



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee
From: Wayne Craig
Director of Development

Date: January 12, 2015
File: RZ 02-208277


Re: Application by Nanaksar Gurdwara Gursikh Temple for Rezoning at
18691 Westminster Highway from Agriculture (AG1) to Assembly (ASY)

Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9044, for the rezoning of a portion of 18691 Westminster Highway from "Agriculture (AG1)" to "Assembly (ASY)", be introduced and given first reading.
2. That the requirement for a no build/development legal agreement identified in Council's May 14, 2001 resolution in relation to Agricultural Land Reserve non-farm use application (AG 00-175102), be removed.


Wayne Craig
Director of Development

WC:ke
Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Transportation	<input checked="" type="checkbox"/>	

Staff Report

Origin

Nanaksar Gurdwara Gursikh Temple has applied to the City of Richmond to rezone a 4.6 acre (1.9 ha) portion of 18691 Westminster Highway from the “Agriculture (AG1)” zone to the “Assembly (ASY)” zone. The proposed rezoning is located directly to the north of the existing “Assembly (ASY)” zoned portion of the property containing the existing temple building (Attachment 1). The neighbouring property to the east at 18791 Westminster Highway would be consolidated with 18691 Westminster Highway as a condition of the rezoning. This rezoning proposal is consistent with the previous ALR non-farm use application (AG 00-175102) endorsed by Council on May 14, 2001.

The 2001 ALR non-farm use approvals run with the land and do not expire. Since 2001, the applicant has been addressing various requirements associated with the ALR non-farm use approvals as well as refining their programming and space requirements for temple expansion. Furthermore, the construction of the Nelson Road Interchange impacted the temple properties and the applicant’s ability/timing for bringing the rezoning forward to Council.

This report also responds to a request from the applicant to remove a request to enter into a legal agreement identified by Council on May 14, 2001 as part of a previous Agricultural Land Reserve (ALR) non-farm use application (AG 00-175102). The legal agreement was to be applied to the balance of the consolidated properties (18691 and 18791 Westminster Highway) outside of the proposed “Assembly (ASY)” zoned portion of the site.

Project Description

The proposed rezoning is to accommodate a new 1,956 sq. m (21,059 sq. ft.) free-standing building directly to the north of the existing temple building. All required off-street parking to accommodate the existing and proposed temple buildings is located on the areas proposed for “Assembly (ASY)” zoning on the site. A site plan of the overall site and proposed addition is provided along with a conceptual landscape plan in Attachment 2.

The temple expansion will include space for a prayer hall, dining hall and supporting kitchen, utility, storage, hallway, office and washroom facilities.

Description of the Subject Site

The subject site consists of two lots. 18691 Westminster Highway (west property) contains the existing temple and off-street parking on the existing “Assembly (ASY)” zoned portion of the site, a vacant area behind the existing temple for the proposed expansion and farm land (blueberry field) on the remaining areas of the property.

18791 Westminster Highway (east property) contains a single-family dwelling, farm support building and a gravelled area used to stage farm machinery/equipment and also for parking for individuals and workers that are involved with upkeep and maintenance of the farm. These uses

are all contained in the southern half of the property (approximately 5 acres or 2 hectares). The remaining portion of 18791 Westminster Highway is farmland (blueberry field).

Surrounding Development

To the North: Highway 91 and the off-ramp for the Nelson Road Interchange. Farmland with “Agricultural (AG1)” zoning between Highway 91 and edge of the proposed temple expansion.

To the East: Off-ramp for the Nelson Road Interchange. Directly to the east is a property zoned “Agriculture (AG1)” (18791 Westminster Highway) also owned by the applicant that contains a single-family dwelling and farm support gravelled area.

To the South: Westminster Highway and “Agricultural (AG1)” zoned properties on the south side of the road.

To the West: Property zoned “Agriculture (AG1)” containing an existing nursery operation.

Findings of Fact

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

Background Information and Previous ALR Non-Farm Use Application (AG 00-175102)

A timeline of past applications for the subject site is provided in Attachment 4. Richmond City Council endorsed the original ALR non-farm use application to allow a proposed temple expansion on May 14, 2001. The Agricultural Land Commission (ALC) approved the application on August 9, 2001 and issued a revised approval on November 16, 2001 (Attachment 5 – Copy of Council decision and ALC approval letters). Information on Council and ALC conditions associated with the approval of the application in 2001 and how the current rezoning proposal addresses these conditions is provided in Attachment 6.

Applicant Request to Remove No Build/Development Restriction Requirement

When Council approved the initial ALR non-farm use application (AG 00-175102) on May 14, 2001, the following two requirements were identified:

1. Requirement for a no build/development covenant over the balance of the consolidated lots (18691/18791 Westminster Highway) outside of the existing and proposed “Assembly (ASY)” zoned area.
2. Requirement for a no parking covenant over 18791 Westminster Highway to prevent this area from being used for temple related parking.

The owner has requested the removal of the no build/development covenant requirement. While the applicant has formerly asked for the removal of the no build/development covenant, the applicant has also indicated that they are also concerned with the no temple related parking restriction on the east site. That portion of the land is currently being used for agricultural staging and parking and on occasion used for special event overflow temple parking. A separate ALR non-farm use application at 18791 Westminster Highway (AG 14-668409) for use of the

southern portion of this site for special event and overflow parking. The ALC has confirmed that the use of this area for special event and overflow parking requires an ALR non-farm use application. This separate ALR non-farm use application will be brought forward for Council consideration in the near future once review and processing is complete.

An examination of the applicant's request to remove the no build/development requirement is provided in the Analysis section of this report.

Related Policies & Studies

2041 Official Community Plan (OCP)

Both 18691 and 18791 Westminster Highway are designated "Agriculture" in the 2041 OCP Land Use Map, which is defined as follows:

Those areas of the City where the principal use is agricultural and food production, but may include other land uses as permitted under the Agricultural Land Commission Act.

The previous ALR non-farm use application (AG 00-175102) was approved by Council in 2001 to permit the expansion of a temple building and supporting off-street parking. Agricultural activities (25 acres of blueberry production) remains as a primary use for the majority of the land area over both temple properties. Agricultural activities are not being impacted by the proposed temple expansion. The temple expansion proposed in this rezoning and continued use of a majority of the site for agricultural uses is consistent with the current 2041 OCP policy and intended use for farm land.

Flood Plain Designation and Protection Bylaw

The proposed development must meet the requirements of the Flood Plain Designation and Protection Bylaw (8204). Registration of a Flood Plain Covenant on title is required prior to final adoption of the rezoning amendment bylaw.

Public Consultation

Signage has been posted on the site in compliance with rezoning requirements. To date, the City has not received any correspondence, public feedback or comments on the rezoning application.

Richmond Agricultural Advisory Committee (AAC)

The rezoning proposal was supported by the AAC on December 13, 2012 (Attachment 7).

Agricultural Land Commission (ALC)

City staff consulted with ALC staff on the development plans submitted as part of this rezoning application. ALC staff have confirmed that the proposal is consistent with the previous ALR non-farm use approval.

ALC staff have confirmed that the modification or removal of any conditions previously made by Council would not impact the existing ALC approval granted for this site. The applicant's request to remove the requirement for a no build/development restriction has no impact on the ALC's approval of the ALR non-farm use application.

Ministry of Transportation and Infrastructure

Due to the subject site's proximity to Highway 91, approval of the rezoning bylaw is required by the Ministry of Transportation and Infrastructure (MoTI). MoTI has also reviewed the Traffic Impact Assessment (TIA) submitted for this rezoning and concurred with the TIA's findings. MoTI has granted preliminary approval of the rezoning proposal. Final approval of the rezoning from MoTI is required prior to adoption of the zoning bylaw.

Analysis

Architectural/Landscape

The proposed new free-standing temple building is located directly north of the existing temple building and is designed to be consistent with the form and character of the existing building, while also implementing the traditional exterior architectural detailing, cladding materials and design features typical to this type of building (Attachment 2).

Perimeter landscape buffering and fencing is required around the edges of the "Assembly (ASY)" zoned area is as follows:

- Along the west edge, there is an existing mature evergreen hedge that provides an established buffer to the neighbouring landscape nursery operation. There are some small gaps in this existing hedge that will be filled in by new plantings.
- Along the north edge and north east corner, a minimum 1.2 m (4 ft.) fence is proposed that will be designed to be consistent with the overall design of the temple site. This fence will demarcate the boundary between the temple area and agricultural area.
- Additional landscaping and plantings will be implemented in the temple off-street parking area.

To ensure implementation of the landscape buffer, fencing and on-site landscaping, the applicant is required to submit a finalized plan prepared by a landscape architect based on the above referenced parameters. A landscape bond in the amount of \$50,000 is also being secured. A legal agreement to ensure that the buffer and fencing cannot be removed or modified and are for the purposes of mitigating typical farm activities is a rezoning consideration for this project.

Site Servicing

The proposed development is sufficiently serviced by City water and storm systems. To reduce the overall storm water run-off into the City system, the applicant is proposing storm water source control measures through the implementation of a 4 m wide bioswale proposed between the "Assembly (ASY)" and farmland that will capture storm water generated from the proposed temple building and off-street parking expansion. All necessary site servicing permits and

connections required for water and storm service will be completed through the building permit process for the project.

The existing and proposed expanded temple build is contained in the regional Fraser Sewerage area. The sanitary infrastructure in the surrounding area requires the temple development site at 18691 Westminster Highway to maintain an on-site sanitary system (constructed in 2004) that is designed to discharge into the City's sanitary forcemain along the site's Westminster Highway frontage. Registration of a legal agreement that addresses issues pertaining to the development's on-site sanitary sewer system connection to a sanitary force main will be secured as a rezoning consideration for this project.

The following are frontage works to be completed by the applicant (at the applicant's sole cost, except where noted below):

- Frontage works across 18691 and 18791 Westminster Highway to implement a paved walkway (including street lighting if necessary) north of the existing bike lane and construction of two accessible bus landing pads (north and south side of Westminster Highway).
- Implementation of a painted median along the frontage of 18691 Westminster Highway to facilitate vehicle movements to and from the temple site.
- Installation of a special cross-walk at the location of the bus-stops on Westminster Highway, with the overall costs shared jointly between the City and the applicant.
- These works will be secured through a Servicing Agreement, which must be completed prior final adoption of the zoning bylaw.

Traffic, Access and Off-Street Parking

The proponent has provided a Traffic Impact Assessment (TIA) for the proposal. City Transportation staff have reviewed the TIA and concur with the key recommendations of the report. Access provisions to the existing and proposed expanded site will remain as currently configured as the site is serviced by two driveways from Westminster Highway.

The total number of off-street parking stalls proposed is 639 spaces. This will exceed the zoning bylaw requirements for off-street parking, which requires of 535 spaces. The results of the TIA confirmed that the proposed parking is sufficient to accommodate day-to-day parking demand as well as the weekly (Sunday) peak and the monthly (Full Moon) festival peak parking demands as well. The off-street parking areas for the temple activities will be located on the "Assembly (ASY)" zoned portions of the subject site (18691 Westminster Highway).

Agricultural Activities – Status

Up until early 2012, an active blueberry farm was in operation on approximately 25 acres of land on the north half of the combined site at 18691 and 18791 Westminster Highway. In 2012, all of the blueberry shrubs within the 25 acres had to be removed and destroyed due to a significant blueberry shrub virus (Scorch Virus) (Attachment 8 – Consulting Agrologist Report).

The temple and the congregation have committed to re-establishing the blueberry farm and are proposing to move forward with implementation of a farm plan primarily undertaken on a volunteer basis from the congregation membership with donated resources and equipment. The temple's plan is to re-establish farm activities as follows:

- 2015/2016 – Undertake seasonal maintenance of the newly planted blueberry shrubs.
- 2017 – First anticipated year where the shrubs will produce a marketable crop.
- The temple proponent has provided an estimated total cost of re-establishing the blueberry farm at \$113,000.

For rezoning proposals involving assembly use and farming, a bond or security deposit is required to ensure implementation of the farm plan. The congregation has proposed that a bond amount of \$30,000 (approximately 25% of total estimated amount) be provided as a security as a guarantee to ensure implementation of the farm plan as proposed.

Staff recommend that the proposed \$30,000 be accepted as a security through the rezoning considerations for the project to ensure implementation of the farm plan as the majority of the capitals works to re-establish the farm has been completed. Prior to releasing this bond amount, the submission of a report from a consulting agrologist is required, to verify completion of the farm plan, resolution of any identified deficiencies and verification that the blueberry shrubs are producing a commercial crop.

No Build/Development Agreement

The following is a summary of the applicant's rationale for requesting removal of the no build/development requirement (Applicant letter contained in Attachment 9):

- Existing ALR and City zoning and land use regulations provide the appropriate restrictions to prevent further temple related expansion (building, parking or temple related activities) into the existing agricultural areas and any no build/development restriction secured through a covenant would be redundant.
- The applicant plans are to continue to farm the remaining "Agriculture (AG1)" zoned areas of the site and approximately 25 acres (10 hectares) has been re-planted with blueberry shrubs on both 18691 and 18791 Westminster Highway.

