com](mailto:smatonvlch@cfmlaw.com)

Our File No.: 024607-0069304

January 22, 2010

*Delivered via email*

City of Richmond  
6911 No. 3 Road  
Richmond, B.C.  
V6Y 2C1

**Attention: Victor Wei**

Dear Sir:

**Re: Ocean Spray**

I have reviewed your proposed email of January 22nd, 2010 regarding transportation requirements for the Ocean Spray site – Old Westminster Highway with the staff at Ocean Spray. We confirm that your email is a proper record of the understanding that we had at the meeting and that I now have instructions from Ocean Spray that those points will be incorporated into a letter agreement with the City.

Yours truly,

**CAMPBELL FROH MAY & RICE LLP**

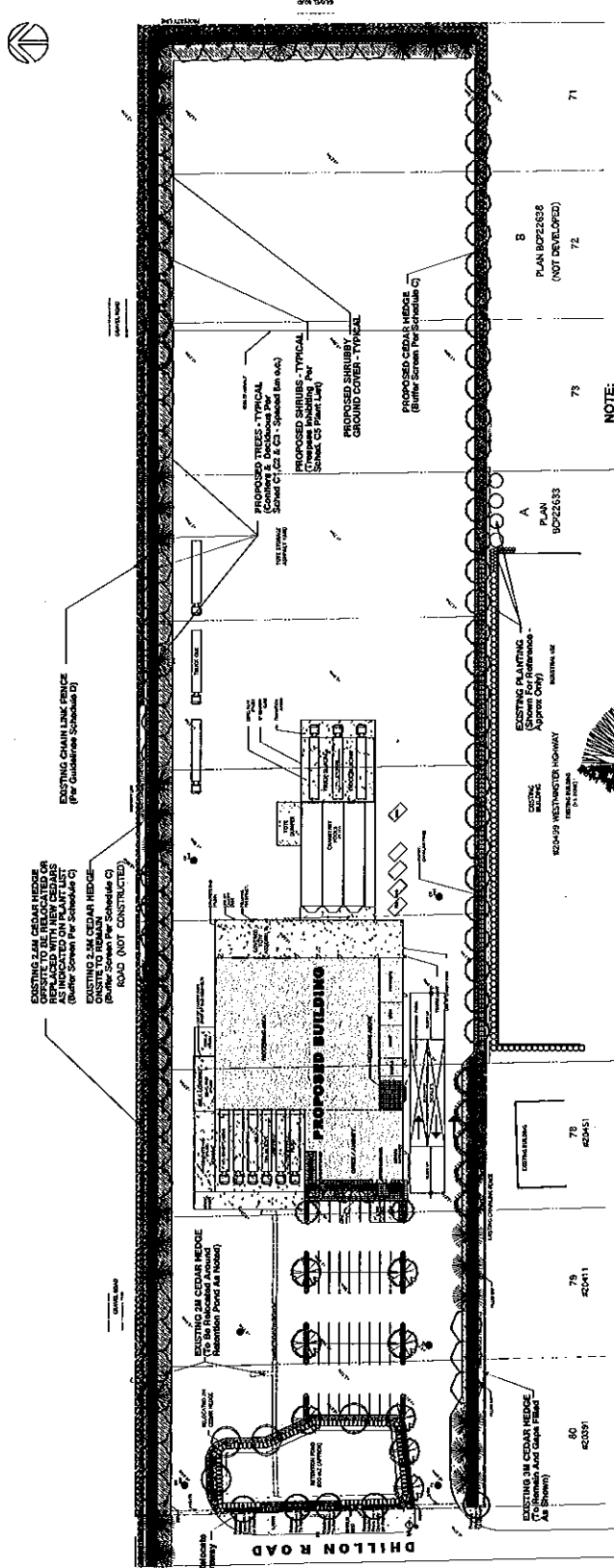
Per:

  
Ralph A. May

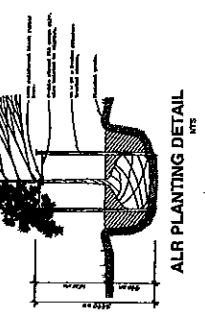
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**ATTACHMENT 8**

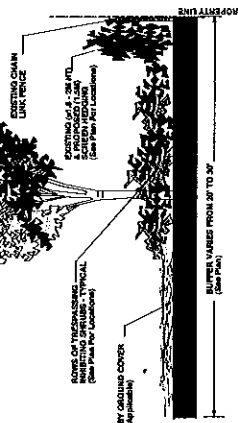


**NOTE:**  
 STORM WATER DETENTION SYSTEM FOR THE BUILDING ROOF AND PARKING AREA TO BE LOCATED AT THE WEST END OF THE PROPERTY AS SHOWN.

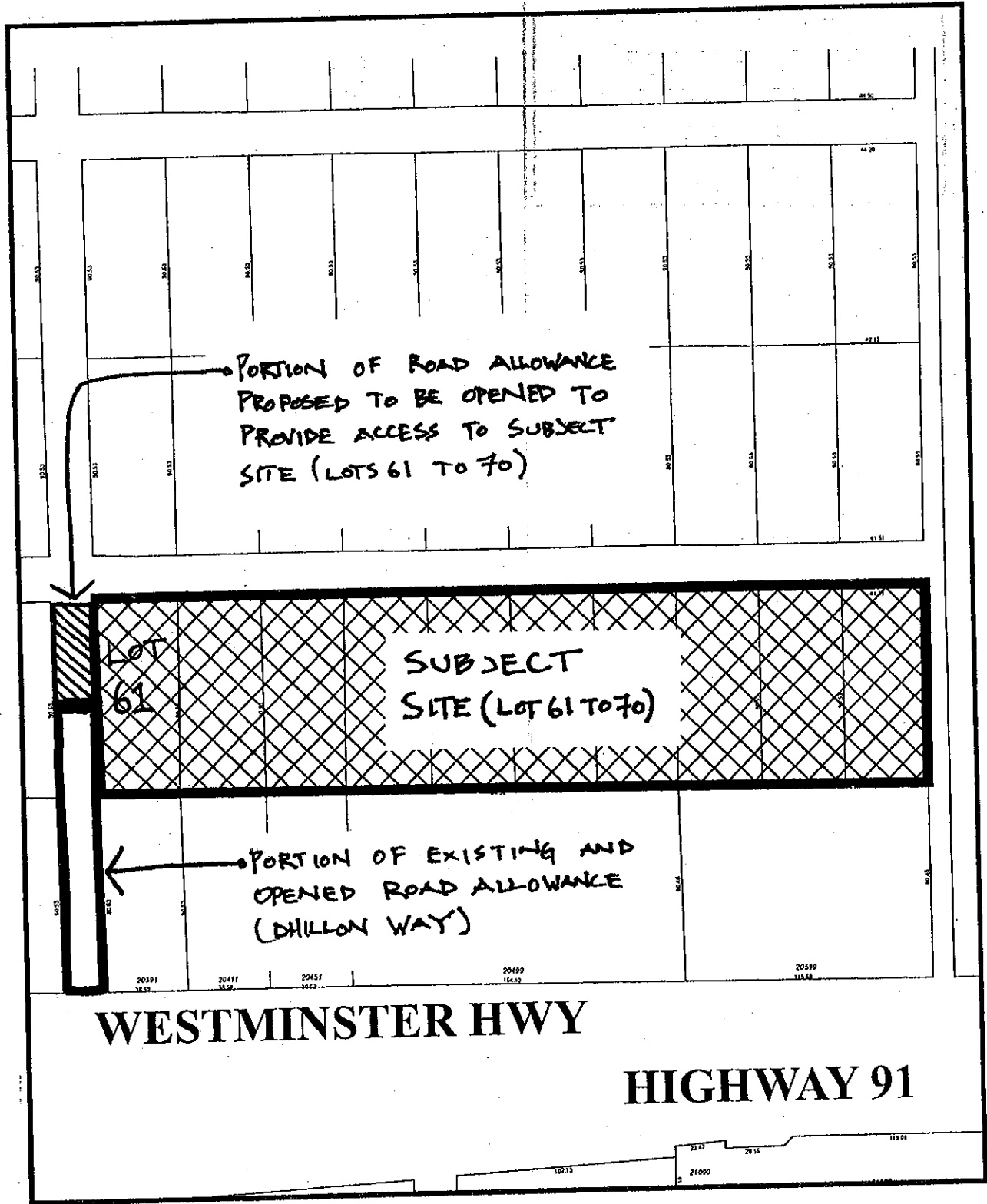


**PLANT LIST**

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
1	3	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
2	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
3	15	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
4	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
5	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
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74	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
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86	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
87	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
88	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.
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90	1	Amelanchier canadensis	Shadbush	3-4' in 1/2" cal.



**TYPICAL SECTION AT BUFFERS NORTH, EAST & SCHOOL SIDEYARD BUFFER PLANTING**  
 NTS



**Rezoning Considerations**  
**Lots 61 to 70 Section 4 Block 4 North Range 4 West NWD Plan 1593**  
**(5700 Dhillon Way)**  
**RZ 09-493545**

Prior to final adoption of Zoning Amendment Bylaw 8581, the developer is required to complete the following:

1. Consolidation of Lots 61 to 70 into one parcel.
2. Registration of a flood plain covenant on title identifying a minimum flood construction level of 3.5 m GSM for the consolidated parcel.
3. Discharge of the existing restrictive covenant (BK294751) for Lots 61 to 70.
4. Registration of an appropriate legal document on title for the consolidated property that will include the following clauses:
  - a. The subject consolidated property not be permitted to subdivide.
  - b. The subject property is to remain in the ALR and is subject to the ALC Act and Regulations.
