



**City of Richmond**  
Urban Development Division

**Report to Committee**

*To General Purposes - July 4, 2005*

**To:** General Purposes Committee

**Date:** June 24, 2005

**From:** Terry Crowe  
Manager, Policy Planning

**File:** AG 05-302706

**RE: AGRICULTURAL LAND RESERVE APPEAL APPLICATION BY CANADA LANDS COMPANY FOR EXCLUSION AT 5555 NO. 4 ROAD**

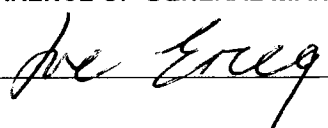
**Staff Recommendation**

That authorization for Canada Lands Company to apply to the Agricultural Land Commission for exclusion of 5555 No. 4 Road be approved.



Terry Crowe  
Manager, Policy Planning

HB:jl  
Att. 5

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
CAO Office .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Engineering .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Parks Design, Construction & Programs..	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

REVIEWED BY TAG	YES	NO
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REVIEWED BY CAO	YES	NO
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Staff Report

### Origin

Canada Lands Company (CLC) has applied, on behalf of the Federal Department of Fisheries and Oceans (DFO), to the City of Richmond as part of the application to the Agricultural Land Commission (ALC) to exclude 5555 No. 4 Road (“the DFO Lands”) from the Agricultural Land Reserve (ALR). A location map is included as **Attachment 1**.

The DFO Lands have been owned by the Federal Government since 1903. The property was most recently used by the Canadian Coast Guard as a transmitter site. In 2001, the Federal Government declared the lands as “surplus” and began the process of devolution.

In March 2005, a Memorandum of Understanding (MOU) was reached between DFO, CLC, the City of Richmond and the Musqueam Indian Band. This application has been submitted as a requirement of the MOU. The MOU is an agreement that outlines the following future transfer and development of the site:

- 54.5 – 72.5% of the site to be transferred to the City of Richmond for parkland, public amenity use, the potential to develop a trade and exhibition centre, and park and road dedications from the developable lands;
- 27.5 – 45.5% of the site to be transferred to the CLC and Musqueam Indian Band for a joint development venture which may include commercial, mixed use, high-rise and low-rise residential uses.

City staff were directly involved in the negotiations leading to the adoption of the MOU and strongly believe that the MOU is the best opportunity that is likely to be available for the City to realize its long term goal of providing significant public amenities on this site.

### Findings Of Fact

- The Development Application Data Sheet is provided in **Attachment 2**.
- The Official Community Plan (OCP) currently designates the property as “Public and Open Space”.
- The City Centre Area Plan currently designates it as “Park”.
- The property is currently zoned “Agricultural District (AG1)”.

### Site Context

The site context is as follows:

- North: Currently, older large lot single-family uses (zoned R1/F) which are:
  - Not in the ALR;
  - On March 29, 2005, Council approved the West Cambie Area Plan Concept for mixed uses. Currently, an Area Plan and Implementation Strategy are being prepared based on the Concept;
  - The subject of a rezoning application by Wal-Mart.
- East: Department of National Defence site (zoned AG1 and is in the ALR)
- South: Older, large lot single-family uses (zoned R1/F) which are:
  - Not in the ALR;
  - In the McLennan North Sub-Area Plan;
  - Designated for a range of high and medium-density residential uses;
  - Currently being redeveloped for urban uses.

- West: High-rise and mid-rise residential development (zoned R3 and R4) which is:
  - Not in the ALR

### **Proposed Development**

The application package outlining the applicant's rationale for ALR exclusion and a conceptual sketch plan of possible land uses and road configurations is presented in **Attachment 3**.

### **Provincial Agricultural Land Commission Exclusion Process To Date**

#### Public Notice

As part of the ALR exclusion application process and before applying to the City and the ALC, CLC undertook the following notification process:

- May 27, 2005
  - Installed signs on the property;
  - Served notice to adjacent land owner in the ALR (DND site); and
  - Made application to the City.

May 28 & June 4, 2005 - Notices were published in the local newspapers.

June 13, 2005 - Deadline for submission of comments to the City of Richmond.

#### City Staff Review

The comments are then reviewed by City Staff who formulate a recommendation to Council. If Council authorizes the application to proceed, it is forwarded to staff at the Agricultural Land Commission (ALC) who conduct a further review.

### **Analysis**

#### **Unique Circumstances**

This application can be supported by the City of Richmond because it is unique from other typical ALR Exclusion applications for a number of reasons:

- The Official Community Plan (OCP) currently designates the property as "Public and Open Space". The City Centre Area Plan also designates it as "Park".

When both of these Plans were adopted in 1999, the Agricultural Land Commission was consulted and did not specifically object to either designation, even though the City Centre Area Plan identified the development of the DFO Lands for major athletic facilities and major City-wide recreational facilities.

In 2003, the City updated the format of the City Centre Area Plan. It did not change the "Park" designation or policies identifying the DFO Lands for major athletic/recreational facilities. At this point in time, the Commission expressed a concern that the development of the DFO Lands was not balanced with a text statement indicating that, if the site ceases to be under Federal authority, it will become subject to the ALR provisions. The City purposely did not make this suggested change because it clearly recognized that the DFO Lands should not be in the ALR.

It is clear that, despite being located in the ALR, the site was and is NOT designated for “Agriculture” in the OCP or City Centre Area Plan. Its intended use is for some form of public or open space amenity.

- The site is surrounded on three sides by non-ALR lands, emerging mixed use and high to medium density residential uses. Although the site is within the ALR, it is somewhat isolated from the remainder of Richmond’s agricultural areas. Its proximity to growing residential communities is a factor supporting its exclusion from the ALR for urban uses.
- As the DFO Lands are federal lands, they are not subject to the *ALR Act* or local bylaws. Therefore, the federal government could develop the site with any types of uses, regardless of its ALR designation, Zoning Bylaws, etc. The MOU requires both CLC and the Musqueam Indian Band to go through both the Provincial and municipal approval process, which is a definite benefit to the City and general public;
- The lands were included in the ALR through the failure of Federal departments to respond to enquiries about the lands during the establishment of the ALR in the 1970’s.
- The MOU between the Federal Government, City of Richmond, Canada Lands Company and Musqueam Indian Band represents a significant achievement and partnership among First Nations and government. As well, it positively resolves the long-standing uncertainty regarding the DFO Lands.

### **Benefits to Agriculture**

#### City Agricultural Viability Strategy (AVS)

In 2003, City Council adopted the Richmond Agricultural Viability Strategy (AVS). The purpose of the AVS is to protect the agricultural land base and to increase agricultural viability.

According to the AVS, three of the guiding principles for agriculture in 2021 are:

- “1. The dominant use of the land in the ALR in Richmond will be for a competitive, diverse and flexible agricultural industry.”
- “2. The stability and integrity of the ALR boundary will be supported and maintained.”
- “4. Urban development in the ALR will be minimized.”

The AVS provides flexibility to remove the DFO Lands from the ALR as it does not specify that the only use of land in the ALR will be for agriculture or that urban development in the ALR will be prohibited.

This is reinforced by the fact that in the AVS, the McLennan 3 Node identifies the key issues for the DFO, DND and City of Richmond Nature Park lands to be:

- “Land ownership. Because the City and Federal Departments own the four parcels, the land is not available for use by Richmond farmers.”
- “These parcels are being considered for non-farm uses (e.g. federal decommissioning, a trade and exhibition centre, sports fields, industrial uses).”

### Agricultural Advisory Committee Comments (AAC)

The CLC does not propose any agricultural benefits that would compensate for exclusion from the ALR. The applicant states that since the lands have never been farmed, their exclusion does not constitute a net loss of farmland in the City.

The Agricultural Advisory Committee (AAC) reviewed the application on June 9, 2005. The AAC felt that, nevertheless, the lands have the potential to be used for farming and this potential should be recognized. Although there is no past history of farming on the site, the AAC feels that the DFO Lands have farming potential for crops such as cranberries and blueberries. As a result, the AAC considers the application to be contrary to the City's AVS and passed the following resolution unanimously:

*"Whereas the intent on page 9 of the Richmond Agricultural Viability Strategy is "not to remove lands from the ALR unless there is a significant net benefit to agriculture"; and*

*Whereas the AAC's mandate is to protect agricultural viability; and*

*Whereas the AAC advises that there are no benefits to agriculture in this application; therefore*

*The AAC does not support the application as presented."*

According to the MOU, the objective is to have the DFO Lands removed from the ALR by August 1, 2005. Because of this tight schedule, there was insufficient time to take the application back to AAC for further consideration. However, staff have had a subsequent discussion with the Chair of the AAC as to what benefits to agriculture might be expected. It would appear that a commitment to drainage improvements would be favourably viewed by the AAC. The City's initiatives in this regard are outlined in the following section.

### City Initiatives

The City has been actively supporting agriculture and implementing the AVS in many ways. Since the adoption of the AVS, in 2003, the following initiatives have been undertaken which provide benefits to the agricultural community:

1. Formation of the Agricultural Advisory Committee to review and provide advice on issues of importance to the agricultural community.
2. Horseshoe Slough Drainage Upgrade, valued at approximately \$3.3 million. Construction is to start in 2005 with the Shell Road Canal upgrade.
3. A water study in East Richmond is currently underway to determine drainage and irrigation needs and to define capital works. The cost of this study is approximately \$200,000. A \$90,000 grant from the federal National Water Supply Expansion Program was obtained to help fund the study. The remaining cost of the project will be shared among the City, the Ministry of Agriculture, Food and Fisheries, the Richmond Farmers Institute and the BC Cranberry Growers Association. It is estimated that approximately \$4.5 million in off-site drainage improvements could arise from this study (plus \$1.5 to \$2 million in sanitary sewer improvements and \$0.5 to \$1 million in water upgrades). These costs will be considered for inclusion in the City of Richmond Capital Plan.

