



Garden City Conservation Society

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October 26, 2017

The Honourable Lana Popham, Minister of Agriculture
PO Box 9043, Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Popham:

We urge you to implement the ALR-protection proposals from Richmond FarmWatch. (They're in the FarmWatch letter of September 13, 2017, which we have included on pages 5 and 6 for reference.) The suggestions are firm enough to accomplish the intent and flexible enough to be fair. While being supportive, we have included ways to make the proposals even better.

We are urging provincial legislation via a small change to the *ALC Act*, but we also believe that local governments like Richmond should take more responsibility for the ALR. We therefore join with FarmWatch in also asking the Ministry to enhance the guidance for municipalities in the *Guide for Bylaw Development in Farming Areas*.

After building on the Richmond FarmWatch proposals (page 2), we have added a case study of the Richmond response to an epidemic of ALR mansions (page 3).

While sharing knowledge, we realize that you are personally building on many years gathering firsthand insights throughout BC, including the consultations of the Opposition Standing Committee for Agriculture and Food that you organized and chaired.

As you may recall, we have been a steadfast ALR defender for many years, and we have provided an illustrated profile on page 4. We remain rigorous in delving into issues and sharing insight, but you will see that we let it be fun too.

Together, let's save BC's ALR farmland for farmers, farming and a future of food. Please keep in touch with us.

Yours sincerely,

Sharon MacGougan, President; Michael Wolfe, Vice President; and Jim Wright, Past President
[Garden City Conservation Society](http://GardenCityConservationSociety), 778-320-1936 (Jim Wright)

Bcc: Many people who respect, defend and help revitalize the ALR



Analysis: Richmond FarmWatch suggestions & insights from the Garden City Conservation Society (GCCS)

**Suggested revised wording—
Richmond Farmwatch wording,
along with GCCS refining, in red**

Minister Lana Popham: The Garden City Conservation Society supports the Richmond FarmWatch suggestions (with the wording refinements shown) and offers further insights, drawing on Richmond experience.

Agricultural Land Commission Act, Section 18

Unless permitted under this Act,

(a) a local government, a first nation government or an authority, or a board or other agency established by a local government, a first nation government or an authority, or a person or agency that enters into an agreement under the *Local Services Act* may not

- (i) permit non-farm use of agricultural land or permit a residence or other building to be erected on the land except for farm use, or
- (ii) approve a residence with a floor area of more than 500 m² (total enclosed area prior to any deductions for stairwells, garage, etc.) or
- (iii) approve more than one residence on a parcel of land unless the additional residences are necessary for farm use, and

(b) an approving officer under the *Land Title Act*, the *Local Government Act* or the *Strata Property Act* or a person who exercises the powers of an approving officer under any other Act may not approve a subdivision of agricultural land.

In Section 18 (a) (i), FarmWatch added a key word, *residence*. This strengthens the wording, which currently only *implies* that building non-farmhouse residences is *not* allowed (except where explicitly permitted). In Richmond, the ALR landowners assert a supposed right to have residences of almost any size and kind constructed to the extent it was allowed when they purchased their ALR land.

In 18 (a) (ii), FarmWatch took the existing “maximum floor area” of “500 m² for principal farm residence” (stated in your Ministry’s *Guide for Bylaw Development in Farming Areas*) and inserted it in the *ALC Act*. Naturally, that would curtail the plundering of the ALR, but the GCCS question was “Why 500?” Some answers:

- Making it law simply strengthens an established limit. The 500 m² figure is not easy to dismiss as arbitrary, and it has not been controversial.
- At that 500 m² level, the ALC may not be pestered with applications to exceed it.
- While bolstering the ALR, it leaves room for local governments to act responsibly.

Guide for Bylaw Development in Farming Areas

2.4.6.5.3 Maximum Floor Area — Farm Residences

The Agricultural Land Commission Act does not permit a residence with a floor area of more than 500 m² on ALR land (Section 18). In order to direct the largest residential uses to non-farm areas, a municipality may set a lower floor-area limit for ALR residences. It would typically be the average floor area the municipality permits on its urban lots that are zoned for detached houses.

In addition, local governments may allow up to:

- a) 300 m² for each additional farm residence where permitted and
- b) 15 m² for each temporary farm worker housing space where permitted.

All the stated floor areas are totals prior to any deductions (for garages, stairwells, etc., as specified in municipal bylaws).

Earlier in 2017, Richmond staff made a diligent effort to calculate “a floor area commensurate with urban areas in Richmond,” since the *Guide for Bylaw Development* limits farm residences to the *lesser* of that calculation and 500 m².

From their staff-report, it appears the floor area that best met the *commensurate* criterion was 300 m² (calculated at 303 m² and rounded). Also, we have adopted their method for calculating a municipal limit (incorporated in the guideline at left).

Presumably the municipality would make the limit for an additional farm residence no higher than for the principal residence without the *Guide* having to say that.

In Richmond, a limit like 300 m² could hardly be a hardship for farmers, since a separate bylaw (#9706) gives them a streamlined way to exceed the set limit.

For simplicity, the stated areas need to be rounded metric totals with no deduction. (Since local deductions for excluded areas vary, they complicate the law/guideline.)

Case study via simulated discussion of the Richmond epidemic



Note: The “discussion” draws on the following option analysis by Richmond staff:

House Size Option 2 – Bylaw No. 9710

This option is based on the average house size permitted in all urban lots contained in the RS1 Zone. A review of current house sizes in Richmond show that the average house sizes in the RS1 zones is 303 m² (3,261 ft²). This option would use the RS1 zone FAR density provisions up to a maximum of 303 m² (3,261 ft²) for all residential buildings. With the 50 m² (538 ft²) floor area exemption for a garage, the total maximum floor area would be 353 m² (3,800 ft²).

The following simulated discussion is a case study of the City of Richmond’s 2017 attempt to address the issue of ALR farmland lost to farming when used for building mansions, not farmhouses. The method enables analysis

by easing the transfer of informed opinion between an activist and a minister, confident in each other and committed to an ALR-friendly solution. The characters’ use of first names (*Lana* and *Jim*) sets the tone.

Good morning, Jim!

Good morning, Lana! Nice to see you again!

Tell me, Jim, why does ALR house size matter so much?

Getting the size limits right will save ALR land for farm use by bringing the mansion *epidemic* under control. And it will help new farmers to farm by cooling land cost.

Epidemic? It’s that bad?

In Richmond, it’s been bad. Let’s make it a case study. In Richmond in the first quarter of 2017, there were 45 applications to build residences on ALR land. All 45 exceeded the 500 m² maximum in your *Guide*, and 33 exceeded 10,000 ft², which is almost twice the *Guide* maximum. In the pattern for recent years, practically none would be farmhouses. In most cases, the result would be farmland that is fragmented or lost to farming.

I imagine Richmond had a response to the epidemic. Can we learn from it, Jim?

One response was a three-month moratorium on ALR house-building applications. Staff prepared some options for limits on ALR house size and farm home plates, and citizens informed themselves and Council on the issue. When staff examined the applications, they were strict about deficient ones, which didn’t get permits.

I think that’s worth learning from. Lana, shall I go into how council acted and voted on ALR house size now? That would show a need for lots of improvement.

Absolutely! Improvement is what we’re here for.

Except for Councillors Harold Steves and Carol Day, Richmond Council largely ignored staff and the many pro-ALR speakers and did the will of ALR landowners. That included farming establishment people, watchful for the rising value of their lands as investments.

There was a widely spread error that a Ministry guideline allows Richmond ALR houses up to 500 m² (far above the staff calculation). The FarmWatch suggestions resolve it.

Unfortunately, council chose a floor area limit of **1000 m²**.

Jim, is the staff option next to your photo a good one?

Yes, it uses the average size of Richmond’s detached houses to meet your *Guide*’s five criteria (below). The total size of about 300 m² is “commensurate with urban areas,” as the *Guide* puts it. It’s simply right for Richmond. Furthermore, staff provided a bylaw, which was passed, to enable *farmers* to get rezoning for a larger house; it sets clear expectations for them, staff and council.

What can I help fix? And how?

Landowners got treated as *farmers* when evidently acting as *investors*, despite clear disambiguation by pro-ALR speakers, such as the “farmer roles” graphic.

Investors also played a “need to compromise” game with ALR protection that must not be compromised. The bylaw *Guide* or a policy statement could address it.

Also, since the investors dictated to council, you might ask your government to fix the local election funding rules.

The current guideline is toothless and hard to grasp. Let’s strengthen and simplify.

Two very different farmer roles are being confused.



We should support Farmer as **FARMER**:
Can build large home for extended family.



No need to support Farmer as **INVESTOR**:
Landowner trying to keep farmland selling price high.

2.4.6 Siting and Size of Residential Uses

This part outlines criteria for the regulation of residential uses in the ALR. The purpose and goals of regulating the siting and size of residential uses served as a foundation for creating the criteria and include:

- not restricting agricultural activities;
- directing the largest residential uses in a community to non-farming areas;
- minimizing the impact of residential uses on farm practices and farming potential in farming areas;
- minimizing loss and/or fragmentation of farmland due to residential uses; and
- minimizing the impact of residential uses on increasing costs of farmland.

Garden City Conservation Society stands up for the ALR and nature

As the [Garden City Conservation Society](#), we embody a long-time Richmond movement to respect and conserve ALR land for ALR uses: agricultural, ecological and open-land park uses for community wellness.

In the late 1980s, as the Save Richmond Farmland Society, the movement battled to save Terra Nova, farmland in the northwest corner of Lulu Island. The results include Terra Nova Natural Area and Rural Park, along with the Sharing Farm.

A decade ago, the movement evolved into the Garden City Lands Coalition. With great support from the people of Richmond and beyond, we helped save the Garden City Lands. (At the time, it was a huge federal field of ALR in the Richmond City Centre, with most of it slated for dense development.)

It was also a chosen battlefield for ALR opponents, and its fall would have been a major setback for the ALR in BC. Thanks to the highly effective citizen action, the ALR won, enabling the City to buy the Lands as ALR park.

Our ongoing action has included immense efforts in 2014 that helped limit the harm from the “bill to kill the ALR.” In our recent return to the Garden City Lands for Richmond Harvest Fest, we carried on the tradition.



At Richmond Harvest Fest 2017, we teamed up with the Richmond Nature Park Society and the City.

At top, Garden City Conservation Society member Suzanna Wright talks about colouring sheets that feature local wildlife and plant life, and visitors happily colour.

At bottom, Michael Wolfe, who is vice president of the Conservation Society, talks about the agricultural value of bog plants that are native to the Garden City Lands.

One Richmond staff member is in the photos, and another took them.

Successes like the Garden City Lands give reason for hope.



September 14, 2017

The Honourable Lana Popham, Minister of Agriculture
PO Box 9043, Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Popham:

To save the ALR, let's turn existing guidelines into a lifeline. May we explain?

In effect, the ALR is fast losing land that gets turned into country estates with mega mansions in places like Richmond. To make that worse, it drives the price of farmland beyond the reach of farmers. A swift boot to the problem will help revitalize the ALR.

We, [Richmond FarmWatch](#), are a grassroots group of farmers and residents who have stood up for farmland for the past five years, with significant success. After a rush to build ALR mega mansions in the first quarter of 2017, we urged council to act. They did, but the Richmond bylaws still allow **1000 m²** dwellings on most ALR parcels.

In contrast, the upper limit for residences on ALR land is **500 m²** of floor area in your *Guide for Bylaw Development in Farming Areas* (2.4.6.5.3). Please tweak the [Agricultural Land Commission Act](#) to make that limit **binding** as the *upper limit* in local bylaws.

Applying further guidelines (e.g., 2.4.6.3a), Richmond staff have calculated **300 m²** as a useful limit to channel urban residential use away from ALR areas *to urban neighbourhoods*. With that in mind, please also retain and fine-tune the related content in the [Guide for Bylaw Development in Farming Areas](#) and urge local governments to do their part.

To fill out our requests to you, we have included a chart with some sample wording.

Yours sincerely,

Michelle Li and Laura Gillanders
[Richmond FarmWatch](#)
RichmondFarmWatch@gmail.com

Suggestions from Richmond FarmWatch to Minister Lana Popham to protect ALR land from mega mansions

Current wording	Suggested revised wording
<p>Agricultural Land Commission Act, Section 18</p> <p>Unless permitted under this Act,</p> <p>(a) a local government, a first nation government or an authority, or a board or other agency established by a local government, a first nation government or an authority, or a person or agency that enters into an agreement under the <i>Local Services Act</i> may not</p> <p>(i) permit non-farm use of agricultural land or permit a building to be erected on the land except for farm use, or</p> <p>(ii) approve more than one residence on a parcel of land unless the additional residences are necessary for farm use, and</p> <p>(b) an approving officer under the <i>Land Title Act</i>, the <i>Local Government Act</i> or the <i>Strata Property Act</i> or a person who exercises the powers of an approving officer under any other Act may not approve a subdivision of agricultural land.</p>	<p>Unless permitted under this Act,</p> <p>(a) a local government, a first nation government or an authority, or a board or other agency established by a local government, a first nation government or an authority, or a person or agency that enters into an agreement under the <i>Local Services Act</i> may not</p> <p>(i) permit non-farm use of agricultural land or permit a residence or other building to be erected on the land except for farm use, or</p> <p>(ii) approve a residence with a floor area of more than 500 m², or</p> <p>(iii) approve more than one residence on a parcel of land unless the additional residences are necessary for farm use, and</p> <p>(b) an approving officer under the <i>Land Title Act</i>, the <i>Local Government Act</i> or the <i>Strata Property Act</i> or a person who exercises the powers of an approving officer under any other Act may not approve a subdivision of agricultural land.</p>
<p>Guide for Bylaw Development in Farming Areas</p> <p>2.4.6.5.3 Maximum Floor Area-Farm Residences</p> <p>The Minister’s Bylaw Standard does not include size restrictions for the floor area of farm residences. However, the following is offered as a suggestion where local governments wish to include these restrictions in their bylaws. The maximum floor area-farm residence(s) is the lesser of a floor area commensurate with urban areas or:</p> <p>a) 500 m² for principal farm residence;</p> <p>b) 300 m² for each additional farm residence where permitted; and</p> <p>c) 15 m² for each temporary farm worker housing space where permitted⁶.</p>	<p>2.4.6.5.3 Maximum Floor Area — Farm Residences</p> <p>The Agricultural Land Commission Act does not permit a residence with a floor area of more than 500 m² on ALR land (Section 18). In order to direct the largest residential uses in a community to non-farm areas, a local government may set a floor area limit (for residences on ALR land) that is lower than the ALC Act limit of 500 m² but not below 300 m².</p> <p>In addition, local governments may allow up to:</p> <p>a) 300 m² for each additional farm residence where permitted and</p> <p>b) 15 m² for each temporary farm worker housing space where permitted⁶.</p>
<p>Notes re challenges in relating the <i>Agricultural Land Commission Act</i> and the accompanying <i>ALR Regulation</i> to the principal dwelling/residence</p> <p>The <i>Act</i> and <i>Regulation</i> only imply that a principal dwelling is permitted on an ALR parcel. Since the <i>Act</i> says an ALR building must be for farm use, it implies the dwelling is for farm use. (The <i>Regulation</i>, which lists ALR farm uses and permitted uses, does not list the principal dwelling as either.)</p>	<p>That is hard to enforce, but an ALC Act limit on ALR house size would help, especially since the ALC could permit a larger size for demonstrated farm use. Another factor is that the <i>ALR Regulation</i> applies an extra standard to building area on large parcels in Zone 2—too much bureaucracy. Solution: Nix Zone 2.</p>