

**Jim Wright, 8300 Osgoode Drive on farm house bylaws, 201**

**Mayor Brodie and Councillors,**

Schedule 153 to the Minutes of the Public Hearing meeting of Richmond City Council held on Monday, May 15, 2017 and Wednesday, May 17, 2017.

I will mainly address two bylaws about house construction on farmland that's zoned as ALR and Agriculture. They are the *revised* Bylaw 9712 about **house size** and Bylaw 9706 about **exceptions**.

Our city staff have done very helpful work that includes a chart of building permits for farmland areas since 2010. I've included a key part of it in a summary, "The Richmond Farmland Massacre, January 1 to April 3, 2017." It will enable us to see the bylaws in context. [\[Visual of Massacre\]](#)

But first, keep in mind that the Ministry of Agriculture has made the *Guide for Bylaw Development in Farming Areas* available to Richmond for many years. [\[Visual—Guide\]](#) For local governments, it makes sense to follow the guide.

The guide states the "purpose and goals" of regulating residential uses: [\[Visual-goals\]](#)

- Directing residential uses to NON-farming areas.
- Minimizing impact on farm practices and farming potential.
- Minimizing loss and fragmentation of farmland.
- Minimizing impact of increasing cost of farmland.

The Ministry does NOT set a size limit on floor area for farmland residences. That is wise. For one thing, the local limit is best calculated for local conditions. The Ministry Guide encourages local governments to calculate wisely and shows them how.

[\[Visual—Farmland house floor area\]](#)

The local limit for farm residences is THE LESSER OF (first) what is **commensurate with urban areas** and (second) **500 square metres** of floor area. Richmond staff, with expert advice from consultant **Richard Wozny** [\[Visual—Wozny\]](#), have calculated the "commensurate" figure, and it is well below 500 square metres. (We'll get to that.) For now, just realize that the guide helps Richmond to set an upper limit for farmland houses, and that the ultimate limit is 500 square metres.

Now, we can see the “Richmond Farmland Massacre” summary in context. In turn, it will provide further context for decisions about the farmland house bylaws.

[Visual of Massacre again]

The little chart from staff is essentially for the first quarter of 2017. (The building permit submissions were still being processed, but I think most would normally go through, perhaps with refinements.)

In any case, notice the Total Building Permits column at far right. The total is 45, a huge number. It is many times the rate for the previous years (which was also too high). And remember, all of that is for residences on ALR/Agriculture farmland.

Notice also that **every one of the farmland residences** exceeds the **ultimate limit** in the Ministry guideline. I see that as a 100% failure rate.

Furthermore, most of problems are mega-problems. They’re called **mega-mansions**: they are NON-farmhouses of monster proportions working directly against the Ministry of Agriculture’s stated purpose and goals.

I found the magnitude of the problems hard to grasp until I thought of it as a weekly rate. The effect of the problems was that our ALR farmland was being lost or fragmented at the rate of about **three farms per week**. That’s the bottom line.

So now there’s a choice: (A) Give up. (B) Aim for **nothing but success** to offset the failure. I’ve chosen B, Excellence. I bet a lot of fellow citizens here want excellence too.

A few days ago, Council received my letter explaining how I used the Ministry Guidelines and staff’s analyses to suggest how to fix Bylaw 9712. [9712 Visual] Notice that the bylaw currently shows a limit of 1000 square metres, which is close to 11,000 square feet. It *legislates* failure.

My letter [Visual—letter page 2] showed that Option 2, **Bylaw 9710**, best meets the Ministry Guidelines for Richmond. On the page that you see now, all three of staff’s options are within the Ministry Guidelines, but **Option 2** provides the best protection for farmland and enables the most hope for farmers trying to purchase or lease farmland. The limit is **303 m<sup>2</sup>** of floor area for farmland houses.

Council often refers matters back to staff. I suggest a referral that asks staff to select the option that best meets the Ministry's stated "purpose and goals." I think staff will include my input as they proceed, and I'm confident they'll make a good choice if they're free to do so. Furthermore, I checked whether there's sufficient time for that, including another public hearing. **Terry Crowe** says there is enough time.

