



# City of Richmond

## Report to Committee

To: Planning Committee  
From: Brian J. Jackson, MCIP  
Director of Development  
Re: Agriculture (AG) Zone Setback and House Size Referrals

Date: May 4, 2010  
File: 08-4430-03-07/2010-  
Vol 01

### Staff Recommendation

1. That Richmond Zoning Bylaw 8500 Amendment Bylaw 8689, to amend the Agriculture (AG) zone to read:

"14.1.6.1. . . . *No portion of a single detached housing building, including any additional dwelling units, shall be located further than 50.0 m from a constructed public road abutting the property.*"

"14.1.6.2. *No portion of a single detached housing garage or carport, and all other accessory buildings or accessory structures to the single detached housing, shall be located further than:*

*70m setback  
under 2acres*

(a) 70.0 m from a constructed public road abutting the property if the property is:

- (i) less than 0.8 ha in lot area; or
- (ii) 0.8 ha or more in lot area and has a lot width or frontage of less than 50.0 m; or

*Keep 50m for  
lots over 2acres*

(b) 50.0 m from a constructed public road abutting the property if the property is:

- (i) 0.8 ha or more in lot area and has a lot width or frontage of 50.0 m or more."

be introduced and given first reading.

2. That City staff hold a public open house before the Public Hearing to explain Richmond Zoning Bylaw 8500 Amendment Bylaw 8689 and that notice of this public open house be sent to all the Agriculture (AG) zoned property owners and tenants/leaseholders, in addition to being advertised in the local newspapers.
3. That the information in the Staff Report dated May 4, 2010 regarding the Agriculture (AG) zone house size referral be received for information and that no further action be taken at this time pending the results of Metro Vancouver's proposed new Regional Growth Strategy and the Ministry of Agriculture and Lands review of this issue.

*Brian Jackson*  
Brian J. Jackson, MCIP  
Director of Development  
(604-276-4138)

## Staff Report

### Origin

The purpose of this report is to respond to the two following referral motions from Planning Committee:

*"That staff: (1) investigate the implications of non farm use related structures, including septic fields, built on agriculture zoned property, as outlined in the Richmond Zoning Bylaw No. 8500; (2) meet with property owners who might be affected."* (December 22, 2009)

*"That staff: (1) examine limiting the size of homes in agricultural areas and in doing so, update the City's Agricultural profile to determine how many properties are left that could accommodate large homes; ... and report back."* (October 20, 2009)

### Findings Of Fact

#### Richmond Zoning Bylaw 8500

This bylaw, which was adopted on November 16, 2009, has the following maximum setback in the Agriculture (AG) zone:

*"No portion of a single detached housing building, garage, carport or septic field, including any additional dwelling units and all other accessory buildings or accessory structures to the single detached housing, shall be located further than 50.0 m from all public roads abutting the property."*

In other words, the new Zoning Bylaw requires all single detached houses, accessory residential buildings (e.g., garages, carports) and accessory residential structures (e.g., swimming pools, tennis courts, septic fields) to be within 50 m (164 feet) of a constructed road.

#### September 28, 2009 Staff Report re: Proposed New Richmond Zoning Bylaw 8500

In the Staff Report to Planning Committee on the proposed new Zoning Bylaw, City staff clearly noted that:

- It was proposed that accessory residential buildings and structures be required to be within 50 m (164 feet) of a road and the single detached house in order to protect the farmland in the Agriculture (AG) zone (see **Attachment 1**);

The proposal to introduce house size limits was considered but abandoned because of opposition and that this proposal should be subject to a separate public consultation process if Council directs staff to pursue this matter further (see **Attachment 1**).

#### Richmond Zoning & Development Bylaw No. 5300

The previous Zoning Bylaw, which was repealed on November 16, 2009 and replaced with Richmond Zoning Bylaw 8500, had a maximum setback for dwellings of 50 m (164 feet). However, it did not require accessory residential buildings (e.g., garages, carports) and accessory residential structures (e.g., swimming pools, tennis courts, septic fields) to be within 50 m (164 feet) of a constructed road.