5. Registration of an appropriate legal document on title for the consolidated property that identifies that landscaping on the subject property is to provide adequate screening and buffering to the surrounding agricultural operations and associated impacts related to noise, odour and dust and that the landscaping cannot be removed or substantially modified.
6. Receipt of an acceptable landscaping letter of credit in the amount of \$115,000.
7. Enter into a Servicing Agreement\* for the for the design and construction, at the developer's cost, for site service connections and for storm sewer upgrades as agreed to via the Capacity Analysis process approved to the satisfaction of the Director of Engineering:
  - a. Storm Sewer Upgrades: Storm sewer upgrade works are required to eliminate the flooding conditions identified via the capacity analysis in the Dhillon Way/ Westminster Highway intersection. The final extents of upgrades required are to be approved to the satisfaction of the Director of Engineering. The results of the storm analysis must also be presented as part of the Servicing Agreement design set.
  - b. Service Connections: Service connections (storm, sanitary and water connections) for the development site are to be included in the Servicing Agreement design drawings set.
8. Enter into an appropriate legal agreement between the proponent and the City of Richmond for the purposes of locating, constructing, operating and maintaining private sanitary sewer infrastructure within a dedicated City road allowance.
9. Submission and completion of a Development Variance Permit\*\* application for the purposes of varying the road standard for the proposed Dhillon Way extension to the satisfaction of the Director of Development.

10. Submission and approval of a letter agreement from Ocean Spray that identifies and requires all contracted truck operators not to turn right at the rail underpass to travel westbound on Westminster Highway west of the intersection (thus avoiding southbound to westbound right turns). Furthermore, Ocean Spray is also in agreement to provide qualified flag person(s) at the intersection of Westminster Highway and the rail underpass to facilitate safe truck and general vehicle traffic movement from 6am to 9am and 3pm to 6pm on weekdays during the peak cranberry harvest period.

