

To: Mayor and Councillors  
Date: Nov 25, 2019-11-25

From: Councillor Harold Steves

Re: ALR Non-Farm Use at 9500 NO. 5 RD.

Recommendtion:

That the application be denied based on the original Assembly Use for No. 5 Rd. properties, which did not include "non-religious groups", as agreed upon by the City of Richmond and the Agricultural Land Commission.

Background:

The attached report from Ian Chang, dated Nov. 4, 1985, rejecting an application to rezone 8600 No. 5 RD to Assembly District for "social and cultural" purposes for members of the Sikh faith is very clear.

"An assembly use for social, religious and similar purposes is permitted in Assembly District. Prior to the creation of the Assembly District, places of worship were permitted in all Agricultural Districts. Since 1972 such uses have been subject to approval of the Agricultural Land Commission

1. Previous applications for assembly use in the ALR have involved the worship of God (and related facilities) as the predominant use. The current application appears to be mainly for social and cultural use (and recreational activities).
2. Supporting this proposal could set a precedent for other non religious groups wishing to carry on assembly uses in the ALR ... "AND A MAINLY NON-RELIGIOUS ASSEMBLY USE".

A later application approved a Sikh Temple on the site.

The present application is for private education and non-religious use and does not meet the criteria for religious assembly.



Harold Steves, City Councillor

## STAFF REPORT

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TO: PLANNING COMMITTEE                      FROM: PLANNING DEPARTMENT  
DATE: NOVEMBER 4, 1985                      DOC#: 2868K / (A105)

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Re: Application for Land Commission Appeal - Non-farm Use  
Legal: Lot 19, Section 19-4-5, Plan 39242, N.W.D.  
Add: 8600 No. 5 Road  
Zone: Agricultural District  
Appl: Asa Singh Johal et al  
File: LCA 85-192  
Exemption Boundary: Not Exempted  
Area Plan: 09

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### BACKGROUND

The subject 3.96 ha (9.8 ac.) site is located on the east side of No. 5 Road 160m (525 ft.) north of Francis Road. It is occupied by a one-family dwelling and an old barn.

The proposal is to secure the permission of the Provincial Agricultural Land Commission to use the westerly three acres of the site as a place of assembly for members of the Sikh faith. Rezoning to Assembly District would also be required to comply with Municipal bylaws.

### FINDINGS OF FACT

#### a) Zoning

The surrounding zoning is Agricultural District (AGR/1).

#### b) Development

The surrounding development is as follows:

To the north, rural residential, rough pasture and vacant agricultural land.

To the east, Highway 499.

To the south, mostly vacant agricultural land, some rural residences.

To the west, rural residential, blueberry farms and vacant agricultural land.

### COMMENTS FROM OTHER DEPARTMENTS

The Engineering Department noted the existence of the following services:

a) Roads: a two-lane asphalt pavement on No. 5 Road.

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- b) Water: a 300mm diam. steel watermain on No. 5 Road.
- c) Sewage disposal: subsurface disposal only, which could be a problem in the case of large developments.
- d) Storm drainage: open ditch on No. 5 Road.

The Community Planning Section advised that because of a lack of a community-wide and an area-wide locational policy for the nature of development proposed in the application, they have some concerns about the proposal as submitted. It is expected that more definitive policies will emerge as a result of the McLennan Area Study which is currently under way.

### ANALYSIS

An assembly use for social, religious and similar purposes is permitted in Assembly District. Prior to the creation of the Assembly District, places of worship were permitted in all Agricultural Districts. Since 1972 such uses have been subject to the approval of the Provincial Agricultural Land Commission.

Sites on the fringes of the urban area are attractive to groups seeking places to assemble for the following reasons:

1. Relatively large sites can be purchased at reasonable prices.
2. The sites are still accessible to people in the urban area and to others living further away.
3. The number of people affected by the project is usually less than in a more urbanized location.
4. Enough land can be purchased to provide space for required off-street parking and desirable open space for communal use.
5. Often the sites chosen are not in productive use or feature poor soil conditions.

In the present instance the predominant soil class is 2w (60%) and 3w (40%) with some class 4w adjacent to No. 5 Road. This indicates that the soil is in the mid-range or better as far as agricultural suitability is concerned but that it lacks good drainage.

In considering this application the following points should be borne in mind.

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1. Previous applications for assembly use in the ALR have involved the worship of God as the predominant use. The current application appears to be mainly for social and cultural purposes.
2. Supporting this proposal could set a precedent for other non-religious groups wishing to carry on assembly uses in the ALR.
3. Assembly uses do produce a certain amount of nuisance for adjacent residents, including visual unattractiveness and noise from traffic and other sources.
4. Intensive assembly uses can put a strain on services, particularly roads, water and sewage disposal, which in this case is subsurface on the land. Police and fire protection requirements may also be increased.
5. A clustering of such uses, which are urban in character, could eventually demand the extension of urban services, including sanitary sewers.

The applicants indicate that they anticipate the use of only the westerly 3 acres of the site for assembly purposes, leaving the remainder of the property for continued agricultural use.

#### CONCLUSIONS

1. This proposal is for an assembly use directed mainly toward social and recreational activities on the westerly 3 ac. of a 9 ac. property east of No. 5 Road in the ALR.
2. The property features an existing dwelling and barn, and a parking lot. The proposed use would be accommodated in the existing structures.
3. Assembly uses in the ALR have heretofore been confined to places of worship and related facilities. This proposal would set a precedent for a mainly non-religious assembly use.
4. Assembly uses can generate nuisance for adjacent residents; put a strain on services and hasten the need for upgrading them, and alienate land from agricultural use.

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ACTION TO BE CONSIDERED

It is recommended that this application for assembly use in the ALR be forwarded to the Provincial Agricultural Land Commission with a recommendation that it not be approved.



Ian Chang  
Manager Operational  
Planning Services

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