It is interesting to note that the maximum setback was added to the Agricultural District (AG1) zone when Richmond Zoning & Development Bylaw No. 5300 was originally adopted in April 1989 (i.e., it was added as part of a large document that replaced the previous Richmond Zoning Bylaw No. 1430).



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**Regular Council Meeting**  
**Tuesday, October 12, 2010**

RES NO.    ITEM

14.    **AGRICULTURE (AG) ZONE SETBACK**  
(File Ref. No.: 12-8060-20-8609) (REDMS No. 2969065, 2974133, 2970407)

R10/16-8

It was moved and seconded

*That Richmond Zoning Bylaw Amendment Bylaw 8609, to return to the previous regulatory framework of Zoning Bylaw 5300 which had no setback limitation from a constructed public road for accessory residential buildings, structures and septic fields in the Agriculture (AG) zone (Option 1), be introduced and given first reading.*

**CARRIED**

OPPOSED: Cllrs. S. Halsey-Brandt  
              Steves

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Item No. 14 – Agriculture (AG) Zone Setback

Timothy Webster, Resident of Vancouver, expressed his concerns related to the usage of agricultural land, stating that agricultural land needs to be preserved and not used for non-farming purposes.

Item No. 10 – The Methodology To Update OCP Environmentally Sensitive Areas (ESAS) and Item No. 14 Agriculture (AG) Zone Setback

Micheal Wolfe, 9731 Odlin Road, stated that he was representing the City Of Richmond Park Partners for Beautification, a program for adopting environmentally sensitive areas (ESA). He expressed his belief that the matter of ESAs needed more attention than an update, and made reference to the 2005 State of Environment document. Mr. Wolfe questioned if another State of Environment Plan had been undertaken in the five years that had elapsed. He made comments regarding the changes in demographics and the related impact on ESAs, and stated the need to find strategies that work to protect ESAs, as some of the best ESAs are being lost to development.

With regard to Item No. 14, Mr. Wolfe spoke in opposition to the recommendation to return to the previous Zoning Bylaw 5300 setback, stating that land will be taken out of farming and put into pools, garages and other similar uses.



**Regular Council Meeting  
Tuesday, October 12, 2010**

RES NO.    ITEM

Item No. 10 – The Methodology To Update OCP Environmentally Sensitive Areas (ESAS) and Item No. 14 Agriculture (AG) Zone Setback

Steve Guthrey, resident of Richmond, stated that he was strongly opposed to the recommendation to return to the previous Zoning Bylaw 5300 setback as it was the best way to lose land that would otherwise be used for productive farming. Mr. Guthrey expressed his belief that if the proposed recommendation is approved, it will result in country estates being occupied by non-farming residents.

Item No. 10 – The Methodology To Update OCP Environmentally Sensitive Areas (ESAS) and Item No. 14 Agriculture (AG) Zone Setback

David Pavititch, 12400 No. 3 Road, spoke in support of the recommendation to return to the previous Zoning Bylaw 5300 setback. He mentioned that his family had been living on their land for over 100 years, and that property owners should have the freedom to do what they choose on their land.

Item No. 10 – The Methodology To Update OCP Environmentally Sensitive Areas (ESAS) and Item No. 14 Agriculture (AG) Zone Setback

Roeland Hoegler, 6560 No. 4 Road, spoke in support of the recommendation to return to the previous Zoning Bylaw 5300 setback. He remarked that after attending Planning Committee meetings and an Open House, it was clear that there was an overwhelming support from the public to return back to the previous Agricultural Zoning. In conclusion, Mr. Hoegler commended the City for listening to the public's concerns and not ignoring the issue.