The following requirements are noted to be completed prior to issuance of the Building Permit:

1. Enter into a Servicing Agreement\* for the design and construction of Dhillon Way to the appropriate standards as per the issued Development Variance Permit.
2. Confirmation of compliance with the City's Green Roofs and Other Options Involving Industrial and Office Buildings Outside the City Centre Bylaw (8385).

\*This requires a separate application and fee.

\*\*This requires a separate application and fee. A Development Variance Permit application is required to be reviewed by the City's Development Permit Panel. All Development Variance Permits must be approved and issued by Richmond City Council.

[Signed original on file]

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Signed

Date



Richmond Zoning Bylaw 8500  
Amendment Bylaw 8581 (RZ 09-493545)  
LOTS 61 TO 70 SECTION 4 BLOCK 4 NORTH RANGE 4 WEST NWD  
PLAN 1593

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

1. Richmond Zoning Bylaw 8500 is amended by:

i. Inserting the following text into the Use and Term Definitions (Section 3.4.):

“**CRANBERRY PROCESSING FACILITY** means land and **buildings** used for an agricultural processing operation involved in the weighing, receiving, sorting, testing, washing, packing and distribution of harvested cranberries”

ii. Repealing the existing text in Section 14.1.1 and replacing it with the following:

“14.1.1 Purpose

The **zone** provides for a wide range of farming and compatible uses consistent with the provisions of the **Agricultural Land Reserve**. The **zone** is divided into 4 sub-zones: AG1 for traditional sites zoned for agricultural purposes; AG2 for new **bed and breakfast zoned sites**; AG3 for new **sites** that would permit **seasonal farm labour accommodation**; AG4 for a **site** that would permit a **cranberry processing facility**.”

iii. Inserting the following text into the Permitted Uses (Section 14.1.2)

“**cranberry processing facility**”

iv. Inserting the following text into the Permitted Density (Section 14.1.4):

“14.1.4.4 For **lots** zoned AG4, the maximum **floor area ratio** is 0.11.”

v. Inserting the following text into the Permitted Lot Coverage (Section 14.1.5):

“14.1.5.2 For **lots** zoned AG4, the maximum **lot coverage** is 13%.”

vi. Inserting the following text into the Yards & Setbacks (Section 14.1.6):

“14.1.6.5 For **lots** zoned AG4, the minimum **setbacks** for **buildings and structures** are:

- a) 20 m for west and east **setbacks**;
- b) 18 m for south **setbacks**; and
- c) 13 m for north **setbacks**.

14.1.6.6 For **lots** zoned AG4, the minimum **setbacks** for **accessory buildings and structures** is 9 m to all **property lines**.”

vii. Inserting the following text into the Permit Heights (Section 14.1.7):

“14.1.7.6 For **lots** zoned AG4, the maximum **height** for **buildings** is 14 m.

14.1.7.7 For **lots** zoned AG4, the maximum **height** for **accessory structures** is 20 m.”

viii. Inserting the following text into the Other Regulations (Section 14.1.11) and renumbering the remaining sections accordingly:

“14. A **cranberry processing facility** shall only be permitted on a **site** zoned AG4 provided that:

- a) **Parking spaces** are provided at a ratio of 1 space per 100 m<sup>2</sup> of **gross leasable floor area of building**.
- b) The **finished site grade** shall not exceed a maximum of 3.5 m GSC.
- c) **Outdoor storage** is permitted as an **ancillary use** provided that:
  - (i) The goods or materials piled, stacked or stored in any manner do not exceed a **height** of 8m and shall be **setback** a minimum of 9 m to all **property lines**.
  - (ii) Outdoor storage areas are surfaced with asphalt, concrete or other durable hard and dust-free surface.
  - (iii) Storing wrecked or salvaged goods and materials is prohibited.
  - (iv) Storing goods or materials that are capable of being transmitted above, across or below a land or water surface due to the effects of weather is prohibited.
  - (v) Storing goods or materials that constitute a health, fire explosion or safety hazard is prohibited.
  - (vi) Producing or discharging or emitting odoriferous, toxic or noxious matter or vapours, effluents, heat glare, radiation, noise, electrical interference or vibrations is prohibited.
  - (vii) Servicing of **vehicles** is prohibited.”