Staff support the request to remove the requirement for the no build/development covenant on the following basis:

- Any proposal involving expansion of temple building or related activities (beyond what was approved in 2001 or through this rezoning application) onto farmland would require a separate ALR non-farm use application and approval from the City and ALC and a rezoning application approved by Council.
- ALC staff have confirmed that removal of the no build/development covenant has no impact on the previous approval granted to the ALR non-farm use application (AG 00-175102).
- "Agriculture (AG1)" zoning on the remainder of the consolidated parcel will only allow farm related buildings and structures.
- The applicant's farm plan and bonding required as a rezoning consideration is intended to ensure the agricultural back portion of the site is actively used to re-establish blueberry production as proposed by the applicant.

Staff recommend that the other Council requirement for a legal agreement to restrict temple related parking on the south portion of 18791 Westminster Highway remains as a rezoning consideration.

Rezoning Considerations

A copy of the rezoning considerations that are required to be completed as part of this application is contained in Attachment 10. The developer is aware of and has agreed to these requirements (signed copy on file).

Financial Impact or Economic Impact

None.

Conclusion

This rezoning proposal is to permit expansion of existing temple facilities on 18691 Westminster Highway and required off-street parking. All conditions associated with the previous 2001 ALR non-farm use application approval have been met or addressed through the rezoning application, with the exception of the no build/development condition identified by Council in 2001, which the applicant has requested be removed. The proposal is consistent with the 2041 OCP.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9044 be introduced and given first reading.


Kevin Eng
Planner 2

KE:cas

Attachment 1: Location Map

Attachment 2: Conceptual Development Plans

Attachment 3: Development Application Data Sheet

Attachment 4: Timeline of Temple Site

Attachment 5: Copy of Council Motions and ALC Approval Letters

Attachment 6: ALR Non-Farm Use Application (AG 00-175102) Conditions of Approval

Attachment 7: Excerpt of December 13, 2012 AAC minutes

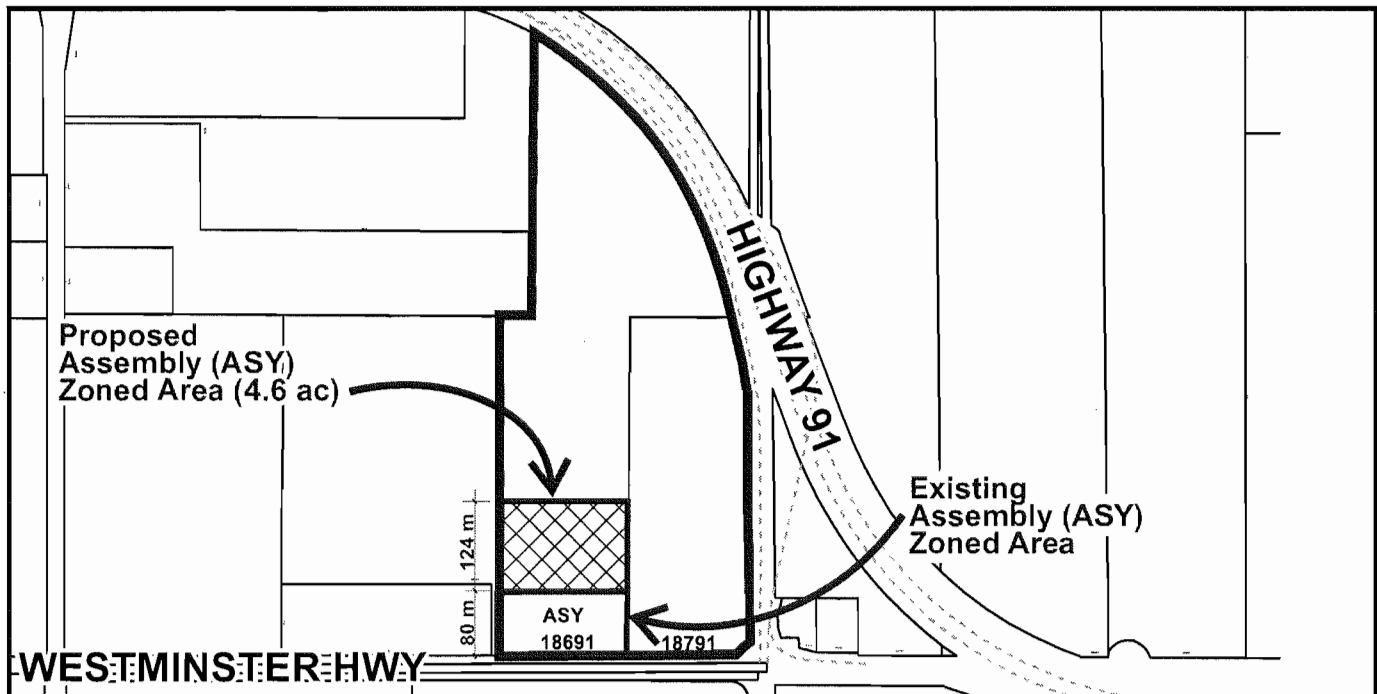
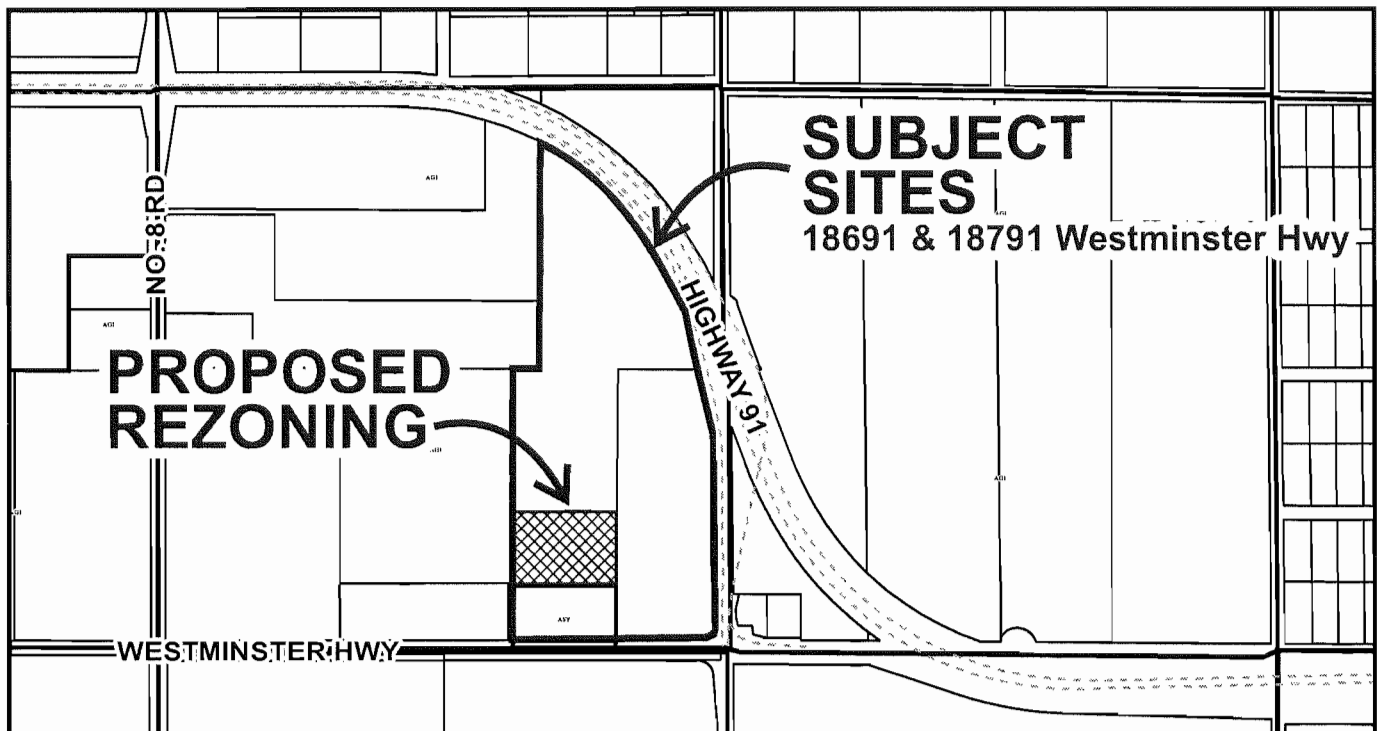
Attachment 8: 2012 Status Update Report from Agrologist

Attachment 9: Letter Requesting Removal of No Build/Development and Parking Restrictions

