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**To:** Planning Committee  
**From:** Raul Allueva  
Director of Development  
**Date:** February 7, 2005  
**File:** AG 04-277909  
**RE: AGRICULTURAL LAND RESERVE APPEAL APPLICATION BY KABEL ATWALL  
FOR NON-FARM USE AT 14291 TRIANGLE ROAD**

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**Staff Recommendation**

That authorization for Kabel Atwall to apply to the Agricultural Land Commission for Non-Farm Use at 14291 Triangle Road be denied.

Raul Allueva  
Director of Development

RA:jl  
Att. 7

<b>FOR ORIGINATING DIVISION USE ONLY</b>
<b>CONCURRENCE OF GENERAL MANAGER</b>

**Staff Report**

**Origin**

Kabel Atwall has applied, on behalf of the Sant Nirankari Mission, to use a portion of 14291 Triangle Road for Non-Farm Use (**Attachment 1**). The property is zoned “Agricultural District (AG1)”, designated in the Official Community Plan (OCP) for agricultural use, and located within the Provincial Agricultural Land Reserve (ALR). A data sheet is included as **Attachment 2**.

The property is 2.1 ha (5.2 acres) in total size. As the applicant wishes to use a 0.8 ha (2.0 acres) portion of the property for assembly purposes, a Non-Farm Use application is required. If approved, rezoning of a portion of the property from AG1 to “Assembly District (ASY)”, and amendment of the OCP land use designation from “Agricultural” to “Community Institutional”, would also be required.

**Project Description**

Existing Land Use

The Sant Nirankari Mission purchased the site in 1993. A blueberry farm was established in the past few years on 1.3 ha (3.2 acres) of the site. There is an existing house and 3 accessory farm buildings at the southwest corner of the property. Access to the site is from Triangle Road.

The house and three accessory farm buildings have a total floor area of approximately 400 m<sup>2</sup> (4,300 ft<sup>2</sup>). A site plan of existing uses is provided in **Attachment 3**.

Proposed Land Use

If the Non-Farm Use application and subsequent rezoning application are approved, the short term plan of the Mission is to use an existing 131 m<sup>2</sup> (1,410 ft<sup>2</sup>) accessory building as a prayer hall (identified as Building C on the site plan in **Attachment 3**).

In the future, the Mission may tear down the existing buildings and construct a new building of approximately 600 m<sup>2</sup> (6,459 ft<sup>2</sup>) that would contain a prayer hall and residence. The future site plan, provided in **Attachment 4** shows the preliminary siting of a new building with approximately 100 surface parking stalls to accommodate the Mission’s congregation. The 1.3 ha agricultural portion would continue as a blueberry farm.

**Site Context**

The site context is as follows:

- North: Agricultural (zoned AG1)
- East: City-owned lands currently leased to Fraser Wharves and used for vehicle storage (zoned AE)
- South: Riverport Entertainment Complex (zoned AE)
- West: Agricultural (zoned AG1)

## **Related Policies & Studies**

In order to accommodate institutional uses in the ALR, the City and Agricultural Land Commission (ALC) formulated a policy area along No. 5 Road, south of Blundell Road in 1990. The policy allows the use of the west 110 m (360.9 ft.) of properties along No. 5 Road for institutional use, provided that the remaining backlands are actively farmed. The consideration of non-farm use in this area is subject to conditions which include preparation of a farm plan, farm consolidation, infrastructure improvements, etc.

## **Staff Comments**

Staff comments are included as **Attachment 5**.

## **Agricultural Potential**

The applicant provides a summary of and rationale for the application in **Attachment 6**. A 0.8 ha (2.0 acre) portion of the site, where the house and farm buildings are located, was filled unlawfully in the 1980s and was the subject of various non-compliance orders for illegal soil deposition activities which eventually led to debilitation of a portion of this site, and from prior topsoil screening activities. An agricultural assessment of the property, undertaken by the applicant, indicates that this filled area has been debilitated to the point where there is little remaining agricultural capability on this portion of the site for soil-based practices (see **Attachment 7**).

The application was considered at the Agricultural Advisory Committee (AAC) on January 27, 2005. The AAC passed the following resolution:

*“That the Non-Farm Use Application at 14291 Triangle Road not be supported.”*

The AAC did not agree with the applicant’s rationale that assembly use should be permitted because a portion of the lands was debilitated and had no agricultural capabilities. It is noted that the debilitation of previously arable land was the direct result of illegal activities, and rewarding these activities by permitting a non-farm use would encourage negative practices which would erode the long-term agricultural potential of ALR lands.

The AAC also noted that marginal lands in the ALR could be used for non-soil based agricultural activities such as greenhouses, nurseries, livestock barns, etc.

## **Analysis**

### Agricultural Production

The applicant reports that during 2004, the congregation sent approximately 2,500 pounds of blueberries to a processing plant, after satisfying the needs of the congregation.