4. Westminster Highway upgrade from Nelson Road to the Hamilton Interchange, valued at approximately \$4.5 million. Construction is scheduled to begin in 2007.
5. The City, developers and the AAC have worked together to improve buffering between urban and rural uses for specific development projects.
6. The City, on behalf of farmers, negotiated with the federal Department of Fisheries and Oceans, to allow the No. 8 Road pump to operate on a longer basis during the year to accommodate various planting and harvest cycles.
7. The City has been working with the AAC to replace missing and add new farm vehicle signage along roads in the ALR.
8. New signage along trails and bike paths are currently being produced to educate recreational users about agricultural activities.
9. The AAC provides input and advice from an agricultural perspective on major studies undertaken by the City (e.g., Flood Protection and Management Strategy, Environmentally Sensitive Areas Review, Soils Removal and Deposit Study).
10. The AAC held its first City Farm Tour in 2004 and another one is currently being planned in 2005 to help educate elected officials, City staff and local business representatives about the challenges of farming.

#### CLC Benefits

The current CLC proposal does not propose direct benefits to agriculture. Staff have discussed the AAC's concerns with CLC. At this point in time, CLC staff have indicated that it is extremely difficult for them to commit funding to specific items that could benefit agriculture without knowing details of site development and potential land costs of development. Staff intend to have further discussions with CLC regarding agricultural benefits during the rezoning and OCP amendment process once a Master Plan for the site has been prepared. At that point in time, potential benefits to agriculture such as a financial contribution to drainage improvements, innovative storm water retention strategies, etc., will be discussed.

#### **Parks & Recreation Division Input - Benefits to the Community**

The Parks and Recreation Department have identified the following benefits to the community arising from this application. It should be noted that a very limited range of passive recreation uses (e.g., open park land used for heritage, wildlife and scenery viewing purposes with buildings and structures limited to 100 m<sup>2</sup>) are permitted in the ALR. Therefore, the scope of the parks and open spaces envisioned for the DFO Lands require that the land be removed from the ALR. The details of how the land will be allocated and used will be determined through the rezoning and OCP amendment (Master Plan) process. In order to provide the required flexibility to this process, it is best that that the entire site be removed from the ALR.

Richmond's City Centre will accommodate a major portion of the City's population and employment over the next two decades. Parks and open spaces will be key to the community's livability. Direct community benefits associated with the development of the DFO lands include:

- a more equitable distribution within the City of publicly owned open space to better meet the needs of a rapidly growing population;
- an expanded, attractive public realm to foster civic pride and interaction to build a sense of community;

- more needed community facilities including, community safety, recreation, cultural facilities in the central precinct;
- improved economic development; and
- an increased and improved open space system in Richmond through expanded trails, streetscapes and greenways.

The City Centre Area Plan and OCP directs that much of Richmond's growth is to be focussed in the City Centre. Using Richmond's parkland acquisition standards, the City Centre is short over 100 acres of open space. On this basis, the plan designates the DFO lands site as the future precinct of major civic and regional community facilities and public amenities.

For over 25 years, the DFO lands have been actively pursued for open space and outdoor sport uses with no discussion with respect to the viability of the site as agricultural land. In 1986, the Richmond Sports Complex report was presented to Council which established a vision for locating a major outdoor sports facility complex on the DFO Lands. In 1989, the City of Richmond actively pursued a failed Commonwealth Games bid showcasing a potential outdoor sport complex at the site. Since that time, several additional reports including a referendum question put to the electorate for the potential development of the DFO Lands site as a sports complex have occurred.

Richmond-based sports groups want access to a broader range of high quality facilities and, together with the general public, they have long targeted the Garden City Lands site for their provision. In addition, the site has been earmarked for neighbourhood park and recreational linkages with the Richmond Nature Park and surrounding area.

Potential Amenities include:

- **Community Facilities** are proposed to meet the future recreation and cultural facility needs in the City Centre Area, which could include a major recreation facility, a cultural facility and aquatic component.
- **Greenways** as approved in the 2002 Trail Strategy will be extended along Garden City Road, Alderbridge Way, and Lansdowne Road to connect the DFO Lands and sports facilities with the City Centre's major open spaces and the Richmond Nature Park to the east.
- **Neighbourhood Park** space up to 10 acres integrated with future development on the site to meet the needs of City Centre Open Space in both the areas of DFO Lands and Lansdowne.
- **Sports Fields & Facilities**, including up to four senior-level artificial turf soccer fields and baseball diamonds, a stadium, fieldhouse and track and field facility, and tennis.

The City and community benefit from removing the DFO Lands from the ALR, as:

- the land is secured now,
- it allows for a range of parkland, public amenity and Trade & Exhibition Centre uses to occur,
- it enables the City to address a range of issues for the overall community,
- it provides parks and amenities with certainty,
- it saves money as facilities are not built at future, higher costs,
- it potentially takes the pressure off other productive ALR lands for public or private recreational uses,
- it enables the City to continue to implement the AVS for the long-term benefit of agriculture.

## Public Correspondence

Several letters have been received in opposition to the proposed exclusion application (**Attachment 4**). Some of the letters are from concerned citizens, while several letters are from property owners along No. 4 Road, south of Westminster Highway and in the ALR.

The No. 4 Road property owners oppose the exclusion of the DFO Lands unless their own properties are removed from the ALR, either before the DFO Lands, or at the same time. They approached City Staff several months ago requesting that the City enter into a MOU with them to remove their properties from the ALR for urban development purposes (e.g., townhouses).

Staff's reply to the No. 4 Road property owners' request is included as **Attachment 5**. Unlike the DFO Lands (which are surrounded by urban uses), the east side of No. 4 Road is contiguous with significant farmlands (the McLennan Area).

## Options

Option 1:     **Authorize the application to proceed to the Agricultural Land Commission for consideration (Recommended)**

This is a rare opportunity for the City, CLC and the Musqueam Indian Band to acquire a significant parcel of land within the City Centre and develop it for public use and benefit.

It is recommended that Council authorize the application to move forward to the Agricultural Land Commission (ALC) for consideration due to its multi-jurisdictional and community benefits for the City.

Option 2:     **Refer the application back to the applicant for further consideration of direct and indirect benefits to agriculture**

A second option is to refer the application back to the applicant to include additional agricultural benefits.

Option 3:     **Deny the application**

Should Council not wish to remove the lands from the ALR at this time, it may deny the application.

It should be noted that Option 2 and 3 would put the MOU in jeopardy. According to the terms of the MOU, if the application is referred back to the applicant, or the application is denied, the City, CLC and the Musqueam must renegotiate the understandings in the MOU. If they fail to renegotiate the understandings, they can invoke the dispute resolution process or terminate the MOU. If the dispute resolution process fails, then the MOU will be considered terminated. If the MOU is terminated, any costs incurred up to that point will be shared amongst the parties.

## Next Steps

### ALC Decision

Once Council has reviewed the application and public comments, and made a decision on the application, it is forwarded to the ALC for further review.

The ALC makes a final decision on whether to exclude the lands or not.



### Master Plan, City OCP and Zoning Bylaw Amendments

If the ALC excludes the lands, a comprehensive Master Plan will be prepared for the site to determine site planning and land use options. An OCP Amendment and rezoning will also be required before any development takes place. These OCP and zoning processes have a statutory Public Hearing requirement to ensure that the public has the opportunity to comment to the City on the proposed development. The applicant (CLC) has also indicated that the public will be consulted through a variety of public open houses for preparation of the Master Plan. The dates, location, format and focus of this public consultation is not known at this time. As part of the Master Plan, OCP Amendment and Rezoning process, further analysis will be required regarding necessary off-site improvements.

### **Financial Considerations**

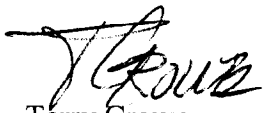
This application provides an opportunity for the City of Richmond to provide significant public amenities in a very cost effective manner.

### **Conclusion**

CLC has applied to exclude 5555 No. 4 Road from the ALR. The exclusion is based on a unique MOU agreement between CLC, DFO, City of Richmond and the Musqueam Indian Band. Staff believe that the MOU is the best opportunity likely to be available for the City to realize its long term goal of significant public amenities on this site.

The exclusion of the site from the ALR will enable the future transfer and development of the DFO Lands. Should the land be excluded from the ALR, a rezoning application and OCP amendment process (involving detailed public input and further discussions with CLC regarding potential agricultural benefits) will occur in order to develop the site with a range of public amenities and urban uses.

It is recommended that the application to exclude 5555 No. 4 Road from the Agricultural Land Reserve be approved to proceed to the Agricultural Land Commission for consideration.



Terry Crowe,  
Manager, Policy Planning (4139)

TC:cas

Attachment 1: Location Map

Attachment 2: Development Application Data Sheet

Attachment 3: Letter and application package from applicant

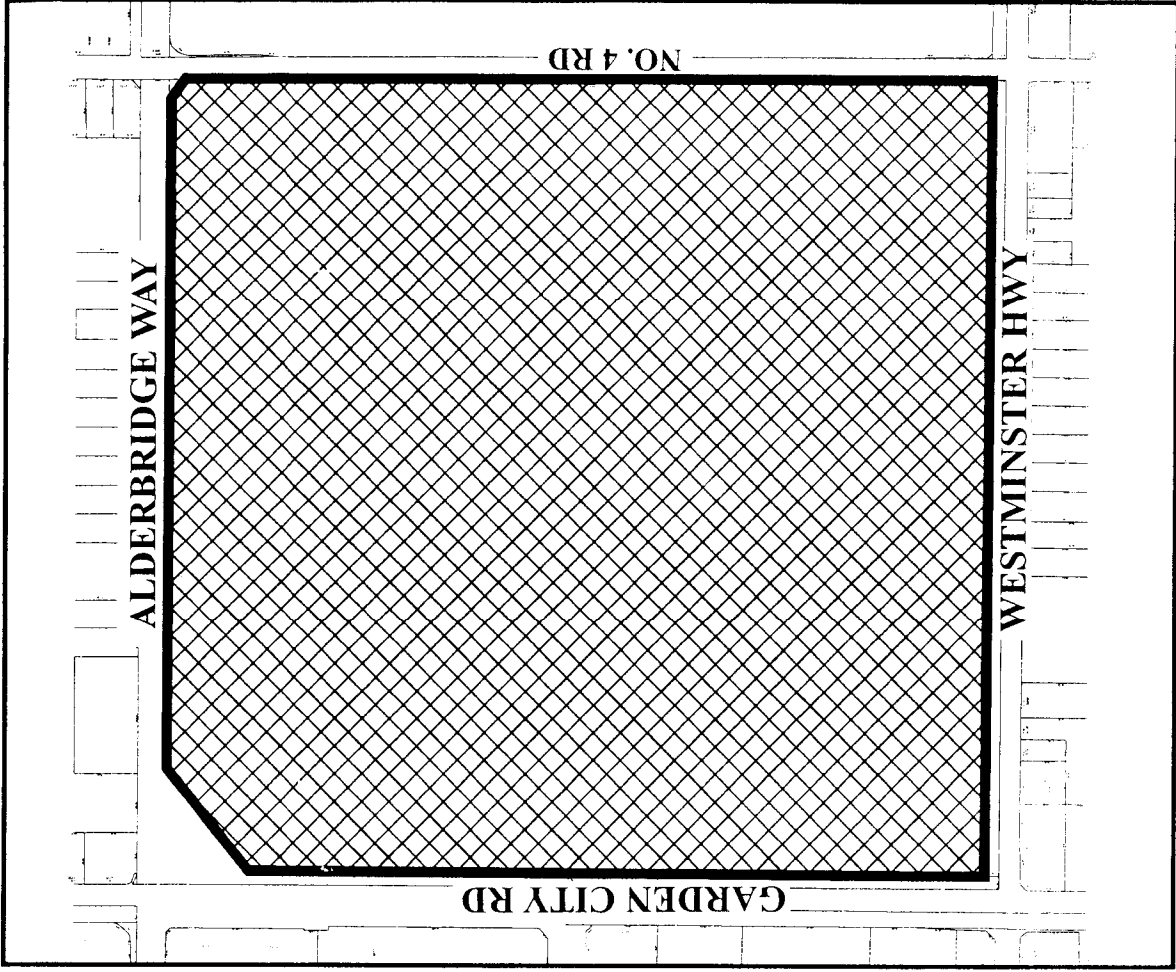
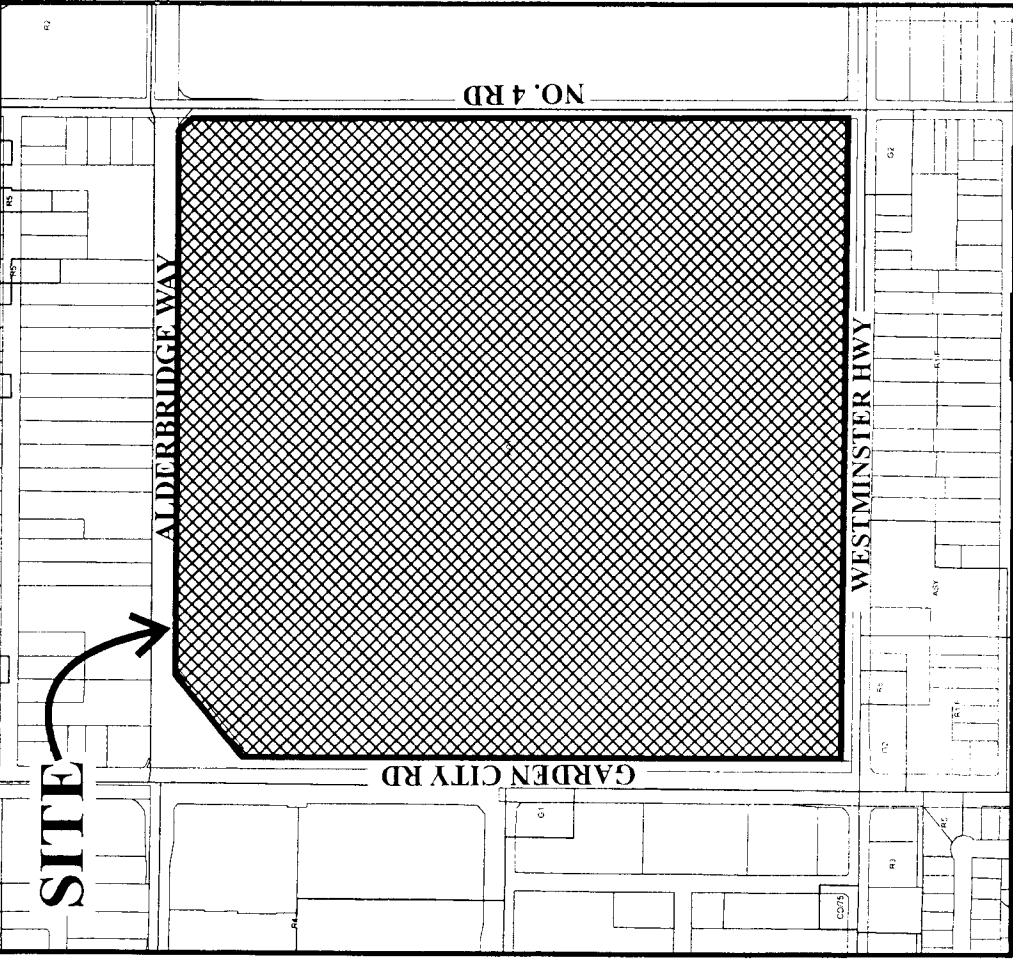
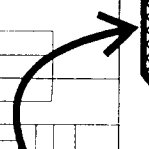
Attachment 4: Letters of Opposition from the general public

Attachment 5: City Response to No. 4 Road Property Owners



# City of Richmond

**SITE**

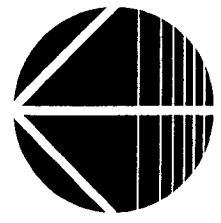


Original Date: 06/01/05

Revision Date:

Note: Dimensions are in METRES

## AG 05-302706




**City of Richmond**

 6911 No. 3 Road  
 Richmond, BC V6Y 2C1

**Development Application  
 Data Sheet**  
 Policy Planning Department

**AG 05-302706**

Address: 5555 No. 4 Road

Applicant: Canada Lands Company

Planning Area(s): City Centre

	Existing	Proposed
<b>Owner:</b>	Department of Fisheries and Oceans	City of Richmond (50%); Musqueam Indian Band and Canada Lands Company (50%)
<b>Site Size (m<sup>2</sup>):</b>	55.18 ha (136.3 acres)	No change
<b>Land Uses</b>	Vacant	Mixed Use, Commercial, Potential Trade and Exhibition Centre, Residential High-Rise, Residential Low-Rise, Parks and Public Amenity Space
<b>OCP Designation</b>	Public and Open Space Use	To be determined
<b>Area Plan Designation</b>	Park	To be determined
<b>Zoning</b>	AG1	To be determined
<b>Other Designations</b>	Adjacent to ESA on the north and east property lines	No change



May 27, 2005

City of Richmond  
Development Applications Department  
6911 No. 3 Road  
Richmond, BC V6Y 2C1

Attention: Mr. Holger Burke, Development Coordinator

Dear Mr. Burke:

**Re: Garden City Property, Application for Exclusion from the Agricultural Land Reserve Section 3, Block 4 North, Range 6 West, New Westminster District, except Plans 5758F, 5759F, 24067, 50488, LMP 43167, 1.84 acre filing 16918, 73628 and LMP 24326 (commonly referred as the DFO lands)**

The Canada Lands Company CLC Limited (CLC), acting agent on behalf of the owners of the subject property, is applying to the Agricultural Land Commission (ALC) to exclude the subject property from the Agricultural Land Reserve. The purpose of this letter is to submit the application and proposal to the City of Richmond for Committee and Council consideration and referral to the ALC pursuant to the *Agricultural Land Commission Act*.

The subject property, known as the Garden City Property, is a 55-hectare (136.5 acre) parcel of undeveloped land located at 5555 No. 4 Road. The property is bounded by Alderbridge Way to the north, No. 4 Road to the east, Westminster Highway to the south and Garden City Road to the west (aerial photos enclosed). The lands have been the property of the federal government since June 8, 1903 and were formerly used as a transmitter site for program requirements of the Canadian Coast Guard. The Department of Fisheries and Oceans (DFO), the custodial federal department, no longer requires the site for any purpose and declared it surplus in 2001.

