



To: Planning Committee **Date:** June 30, 2009
From: Brian J. Jackson, MCIP **File:** RZ 05-301611
 Director of Development
Re: **Application by Science of Spirituality - Ecology Centre for Rezoning at 11001 and 11011 Shell Road, 10700 Steveston Highway and the unaddressed Parcel G, Plan 2870 from Agricultural District (AG1) to Comprehensive Development District (CD/207)**

Staff Recommendation

That Bylaw No. 7992, to create "Comprehensive Development District (CD/207)" and for the rezoning of 11001 and 11011 Shell Road, 10700 Steveston Highway and the unaddressed Parcel G, Plan 2870 from "Agricultural District (AG1)" to "Comprehensive Development District (CD/207)", be introduced and given first reading.

Brian J. Jackson, MCIP
Director of Development

EL/KE:cs
Att.

FOR ORIGINATING DEPARTMENT USE ONLY
CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Science of Spirituality - Ecology Centre has applied to the City of Richmond for permission to rezone 11001 & 11011 Shell Road, 10700 Steveston Highway and the unaddressed Parcel G, Plan 2870 (**Attachment 1**) from Agricultural District (AG1) to Comprehensive Development District (CD/207) in order to permit the establishment of an ecology centre at a former school site.

Project Description

The subject site was originally belonged to the Richmond School District, containing a building and asphalt parking lot, and was operated as a school until approximately 2002. The Science of Spirituality, a non-denominational, non-profit organization, purchased the property in 2005 and is proposing to utilize the site and existing 5,800 ft² building as an ecology centre. The ecology centre will offer classes on gardening, food preparation, meditation, health and wellness, etc. It will also include organic gardens, demonstration composting systems, a fruit orchard, etc.

In the past four years, a series of improvements have been made on site, including new landscaping, organic gardens, orchard, rainwater cistern, automatic irrigation, composting system, fencing, asphalt removal, etc. Currently, a large part of the property is being used for raising vegetables, berries, and fruits. Future renovations and improvements to the existing building include minor additions, minor structural alterations, maximizing energy efficiency, bringing the building up to LEED (Leadership in Energy and Environmental Design) standards, installing a green roof, solar panels, etc. Small greenhouses will also be installed on site in the future. A site plan is contained in **Attachment 2**.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 3**).

Surrounding Development

To the North: Across Steveston Highway, a site being rezoned (at 3rd Reading) to Comprehensive Development District (CD/194) to permit the development of 24 townhouses (RZ 05-314267).

To the East: Across Shell Road and the rail corridor, the Greater Vancouver Transportation Authority operates a bus depot and maintenance facility on a site zoned Light Industrial District (I2) and Business Park Industrial District (I3).

To the South: Agricultural District (AG1) lands within the Agricultural Land Reserve currently under cultivation.

To the West: A single-family home on a property zoned Agricultural District (AG1) within the Agricultural Land Reserve.

Related Policies & Studies

Official Community Plan – Land Use Designation

The land use designation on Schedule 1 of the OCP is “Agriculture” and the subject parcels are entirely within the ALR. The intended uses of the site (agriculture and supporting education/assembly uses) are generally consistent with the agricultural objectives listed in the OCP.

Agricultural Land Commission - Exception and Consolidation of Lots

The subject sites are all contained within the boundaries of the Agricultural Land Reserve, which is land generally located south of Steveston Highway and west of Shell Road. Section 23 of the Agricultural Land Commission Act (ALC Act) allows for an exception for properties that meet the following provisions:

- On December 21, 1972, the lot was less than 2 acres in area; and
- On December 21, 1972, the land was on its own, separate certificate of title.

The legal titles of the four subject lots under application have been researched and confirmed that the above two provisions have been met. As a result, the subject properties are excepted from the provisions of the ALC Act. Properties that are excepted from the ALC Act are not required to obtain approval from the ALC for use of property contained in the ALR (via non-farm use application). The subject properties are still subject to the City's applicable land use regulations and policies (i.e., The Official Community Plan and Zoning).

Consolidation of the four subject properties into one contiguous parcel as proposed in the development does not affect the lots' exemption from the provisions of the ALC Act as the exemption runs with the land and is not impacted by parcelization or consolidation. As a result, the consolidated parcel (from the original four parcels) will still be exempted from the ALC Act.

Floodplain Management Implementation Strategy

In accordance with the Flood Management Implementation Strategy, a Flood Indemnity Restrictive Covenant specifying the minimum flood construction level is required prior to rezoning bylaw adoption. The minimum flood construction level for this site is 2.9 m.

Consultation

Richmond Agricultural Advisory Committee (AAC)

The Agricultural Advisory Committee (AAC) reviewed the proposal on July 14, 2005. A copy of the minutes from the July 14, 2005 meeting of the AAC is contained in **Attachment 4**. The AAC members present had no objections to the rezoning proposal.

Public Input

The applicant has forwarded confirmation that a development sign has been posted on the site. Staff did not receive any telephone calls or written correspondence expressing concerns in association with the subject application.

Staff Comments

Trees Preservation

A Tree Survey (**Attachment 5**) submitted by the applicant indicates the location of twelve (12) bylaw-sized trees:

- ten (10) bylaw-sized trees located on the subject property;
- one (1) under-sized tree located on the subject property; and
- one (1) bylaw-sized tree located on the adjacent property to the south.