This brings us to **Bylaw 9706** [Visual—Bylaw 9706], which enables a simple process for farmers to exceed whatever limit council chooses for farmland house floor area. One could say it's too easy, but that weakness is also a strength. In effect, it means that the limit only curtails the size of *urban non-farm residences* that are on farmland: it limits **non-farmers**, **NOT** farmers. (I suppose some farmers may think it's a nuisance to apply to exceed the stated limit, but that is offset by major benefits for farmland, farmers and farming.)

Since the house size limit will **not** hinder farmers, the limit can be moderately strong, which means that a limit around 300 square metres is not-at-all excessive. Looking ahead, I foresee that sort of limit making a big difference in a year or two and on into the future.

The overall result will be **no more** Richmond Farmland Massacres.

[Visual—No More Massacres]

There could possibly be a bit of a setback for people using our farmland as a commodity and not for ALR farm value. We citizens probably don't actively wish setbacks for them, but we won't shed a whole lot of tears either.

In contrast, we will be happy for farmers (and growers) who get a better chance to farm Richmond farmland and even buy it.

Council, when the parade of hard-sell speculators and their ilk order you around, please keep this priority in mind: **protect farmland**.

# The Richmond Farmland Massacre, Jan 1–Apr 3, 2017

Farmland house building permits — submitted in essentially three months

**Table 2: Number of Submitted SFD AG1 BPs (January, 1-April 3, 2017)**

	Less than 330 m2 (3,550 ft2)	Between 330-500m2 (3,550-5,381 ft2)	Between 500-697m2 (5,382-7,500 ft2)	Between 697-930m2 (7,501-10,000 ft2)	Between 930-1,114 m2 (10,001-12,000 ft2)	Between 1,114-1393 m2 (12,001-15,000 ft2)	Over 1,393 m2 (15,000ft2)	Total BP
2017	0	0	5	7	8	17	8	45

**Number of Submitted Building Permits, ALR/AG1 Farmland: 45**

**Number exceeding Ministry Guidelines (<5,382 ft<sup>2</sup>): 45**

**Number exceeding 10,000 ft<sup>2</sup>: 33**

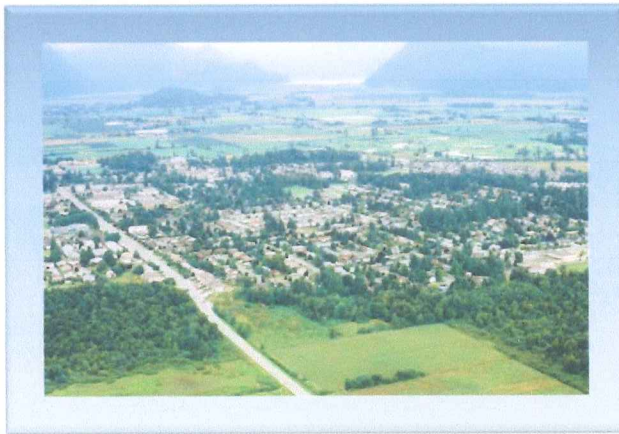
**Number of FARMHOUSES over 10,000 ft<sup>2</sup> that Todd May knows of: 0**

**Number of Mega-Mansions: NON-farmhouses over 10,000 ft<sup>2</sup>: ~33**

**Number of farms fragmented or lost to farming: ~33–45**

**Number of fragmented/lost farms per week: ~3/week**

# GUIDE FOR BYLAW DEVELOPMENT IN FARMING AREAS



REVISED MAY 2015



Ministry of  
Agriculture



## 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:

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

### 2.4.6.5.3 Maximum Floor Area-Farm Residences

The Minister's Bylaw Standard does not include size restrictions for the *floor area-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:

- a) *500 m<sup>2</sup>* for *principal farm residence*;
- b) *300 m<sup>2</sup>* for each *additional farm residence* where permitted; and
- c) *15 m<sup>2</sup>* for each *temporary farm worker housing space* where permitted<sup>6</sup>.