The Government of Canada plans to divest the Garden City Property, in accordance with the Memorandum of Understanding (MOU) between the DFO, CLC, the City of Richmond and the Musqueam Indian Band, signed on March 18, 2005 and attached as Appendix A. The MOU represents an agreement between the interested parties regarding the transfer and future development of the site. The adopted ownership and development framework of the MOU calls for 50 per cent of the site to be transferred to the City of Richmond and designated for parkland and public amenity use, a portion of which may be developed for a trade and exhibition centre. The remaining 50 per cent of the site is to be transferred to CLC and the Musqueam Indian Band for a joint development venture. The MOU represents a unique agreement between the stakeholders for the future development of the vacant site in a manner that meets the long-term community needs and integrates the property within the existing urban context of Richmond. At present, the subject property is a vacant, grassed site that acts as an impenetrable block of un-developable land surrounded by commercial, residential and institutional uses. The site is envisioned to accommodate an integrated mix of urban uses, public open spaces and civic amenities that will knit together the surrounding pattern of community development and serve as a new focus of sustainable mixed-use neighbourhood development.

In order to realize this future vision, the lands are required to be removed from the ALR and rezoned by the City of Richmond. The Garden City Property is a unique piece of land in Richmond which is influenced by a set of circumstances that collectively distinguish it from other ALR lands in the City. The following discussion presents the rationale in support of the ALR exclusion application, outlining the historic, present and proposed future uses of the Garden City Property.

## HISTORIC USE OF GARDEN CITY PROPERTY

As noted above, the property was formerly utilized by the Canadian Coast Guard as a transmitter site and was sparsely developed with towers and transmitting devices aiding naval navigation and safety.

While there is no history of agricultural use of this site, the property has been a part of the ALR since its creation. It is our understanding that the property was included in the ALR through the failure of federal departments and agencies to respond to provincial enquiries in the '70s, as to the status and nature of the lands during the establishment of the original ALR boundary.

## AGRICULTURAL VIABILITY AND THE ALR

Agriculture is an important part of both Richmond's historic and present landscape. Agricultural uses within Richmond play a significant role in the local and regional economy, and constitute a major land use in the city. According to the City's Agricultural Viability Study, approximately 4,916 hectares (12,147 acres) of Richmond's land base, or 38% of the total area, is within the ALR. While never cultivated, the Garden City Property represents approximately 1.1% of the current ALR holdings in Richmond. Further to a meeting with Agricultural Land Commission staff, it is our understanding that the subject lands are not officially classified according to the land capability classification for agricultural use. However, it is not contested that based on nearby lands having a Class 5 land capability classification, this property could likely support the production of cultivated perennial forage crops and specially adapted crops. This classification of land is suitable for the production of cranberries or blueberries, popular agricultural crops in Richmond. Having accepted this opinion, it was mutually agreed that an agricultural feasibility study of the subject site need not be undertaken.

The City's Agricultural Viability Study identifies nodes of agricultural lands within the City and provides an assessment of their current use and agricultural viability. The Garden City Property is contained within the McLennan 3 node, an area which comprises four parcels of land characterized by a high water table and deep (more than 160 cm) organic soils. Despite their viability as agricultural lands, none of the properties within the McLennan 3 node are currently farmed.

The physical characteristics of the site and its soil could support agricultural uses, however, as the federal lands have never been farmed there will be no loss in agricultural production should the site be removed from the ALR. The site to the east of the Garden City Property, located at 5500 No. 4 Road, is also contained within the ALR. This site is owned by the Department of National Defense and accommodates the Sherman Armoury facility on the northeast portion of the property. The remainder of this site is comprised of undeveloped, forested lands that have not been in agricultural use. As such, the proposed exclusion of the Garden City Property from the ALR will have no impact on existing productive agricultural lands or the agricultural inventory in Richmond as there are no adjacent ALR sites currently being farmed.

## COMMUNITY CONTEXT

The property is currently zoned Agricultural District AG1 and is designated within the City of Richmond Official Community Plan for Public and Open Space Use. The property has remained undeveloped since the decommissioning of the Coast Guard transmission operations in 2001. At present, the site is an open grassed site, without any significant natural vegetation. The subject site represents an anomaly in the configuration of the ALR in central Richmond, as No. 4 Road generally marks the western boundary of agricultural lands in this area of Richmond, except where the ALR boundary extends to Garden City Road, jogging around to include the Garden City Property. This "finger" of ALR lands extends into the

surrounding residential and commercial neighbourhoods, effectively acting as a gap in the urban framework.

The Garden City Property is surrounded on three sides by non-ALR lands developed with urban uses. To the north are lands currently zoned Single-Family Housing District R1 and designated in the OCP for Mixed Use development. The West Cambie Neighbourhood Plan proposes that the area immediately north of Alderbridge Way be developed for a combination of mixed uses (hotel, office, retail and institutional uses at a 2.0 FAR) and parks (active and natural parks and greenway for lands designated as Environmentally Sensitive Areas). The development concept accommodates new roads and intersections along Alderbridge Way across from the Garden City Property to provide increased access to the West Cambie Neighbourhood and new development. A development application is currently being considered by the City of Richmond for a proposed Wal Mart store and associated commercial development at the corner of Alderbridge Way and Garden City Road.

As noted above, the area north of Alderbridge Way is proposed to be covered by the West Cambie Neighborhood Plan. The area to the west of Garden City Road is included in the City Centre Area Plan and designated for Residential and Mixed Use - Shopping Centre purposes. In fact, the Garden City Property is also included in the City Centre Area Plan and designated as Park (not Agriculture) in recognition of its potential use for non-farm purposes. The area south of Westminster Highway is included in the McLennan North Sub-Area Plan and designated for a variety of Residential uses ranging in density from 1.6 to 0.55 FAR. These lands are now being rezoned and developed for high rise apartment and townhouse development. In summary, the Garden City Property is surrounded on three sides by urban uses that would make it a difficult section to start farming at this point in time.

## PROPOSED FUTURE USE OF GARDEN CITY PROPERTY

The future development of the Garden City Property is envisioned to accommodate a mix of community and neighbourhood uses, as indicated on the preliminary site plan, attached as Appendix B. The City of Richmond is an important partner in the MOU and will be transferred ownership of 50 per cent of the overall site, an area of approximately 27.5 hectares (68.25 acres), subject to site planning and subdivision requirements. The City of Richmond is required to designate and develop this portion of the site for public parkland and public amenity space. The parkland component of the site could accommodate up to nine soccer fields and four baseball diamonds, additional recreational facilities to serve the growing residential neighbourhoods. Public open space and new neighbourhood-serving park space and trails would also be accommodated within the proposed development scenario. The development of a trade and exhibition centre on a portion of the City lands is also under consideration. This facility could become a focus of civic and community uses and activities, and could host a range of events bringing economic and community development to this increasingly diverse urban neighbourhood. In fact, the trade and exhibition centre could be used for agricultural fairs and events of benefit to the farming community.

The portion of the site to be transferred to the CLC-Musqueam Indian Band joint venture is envisioned to be developed with a mix of urban uses, including office, retail and residential development. Densities in the range of 2.0 to 2.5 Floor Area Ratio (FAR), which permits high density residential development, are under consideration. The site will be developed with an integrated street network to connect the large block with the adjacent urban framework, increasing connectivity between the new development and the surrounding neighbourhood context. Enhanced pedestrian and cyclist connections will further the establishment of a sustainable neighbourhood.

To date, the preliminary site planning identifies the eastern portion of the site for City of Richmond parkland and public amenity space. Under this development scenario, the public open space will act as a buffer between the proposed urban development on the western portion of the site and the only neighbouring ALR lands, the DND property, to the east. As requested by ALC staff, a written statement

with regard to DND's long term intentions for the lands surrounding the Sherman Armoury facility is being prepared by the department and will be provided to the City upon receipt.

In addition, CLC and the Musqueam Indian Band will be advancing an application to the City of Richmond for required OCP amendment and rezoning processes, through which appropriate setbacks and open space buffers between the development and neighbouring uses will be determined. The overall objective is to integrate the site into the surrounding community context in a manner that mitigates any potential impact on the adjacent ALR DND lands.

## AN UNIQUE OPPORTUNITY

The removal of the Garden City property from the federal Crown inventory presents a unique opportunity for the City of Richmond and its residents. The MOU established between the DFO, CLC, the City of Richmond and the Musqueam Indian Band provides the framework for a collaboration that will bring social and economic benefits to all parties and to the broader community. Advancement of the partnership agreement requires the removal of the property from the ALR. CLC is seeking approval through the City of Richmond and the Agricultural Land Commission for the exclusion of the Garden City Property from the ALR based on the unique circumstances presented in this proposal. It is recognized that the objective of the ALC is to preserve agricultural land in British Columbia. We emphasize that while the subject site is contained within the ALR, it is not a property that has been in agricultural production and therefore there will be no real net loss to agriculture as a result of this exclusion application.

It is important to note that the negotiations between the stakeholder parties leading up to the ratification of the MOU were held in confidence. As such, consultation with the ALC regarding the future development of the Garden City Property had not been pursued until the framework of the agreement was established and publicized. Also worthy of note is that the MOU with the Musqueam Indian Band does not represent an Agreement in Principle (AIP) with a First Nation as part of the BC Treaty process, but rather is a negotiated development venture between the stakeholders to bring about community and economic benefits. In addition, there are no other ALR properties held in ownership by the CLC – Musqueam Indian Band partnership within Richmond. Accordingly, the Garden City Property and the unique opportunity afforded through the MOU will not become a precedent for future ALR exclusion applications. The Garden City Property is unique and the proposed ALR exclusion application should be regarded as an exceptional situation.

CLC is committed to furthering the objectives set out in the historic MOU to realize a new future for the Garden City Property that brings community benefits to Richmond and its citizens. The joint development venture presents opportunities for direct economic benefits for the Musqueam Indian Band, while at the same time realizing a market value return for the Crown and Canadian taxpayers. The proposed development of the Garden City Property will in turn bring economic benefits to the City of Richmond, realized through the potential establishment of a new trade and exhibition centre and the development of a new commercial and residential tax base. The long-term benefits to the community include the establishment of additional parkland, recreational facilities and public amenities, the creation of a new mixed-use development to offer greater services and housing choices for Richmond residents and the integration of this vacant site within the neighbourhood context. The less tangible, yet equally important, community benefit of the proposal is the ratification of a successfully negotiated agreement between the federal government, a first nation and local government to partner in collaboration to realize a new future for the surplus federal lands.

The application to the ALC for the exclusion of the Garden City Property from the ALR will trigger the next steps in the advancement of the planning and development of this important Richmond site. We look forward to working with the City's Agricultural Advisory Committee and the Province's Agricultural Land Commission throughout the planning and approval processes related to the proposed application.

Yours truly,

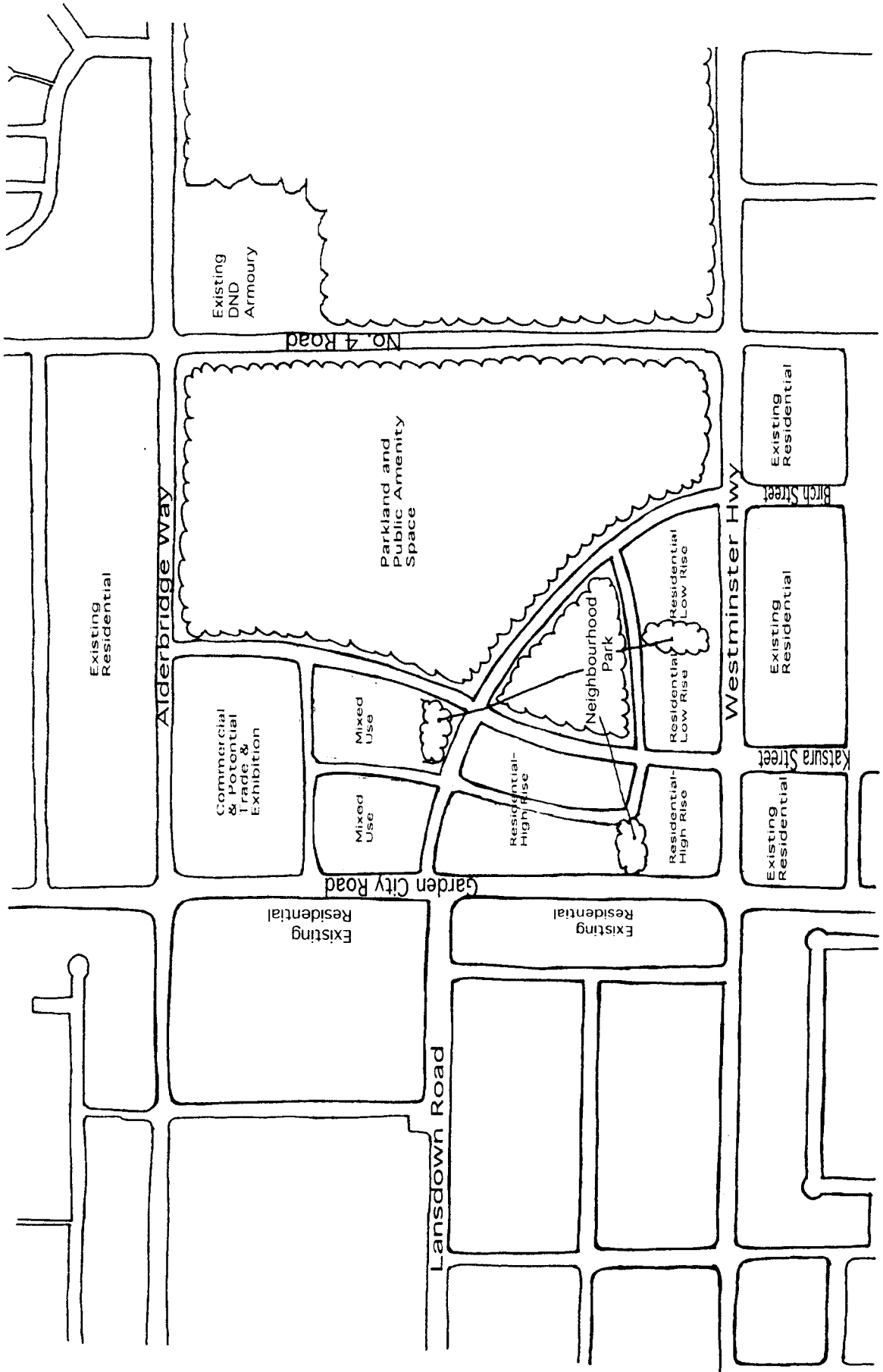
CANADA LANDS COMPANY CLC LIMITED



Randy Fasan  
Director, Urban Design & Planning

Attachments





Existing  
DND  
Armoury

No. 4 Road

Existing  
Residential

Alderbridge Way

Parkland and  
Public Amenity  
Space

Commercial  
& Potential  
Trade &  
Exhibition

Mixed  
Use

Mixed  
Use

Residential-  
High Rise

Neighbourhood  
Park

Residential  
Low Rise

Residential-  
High Rise

Residential  
Low Rise

Westminister Hwy

Katsura Street

Birch Street

Existing  
Residential

Existing  
Residential

Existing  
Residential

Existing  
Residential

Lansdown Road

Garden City Road

June 10, 2005

City of Richmond  
Mr. Holger Burke  
6911 No. 3 Road  
Richmond, B.C.  
V6Y 2C1

**Re: Notice of Exclusion Application**  
**DFO Lands**  
**5555 No. 4 Rd**  
**Richmond, B.C.**

Dear Mr. Holger Burke,

In reference to the above noted **Notice of Exclusion Application** I would like to be notified in writing of the following information:

- What the DFO is going to do to provide a benefit to agriculture in Richmond since you will be removing prime farmland out of the ALR?
- Will this application go through usual process: AAC, Planning Committee, City Counsel, prior to going the Agriculture Land Commission?
- Will there be a public forum? Will there be an opportunity for the public to speak for or against this application?

Please provide me with dates and time for all the above mentioned meetings.

Thank you,



Clark Mitchell  
Mitchell Farms Ltd.

#604-270-1486 Phone

#604-270-4543 Fax

#604-250-5936 Cell

City Of Richmond

RE:DFO lands 5555 no.4rd

I am writing to address the issue of transferring of said land from the agriculture land reserve to a zoning for development. For the record I strongly object to the development of this property as it serves Richmond residents now as a green space in a area of extreme residential and commercial development. We are not preserving any large green areas for future generations instead using up every inch of land for high density residential or commercial development. I have found this land to be sensitive as a wetland as one rich with animal activity.

If this area of land cannot be left as is my second hope is this land be made into a park for the use of all persons of the region and as a preserve for animals as well. We have a excellent opportunity to create a world class park as great as Stanley Park in Vancouver or Central Park in New York a area to be a legacy for future generations to enjoy. I do not like the idea of building more playing fields or tennis courts as there is many in the city already and they do not need large areas of untouched land as we are so lucky to have been given the opportunity to use thanks to the Federal Government decision to release the area.

Perhaps a lake in the center surrounded by a forest with areas of diverse species of trees and one outside access road winding around the perimeter with picnic areas for all ages to enjoy a little nature in the center of a highly developed residential area that is being created around this land

I ask the Native People and the City of Richmond to use your power to do the right thing by your people and not look at this area of land with dollar signs in your eyes.

M. Spitz  
Resident of Richmond  
for 20years

This letter was written by Murray Spitz of 8791 Cambie Rd Richmond B.C.  
V6X1K2

*MS*  
JUNE 5/05

To: Director, Development HB JK  
for attachment to staff report AG 05-30270

		INT
	JFM	
✓	DW	DW
	KY	
	AS	
	DB	
	WB	

10766 River Drive  
Richmond, B.C.  
V6X 1Z4

June 12, 2005

2280-20-142

City of Richmond  
6911 No. 3 Road  
Richmond, B.C.  
V6Y 2C1

Dear Councilors

RE: Notice of Exclusion Application  
Regarding Land in the Agricultural  
Land Reserve

I would like to speak against the application of Mr. Randy Fasan, on behalf of the Canada Lands Company CLC Ltd to have the land commonly referred to as the DFO Lands excluded from the Agricultural Land Reserve.

Given Council's rejection of Widow Pidek's application for removal of one-half acre from their 4.4 acre farm, this application must also be rejected in the interest of fairness.

If land cannot be excluded for compassionate reasons which would allow the Pidek family to continue farming their remaining land, then land certainly should not be excluded for what will be a mixed use, none of which has to do with agriculture.

I urge council to apply the rules equally.

Sincerely

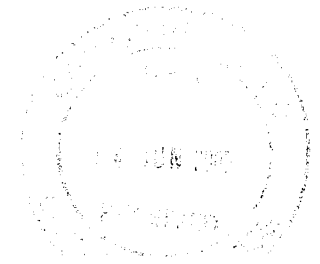
Sandi Lindahl

SAL/sal

RECEIVED

JUN 17

PROCESSED



**Gordon E Pushée**

(604) 244-0848 Fax: (604) 279-0371

7340 No. 4 Road, Richmond, BC V6Y 2T3

E-Mail: [gord.p@shaw.ca](mailto:gord.p@shaw.ca)

---

June 07, 2005

3:20  
4108 JW ✓

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

Re. DFO Lands; MOU for Exclusion from the ALR

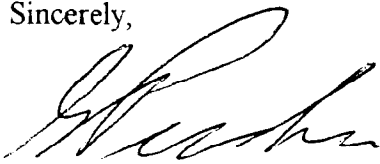
This is one of the largest ALR exclusion applications in Richmond history, at over 136 acres

There has been no public consultation, and the proposed timeline is very short. It would appear that this proposal is being extraordinarily expedited and is proceeding at a very much more faster pace than other neighbouring applications and developments in my area.

As a Richmond homeowner, nearby neighbour and interested party, I have not been consulted in any way, and I demand my right to be consulted.

So, with some regret, I enclose the attached notice of objection and demand for hearings and documents for discovery.

Sincerely,



Gord Pushée

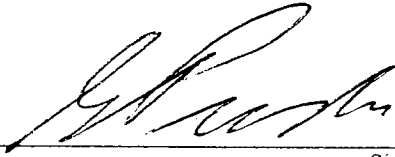
attached: Letter of Objection and Demand

This letter is to formally advise you of my objection to the exclusion from the Agricultural Land Reserve of the property which is legally described as Section 3, Block 4 North, Range 6 West, New Westminster District, except Plans 5758F, 5759F, 24067, 50488, LMP 43167, 1,84 acre filing 16918, 73628 and LMP 24326 (commonly known as the DFO lands) and located at 5555 No. 4 Road, Richmond, BC, as described by and under the proposed terms of the Memorandum of Understanding signed by Musqueam Indian Band, City of Richmond, Canada Land Company CLC Limited, and Department of Fisheries and Oceans on 18 March 2005; and this letter formally advises you that I hereby demand to be advised of the times and places of any and all meetings and public hearings by Richmond City Council, the Agricultural Land Commission or any other public body regarding this application for exclusion, including all schedule changes, postponements, cancellations and extraordinary meetings so that I may exercise my right as a Richmond property owner in the ALR, nearby neighbour and interested party to attend such meetings and to make spoken or written submissions for the formal record if I choose to do so, or to have my designated proxy appear on my behalf; and of the proposed time-line for the approval process, together with any extensions, deferrals, postponements or cancellations; and the names, business addresses, business telephone number and business e-mails of any and all parties to this application, including but not limited to committee members, board or panel members, City of Richmond councillors, City of Richmond, agricultural Land Commission and Canada Lands Company CLC attorneys, managers and staff members who expect to appear at any of these meetings or to make recommendations, suggestions, reports, comments or professional or legal submissions of any kind to any committee, panel, board or any other quorum or group who have any decision making power over the outcome of this application in any way whatsoever; and that I as an interested private party be provided with all minutes of all meeting, true copies of all staff reports, recommendations, suggestions, comments and professional and legal submissions of any kind to any committee, panel, board or any other quorum or group who have any decision making power over the outcome of this application in any way whatsoever; and official certified copies of the *Memorandum of Understanding*, the *Agricultural Land Commission Act (BC)*, the *Agricultural Land Reserve Use, Subdivision and Procedure Regulations (BC)*, the *Local Government Act (BC)*, the *Community Charter (BC)*, the *Interpretation Act (BC)*, the *Surplus Crown Assets Act (Government of Canada)*, the *Federal Real Property and Federal Immovables Act (Government of Canada)*, *Council Procedures - Bylaw 7560 (2003)(Richmond)*, *Official Community Plan - Bylaw 7100 (1999)(Richmond)*, *Zoning & Development - Bylaw 5300 (1989)(Richmond)*; true copies of all of the Official Community Plans; and all maps published by the City of Richmond which cover the area, including but not limited to OCP Environmentally Sensitive Areas, OCP Generalized Land Use, OCP Specific Land Use, Zoning Map, and Agricultural Land Reserve.

I wish to have the documentation described above to be delivered to me, free of charge, by 10 days before the first meeting between the City, the ALC and the CLC, or by June 20, 2005 whichever occurs first.

If there are no public hearings planned to discuss this application, I hereby demand that they be held, and that the public be formally advised, by advertisement in the local newspaper and signs on the proposed site in the same manner and with the same amount of notice as that adopted for notice of OCP changes, zoning changes, development changes and any other city applications.

Gordon E Pushée  
7340 No. 4 Road, Richmond, BC  
V6Y 2T3  
E-Mail: [gord.p@shaw.ca](mailto:gord.p@shaw.ca) (604) 244-0848 Fax: (604) 279-0371



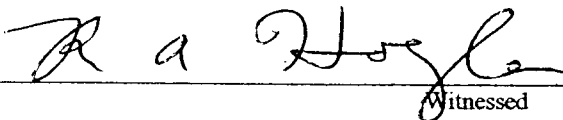
Signed

Signed at: Richmond BC  
this 7th day of June, 2005

Witnessed By:

Name: Roland A. Hoegler

Address: 6560 # 4 Rd



Witnessed

Signed at: Richmond B.C

this 10 day of June, 2005



June 10, 2005

TO : City of Richmond

RE: The CLC application to remove the DFO Lands situated on 5555 # 4 RD from the Agricultural Land Reserve (ALR)

My Name is John Gaskin

**I wish to formally state, under my current circumstance, that I am very opposed to the aforementioned CLC application to remove the DFO Lands from the ALR.**

**BACKGROUND/ HISTORY:**

I currently reside at 8440 #4RD. My property is located on the East side of #4RD and also contained within the ALR. I have owned my property since 1968. My #4RD ALR Property is approx. 5 acres in size, and has been in production of Blueberries since 1968.

My property had previously been subject to a Land Assembly, in conjunction with neighbouring properties prior to the formation of the B.C. ALR in 1973. Also, prior to this, many similar properties directly South of me had been assembled, re-zoned and re-developed into residential housing which had been approved by past City councils. However, a freeze on further re-development at the time and various other new external hurdles frustrated the land assembly from continuing and ultimately completing. Since the ALR was created, my ALR inclusion status has not changed, yet development has advanced towards our #4RD ALR area unabated.

While now-retired from my original income producing career,....for the last 37 + years I have also been forced into a vocational effort that submits, based solely on past and existing policies and legislation, that I am "farmland" and morseo claimed to be via external parties as "Viable farmland", but with the added bureaucratic burden to prove so with some arbitrarily determined income / acreage ratio. I am further forced to produce an income so as to satisfy various Gov't agencies in order that I shouldn't be taxed at a higher rate. Hence, my "farming" or "viable ??? agricultural efforts" are done solely to keep my property taxes down so as not to put added stress on my now more limited - retirement income. Caught between a rock and hard place,...rather than a vast majority of seniors who enjoy their golden years and investments, I am forced to farm to keep my taxes low and not undermine my limited pension income.

My NET yearly income on my 5 acre "farm" after expenses is approx. \$2,000 after Gross costs are factored in. This is not an income I can rely on, and in fact is far below that even provided for Social Assistance Thus the only conclusion re my inclusion in the ALR is some sort of private subsidy of a political agenda, and that this is, realistically, with no evidence to the contrary, a charade foisted onto the public to those with small land

holdings. This charade is maintained by a(i) Denial of rights to the property owners,(ii) the various multi- levels of jurisdictions that penalize non compliance with this charade, and thus(iii) the unwitting General Public does not realize the undemocratic “legal/regulatory ” subculture in existence to maintain this facade of .”.....ignorance meets bliss”

EXAMPLE: After one particularly bad year where my blueberry crop basically failed, and I had no ability to meet the aforementioned gross income benchmarks to qualify for Farmland tax status. I had been threatened with having my tax -status removed and paying a substantially higher non -farm tax rate. This was only rescinded after I was forced to threaten legal action to challenge this possibility.

My brother, also a Blueberry farmer, has effectively left Richmond in an attempt to farm more viable areas, ( though retains some reduced lower scale farming efforts in the City of Richmond) . He has informed me that farming is viable ,...but several miles away in Pitt Meadows . He has a farm of 100+ acres, a scale by which he submits he can have greater potential to produce viable farm-based income.

Thus, I am left wondering why the City of Richmond denies myself and my #4RD Neighbours, all located within the ALR (located on the East side of #4RD between Werstminster Hwy and Francis Rd) ....MOST of whom are on 1/2 acre parcels even the basic right to submit an application to remove ourselves from the ALR., YET is even considering allowing an application for the nearby single parcel **135+ ACRE DFO LANDS** currently also contained within the ALR, is also within the City’s own Agricultural District ie AG1 , as we on the East Side of #4RD are, and yet the City is considering allowing the CLC application to be presented to the ALC., especially given the City’s own Agricultural Viability Study (AVS) includes the DFO Lands and of which the City ‘s own AVS specifically notes the DFO Lands Agricultural Viability potential..

I am of the view that unless OUR East side of #4RD, (defined as the western- most edge of City of Richmond OCP defined East McLennan sub-area and also NODE 3 in City’s own AVS ) which totals approx. 60 -70 acres and composed of 90+ property owners is either (i) removed from the ALR before the DFO Lands or (ii) concurrently with the DFO Lands and (iii) given potential at minimum on par with any/all potential developments planned for the DFO Lands which are also within the ALR...sheer bias and hypocrisy is being shown by the City of Richmond (and “potentially” by the ALC as well should the DFO Lands be released), once all the facts are presented ,which a large number of property owners on #4RD in the East McLennan sub- area are fully prepared to do, having sufficiently researched the matter..