The applicant has agreed to preserve all trees on site and on adjacent properties. Tree Preservation Group staff will determine whether tree protection fencing is required at Building Permit stage based on the proposed minor building modifications.

ALR Buffer

The development site is bordered by active agricultural lands on its west and south sides. The applicant is proposing a landscape buffer to address typical adjacencies associated with agricultural activities (i.e. dust and noise emanating from operations). This buffer would also prevent any potential trespassing from occurring into the agricultural land.

The ALR Buffer is approximately 6 m (18 ft.) wide along the west property line and 3 m (10 ft.) wide along the south property line. The landscaped buffer strip will include the existing bylaw-sized trees and shrubs located within the buffer area, the existing chain-link fence and cedar fence along the south and west property line as well as a number new shrubs to be planted within the buffer area. A landscape plan is contained in **Attachment 6**.

In order to ensure that the landscape buffer is implemented, the applicant has agreed to provide a landscape security in the amount of \$6,335 (based on a cost estimate provided by the consulting landscape architect) prior to final adoption of the rezoning bylaw. In addition, registration of a restrictive covenant to identify the buffer area, to prohibit future building expansion into the buffer, and to prevent the removal of the buffer landscaping, is required. The covenant would also identify that the buffer treatment is to address typical adjacencies associated with agricultural activities such as noise, odours and dust.

Site Servicing

The subject application was not forwarded to the Engineering Department for capacity comments on the basis that the proposal is to reuse the existing building on site. The site must remain on a septic system since there is no sanitary sewer to service the site. This rezoning does not facilitate any more intensive use of property than permitted under the current zone.

Frontage Improvements

The following works will be required to be completed through a City Work Order at the sole cost of the developer/applicant:

- Along Steveston Highway: expansion of the paving to the property line and provide an extruded curb just south of the white line along Steveston Highway, with the allowance for access for the pump station service driveway. The extruded curb should tie-in and connect to the existing extruded curb on Shell Road.
- Along Shell Road: expansion of the paving to the property line and extend the extruded curb to the revised vehicle access on Shell Road.

Vehicle Access

Only one vehicle access to the subject site on Shell Road is permitted. The Shell Road vehicle access is to be located as far south as possible having a width of 7.5 m. This configuration will involve removal of one of the existing vehicle driveways on Shell Road.

The access from Steveston Highway must be limited to service vehicles only (requiring access to the existing pump station). An access control structure (i.e., removable bollards or post and chain gate) to deter vehicles accessing the site or dropping off/picking up at this service vehicle entrance will be required. Registration of a restrictive covenant to reflect these requirements is required prior to final approval.

Statutory Right of Way

There is an existing statutory ROW along the north edge of the properties. A legal plan (**Attachment 5**) prepared by a land surveyor shows that the location of the pump station is situated within the ROW area. In order to ensure the statutory ROW document meets the City requirements, discharge of the old ROW agreement and registration of a new ROW agreement will be required.

Analysis

The site was used as a school site for a substantial period of time before the applicant purchased it from the Richmond School District. The scope and nature of the proposed use does not depart substantially from the previous school (institutional) use. Staff feel that the proposed use makes good utilization of the old school building and is compatible with surrounding agricultural uses. However, the current Agricultural District (AG1) zone is intended to accommodate agricultural and agriculture related uses. A site specific Comprehensive Development (CD) zone which permits "Assembly" use, in conjunction with agriculture and other related uses, would be more suitable for the proposed development.

Comprehensive Development (CD/207) District Zoning

The customized CD/207 zone provides for the range of uses needed to accommodate the development. The maximum density and lot coverage permitted in the proposed CD zone is set to accommodate the extent of the existing building with allowance for minor expansion and revisions.

The proposed building setbacks are based on the survey of existing building in relation to property lines with allowance for minor expansion and revisions. The building height provision of the CD zone is based on the building height after the proposed minor revisions have been completed. A special provision for parking and loading has been reviewed and supported by Transportation Department.

Financial Impact or Economic Impact

None.

Conclusion

The individual or total size of the four subject parcels does not afford the opportunity to utilize them for commercial agricultural uses notwithstanding the fact that the existing building straddles all four parcels. Redevelopment of the site is not proposed. The former school building will be renovated and the surrounding grounds will be landscaped and/or farmed to accommodate the proposed ecology centre. Staff feel that the proposed use makes good utilization of the old school site and is compatible with surrounding agricultural uses. On this basis, staff support the application.