Attachment 10: Rezoning Considerations



City of
Richmond



RZ 02-208277

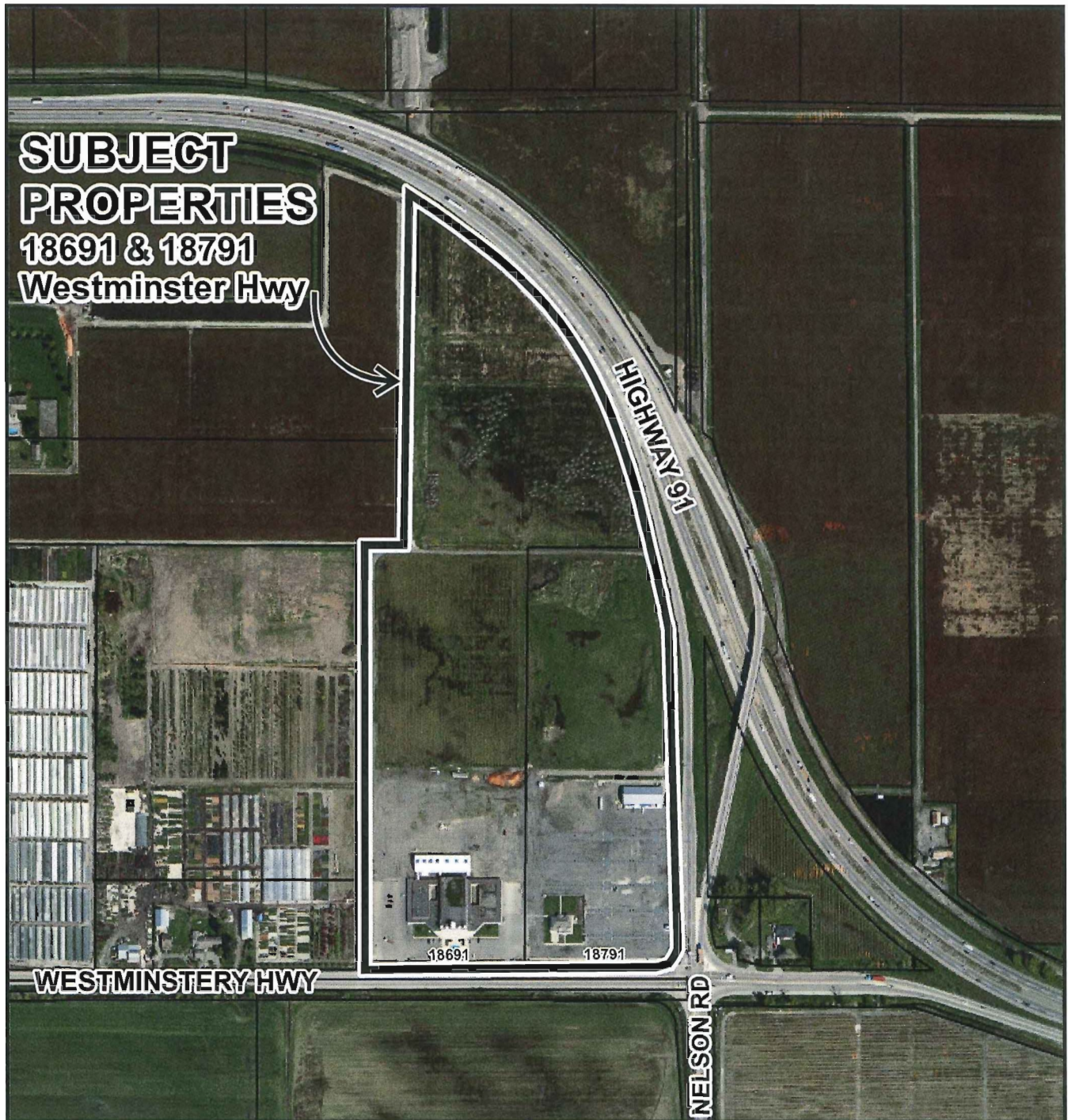
Original Date: 01/09/15

Revision Date: 01/14/15

Note: Dimensions are in METRES



City of
Richmond



**SUBJECT
PROPERTIES**
18691 & 18791
Westminster Hwy

HIGHWAY 91

WESTMINSTERY HWY

NELSON RD

18691

18791



RZ 02-208277

Original Date: 01/09/15

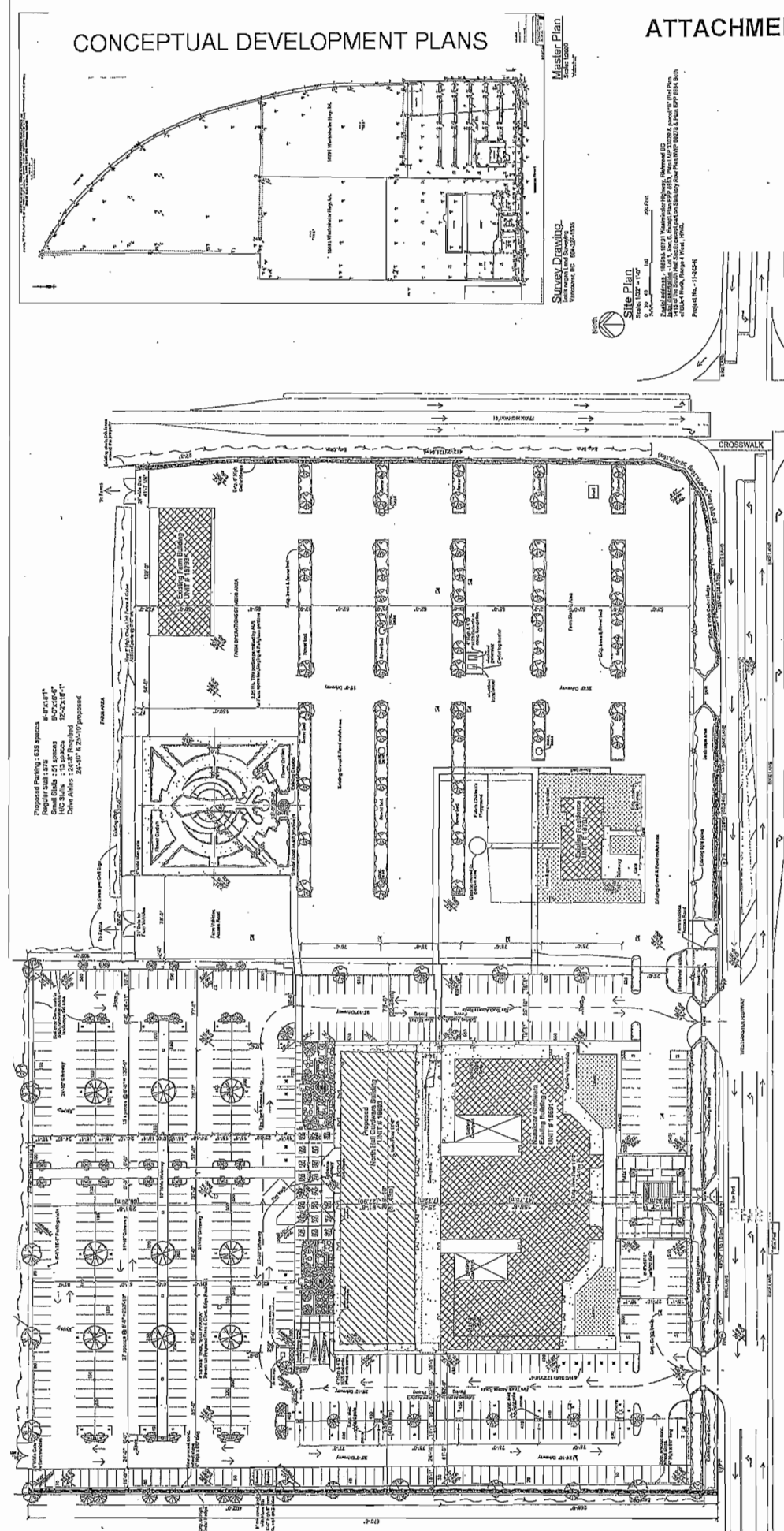
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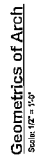
Note: Dimensions are in METRES

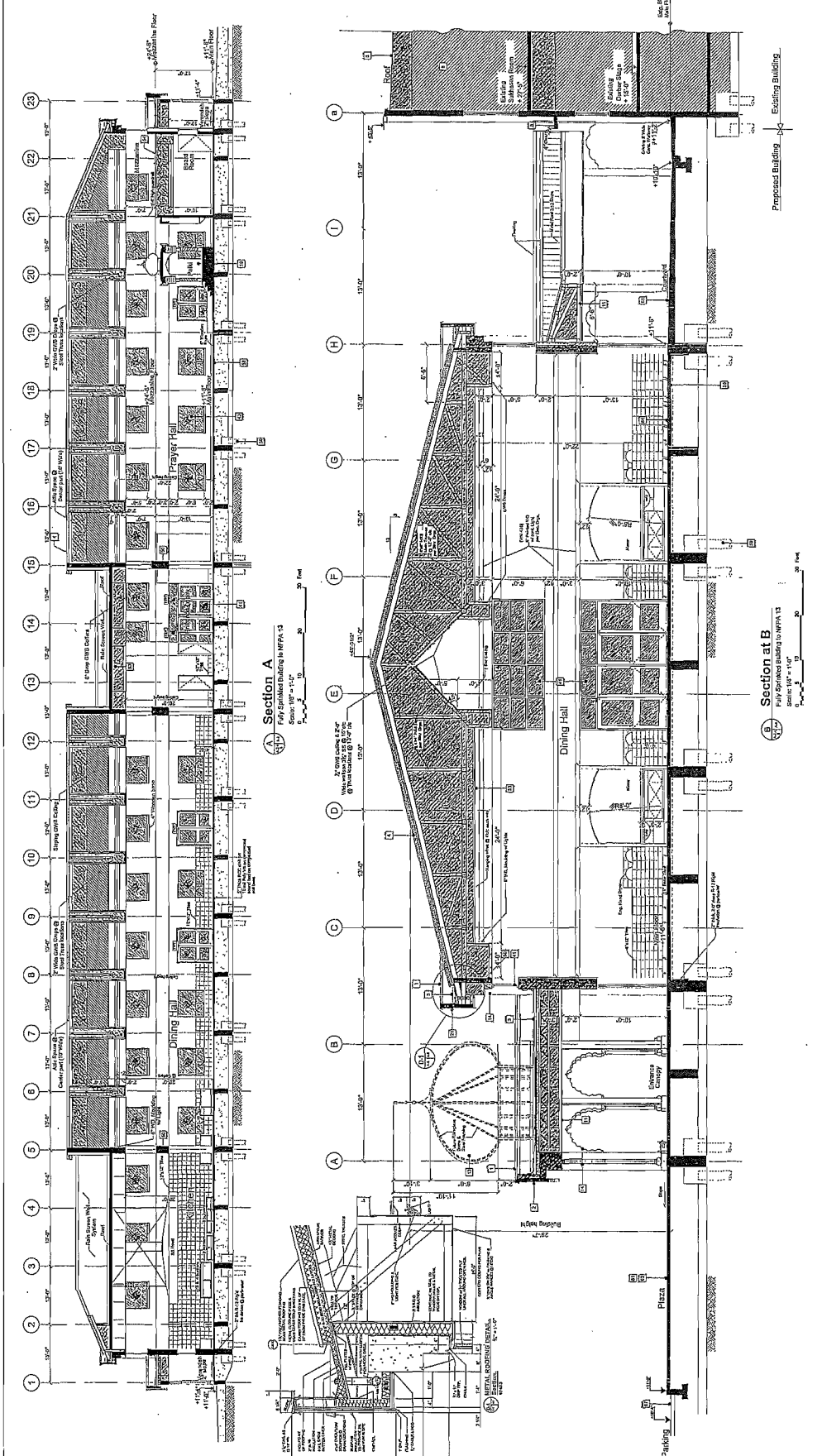
**SITE PLAN,
MASTER PLAN**

PROJECT NO. 11-245-H
A-1
12/1/13

DATE: 12/1/13

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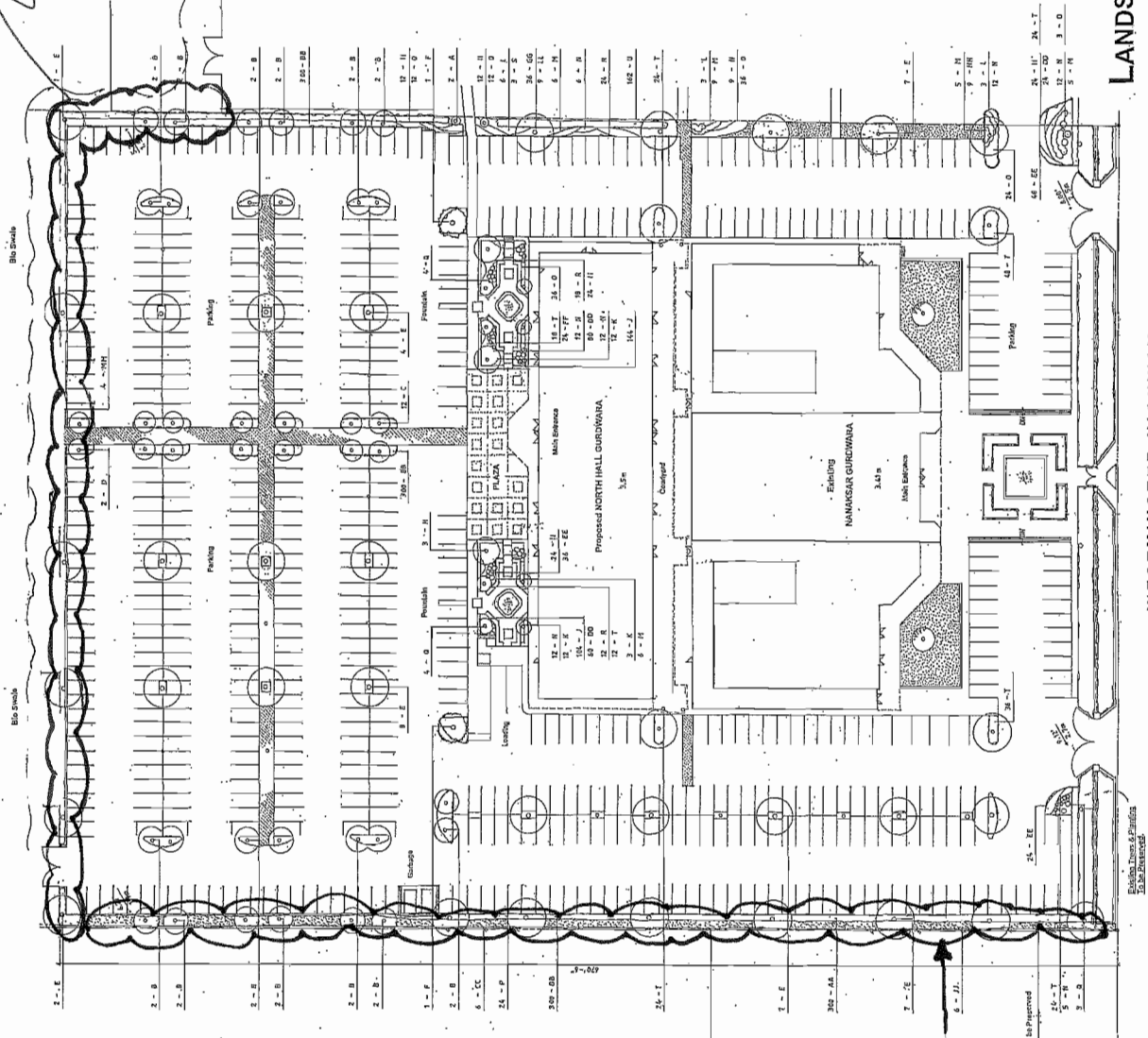
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LANDSCAPE PLAN

WESTMINSTER HIGHWAY

Proposed 1.2 m Height Fence

[illegible][illegible]

ANY GAPS IN EXISTING
HEDGE TO BE FILLED IN

[illegible]

<p>NIEBAI WERN ARCHITECT</p> <p>925-227 Avenue, Columbus, Ohio 43201 394-4127/116</p>	<p>KRTH HOSKUL, LANDSCAPE ARCHITECT</p> <p>8-1917 North 77th Avenue, Columbia, Missouri 65204</p>	<p>22 15 16</p> <p>Demco, Columbus, Ohio 43201 393-0910</p>	<p>314 N. 9th St. Columbus, Ohio 43215 247-1141</p>	<p>FORNARDI ROTTI LALLI GUGLIEMINI & FERRARIS GUGLIEMINI, CIVIL ENGINEERS 18691 & 18791 WESTMINSTER HIGHWAY RICHMOND, B.C.</p>	<p>LANDSCAPE PLAN</p> <p>Scale: 1/2" = 1'-0" August 1973</p> <p>L101</p>
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RZ 02-208277