The Mission intends to continue to operate the blueberry farm and use the debilitated areas of the site for assembly use and parking. As an active agricultural component has already been established by the Mission, no further agricultural improvements are proposed in this application.

### Intent of City Policies

This application is contrary to the City's policy for institutional use in the ALR. The policy was specifically developed in 1990 to accommodate increasing inquiries to use ALR land for institutional use. The policy, which was developed in consultation with the Agricultural Land Commission (ALC), seeks to concentrate new assembly uses in the No. 5 Road corridor rather than distribute them throughout the ALR. Since the policy was implemented, a number of new churches, temples, and educational institutions have become established along No. 5 Road.

The policy has been effective in reducing the pressure to consider land in other parts of the ALR for non-farm use. Careful management of non-farm uses in the ALR is required to maintain the City's goals to preserve the long-term agricultural viability of the ALR.

### Potential Implications

Staff acknowledge that the Mission has done some very good work by establishing a blueberry farm on the site and bringing the lands into production. Staff, however, cannot support the application for the following reasons:

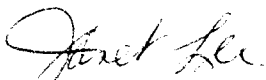
1. The proposal is contrary to established, well-known City policies regarding institutional uses in the ALR that have been in place since 1990;
2. There are still vacant lands in the No. 5 Road corridor that could accommodate this assembly use and provide for farming;
3. Approval of this application would reward previous unlawful soil filling activities and would encourage other non-farm use applications in the ALR;
4. The loss of zoned and designated land for agricultural use does not support long-term agricultural viability;
5. Aside from the continued use of the property as a blueberry farm, there are no other agricultural benefits or compensation for the permanent loss of 0.8 ha of agricultural zoned land for assembly use; and
6. The debilitated portions of the site can be used for non-soil based agricultural activities.

### **Financial Impact**

None.

