

**Submission to Richmond City Council by Howard Jampolsky
Garden City Lands – Agricultural Land Reserve Exclusion Application
Tuesday, March 11, 2008 / 7:00 pm
City Council Chambers**

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Thank you, Your Worship and Members of Council.

I know there are many people here tonight wanting to speak about this matter of great importance to our City, so I will keep my comments short, and will be happy to answer any questions you have, or clarify any statements.

I have two suggestions I hope you will consider.

First, should Council decide to make application for the exclusion of the lands from the ALR that the ALC be asked to include a provision that would see the lands revert back to being included in the ALR in the event the MOU fails at some later date.

According to section 1(9) of the MOU, once the land is excluded from the ALR, the City will control the zoning on the property. Should either of the two other partners not agree with the City's plan, and decide to withdraw from the MOU, the land should automatically revert back to ALR status. This would also fall in line with section 1(22) of the MOU that states if the MOU fails, all parties will be restored to their original positions prior to the MOU. The same should hold true for the land itself.

My second suggestion surrounds the democratic nature of the process, and how that process will influence the Agricultural Land Commission's decision. In order to give more weight to the exclusion application, while at the same time getting a clear mandate from the people of Richmond, I would recommend this matter be put to the people directly in the form of a referendum question on November's civic election ballot.

If the will of the people is to have that land remain in the ALR, then the City would not make application, the MOU would terminate, and the Musqueam are free to take whatever action they see fit. All the facts would be put before the people, and as always, their decision will be the right one. What happens to the land in this case is unclear, and is really the centre of the question surrounding the entire debate. The truth is, we really do not know what would happen, except to say that it could be many years before anything at all happens on that land.

If the people of Richmond agree the MOU is the best course of action for the City, and vote to support the land's removal from the ALR in order to proceed with the rezoning, it would be much more difficult for the ALC to reject the application as it would have the support of the people of Richmond through a fair and democratic referendum, and all the wide-spread public debate that will come along with that process. This would legitimize the entire process, and give Council the clearest possible mandate as to how to proceed.

The question should be simple and unambiguous in order to give the next Council the clearest possible mandate moving forward.

I know there is a current deadline on the MOU of the end of this year. Clearly, a referendum in November would require the partners to again extend the deadline to facilitate this process. Considering the lands have been there, untouched for so long, a few more months added to the process should be acceptable in order to get a strong mandate from the people of Richmond which if positive, would most certainly increase the possibility of the ALC granting the exclusion application, and would also help pave the way through what promises to be a difficult site panning and rezoning process.

I know that as a City Council, you are not afraid of making hard decisions. I know that if I were on Council, I too would be prepared to make the tough calls. I believe that Councils should be elected to govern, and that going to referendum can be seen as side-stepping the responsibility of public office. But this decision is one that will profoundly affect the community for generations. It is without a doubt one of the largest land use decisions the City will ever make. A question of this magnitude may warrant referendum. That would be a decision you would have to make.

In closing, I would like to say to members of Council, the audience here tonight, and the viewers at home, that this is not a simple decision. There are consequences to whatever decision is made on this very important issue. I know that Councilors have each spent hundreds of hours examining this issue, as have others in the community, many of whom are here tonight. There are now, and will remain differences of opinion on many aspects of this, some that include very complex legal arguments. And so I say to everyone in our community, should this matter come before the voters in November, carefully consider this not from a bias, and not from a single source of information, but take the time to listen to the proponents and opponents and make your decision with all the facts clearly before you. Regardless of the outcome of the vote, I am certain that all interested parties will respect the decision of the people.

I thank you for giving me this opportunity to address you tonight on this matter, and I wish you well in your deliberations.

Thank you.

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