Kevin Eng
Planner 1



Edwin Lee
Planning Technician - Design

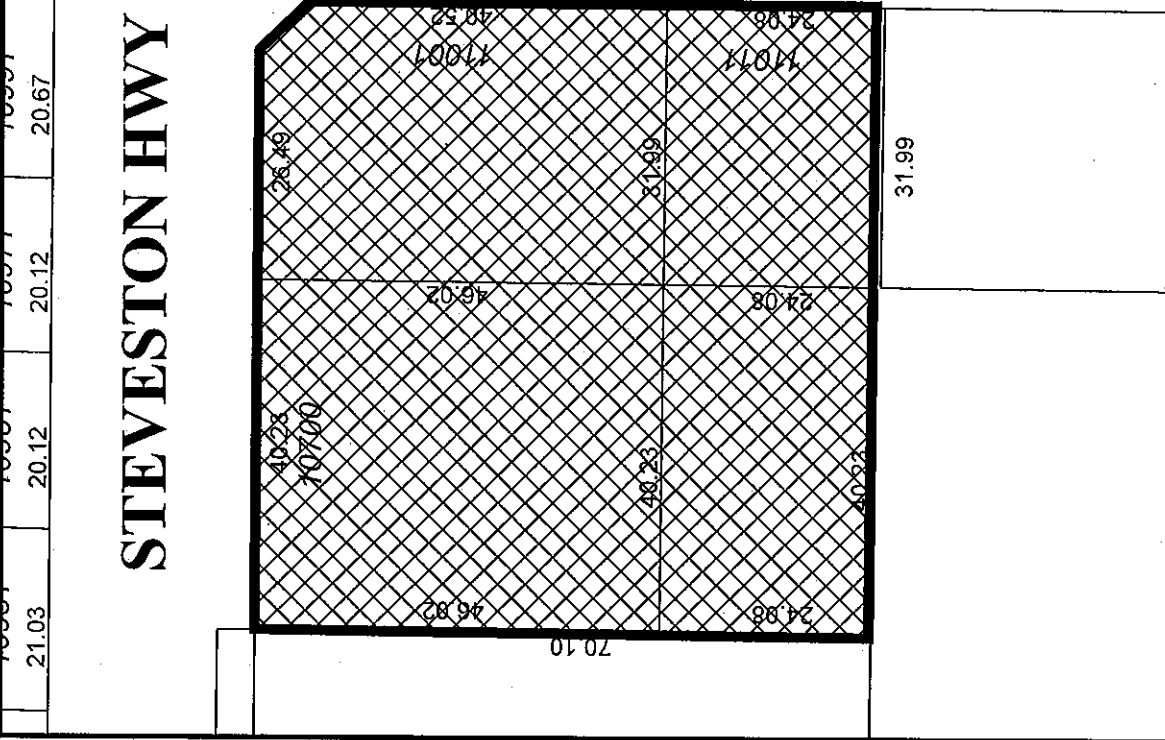
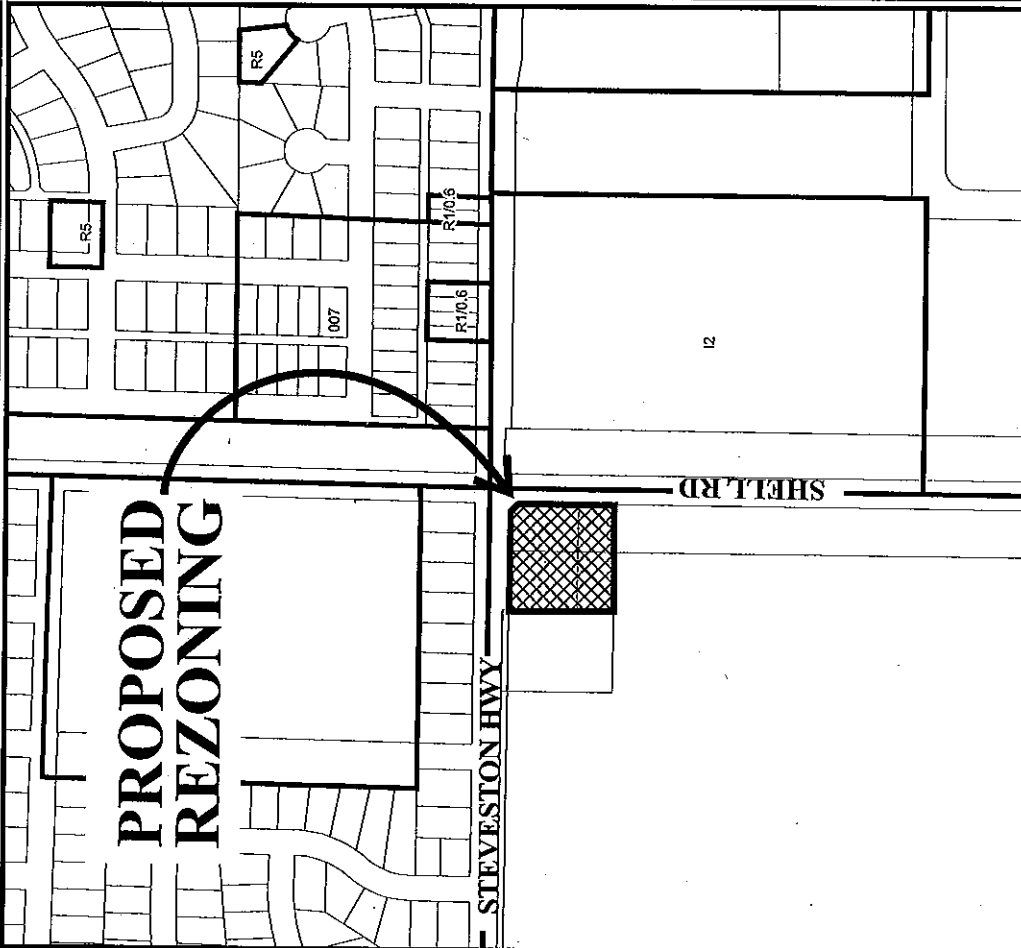
EL:el