Item No. 10 – The Methodology To Update OCP Environmentally Sensitive Areas (ESAS) and Item No. 14 Agriculture (AG) Zone Setback

Arzina Hamir, 8480 Dayton Court, Coordinator of the Richmond Rood Security Society, spoke in opposition to the recommendation to return to the previous Zoning Bylaw 5300 setback. Ms. Hamir suggested that building of non-farm use buildings on ALR areas should be conditional and allowed only if there has been agricultural production on the land. She advised that the Ministry of Agriculture was currently giving consideration to the guidelines for housing in the Agricultural Land Reserve (ALR), and asked that the City wait for the Ministry to formulate its recommendations before proceeding with a decision on this matter.



**Regular Council Meeting  
Tuesday, October 12, 2010**

RES NO.    ITEM

Item No. 10 – The Methodology To Update OCP Environmentally Sensitive Areas (ESAS) and Item No. 14 Agriculture (AG) Zone Setback

Todd May, local Farmer and Co-Chair of the Agricultural Advisory Committee, advised that a majority of the Committee supported the staff recommendation to return to the previous Zoning Bylaw 5300 setback. He stated that consultations with members of Richmond’s agricultural community raised many concerns about the impact of the new Zoning Bylaw No. 8500, and therefore the agricultural community strongly supports reverting back to Zoning Bylaw No. 5300.

Item No. 10 – The Methodology To Update OCP Environmentally Sensitive Areas (ESAS) and Item No. 14 Agriculture (AG) Zone Setback

Gurdial Badh, 7251 Ash Street, spoke in support of the recommendation to return to the previous Zoning Bylaw setback. He spoke on behalf of property owners who had been affected by the new bylaw, and stated that democratic process had not been followed in adopting the new Zoning Bylaw No. 8500.

- R10/16-4    4.    It was moved and seconded  
*That Committee rise and report (9:47 p.m.).*

**CARRIED**

**CONSENT AGENDA**

- R10/16-5    5.    It was moved and seconded  
*That Item No. 13 be removed from the consent agenda and that Items 6 through 12 be adopted by general consent.*

**CARRIED**

**6.    COMMITTEE MINUTES**

- (1)    *the Finance Committee meeting held on Monday, October 4, 2010;*
- (2)    *the General Purposes Committee meeting held on Monday, October 4, 2010; and*

505 Minimum 'Lot' Size:

1. The minimum 'Lot' size that may be created by subdivision is eight (8) hectares subject to approval under the *Agricultural Land Commission Act* if applicable.
2. The minimum 'Lot' size shall not apply to a home site severance in accordance with the *Agricultural Land Commission Act*, Policy No. 11 March 2003 as amended or superseded from time to time.

Amend.  
BL 6367, 2006  
Amend.  
BL 6600, 2007

506 'Farm Home Plate' and 'Farm Home Plate' – 'Migrant Farm Worker Housing':

