



To: Planning Committee
From: John Hopkins
Director, Policy Planning
Date: April 8, 2021
File: 08-4050-10/2021-Vol
01
Re: **Agricultural Land Commission Decision on No. 5 Road Backlands Policy**

Staff Recommendation

1. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, which would revise Section 7.3 of Schedule 1 of the Official Community Plan (No. 5 Road Backlands Policy) and Schedule 2.13A of the Official Community Plan (East Richmond Area McLennan Sub-Area Plan) to clarify permitted uses and related policies for religious assembly use, be introduced and granted first reading.
2. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, having been considered in conjunction with:
 - a) the City's Financial Plan and Capital Program; and
 - b) the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;

is hereby found to be consistent with said programs and plans, in accordance with Section 477(3)(a) of the *Local Government Act*.

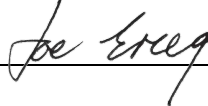

3. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, having been considered in conjunction with Section 475 of the *Local Government Act*, be referred to the Agricultural Land Commission for approval prior to the Public Hearing.
4. That Richmond Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258, having been considered in accordance with Section 475 of the *Local Government Act* and the City's Official Community Plan Bylaw Preparation Consultation Policy 5043, is found not to require further consultation.

5. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10259, which would revise the “Assembly (ASY)” zoning district to restrict the permitted and secondary uses for areas within the No. 5 Road Backlands Policy area located in the Agricultural Land Reserve, revise the “Religious Assembly (ZIS7) – No. 5 Road” zoning district to restrict permitted and secondary uses in this zone, and revise the religious assembly use definition, be introduced and granted first reading.



John Hopkins
 Director, Policy Planning
 (604-276-4279)

Att. 3

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS:	APPROVED BY CAO
		

Staff Report

Origin

This report responds to an Agricultural Land Commission (ALC) decision on the No. 5 Road Backlands Policy (the “Policy”) requesting a number of revisions to this Policy. The ALC decision is contained in Attachment 1. Recommended amendments to the Official Community Plan (OCP) and Richmond Zoning Bylaw 8500 (Zoning Bylaw) are proposed in response to the ALC’s decision.

This report supports Council’s Strategic Plan 2018-2022 Strategy #6 Strategic and Well-Planned Growth:

6.1 Ensure an effective OCP and ensure development aligns with it.

Background

In 2016, the No. 5 Road Backlands Policy was incorporated into the OCP. Prior to this, it was a stand-alone Council policy that was developed in partnership with the ALC. The 2016 OCP amendment preserved the principles of the original backlands policy and included a number of updates to achieve active farming of the backlands by providing options to property owners. One of these options included dedication of the rear backlands portion of properties to the City to facilitate active farming. Written support was provided to Council by ALC staff on the 2016 OCP amendments, which were adopted on February 15, 2016.

Subsequently, as part of the processing of an Agricultural Land Reserve (ALR) application, the ALC advised that the updated Policy incorporated in the OCP had not been formally approved by the Commission despite having written support from ALC staff. Furthermore, the policy provision that allowed property owners the option to dedicate a portion of their properties to the City for farming purposes was not supported by the ALC.

Over the past year, City staff have met with ALC staff and Commission members to discuss the Policy with a focus on achieving the mutual objective of active farming in the area.

Summary of ALC Decision – No. 5 Road Backlands Policy

As noted in the ALC decision letter (Attachment 1), the ALC is willing to re-affirm their support for the Policy, subject to the following revisions:

1. The ALC does not support dedication or subdivision of the backlands as a component of the Policy and requested that any provisions in the City’s OCP be removed.
 - ALC Rationale: The decision letter identified that City ownership of the backlands through dedication was not a certainty of achieving active agricultural production in the area and that the resulting subdivision would actually increase non-agricultural development pressure for this area.
2. Include provisions in the Policy to demonstrate active farming of the backlands, evidenced through *BC Assessment Act* Farm Class status (minimum of 5 consecutive years immediately before the submission of an application for development) or

acceptable farm lease term (minimum term of 5 years) supported by evidence that the site is farmed or how it will be, prior to consideration of any proposals for new institutional development or expansion to existing institutional development.

- ALC Rationale: These additional criteria are intended to prioritize and achieve farming of the backlands first as opposed to facilitating institutional development on the promise of farming from property owners, which has been questioned by the ALC in terms of successful farming of the backlands.
3. For new development or expansion to existing facilities, limit the uses permitted in the Policy to religious assembly uses only (i.e., places of worship) and request revisions to the City's OCP and Zoning Bylaw to reflect this restriction.
- ALC Rationale: The ALC decision to restrict uses to religious assembly does not support the development of schools in the Policy area. Staff note that there are a number of existing school facilities in the area that were previously approved by the ALC. Information about how the proposed amendments to the OCP and Zoning Bylaw recommended in this report impacts these facilities is outlined later in this report.

Related Policies and Studies

Official Community Plan

The No. 5 Road Backlands Policy is contained in Schedule 1 of OCP Bylaw 9000, and applies to lands on the east side of No. 5 Road generally bounded by Steveston Highway to the south and 12011 Blundell Road to the north (property north of Blundell Road) (Attachment 2).

In addition, the East Richmond Area McLennan Sub Area Plan (Schedule 2.13A) contains land use policies and designations similar to that of the Policy contained in Schedule 1 of the OCP.

Summary of Proposed OCP and Zoning Bylaw Amendments

Proposed OCP Amendments

In response to the ALC decision letter, amendments are proposed to Schedule 1 of the OCP (Bylaw 9000; Section 7.3) and Schedule 2 of the OCP (Bylaw 7100; Schedule 2.13A). The proposed amendments are summarized as follows:

- Religious assembly and ancillary uses only will be permitted in the Policy area, subject to consideration and approval by the City and the ALC.
- Include provisions in the Policy to demonstrate active farming of the backlands, evidenced through *BC Assessment Act* Farm Class status (minimum of 5 consecutive years immediately before the submission of an application for development) or acceptable farm lease term (minimum term of 5 years) supported by evidence that the site is farmed or submission of a plan outlining how it will be farmed, prior to consideration of any proposals for new institutional development or expansion to existing institutional development.
- Amend the East Richmond Area McLennan Sub Area Plan (Schedule 2.13A) to ensure consistency with amended No. 5 Road Backlands Policy contained in Schedule 1 of the OCP (Bylaw 9000; Section 7.3).

Proposed Zoning Bylaw Amendments

In response to the ALC decision letter on the Policy, amendments are proposed to the Assembly (ASY) and Religious Assembly (ZIS7) – No. 5 Road zoning districts and “religious assembly” land use definition summarized as follows:

- Assembly (ASY) zone – For properties within the No. 5 Road Backlands Policy area limit the permitted use to religious assembly only and identify that child care is only a permitted secondary use.
 - The proposed amendments reflect the ALC’s decision letter to limit permitted uses in the Policy area to religious assembly only.
- Assembly (ASY) zone – Include a site specific allowance to permit a school expansion (education use) at 12011 Blundell Road (Evangelical Baptist church and school facilities).
 - This option to allow education as a permitted use on this site only is due to an active development related permit for a school expansion which has been previously approved by the ALC. Details of this application are discussed later in this report.
- Assembly (ASY) zone – Include a provision that requires ALC approval for a change or expansion to a permitted use for all sites zoned Assembly (ASY) located within the ALR.
- Religious Assembly (ZIS7) – No. 5 Road – Consistent with the recommended changes to the Assembly (ASY) zoning district, limit the permitted uses to religious assembly only and identify that child care is only a permitted secondary use.
- Religious Assembly land use definition – Revised wording to reflect that permitted accessory uses may be religious educational activities (e.g., educational programs but does not include education/schools).

Analysis

ALC Support for the No. 5 Road Backlands Policy

The proposed amendments to the OCP and Zoning Bylaw are in response to the ALC decision that maintains support for the Policy, subject to requested revisions being made to address ALC comments about removing dedication and subdivision provisions, demonstrating active farming of the backlands and limit facility development or expansion to religious assembly uses only.

If the ALC recommended revisions to the Policy are not undertaken, the Policy is at risk of no longer being supported by the ALC. This scenario would not achieve the City and the ALC’s mutual objective to actively farm the backlands as it could potentially result in the ALC eliminating the Policy entirely, as indicated in the ALC decision letter, and would impact the underlying OCP policies used to consider religious assembly development proposals.

Agricultural Viability of the Backlands Maintained and Prioritized

The objective of actively farming the backlands is maintained and prioritized through the proposed revisions to the Policy. These revisions to the No. 5 Road Backlands Policy places the responsibility on property owners to actively farm, undertake any necessary agricultural

improvements and demonstrate their commitment to achieving agricultural viability before making an application for religious assembly development on a site.

Although the ALC have indicated that they would prefer the landowner or institution to undertake farming, ALC staff have indicated that there is an opportunity for the ALC to consider a long-term leasehold on the backlands through the ALC application process. This type of leasehold would have to ensure that the farmer has security to develop the backlands portion for agriculture.

Site Specific Allowance for School Expansion – 12011 Blundell Road

The Cornerstone Evangelical Baptist congregation has an existing church and school at 12011 Blundell Road that is currently zoned Assembly (ASY) and Agriculture (AG1). A proposed expansion to the school is in compliance with prior ALC and City approvals for the site. An in-stream Environmentally Sensitive Area (ESA) Development Permit application (DP 19-869484) to allow for the expansion of school facilities on the site has been submitted and is being processed by staff. Under current zoning provisions and previous ALC approvals for the site, the existing school and any proposed expansion is a permitted use and future development would be subject to review and approval through the in-stream ESA Development Permit application.

The proposed Zoning Bylaw amendments to the Assembly (ASY) zone provide for a site-specific allowance, permitting education uses at 12011 Blundell Road based on the school expansion proposal that is consistent with prior ALC approvals for the site and current in-stream application being processed by staff.

If a site-specific allowance is not granted to 12011 Blundell Road and the Zoning Bylaw is amended to no longer permit schools and only allow religious assembly uses in accordance with the ALC decision, a rezoning application would be required for this site.

Existing Land Uses and Legal Non-Conforming Status

If the Zoning Bylaw amendments proposed in this report are approved, existing school facilities in the No. 5 Road Backlands Policy Area would be rendered legal non-conforming uses, of which there are a total of 6 existing facilities (4 sites with schools operating on the same site with a religious assembly facility; 2 sites containing school facilities only).

The provisions for non-conforming uses is contained in Part 14, Division 14 of the *Local Government Act* and would apply to the 6 existing school facilities on sites in the No. 5 Road Backlands Area. Any new development or use of land (including expansion) for schools would be subject to the current zoning regulations in place at that time.

As a result, property owners/congregations wanting to develop a new or expanded school would have the option to apply to rezone their property following any required ALR non-farm use approval. The ALC decision on the No. 5 Road Backlands Policy and accompanying amendments to the OCP and Zoning Bylaw proposed in this report would no longer provide the land use policy to support continued school development in the Policy area, except for the site at 12011 Blundell Road where a site-specific allowance for school expansion is proposed as outlined in a prior section of this report.

Assembly (ASY) Zoned Sites in the ALR but Outside of the No. 5 Road Backlands Policy Area

The OCP and Zoning Bylaw changes outlined in this report are limited to the No. 5 Road Backlands Policy area only in response to the ALC decision. There are 9 Assembly (ASY) zoned sites that are located in the ALR outside of the Policy area, which are being reviewed by staff as part of the March 3, 2020 Planning Committee referral in part dealing with education, dormitory and child care uses currently allowed in this zone. A separate report that responds to the March 3, 2020 Planning Committee referral, including the approach for these 9 Assembly (ASY) zoned sites is scheduled for consideration by Council for the fall of 2021. The Zoning Bylaw proposed in this report includes a provision that requires ALC approval for a change or expansion to a permitted use for all sites zoned Assembly (ASY) located within the ALR.

Consultation

Consultation on the Proposed OCP and Zoning Bylaw Amendments

The proposed amendments to the OCP and Zoning Bylaw involve land contained in the ALR. In accordance with Section 477(3)(b) of the *Local Government Act*, the proposed Official Community Plan Bylaw 7100 and 9000, Amendment Bylaw 10258 is recommended to be forwarded to the ALC for review and approval should Council grant first reading to these bylaw amendments. The consultation with and approval from the ALC is consistent with OCP Consultation Policy No. 5043 and provisions of the *Local Government Act*.

Consultation with the City's Food Security and Agricultural Advisory Committee (FSAAC) was not undertaken as the requested changes to the Policy was made through an ALC decision based on their review of the Policy.

Notification of Property Owners

The ALC decision letter outlining the requested revisions to the No. 5 Road Backlands Policy also confirms that the ALC will send a copy of the decision letter to the affected property owners in early April 2021. As the requested changes to the Policy are a result of an ALC decision, with the ALC also committing to informing all affected property owners, no additional City led consultation is recommended.

The OCP and Zoning Bylaw amendments proposed in this report will be forwarded to a Public Hearing. Prior to the Public Hearing, all impacted properties in the No. 5 Road Backlands Policy Area will be notified and the public will have an opportunity to comment at the Public Hearing.

City Consultation with Property Owners in the Policy Area

Prior to and separate from the ALC decision, City staff consulted with property owners in the No. 5 Road Backlands Policy area as part of a March 3, 2020 Planning Committee referral which directed staff to contact property owners about their expansion plans (e.g., schools, dormitories and child care services). Responses received as part of this consultation is provided in a summary table in Attachment 3. Though separate from the ALC's decision, the responses identify which properties/congregations may be impacted by the ALC decision, and the proposed OCP and Zoning Bylaw amendments presented in this report.

Financial Impact

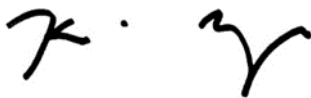
None.

Conclusion

In response to the ALC decision, amendments to the OCP and Zoning Bylaw regulations related to the No. 5 Road Backlands Policy are proposed to:

- Restrict institutional development to religious assembly uses only in the OCP, strengthen policies to support active farming of the backlands and remove from the Policy the option for property owners to subdivide and dedicate the backlands to the City.
- Amend regulations for the Assembly (ASY) and Religious Assembly (ZIS7) – No. 5 Road zones in the No. 5 Road Backlands Policy area restricting the principal use to religious assembly facilities only.
- Remove education (schools) as a permitted use in applicable zones, but provide a site-specific allowance for the site at 12011 Blundell Road to allow a school expansion that is in compliance with historical approvals and also subject to an in-stream development application.
- Add a provision in the Assembly (ASY) zone to include a provision that requires ALC approval for a change or expansion to a permitted use for all sites zoned Assembly (ASY) located within the ALR.
- Amend the religious assembly land use definition to differentiate between programming that is directly related to and in support of religious worship, which are permitted, and schools, which are not.

The proposed revisions outlined in this report only apply to the No. 5 Road Backlands Policy area to ensure continued support of the Policy from the ALC, help achieve agricultural viability in the backlands and provide direction to property owner's on acceptable land uses and options available so that farming is prioritized and undertaken in the area.



Kevin Eng
Planner 2
(604-247-4626)

KE:cas

- Att. 1: ALC Decision Letter – No. 5 Road Backlands Policy
2: Map of the No. 5 Road Backlands Policy Area
3: No. 5 Road Backland Property Owner Responses – Potential Future Development

January 21, 2021

Reply to the attention of Shannon Lambie
ALC Planning Review: 46633

Mayor Malcolm Brodie and Council Members
CC: Barry Konkin, Director of Planning
City of Richmond

Delivered Electronically

Dear Mayor and Council

Re: CITY OF RICHMOND NO. 5 ROAD BACKLANDS POLICY

In recent months, the Agricultural Land Commission (the “ALC”) and the City of Richmond (the “City”) have engaged with one another on a number of active files, including the Garden City Lands Project as well as the *No. 5 Road Backlands Policy*. The ALC would like to take this opportunity to thank the City for its ongoing support and commitment to urban agriculture, including the agricultural enhancements developed on the Garden City Lands, among other city sites. The ALC also commends the City for its ongoing partnerships with Kwantlen Polytechnic University and the Institute for Sustainable Agriculture, in particular, the City-supported diversity of agricultural and new farmer development programs. The ALC recognizes and thanks the City for its contribution of municipal infrastructure, staff time, and material support in these endeavours.

In 2017, it was brought to the Commission’s attention that a 2016 OCP bylaw amendment, related to the ALC’s No.5 Road Backlands Policy, was adopted into the City bylaw without the review and endorsement of the Commission. The ALC’s *No. 5 Road Backlands Policy* was originally developed by the ALC in the late 1980s and was most recently confirmed in 2000 by ALC resolution #174/00. This Policy permits the development of religious assembly uses on the front one-third of parcels (the “Frontlands”) fronting No. 5 Road between Steveston Highway and Blundell Road, subject to farming being undertaken on the back two-thirds of the property (the “Backlands”).

The 2016 bylaw amendment is largely consistent with the ALC’s historic *No. 5 Road Backlands Policy* endorsed by Resolution #174/00, with one significant exception. The bylaw amendment permits dedication (subdivision) of the Backlands and their transfer of ownership to the City if the applicants choose not to actively farm the Backlands. Given the significance of this amendment (which contemplates subdivision of the Backlands), the ALC considered whether the amendment is consistent with the original intent of the Policy.

The review revealed that while the Policy has been effective in enabling many assembly and institutional uses, it has not been that effective at encouraging much, if any, agricultural productivity in the Backlands. As such, the Commission considered whether to:

- eliminate the Policy entirely;
- reaffirm the original Policy, but identify approaches to make it more agriculturally effective; or finally,
- to endorse the 2016 City of Richmond “dedication” amendment and permit subdivision and dedication of the Backlands to the City by willing landowners.

The Commission reviewed the background information and information about the development of assembly and institutional uses along No. 5 Road provided by City staff. The Commission’s primary consideration during its review was whether the Policy was supportive of the ALC’s mandate to protect farmland and encourage farming, and in particular, whether the Policy had been effective in encouraging agricultural activity on the Backlands. The challenge of the *No. 5 Road Backlands Policy* was that there was no effective measure embedded in the original Policy (and subsequent decisions) to ensure that agriculture was originally established, or consistently sustained on the Backlands. As such, it was possible that landowners never undertook the promised agricultural development, or if originally developed, never sustained the agricultural activity.

The Commission understands the intention of the City’s bylaw to encourage subdivision and City ownership of the backland areas was to facilitate farming. However, on balance, the Commission was uncertain that City ownership and management would have any significant affect on agricultural activity, given that Council support for resources to encourage and manage agriculture might fluctuate with changes to Council. More significantly, the Commission was concerned that once subdivided, significant pressure might arise for exclusion and/or re-development for other than Religious Assembly uses on the Frontlands.

The Commission also discussed whether to continue with the *No. 5 Road Backlands Policy* more broadly, with serious concerns expressed by some Commissioners as to whether the Policy was supportive of the ALC mandate. However, after discussion, the Commissioners were not convinced that eliminating the Policy would enhance agricultural activity on those parcels already developed for religious assembly uses (~75% of the parcels). In addition, the Commission was concerned that canceling the Policy unilaterally (and without warning) would unfairly penalize landowners of undeveloped ALR parcels on No.5 Road that purchased parcels with the intention to make an application, but have not yet submitted an application to the ALC.

Finally, the Commission considered ways to improve and strengthen the existing Policy so that it fulfilled its original intention – to encourage agricultural development on the Backlands. Specifically, the Commission considered establishing more stringent criteria and thresholds (and reporting) to ensure that future development and re-development projects follow through with agricultural development plans in the spirit of the original policy.

For these reasons, the Commission resolved by Resolution #078N/2020 the following:

- To not support dedication (subdivision) as a component of the City of Richmond’s No. 5 Road Backlands Policies as per Section 7.0 of the OCP (Bylaw 9506 2016/02/15) and requests that the City of Richmond amend Bylaw 9506 2016/02/15, policy C to remove any reference to “dedication”; and

- To re-affirm the Commission's support for the Resolution #147/2000 version of the *No. 5 Road Backlands Policy*, i.e. permitting the existing Religious Assembly use of the Frontlands subject to the agricultural development of the Backlands contingent on the following amendments to the Policy:
 - a) Applicants for **undeveloped** sites must demonstrate five consecutive years of farming the subject parcel supported by evidence of five years of Farm Status under the BC Assessment Act on the same parcel prior to the ALC considering an application.
 - b) Applicants for **developed** sites that are seeking to expand their facilities must also demonstrate five consecutive years of farming the subject parcel supported by evidence of five years of Farm Status under the BC Assessment Act on the same parcel before any expansion is authorized.
 - c) If **undeveloped** sites are unable to satisfy the five years of consecutive farming requirement, applicants must provide evidence that the Backlands portion of their property has been made available for farming via lease¹ for a term of not less than five years and actual evidence that the parcel is being farmed, or how it will be.
 - d) If **developed** sites are unable to satisfy five years of consecutive farming, applicants must provide the same evidence as c) above before any expansion is authorized.
 - e) The City of Richmond is asked to update their Assembly and Institutional Zoning Bylaw to limit the uses permitted in the Backlands Policy area. The intent of the original policy was to support religious assembly uses (i.e. places of worship) – not to permit residential or educational activities that are adjacent to religious assembly.

The Commission understands that there may be applications already in process (i.e. before Richmond Council) for intensification of existing religious assembly facilities, or for new facilities. The Commission does not believe that the above noted Policy amendments (particularly (c) and (d)) can be met by current applicants and wishes to confirm that the Commission will be applying immediately the above listed considerations in any application submitted to develop assembly uses parcels affected by the *No. 5 Road Backlands Policy*.

The Commission will also send a copy of this letter to the affected property owners for their information in the near future to inform them of the amendments to the Policy.

If you have any questions about the above comments, please contact the undersigned at 236-468-2026 or by e-mail (shannon.lambie@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Jennifer Dyson, Chair

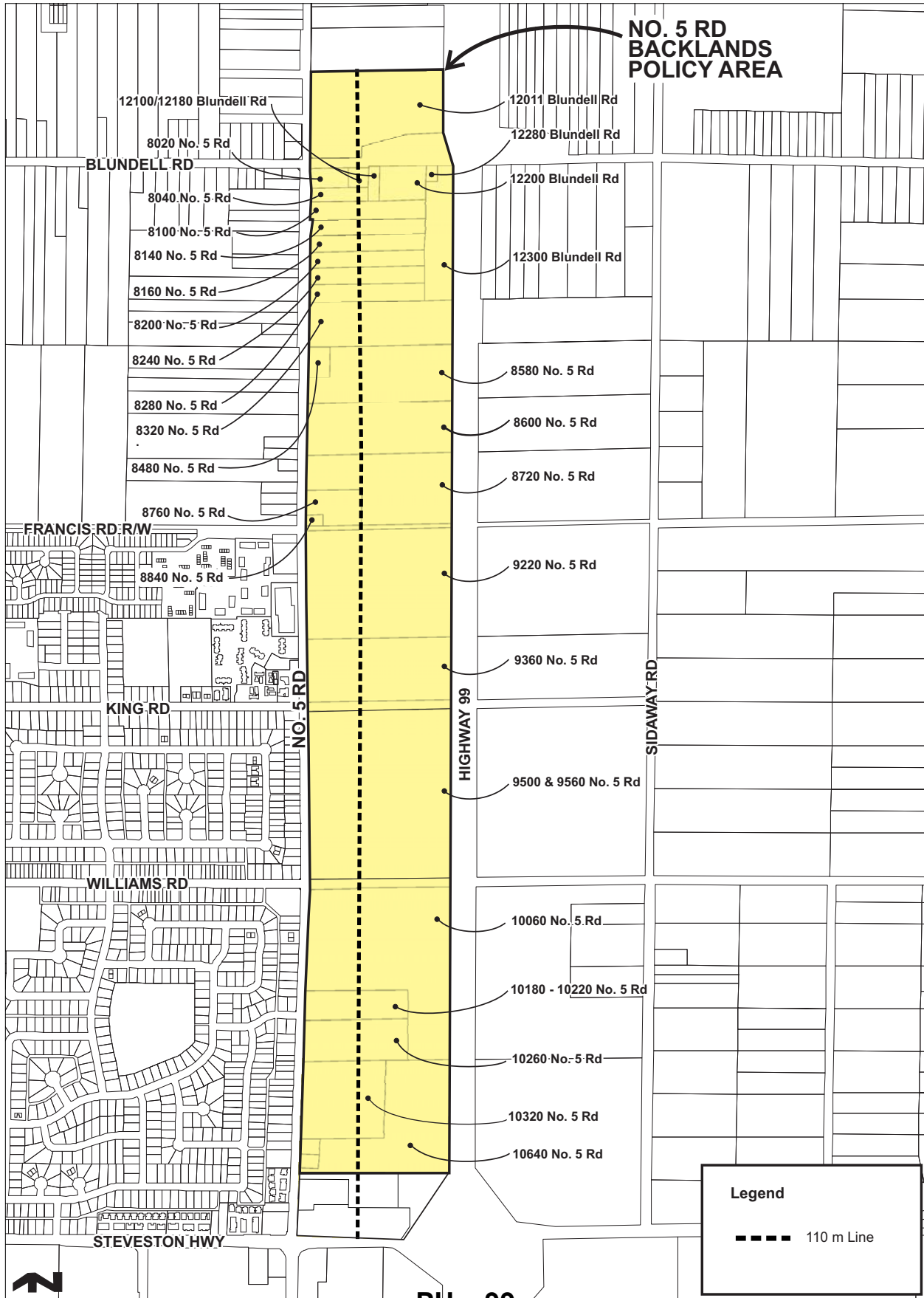
cc: Ministry of Agriculture – Travis Shaw

ⁱ Please note that the lease must be registered on the title and must be between the property owner and a legitimate farming enterprise.



No. 5 Road Backlands Policy Area Map

Bylaw 9506
2016/02/15



ATTACHMENT 3

Summary of Responses Received from No. 5 Road Backlands Property Owners Potential Future Development and Uses

Site & Owner	Response						
	No future plans	School or School expansion	Dormitories	Child Care	Religious Assembly	No response	Other
12011 Blundell Rd Cornerstone		<input checked="" type="checkbox"/>					
12300 & 12280 Blundell Rd BC Muslim Assoc.		<input checked="" type="checkbox"/>					Seniors Center
12200 Blundell Rd Fujian Evangelical	<input checked="" type="checkbox"/>						
12180 & 12100 Blundell Rd, 8040 No. 5 Rd Richmond Chinese Evangelical					<input checked="" type="checkbox"/>		
8020 No. 5 Rd Multiple owners	<input checked="" type="checkbox"/>						
8100 No. 5 Rd Arul Hindu Society					<input checked="" type="checkbox"/>		
8140 & 8160 No. 5 Rd Thrangu						<input checked="" type="checkbox"/>	
8200 No. 5 Rd Vedic	<input checked="" type="checkbox"/>						
8240 No. 5 Rd Dharma Drum			<input checked="" type="checkbox"/>				
8280 No. 5 Rd Peace Evangelical	<input checked="" type="checkbox"/>						
8480 No. 5 Rd Tung Cheng Yuen Buddhist Assoc.					<input checked="" type="checkbox"/>		
8320 & 8580 No. 5 Rd Shia Muslim		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			Community/ Recreation centre Seniors housing
8600 No. 5 Rd India Cultural Centre							Seniors housing
8720 No. 5 Rd Xu Qiyou						<input checked="" type="checkbox"/>	
8760 No. 5 Rd Richmond Jewish Day School					<input checked="" type="checkbox"/>		

Site & Owner	Response						
	No future plans	School	Dormitories	Child Care	Religious Assembly	No response	Other
8840 No. 5 Rd Subramaniya Swamy Temple					<input checked="" type="checkbox"/> *		
9220 No. 5 Rd World Growth Investments	<input checked="" type="checkbox"/>						
9360 No. 5 Rd Catholic Independent Schools of Van.		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
9500 No. 5 Rd Komodo Holdings Inc		<input checked="" type="checkbox"/>					
10060 & 10320 No. 5 Rd. Lingyen		<input checked="" type="checkbox"/>					
10180-10220 No. 5 Rd. BC Confed. Mennonite Brethren	<input checked="" type="checkbox"/>						
10260 No. 5 Rd Richmond Christian School		<input checked="" type="checkbox"/> *					

* Site ownership not yet secured by congregation



**Richmond Official Community Plan Bylaw 9000 and 7100
Amendment Bylaw 10258 (Revisions to the No. 5 Road Backlands
Policy)**

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

1. Richmond Official Community Plan Bylaw 9000, as amended, is further amended by:
 - a. deleting the second paragraph in the Overview subsection in Section 7.3 (No. 5 Road Backlands Policy) and replacing it with the following:

“The purpose of the Policy is to allow Religious Assembly uses on the westerly 110m (“Frontlands”) of the properties located on the east side of No. 5 Road between Blundell Road and Steveston Highway (the area outlined in bold lines on the No. 5 Road Backlands Policy Area Map), if the remaining portions (“Backlands”) are actively farmed.

For the purposes of Section 7.3, “Religious Assembly” shall have the same meaning as given to that term in the Use and Term Definitions section of Richmond Zoning Bylaw 8500 (Section 3.4), as amended.”
 - b. deleting the Objective subsection contained in Section 7.3 and replacing it with the following:

“OBJECTIVE:

Religious Assembly uses may be permitted in the Frontlands if the Backlands are actively farmed.”
 - c. deleting clauses a), b), c) and g) under the Policies subsection contained in Section 7.3 and replacing them with the following new clauses a), b), c), and g):
 - “a) in the Frontlands, Religious Assembly uses may be considered subject to the agricultural development of the Backlands, which is to be considered and approved by the City and the Agricultural Land Commission through the necessary land use approval process;
 - b) in the Frontlands, uses that are clearly ancillary to a Religious Assembly use may be considered and approved by the City and the Agricultural Land Commission through the necessary land use approval process;

- c) residential uses (e.g., congregate housing, community care facility, multiple-family housing, housing for older adults) are not permitted in the Frontlands or the Backlands;
 - g) all applicants proposing to develop new Religious Assembly facilities on the Frontlands or expand an existing Religious Assembly facility must either:
 - provide evidence of Farm Status under the BC Assessment Act to demonstrate that the subject parcel has been farmed for the five consecutive years preceding the ALC's consideration of an application, or (if no ALC approval is required) the City's processing of a rezoning application; or
 - provide evidence that the Backlands portion of the subject parcel is currently available for farming via a lease registered on title between the property owner and a legitimate farming enterprise for a term of at least five years, and either:
 - provide evidence that the parcel is currently being farmed; or
 - provide a plan for how it will be farmed;”
 - d. adding the following new clause h) under the Policies subsection contained in Section 7.3 after clause g):
 - “h) applicants shall submit the necessary reports to the City to achieve and maintain farming with all costs to implement works associated with an approved farm plan to be paid by the applicant;”
 - e. deleting clause a) in the Development Application Procedure and Requirements subsection contained in Section 7.3 and replacing it with the following:
 - “a) all proposals for Religious Assembly development are subject to City and ALC approval through the necessary development application process to be reviewed on a case-by-case basis and in accordance with the OCP;”
 - f. deleting the words “Community Institutional” in the first line of clause b) in the Development Application Procedure and Requirements subsection contained in Section 7.3 and replacing them with the words “Religious Assembly”;
2. Richmond Official Community Plan Bylaw 7100, as amended, is further amended by:
- a. deleting the second paragraph in the Issue subsection contained in Section 6.0 (Community Facilities and Services) of the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) and replacing it with the following:
 - “The 110 m (361 ft.) strip along the east side of No. 5 Road, from the first lot on the north side of Blundell Road south to Francis Road, and the lots fronting the

south side of Blundell Road, between No. 5 Road and Highway 99, lends itself to agriculture and religious assembly uses.”

- b. deleting clause a) in the Policies subsection contained in Section 6.0 of the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) and replacing it with the following:

“a) Require that land use and development in Agriculture and Religious Assembly designated areas in the accompanying Land Use Map are consistent with the provisions of the No. 5 Road Backlands Policy contained in Official Community Plan Bylaw 9000 (Section 7.3);”

- c. amending the Land Use Map legend in the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) to retitle the Agriculture, Institutional and Public designation as “Agriculture and Religious Assembly”

- d. deleting the definition of “Agriculture, Institutional and Public” contained in Appendix 1 in the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) and replacing it with the following:

“Agriculture and Religious Assembly

Land uses that are consistent with the provisions of the No. 5 Road Backlands Policy contained in Official Community Plan Bylaw 9000 (Section 7.3).”

- 3. This Bylaw may be cited as “**Richmond Official Community Plan Bylaw 9000 and 7100, Amendment Bylaw 10258**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

APR 26 2021

CITY OF RICHMOND
APPROVED ...
<i>J. Hill</i>
APPROVED by Director or Solicitor
BRB

MAYOR

CORPORATE OFFICER



**Richmond Zoning Bylaw 8500
Amendment Bylaw 10259 (Revisions to the Assembly (ASY) and
Religious Assembly (ZIS7) – No. 5 Road Zoning Districts within the
Official Community Plan No. 5 Road Backlands Policy Area and
Religious Assembly Land Use Definition)**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended by:
 - a. deleting “private club” in Section 13.3.3 (Secondary Uses) of the Assembly (ASY) zoning district (13.3), and replacing it with “**child care**”;
 - b. deleting Section 13.3.11.3 of the Assembly (ASY) zoning district (13.3), and replacing it with the following:
 - “3. Within the area bounded by the bold black line shown in Diagram 1:
 - a) **religious assembly** shall be the only permitted **principal use**;
 - b) **child care** shall only be permitted as a **secondary use**; and
 - c) **education** and **private club** are not permitted;

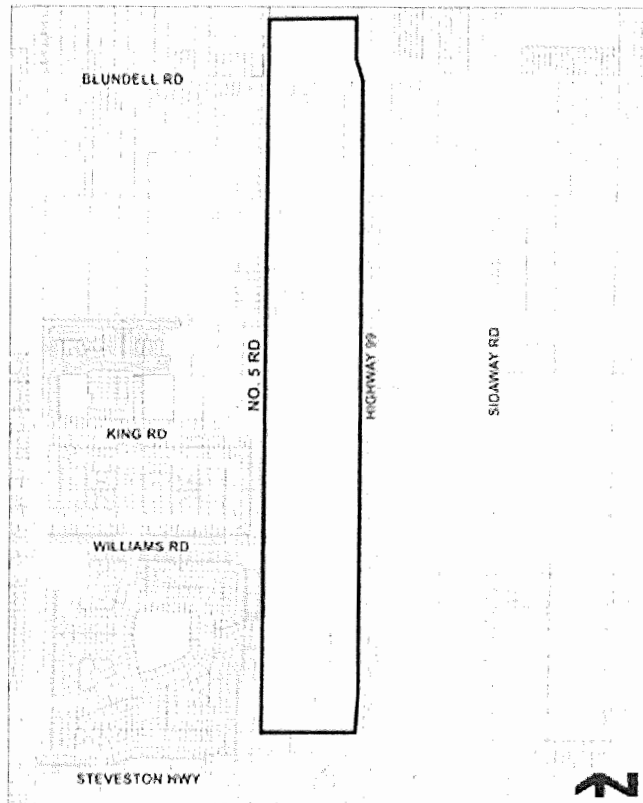


Diagram 1

4. Notwithstanding Section 13.3.11.3.c), **education** shall be permitted on the following **site** only and subject to the applicable approval granted by the Agricultural Land Commission, in accordance with the *Agricultural Land Commission Act* (as amended), prior to the date of adoption of Amendment Bylaw 10259:

12011 Blundell Road

PID 002-555-310

South Half of the South West Quarter Section 18 Block 4 North Range 5 West New Westminster District Except: Firstly: Part Dedicated Road on Plan NWP87640 Secondly: Parcel E (Bylaw Plan LMP4874) Thirdly: Parcel F (Bylaw Plan LMP12615) Fourthly: Part on SRW Plan 21735

5. For any **site** that is located in the **Agricultural Land Reserve**, any:
- a) change in the **principal use** or **secondary use** on the **site**; or
 - b) increase in the scale, extent or degree of a permitted **principal use** or **secondary use** of land on the **site**;

after the date of adoption of Bylaw 10259, must be approved by the Agricultural Land Commission in accordance with the *Agricultural Land Commission Act* (as amended).”

- c. deleting “child care” and “education” in Section 24.7.2 (Permitted Uses) of the Religious Assembly (ZIS7) – No. 5 Road Zoning District (24.7);
- d. adding “child care” as a new bullet in Section 24.7.3 (Secondary Uses) of the Religious Assembly (ZIS7) – No. 5 Road Zoning District (24.7); and
- e. deleting the definition of “religious assembly” in Section 3.4 (Use and Term Definitions), and replacing it with the following:

“Religious assembly

means a **building** wherein people regularly assemble for religious worship and related activities which may include churches, chapels, mosques, temples, synagogues, convents and monasteries, and as an accessory **use**, a rectory or a manse and religious educational activities. This **use** does not include **education** nor any other **uses** defined separately.”

- 2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 10259”**.

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