- Attachment 1: Location Map
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Agricultural Advisory Committee Meeting Minutes - July 14, 2005
- Attachment 5: Tree Survey / Legal Plan
- Attachment 6: ALR Buffer Planting Plan
- Attachment 7: Rezoning Considerations Concurrence



City of Richmond

PROPOSED REZONING

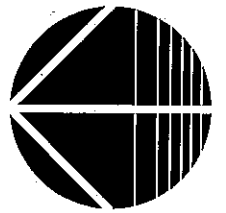


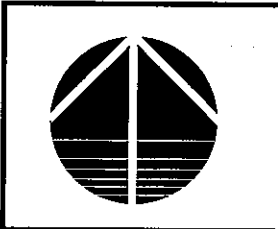
RZ 05-301611

Original Date: 06/02/05

Revision Date: 06/24/09

Note: Dimensions are in METRES





RZ.05-301611

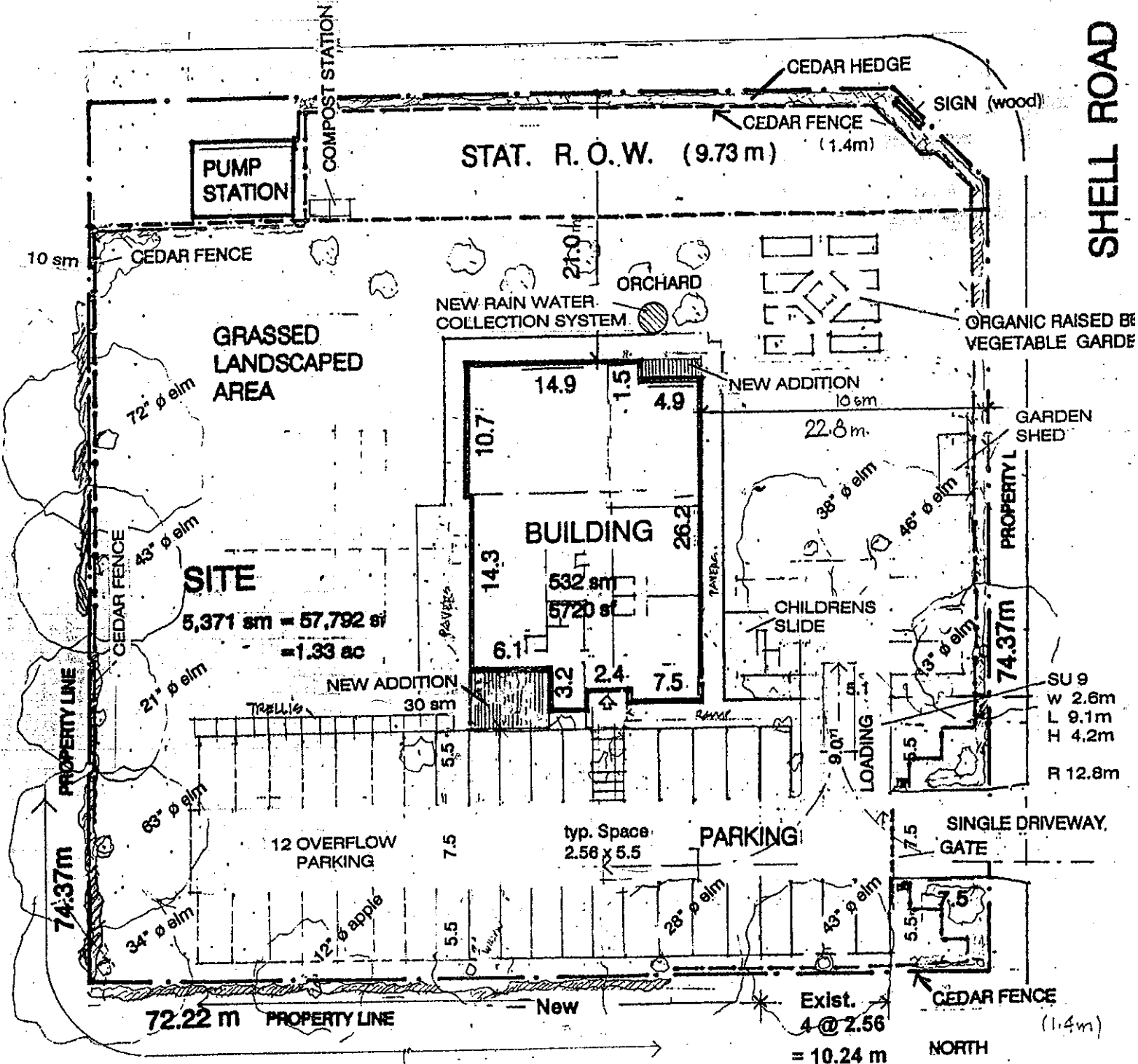
Original Date: 06/24/09

Amended Date:

Note: Dimensions are in METRES

STEVESTON HWY.