1. The maximum area of a 'Farm Home Plate' containing one 'Farm House' is 3,600 square metres.
2. The maximum area of a 'Farm Home Plate' containing a 'Farm House' and 'Additional Farm House' is 5,000 square metres.
3. Where a 'Farm Home Plate' and 'Farm Home Plate - Migrant Farm Worker Housing' are located on the same parcel of land, they shall be located so as to minimize loss of productive agricultural land.
4. The maximum area of a 'Farm Home Plate - Migrant Farm Worker Housing' is 1,400 square metres except for greenhouses, mushroom operations and berry/vegetable operations with "on-farm processing" or "on-farm product preparation", which are permitted up to 4,300 square metres based on a ratio of 33 square metres per worker.
5.
  - a) The maximum depth of a 'Farm Home Plate' is 60 metres measured from a dedicated or constructed road.
  - b) The maximum depth of a 'Farm Home Plate – Migrant Farm Worker Housing' where it does not adjoin a 'Farm Home Plate', is 60 metres measured from a dedicated or constructed road.
  - c) Where a 'Farm Home Plate' and 'Farm Home Plate - Migrant Farm Worker Housing' are adjoining and located on the same 'Lot', their maximum combined depth is 100 metres measured from a dedicated or constructed road.
  - d) In subsections (a) through (c), distance shall be measured to the closer of either the dedicated or constructed frontage road, abutting road, lane or Highway.
6. The rear face of a 'Farm House', 'Additional Farm House', 'Accessory Farm Residential Facilities', or 'Migrant Farm Worker Housing' shall not be located within 10 metres of the rear of the 'Farm Home Plate'. For the purposes of this section, the rear face of any 'Farm House', 'Additional Farm House', 'Accessory Farm Residential Facilities', or 'Migrant Farm Worker Housing' faces the 'Lot' line opposite the front 'Lot' line.
7. The sewerage septic tank for a dwelling on a 'Farm Home Plate' shall be located on the 'Farm Home Plate'.
8. The sewerage septic tank for 'Migrant Farm Worker Housing' shall be located on the same 'Farm Home Plate – Migrant Farm Worker Housing' as the 'Migrant Farm Worker Housing' that it serves.
9. Subsections 1 through 6 shall not apply to any 'Farm House', 'Additional Farm House' or 'Accessory Farm Residential Facilities' constructed prior to the adoption of 'Delta Zoning Bylaw No. 2750, 1977, Amendment (Rural Residential Bylaw P03-17) Bylaw No. 6367, 2005". For greater certainty, after the adoption of 'Delta Zoning Bylaw No. 2750, 1977, Amendment (Rural Residential Bylaw P03-17) Bylaw No. 6367, 2005", any 'Farm House', 'Additional Farm House' or 'Accessory Farm Residential Facilities' shall be located on the same 'Farm Home Plate', unless varied by a Development Variance Permit.
10. A Development Variance Permit may be considered in order to vary subsections 1 through 8.

Amend.  
BL 6798, 2010

- Amend. 507 Area of a 'Farm House', 'Additional Farm House' or 'Migrant Farm Worker Housing':  
BL 6600, 2007
1. The maximum 'Floor Area – Farm House' on a 'Lot' less than 8 hectares shall be 330 square metres.
  2. The maximum 'Floor Area – Farm House' on a 'Lot' 8 hectares or greater shall be 465 square metres.
  3. The maximum 'Floor Area – Additional Farm House' is a maximum of 180 square metres if located on a 'Lot' less than 8 hectares or a maximum of 233 square metres if located on a 'Lot' 8 hectares or greater.
  4. The maximum 'Floor Area – Migrant Farm Worker Housing' shall be 10 square metres per approved\* 'Migrant Farm Worker'. If the building to be used exceeds the maximum allowable floor area per worker or per farm unit, the excess area must be made inaccessible to the workers.
- \*Approved by the recognized Federal Government program under which the workers are hired.
- The regulations set out in relation to maximum Floor Area and numbers of workers shall be reviewed and amended to be consistent with guidelines for 'Migrant Farm Worker Housing' established by the Provincial Minister responsible for Agriculture and as amended from time to time.
5. An 'Additional Farm House' may only be used as 'Migrant Farm Worker Housing' where the 'Additional Farm House' legally existed prior to the adoption of Bylaw No. 6367 on May 31, 2006.
- Amend. 508 'Additional Farm House':  
BL-6600, 2007
- A. 'Additional Farm House':
    1. Not more than one 'Additional Farm House' is permitted on any 'Lot'.
    2. An 'Additional Farm House' is only permitted if:
      - a) it is occupied by a retired person who worked full-time on the farm and is a member of the family that currently operates the farm and written approval of the Agricultural Land Commission has been obtained; or
      - b) it is occupied by 'Migrant Farm Workers' only. The 'Additional Farm House' used for 'Migrant Farm Worker Housing' shall meet the standards of this Zoning Bylaw, the *B.C. Health Act* and the *Guidelines for the Provision of Seasonal Housing for Migrant Farm Workers in BC*, all as amended or replaced from time to time; or
      - c)
        - (i) it is occupied by a full-time farm employee who is required for the farm operation and who provides a net benefit to the existing farm operation; and
        - (ii) The 'Additional Farm House' is sited so as not to have a negative effect on the existing farm operation; and
        - (iii) The net benefit of every 'Additional Farm House' is supported by a report prepared by a Professional Agrologist to be retained by The Corporation of Delta who is a full member of the British Columbia Institute of Agrologists describing:
          - the established level of farm operation;
          - detailed agricultural rationale of the necessity for a full-time farm employee living in the 'Additional Farm House';
          - an assessment of the impacts on the farm operation of the proposed 'Additional Farm House'; and