# WOZNY

April 13, 2017

From: Richard Wozny

To: The City of Richmond

Re: Memo on ALR Residential Development in the City Richmond Land Economics Assessment

1. Questions

This report addresses the following questions:

- (1) What is the impact on demand and price when setting the maximum house size in the ALR at, below, or above, the average house size possible in the City's most common large lot single family residential zoning district RS1E. The average lot size within the RS1/E zone is approximately 8,000 ft<sup>2</sup> which would permit a house size of 4,200 ft<sup>2</sup> (including garage).
- (2) If the maximum house size permitted in the ALR is restricted to 4,200 ft<sup>2</sup> (including garage), what is the anticipated impact on:
  - (a) ALR urban residential development trends, activity, real estate speculation?
  - (b) ALR farm trends, viability, development; the cost to farmers to buy land and lease land?

2. Consultant's Response

(1) General

Based on recent market data, it is clear that some smaller ALR lands are being bought, sold, speculated on and developed as urban residential sites. In economic terms, the ALR properties are being substituted for normal serviced urban residential sites within the City. The focus on ALR lands is a logical and expected outcome of the excessively high priced residential real estate market. Currently, ALR lands offer a greater potential for flexibility than urban sites, particularly when the owner desires a very large house size.

It is the current ability to build a very large house in the ALR which is the primary factor driving small ALR lot prices to levels in the order of \$750,000 to \$1.5 million per acre. While urban to ALR house market substitution is expected, the current trend in very large house sizes on ALR land is an inappropriate non-market trend.

Tables 1 and 2 below show recent ALR residential house sales in the City which are extremely high and inappropriately reflect urban land values.

- (2) If house size on ALR land parcels was restricted to a size of 4,200 ft<sup>2</sup>:  
If house sizes on ALR land parcels were restricted to a size of 4,200 ft<sup>2</sup>, their additional, unique, non-market premium value would no longer apply. The normal background market ALR land values would then apply to the balance of the site land area, after removing the residential potential. The surplus non-residential part of the ALR site, would have a normal ALR land market value.

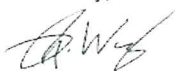
It is expected that ALR buying activity and speculation would decrease significantly, as the unique appeal of the ALR lands would be gone with the reduced house size. The reduced ALR house size would reduce ALR land prices, to market standards and past trends, allowing buyers with the intention of actual farming, to acquire or lease these types of properties.

The decrease in ALR land prices resulting from a house size restriction would reduce land costs for farmers particularly for lots under 10 acres in size.

- (3) If the City allowed only house sizes which were significantly smaller than 4,200 ft<sup>2</sup>:  
The choice of setting the permitted house size, at a large urban average size is appropriate, as it reflects standards across the City. If the City allowed only house sizes which were significantly smaller than 4,200 ft<sup>2</sup>, it would reduce the value of ALR lands, below market, by a small margin because they would become less attractive, even for farmers.
- (4) If the City permitted house sizes significantly larger than 4,200 ft<sup>2</sup>:  
If the City permitted house sizes significantly larger than 4,200 ft<sup>2</sup>, it would increase the land value above market rates. If, for example, the maximum was set at twice (2X) the standard size (8,400 ft<sup>2</sup>), the value would likely be close to the current excessive ALR land value. Allowing an ALR house size significantly larger than average would not normalize the currently high ALR land prices.

For clarification, please contact me at 604 250 2992.

Yours truly,



Richard Wozny, Principal  
Site Economics Ltd.



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9712

2. Richmond Zoning Bylaw 8500, as amended, is further amended by deleting Section 14.1.4.1 and replacing it with the following:

- “1. a) The maximum **floor area ratio** for all buildings and structures is 0.60, except where greenhouses are located on the **lot**, in which case the maximum **floor area ratio** is 0.75, of which at least 0.70 **floor area ratio** must be used for greenhouses.
- b) The maximum **floor area** for a **principal dwelling unit** and all **accessory buildings** or **accessory structures** to the **principal dwelling unit** is the lesser of:
  - I. the **floor area ratio** of 0.55 applied to a maximum of 464.5 m<sup>2</sup> of the **lot area**, together with 0.30 applied to the balance of the **lot area** in excess of 464.5 m<sup>2</sup>; or
  - II. if the **lot area** is:
    - i. less than 0.2 hectares, 500 m<sup>2</sup>; or
    - ii. 0.2 hectares or greater, 1,000 m<sup>2</sup>.
- c) The maximum size for each residential **accessory building** or **accessory structure** is 70m<sup>2</sup>.”

3. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9712**”.