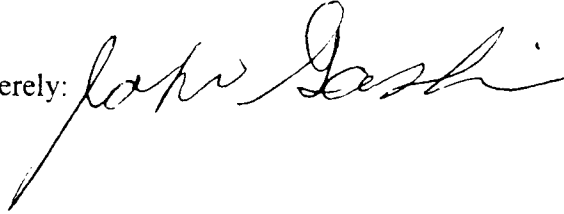
Thus, unless something approaching fairness and equity to the East side of #4RD as previously defined , are removed at the same time as the DFO Lands , if not before the DFO Lands, I will not only be opposed to the DFO Lands ALR removal application, I feel that I will reserve the right to be far more vocal and activist as a “legislatively defined” yet non- viable farmer, but with no choice but to ensure The DFO Lands remain

in the ALR, or, in fact, the current and future premise of a far stronger case that the **DFO Lands be the last piece of ALR land within the City of Richmond to be removed from the ALR.** Many of my neighbours would be fully prepared to support and prove this premise.

Finally, I vividly recall a conversation with a City of Richmond staff member Mr. Terry Crowe, and my expressing the point that " **if the DFO Lands are removed from the ALR, then our ALR properties also on East Side of #4RD must also come out at the same time** ".....or words to that effect. I also recall no response to this UNambiguous point, which I reasonably and rationally interpret as (i) no denial of the point, and (ii)nor debate in its logic and (iii) of which I and my neighbours also challenge any other citizens, bureaucrats elected officials, commissions, tribunals, courts, to not agree with.

I look forward to seeing how this matter can be resolved for all affected parties, without any biases and inconsistencies unfortunately or inevitably being publicly exposed against those parties elected and appointed and employed to serve the public interest with fairness and objectivity, via fiduciary duty..... with no remote hint of political agendas, prejudices and biases, especially those inconsistencies with their own policies, past precedents etc. and other jurisdictions that may need to be called upon to ultimately intervene in this matter .

Sincerely:



John Gaskin  
8440 # 4 RD  
Richmond B.C.

June 11 , 2005

TO: CITY OF RICHMOND

**RE: DFO LANDS and application by the CLC for removal from the Agricultural Land Reserve (ALR)**

I, Roland Hoegler, a #4RD Property Owners, am aware of the ALR Removal application submitted by the Canada Lands Corporation (CLC), and. the CLC acting on behalf of the Department of Fisheries and Oceans with respect to the recent advertisement in Local Richmond Newspapers, and signs posted on the DFO Lands site.. This aforementioned advertisement makes reference to the application pursuant to section 30(1) of the Agricultural Land Commission Act to exclude from the AGRICULTURAL LAND RESERVE(ALR) the Federally(= Publically) owned Property, located at **5555 # 4 RD. Richmond, B.C.**

Furthermore, we are responding to the advertised date of June 13, 2005 with respect to those parties expressing interest in the aforementioned CLC's DFO Lands ALR Exclusion Application.

Please also be advised that we reserve the right to (i) submit correspondence on this matter in the future, (ii) submit our own presentation in front of the appropriate parties in the chain of adjudication that will entertain this ALR removal application or (iii) be represented by any/all agents on our behalf , which may also include any formal legal representation we see fit. that protect both our and our #4RD neighbour's private interests, and not excluding the General Public's interests on this matter.

Suffice it to say, our current and/or future support for this application, in both reality and theory, would be contingent on certain terms and conditions that would be considered in the realm of equality , fairness and balance, based on the FACT, we,( **the #4RD Property Owners, located on the East side of #4RD, between Westminster Highway and Francis , and also contained within the ALR**), are all, in our view, at minimum, in the exact same situation and circumstances as the applicant, but also, in our view , have a far stronger case to be provided the same or possibly greater potential "MORE OPTION" re-development benefits as the DFO Lands (as mentioned in Press releases re DFO Land future NON- ALR uses), and which we also feel are long **overdue** for our own #4RD Properties also contained within the ALR area, (and also in close proximity to the DFO Lands) , and also more so on the compensatory justice theme, as opposed to lobbying-based whims or quasi-benevolence etc. from any/all political agendas.

Furthermore, suffice it to say, we feel that we do **not** support this **CLC DFO Lands ALR Removal Application** under our #4RD Neighbourhood's current **negative** status- quo circumstances, or that we would only support/not contest this CLC application subject to certain conditions etc being met that do not compromise our own #4RD interests and well-being as long- term taxpaying Citizens of Richmond. Should our #4RD goals,

objectives etc for achieving basic equality etc. with the DFO Lands application not met, we feel that it is more in our interests to not allow any further compromises to an externally-imposed and increasingly overall NEGATIVE status quo, nor any further erosion of our rights, privileges, freedoms as defined by existing legislation, as well as our basic livability and viability as a Residential area yet locked within the ALR and yet still claimed to be viable farmland by external jurisdictions as dense re-development encroaches by the literal and figurative minute. Effectively, we #4RD Property Owners, and locked within the ALR, are all literally, figuratively and legislatively caught between an IRRESISTABLE FORCE of re-development from the West..... and IMMOVABLE Object of City Policy and ALC Act restrictions to the East, and caught within and between the vise-like grip of the two.

To not vigorously challenge these matters would be likely interpreted by all external parties and jurisdictions etc. that all is currently well, with respect to our #4RD Neighbourhood, and also with the CLC application, and will also be well in the future, which is not even remotely the case, and unfortunately may force us to pursue a variety of civil and other legal/ democratic remedies to effectively say enough is enough.....and we on #4RD seek both equal respect and equal treatment.

Thus, in order to achieve what at best stops further deterioration by external forces of our present #4RD Neighbourhood circumstances, and at worse delays the more likely unavoidable and ultimately inevitable increasing and accelerating deterioration of our #4RD. Neighbourhood, we feel we have no choice but to marshal our #4RD Neighbourhood's individual and collective resources and vigorously oppose this CLC application to remove the DFO Lands from the ALR until such time as our concerns are addressed and to our complete 100% satisfaction .

The City of Richmond is more than sufficiently aware of the concerns of many #4RD Property Owners , but, as of this date, has indicated no willingness in any way, shape, or form to either review its current stand/policy, formal or otherwise, nor any indications of flexibility. The rationale for maintaining the status -quo in our #4RD Neighbourhood's situation yet moving forward with the DFO Lands initiative shows an inconsistent application of the City's very own policies, strategies, OCP's etc and their own applicable criteria, as well as its fiduciary duty as a Local Gov't towards its own citizens and compliance provisions required by the ALC ACT.

It is our view that given all these inconsistencies , Non - Compliances and other conflicts with respect to City Zoning in general and the ALR specifically that these best be challenged at this time, and in the foreseeable future, as they further validate concerns feelings their exposure would also be inevitable in the near and foreseeable future.

It appears that the CITY OF RICHMOND's own "MISSION STATEMENT"

**"For the City of Richmond to be the most appealing, liveable and well managed community in Canada "**

.....coincidentally speaking, has a boundary coincidental to the #4RD ALR boundary ...and that this same "Mission Statement" applies only to areas West of #4RD.....

This matter is ripe ,and consequently the time has come, to challenge this broad matter and this includes the option to pursue this outside the ALC and into more formal legal arenas should we not be satisfied with the current avenues of address and redress. The ALC Act should also be exposed for what it is, an often insensitive, unrealistic, dated and draconian piece of legislation, especially with respect to small land parcels locked within it, and the City of Richmond should/may feel relatively honoured with the dubious distinction of having to defend it in what we consider will be a GROUND ZERO situation, circumstances and approach within the GVRD that we on #4RD may be forced into exposing , yet ironically the City itself had every golden opportunity to bridge the original intent re DFO Lands, our #4RD Neighbourhood's situation, and the ALC Act legislation with its somewhat more flexible and relevant exclusion provisions, which would diffuse politically- volatile, illogical, and inconsistent, inequitable situations etc. which this matter, its facts , and its public exposure has every possibility of occurring.

The ALC Act., it appears upon sober reflection exists on two levels (i) a motherhood issue that we submit the vast majority of the General Public maintains a belief, and subsequent support in on the very minimal of understanding...and (ii) that those of us actually predisposed to research the ALC Act and educate themselves on it and Local Gov't partnership of it as they are obligated to do under the Local Gov't Act, these two bodies have, either directly or indirectly, effectively created a series of Catch-22 fire-walls to entrench Private Property Owners within the ALR ,and especially those who can invariably show they are not Viable farmland, in the past, present or future which falls on literal and figurative deaf ears. However the contrary can more than adequately be shown in the case of the DFO Lands , and using all the same criteria the City applies to us on #4RD and yet others, it , the City, still denies approval to proceed to the ALC with ALR removal applications. Inconsistent, illogical = thus ultimately challengeable.

Thus, the DFO Lands exclusion from the ALR will have ,in our view, direct physical impacts in orders of magnitude on such a large site, yet concentrated in our general #4RD vicinity on our already increasingly compromised future and increasingly negative status quo, given its close proximity to our #4RD. Neighbourhood, and its magnetic attraction to more negative impacts given its proposed future plans as per Press Releases. Also, it exposes a political agenda in its most naked form, with inconsistencies and overriding of policies and initiatives that are the basic essence and hence justification of the ALR and ALC Act. Thus, no reasonably minded citizen should accept nor tolerate it, and morseo those of us directly and quantifiably impacted. The City has turned down applications for

densification elsewhere, due to vigorous and organized opposition perhaps it, the City should keep this in mind.

Editorially speaking,..... I see that this matter will be dealt with, via apparent intent, during the Summer Months ,when most of the Citizenry is distracted with Vacations plans, (and also a few months prior to the Civic elections) yet when the City is ironically full of Tourists. I will submit this almost appears to be the usual political formulaic chicanery when possibly volatile and contentious issues are dealt with.....