Attachment 3

Address: 18691 Westminster Highway

Applicant: Nanaksar Gurdwara Gursikh Temple

	Existing	Proposed
Owner:	Nanaksar Gurdwara Gursikh	No change
Site Size (m²):	18691 Westminster Highway – 112,474 sq. m (27.8 acres) 18791 Westminster Highway – 54,809 sq. m (13.5 acres)	Consolidated Property – 167,283 sq. m (41.3 acres).
Land Uses:	18691 Westminster Highway – Temple building and supporting off-street parking areas on south portion; Vacant farm land to north. 18791 Westminster Highway – Farm staging/parking areas on south portion with house and farm building; Vacant farm land to north	<ul style="list-style-type: none"> 7.6 acres – Temple buildings and off-street parking. 5 acres – Farm staging/parking and decorative gardens; existing house and farm building. Approximately 25 acres – Land available for Blueberry farm.
OCP Designation:	Agriculture	Agriculture – No change
Zoning:	18691 Westminster Highway – 3 acres zoned ASY; remaining portions of site zoned AG1. 18791 Westminster Highway – AG1	Consolidated lot – 7.6 acres zoned ASY; remaining portions zoned AG1

On Future Assembly Zoned Lot	Bylaw Requirement	Proposed (Existing and Proposed Addition)	Variance
Floor Area Ratio:	Max. 0.5	0.22 FAR	none permitted
Lot Coverage – Building:	Max. 35%	20%	none
Setback – Front Yard South (m):	Min. 20 m	34 m	none
Setback – Rear Yard North (m):	Min. 7.5 m	86 m	none
Setback – Side Yards West (m):	Min. 7.5 m	41 m	none
Setback – Side Yards East (m):	Min. 7.5 m	22 m	none
Height (m):	12 m	9 m (proposed height of temple addition)	none
Off-street Parking Spaces – Total:	535 stalls	639 stalls	none

Timeline

- 1980 – Provincial Agricultural Land Commission grants approval to the existing temple.
- 1986 – Completion of construction of the existing temple building (35,713 sq. ft.) on a portion of the site zoned for assembly uses (based on the zoning bylaw in place at the time).
- 2001 – Richmond City Council and ALC approval of an Agricultural Land Reserve (ALR) Non-Farm Use application (AG 00-175102) to enable expansion of the temple:
 - May 2001 – Richmond City Council endorses the non-farm use application to proceed to the ALC with conditions.
 - August 2001 – ALC grants approval to the non-farm use application subject to consolidation of 18691 and 18791 Westminster Highway and conversion of the existing temple religious gardens and lawn on the south portion of 18791 Westminster Highway back to blueberry production.
 - October 2001 – At the request of the applicant, Council endorses a request to retain the temple religious gardens and lawn on the south portion of 18791 Westminster Highway, rather than convert this area into blueberry production.
 - November 2001 – ALC amends the previous decision and allows the temple religious gardens and lawn to remain.
- 2002 – Submission of a subsequent rezoning application on 18691 Westminster Highway as a follow-up to the approved ALR non-farm use application. The following were contributing factors to the overall length of review and processing of the rezoning application:
 - The current rezoning proposal is based on the temple proponent undertaking a recent, comprehensive review of their programming and overall space needs in conjunction with available resources, resulting in an overall reduction in proposed building area associated with the temple addition compared to what was initially presented in 2002.
 - Based on information initially requested by City staff, preparation and submission of accompanying plans, information and consultant reports by the applicant to support the rezoning application.
 - A major infrastructure project (Nelson Road Interchange), which impacted the temple properties throughout the design and construction phases from 2009 to project completion in 2011.
 - Throughout this time period, City staff discussed with the applicant about withdrawing the rezoning application and resubmitting a new application once the above noted items were resolved; however, the applicant requested that the 2002 rezoning application be kept active.
- 2004 to 2006 – Construction of a single-family dwelling on 18791 Westminster Highway in accordance with the existing Agriculture (AG1) zoning.
- 2009 to 2011 – Construction of the Nelson Road Interchange infrastructure project that resulted in the relocation of an existing farm building and expansion of gravelled area to serve as a Ministry construction staging area on the 5 acre southern portion of 18791 Westminster Highway.
- Early 2012 – Removal of all blueberry shrubs on the previous farmed portions of temple site due to an outbreak of blueberry scorch virus.
- Late 2012, a comprehensive revised rezoning submission was made to the City and is the basis for the proposal being submitted to Council for consideration.
- July/August 2013 – Works commenced on the agricultural portions to re-grade the site in preparation for final levelling and planting of new blueberry plants in 2014.

Excerpt of Council Meeting Minutes – May 14, 2001

AGRICULTURAL LAND RESERVE APPEAL APPLICATION BY KABEL ATWALL FOR NON-FARM USE AND SUBDIVISION AT 18691 AND 18791 WESTMINSTER HIGHWAY (NANAKSAR GURDWARA GURSIKH TEMPLE)

It was moved and seconded

That Mr. Kabel Atwall be authorized to apply to the Land Reserve Commission for non-farm use and subdivision at 18691 and 18791 Westminster Highway (Nanaksar Gurdwara Gursikh Temple) subject to the following conditions:

- (a) That the temple only be allowed to expand if and when it is connected to the proposed new Fraser-Richmond sanitary sewer trunk forcemain (i.e. on-site sewage disposal will not be permitted even as an interim measure unless specifically approved by Council following the recommendation of the Planning Committee);
- (b) That the 2.05 ha (5.06 ac.) religious garden and lawns on 18791 Westminster Highway be removed and converted to farming production in order to provide a tangible net benefit to agriculture;
- (c) That all of the staging areas and buildings for the blueberry operation be located on the 0.96 ha (2.35 ac.) gravel area at the front of 18791 Westminster Highway;
- (d) That a permanent fence be erected around the proposed new temple site, so long as it did not impact on the farm operations, and a covenant be registered on 18791 Westminster Highway to prevent it from being used for parking for the temple;
- (e) That sufficient on site parking as determined by the Zoning and Development Bylaw (and a traffic analysis, which would include a draw analysis, at the time of rezoning) be provided on the proposed 3.08 ha (7.6 ac.) site to be used for the expanded temple; and
- (f) That a "no build" covenant be placed on the proposed consolidated lot (18791 Westminster Highway).

CARRIED

OPPOSED: Cllr. Steves

Excerpt of Council Meeting Minutes – October 9, 2001

NANAKSAR GURDWARA GURSIKH TEMPLE 18691/18791 WESTMINSTER HIGHWAY

It was moved and seconded

That the Acting Mayor submit a letter to the Land Reserve Commission requesting that the Nanaksar Gurdwara Gursikh Temple be allowed to retain the 2.05 ha (5.06 acres) religious garden and lawns at 18791 Westminster Highway.

CARRIED UNANIMOUSLY



Land Reserve Commission

Working Farms, Working Forests

August 9, 2001

Reply to the attention of Andrew Upper

Nanaksar Gurdwara - Gursikh Temple
18691 Westminster Highway
Richmond, B.C. V6V 1B1

Re: Application # O-33860

- 1) Lot 1 Section 6 Block 4 North Range 4 West New Westminster District Plan LMP33029
- 2) Parcel "B" (Reference Plan 1415) of the South Half Section 6 Block 4 North Range 4 West New Westminster District Except: Part on Statutory Right of Way Plan NWP88278

We write to advise that pursuant to section 22(1) of the *Agricultural Land Reserve Act* (the "ALRA"), the Land Reserve Commission (the "Commission") by Resolution #402/2001, has allowed your application to expand the existing temple (including the sewer connections) and add additional parking, subject to 1) the consolidation of the above referenced parcels into one parcel and 2) the planting of the area currently used as a garden, adjacent and east of the temple, into blueberries. This approval is granted provided your development/consolidation is in substantial compliance with the attached plan.

The property remains subject to the provisions of the ALRA, the *Soil Conservation Act* and applicable regulations except as provided by this approval.

The Commission's approval does not relieve you of the responsibility of adhering to any other enactment, legislation or decision of any agency having jurisdiction. Please contact the City of Richmond as other approvals may be needed before your development can proceed.

When the final consolidation plans and/or documents have been prepared, please send two (2) paper prints to this office well in advance of commencing registration. The Commission will then authorize the Registrar of Land Titles to accept the application for deposit of the plans and/or documents.

Please quote your application number in any future correspondence.

Yours truly,

LAND RESERVE COMMISSION

per:

A. Chambers, Chair

cc: City of Richmond (File # AG 00-175102), Attention: Mr. Holger Burke
BC Assessment, Delta
Kabel Atwall 140 - 4651 Shell Road Richmond, B.C. V6X 3M3

Enclosure (plan)

AU/sf

Land Reserve Commission

File: O-33860

Resolution # 402/2001

GILLE. ROAD



Subject property.



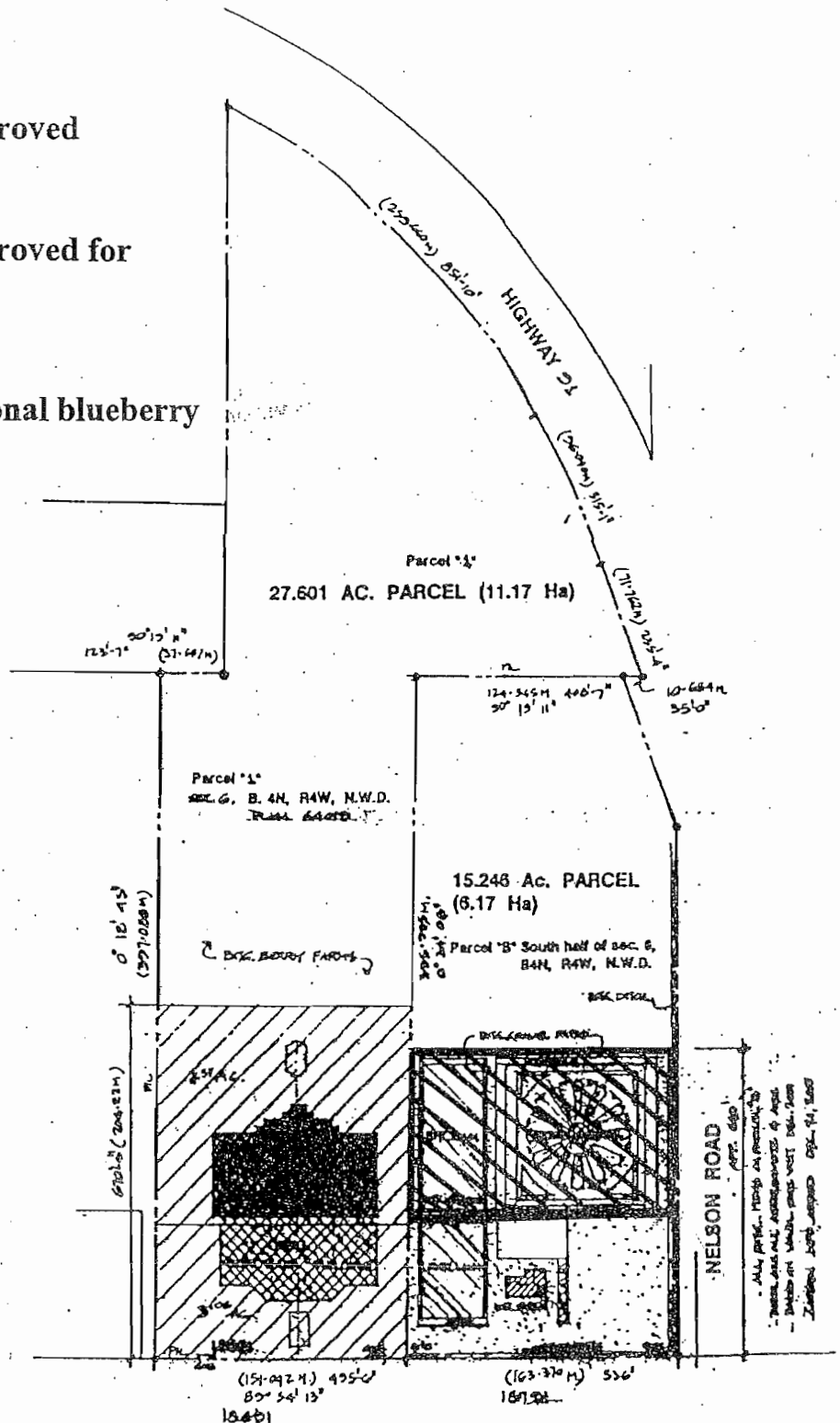
Area of the property approved for addition to temple.



Area of the property approved for additional parking.



Area required for additional blueberry planting.



WESTMINSTER HWY.