2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it AGRICULTURE (AG4).

That area shown cross-hatched on "Schedule A attached to and forming part of Bylaw No. 8581"

- 3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8581".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

FEB 8 2010

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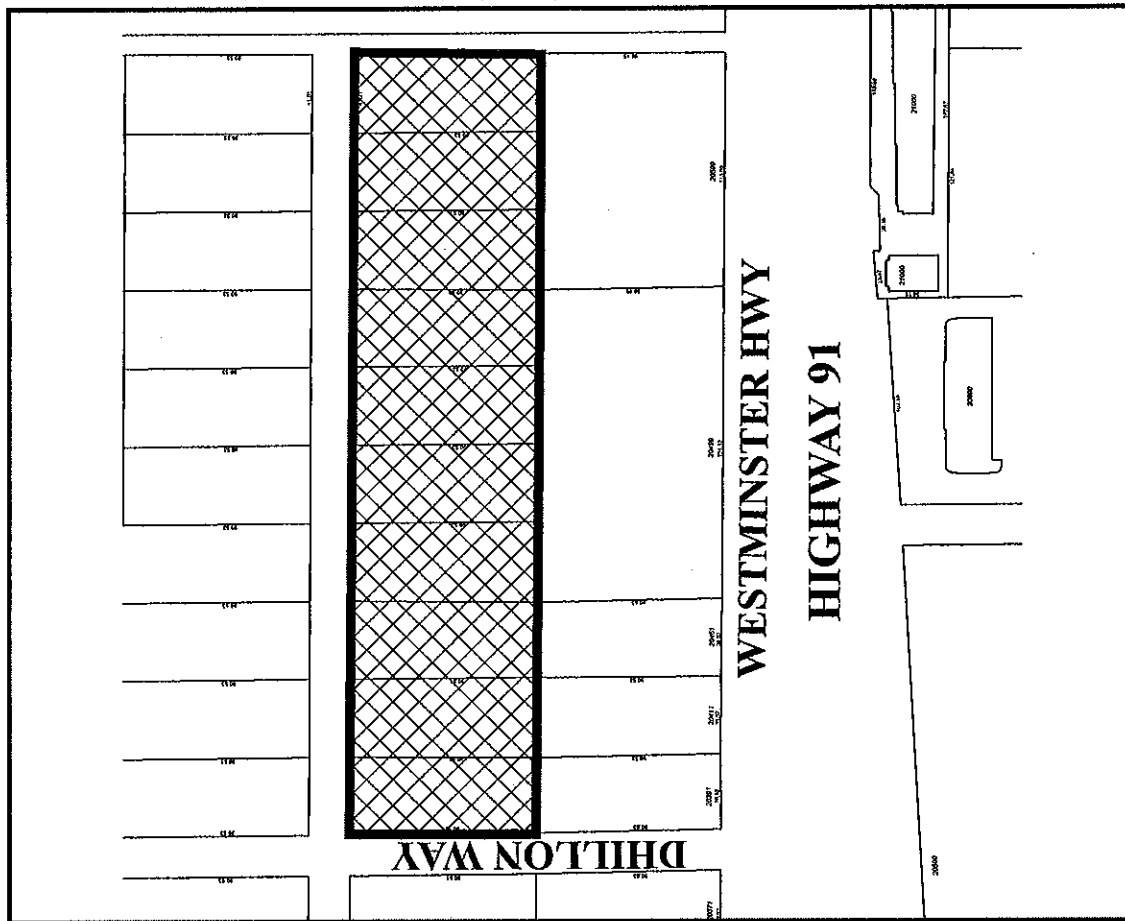