**T**he Terra Nova sub-division, located west of No. 1 Road and Westminster in Richmond, used to be inexpensive agriculture land before 1980. However, its real estate market value multiplied after the request, made in 1980, for re-zoning it for residential, park, and business purposes got approved in 1988.

Compared with the other types of re-zoning, it is a much longer and more complicated process to re-zone an agriculture land for residential and business uses. First, the owner of the property submits an application to the city government, posts signs in front of the land to declare the intended change of usage, and advertises it on newspapers and other media. Then, he/she will have to prepare all the required documents and get audited by the city government before his/her application can be forwarded to the Agriculture Department for review and approval.

Even though this process consumes a lot of time and effort from the city government, the government would still opt to do it because more land for residential housing is in demand as the city population grows.

Investors who expect a high return in their investment should not only familiarize themselves with this process to plan ahead, but also conduct market research to make a wise decision on their investment.

In my experience, even if re-zoning is not possible, agriculture land would still be a good investment option, considering its much lower price. In addition, it seldom causes a loss. In the Greater Vancouver, residential area can locate in the same zone as farming field. In recent years many investors prefer to purchase agriculture land in Richmond, Surrey, and Langley for the size of land they can get with the price they pay. Some of the agriculture lands in Richmond (east of No. 4 Road, for example) are only 3-5 minutes driving distance to downtown Richmond. With a million dollars, you can purchase a big piece of land, build a luxurious house with beautiful woods surrounding it, and enjoy a relaxing life away from the busy world. You can also design the house the way you want it to fit your special needs; swimming pool, tennis court, green house, animal barn, you name it. However, with the same amount of money you can only get a 2000-square-foot house on a 4000-square-foot lot in other areas of Richmond.

No matter you purchase a piece of agriculture land as an investment choice or to build your own residence, you should have a basic understanding on its geographical location, permitted uses, property tax, water, waste and sewage system. Information about the government's assessment on the land, its market value, and estimated return rate is important to know as well. Enough research on such issues allows you to make a well-informed decision.

It is also recommended that you keep in mind the available fund and manpower you have. List all the potential problems you might encounter along the process and think about potential solutions in advance. An experienced real estate agent will not only help you identify a property with a good return but also ensure a smooth transaction for you.

For the sellers out there, if you want to get a better resale value on your agriculture land, make sure to pick one that is wide and open, sits on a plane, and close to all the conveniences.

# AGRICULTURAL LAND POSSESSES GREAT POTENTIAL IN REAL ESTATE INVESTMENT



Realtor  
**Tracy Niu**



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East Richmond, Richmond

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15240 15260 WESTMINSTER  
HIGHWAY

MLS#

STYLE

BEDRMS

BATHS

LOT SIZE

R2079481

NA

3

2

20.05 acre

REALTOR®: Badh, Gurdial S.(Dale) REMAX Real Estate Services. (604) 303-7653

 Realtor's Email

 Realtor's Web Page

Referral to Planning staff, Nov. 22, 2016

That staff examine and prepare a report on limiting the size of homes in agricultural areas based on :

the BC Ministry of Agriculture report "By-law standards for Residential Uses in the Agricultural Land Reserve", and

The Corporation of Delta Zoning By-law, Part V A1 Zone Agriculture, and  
report back by the end of January, 2017.

Harold Steves,

City Councillor