



# City of Richmond

## Report to Committee

**To:** Planning Committee

**Date:** October 29, 2014


**From:** Wayne Craig  
Director of Development

**File:** AG 13-636059

**Re:** **Agricultural Land Reserve Non-Farm Use Application by British Columbia Muslim Association at 12300 Blundell Road**

### Staff Recommendation

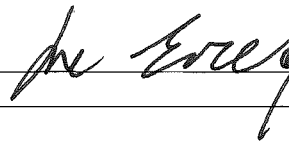
That the application by the British Columbia Muslim Association for a non-farm use at 12300 Blundell Road to allow for the expansion of the existing mosque be endorsed and forwarded to the Agricultural Land Commission.

  
Wayne Craig  
Director of Development

WC:mp  
Att.

**REPORT CONCURRENCE**

**CONCURRENCE OF GENERAL MANAGER**



## Staff Report

### Origin

The British Columbia Muslim Association has applied to the City of Richmond for an Agricultural Land Reserve (ALR) non-farm use application at 12300 Blundell Road for permission to construct a two-storey, 555 m<sup>2</sup> addition (277.5 m<sup>2</sup> per floor) to the existing mosque and provide additional parking. The subject site is zoned Assembly (ASY) (Attachment 1).

### Background – Historical Use of the Subject Site

The subject site is 19,329 m<sup>2</sup> (4.78 acres) and is located wholly in the Agricultural Land Reserve. The site has been owned and operated by the BC Muslim Association since the late 1970s for a range of activities including a mosque and school.

The entire site is currently used for institutional uses and there is no farming activity occurring on the property. There are seven buildings on the site with extensive paved surface and parking areas around the buildings (Attachment 2). The main building that contains the mosque and a school gym is located in the middle of the site, three buildings including an office for the imam and the burial society, two portables used as a storage and a library are located at the northwest corner of the site, and two school buildings and a portable used as a storage are located on the south portion of the site. The existing L-shape mosque is 911.6 m<sup>2</sup> in total area and was constructed in the early 1980s. The other six buildings were constructed throughout the 1990s.

Although the site has existing “Assembly (ASY)” zoning over the entire property and is not currently used for agricultural purposes, the Agricultural Land Commission (ALC) requires a non-farm use application for the proposed addition. Through the non-farm use application review process, the ALC will also ensure its records are updated to accurately reflect the current usage of the site.

### Project Description

The proposed expansion is to provide a larger dedicated prayer space and a facility for funeral services. The proponent has indicated that the existing school gym located in the same building has been used for weekly congregational prayer but the space does not provide the ambience and acoustics required for a prayer space. The main building also contains a small room that is currently used for funeral services but the applicant has stated that this facility requires upgrading.

Although an increase in the traffic volume is not anticipated, 55 additional parking spaces are required for the addition under the Zoning Bylaw 8500 and the site plan shows that 75 additional spaces will be provided. The proposal complies with the Assembly (ASY) zoning and does not require any variance.

### Findings of Fact

The non-farm use application requires consideration by Richmond City Council first. If the Council passes a resolution in support, the non-farm use application will be forwarded to the ALC. Should Richmond City Council not grant approval of the non-farm use proposal, the application will not proceed further. Once applications are forwarded to the ALC, it has the sole

decision making authority on the proposal: if approved, the application comes back to the City for a building permit. If denied, the application does not proceed any further.

A Development Application Data Sheet providing details about the development proposal is contained in Attachment 3.

### **Surrounding Development**

The subject site is surrounded by properties contained in the ALR.

To the north: Directly to the north is a frontage road parallel to Blundell Road. Across Blundell Road is the Cornerstone Evangelical Baptist Church located on the front portion of the site at 12011 Blundell Road, which is split-zoned with “Assembly (ASY)” zoning on the westerly 110m and “Agriculture (AG1)” on the rear (east) portion.

To the east: Across Highway 99, AG1-zoned properties contained in the ALR.

To the south: The rear portion of the property located at 8320 No. 5 Road. The site is currently vacant and is split-zoned with “Assembly (ASY)” on the westerly 110m and “Agriculture (AG1)” on the rear (east) portion.

To the west: The Fujian Evangelical Church located on the site at 12200 Blundell Road which is zoned “Assembly (ASY)”. The property to the northwest at 12280 Blundell Road is currently zoned “Agriculture (AG1)” and contains a single detached house which is currently occupied by the imam of the mosque. The subject site also abuts rear portions of the properties fronting onto No. 5 Road. Four of the properties are split-zoned with “Assembly (ASY)” on the westerly 110m and “Agriculture(AG1)” on the rear (east) portion, and two sites at 8100 and 8160 No. 5 Road are currently zoned “Agriculture (AG1)”.

### **Related Policies & Studies**

#### 2041 Official Community Plan (OCP)

The land use designation of the subject site is “Community Institutional” in the 2041 OCP and “Agriculture, Institutional and Public” in the McLennan Sub-Area Plan (Attachment 4). The development proposal complies with the existing OCP and Sub-Area Plan land use designations.

#### No. 5 Road Backlands Policy

The original No. 5 Road Backlands Policy was approved by Council in 1990 and was revised on March 27, 2000 (Attachment 5). The provision of this Policy allow for land uses permitted in the “Assembly (ASY)” zoning district on the westerly 110m (361 ft.) of properties on No. 5 Road and all proposals for lands subject to the Policy are required to enter into legal agreements as deemed necessary to require uses to farm activities on the backlands. Although the subject site is included in the No. 5 Backlands Policy area, the entire site was already zoned “Assembly (ASY)” at the adoption of the original 1990 Policy and was not subject to the Policy requirements.

#### Flood Plain Designation and Protection Bylaw 8204

The proposal must comply with the City’s Flood Plain Designation and Protection Bylaw 8204.

## **Consultation**

### Agricultural Advisory Committee (AAC)

The AAC reviewed the proposal on July 18, 2013 (refer to Attachment 6 for an excerpt of the meeting minutes) and passed the following motion:

*That upon review of the ALR non-farm use application at 12300 Blundell Road, the Agricultural Advisory Committee have no objections to the proposal involving a minor expansion to the main temple building.*

Committee members commented that during special events and celebrations at this location, the temple congregation did a good job of directing traffic to and from the site.

## **Staff Comments**

### Transportation

The Transportation staff have reviewed the proposed on-site traffic components including off street parking and on-site bicycle parking and have no objection to the non-farm use application. The number of parking spaces provided on the site will exceed the required minimum parking spaces.

### Environmentally Sensitive Area Designation

A sliver of the land at the southwest corner of the subject site has an Environmentally Sensitive Area (ESA) designation. The proposed addition and additional parking spaces do not encroach into the existing ESA, so no specific mitigation measures are required.

### Riparian Management Area

A 15m-wide Riparian Management Area (RMA) exists along the site's east property line adjacent to Highway 99. Since the proposal does not involve any further encroachment into the RMA, no specific mitigation measures are required.

## **Analysis**

The proposed addition is relatively minor and does not alter the current use of the property. As the site is already zoned "Assembly (ASY)" and designated for "Community Institutional" in the 2041 OCP, no OCP amendment and rezoning application are required. The proponent has provided a parking assessment to demonstrate that the number of parking provided on site both for the existing buildings and the addition will meet the parking requirement of the Richmond Zoning Bylaw 8500.

## **Financial Impact**

None anticipated.

## **Conclusion**

The non-farm use application is to construct a relatively minor addition to the existing mosque located on the site at 12300 Blundell Road. The proposed addition complies with all provisions of Assembly (ASY) zone and the parking requirements in the Zoning Bylaw 8500. Staff

recommend that the ALR non-farm use application at 12300 Blundell to expand the existing mosque be endorsed by Council and forwarded to the ALC.



Minhee Park  
Planner 1

MP:cas

Attachment 1: Location Map

Attachment 2: Preliminary Site Plan

Attachment 3: Development Application Data Sheet

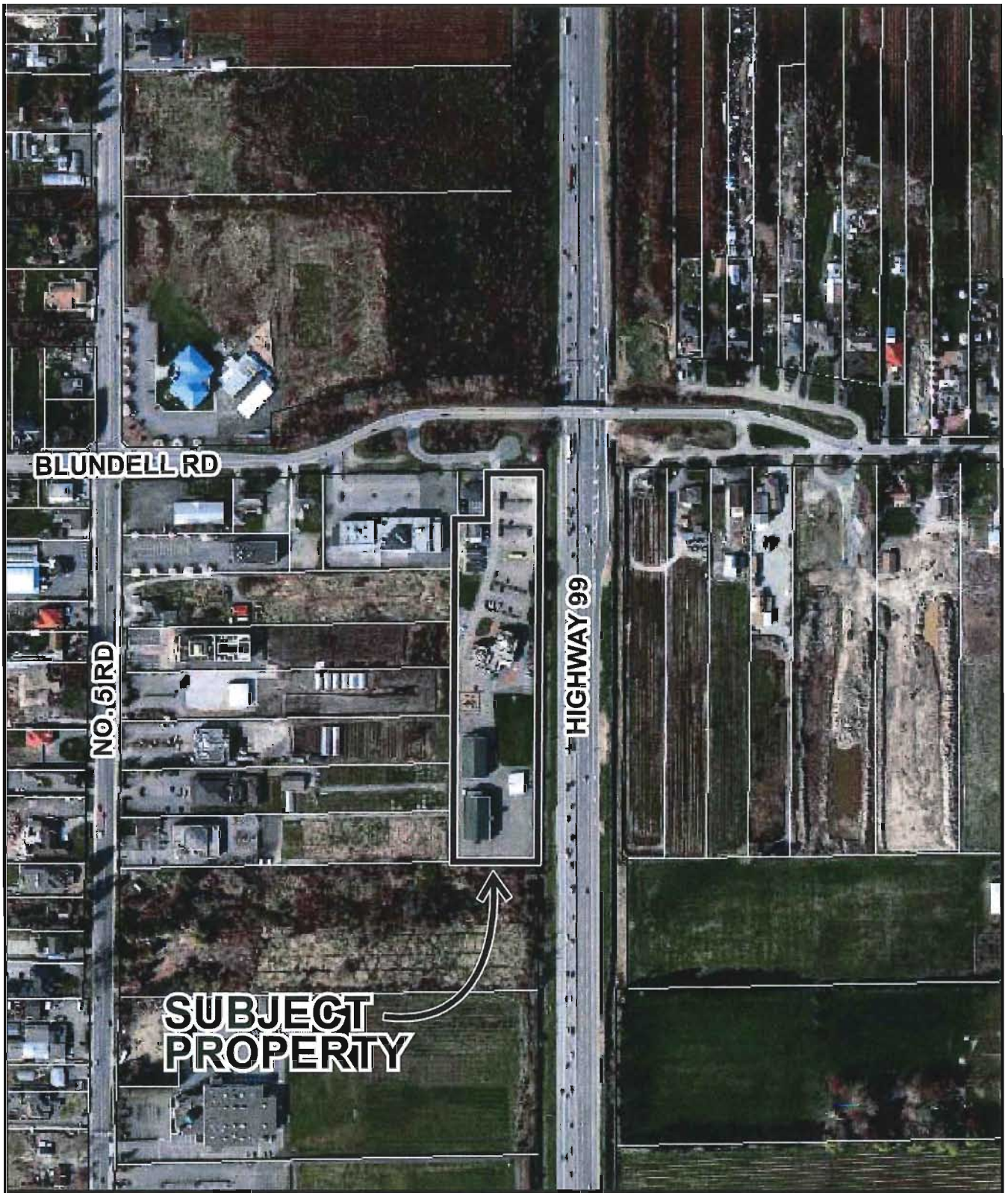
Attachment 4: East Richmond McLennan Sub Area Plan Land Use Map

Attachment 5: No. 5 Road Backlands Policy

Attachment 6: Excerpt of July 18, 2013 Agricultural Advisory Committee Meeting Minutes

Attachment 7: Non-Farm Use Application Development Considerations



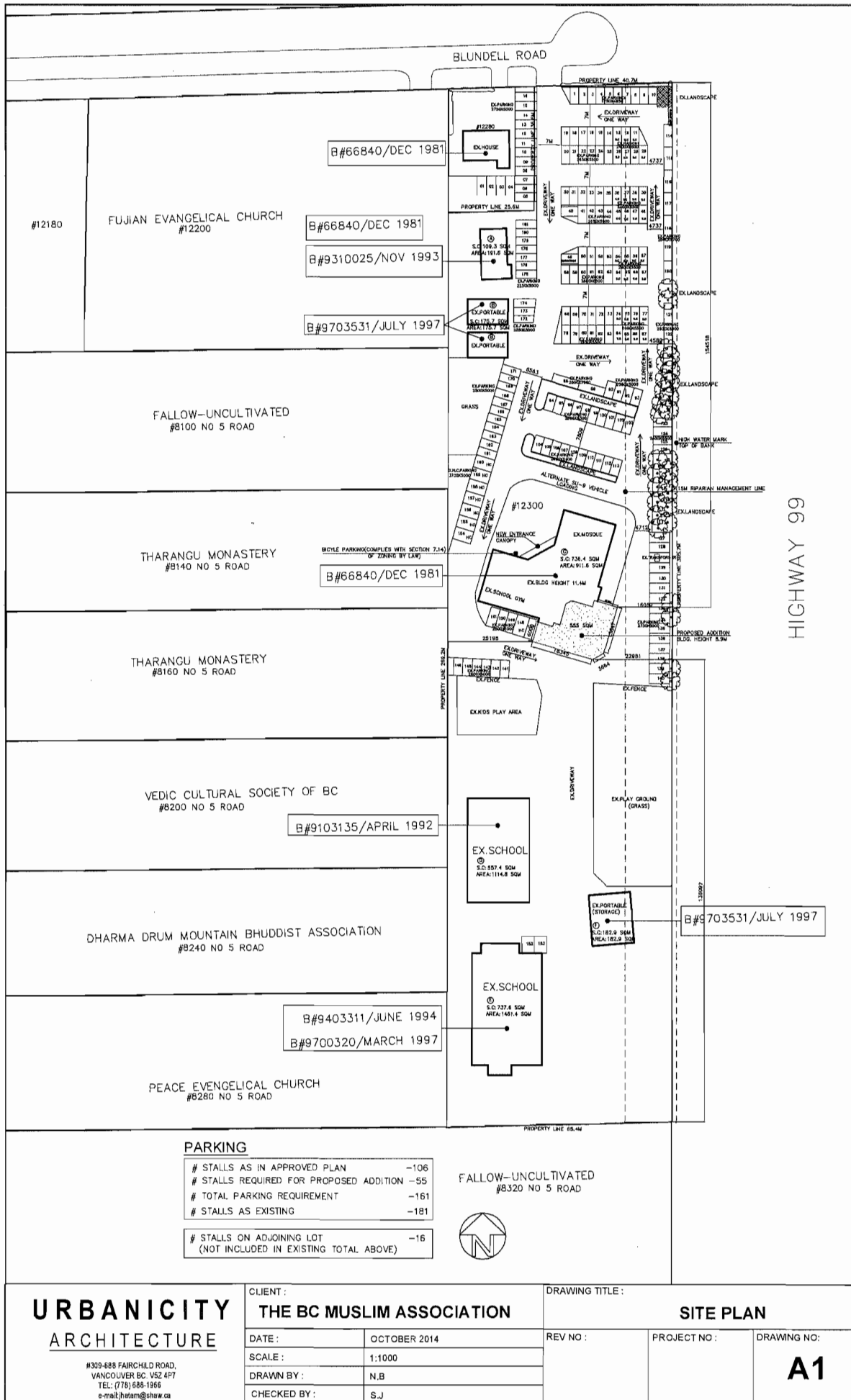


AG 13-636059

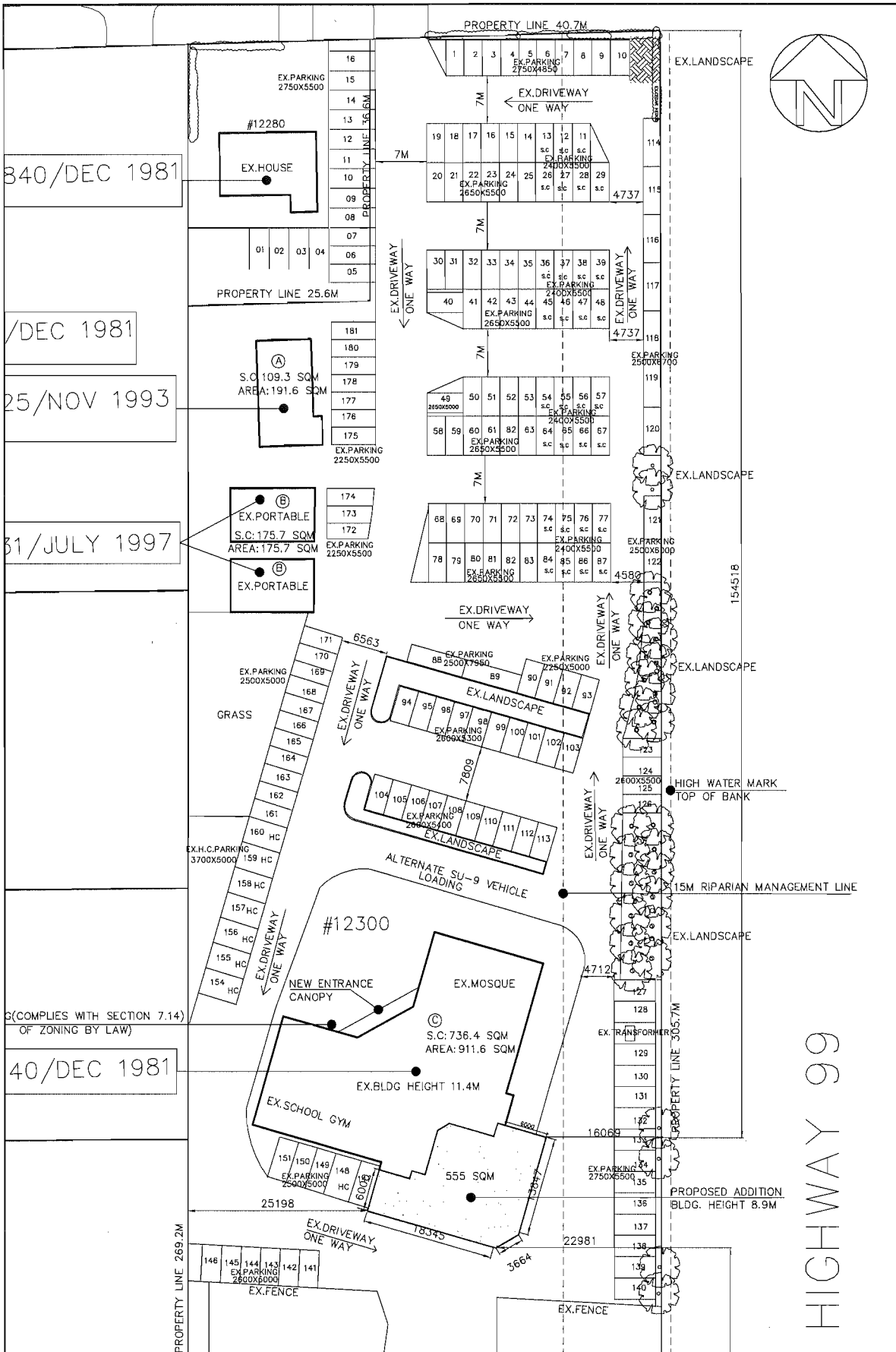
Original Date: 05/02/13

Amended Date:

Note: Dimensions are in METRES







840/DEC 1981

/DEC 1981

25/NOV 1993

31/JULY 1997

(COMPLIES WITH SECTION 7.14 OF ZONING BY LAW)

40/DEC 1981

**URBANICITY**  
ARCHITECTURE

#309-688 FAIRCHILD ROAD,  
VANCOUVER BC, V5Z 4P7  
TEL: (778) 688-1966  
e-mail: jpatam@shaw.ca

CLIENT : **THE BC MUSLIM ASSOCIATION**

DATE : OCTOBER 2014

SCALE : 1:500

DRAWN BY : N.B

CHECKED BY : S.J

DRAWING TITLE : **SITE PLAN**

REV NO : PROJECT NO : DRAWING NO : **A1**



**AG 13-636059**

**Attachment 3**

Address: 12300 Blundell Road

Applicant: British Columbia Muslim Association

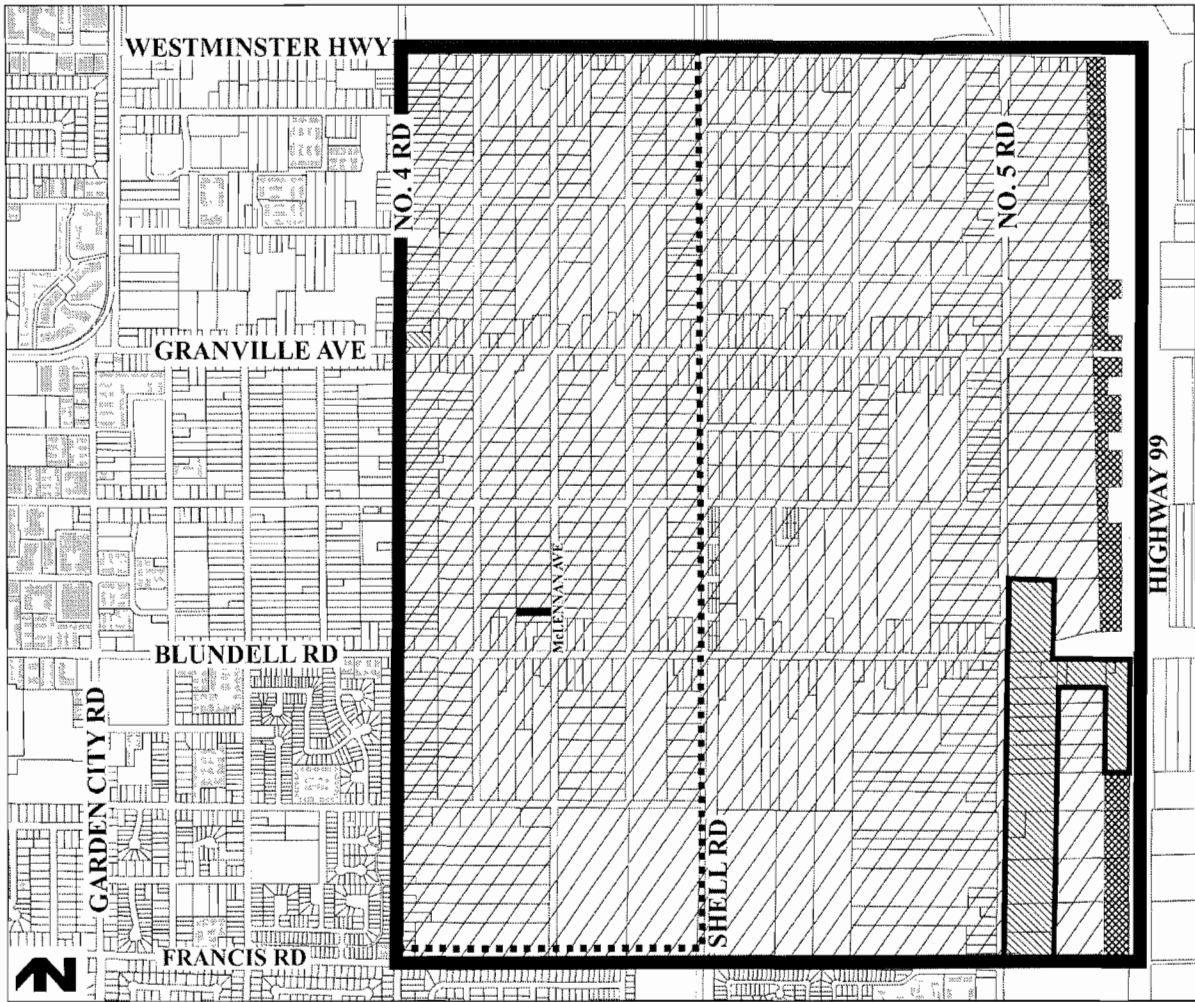
Planning Area(s): East Richmond – McLennan Sub Area

	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	British Columbia Muslim Association	No change
<b>Site Size (m<sup>2</sup>):</b>	19,329 m <sup>2</sup>	No change
<b>Land Uses:</b>	Existing Assembly, Elementary Schools and Kindergarten	No change
<b>OCP Designation (General):</b>	Community Institutional	No change
<b>McLennan Sub Area Plan Designation:</b>	Agriculture, Institutional and Public	No change
<b>Zoning:</b>	Assembly (ASY)	No change
<b>Other Designations:</b>	15 m Riparian Management Area along west property line; ESA	No change

<b>On Future Subdivided Lots</b>	<b>Bylaw Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Floor Area Ratio:	Max. 0.5 FAR	0.24 FAR	none permitted
Lot Coverage – Building:	Max. 35%	13 %	none
Setback – Front Yard (m):	Min. 6 m	154 m	none
Setback – East Side Yard (m):	Min. 7.5 m	16.1 m	none
Setback – West Side Yard (m):	Min. 7.5 m	25.2 m	none
Setback – Rear Yard (m):	Min. 7.5 m	136 m	none
Height (m):	12 m	8.9 m	none
Off-street Parking Spaces –Total:	161 stalls (Existing 106 stall + 55 stalls for the addition)	181 stalls	none

City of Richmond

Land Use Map *Bylaw 8791*  
2012/09/10



	Agriculture		Residential		Area Boundary
	Agriculture, Institutional and Public		Buffer		Proposed Trail Systems



# City of Richmond

# Policy Manual

Page 1 of 3

Adopted by Council: Mar. 27/00

POLICY 5037

File Ref: 4105-04

NO. 5 ROAD BACKLANDS POLICY

## **POLICY 5037:**

It is Council policy that:

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.



### 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:

- 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).

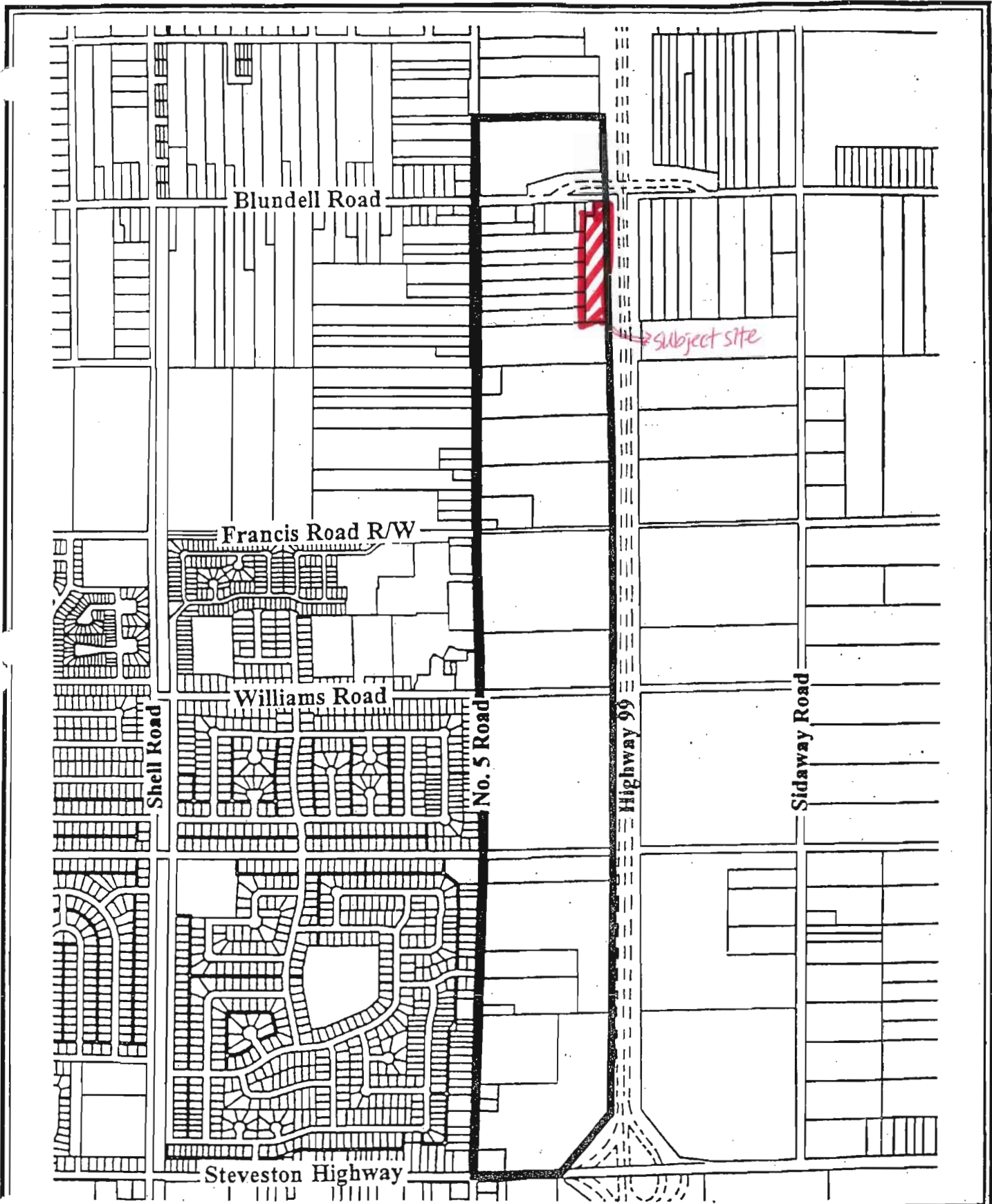
City approves rezoning application after proponent meets all City requirements.

### 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.



Area Proposed for Public  
and Institutional Use

Date:  
01/24/00

There were general questions about the implementation of the farm plan and what other requirements the City would typically require for these types of proposals. Staff highlighted that bonds would typically be secured to ensure implementation of the farm plan and required landscape buffering. Furthermore, legal agreements would be secured to restrict development on the remaining backlands to farming only.

There were questions on the upcoming application and approval process. As the proposed land uses are considered interim until the temple's ultimate development plans come forward, this specific land use application approach (and subsequent rezoning) will only be permitting the requested interim uses. Additional temple development will require approval through another ALR non-farm use and rezoning application.

The AAC moved and seconded the following motion:

*That the ALR non-farm use application at 8160 No. 5 Road be endorsed by the AAC, subject to:*

- *Consolidation of 8160 and 8140 No. 5 Road into one development parcel.*
- *Securing the appropriate legal agreement to ensure no temple related development beyond what is permitted in the City's policy.*
- *No further fill activities or pre-load materials be brought or placed on the remaining agricultural portions of the subject site that do not directly support farming.*

*Carried Unanimously.*

The proponent (Lyle Weinstein) addressed Committee members and outlined the Montessori program's farming component.

### **3. Development Proposal (ALR non-farm use application) – 12300 Blundell Road**

Staff noted that the applicant is proposing to build a small extension to the existing main mosque temple (372 sq. m or 4,000 sq. ft.) to accommodate the needs of the growing congregation. A brief history of the subject site and temple development was provided noting that the initial temple and supporting accessory buildings were approved by the ALC in the late 1970's, with construction of the facilities being completed in the early 1980's. The subject site is zoned entirely for Assembly (ASY) purposes; therefore, no rezoning application is required if the ALR application is approved.

When the City was developing the associated No. 5 Road Backlands policy in the early 1990's, the consultant report confirmed that the site had already been zoned for Assembly (ASY) purposes (including on-site temple development) and there had been no legal agreements to farm any portions of the subject site as part of the ALC's approval.

Currently, the subject site contains a main temple assembly hall and other buildings associated with a school run by the proponents and other supporting uses (administrative buildings; off-street parking; school yard). The proponent has confirmed with the ALC that

an ALR non-farm use application is required for the expansion to the main temple hall. This application will also request approvals for existing buildings already constructed in order to update the ALC's file on permitted development on the subject site. As noted previously, given the history of assembly zoning and no requirements to farm on the site, no farming is proposed as part of this development.

In response to questions from the Committee, staff confirmed that the proposal was able to accommodate the required off-street parking for the proposed expansion to the main temple building. Committee members commented that during special events and celebrations at this location, the temple congregation did a good job of directing traffic to and from the site.

The AAC moved and seconded the following motion:

*That upon review of the ALR non-farm use application at 12300 Blundell Road, the Agricultural Advisory Committee have no objections to the proposal involving a minor expansion to the main temple building.*

*Carried Unanimously*

#### 4. Medical Marihuana Production in the ALR

In conjunction with recent changes to Federal regulations relating to the licensing and production of medical marihuana and an information bulletin published by the ALC about medical marihuana production in the ALR, staff is requesting feedback and comments from the AAC on this land use issue in Richmond. The following background information was provided by City staff.

- The Federal government has implemented regulations intended to phase out the previous program allowing for the production and distribution of medical marihuana to those in medical need and implement a new regulatory process and commercial industry under the Marihuana for Medicinal Purposes Regulations (MMPR).
- The MMPR involves a shift from medical marihuana being provided by licensed individuals (often in private residences) to a commercial industry where the regulations and issued licenses will ensure access to quality controlled marihuana for medical purposes, produced under secure and sanitary conditions.
- Based on a review of the Federal regulations, staff identified that commercially licensed producers of marihuana for medical purposes will be contained in fully enclosed secured buildings that also are involved in secondary, processing, storage, packaging, office/administration and shipping/distribution functions.
- The ALC has recently published an information bulletin entitled "Medical Marihuana Production in the Agricultural Land Reserve". This bulletin confirms that an individual/company who is lawfully sanctioned to produce medical marihuana for commercial purposes, the farming of the plant is considered a permitted farm use under the ALC act.





City of  
Richmond

**Non-Farm Use Development Considerations**  
Development Applications Division  
6911 No.3 Road, Richmond, BC V6Y 2C1

**Address:** 12300 Blundell Road

**File No:** AG13- 636059

Prior to issuance of the Building Permit for the proposed addition, the developer/proponent is required to complete the following:

1. Confirmation of ALC approval of the non-farm use application.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date