Master Plan

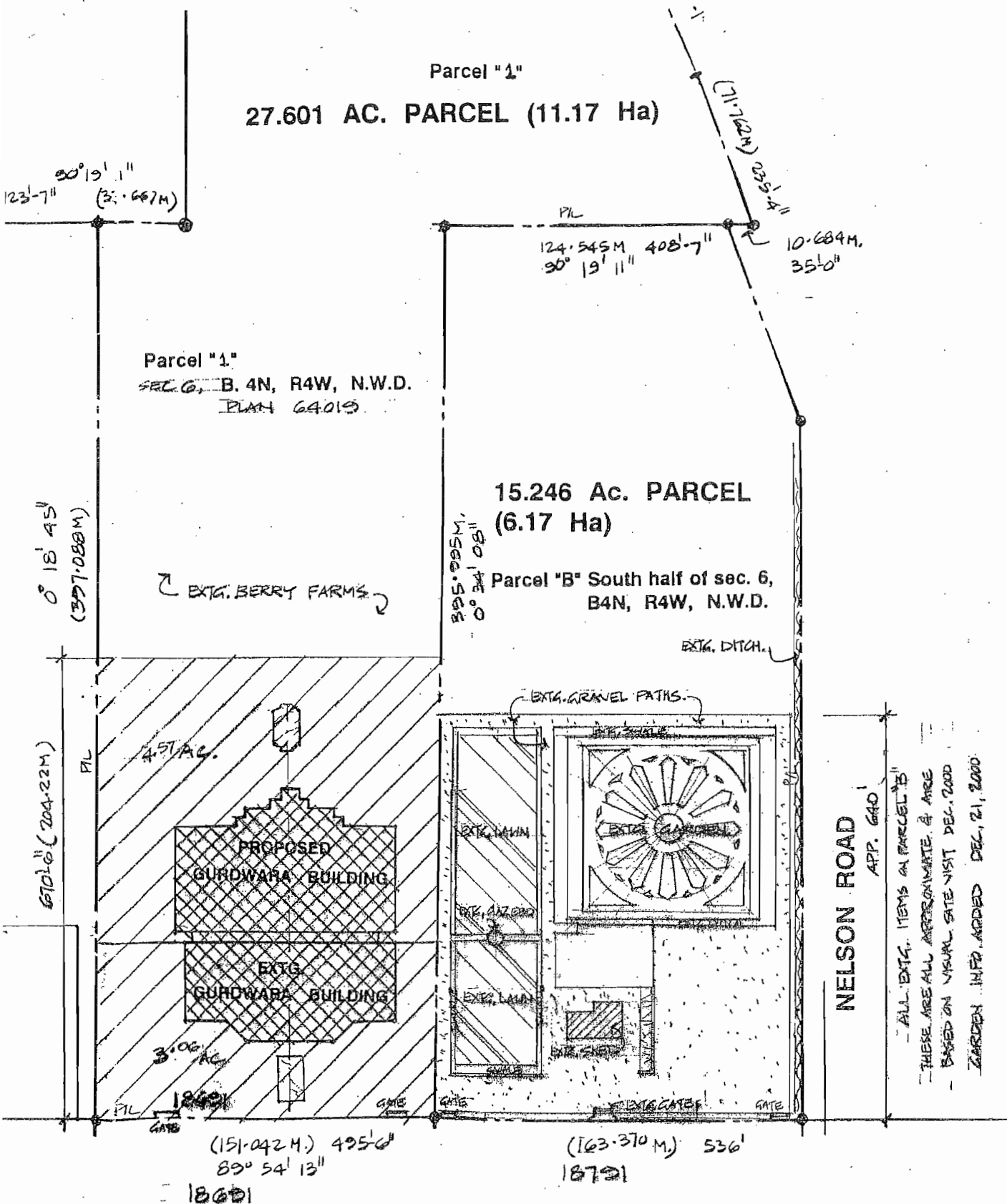
1 : 2000 Metric
(Reduced)

Parcel "1"
27.601 AC. PARCEL (11.17 Ha)

Parcel "1"
SEC. 6, B. 4N, R4W, N.W.D.
PLAN 64019

15.246 Ac. PARCEL
(6.17 Ha)

Parcel "B" South half of sec. 6,
B4N, R4W, N.W.D.



WESTMINSTER HWY.



Master Plan

1 : 2000 Metric



Land Reserve Commission

Working Farms. Working Forests

November 16, 2001

Reply to the attention of Karen Moores

Nanaksar Gurdwara - Gursikh Temple
18691 Westminster Highway
Richmond, B.C. V6V 1B1

Re: Application # O-33860

- 1) Lot 1, Section 6, Block 4 North, Range 4, West New Westminster District Plan LMP33029
- 2) Parcel "B" (Reference Plan 1415) of the South Half, Section 6, Block 4 North, Range 4 West, New Westminster District, Except: Part on Statutory Right of Way Plan NWP88278

Further to the letter of October 10, 2001 received from Lyn Greenhill Acting Mayor of the City of Richmond, the Land Reserve Commission (the "Commission"), acting pursuant to section 26 of the *Agricultural Land Reserve Act*, has reconsidered the above noted application.

The letter from the City of Richmond requested that the Land Reserve Commission alter its decision issued under Resolution #402/2001 and allow you, the Nanaksar Gurdwara - Gursikh Temple, to retain the 2.05 ha of religious garden and lawns.

In considering the request, the Commission felt that leaving the gardens as they presently exist would not eliminate the lands ability to be developed for agricultural purposes in future, if this should ever be necessary. Therefore, the Commission, by Resolution #669/2001, amended its earlier decision and agreed to allow your application to expand the existing temple (including the sewer connections) and add additional parking, subject to consolidation of the above referenced parcels into one parcel.

Please continue to refer to the Commission's letter dated August 9, 2001 for details regarding the development approval process.

The land referred to in the application remains subject to the provisions of the *Agricultural Land Reserve Act*, the *Soil Conservation Act* and applicable regulations except as provided by this approval.

Furthermore, the Commission's approval does not relieve you of the responsibility of adhering to any other enactment, legislation or decision of any agency having jurisdiction. Please contact the City of Richmond as other approvals may be needed before your development can proceed.

Please quote your application number in any future correspondence.

Yours truly,

LAND RESERVE COMMISSION

Per:

A. Chambers, Chair

cc: City of Richmond (File # AG 00-175102), Attention: Mr. Holger Burke
BC Assessment, Delta
Kabel Atwall 140 - 4651 Shell Road Richmond, B.C. V6X 3M3

SG/lv/Encl.

ALR Non-Farm Use Application (AG 00-175102) – Conditions and Responses

The following is a summary of conditions for the non-farm use application identified by Council and the ALC, including how they are being addressed through the rezoning (identified in ***bold italicized*** text):

- Temple expansion only be permitted when it is connected to the Fraser-Richmond sanitary sewer force main. ***The temple site connected to the sanitary sewer force main in 2004. Through this rezoning application, a legal agreement and information specific to monitoring and regulating operations of the on-site private sanitary sewer system will be secured.***
- That the previous religious lawns and gardens located on 18791 Westminster Highway be removed and converted back to farm production. ***This condition was removed by Council at the request of the applicant on October 2, 2001. The ALC approved this revision on November 16, 2001. A religious garden on a portion of 18791 Westminster Highway is proposed in the rezoning and in compliance with the previous approval granted by Council and the ALC.***
- That all of the staging areas and buildings for the blueberry farm be located on the 2.35 acre (0.96 ha) south portion of the property. ***All farm related staging and buildings will be located on the south portion of 18791 Westminster Highway. Modifications have been made to the south portion of 18791 Westminster Highway that has resulted in an increase in the farm staging and support area to 5 acres (2 hectares).***
- That a permanent fence be installed around the proposed temple assembly site to serve as a buffer between agricultural and temple uses. ***A minimum height 1.2 m (4 ft.) fence along the north edge and north east corner of the temple portion of the site will be implemented. There is an existing mature hedge located along the west edge of the site that provides a solid contiguous buffer. A landscape plan, bond and legal agreement will be secured through the rezoning to ensure implementation.***
- A covenant be secured on 18791 Westminster Highway preventing the site from being used for off-street parking associated with the temple. ***A legal agreement will be secured through the rezoning to prevent use of 18791 Westminster Highway for parking for the temple.***
- That sufficient off-street parking for the expanded temple be provided and that a supporting Traffic Impact Assessment (TIA) be provided through the rezoning. ***The proposed Assembly (ASY) zoned portion of the subject site can accommodate the necessary off-street parking in accordance with zoning bylaw requirements. A TIA has also been submitted, reviewed and approved by Transportation and Ministry of Transportation and Infrastructure staff.***
- That a no-build covenant be placed on the property at 18791 Westminster Highway. ***This condition is recommended for removal through the rezoning application at the request of the applicant.***
- Consolidation of 18691 and 18791 Westminster Highway into one lot. ***Consolidation is a requirement of rezoning.***

- In response to questions on future projects, staff noted that as part of the update a cost benefit analysis will be undertaken to ensure that projects are obtaining the best return on investment. The update to the study will also help to ensure future works are still providing an agricultural benefit.
- Engineering staff confirmed that the existing drainage and irrigation model for East Richmond will be analyzed to take into account projects already completed.
- Ministry of Agriculture staff indicated that a Land Use Inventory Study for agriculture lands in Richmond was undertaken in 2010 and the report is in the final stages of review. Once completed, it can be utilized as part of the update to provide updated information on land uses in the study area and estimate potential water demand and drainage needs for each agricultural land use identified in the inventory.
- Members asked about if the study on agricultural drainage and irrigation would look at all farm areas identified. Engineering staff confirmed that for the study, agricultural lands east of Highway 99 are captured in the study update. As a result, members also suggested that drainage and irrigation infrastructure in other agricultural areas (i.e., Gilmore area south of Steveston Highway) be looked at to ensure that these systems are functioning properly to support agriculture. Specific reference was made to the maintenance schedule of two main drainage thoroughfares in the Gilmore Area along Gilbert Road and No. 3 Road.
- In early 2013, Engineering Planning staff plan to host a couple of open houses as well as undertake consultation with some specific stakeholders and farmers in East Richmond. An update will be provided to the AAC around the time of the open houses.

3. Development Proposal 18691/18791 Westminster Highway – Rezoning Proposal for Nanaksar Gurdwara Gursikh Temple Expansion

Staff provided an overview of the proposed Nanaksar Gurdwara Gursikh Temple expansion project that included portions of the temple properties to be utilized for expanded portions of the temple building and supporting off-street parking. Additional information was provided on the history of the previous non-farm use ALR application approved by Richmond City Council and the ALC in 2001, conditions associated with the 2001 approval and the proponent's reasons for moving forward with the expansion now. Staff noted that the proposed building expansion has been significantly scaled back to approximately 21,000 sq. ft. (previous proposal was up to approximately 45,000 sq.ft.) and that all required off-street parking could be provided on the western lot (18691 Westminster Highway), which was previously approved by Richmond City Council and the ALC for non-farm use. Staff also confirmed that the proposed temple expansion was generally in compliance with the previous approvals granted for the ALR non-farm use application in 2001 and that a number of conditions will be secured through this rezoning.

Staff noted that prior to 2010, the back portions of the temple properties were actively farmed (blueberry), but a recent bout of scorch virus impacted all of their blueberry shrubs. The

proponent's engaged a farm consultant who confirmed that the only effective way to eliminate blueberry shrubs infected by the scorch virus was to remove all of the shrubs and replant with specific measures to monitor and spray the new shrubs to ensure the virus does not take hold again.

AAC members, City staff and the proponent made the following comments on the proposed rezoning application:

- Members commented on the previous revenue generated from the blueberry operations on the subject site and that the congregation was correct to remove all blueberry shrubs as this is the only effective way to eliminate the scorch virus and prevent its spread to neighbouring farms.
- Members questioned the need for the large farm staging area on the east temple property (18791 Westminster Highway). Staff and the proponent confirmed that this was a requirement of the 2001 approval and that the area already consisted of compacted gravel. The temple expansion did not involve expanding the gravelled area to the east further into the farm areas as this was a pre-existing condition. Staff and the proponent also confirmed that all of the off-street parking for the temple was contained on the western lot (18691 Westminster Highway) and that no portions of the eastern property (18791 Westminster Highway) would be utilized for temple parking or other uses.
- In response to questions from Committee members, staff confirmed that the two temple properties (18691/18791 Westminster Highway) will be required to consolidate into one lot as this was a requirement of the 2001 approval.
- Members asked how the reinstatement of blueberry operations would be undertaken for the farm portions of the property. The temple proponents noted that blueberry activities would be re-established on the northern portions of the consolidated lot based on the previous farm operations, which involved members of the congregation volunteering time, equipment and resources to the farm. They confirmed that they would be continuing this approach to re-establishing the blueberry shrubs as soon as possible, subject to the available resources of the congregation. Staff noted that additional information can be requested from the proponent's Agrologist consultant to provide more detailed information on a farm implementation and phasing plan.
- Existing drainage and irrigation infrastructure was disturbed with the removal of the previous blueberry bushes, which will be re-established when the farm activities are restored.
- In response to questions from the AAC, staff and the proponent noted that a traffic consultant report and recommendations on access configuration and related road/transportation related upgrades will be undertaken as part of this proposal. This report and related improvements is required to be reviewed and approved by the Ministry of Transportation and Infrastructure.

- In response to questions from the Committee, staff confirmed the legal agreements to be secured as part of this development to ensure that the expansion of the temple is limited to what was granted by the ALC in 2001 and that no further growth of the temple into surrounding farm areas is permitted.

AAC members made the following motion in relation to the rezoning proposal:

That the rezoning application for the Nanaksar Gurdwara Gursikh temple expansion at 18691/18791 Westminster Highway be supported subject to securing the following conditions:

- *Consolidation of 18691 and 18791 Westminster Highway and ensure that no further temple related development occur on the eastern portion of the temple site (18791 Westminster Highway).*
- *That only farming and farm support staging areas be permitted on remaining portions of the consolidated temple site.*

Carried Unanimously

AAC members requested that this project be added to the Action Items Table so that progress can be monitored and updates be provided to Committee members.

4. Development Proposal at 9771/9811 No. 6 Road (Non-farm Use – Subdivision)

Staff provided background on the proposed subdivision/lot line reconfiguration at 9771/9811 No. 6 Road which facilitates the “flipping” of the existing lots so that a proposed larger north lot (containing the soils operation) would be associated with the house to the north and that a smaller parcel (1 acre) would be maintained on the south. The owners of Kutny’s soil operation also confirmed that rationale for the reconfiguration of lots is to enable the transfer of the soil operation to the son and enable the father to remain in his existing house (proposed southern lot). Staff confirmed that currently, two lots exist and that the proposed lot reconfiguration does not result in the creation of any additional lots.

Information was provided about the ALC approval to allow the soils operation to continue in 2010 and that the approval is specific to the existing operators and cannot be transferred to a different individual or owner. AAC members suggested that options be looked at to place a notification to inform about surrounding agricultural activities. Staff confirmed that if the lot reconfiguration is approved, the proposed two lots could be sold independently as they are two separate lots currently.

AAC members forwarded the following motion:

That the proposed lot reconfiguration at 9771 and 9811 No. 6 Road be supported subject to a notification to be placed on the lots to inform existing and all future property owners about surrounding agricultural activities.

Carried Unanimously



ATTACHMENT 8

1081 Canada Avenue
Duncan, BC V9L 1V2
P: 250.746.5545
F: 250.746.5850
www.madrone.ca
info@madrone.ca

November 14, 2012

Nanaksar Gurdwara, Gursikh Temple,
18691 Westminster Highway,
Richmond, BC, V6V 1B1

Nanaksar Gurdwara Gursikh Temple Property – Agricultural Assessment – 2012 Amendment

Introduction

In 2008 I completed an agricultural assessment of the Nanaksar Gurdwara, Gursikh Temple in Richmond. At that time, the congregation had submitted an application to the City of Richmond to rezone a small (1.8 ha) area from Agricultural District (AG1) to Assembly District (ASY). This plan included an expansion of the existing temple and a conversion of a small part of the existing farm area to allow for increased parking needs. The agricultural assessment or 'farm plan' was requested by the City to conduct their evaluation of the application.

Since that time, a number of changes have occurred:

1. The Nanaksar Gurdwara have modified their plans, which include a new, smaller, one storey New Gurdwara Building at the rear of the existing building.
2. Extensive highway construction on the new Nelson Road Interchange, as well as changes to the traffic lanes on the Westminster Highway; these changes have resulted in the congregation having to move a farm building on their East Lot and install new parking areas. The west lot has been minimally impacted.
3. Established blueberry fields at the time of my 2008 assessment, which consisted of 10.3 ha (25.4 acres) had to be destroyed due to an outbreak of blueberry scorch virus.
4. Blueberry prices have experienced substantial fluctuations since 2007 and overall have decreased since the prices quoted in my 2008 assessment.

Plan Modifications

The updated plans include substantially revamped changes to the developed (non-agricultural) portions of the property, but have had little effect on the area available for farm production. I understand that of a total area of 17.4 ha (42.84 acres), 3.09 ha (7.63 acres) are dedicated to the temple and parking and an additional 2.05 ha (5.06 acres) has been allowed for "Religious Gardens and Lawns". The total will be consolidated leaving 12.3 ha (30.15 acres) available for farming¹. These areas are approximately the same as those cited in the 2008 assessment.

Highway Reconstruction

Extensive highway reconstruction has not affected the prospective land area for farming on the property. However some of the excavated soil (peat) has been stock-piled for use on the farm or the garden. I understand that no other foreign material will be brought onto the farm area. At the time of this amendment there is a pile of sand, but I understand that will be used for parking area base.

Blueberry Scorch Virus Infection

At the time of my 2008 assessment 10.3 ha (25.4 acres) were under blueberry production. Since that time, these blueberries became infected with blueberry scorch virus, a destructive disease spread by aphids. As there is no effective treatment for infected plants, the congregation decided to destroy the crop, digging up all the plants and disposing them off-site. As this is written, the fields are bare (Photo 1).

Digging up and removing the infected plant material is an appropriate strategy, according to the BC Ministry of Agriculture, which indicates that once infected the plants do not recover.

Re-establishment of Blueberry Crop

I understand that it is the intention of the congregation to replant all available farm area with blueberries. To minimize the risk of a repeated infection with the blueberry scorch virus, the MOA² recommends:

- Monitor fields for scorch virus symptoms, especially during bloom
- Sample and test any plants with suspicious symptoms

¹ These data were provided to me by Mr. Nirbhai Viridi, Architect under contract to Nanaksar Gurdwara Gursikh Temple.

² <http://www.agf.gov.bc.ca/cropprot/blsv.htm>, accessed Nov.7, 2012.

- Remove all infected plants
- Maintain an effective aphid control program
- Only purchase planting stock that has been grown according to an accepted propagation protocol that includes virus testing.

For successful blueberry crop establishment it will be necessary to install drainage and irrigation infrastructure similar to that in place prior to removal of the original blueberry crop. Due to the poor drainage and high winter watertables it would be appropriate to use clean fill to raise the elevation of planting beds. I noted that sawdust has been stockpiled and is ready to reapply to the new crop as a mulch.

In addition to conventional pesticide applications (as recommended in the original 2008 assessment), the operators should include aphicides as indicated above.

In my 2008 assessment I provided estimates of revenue based on 2007 prices of \$1.27 per pound. Prices have fluctuated dramatically since that time, hitting a low of about \$0.60 in 2009. Prices have since recovered and appear to have stabilized near \$0.90 per pound. Based on my original assumption of production levels between 6 to 7 tons per acre, this would yield approximately \$11,000.00 to \$13,000.00 per acre.

I understand that the congregation continues to include individuals highly experienced in the management of blueberry farms. With the involvement of these individuals it is likely that the farm will be successful, provided the necessary attention is applied to:

- Ensuring proper selection of blueberry crop,
- Preparation of planting beds (ideally raised),
- Suitable drainage and irrigation,
- On-going pruning,
- Timely application of fertilizers;
- Bird control and
- Careful monitoring for nutrient status, health symptoms, bird damage and beehive management.

Sincerely,

**This is a digitally signed document of the
official manually signed and sealed document.*



Gordon Butt, P.Ag.
Consultant Agrologist

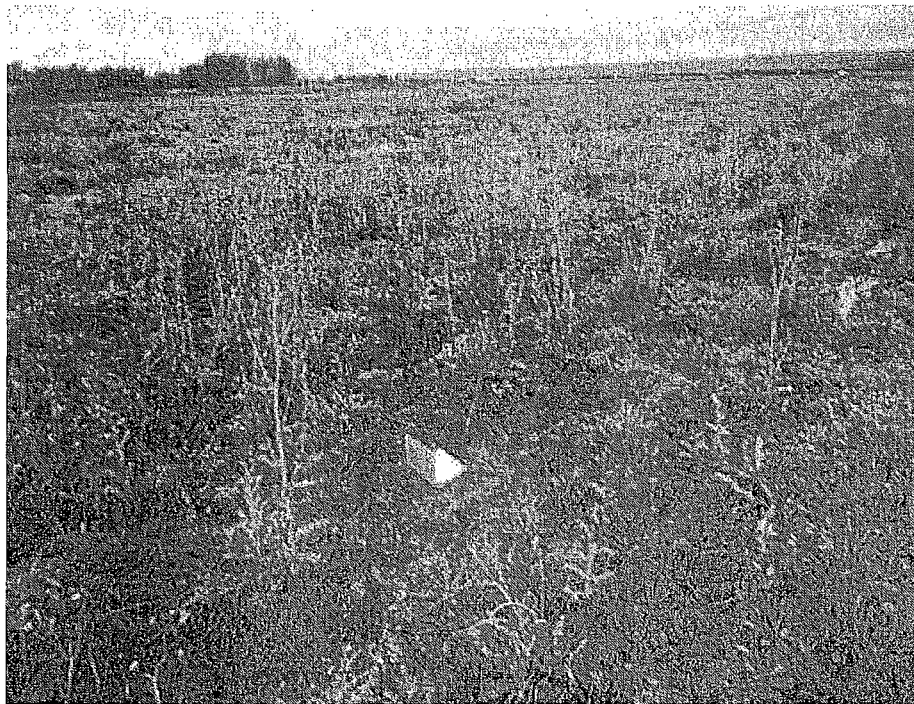


Photo 1. This shows the area formerly under blueberry cultivation. The congregation has correctly dug up the infected plants and has disposed of them.



City of Richmond

November 25th, 2014

Planning & Development Department

6911 No. 3 Road

Richmond, BC

V6Y 2C1

Attention: Mr. Kevin Eng

Re: NANAKSAR GURDWARA GURSIKH TEMPLE 18691 & 18791 Westminster Highway, Richmond, BC

Dear Kevin,

Nanaksar Gurdwara Gursikh Temple (NGGT) made its initial application to expand the Gurdwara facility back in 2001. Through the application process there were many requirements that were included as conditions for the rezoning and the non-farm use approval. Since then and during the past 14 years we have been able to reconcile most of the requirements. However, at this juncture, the NGGT Board is having serious difficulty accepting the requirements to place a no build covenant on 35 of the 43 acres of the consolidated sites and restricting parking on the southern part of 18791 Westminster Hwy.

In order to deal with the parking restriction, we have made a recent application to allow parking for special events on the south side of 18791 Westminster Hwy (see sketch attached). The following points should be considered in the approval of this application:

- NGGT purchased this site (18791 Westminster Hwy) approximately 20 years ago. Since then some portions of the southern parts of the site have always been used for overflow parking and for farm staging.
- According to air photos from 1987, approximately 2.5 acres of the 18791 Westminster Hwy (southern portion) was already gravelled. This condition has existed for the past 27 years, possibly longer.
- Before the purchase of 18791, all overflow parking ended up on Westminster Hwy. The parked vehicles on the north and south shoulders of Westminster Hwy. usually extended east beyond Nelson Rd and west beyond No. 8 Rd. Parking along Westminster Hwy was very unsafe for the congregation and restricted the flow of traffic.

Nanaksar Gurdwara Gursikh Temple
Application for Non-farm Use
18791 Westminster Hwy.
Richmond, BC

- A traffic and transportation study to address this overflow parking has been prepared and submitted to City of Richmond and MOT for review and approval.
- In 2009/10 the City of Richmond, the Province of BC and the Federal Government moved forward with the new Nelson Rd interchange off Highway 91 to provide truck access to the Industrial lands south of Westminster Hwy. The interchange project impacted our site as the road widening and the additional working easements outside the widening extended over our existing flower garden and the farm building (see attached aerial from 2009).
- The flower garden had to be removed and will be restored to a new location. The location of the new flower garden has not been determined. The flowers from this garden are grown for use during the full moon celebrations by the gurdwara. This garden is also used as a meditation space so moving it far enough away from the Nelson Rd traffic noise and pollution will be important.
- The farm building which sat on the south east corner of the property had to be removed as it was impacted by the widening and affected the site lines for traffic headed southbound on Nelson Rd. at Westminster Hwy. The building orientation and location was changed (see attached aerial from 2013).
- The Nelson Rd. interchange project precipitated the change to 18791 Westminster Hwy.
- The proposed application will formalize the existing use of this area of the site. It has been used for farm staging and for overflow parking for the past 20 plus years for the gurdwara congregation when required.
- Historically and in the future this gravelled overflow parking will be used only during large wedding celebrations, New year's celebrations, birth of Khalsa celebrations, birth of Guru Nanak Dev Ji celebrations, birth of Baba ji Meahan Singh (the founder of this society) celebrations and numerous other celebrations which are based on the lunar calendar that drift each year by several days or more.
- This area has always been gravel and our intent is to maintain it as such. The gravel surface will not change or effect the storm water flow to the farming operation. The gravel surface is also easily restorable.
- As you are aware this congregation has always farmed more than 2/3 of the property at all times. The exception was the tenure during the scorch virus attack and now all of the blueberry has been replanted.
- This new application has been made 14 years after the initial application. A lot has changed since the initial application so we are looking for the City of Richmond to allow the over flow parking on 18791 Westminster Hwy. and remove an old requirement proposed by staff under the initial application of 2001.
- We recommend that the City of Richmond forward a non-conditional application to the ALC to consider formalizing the existing non-farm use to allow overflow parking.

The second point of concern is the placing of a no build restrictive covenant. As noted previously the NGGT Board and congregation cannot accept sterilizing 35 of the 43 acres under a blanket no build covenant.

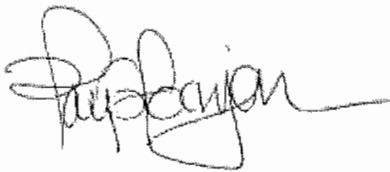
Nanaksar Gurdwara Gursikh Temple
Application for Non-farm Use
18791 Westminster Hwy.
Richmond, BC

- The no build restriction will impact the NGGT abilities for financing provisions and/or to secure capital funds in the ongoing farming operation and for the proposed building expansion and ongoing operations of the gurdwara.
- The provisions within the City of Richmond Zoning bylaw affords the necessary restrictions onsite. The covenant seems unfair and redundant.
- The provisions within the ALR affords the necessary restrictions on the site. The covenant seems unfair and redundant.
- The no build covenant will also restrict allowing the overflow parking on a portion of the site.
- Currently more than 2/3 of the consolidated site is being actively farmed.
- There is precedent in the City of Richmond in allowing many religious facilities to proceed with 2/3 of the site used for agricultural purposes and the remaining 1/3 as non-farm uses.
- The gurudwara is actively farming the site without any requirements placed on the land as is the case with other religious facilities.

On a final note, this application would not be necessary should the City of Richmond decide that the no build covenant, and the removal of gravel parking, be deleted as a requirement of the 2001 application. It would be our preference to proceed with the 2001 rezoning application should these two conditions be removed.

Should you have any questions and/or concerns, do not hesitate to contact the under signed.

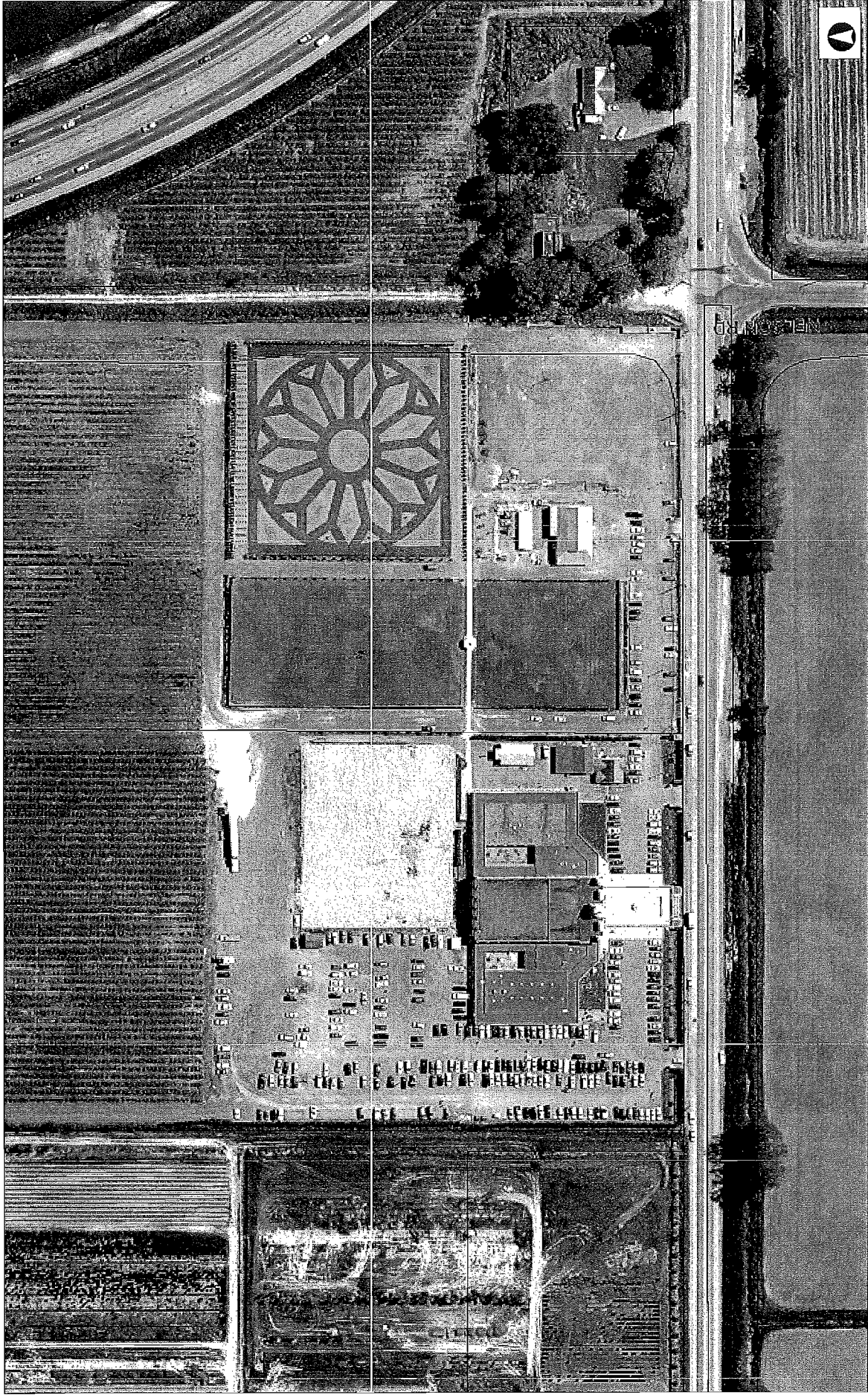
Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Harp S. Hoonjan', with a long horizontal flourish extending to the right.

Harp S. Hoonjan,
Platinum Projects Ltd.

Cc: Nanaksar Gurdwara Gursikh Temple Board

City of Richmond Interactive Map 2002



102.4

0

51.18

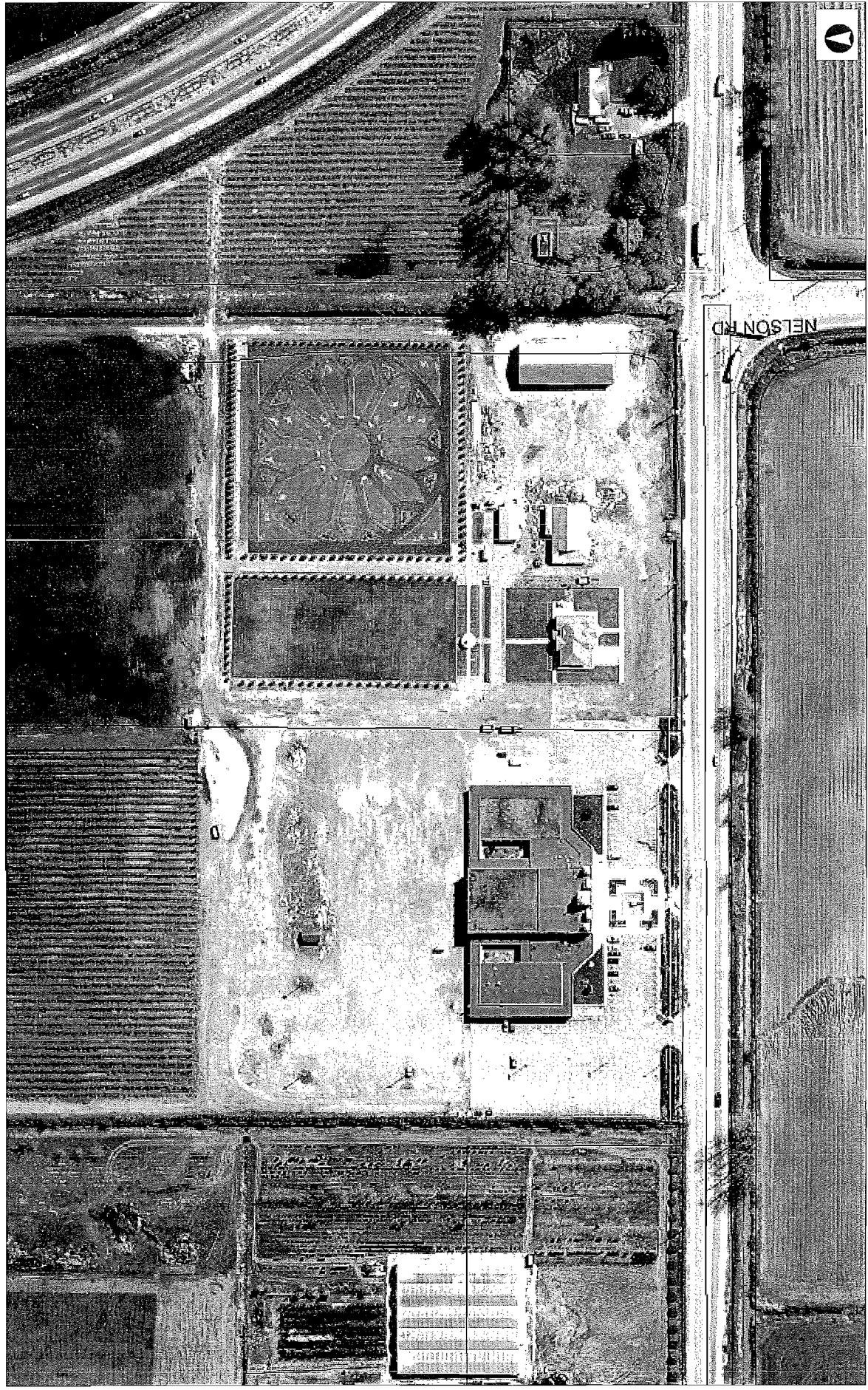
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City of Richmond Interactive Map 2009

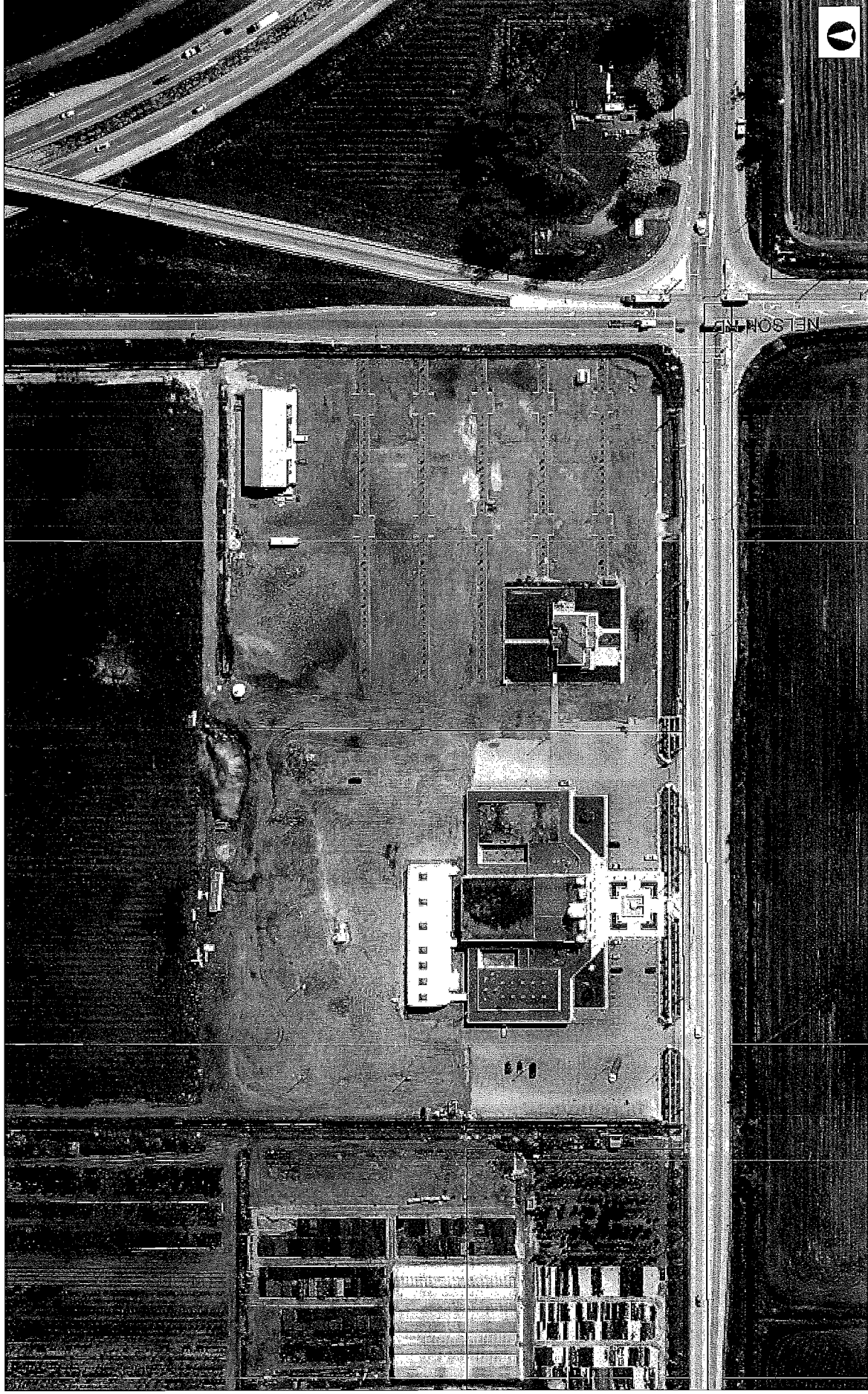


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City of Richmond Interactive Map 2013



102.4 0 51.18 102.4 Meters

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Rezoning Considerations

Development Applications Division
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 18691 Westminster Highway

File No.: RZ 02-208277

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9044, the developer is required to complete the following:

1. Provincial Ministry of Transportation and Infrastructure Approval.
2. Consolidation of 18691 and 18791 Westminster Highway into one lot.
3. Submission of a landscape plan, by the proponent's landscape architect, that includes the following components:
 - a) Minimum 1.2 m height of fencing along the north and north east corner of the proposed "Assembly (ASY)" zoned area.
 - b) Existing evergreen hedge to be maintained along the west portion of the proposed "Assembly (ASY)" zoned land with any existing gaps to be repaired and replaced with new plantings.
 - c) Additional landscaping implemented in the temple off-street parking areas.
4. Submission of an appropriate landscaping bond/letter of credit in the amount of \$50,000 for on-site landscaping and perimeter buffer plantings and fencing.
5. Submission of a farm bond in the amount of \$30,000 for farm related works and plantings proposed for the Agriculture (AG1) zoned portions of the property. The release of this bond back to the applicant is contingent on the submission of a report from a consulting agrologist, to verify completion of the farm plan, resolution of any identified deficiencies and verification that the blueberry shrubs are producing a commercial crop.
6. Registration of a flood plain covenant on title identifying a minimum Flood Construction Level of 3.5 m GSC.
7. Registration of a legal agreement on title of the consolidated lot ensuring that the area (formerly associated with 18791 Westminster Highway) not be permitted to be used for off-street parking for the temple.
8. Registration of a legal agreement on title of the consolidated lot ensuring that perimeter landscape buffer and fencing (along north and north east corner of "Assembly (ASY)" zoned area) to be implemented around the perimeter of the "Assembly (ASY)" zoned portion of the property, as outlined in landscape plan to be submitted and approved by the City, must be maintained and cannot be modified or removed without approval from the City and identify that the buffer is to mitigate against typical impacts of odour, dust and noise associated with surrounding agricultural operations and prevent trespassing into agricultural areas.
9. Enter into a Servicing Agreement* for the design and construction of works along the entire frontage of the consolidated property (18691 and 18791 Westminster Highway). Works include, but may not be limited to:
 - a) 2 m wide asphalt walkway and street lighting (if necessary) across the frontage of 18691 and 18791 Westminster Highway north of the existing on-street bike lane separated by an extruded curb. The walkway may be narrowed to a width of no less than 1.5 m at locations with constraints (i.e., utility poles, fences, existing City infrastructure). Final design will be determined through the Servicing Agreement design review process.
 - b) Two accessible bus landing pads (3 m wide by 9 m length concrete pads) on both sides of Westminster Highway.
 - c) A painted median in between the west and east accesses for 18691 Westminster Highway, to facilitate a left hand turn bay and east bound merge lane for vehicles turning left out of the west access.
 - d) On Westminster Highway at the existing bus stop location, a special crosswalk, equipped with overhead illuminated signs, downward lighting, LED flashers, Audible Pedestrian Signal features, etc., is to be constructed as part of the development frontage works. The special crosswalk will be cost shared jointly (50/50 split, based on the overall cost) by the City and the applicant. Through the Servicing Agreement process, the applicant will be responsible for producing and submitting detailed design drawings to the City for approval which will outline the works to be completed by the applicant and the City. The applicant and the City will track costs associated with

Initial: _____

this installation and once all costs are accounted for, the City or the applicant will be compensated accordingly by the other party.

e) All works will be at the applicant's sole cost, except as noted above for works involving the special crosswalk.

10. Relating to the private sanitary sewer system located on the subject site and connecting to the City sanitary force main at Westminster Highway and Nelson Road, registration of a legal agreement on title of the consolidated lot outlining the following operational and maintenance parameters of the development's private sanitary sewer system. This legal agreement shall include the following provisions:

- (1) Be registered on all properties containing and utilizing the private sanitary sewer system.
- (2) Include a clause to require the property owners to operate and maintain the private sanitary sewer system at their sole cost and expense.
- (3) Include a clause to limit the maximum flow rate into the City-owned sanitary sewer system.
- (4) Include a clause to require the property owners to install and maintain a backflow prevention assembly on-site.
- (5) Include a clause to require the property owners to monitor the on-site pump station discharge to ensure that the peak flow and maximum daily discharge are not exceeded.
- (6) Include a clause to require the property owners to keep monitoring records for the private on-site sanitary pump station and submit appropriate records to the City upon request.
- (7) Include a clause that would prevent the private sanitary sewer system from being removed or modified without written consent of the City.
- (8) Identifies the property owner being responsible for operating and maintaining the on-site sanitary sewer system within the parameters of this agreement and that the property owner will be responsible for resolving/remedying any system operations that do not comply with this agreement
- (9) Contains an indemnity in favour of the City.
- (10) Contains other terms the City may require.

Prior to Building Permit Issuance, the applicant/developer must complete the following requirements:

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. Through the upcoming building permit/site servicing permit process, confirmation that the connection to a City storm system for the existing temple building and surrounding areas is adequately sized (confirmed by consulting engineer).
3. The site servicing permit associated with the building permit for the proposed expansion shall also take into account any storm water source control measures to be implemented as part of the temple expansion project.
4. The site servicing permit will also need to confirm that all storm water associated with the proposed temple building and associated off-street parking (existing and proposed temple expansion) is drained to an approved City storm system (and does not drain into any adjacent agricultural properties or areas).
5. Submission and approval of the appropriate building/plumbing permit for any required work to the private on-site sanitary sewer system.
6. The above items are to be addressed by your engineering consultant through the appropriate site servicing/building permit process (required to be resolved prior to issuance of Building Permits).
7. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

Note:

- * This requires a separate application.

Initial: _____

- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

-Signed Copy on File-

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9044 (RZ 02-208277)
18691 Westminster Highway**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **“ASSEMBLY (ASY)”**.

That area shown cross-hatched on “Schedule A attached to and forming part of Bylaw No. 9044”

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9044”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

ADOPTED

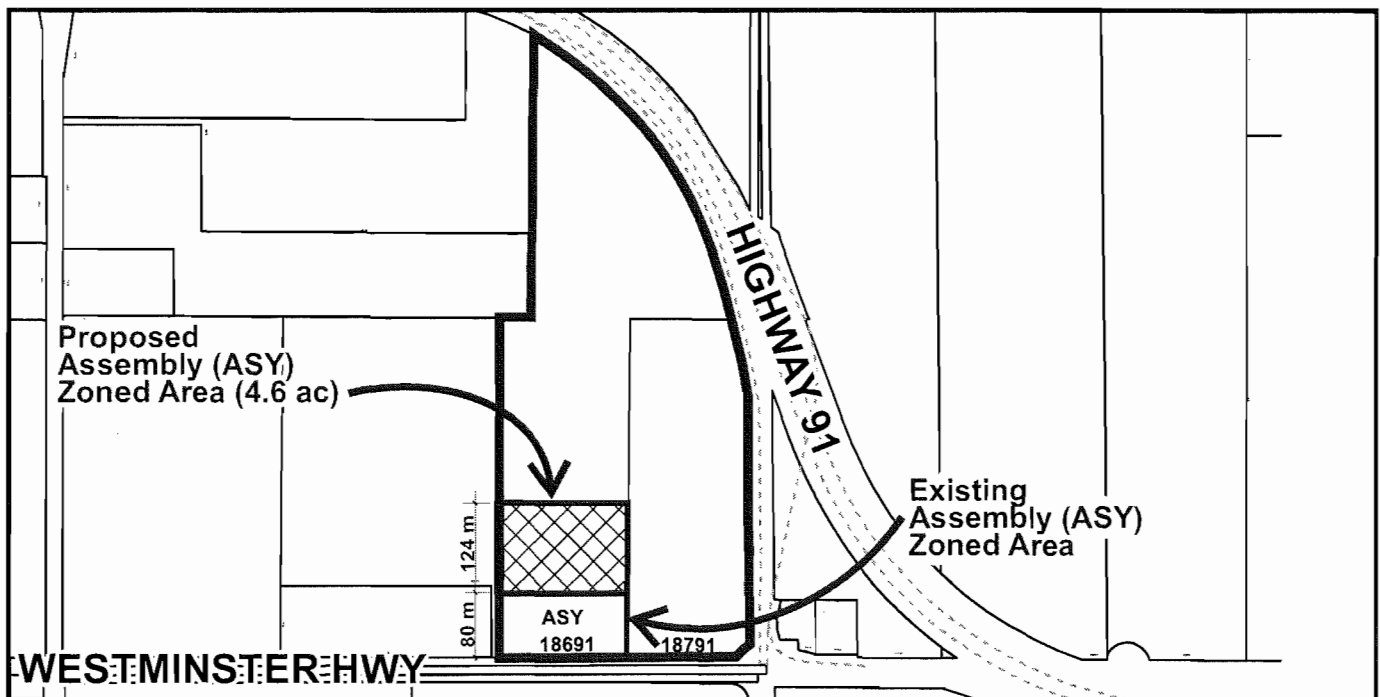
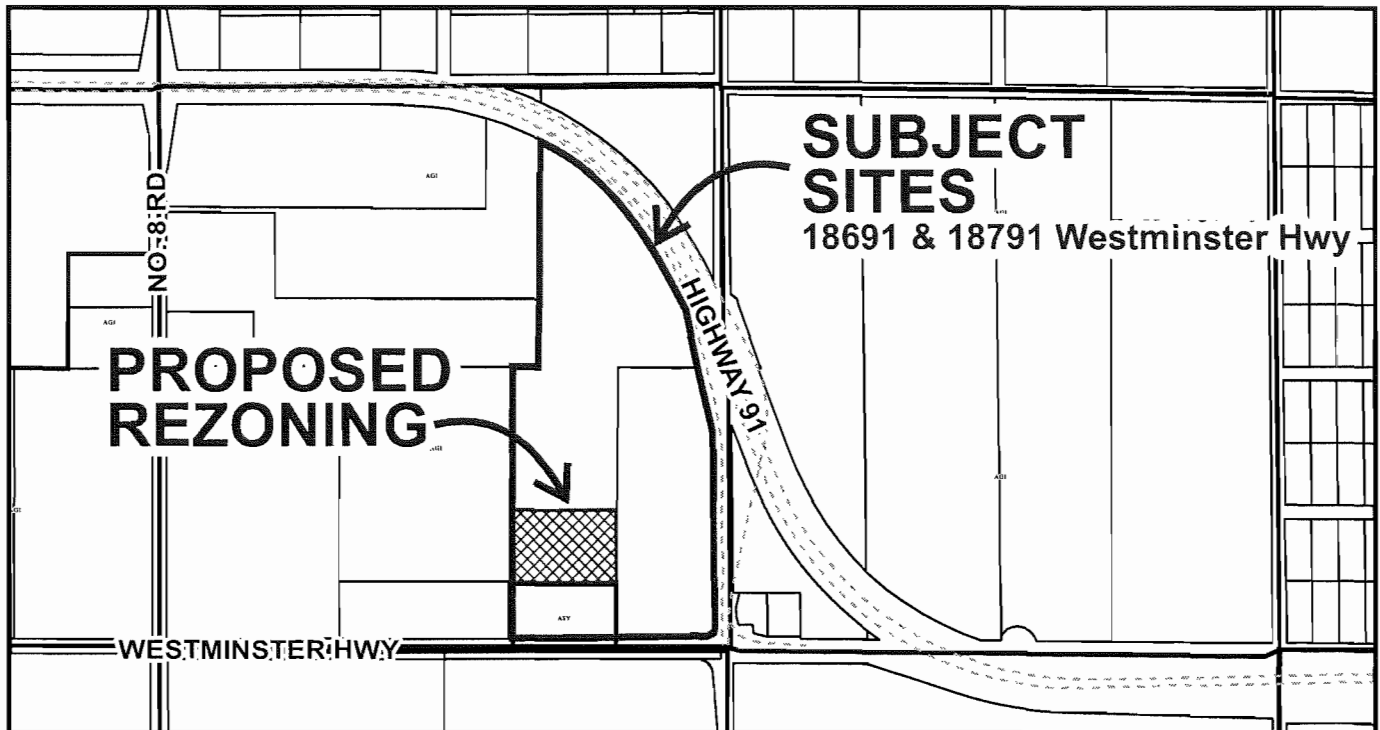
MAYOR

CORPORATE OFFICER





City of
Richmond



RZ 02-208277

Original Date: 01/09/15

Revision Date: 01/14/15

Note: Dimensions are in METRES