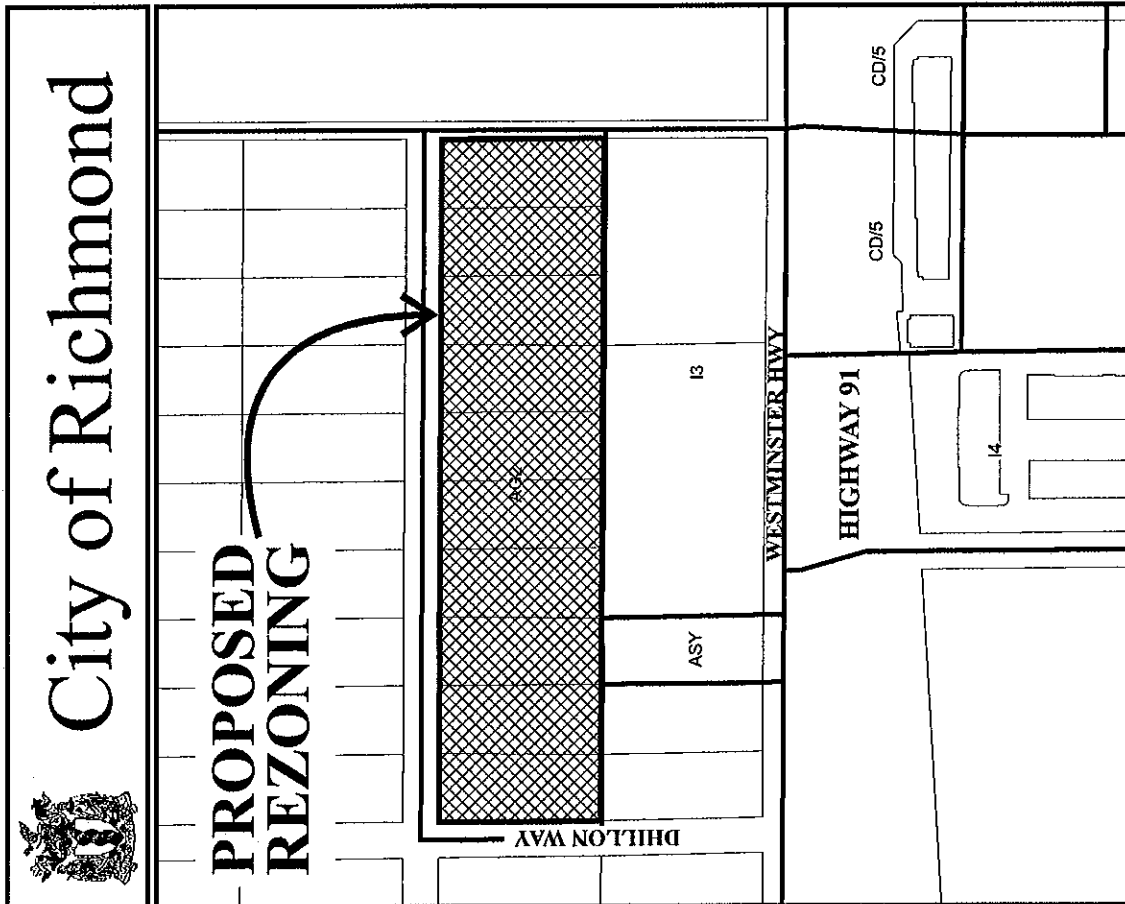


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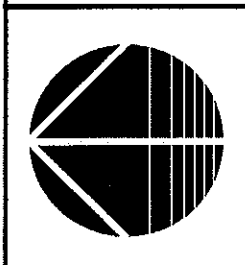
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



 City of Richmond

**PROPOSED  
REZONING**



**RZ 09-493545**

Original Date: 09/30/09

Revision Date:

Note: Dimensions are in METRES