FIRST READING



APR 24 2017

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by

APPROVED by Director or Solicitor


\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

**1**

**A.) House Size Option 1 – Bylaw No. 9712 (Recommended)**

This option would use the RS1 zone FAR density provisions up to a maximum of 500 m<sup>2</sup> (5,382 ft<sup>2</sup>) for all residential buildings including the garage.

This option is based on the Ministry of Agriculture's Guidelines. Staff recommend this approach as it balances allowing a reasonable sized house while minimizing the impact on farmland.

In order to achieve the maximum floor area in this option, the minimum size of the property would have to be 1,279 m<sup>2</sup> (13,773 ft<sup>2</sup>). Smaller sites would have a maximum house size smaller than 500 m<sup>2</sup> (5,382 ft<sup>2</sup>) and would be based on the FAR provisions.

500 M<sup>2</sup>

**2**

**B.) 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 m<sup>2</sup> (3,261 ft<sup>2</sup>). This option would use the RS1 zone FAR density provisions up to a maximum of 303 m<sup>2</sup> (3,261 ft<sup>2</sup>) for all residential buildings. With the 50 m<sup>2</sup> (538 ft<sup>2</sup>) floor area exemption for a garage, the total maximum floor area would be 353 m<sup>2</sup> (3,800 ft<sup>2</sup>).

This option would be commensurate with the house size permitted in the City's urban areas.

In order to achieve the maximum floor area in this option, the minimum size of the property would have to be 623 m<sup>2</sup> (6,703 ft<sup>2</sup>). Smaller sites would have a maximum house size smaller than 303 m<sup>2</sup> (3,261 ft<sup>2</sup>) and would be based on the FAR provisions.

303 M<sup>2</sup>

**3**

**C.) House Size Option 3 – Bylaw No. 9711**

This option is based on the average house size in the RS1E zone which is the most common single family zone in Richmond. Almost 60% of the City's single family lots are zoned RS1/E. This option would use the RS1 zone FAR density provisions up to a maximum of 339 m<sup>2</sup> (3,650 ft<sup>2</sup>) for all residential buildings. With the 50 m<sup>2</sup> (538 ft<sup>2</sup>) floor area exemption for a garage, the total maximum floor area would be 389 m<sup>2</sup> (4,187 ft<sup>2</sup>). This option would also be commensurate with the house size permitted the City's urban areas.

In order to achieve the maximum floor area in this option, the minimum size of the property would have to be 743 m<sup>2</sup> (8,000 ft<sup>2</sup>). Smaller sites would have a maximum house size smaller than 339 m<sup>2</sup> (3,650 ft<sup>2</sup>) and would be based on the FAR provisions.

339 M<sup>2</sup>



**Richmond Official Community Plan Bylaw No. 9000  
Amendment Bylaw 9706  
(Limits on Residential Development in Agricultural Zones)**

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

1. Richmond Official Community Plan Bylaw 9000, as amended, is further amended at Section 7.1 Protect Farmland and Enhance Its Viability by adding the following text after policy e) under Objective 1 Continue to protect the City's agricultural land base in the Agricultural Land Reserve (ALR):

**"Residential Development**

- f) limit the area used for residential development on properties in the Agricultural Land Reserve. The following policies are to be regarded as guidelines which may be applied by Council, in a flexible manner, individually or together, on a case-by-case basis, when considering rezoning applications, to increase house size in the City's agricultural areas:
  - the need to accommodate a variety of a cultural and inter-generational family needs and farm situations;
  - verification that the site has been or can be used for agricultural production;
  - verification that the applicant has been farming in Richmond or elsewhere, for a significant period of time, or if they are a new farmer, they can demonstrate that they are, or will be, capable of farming;
  - demonstration that there is a need for a larger farm house, to accommodate existing and / or anticipated workers on the site, through the submission of a detailed report from a Professional Agrologist indicating such, or through other information;
  - submission of a farm plan which is acceptable to Council that may include justifying any proposed on-site infrastructure, or farm improvements including providing financial security to ensure that the approved farm plan is implemented;
- g) limit the number of dwelling units to one (1) on agriculturally zoned properties. Through a rezoning application, on a case-by-case basis, consider applications which propose to exceed the maximum number of dwelling units if:
  - the property is 8 ha (20 acres) in area or greater; and

**NEVER AGAIN!**

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