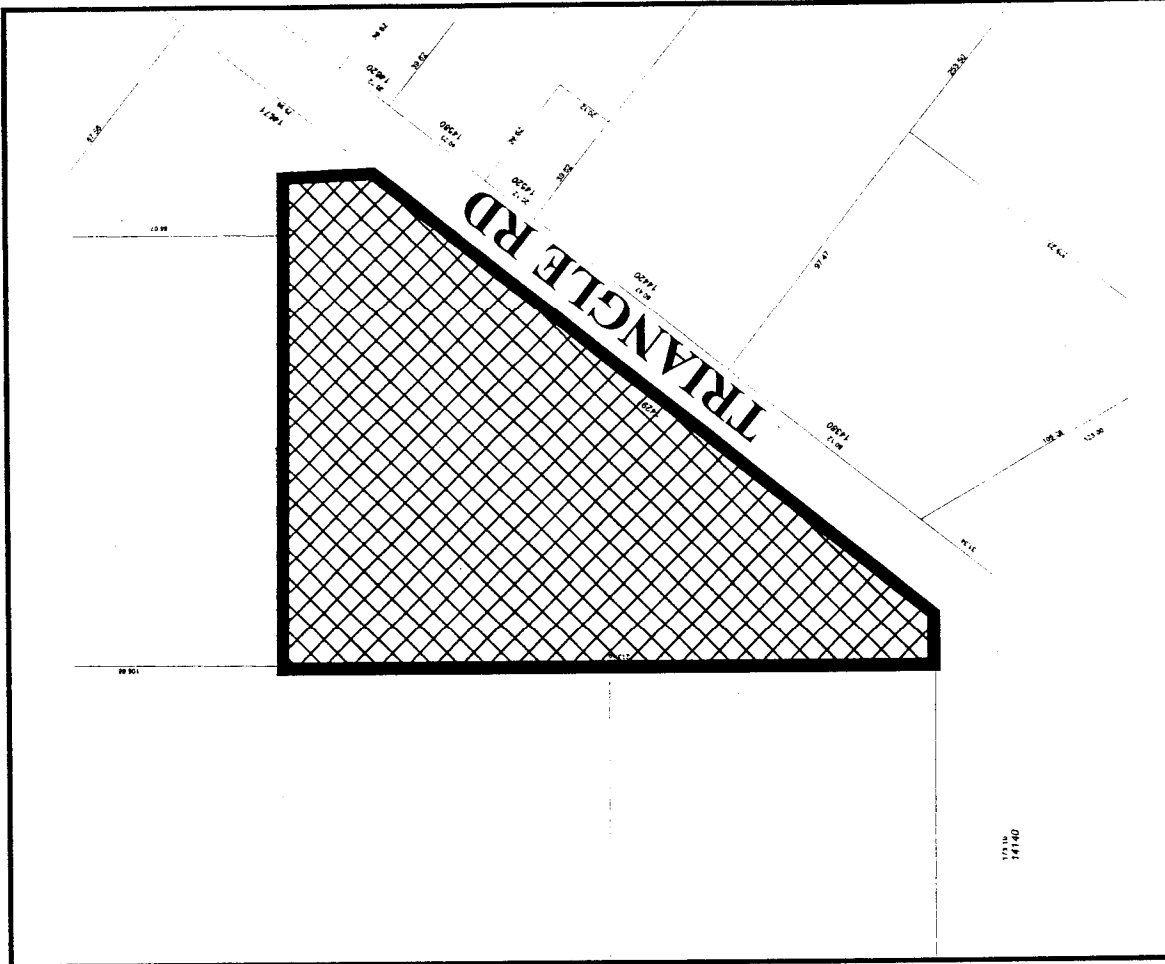
### **Conclusion**

As the proposal is contrary to City policies regarding institutional use in the ALR and sets a precedent that could be detrimental to overall objectives for sustaining long-term agricultural viability, Staff recommend that this application be denied.

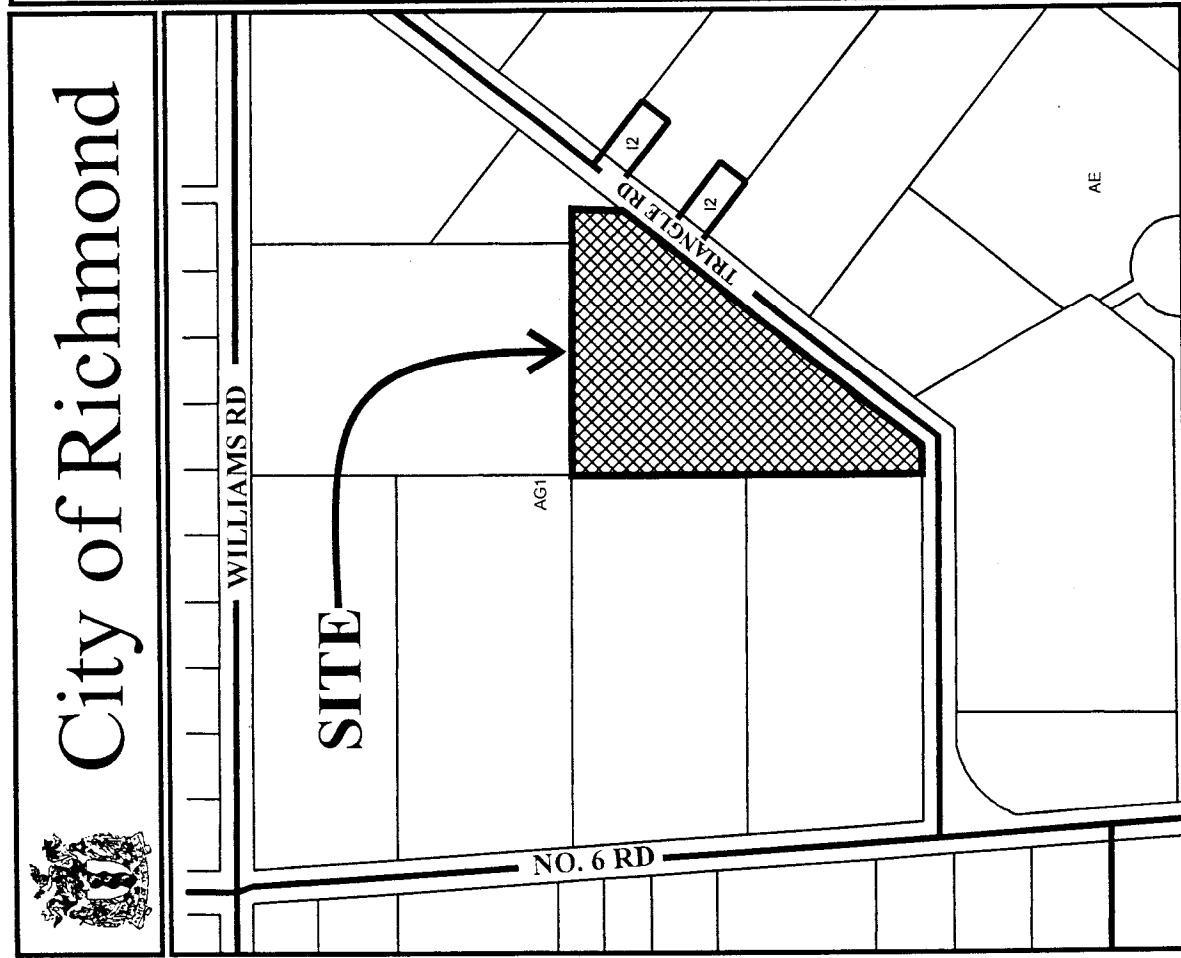


Janet Lee  
Planner 2

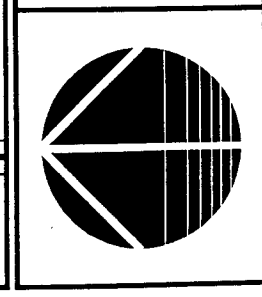
JL:jl



Original Date: 09/29/04  
 Revision Date: 10/27/04  
 Note: Dimensions are in METRES