SHELL ROAD

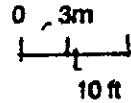


ALL EXISTING ELM TREES ARE MATURE SPECIMENS AND WILL REMAIN

Existing
1.2 m CHAINLINK FENCE
BLACKBERRIES
Add BARRBERRY HEDGE

TRELLIS WORK / PAINT TO IMPROVE APPEARANCE OF BUILDING

SITE PLAN



STEVESTON

SITE

CIVIC ADDRESS
11011 Shell Road

LEGAL DESCRIPTION

013-002-566
North easterly 5 and 1/5 square chains
Except Part dedicated road by Plan LMP 54142
015-725-871
Parcel F (Reference Plan 2869)
Except Part dedicated road by Plan LMP 54142
015-342-433
Parcel D (Reference Plan 1980)
015-725-880
Parcel G (Reference Plan 2870)

Section 2 Block 3 North Range 6 West
New Westminster District

AREA
72.22 m x 74.37m
5,371 sm = 57,792 sf = 1.33 ac

ZONING
AG-1

BUILDING

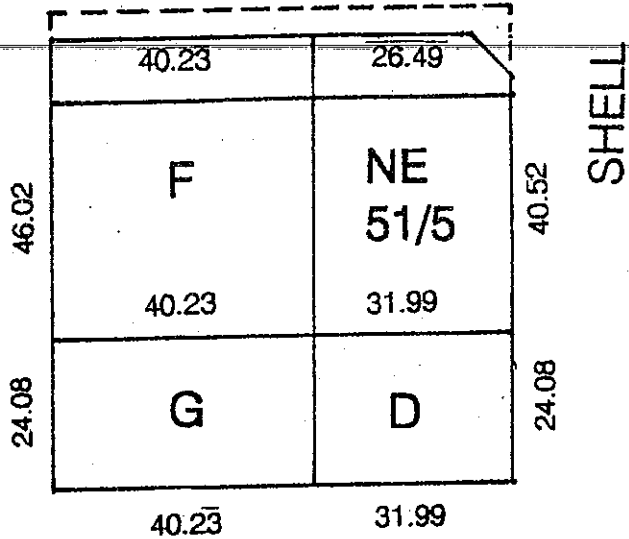
AREA
Existing 532 sm
New Addition 40 sm
Total 572 sm (6,120 sf)

EXISTING USE
Incentive School (80 students)
Educational Resource Centre

PARKING
Existing 8 Spaces
Add 17 Spaces
Total 25 Spaces Overflow Parking 12 Spaces

PROPOSED USE
Classrooms used on evening and weekends for
Eco courses, Yoga or Meditation (35to.40 persons)

PARKING
Existing dual drive way to be changed to a single 7.5 m wide
Driveway. Parking stalls to conform to City of Richmond
Parking Bylaw requirements



SOS.ECO Centre

11011 Shell Road
Richmond B.C.

SITE PLAN



City of Richmond

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

**Development Application
 Data Sheet**

RZ 05-301611

Attachment 3

Address: 11001 & 11011 Shell Road, 10700 Steveston Highway
 and the unaddressed parcel G, Plan 2870

Applicant: Science of Spirituality - Ecology Centre

Planning Area(s): N/A

	Existing	Proposed
Owner:	Science Of Spirituality Skrm Inc.	No Change
Site Size (m²):	5,050 m ² (54,340 ft ²)	No Change (4 lots to be consolidated)
Land Uses:	Institutional	No Change
OCP Designation:	Agricultural	No change
Area Plan Designation:	n/a	No change
Zoning:	Agricultural District (AG1)	Comprehensive Development District (CD/207)
Number of Units:	1 institutional building	No change
Other Designations:	n/a	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.15	0.11	none permitted
Lot Coverage – Building:	Max. 15%	11.32%	none
Lot Size (min. dimensions):	n/a	5,050 m ²	none
Setback – Front Yard – Shell Road (m):	Min. 15.0 m	22.8 m Min.	none
Setback – Side Yard - South (m):	Min. 15.0 m	Min. 21.9 m	none
Setback – Flanking Side – Steveston Highway (m):	Min. 15.0 m	Min. 18.3 m	none
Setback – Rear Yard - West (m):	Min. 15.0 m	Min. 29.6 m	none
Height (m):	7.0 m	6.4 m	none
Off-street Parking Spaces :	24	37	none

Other: _____

**Excerpt from the Minutes from
Agricultural Advisory Committee Meeting**

**Thursday, July 14, 2005 – 7:00 p.m.
Anderson Room
Richmond City Hall**

4. Development Proposals

(a) 11011 Shell Road (RZ 05-301611) Science of Spirituality

- Mr. Kirat Anand represented the Science of Spirituality. AAC members and Mr Anand discussed the rezoning proposal which addressed adequate parking, no additional buildings were intended, a berm fence, zones, the use of the facility for assembly uses.
- AAC members commented that the proponent should check regarding the safety standards for children's gym sets.
- The AAC members present had no objection to the rezoning proposal.

