

**Weber, David**

**Subject:** FW: OCT.25 Council Meeting  
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**From:** Roland Hoegler [mailto:rahoegler@shaw.ca]  
**Sent:** October 20, 2010 2:02 PM  
**To:** MayorandCouncillors  
**Cc:** CityClerk  
**Subject:** OCT.25 Council Meeting

**To: City Clerk**

**I wish to be part of the agenda for the OCT. 25, 2010  
Council Meeting**

**Roland Hoegler**

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To : Richmond Council

**Re: Small ALR parcels and review of City policy for ALR  
exclusions.**

On JUNE 2, 2009, ( 4 ) Number 4 Road property owners  
appeared at a Planning Committee meeting to discuss their  
ALR exclusion applications .

The property sizes ranged from between . **43** acres to approx.  
**8000 sq. ft.**

<http://www.richmond.ca/cityhall/council/agendas/planning/2009/>

Planning Committee effectively denied all ( 4 ) of the ALR  
exclusion applications from proceeding to the ALC.

It appeared that the Planning Committee decision was based  
on some criteria Staff stated the applicants had not complied

with , ie such requested submission of :

(i) Soil Report and

(i) Future land uses

**Re: SOIL REPORT:**

However, my recollection prior to the conclusion of the June 2 meeting was a discussion amongst the Committee members re: what purpose would a Soil Report achieve ?.

My further recollection was that Staff was asked by the Committee to review this soil report requirement, again, what purpose would a soil report achieve.?

Each applicants property was in Single Family Residential use, whereby building footprints , driveways , detached buildings, septic fields etc. would easily take up 60% or more of each given property.

Our group of # 4 RD. property owners had contacted Ms Catherine Orban, M.Sc., P.Ag. to provide us with an estimate of the soil reports cost

Ms Orban was recommended to us via her experience and expertise in ALR related applications

Her estimate for a soil report only approached \$ 4000 ( and rose to \$ 7500 if she was required to provide any further support.)

Suffice it to say that this would extrapolate into \$16,000 to have a report for each of the (4) small ALR properties.

To date, I have heard nothing re Planning Committee's referral to staff as to what purpose a soil report would provide given that clearly most of the applicant properties soil have been

compromised by residential infrastructure.

**Re: FUTURE LAND USES :**

The ALR was created in 1972.

**Section 23 of the ALC Act states**

**Exceptions**

**23 (1)** Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the *Land Registry Act*, R.S.B.C. 1960, c. 208, less than 2 acres in area.

**RE #4RD.ALR properties**

The evidence clearly suggests that, the City of Richmond, between 1972 and 1980's, allowed the vast majority of # 4 RD. ALR properties which were .86 acres in size to be subdivided in ( 2 ) .43 acre parcels. My own property is one such property.

FYI: Only ( 2 ) such .86 acre properties remain on # 4 RD  
Also note: .86 acres was a common property size in the East McLennan area , South McLennan area and elsewhere.

Under Section 23 of the ALC Act, these .86 acre parcels fall far below the 2 acre benchmark.

Thus, the ALC, for all intents and purposes, deferred all zoning control, including the subdivision of these small #4 RD parcels , to the City.

The City , instead of " protecting farmland " , chose to take these small ALR parcels and instead densify it by a factor of 100% by creating ( 2 ) .43 acre single family Lots where one .

**86** acre stood previously.

Or, conversely, the City densified the #4 RD ALR years before it densified the Non ALR North and South McLennan areas immediately West of #4RD.

In addition, the records will show that the City of Richmond, in the mid - 1980's , allowed (2) faith groups to construct churches at 6340 # 4 RD.and 7600 # 4 RD

This effectively changed the zoning from AG - ALR to ASY - ALR .

Again, given these faith groups' land parcels were *less than 2 acres*, the ALC had no issues with the land use choices by the City to remove the AG Zoning and change to ASY.

Please note that the AG zoning was the root parameter for ALR inclusion. Thus, if these faith groups properties are no longer AG, why are they still in the ALR ?

Is the public to believe that their properties , each of which are either built on or paved with liitle if any green space left , will be viable for agriculture in the future ? .

I would conclude and thus submit that # 4 RD is quite unique in that past Richmond Councils have effectively allowed land that was originally " less than 2 acres" and for all intents and purposes is not ALR land, and further confirm this by past City Councils allowing subdivision of these same lots and thus greater densifying these so called " ALR " lands.

Further to the June 2, 2009 meeting, I recall some Council members asking our # 4 RD group why we are applying for ALR exclusions , what would change ?

I would submit that the ALC ACT stipulates the owners must apply, and that is their legal right.

With all due respect, Richmond Council that voted :

----- to exclude the 136 acre parcel at 5555 #4 RD ie the "Garden City Lands" , and

---- allowed (7) . 86 acre parcels of the Richberry farms holdings to be excluded from the ALR on 2000 ?

I would further submit that the question should be inverted into

(i) why are we in the ALR ?, and

(ii) why does the City insist we remain in the ALR?.

(iii) what public interest is served by inclusion of such small properties remaining in the ALR ?

As I stated in a recent Letter to the Editor re the " Highway to Heaven " Temple expansion, the Richmond ALR is full of corrupted inventory, whereby the land upon which buildings, parking lots etc, are established is still counted as ALR acreage/inventory.

What is interesting is that in Nov. 2009, 5 months after the Planning Committee denied our ALR exclusion applications, the City passed an omnibus Zoning Bylaw 8500 which effectively limited residential use of one's ALR property to the first 50 meters under the auspices of saving farmland, and caught in this net was the majority of less than 2 acre parcels, which comprise 70 % of the total number of Richmond ALR parcels. .

I am not casting any allegations, but in theory, if our ALR exclusion applications had been approved by the City , then the new Zoning bylaw may not have applied to us , or perhaps the City would have reviewed all of Richmond's small ALR properties from who much of the Bylaw 8500 backlash originated from.

Re the latest ideology of " food security ",

I have come across a study from Cornell University which states that per capita farmland requirements are **1 person / 1.2 acres**

Hence, if we take a .43 acre parcel (approx. 19,000 sq.ft. ) and assume that 60% is used up by buildings, driveways etc. we have approx 8000 sq ft. left to farm.

There is not enough capacity left to feed even one person per annum , let alone be deemed " future farmland " for the general population.

The aforementioned leads to the conclusion, with no evidence to the contrary, that the ALR has nothing to do with agriculture, but is nothing more than land bank to create artificial land shortages and for the cheap ALR land to be withdrawn for NON agri - purposes as the situation warrants .

A recent ALC report re ALR exclusions stipulates that the vast majority of ALR exclusions (since the ALR was created ) are in fact by Gov'ts.

### **Thus the questions:**

---- Has the City reviewed the need for a **soil report** for such small ALR properties . If not, why not ? .

---- Why would the **land uses** be requested of ALR exclusion applicants if it is clear that , via the numerous subdivisions the City allowed for # 4 RD. properties, and that the City has de facto designated this as a residential area, and yet denied the ALR exclusion applications ?.

These properties were arbitrarily included in the ALR . Even the ALC has acknowledged our inclusion was for ease in creating linear boundaries..

---- What purpose is served in denying our legal rights to have our applications approved and submitted before the ALC ?

---- What purpose is served in claiming residential lots are future farmland and thus artificially inflating the ALR numbers ?

Given that Metro Vancouver, the Ministry of Agriculture and Lands and the ALC are engaged in a review and analysis of the ALR, why shouldn't Richmond become a leader in this initiative in cleaning up and rationalizing the ALR inventory, ie separating the ALR wheat from the ALR chaff .

R.A Hoegler