AG 04-277909



City of Richmond





**City of Richmond**  
 6911 No. 3 Road  
 Richmond, BC V6Y 2C1

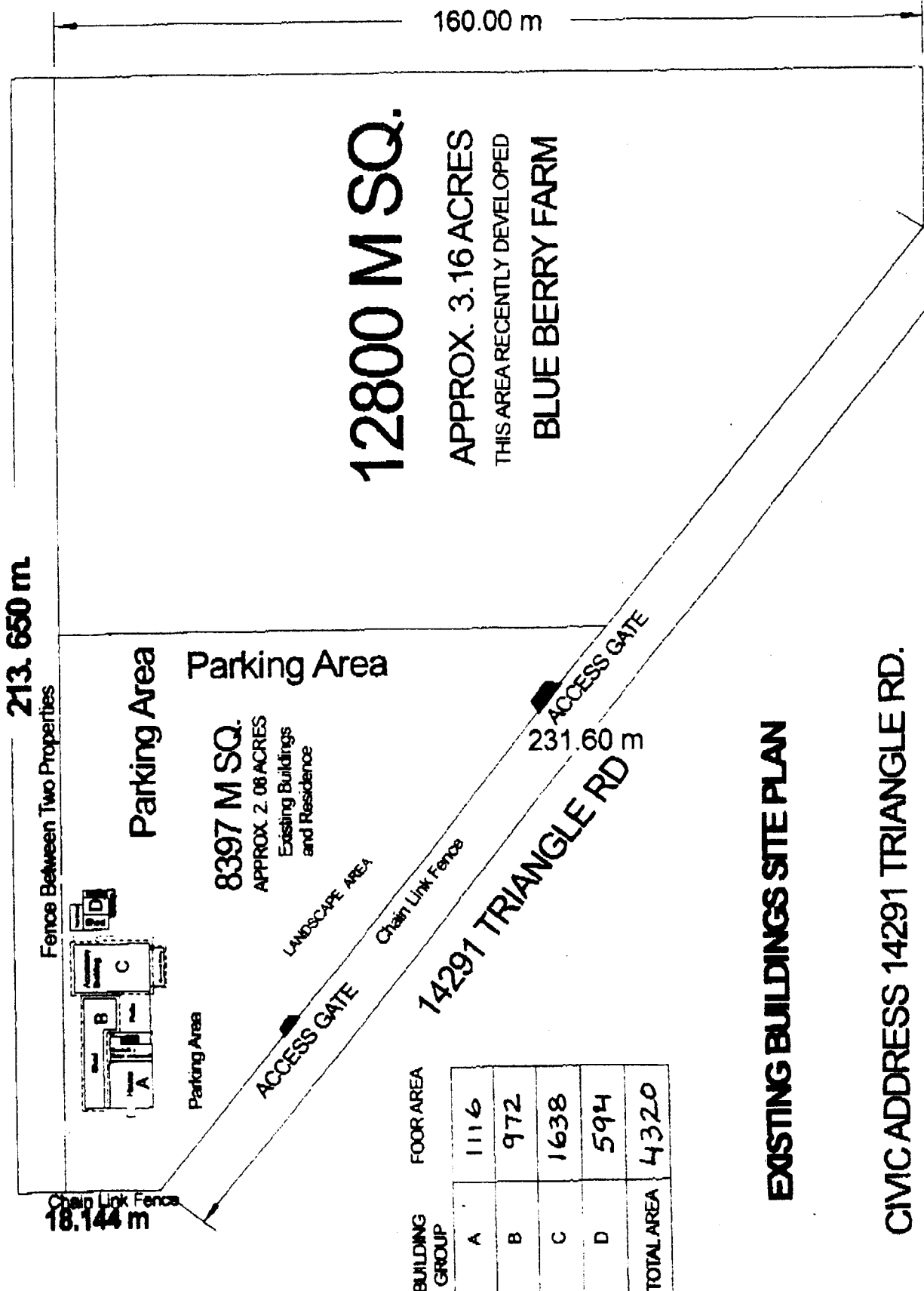
**ATTACHMENT 2**  
**Development Application**  
**Data Sheet**  
 Policy Planning Department

**AG 04-277909**

Address: 14291 Triangle Road  
 Applicant: Kabel Atwall  
 Planning Area(s): n/a

	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	The Sant Nirankari Mission Canada Inc.	No change
<b>Site Size:</b>	2.1 ha (5.2 acres)	No change
<b>Land Uses</b>	Agricultural	Institutional and Agricultural
<b>OCP Designation</b>	Agricultural	The land use designation of a portion of the site would have to be changed to "Community Institutional"
<b>Zoning</b>	AG1	Rezoning of a portion of the site to ASY would be required
<b>Other Designations</b>	Located in the ALR; Adjacent to ESA along the north property line	No change

Note: Building statistics, based on the preliminary plans, are not included as they will be dealt with at the future rezoning stage.