TOPOGRAPHIC PLAN OF:

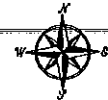
- 1) NORTH EASTERLY 5 AND 1/5TH SQUARE CHAINS
EXCEPT: PART DEDICATED ROAD BY PLAN LMP54152
 - 2) PARCEL D (EXPLANATORY PLAN 1980)
 - 3) PARCEL "F" (REFERENCE PLAN 2869)
EXCEPT: PART DEDICATED ROAD ON PLAN LMP54152
 - 4) PARCEL "G" (REFERENCE PLAN 2870)
- ALL OF SECTION 2 BLOCK 3 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT

#11001 SHELL ROAD,
RICHMOND, B.C. (NE 5 1/5 C)
P.I.D. 013-002-588

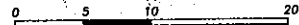
#11011 SHELL ROAD,
RICHMOND, B.C. (PARCEL D)
P.I.D. 015-342-433

#10700 STEVESTON HIGHWAY,
RICHMOND, B.C. (PARCEL F)
P.I.D. 015-725-871

PARCEL "G"
P.I.D. 015-725-880

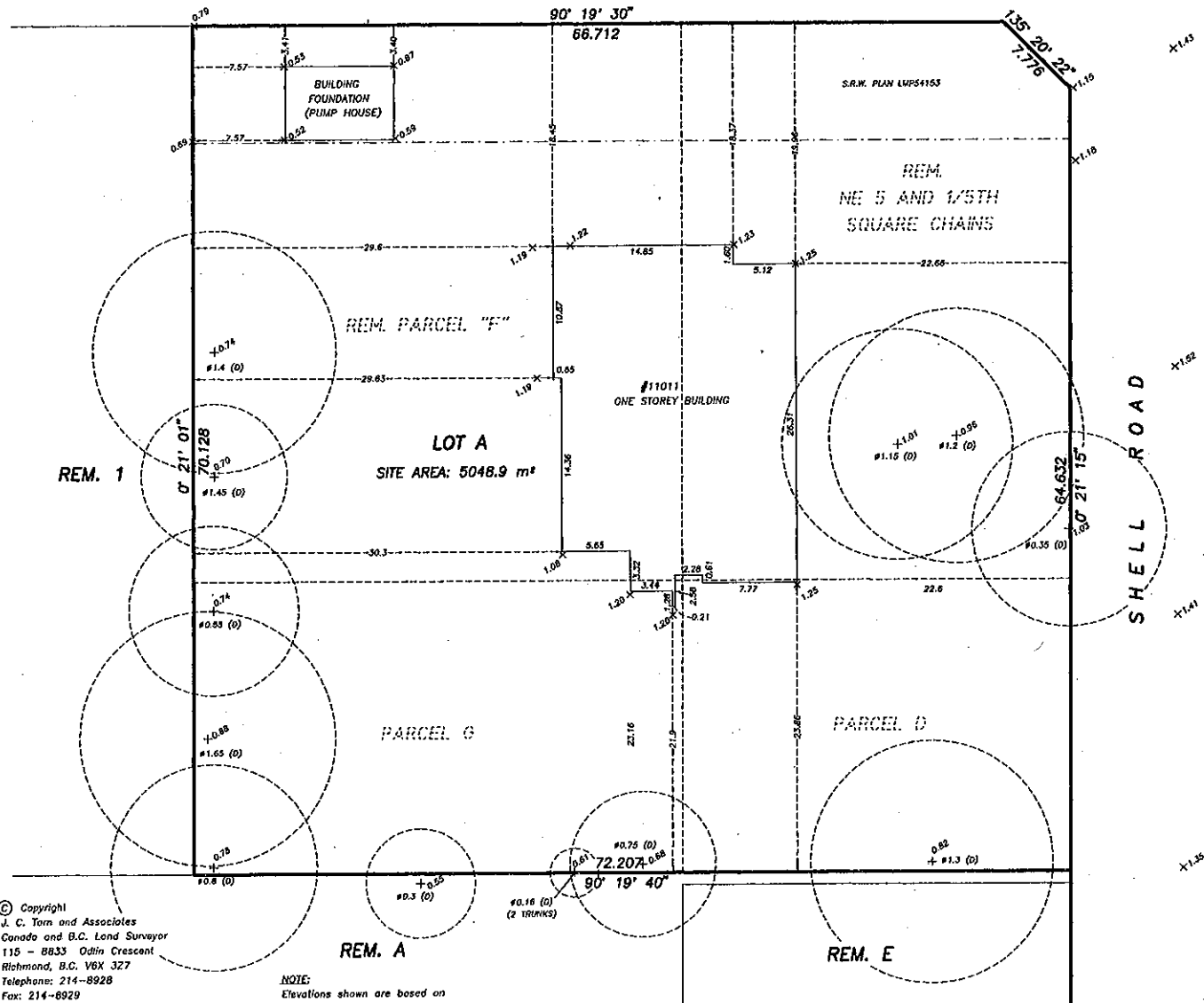


SCALE: 1:250



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE INDICATED

STEVESTON HIGHWAY



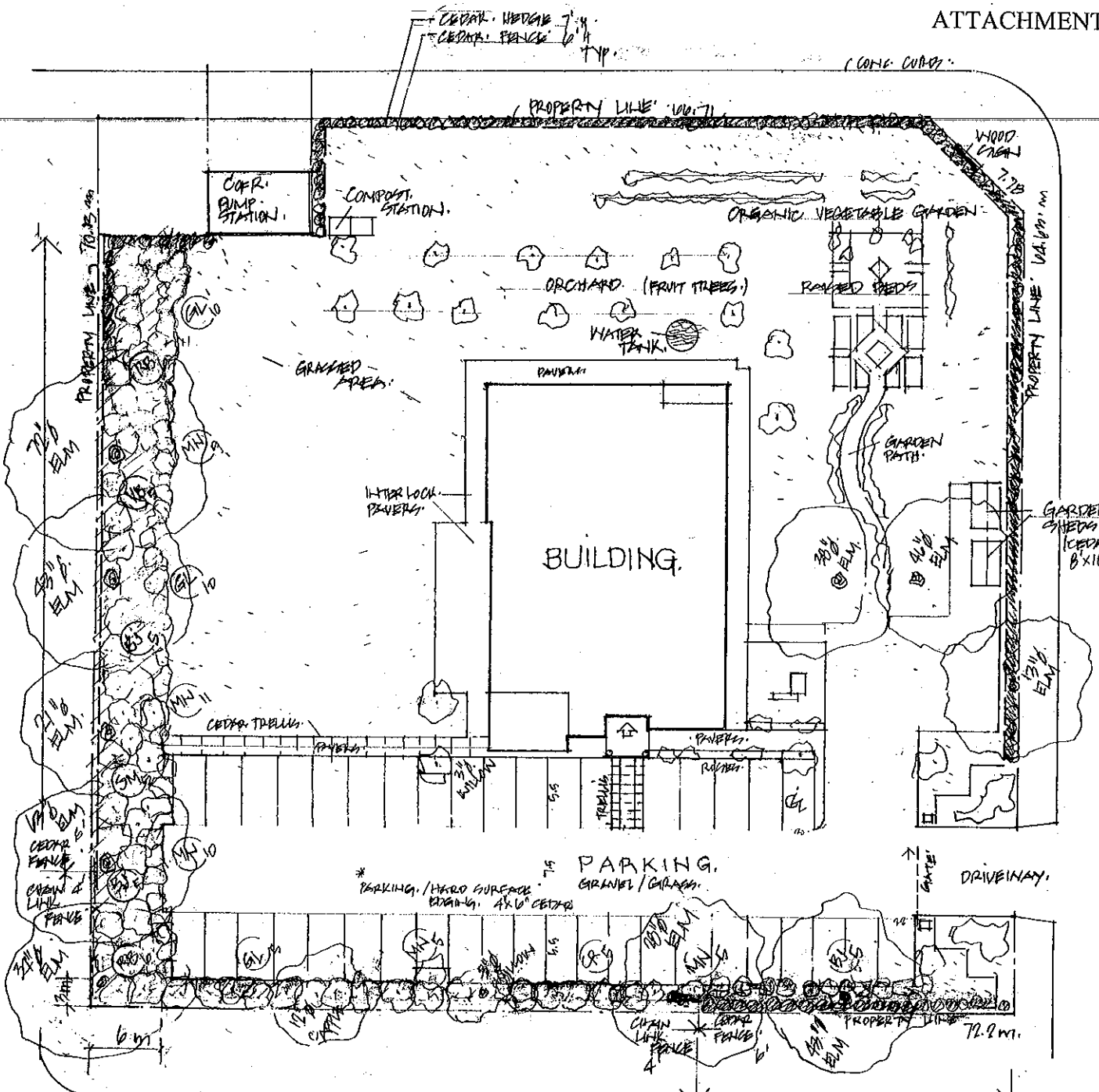
© Copyright
J. C. Torn and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: jctam@telus.net
Job No. 3170
FB-95 P28, FB-93 P28-29
Drawn By: KA

NOTE:
Elevations shown are based on Richmond City Datum.
Bench Mark: North boll on hydrant located on the South-east corner of Steveston Highway and Shell Road.
B.M. elevation = 2.252 metres.

LEGEND:
(D) denotes deciduous tree.

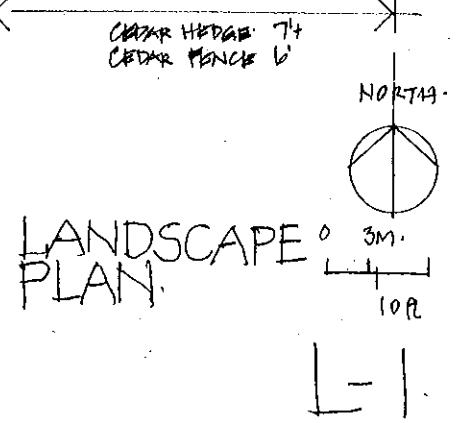
SURVEY COMPLETED ON FEBRUARY 7th, 2007.

DWG No. 3170-TOPO



ADD TO EXISTING LANDSCAPING.