Thus, in conclusion,..... unless the matters and concerns outlined with respect to our #4RD Neighbourhood's current situation and circumstances are dealt with to our complete 100% satisfaction, it is not in our #4RD Neighbourhood's interest to simply leave the CLC's DFO Lands ALR removal application alone,.... nor let it proceed unchallenged, and we thus feel confident that all appropriate external jurisdictions will ultimately see our case, should the City choose to ignore us and maintain inflexibility and thus retain us in our #4RD Neighbourhood's current and future increasingly Negative status -quo of "Irresistable Force meets Immovable Object".. all externally imposed.....

It is the City of Richmond's choice,.. as we on #4RD apparently have no choice, given all the aforementioned points in this correspondence., and more potentially forthcoming.

**FINALLY :** I also request that, as per the CLC application, that all the original documents pertaining to the original Crown purchase of the DFO Lands property, which apparently indicates Public ownership since 1903 A.D. I wish to be provided all pertinent documents to this original Crown purchase, and be assured of no past present and future covenants etc. with respect to the aforementioned 1903 purchase and its potential uses that may have consequences to this pending re-development.

Sincerely:

Roland A. Hoegler  
6560 # 4 RD.  
Richmond B.C.  
V6Y - 2S9

(604) 270 -7585



## City of Richmond

6911 No. 3 Road, Richmond, BC V6Y 2C1  
 Telephone (604) 276-4000  
 www.city.richmond.bc.ca

May 5, 2005  
 File: 08-4045-20-09

Urban Development Division  
 Fax: (604) 276-4052

Mr. John Gaskin  
 8440 No. 4 Road  
 Richmond, BC V6Y 2T6

Dear Mr. Gaskin:

**Re: Removal of No. 4 Road Lands from the Agricultural Land Reserve**

Thank you for your inquiry regarding the removal of lands along the east side of No. 4 Road, between Westminster Highway and Francis Road, from the Agricultural Land Reserve (ALR) for urban development purposes.

Please be advised that:

1. At this time, the City will not enter into a Memorandum of Understanding to remove the lands from the ALR;
2. As per the Richmond Agricultural Viability Strategy (AVS), which was adopted in 2003, any planning or modifications to this area will be subject to comprehensive planning of the McLennan 2 sub-area (defined in the AVS) to take into account a wide range of issues and matters, and determine ways to make the farmland more viable. A review of the sub-area is not expected to occur for a number of years.

If you have any questions, please contact me at (604) 276-4139.

Yours truly,

Terry Crowe  
 Manager, Policy Planning

TTC:jl

pc: Raul Allueva, Director of Development  
 Holger Burke, Development Coordinator  
 Janet Lee, Planner



# General Purposes Committee

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- the alleged problems being caused by an insufficient number of staff being available to process passengers at the international arrivals level.

At the conclusion of the discussion, Mayor Brodie thanked the delegation for their presentation, and they then left the meeting.

## FINANCE & CORPORATE SERVICES DIVISION

### 3. **360 DEGREE MODERN DINING, 6091 NO. 3 ROAD FOOD-PRIMARY LIQUOR LICENCE AMENDMENT – CHANGE TO HOURS OF SALE**

(Report: June 14/05, File No.: 12-8275-30-001/2005-Vol 01) (REDMS No. 1593944)

It was moved and seconded

- (1) *That the application by 360 Degree Modern Dining to amend their Food-Primary liquor licence to extend the hours of sale until 2:00 am Mondays through Sundays, NOT BE SUPPORTED, (for the reasons outlined in the staff report dated June 14, 2005, from the Manager, Customer Services).*

- (2) *That the BC Liquor Control and Licensing Branch be so advised.*

The question on the motion was not called, as concerns were voiced about the non-compliance of the applicant with regard to (i) the City's bylaw regulations; (ii) the Liquor Control & Licencing Act; (iii) Vancouver Coastal Health requirements, and (iv) BC Fire Code requirements. A brief discussion ensued on possible action which could be taken by the City.

The question on the motion was then called, and it was **CARRIED**.

### 4. **GENERAL LOCAL AND SCHOOL ELECTION 2005**

(Report: June 23/05, File No.: 12-8125-40-01/2005 – Vol 01) (REDMS No. 1602549)

It was moved and seconded

- That the report (dated June 23, 2005, from the Director, City Clerk's Office), regarding the administration of the 2005 General Local and School Election, be received for information.*

**CARRIED**

## URBAN DEVELOPMENT DIVISION

### 5. **AGRICULTURAL LAND RESERVE APPEAL APPLICATION BY CANADA LANDS COMPANY FOR EXCLUSION AT 5555 NO. 4 ROAD**

(Report: June 24/05, File No.: AG 05-302706) (REDMS No. 1602629)

It was moved and seconded

- That authorization for Canada Lands Company to apply to the Agricultural Land Commission for exclusion of 5555 No. 4 Road be approved.*

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- the noise management program at the airport, and in particular, proposed initiatives to improve the effectiveness of the Noise Management Committee
- the Environmental Advisory Committee
- the airport's long term plan relating to sustainability and integration.

(A copy of the material provided by the delegation is on file in the City Clerk's Office.)

Discussion then ensued among Committee members and the delegation on:

- the 'Open Skies' and 'Fifth Freedoms' resolutions
- the involvement of airport staff on City projects, and showing their support for these projects
- noise management and aircraft departures over Lulu Island; and the necessity for aircraft to depart over the City because of the direction of the wind
- the use of wind turbines
- world fuel supplies and the longevity of aircraft travel
- whether there had been any growth in cargo air traffic
- noise management and balance with the north/south runways
- the Airport's master plan
- the terms of reference for the Noise Management Committee; the process for appointment to this Committee; and initiatives being taken to reinvigorate the Committee
- the need of the public to address their concerns at the Airport Noise Management Committee
- the impact of night arrivals and departures from the north runway on residents in the East Richmond area
- the noise abatement procedures which were in place
- the number of smaller aircraft which were following No. 4 Road and lining up with Garden City Road to make their landing approaches to the airport
- the expansion potential of the airport property on Sea Island, and at what point would the airport reach its capacity
- whether the increasing business at the Abbotsford Airport was having an impact on the Vancouver airport
- the rationale for not having a reduction in airport rent until 2010
- cargo travel and safety standards
- whether a screening process was in place for the processing of domestic baggage

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The question on the motion was not called, as Councillor Steves expressed his strong opposition to the proposed recommendation. He spoke about the vision which had been created many years ago for the subject property (playing fields and a sports and recreation building) which would not result in a net loss of green space. He suggested that approval of the application would set the groundwork for the destruction of Richmond and Delta farmland. Cllr. Steves also commented on the impact which exclusion of the subject property would have First Nations land claim matters.

Discussion ensued, with other Committee members voicing their support for the proposed exclusion. At the same time, the following matters were addressed:

- the timing of the transfer of title of the subject property to the City
- the rationale for (i) applying to exclude the entire property from the Agricultural Land Reserve, and (ii) the Canada Lands Company making the application rather than the City
- the proposed development plan for the area; and whether this plan was only conceptual in nature
- the rationale for the comments made by the Agricultural Advisory Committee and the resolution adopted by that committee not to support the exclusion
- the benefits to the City which could result from approval of the exclusion because of the location of the property immediately adjacent to the City Centre
- the concerns of area residents about the application, and whether their properties could be removed from the Agricultural Land Reserve in the future
- whether, given the limited number of uses which were permitted in the Agricultural Land Reserve, the subject property could remain in the ALR if the land was developed for sports fields
- the need to undertake a planning study of the No. 4 Road area sooner rather than later
- the fact that if the application for exclusion was denied and sent back for further input, the subject property could be designated as Indian Reserve land and the City would lose control over the development of that property
- the belief that the proposal now being considered offered the City its best opportunity to obtain the DFO property and still maintain control over its future development
- the impact that the exclusion could have on for future agricultural land in British Columbia because of the First Nations treaty process

# General Purposes Committee

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- whether the subject property could be considered as viable farmland
- the fact that the City would never have another opportunity to own the DFO property, and the desires of various sports organizations to have sports facilities constructed on the property
- whether approval of the application for exclusion would lead to the demise of agricultural land in the City.

Reference was made to the proposed development plan, and advice was given by staff that the proposal was a conceptual plan only which had been generated by staff, and had no weight at the present time. Staff further advised that if the application for exclusion was successful, a master plan would be developed for the area, in consultation with the community. Further advice was given that the City would have control over the development of the property through zoning and other bylaws.

With reference to the desires of residents on the east side of No. 4 Road about the removal of their properties from the Agricultural Land Reserve, information was provided by staff that drainage was an issue in the area. Advice was given that one of the options would be to undertake a planning exercise to undertake replotting of the area. However, it was noted that a careful review and study was required before removing this area from the Agricultural Land Reserve.

In response to further questions about the timing of a review of the area, advice was given that the issue was staff workload. However, further advice was given that the Department's work plan was reviewed annually and staff could include the proposed study in the next review of the work plan for discussion with the Planning Committee.

Reference was made to the short timeline relating to the requirements of the Memorandum of Understanding, and advice was given that an opportunity for further public discussion would arise as the planning process commenced and rezoning applications were received.

Reference was made to the list of City initiatives (page 52 of the staff report), and the request was made that the proposed Blundell Road interchange be added to that list.

The question on the motion was then called, and it was **CARRIED** with Cllr. Steves opposed.

## ~~6. **RAV LINE STATION NAMES IN RICHMOND**~~

~~(Report: Date 10/05, File No.: 10-6520-02-01/2005 – Vol 01) (REDMS No. 1583173)~~

~~Discussion ensued among Committee members, the Acting Director of Transportation, Victor Wei, and the Manager, Policy Planning, Terry Crowe, on the proposed road names.~~