**12800 M SQ.**  
 APPROX. 3.16 ACRES  
 THIS AREA RECENTLY DEVELOPED  
 BLUE BERRY FARM

**8397 M SQ.**  
 APPROX. 2.06 ACRES  
 Existing Buildings  
 and Residence

BUILDING GROUP	FOOR AREA
A	1116
B	972
C	1638
D	594
TOTAL AREA	4320

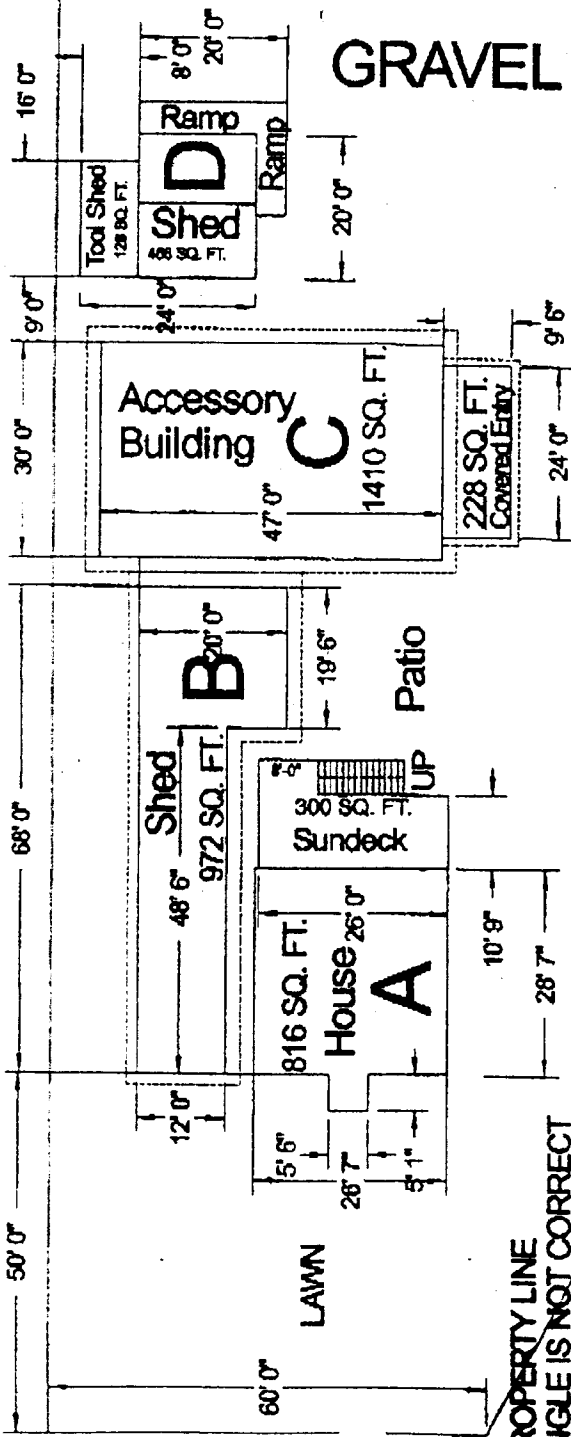
**EXISTING BUILDINGS SITE PLAN**

CIMC ADDRESS 14291 TRIANGLE RD.  
 LEGAL: 7 SEC 33 BLK4N RG5W PL3447

ALL LOT DIMENSIONS ARE APPROX. TAKEN FROM GIS MAP

**NOTE**  
FOR LOT DIMENSION  
SEE ATTACHED LAYOUT

**BLUEBERRY PLANTS  
APPROX. 3 ACRES PLUS**



**GRAVEL PARKING**

**LAWN**

**APPROX. 2 ACRES**

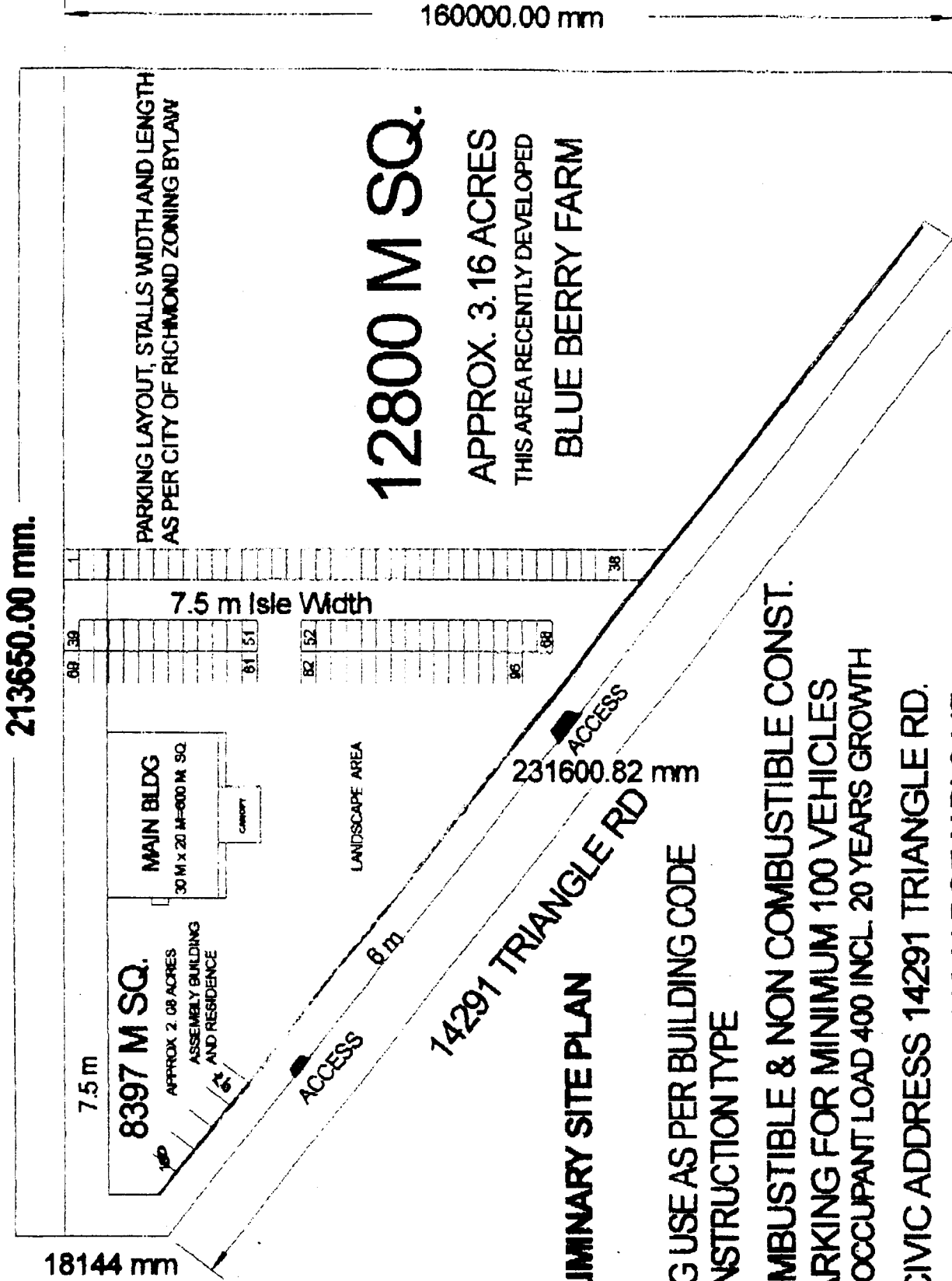
**14291 TRIANGLE RD.**

**TOTAL FLOOR AREA OF  
ALL EXISTING BUILDINGS  
APPROX. 4320 SQ. FT.**

**DRAWN BY KB DATE AUGUST 12, 2004**

**PROPERTY LINE  
ANGLE IS NOT CORRECT**





**12800 M SQ.**

APPROX. 3.16 ACRES  
THIS AREA RECENTLY DEVELOPED  
BLUE BERRY FARM

213650.00 mm.

160000.00 mm

PARKING LAYOUT, STALLS WIDTH AND LENGTH AS PER CITY OF RICHMOND ZONING BYLAW

7.5 m Isle Width

MAIN BLDG  
30 M x 20 M = 600 M. SQ.

8397 M SQ.  
APPROX 2.08 ACRES  
ASSEMBLY BUILDING  
AND RESIDENCE

LANDSCAPE AREA

14291 TRIANGLE RD

**PRELIMINARY SITE PLAN**

BUILDING USE AS PER BUILDING CODE  
AND CONSTRUCTION TYPE

A2 - COMBUSTIBLE & NON COMBUSTIBLE CONST.

PARKING FOR MINIMUM 100 VEHICLES

MAX. OCCUPANT LOAD 400 INCL. 20 YEARS GROWTH

CIVIC ADDRESS 14291 TRIANGLE RD.