KEY	QUANTITY	COMMON NAME	BOTANIC NAME
SM	10 # 2	RED. ELDER BERRY	SAMPNOCUS RACEMOSA
VB	5 # 2	HIGH BUSH CRAN BERRY	VIBURNUM TRILORUM
MN	38 # 1	OREGON GRAPE	MAHONIA NERVOSA
CR	6 # 5	PACIFIC HAWTHORNE	CRATAEGUS DOUGLASSII
BU	10 # 1	RED. BERRY	BERSBERIS THUNBERGII
RB	12 # 1	SALMON BERRY	RUBUS SPECTABILIS
GL	26 # 1	SHAL	SAULTHERIA SIBILLON



HJS. 604.649.4826

SOS ECO Centre

7 July, 2009 . R.

14 11011 Shell Road, Richmond, B.C.



Rezoning Considerations

**11001 & 11011 Shell Road, 10700 Steveston Highway
and the unaddressed Parcel G, Plan 2870
RZ 05-301611**

Prior to final adoption of Zoning Amendment Bylaw 7992, the developer is required to complete the following:

1. Consolidation of all properties under application into one development parcel.
2. Registration of a Flood Indemnity Covenant on title referencing the minimum habitable elevation for the area, which is 2.9 m (Geodetic);
3. Submission of a Landscaping Security to the City of Richmond in the amount of \$6,335 for the ALR Buffer Landscape Works as per the ALR Buffer Planting Plan attached to the report (**Attachment 6**).
4. Registration of a restrictive covenant to identify the ALR Buffer Area as shown on the ALR Buffer Planting Plan attached to the report (**Attachment 6**), to prohibit future building expansion into the ALR Buffer Area, and to prevent the removal of the buffer landscaping. The covenant would also identify that the buffer treatment is to address typical adjacencies associated with agricultural activities such as noise, odours and dust.
5. Registration of a restrictive covenant to ensure that the only vehicle access to the subject site is from Shell Road only (to be located as far south as possible having a width of 7.5 m) and that the access from Steveston Highway be limited to service vehicles only (requiring access to the existing pump station).
6. Complete the following frontage improvement works through a City Work Order at the sole cost of the developer/applicant:
 - a. Along Steveston Highway: expansion of the paving to the property line and provide an extruded curb just south of the white line along Steveston Highway, with the allowance for access for the pump station service driveway. The extruded curb should tie-in and connect to the existing extruded curb on Shell Road. An access control structure (i.e., removable bollards or post and chain gate) is required at the service vehicle entrance.
 - b. Along Shell Road: expansion of the paving to the existing drainage ditch and extend the extruded curb to the revised vehicle access on Shell Road.
7. Discharge of the old ROW and registration of a new statutory ROW document to ensure the agreement is updated based on City requirements.

[Signed original on file]

Signed

Date



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7992 (RZ 05-301611)
11001 & 11011 SHELL ROAD, 10700 STEVESTON HIGHWAY
AND THE UNADDRESSED PARCEL G, PLAN 2870**

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

1. Richmond Zoning and Development Bylaw 5300 is amended by inserting as Section 291.207 thereof the following:

"291.207 Comprehensive Development District (CD/207)"

The intent of this zoning district is to provide for farm-related uses together with assembly facilities.

291.207.1 PERMITTED USES

**ASSEMBLY
AGRICULTURE
HORTICULTURE
ACCESSORY USES, BUILDINGS & STRUCTURES**

291.207.2 PERMITTED DENSITY

.01 Maximum Floor Area Ratio: 0.15

291.207.3 MAXIMUM LOT COVERAGE

.01 The maximum lot coverage for **buildings** only shall be 15%.

291.207.4 MINIMUM & MAXIMUM SETBACKS FROM PROPERTY LINES

.01 Front, Side & Rear Yards: 15 m (49.213 ft.)

291.207.5 MAXIMUM HEIGHTS

.01 **Buildings:** 7 m (22.966 ft.).

.02 **Structures:** 9 m (29.528 ft.)

291.207.6 MINIMUM LOT SIZE

- .01 A parcel to be created by subdivision shall conform to the following dimensions:
- (i) Minimum Width: 50 m (164.042 ft.)
 - (ii) Minimum Depth: 50 m (164.042 ft.)
 - (iii) Minimum Area: 5000 m² (1.235 ac)

291.207.7 OFF-STREET PARKING

- .01 The minimum number of off-street parking spaces provided shall be as follows:
- (i) 24 standard stalls
 - (ii) one handicap stall near a ramp access

2. The Zoning Map of the City of Richmond, which accompanies and forms part of the Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **COMPREHENSIVE DEVELOPMENT DISTRICT (CD/207)**:

P.I.D. 013-082-566

North Easterly 5 and 1/5th Square Chains Section 2 Block 3 North Range 6 West New Westminster District Except: Part Dedicated Road by Plan LMP54152

P.I.D. 015-342-433

Parcel D (Explanatory Plan 1980) Section 2 Block 3 North Range 6 West New Westminster District

P.I.D. 015-725-871

Parcel "F" (Reference Plan 2869) Section 2 Block 3 North Range 6 West New Westminster District Except: Part Dedicated Road on Plan LMP54152

P.I.D. 015-725-880

Parcel "G" (Reference Plan 2870) Section 2 Block 3 North Range 6 West New Westminster District

3. This Bylaw may be cited as "**Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7992**".

JUL 27 2009

FIRST READING

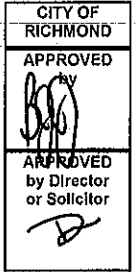
A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER