



**Regular Council meeting for Public Hearings
Monday, May 17, 2021**

Place: Council Chambers
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Carol Day (by teleconference)
Councillor Alexa Loo (by teleconference)
Councillor Bill McNulty (by teleconference)
Councillor Linda McPhail (by teleconference)
Councillor Harold Steves (by teleconference)
Councillor Michael Wolfe (by teleconference)

Matthew O'Halloran, Acting Corporate Officer

Call to Order: Mayor Brodie opened the proceedings at 7:00 p.m.

1. **TEMPORARY COMMERCIAL USE PERMIT (TU 20-905119)**
(Location: 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592); Applicant: Firework Productions Ltd.)

Applicant's Comments:

In response to questions from Council, Raymond Cheung, Applicant, commented on:

- challenges consulting with neighbouring businesses due to COVID-19 closures;
- the schedule for the operation of the Night Market will be dependent upon the timing of the approval to open from the Ministry of Health; and
- discussions underway with Vancouver Coastal Health Authority to create guidelines and protocols for the event.

In response to questions from Council, staff provided the following information:



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- a temporary use permit of a three-year duration has historically been issued for the event;
- the noise management plan will address concerns raised by area residents;
- neighbouring businesses may liaise directly with the event organizer regarding traffic concerns; and
- the City will assist in facilitating the resolution of traffic concerns raised by neighbouring businesses.

Written Submissions:

Norman Kwan (Schedule 1)

Kathy Tung (Schedule 2)

Submissions from the floor:

None.

PH21/5-1

It was moved and seconded

That a Temporary Commercial Use Permit be issued to Firework Productions Ltd. for properties at 8351 River Road and Duck Island (Lot 87, Section 21 Block 5 North Range 6 West Plan 34592) for the purposes of permitting the following:

- (a) ***Night market event between May 21, 2021 to December 31, 2021 (inclusive) to allow for a maximum of 80 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;***
- (b) ***Night market event between April 29, 2022 to October 16, 2022 (inclusive) for a maximum of 80 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit;***
- (c) ***Night market event between April 28, 2023 to October 15, 2023 (inclusive) for a maximum of 79 event operational days in accordance with identified dates and hours as outlined in Schedule C attached to the Temporary Commercial Use Permit; and***



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- (d) *The night market event as outlined in the report dated March 17, 2021 from the Director of Development be subject to the fulfillment of all terms, conditions and requirements outlined in the Temporary Commercial Use Permit and attached Schedules.*

CARRIED

Opposed: Cllrs. Day and Wolfe

2. **RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10248
(RZ 19-873781)**

(Location: 11240 Williams Road; Applicant: Benn Panesar)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None.

Submissions from the floor:

None.

In response to a question from Council, staff advised that no further improvements to the laneway are required for the development.

PH21/5-2

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10248 be given second and third readings.

CARRIED

Opposed: Cllr. Wolfe

3. **OFFICIAL COMMUNITY PLAN BYLAW 7100 AND 9000,
AMENDMENT BYLAW 10258 AND RICHMOND ZONING BYLAW
8500, AMENDMENT BYLAW 10259**

(Location: City-wide; Applicant: City of Richmond)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

Balwant Sanghera, Indian Cultural Centre of Canada (Schedule 3)

Shannon Lambie, Agricultural Land Commission (Schedule 4)



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Shaun Driver, Pythagoras Academy Society (Schedule 5)

Mahmood Jaffer, Az-Zahraa Islamic Centre (Schedule 6)

Submissions from the floor:

Mahmood Jaffer, Director of Public Relations and Communications, Az-Zahraa Islamic Centre, provided the following comments:

- concern regarding the potential impact of the OCP amendment to the planned expansion of the Az-Zahraa Islamic Academy; and
- request that Council consider a site-specific allowance to permit the existing school expansion or any new educational development on the properties at 8320 and 8580 No. 5 Road be granted to the Shia Muslim Community of BC if the OCP amendment is approved.

Oscar Pozzolo, Principal, Az-Zahraa Islamic Academy, requested that Council reject the proposal and allow the work of the Highway to Heaven community to continue to contribute to the success of the City.

Azmat Ali, Chair, School Board of Az-Zahraa Islamic Academy, provided the following comments:

- the OCP amendment will prevent the expansion that will allow the Az-Zahraa Islamic Academy to provide education through to Grade 12;
- the on-site Sunday School is at capacity and has a waitlist; and
- request that Council grandfather organizations that have invested significant resources in planning for future expansions.

The following information was provided in response to questions from Council:

- the proposed expansion will accommodate an additional 300 students; and
- the proposed expansion would not require the use of farmland.

Murtaza Bachoo, Board Member, Az-Zahraa Islamic Academy, provided the following comments:

- concern that the Az-Zahraa Islamic Academy will be unable to grow as a religious institution without the ability to grow the educational institution;
- the importance of educational institutions in building a sense of community; and
- request that a site-specific exemption be granted for properties at 8320 and 8580 No. 5 Road.

Chris Wilson, Church on Five, expressed his support for the comments provided by the preceding delegations.



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Shaun Driver, Broughton Law for Pythagoras Academy Society, suggested that the Agricultural Land Commission (ALC) has not provided all relevant information to the City of Richmond and requested the matter be adjourned until the public is afforded the opportunity to review all relevant information when it is provided.

Eric Chu, Richmond Christian School, expressed concern that the OCP amendment will hinder the ability to expand to accommodate growing demand and to build its community. Mr. Chu requested a site-specific allowance be provided for the future expansion of the Richmond Christian School.

Michael Lipton, Board Chair, Richmond Jewish Day School, expressed concerns with the OCP amendment and its impact on the facilities in the area to continue to serve their community members and grow as institutions.

Mr. Jaffer further commented that the requirement to seek an OCP exception, in addition to the regular development permit process, will result in an additional hurdle for the Shia Muslim Community of BC.

In response to questions from Council, staff provided the following information:

- the bylaw amendment is consistent with the recently communicated ALC decision;
- facilities have an option to apply for an exemption to the ALC policy;
- the requested site-specific allowances are premature as any development proposals would be subject to the ALC application and approval process;
- The existence of City policies that do not align with ALC regulations may result in the Backlands Policy being rescinded; and
- educational activity is not a permitted use in industrial zones.

Discussion ensued on:

- alignment of the ALC policy with the original designation for the properties;
- schools are not a permitted use in the Agricultural Land Reserve (ALR) and would require an application for non-farm use to the ALC; and
- the benefit of educational institutions exploring satellite facilities and distance learning.



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PH21/5-3 It was moved and seconded
*That Richmond Official Community Plan Bylaw 7100 and 9000,
Amendment Bylaw 10258 be given second and third readings.*

CARRIED

Opposed: Cllr Au

PH21/5-4 It was moved and seconded
*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10259 be given
second and third readings.*

CARRIED

PH21/5-5 It was moved and seconded
*That Richmond Official Community Plan Bylaw 7100 and 9000,
Amendment Bylaw 10258 be adopted.*

CARRIED

PH21/5-6 It was moved and seconded
That Richmond Zoning Bylaw 8500, Amendment Bylaw 10259 be adopted.

CARRIED

ADJOURNMENT

PH21/5-7 It was moved and seconded
That the meeting adjourn (8:56 p.m.).

CARRIED



City of Richmond

Minutes

Regular Council meeting for Public Hearings Monday, May 17, 2021

Certified a true and correct copy of the Minutes of the Regular meeting for Public Hearings of the City of Richmond held on Monday, May 17, 2021.

Mayor (Malcolm D. Brodie)

Acting Corporate Officer
(Matthew O'Halloran)

CityClerk

From: kathy tung <kahytung328@gmail.com>
Sent: May 4, 2021 10:23 PM
To: CityClerk
Subject: Public hearing of temporary commercial use permit TU 20-905119

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

To whom it may concern,

My name is Norman Kwan. I'm the president of 1083512 BC Ltd which owns 2780 No.3 Road.

I highly object to the permit of allowing a night market event at 8351 River Road between May 21st to December 31, 2021.

1) It allows huge amount of people gathering and eating in a venue even it's open space. It pose high risk of COVID 19 to the community around. Patrons would not be wearing mask while eating. From past experience, it is not possible to maintain the proper social distancing and there are way too many food stalls and kiosks in the venue and I do not trust the organizer is able to maintain proper hygiene and enforce public health requirement as from what I observed from night market before. It's always messy, chaotic and dirty.

2) The congestion of traffic on No.3 Road and Bridgeport on Fridays, Saturdays & Sundays starting 6pm to 10pm did tremendous impact to businesses on No.3 Road and the area close to night market from last few years. Instead of enjoying busy weekend with venues full of customers like most other businesses in summer, the restaurants in the area were empty as the congestion in traffic turned customers away. There's parking allowed on No.3 Road & streets around so how would customers come to the businesses at all. The economic damage to businesses around is unfair as they are tax payers contributing the city as well. The only party largely benefits from the night market is the organizer who obviously is making huge amount of money but is it fair to others at all? So the business owners around it have to be treated unfairly because they are small business owners? They have to absorb the entire financial burden again! Businesses have suffered badly due to COVID and a summer without enough customers would kill all of them.

3. It doesn't make sense to have night market until December at all. If the city is still ignoring the risk of spreading COVID & not complying with public health and ignoring the tremendous damage to at least 50% of revenue for businesses around, it should only grant them to operate until Labour Day as people have to go back to regular routines after summer any way and it's only fair to businesses around to resume their regular business to survive!!!

4. Parking should be allowed on No.3 Road, Beckwith road, Sexsmith Road, Douglas street during night market as customers of businesses around have to park too! Night market should not open before 8pm to allow businesses around serving enough customers to survive before the traffic gets worse. Night market should detour their patrons not to use No.3 Road and Bridgeport street to enter and exit the market. Instead they should only use Great Canadian Way and River Road which can help to ease the damages to businesses around the area.

5. Number of food stalls and booths should be reduced to 50% capacity just like all other businesses in province to minimize the risk of spreading COVID according to public health. They have to limit number of patrons to 50% as well by only selling that number of tickets. No one should be allowed walk in without pre purchasing tickets. COVID protocols must be strictly enforced. Every patron must maintain 6 feet social distancing. There should not be congregation allowed at the night market at all. I am not sure how this can be enforced as people all seemed to gather together to eat from past experience.

Thank you for your attention.

Norman Kwan

CityClerk

From: KATHY tung <kathytung@yahoo.com>
Sent: May 4, 2021 10:19 PM
To: CityClerk
Subject: Public hearing for temporary commercial use permit (TU 20-905119)

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

To whom it may concern,

My name is Kathy Tung. I'm CEO of HKY Investment Inc. which owns 8820 Beckwith Road, Richmond, BC.

I object to the permit of allowing a night market event at 8351 River Road between May 21st to December 31, 2021.

1) It allows huge amount of people gathering and eating in a venue even it's open space. It pose high risk of COVID 19 to the community around. Patrons would not be wearing mask while eating. From past experience, it is not possible to maintain the proper social distancing and there are way too many food stalls and kiosks in the venue and I do not trust the organizer is able to maintain proper hygiene and enforce public health requirement as from what I observed from night market before. It's always messy, chaotic and dirty.

2) The congestion of traffic on No.3 Road and Bridgeport on Fridays, Saturdays & Sundays starting 6pm to 10pm did tremendous impact to businesses on No.3 Road and the area close to night market from last few years. Instead of enjoying busy weekend with venues full of customers like most other businesses in summer, the restaurants in the area were empty as the congestion in traffic turned customers away. There's parking allowed on No.3 Road & streets around so how would customers come to the businesses at all. The economic damage to businesses around is unfair as they are tax payers contributing the city as well. The only party largely benefits from the night market is the organizer who obviously is making huge amount of money but is it fair to others at all? So the business owners around it have to be treated unfairly because they are small business owners? They have to absorb the entire financial burden again! Businesses have suffered badly due to COVID and a summer without enough customers would kill all of them.

3. It doesn't make sense to have night market until December at all. If the city is still ignoring the risk of spreading COVID & not complying with public health and ignoring the tremendous damage to at least 50% of revenue for businesses around, it should only grant them to operate until Labour Day as people have to go back to regular routines after summer any way and it's only fair to businesses around to resume their regular business to survive!!!

4. Parking should be allowed on No.3 Road, Beckwith road, Sexsmith Road, Douglas street during night market as customers of businesses around have to park too! Night market should not open before 8pm to allow businesses around serving enough customers to survive before the traffic gets worse. Night market should detour their patrons not to use No.3 Road and Bridgeport street to enter and exit the market. Instead they should only use Great Canadian Way and River Road which can help to ease the damages to businesses around the area.

5. Number of food stalls and booths should be reduced to 50% capacity just like all other businesses in province to minimize the risk of spreading COVID according to public health. They have to limit number of patrons to 50% as well by only selling that number of tickets. No one should be allowed walk in without pre purchasing tickets. COVID protocols must be strictly enforced. Every patron must maintain 6 feet social distancing. There should not be congregation allowed at the night market at all. I am not sure how this can be enforced as people all seemed to gather together to eat from past experience.

Thank you for your attention.

Kathy Tung

Schedule 3 to the Minutes of the
Public Hearing meeting of
Richmond City Council held on
Monday, May 17, 2021.

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

CityClerk

From: Balwant Sanghera <b_sanghera@yahoo.com>
Sent: May 12, 2021 5:53 PM
To: CityClerk
Cc: Fred Sidhu
Subject: Notice of Public Hearing

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Hello. On behalf of India Cultural Centre of Canada Gurdwara Nanak Niwas, 8600 Number 5 Road, Richmond, I would like to submit that we are fine with the status quo and are in favour of the proposed amendments. Balwant Sanghera, General Secretary, India Cultural Centre of Canada Gurdwara Nanak Niwas, 8600 Number 5 Road, Richmond.



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MAY 17 2021
RC.
CITY CLERK'S OFFICE

Schedule 4 to the Minutes of the
Public Hearing meeting of
Richmond City Council held on
Monday, May 17, 2021.

**TO: MAYOR & EACH
COUNCILLOR**
FROM: CITY CLERK'S OFFICE

From: Eng, Kevin
Sent: May 13, 2021 5:23 PM
To: Mayor and Councillors
Cc: City Clerk; O'Halloran, Matthew Reid; Hopkins, John
Subject: May 17 Public Hearing (Bylaws 10258 & 10259) - ALC Correspondence
Attachments: 46633m2 - ALC Response.pdf

Categories: - TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S OFFICE

Hello,

Please see attached correspondence from the ALC in regards to Bylaws 10258 & 10259 for the May 17 Public Hearing.

Regards,
Kevin Eng
Planner 2, Policy Planning Department, City of Richmond
604-247-4626; keng@richmond.ca; www.richmond.ca



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& DISTRIBUTED



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

May 12, 2021

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

Kevin Eng
Planner 2, Policy Planning Department,
City of Richmond
keng@richmond.ca

DELIVERED ELECTRONICALLY

Re: Official Community Plan Bylaw 9000, Amendment Bylaw 10258 and Bylaw 10259 No 5 Road Backlands Policy

Thank you for forwarding a draft copy of the Richmond Official Community Plan (the "OCP") Bylaw 7100 and 9000, Amendment Bylaw 10258 (the "Amendment Bylaw 10258") and the Richmond Zoning Bylaw 8500, Amendment Bylaw 10259 (the "Amendment Bylaw 10259") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Amendments are consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The Amendment Bylaws are proposed by the City in response to ALC Resolution #078N/2020, which requested revisions to the City's Number 5 Road Backlands Policy. These requested revisions were communicated in a January 21, 2021 letter to the City's Mayor and Council.

Amendment Bylaw 10258 proposes to revise Schedule 1 of the City of Richmond's (the "City") OCP (Bylaw 9000; Section 7.3), the *No. 5 Road Backlands Policy* and Schedule 2.13A of the City's OCP (Bylaw 7100), the *East Richmond Area McLennan Sub-Area Plan* in order to clarify permitted uses and related policies for religious assembly use.

ALC staff note the following changes to Schedule 2.13A of the City's OCP (Bylaw 9000), the *No. 5 Road Backlands Policy*

- a) The second paragraph in the overview subsection in Section 7.3 (No. 5 Road Backlands Policy) has been deleted and replaced with:

"The purpose of the Policy is to allow Religious Assembly uses on the westerly 110 m ("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.

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

- b) The Objective subsection contained in Section 7.3 has been deleted and replaced with:

"Religious Assembly uses may be permitted in the Frontlands if the Backlands are actively farmed."

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

c) Clauses a), b), c), and g) under the Policies subsection in Section 7.3 have been deleted and replaced as follows:

- 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;

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

- 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;

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020. The intent of the Policy is to permit Religious Assembly uses, subject to farming being undertaken on the property. ALC staff acknowledge that uses that are clearly ancillary, i.e., limited in scope, scale, and duration as compared to the religious worship, may also be considered in conjunction with Religious Assembly uses.

- 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;

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020. Restricting residential uses in the Policy area is an important step in strengthening the Policy.

- 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

- o provide a plan for how it will be farmed;

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

- 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;"

ALC staff do not object to this change.

- 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;"

ALC staff do not object to this change.

- 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";

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

ALC staff note the following changes to Schedule 2.13A of the City's OCP (Bylaw 7100), the *East Richmond Area McLennan Sub-Area Plan*:

- 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."

ALC staff do not object to this change.

- 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);"

ALC staff do not object to this change.

- 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"

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

- d) deleting the definition of "Agriculture, Institutional and Public" contained in Appendix I 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)".

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

Amendment Bylaw 10259 proposes to revise the *Assembly* (ASI) zoning district to restrict the permitted and secondary uses for areas within the No. 5 Road Backlands Policy area located in the ALR and revise the *Religious Assembly No. 5 Road* (ZJS7) zoning district to restrict permitted and secondary uses in this zone, and finally to revise the "religious assembly use definition". ALC staff note the following changes to the Richmond Zoning Bylaw 8500:

- 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";

ALC staff do not object to this change.

- 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:

religious assembly shall be the only permitted principal use;

child care shall only be permitted as a secondary use; and

education and **private club** are not permitted;

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

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)."

ALC staff do not object to these changes. The ALC approved the development of church and school facilities on the westerly 2.4 ha section of the Property identified as PID: 002-555-310 (ALC Resolution #45/88).

- 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);

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

- 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

ALC staff do not object to this change.

- 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."

ALC staff do not object to this change. It is consistent with ALC Resolution #078N/2020.

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response 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.

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

A handwritten signature in black ink that reads "S. Lambie". The signature is written in a cursive, flowing style.

Shannon Lambie, Regional Planner

46633m2

Schedule 5 to the Minutes of the Public Hearing meeting of Richmond City Council held on Monday, May 17, 2021.

TO: MAYOR & EACH COUNCILLOR
FROM: CITY CLERK'S OFFICE

From: MayorandCouncillors
Sent: May 14, 2021 11:40 AM
To: 'Kelly McCaffrey'; MayorandCouncillors
Subject: RE: Pythagoras Academy Society - Richmond Zoning Bylaw 8500, Amendment Bylaw 10259 [BLC-ACTIVE.FID1781705]
Attachments: 2021-05-14 LT City of Richmond.pdf
Categories: TO: MAYOR & EACH COUNCILLOR / FROM: CITY CLERK'S OFFICE



Good Morning,

Thank you for your email and letter. Please note that copies will be provided to the Mayor and each Councillor in advance of the Public Hearing on May 17. In addition, your comments will be received by John Hopkins, Director, Policy Planning.

Sincerely

Matt O'Halloran | Manager, Legislative Services
City of Richmond | 6911 No.3 Road, Richmond, BC V6Y 2C1
Phone: 604-276-4098 | Fax: 604-278-5139
Email: mohalloran@richmond.ca



From: Kelly McCaffrey <kmccaffrey@boughtonlaw.com>
Sent: May 14, 2021 10:04 AM
To: MayorandCouncillors <MayorandCouncillors@richmond.ca>; shannon.lambie@gov.bc.ca
Cc: Shaun Driver <sdriver@boughtonlaw.com>
Subject: Pythagoras Academy Society - Richmond Zoning Bylaw 8500, Amendment Bylaw 10259 [BLC-ACTIVE.FID1781705]

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Good morning,

We are legal counsel for Pythagoras Academy Society who own property at 9500 No. 5 Road.

Please see attached our letter with respect to the above noted matter.

We look forward to hearing from you.

Regards,

Kelly McCaffrey, Legal Administrative Assistant
P 604 647 4110

Boughton Law Corporation
700 - 595 Burrard Street | Vancouver, BC V7X 1S8 | P 604 687 6789 | F 604 683 5317
[Blog](#) | [Member of Meritas](#)

MAY 14 2021
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CITY CLERK'S OFFICE

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boughtonlaw

May 14, 2020

File #: 93201.1
Direct: 604 647 4154
Email: sdriver@boughtonlaw.com

EMAIL (mayorandcouncillors@richmond.ca)

EMAIL (shannon.lambie@gov.bc.ca)

City of Richmond
6911 No. 3 Road
Richmond, British Columbia
V6Y 2C1

Agricultural Land Commission
201-4940 Canada Way
Burnaby, BC
5G 4K6

Attention: City of Richmond Mayor and Council

Attention: Shannon Lambie

Dear Sirs and Mesdames:

Re: Richmond Zoning Bylaw 8500, Amendment Bylaw 10259

We write with respect to Amendment Bylaw 10258 being a Bylaw to amend Bylaws 7100 and 9000 to revise permitted uses and related policies for religious assembly use in the No. 5 Road Backlands Policy Area (Schedule 1) (the "**Backlands Policy**") and the East Richmond Area McLennan Sub-Area Plan (Schedule 2.13A) (the "**Proposed Bylaw**"). We are legal counsel for Pythagoras Academy Society who own property at 9500 No. 5 Road.

SUMMARY

The Agricultural Land Commission ("**ALC**") have provided a letter that contains contradicting statements. The ALC purports to rely on a previous resolution to justify limiting land-use to "Religious Assembly". However, review of the resolution shows the resolution specifically allows land-use beyond "Religious Assembly", namely Assembly District, School, and Public Uses (ie. public park, public recreation facility, municipal works, health and safety measures, and community use). The obvious and apparent disconnect has not been explained.

The public cannot be anticipated to reconcile or understand how the decision was reached to approve the Proposed Bylaw which results in a substantial change to the Official Community Plan, a seminal planning document for the City of Richmond. The result is a significant altering to the visioning document of the city without adequate and thoughtful deliberation.

The duty of procedural fairness demands that clear and meaningful reasons for decisions be provided. Decision makers must transparently demonstrate the rationale behind decisions. This has not been done.

The City of Richmond and ALC have an obligation to provide full information and to rectify and explain the inconsistency. To do otherwise, is a breach of their duty and, in these circumstances, subject to judicial review if the Proposed Bylaw is passed as currently presented.

The appropriate action is to adjourn the public hearing, provide the particulars to the public of how the decision of the ALC was developed such that the public may make an informed decision.

Phone 604 687 6789
Fax 604 683 5317
Email info@boughtonlaw.com

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AC/7977117.1

 MERITAS® LAW FIRMS WORLDWIDE

REVIEW

Inconsistency in ALC Communication

On January 21, 2021, Jennifer Dyson, Chair of the ALC authored a letter to Mayor and Council (the "**ALC Letter**"). The ALC Letter identifies months of discussion regarding the Backlands Policy and issues arising following a 2017 review and on learning that an OCP bylaw amendment occurred in Richmond without review and endorsement of the ALC.

The ALC Letter discusses policy concerns related to its mandate to protect farmland and encourage farming, and in particular, whether the Policy had been effective in encouraging agricultural activity on the Backlands. The ALC Letter's focus is, appropriately, agricultural with one exception. That exception cannot be reconciled with the source for which the statement relies.

On page 3, the ALC Letter asserts that it wishes to re-affirm the ALC's support for its Resolution #147/2000 titled the "*Amended No. 5 Road Backlands Policy (Endorsed by Planning Committee on March 21, 2000)*" (the "**2000 Resolution**"). The undersigned has confirmed the 2000 Resolution is actually #174/2000 with Shannon Lambie of the ALC. Irrespective of the typographical error, the issue is that the 2000 Resolution is not included in the materials considered by City Council or the public within the City of Richmond Agenda or the Report to Committee of John Hopkins dated April 8, 2021 that was provided to City Council prior to First Reading of the Proposed Bylaw and included in the package to the public.

More concerning, the ALC Letter intimates in subparagraph (e) on page 3 that the 2000 Resolution limits use to "existing Religious Assembly use on the Frontlands" and specifically:

*"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.**" (emphasis added)*

The dilemma is that the conclusion in the ALC Letter is antithetical to the language of #174/2000. Specifically, the 2000 Resolution states:

*1. **The area outlined in bold lines as "Area Proposed for Public and Institutional Use"** on the accompanying plan dated 01/24/00 may be considered for non-farm use.*

2. The types of non-farm use which may be considered are:

- **"Assembly District" uses, and***
- **Certain "School / Public Use District" uses (i.e. public park, public recreation facility, municipal works, health and safety measures, community use).** (emphasis added)*

The disconnect is obvious and apparent. The ALC purports to limit uses to Religious Assembly while re-affirming a resolution that allows uses other than Religious Assembly.

Significance of the OCP

The OCP is a "statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government"¹ (s. 471 of the *Local Government Act*, R.S.B.C. 2015, c. 1). The City of Richmond appropriately describes the OCP as a "... statement of its long-term future community planning vision by describing the kind of community into which the City wishes to evolve."² It is ultimately a statement of objectives and policies to guide decisions on planning and land use management, respecting the purposes of local government.³ In short, the OCP is a fundamental as is represented by three major rounds of community consultation and over 30 Open Houses over a 2 ½ year period.⁴

Duty of Fairness

At the heart of municipal governance is the obligation of fairness. As described by the Office of the Ombudsperson, fairness allows people to be heard. It also requires decisions to be based on relevant information. The Ombudsperson states:

"[Fairness] is also about making decisions that are considerate of the individual's needs and circumstances and based on relevant information. Fairness is also about providing clear and meaningful reasons for decisions so the person affected can understand what process your organization followed and how it came to the decision it did.

By following a fair process, members of the public can better understand the reasons for decisions being made by those in positions of authority. It helps to build public trust in public services if decision makers can clearly demonstrate and explain how and why decisions are made. We find in our work that when public bodies deliver their services in a fair and transparent manner, people are more likely to accept a decision or outcome, even when they don't agree with the decision itself." (emphasis added)

In the circumstances, there is an obvious and apparent incongruity in the statements of the ALC. The reasons for the decision are not clear and meaningful. The public is not in a position to understand the reason for decisions being made by those in a position of authority, to approve the Proposed Bylaw as presented or to assess the legality of the purported change.

To approve the Proposed Bylaw as presented would be patently unfair and would breach the City of Richmond's duties of procedural fairness and natural justice especially considering the Proposed Bylaw serves to impart substantive changes to a fundamentally important document,

The requirements of procedural fairness and natural justice equally apply to the ALC. Further, the ALC is additionally obligated to satisfy purposes pursuant to section 6 of the *Agricultural Land Commission Act*.⁵

The issue is this – the public is left in no position to review, understand, or appreciate the context as to how the ALC came to decide that the Backlands Policy should be restricted to "Religious Assembly," irrespective of

¹ *Local Government Act*, R.S.B.C. 2015, c. 1, s. 471 ("LGA")

² Official Community Plan (OCP) Schedule 1 of Bylaw 9000; 2041 OCP – Moving Towards Sustainability, City of Richmond, November 19, 2012 at pg. 1-1 ("OCP")

³ LGA, *supra*, s. 474(1)

⁴ OCP, *supra*, at pg. 1-2

⁵ *Agricultural Land Commission Act*, SBC 2002, c. 36

whether it was in their mandate to do so. The ALC Letter conflicts with the stated policy it explicitly states that it relies on. It is incumbent on the City of Richmond to allow the public an opportunity to understand the reasons for a decision being made by providing the public with the information necessary to make a knowledgeable decision.

The appropriate action is to adjourn the public hearing, provide the particulars to the public of how the decision of the ALC was developed such that the public may make an informed decision.

Yours truly,

BOUGHTON LAW CORPORATION

Per: 
Shaun C. Driver

SCD/km

Encl: Amended No. 5 Road Backlands Policy – Resolution #174/2000

ALRA - Minutes

Resolution #174/2000
Application #19621

MINUTES OF THE LAND RESERVE COMMISSION

Minutes of a meeting by the Land Reserve Commission (the "Commission") held on August 24, 2000 at the Commission's offices at 4940 Canada Way, Burnaby, B.C.

Present:	G. Horn	Commissioner
	C. Hunt	Commissioner
	R. Veiner	Commissioner

Staff Present: Bruce Gunn, Planning Officer and Sherry Sumpton, Regional Research Officer

Consideration of LRC File #19621 regarding the No. 5 Road Back Lands Policy submitted by the City of Richmond.

Staff Report

Planning Officer Bruce Gunn presented his report dated July 25, 2000.

Discussion

The Commission acknowledged that the current Policy represents the final stage of a consultation process with the City. The Commission has reviewed and commented on previous drafts of the Policy. The Commission concluded that the March 21/2000 version of the Policy incorporates the Commission's previous comments. As a result, the Commission agreed to endorse the Policy as presented. Therefore:

IT WAS

MOVED BY: Commissioner C. Hunt
SECONDED BY: Commissioner R. Veiner

THAT the Staff Report be received and that the Commission endorse the March 21/2000 "Amended No. 5 Road Back Lands Policy" as presented and communicate same to the City of Richmond.

Carried.

September 8, 2000

Reply to the attention of Bruce Gunn.

J. Richard McKenna
City Clerk
City of Richmond
6911 No. 3 Road
Richmond, B.C.
V6Y 2C1

Dear Sir:

RE: No. 5 Road Back Lands Policy
Our File: #50-O-RICH-85-19621

Thank you for forwarding to the Commission a copy of the March 21, 2000 No. 5 Road Back Lands Policy. The Commission acknowledges, with the appreciation, the work undertaken by the City in the development of this Policy. We note that the Policy includes the comments and suggestions made by the Commission as per our review of previous drafts of the Policy. Based on the co-operative and collaborative approach established between the City and the Commission we view the March 21, 2000 Policy as the final document in this process. By **Resolution #174/2000** the Commission is pleased to endorse the March 21, 2000 No. 5 Road Back Lands Policy as presented by the City and will use this Policy as a basis for dealing with Agricultural Land Reserve applications in this area of Richmond. If you have any questions please contact Bruce Gunn, Planning Officer at 660-7019.

Yours truly,

LAND RESERVE COMMISSION

As Per:

Alan Chambers, Chair

BG/I:19621d5.doc

March 22, 2000

**AMENDED NO. 5 ROAD BACKLANDS POLICY
(Endorsed by Planning Committee on March 21, 2000)**

CITY POLICIES

1. The area outlined in bold lines as "Area Proposed for Public and Institutional Use" on the accompanying plan dated 01/24/00 may be considered for non-farm use.
2. The types of non-farm use which may be considered are:
 - "Assembly District" uses, and
 - Certain "School / Public Use District" uses (i.e., public park, public recreation facility, municipal works, health and safety measures, community use),
3. The amount of land on each property which may be developed for approved non-farm uses is limited to the westerly 110 m (360.892 ft) for properties fronting onto No. 5 Road.

The remaining back land portion of each property shall be retained for farm use only.
4. Satisfactory sanitary sewage disposal is required as a condition of Development Permit approval.
5. Continue to strive for a partnership approach, with back land owner prepared farm plans to achieve farming, but allow for a limited infrastructure component (e.g., little or no regional and on-site drainage, irrigation or access roads), where a full infrastructure component is not practical.
6. The current moratorium on non-farm use approvals (initiated by the Land Commission and adopted by Council in February, 1996) should be retained and may be lifted on an individual lot basis for owners who:
 - a) prepare farm plans;
 - b) explore farm consolidation;
 - c) commit to do any necessary on-site infrastructure improvements;
 - d) co-operate as necessary to remove constraints (e.g., required infrastructure) to farming the back lands, in partnership with others; and
 - e) commit to legal requirements as may be stipulated by Council to achieve acceptable land uses (e.g., farming the back lands).
 - f) undertake active farming of the back lands.
7. The following procedure will apply when considering applications for non-farm use and Assembly District rezoning.

March 22, 2000

Approvals Procedure
Proponent applies to City and Commission for non-farm use approval.
Commission reviews proposal and may give approval in principle for non-farm use based on the proponent:
<ul style="list-style-type: none">• preparing an acceptable farm plan;• entering into a restrictive covenant;• providing a financial guarantee to farm; and• agreeing to undertake active farming first
Proponent undertakes active farming based on the approved farm plan.
Commission gives final approval for non-farm use.
Proponent applies to City for rezoning of site to Assembly District (ASY).
City approves rezoning application after proponent meets all City requirements.

Amendments to the above policies

If either the City or the Land Commission intends to amend any of the above procedures, the initiating party will advise the other party of this intent and seek comment on the proposed amendments prior to concluding any approvals.

Co-ordination of review process

The City and the Commission will co-ordinate efforts when reviewing applications for non-farm use, in order to ensure that the interests of each party are addressed. This co-ordinated effort will be done prior to granting any approvals.

LAND COMMISSION POLICIES (for information)

In addition to the City policies described above, the Land Commission policies also apply to the No. 5 Road back lands.

The Commission's policies may change from time to time.

Currently (i.e., February, 2000), the Commission's policies are as follows:

1. Proponents must prepare farm plans that:
 - describe how the proponent intends to bring the back land portion of the subject site into commercial scale agricultural production (i.e., type and method of farming) ¹, and
 - describe the net agricultural benefits that will be created.

Indicators of net agricultural benefits include:

- ✓ consolidation of parcels,
- ✓ improved road access to the subject and adjacent sites,
- ✓ long term agricultural lease options,
- ✓ non-farm infrastructure improvements (including fencing and buffering) and/or improvements to adjacent sites,
- ✓ options for more intensive farm use than is currently occurring on site, and
- ✓ commitment by an experienced farm operator to farm the site as per the farm plan.

2. Proponents must enter into a Restrictive Covenant with the Commission to ensure that:
 - Farming is established,
 - Farming is maintained, and
 - The back land portion of the subject site is not used for any other purpose than farming.
3. Where required, proponents must provide a financial guarantee in a form determined by the Commission ².

¹ Commercial scale agriculture means:

- production carried on by a full time farmer, and
- who derives all or most of his/her income from farming activity.

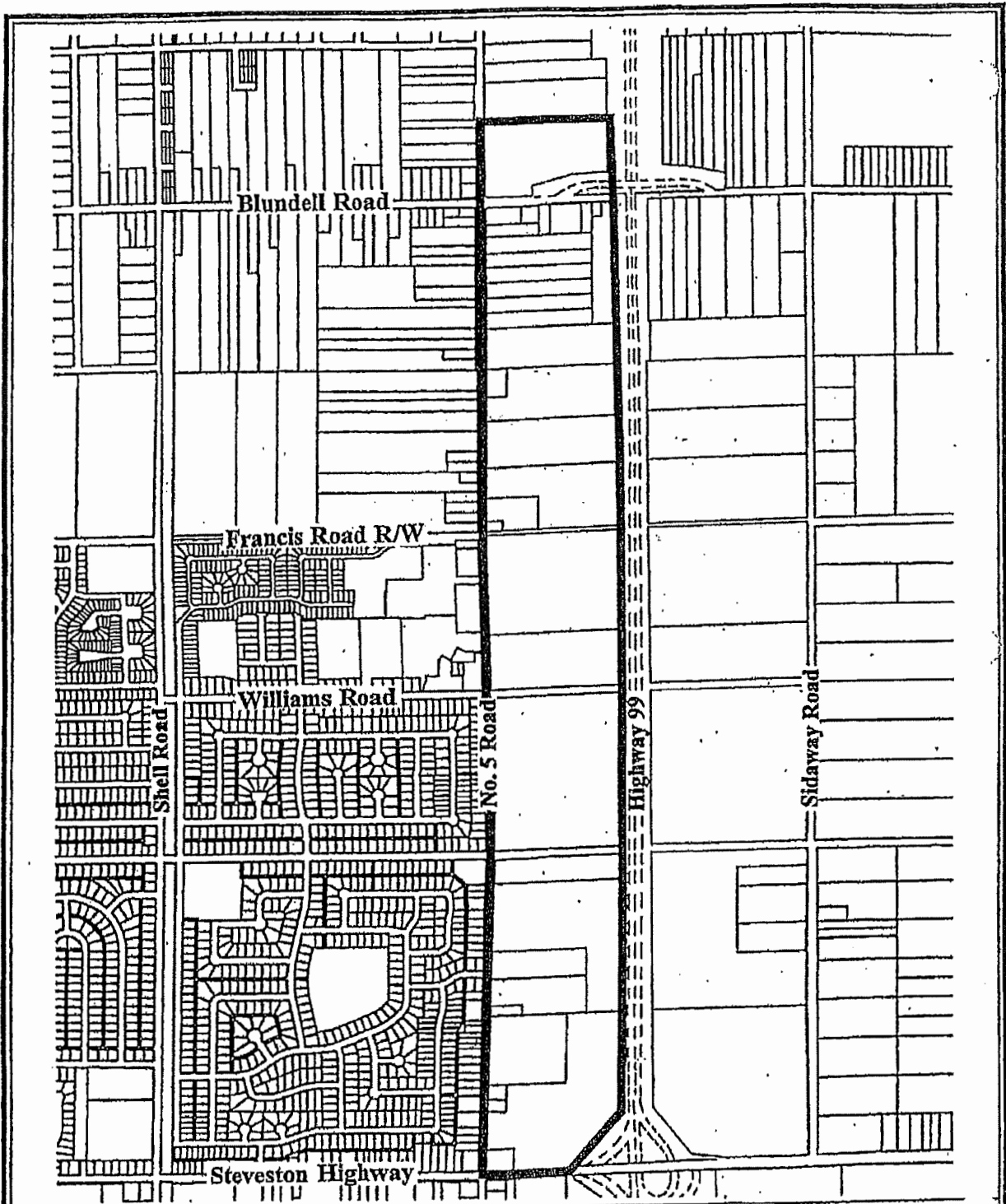
In addition, any farmer who combines farming activity outside the back lands area with farming activity within the back lands area, would be defined as undertaking "commercial scale agriculture".

The Commission's intent in specifying commercial scale agriculture is to encourage the assembly of larger parcels for farming and the installation of the necessary infrastructure (e.g., drainage, irrigation, access roads). However, the Commission does not rule out the possibility of smaller agricultural activities being approved for the back lands (e.g., community gardens).

² Acceptable forms of financial guarantees include:

- cash (acceptable but not preferred)
- letter of credit
- safekeeping agreement (whereby an acceptable security is deposited with a financial institution for safekeeping)

4. The Commission will not give final non-farm use approval to the proponent until the back land portion of the subject site is brought into active farm production in accordance with the farm plan.
5. The Commission will evaluate each proposal on its own merits, in order to determine what will constitute an acceptable farm plan and acceptable list of farm activities.



Area Proposed for Public
and Institutional Use 313

Date:
01/24/00

APPENDIX 4

**Land Commission requirements for approved non-farm
(Assembly District) uses along No. 5 Road**

January 31, 2000

**TABLE SHOWING LAND COMMISSION REQUIREMENTS FOR NON-FARM USE
(ASSEMBLY DISTRICT) APPROVAL FOR SITES LARGER THAN 0.8 ha (2 ac)**

APPLICANT	PROPERTY	REQUIREMENTS	COMPLIANCE
A. Sites approved for non-farm use and are developed and occupied			
Vedic Cultural Centre (AG 89-001)	8200 No. 5 Road	<ul style="list-style-type: none"> ▪ farm plan ▪ restrictive covenant ▪ access to back land ▪ water supply ▪ lease for farmers ▪ farming 	<ul style="list-style-type: none"> ▪ yes ▪ yes ▪ yes ▪ yes ▪ none apparent
India Cultural Centre (LCA 85-146 & LCA 85-192)	8600 No. 5 Road	<ul style="list-style-type: none"> ▪ no farm plan required ▪ no other requirements stipulated 	<ul style="list-style-type: none"> ▪ n/a ▪ n/a
<ul style="list-style-type: none"> ▪ Lutfur Rahman (Richmond Jewish Day School) ▪ (AG 96-147) 	8760 No. 5 Road	<ul style="list-style-type: none"> ▪ no farm plan required. ▪ garden and orchard along east boundary. ▪ participation in No. 5 Road back lands owners group 	<ul style="list-style-type: none"> ▪ n/a ▪ none apparent ▪ yes
<ul style="list-style-type: none"> ▪ Lingyen Mountain Temple ▪ (AG 93-210) 	10060 No. 5 Road	<ul style="list-style-type: none"> ▪ farm plan ▪ restrictive covenant ▪ soil re-conditioning program. ▪ water management program. ▪ farming 	<ul style="list-style-type: none"> ▪ yes ▪ yes ▪ yes ▪ not known ▪ yes (some limited activity)

APPLICANT	PROPERTY	REQUIREMENTS	COMPLIANCE
B. Sites approved for non-farm use and development has started			
<ul style="list-style-type: none"> ▪ Vancouver Christian Centre (now Shia Muslim) ▪ (AG 89-412) 	<ul style="list-style-type: none"> ▪ 8580 No. 5 Road 	<ul style="list-style-type: none"> ▪ farm plan ▪ restrictive covenant ▪ financial guarantee to farm ▪ copy of lease between applicant and tree nursery operator ▪ farming 	<ul style="list-style-type: none"> ▪ no ▪ no ▪ no ▪ no ▪ no (site being pre-loaded only)
C. Sites approved for non-farm use but development not yet started:			
<ul style="list-style-type: none"> ▪ Yao Yu Cheuh ▪ (AG 91-239) 	<ul style="list-style-type: none"> ▪ 8240 No. 5 Road 	<ul style="list-style-type: none"> ▪ farm plan ▪ restrictive covenant ▪ farming 	<ul style="list-style-type: none"> ▪ no ▪ no ▪ no (site not yet redeveloped)
<ul style="list-style-type: none"> ▪ 349678 BC Ltd. ▪ (AG 91-226) 	<ul style="list-style-type: none"> ▪ 8320, 8340, 8380 No. 5 Road 	<ul style="list-style-type: none"> ▪ consolidate 3 lots ▪ farm plan ▪ restrictive covenant ▪ farming 	<ul style="list-style-type: none"> ▪ no ▪ yes ▪ no ▪ no (site not yet redeveloped)
<ul style="list-style-type: none"> ▪ Limerick Enterprises (Catholic School) ▪ (AG 91-017) 	<ul style="list-style-type: none"> ▪ 9360 No. 5 Road 	<ul style="list-style-type: none"> ▪ farm plan ▪ fence between school and back land ▪ restrictive covenant ▪ farming 	<ul style="list-style-type: none"> ▪ no ▪ no ▪ no ▪ no (site not yet occupied or developed)