LEGAL: 7 SEC 33 BLK4N RG5W PL3447

ALL DIMENSIONS ARE APPROX. TAKEN FROM GIS MAP

## Staff Comments on 14291 Triangle Road

### Policy Planning

The application is contrary to established City policies on institutional use in the ALR. Staff do not support the application.

**Should the application be supported by Council, there are issues related to transportation and servicing that will need to be addressed. Additional staff comments on these areas are outlined below.**

### Engineering Works and Services

1. There is no City sanitary sewer available to service the site. The developer is required to confirm with the Health Department that the lands are suitable for an on-site septic field.
2. Storm drainage is to an open ditch system, and there is a 150 mm diameter watermain.
3. As a condition of rezoning, the developer will be required to enter into a servicing agreement for the design and construction of frontage improvements; which include but are not limited to:
  - 1/2 road pavement upgrade, ditch in-fill with a piped system, upgrading the existing watermain to 300 mm diameter main, curb and gutter, 1.5 m grassed and treed boulevard, 1.5m concrete sidewalk, and street lighting all to current standards and specifications.
4. Development Cost Charges and service connections will be determined at the building permit stage.

### Transportation

1. Provision of on-site handicapped parking is required.
2. Applicant to show loading areas on the site plan.
3. Consolidation of driveways to one (instead of the two proposed) off Triangle Rd. Access should be located as far away from the bend as possible (i.e. as far to the northeast as possible). The internal drive aisle should be in line with the access. Applicant to show how blueberry operations could be served (i.e. location of parking and loading), using the same access.
4. Frontage improvements required, including sidewalks, boulevard, curb & gutter, and 1/2 road. In addition, applicant would be responsible for road and traffic design along the frontage.
5. Land dedication required along the south perimeter and at the southeast corner; exact requirement to be determined.
6. \$3000 contribution towards future traffic calming devices along Triangle Road.
7. More information is required from applicant before Transportation completes the assessment, including:
  - Operating hours
  - Time, type and number of vehicles generated, both on a day-to-day basis and during weekends/special events
  - Traffic impact study may be required pending the use and operation of the development.

**APPLICATION FOR NON FARM USE**

**RICHMOND, B.C.**

 **ENTERED**

Prepared for  
Sant Nirankari Mission Canada Inc.  
By  
Khevin Development Service Ltd.  
September, 2004

04-277909 AG

## **PROPOSAL**

The Sant Nirankari Mission Canada wishes to utilize the filled portion of the subject property for Assembly purposes.

The filled portion of the property occupies .8 ha. of the subject site.

## **LEGAL DESCRIPTION**

The subject property is legally described as:

Lot 7, Section 33, Block 4 North, Range 5 West, New Westminster District, Plan 3447.

The property's civic address is 14291 Triangle Road.

The property is 2.1 hectares in size.

The Mission acquired the property in 1993.

## **EXISTING LAND USE**

The subject property presently contains two buildings and two outbuildings, on the area proposed for Assembly use. These buildings are contained within the .8 ha. portion of the property that had been filled prior to the purchase of the property by the applicant in 1993.

The remaining 1.3 ha. of the property is in blueberry production. This agricultural use was initiated and is maintained by the Mission.

## **SURROUNDING LAND USE**

To the west, the property is adjacent to land being used for agricultural purposes. To the north are lands in the ALR, in varying states of agricultural use.

To the east is Triangle Road, along with industrial and recreational uses. To the south are the 3 Rinks and the Silver City Complex.

## **AGRICULTURAL LAND RESERVE HISTORY**

In looking at the use of the filled portion of the property for Assembly purposes, it is important to consider the past ALR history of the site.

The property has had an eventful ALR past that has resulted in .8 ha. of the property being filled.

The first ALR application for the property was filed in 1979, requesting permission to place fill on the property to raise the level of the land. This application was refused, nonetheless, the property was loaded without the permission and this was noted by the ALC in October of 1981.

In November of 1981, the ALC again refused the placement of fill on the property to improve soil drainage. Pictures taken by the ALC in 1983 showed topsoil being removed and fill being deposited. Given the previous ALR denials, it is assumed that this removal of the topsoil and deposition of fill was undertaken without permission.

Also in 1983, another application was made to the ALC, requesting permission to use .5 acres for the screening and recycling of topsoil. An on-site inspection report by the ALC's staff agronomist, prior to the ALC's consideration of the application, noted that a soil manufacturing machine had been installed and that the property had been filled. A previous ALC order to remove the fill had not been complied with. This application was also refused due to the illegal filling and because the fill had not been removed as per the ALC's previous order.

In March of 1984, permission was sought to run a topsoil business on the site to remove the existing stockpiles of soil. This application was allowed for 2 years, subject to no new material being brought on site and all waste material being removed.