APPLICANT	PROPERTY	REQUIREMENTS	COMPLIANCE
<ul style="list-style-type: none"> ▪ Richmond Christian School ▪ (AG 98-144171) 	<ul style="list-style-type: none"> ▪ 10260 No. 5 Road 	<ul style="list-style-type: none"> ▪ no farm plan required, ▪ restrictive covenant ▪ fence and landscape buffer ▪ notification of any changes to lease agreement between RCC and vendor. ▪ financial security ▪ withholding final rezoning until covenant and financial security arranged. ▪ farming 	<ul style="list-style-type: none"> ▪ n/a ▪ yes ▪ not known ▪ n/a yet ▪ yes (by ALC) ▪ yes ▪ yes (by previous owner)

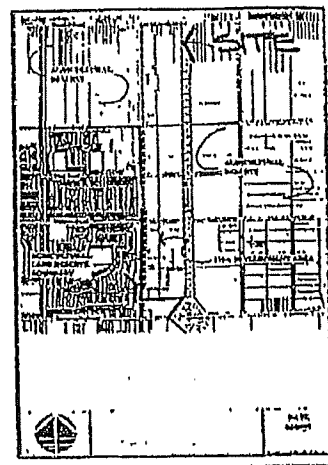
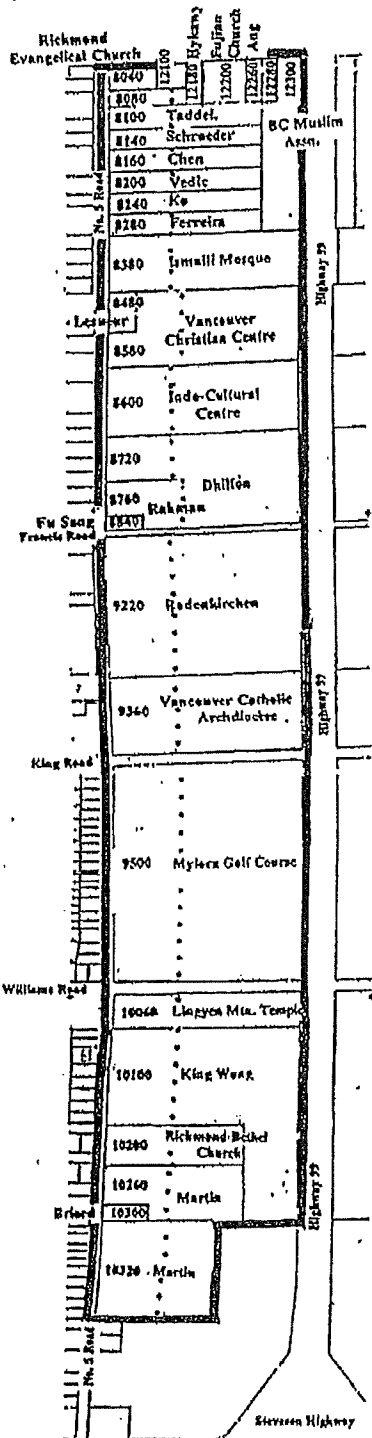


Figure 1-1
Property Addresses and
Property Owners in the
Study Area

LEGEND

- Study Area
- 110 m Assembly Use Frontage



Scale: 16 cm \approx 1,000 m

Schedule 6 to the Minutes of the Public Hearing meeting of Richmond City Council held on Monday, May 17, 2021.

TO: MAYOR & EACH COUNCILLOR
FROM: CITY CLERK'S OFFICE

CityClerk

From: Mahmood Jaffer - Director of PR & Communications <public-relations@az-zahraa.org>
Sent: May 17, 2021 8:03 AM
To: CityClerk
Cc: Eng, Kevin; Shaykh Murtaza Bachoo Resident-Alim. Az-Zahraa Islamic Centre; Principal - Az-Zahraa Islamic Academy; Azmat Ali
Subject: Re: SMCBC Representation at May 17, 2021 Public Hearing
Attachments: Revised Plans 2016 10 18 .compressed (1).pdf; Letter to ALC - May 17 2021.pdf; Letter to Mayor & Richmond City Council - May 17 2021 Public Hearing.pdf

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Good morning,

Thank you for the email confirmation of the Shia Muslim Community of BC (SMCBC) delegation at this evening's public hearing along with the connection information to participate. Per my conversation with Riyaz from your office on May 13, I am confirming the following participants, copied on this email, will be delegating on behalf of the community and school. All of us will be connecting via the Zoom Link you have provided and will speak in the following order:

1. Mahmood Jaffer, 604-786-2545 - Director of PR & Communications, SMCBC
2. Oscar Pozzolo, 604-805-7925 – Principal, Az-Zahraa Islamic Academy
3. Azmat Ali, 604-562-8133 - Chairman, Az-Zahraa Islamic Academy (AZIA) School Board
4. Murtaza Bachoo, 604-719-7864 - Religious Consultant SMCBC & Board Member AZIA

Furthermore, please accept the letter and attachments as part of our formal submission as part of the public hearing process. Please share these with Mayor and Councillors ASAP and in advance of this evening's hearing. Please let me know if you have any questions about any of the above.

Regards,
Mahmood

Mahmood Jaffer
Director of PR & Communications
Az-Zahraa Islamic Centre
email: public-relations@az-zahraa.org
phone: 604-786-2545
www.az-zahraa.org

RECEIVED
MAY 17 2021
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CITY CLERK'S OFFICE



Az-Zahraa ISLAMIC CENTRE
SHIA MUSLIM COMMUNITY OF BRITISH COLUMBIA
8580 #5 ROAD RICHMOND BC CANADA V6Y 2V4 TEL: 604.274.7869 www.az-zahraa.org

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Az-Zahraa ISLAMIC CENTRE

SHIA MUSLIM COMMUNITY OF BRITISH COLUMBIA

8580 #5 ROAD RICHMOND BC CANADA V6Y 2V4 TEL: 604.274.7869 www.az-zahraa.org

May 17, 2021

Mayor & Councillors Office
City of Richmond
6911 No. 3 Road
Richmond, British Columbia
V6Y 2C1 Canada

Delivered Electronically

Re: Official Community Plan Bylaw 7100 And 9000, Amendment Bylaw 10258 And Richmond Zoning Bylaw 8500, Amendment Bylaw 10259

Dear Mayor Brodie & Honourable Richmond City Councillors,

Following our participation at the March 3, 2020 Planning committee meeting, the Shia Muslim Community of BC (SMCBC), established in the City of Richmond since 1978, welcomes the opportunity to provide a formal submission as part of the May 17 2021 Public hearing for the proposed Bylaw amendments. We were encouraged when the Planning Committee referred the proposed by-law changes to staff in order to review and provide further information and options including the exemption of existing schools and religious institutions from the proposed bylaws in March 2020. We are however concerned of the serious implications that the proposed bylaw amendments will have to our community's education future expansion plans.

In September 2003, one year after the official opening of the Az-Zahraa Islamic Centre at 8580 No 5 Road, the community launched the Az-Zahraa Islamic Academy (AZIA) as a full-time Group 1 independent elementary school under the BC Ministry of Education. Beginning operations with 20 students in KG/Grade 1, it has grown to a current student population of over 200 students (pre-KG to Grade 8) with 50% of the growth taking place over the past five years. In September 2020, AZIA extended our offering to grade 8 and plans are in place to offer a grade 9 program beginning in September 2021. The expressed long-term goal of AZIA is to provide a full-time elementary and a full-time high school at our premises.

The Az-Zahraa Islamic Academy is an integral part of SMCBC's identity as a religious community in the City of Richmond. As Muslims we take responsibility for the education of our children and that of the community. In addition, students are nurtured from a young age in the traditions and the practices of the Shia Muslim faith. Furthermore, alumni of AZIA have gone on to make a positive impact within the Richmond community and part of society at large. As part of

the city's consultation process, SMCBC identified the proposed expansion of the community's educational facilities to accommodate the increasing demand of our full-time independent school as well as our Sunday school programs.

With recent renovations to create additional space for the middle school program, our existing full-time school facilities at 8580 No 5 Road are at capacity. Prior to the pandemic and shifting to online programming, our Sunday school was already above capacity. In 2016, with the anticipation of the increased demand for additional educational space, SMCBC purchased the property at 8320 No 5 Road, immediately to the north of our existing facility. Preliminary plans were drawn up to develop a new school and community centre facility (see attached). In 2017, discussions began with city planning staff to explore property development requirements and options, as well as the potential consolidation of the two properties. As a community, we have always been compliant with the ALC requirement of farming the backlands as part of that policy. Furthermore, with any development of the new property, we have already started exploring an environmentally friendly building which would increase the city's green footprint in addition to continuing to meet the agricultural requirements. We have also included a correspondence of our communication with the ALC on this subject.

In conclusion, as we have demonstrated, the education of children is a fundamental aspect of our faith and therefore the SMCBC has some philosophical concerns with differentiating "religious assembly" from "education" as part of the proposed bylaw changes. However, should council have the need to proceed with amending in the OCP and Backlands Zoning bylaws, we formally request that a site specific allowance to permit existing school expansion or new school development, on the properties at 8320 No 5 Road & 8580 No 5 Road, be granted to SMCBC as part of a grandfathering clause in adoption of this policy.

Thank you for your time and consideration to review this matter. Should you have any questions or require any further information, please do contact myself as the official spokesperson for the community.

Sincerely,



Mahmood Jaffer

Mahmood Jaffer
Director of PR & Communications
Az-Zahraa Islamic Centre
email: public-relations@az-zahraa.org
phone: 804-788-2545
www.az-zahraa.org



Az-Zahraa ISLAMIC CENTRE

SHIA MUSLIM COMMUNITY OF BRITISH COLUMBIA

8580 HS ROAD RICHMOND BC CANADA V6Y 2V4 TEL: 604.274.7869 www.az-zahraa.org

May 17, 2021

Ms. Shannon Lambie
Agricultural Land Commission
201 - 4940 Canada Way
Burnaby, British Columbia
V56 4K6 Canada

Delivered Electronically

Re: Proposed Changes to the Agricultural Land Commission's No 5 Road Backlands Policy

Dear Ms Lambie,

Thank you for your letter of April 19, 2021 alerting the Shia Muslim Community of BC (SMCBC) to the background and rationale of the proposed policy changes that have been requested by the ALC to the City of Richmond.

As property owners of 8580 No 5 Road, we have operated our existing facility as a place of worship since opening in 2002, as well as the Az-Zahraa Islamic Academy (AZIA), a full-time independent community school and integral part of our faith and community, since 2003. During this time the SMCBC has worked diligently with the city to ensure our obligations to agricultural activity on the backlands have been met.

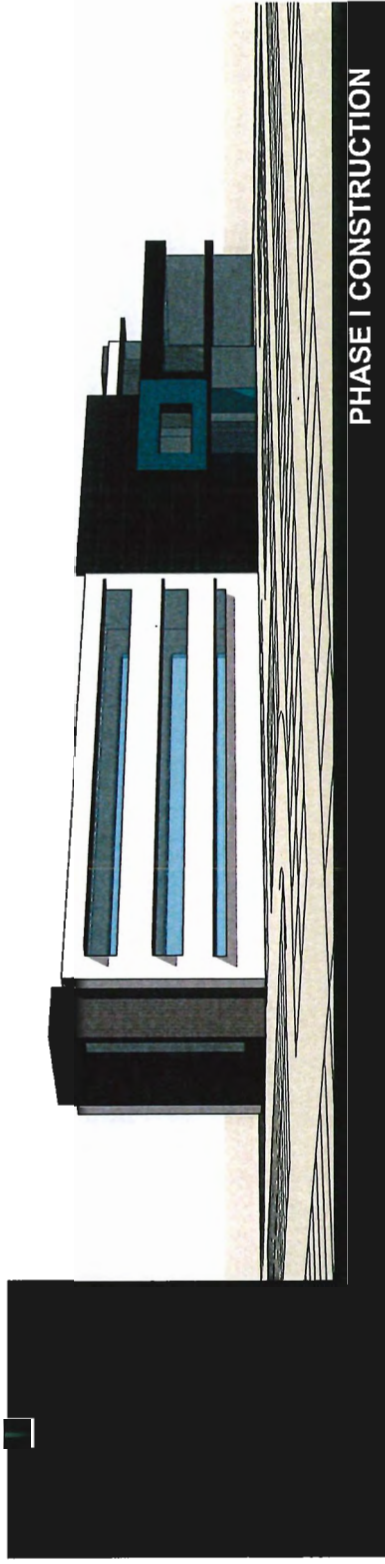
As a community which has identified a definite need for expansion of our existing educational facilities, in 2016 we purchased the adjacent property at 8320 No 5 Road, for this purpose. It is therefore with serious concern that we review the proposed bylaw changes being put forth by city staff to council for consideration at the Public Hearing on May 17, 2021. SMCBC and AZIA representatives will be present at the hearing this evening and provide you a copy of our correspondence with the city in advance of that delegation.

We thank you for your time and consideration to understand the position of the SMCBC on this important matter. We look forward to working together with the ALC and the City of Richmond to ensure that the existing and future use of our two properties on No 5 Road continue to meet the agricultural activity on the backlands as part of the policy. In the meantime, should you have any questions or require any further information, please do contact myself as the official spokesperson for the community.

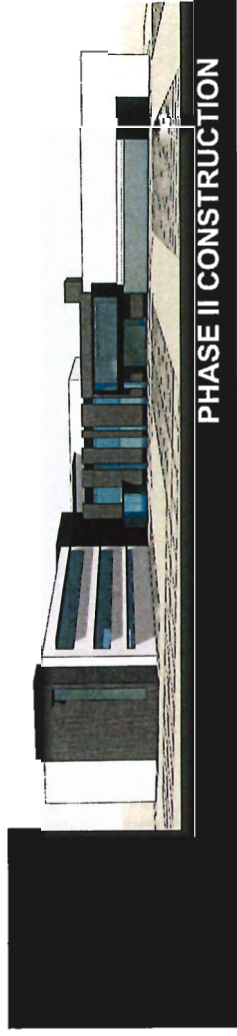
Sincerely,

Mahmood Jaffer

Mahmood Jaffer
Director of PR & Communications
Az-Zahraa Islamic Centre
email: public-relations@az-zahraa.org
phone: 604-786-2545
www.az-zahraa.org



PHASE I CONSTRUCTION



PHASE II CONSTRUCTION

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2	2016 07 19	ISSUED FOR REVIEW
3	2016 07 19	ISSUED FOR REVIEW
4	2016 08 04	ISSUED FOR REVIEW
5	2016 08 31	ISSUED FOR REVIEW
6	2016 09 13	ISSUED FOR REVIEW
7	2016 10 18	ISSUED FOR REVIEW

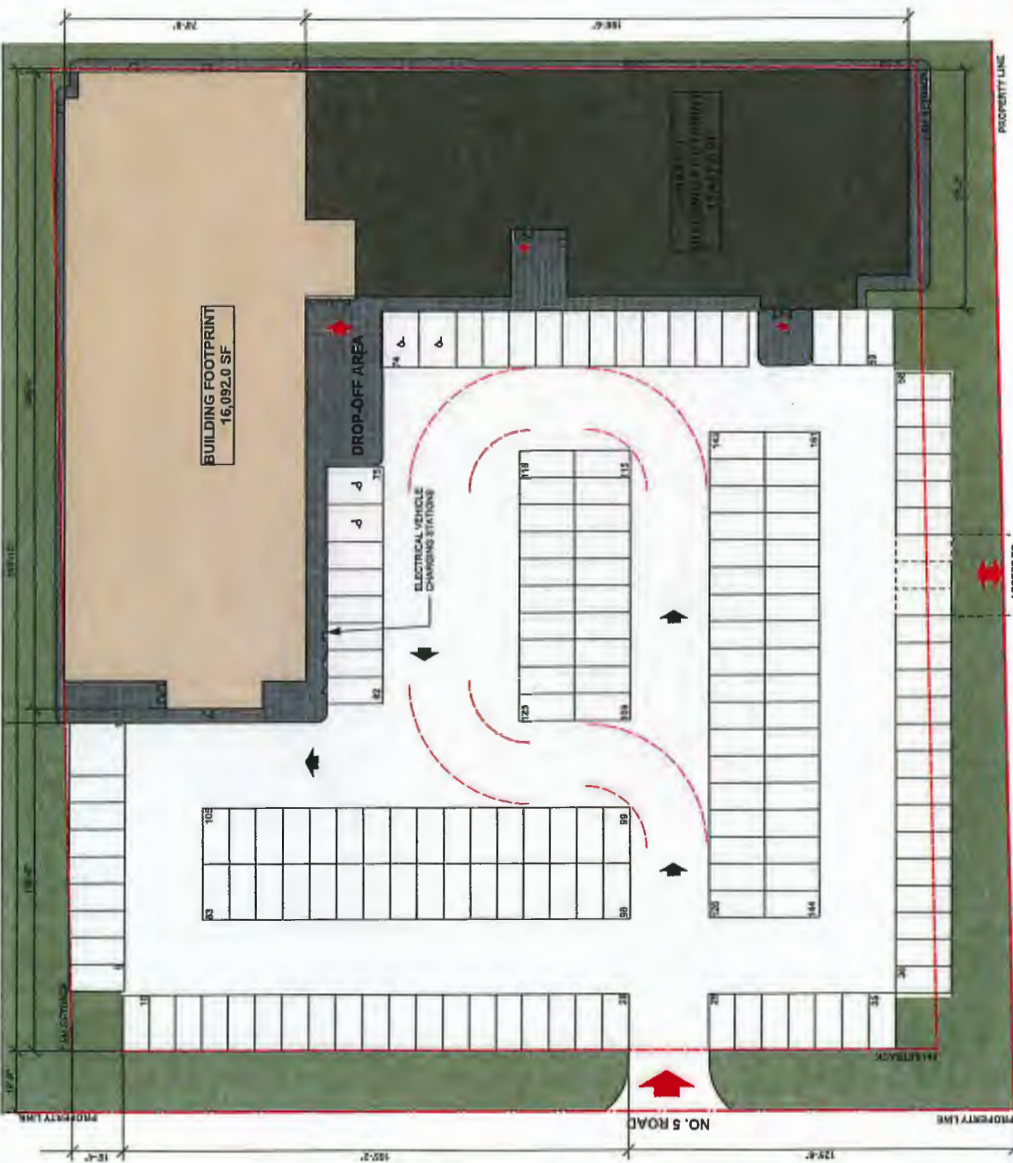
PROJECT NAME / CLIENT
PRISM CONSTRUCTION LTD
 DEVELOPED BY
 PROPOSED NEW DEVELOPMENT
 Az Zahraa School &
 Community Centre
 8320 No. 5 ROAD
 RICHMOND, BC

DRAWN: KCC
 CHECKED: KCC
 SCALE: NTS
 FILE: 1617

A0



KCC architecture
 unit 300 - 1275 west 6th
 vancouver bc v6h 2m6
 tel 604 683 1387
 fax 604 683 4289
 kccarchitects@kccarchitecture.com



KEY PROJECT SITE

SITE DATA
CIVIC ADDRESS
 8320 No. 5 Road
 Richmond, BC

LEGAL DESCRIPTION
 Legal Survey Plan Pending

ZONING
 ASSEMBLY (AS1) - RELIGIOUS ASSEMBLY, EDUCATION & OTHER
 COMMUNITY USES

PROJECT SITE AREA 11,100.35 SAM approx (119,487.47 SF approx)

TOTAL AREAS
 BUILDING AREA PHASE I 48,276 SF
 BUILDING AREA PHASE II 26,974 SF



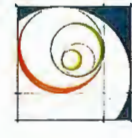
ISSUANCE

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4	2016 08 04	ISSUED FOR REVIEW
5	2016 08 31	ISSUED FOR APPROVAL
6	2016 10 12	ISSUED FOR REVIEW
7	2016 10 12	ISSUED FOR REVIEW
8	2016 10 18	ISSUED FOR REVIEW

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PROPOSED NEW DEVELOPMENT
CONCEPTUAL SITE PLAN

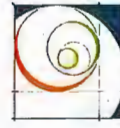
TITLE
 A1
CONCEPTUAL SITE PLAN
 DRAWN: KC
 CHECKED: KC
 SCALE: 1:450
 FILE: 1617



KCC architecture
 1101-1278 West 6th Avenue
 Vancouver BC V6H 1A8
 M: 604 800 1237
 cell: 778 937 4280
 fax: 604 800 3846
 kcc@kccarch.com
 www.kccarch.com



PHASE I CONSTRUCTION
ISO VIEW



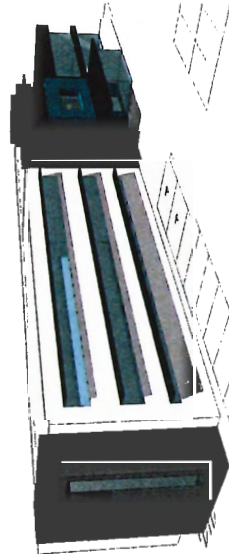
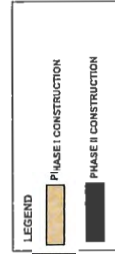
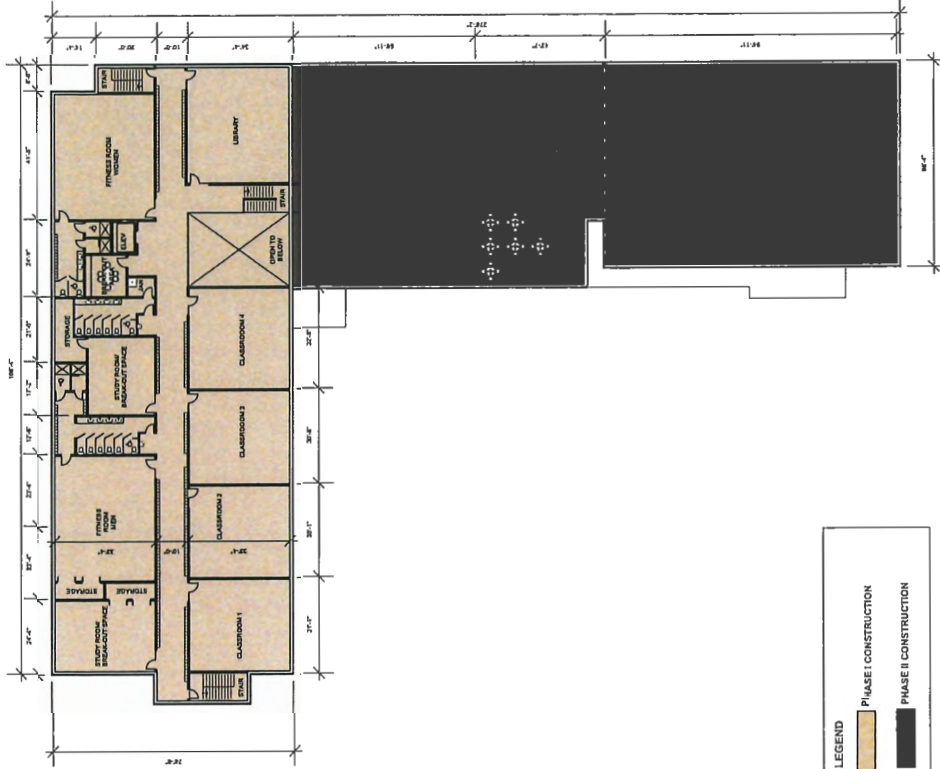
KCC architecture
 UNIT 320 - 1275 WEST 4TH AVENUE
 RICHMOND BC V6B 1A6
 TEL 604 293 1277
 FAX 604 293 4229
 WWW.KCCARCHITECTURE.COM

1517
A2
CONCEPTUAL GROUND FLOOR
 DRAWN: KC
 CHECKED: KC
 SCALE: 1/4"=1'-0"
 FILE: 1517

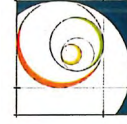
PROJECT NAME / CLIENT: **PROPOSED NEW DEVELOPMENT**
 DEVELOPED BY: **PRISM CONSTRUCTION LTD**
Az Zahraa School & Community Centre
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ISO VIEW
PHASE I CONSTRUCTION



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 Fax: 604 699 3240
 kcc.architecture & design Ltd.
 kcc.arch@kccarchitecture.com

1617
A3
CONCEPTUAL SECOND FLOOR
 DRAWN: KC
 CHECKED: KC
 SCALE: 1/4" = 4'-0"
 FILE: 1617

PROJECT NAME / CLIENT
PROPOSED NEW DEVELOPMENT
Az Zahraa School & Community Centre
 8320 No. 5 ROAD
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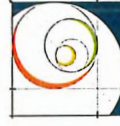
DEVELOPED BY
PRISM CONSTRUCTION LTD

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2	2016 07 05	ISSUED FOR REVIEW
3	2016 07 05	ISSUED FOR REVIEW
4	2016 08 04	ISSUED FOR REVIEW
5	2016 08 15	ISSUED FOR REVIEW
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ISO VIEW
PHASE I CONSTRUCTION



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 kcc@kccarch.com
 www.kccarch.com

1617
A4
CONCEPTUAL THIRD FLOOR
 DRAWING: KC
 CHECKED: KC
 SCALE: 1/4"=1'-0"
 FILE: 1617

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