In June of 1986, permission was sought to extend the business. The permit allowed by the ALC had expired, however, the business owner was still operating. A site inspection found several new loads of fill on the property. An extension of the permit was granted to September 30, 1986. The operation was to cease on this day, with no new fill being brought in, all concrete and other debris being removed by October 30, 1986 and the disturbed areas being leveled and seeded.

An extension was refused in October of 1986, however, in January of 1987, an extension was allowed to September, 1987.

These actions, whether approved by the ALC or not, resulted in the .8 ha. requested for Assembly use being filled. This can be confirmed by reviewing air photos of the site for the time period of the filling operations. This filling has debilitated the use of the .8 ha. portion of the site from an agricultural perspective.

This has been confirmed by an inspection of the site by Mr. Brian French, a Professional Agronomist. Mr. French has prepared a brief report outlining his findings and this report forms part of this submission.

## **RATIONALE FOR REQUEST**

The Mission wishes to utilize the filled portion of the property for Assembly use. It is extremely important to note that this area had been filled prior to the purchase of the site by the Mission in 1993.

As noted in Mr. French's report, the filled area has no agricultural potential whatsoever. It presently contains four buildings, which total some 4300 square feet. While there had been building permit issues with two of the buildings in the past, these were resolved. It is also important to note that the property has not been used for prayer or worship services since March of 1998, when it was pointed out to the Mission that such uses were contrary to the ALC Act and Richmond's zoning bylaw.

In putting forward the application to utilize the filled for assembly purposes, it must be noted that the main focus of the property will continue to be its agricultural operation.

This Mission, upon acquiring the property proceed to clear the land and prepare it for agricultural purposes. This program resulted in the 1.3 ha. of the property that was not filled being planted to blueberries. The blueberry operation continues today and is managed by the Mission's congregation. While the area in agriculture is not large, it does occupy all the land that is not filled land and the Mission has clearly demonstrated its commitment to agriculture by utilizing all the land available for such purposes. This past year, after supplying the needs of the congregation, approximately 2500 pounds of blueberries were still sent to a processing plant. It is believed that this demonstrates the viability of the agricultural operation, as run by the congregation.

The area proposed for Assembly uses could never be utilized for agricultural purposes and given the overall size of the property and especially the size of the area utilized for agriculture being so small, all of the filled area would not be required for farm buildings and staging areas.

It is proposed that the Assembly use, while utilizing the debilitated land, will continue to reinforce the agricultural use of the remainder of the property. In this regard, the proposal is not dissimilar to the Gursikh Nanaksar Temple on Westminster Highway, albeit smaller in both the scale of development and the size of the properties. As with the Nanaksar Temple, debilitated land would be utilized for Assembly purposes, while promoting the utilization of the remaining non-debilitated land for agricultural purposes. The situation is also similar to other debilitated lands being used for non-agricultural purposes. The major difference in this particular case, is that what land could be used for agriculture is actually being used for such purposes.

The current plan is to utilize an existing 1410 square foot building (Building C on the site plan) for the prayer hall. At some future date, a new building of some 600 square meters would be constructed to replace the existing buildings. This building would contain a residence and prayer hall. More than sufficient land is also available to meet all future parking requirements.

**AGRICULTURAL CAPABILITY REPORT**

**C&F LAND RESOURCE CONSULTANTS LTD.**

*4383 Happy Valley Road, Victoria, B.C. V9C 3Z3  
(250)474-5072; fax:(250)474-5073; Email: cflrc@sham.ca*

September 13, 2004

Khevin Development Services Ltd.  
140 - 4651 Shell Road  
Richmond, B.C. V6X 3M3

Attention: Mr. Kabel Atwall

Dear Kabel:

**Re: 14291 Triangle Road, Richmond, B.C. - Agricultural Capability Opinion**

Further to your request and our site visit to the above noted property on August 5, 2004, I provide the following opinion with regard to the soil conditions found on this property.

The southern approximately 0.7 hectares of this 2.1 hectare property have been debilitated at some time in the past by placement of subsoil structural fill to a depth of approximately three metres on the native peat soil. It would be impractical to remove the fill since there has been substantial compression of the underlying peat which would leave the land well below the surrounding lands and subject to flooding. Also, the peat would have been structurally degraded by the preload.

The northern approximately 1.4 hectares is planted into blueberries on native peat soil.

The filled area has no agricultural capability for soil bound agriculture and would be rated Class 7, unimprovable.

The native peat soil area is Class O4W improvable to Class O2W with drainage.

A cadastral plan at 1:2,000 scale is included together with an enlarged air photo showing the site at 1:2,500 scale. Ground photographs are included.

Yours very truly,

C & F LAND RESOURCE CONSULTANTS LTD.

Per: 

Brian M. French, P.Ag.  
File:\osi\khevin-trianglerd-rep.wpd