



City of Richmond

Report to Committee

To: General Purposes Committee **Date:** March 11, 2020
From: Todd Gross **File:** 11-7400-20-
 Director, Parks Services FFES1/2020-Vol 01
Re: **Agricultural Land Reserve Non-Farm Use Application by the City of Richmond to Host the Farm Fest at the Garden City Lands on August 8, 2020, located at 5560 Garden City Road**

Staff Recommendation

That should Council wish to proceed with the Farm Fest as part of the existing 2020 major events program, that the Agricultural Land Reserve non-farm use application by the City of Richmond to host the Farm Fest at the Garden City Lands on Saturday, August 8, 2020, located at 5560 Garden City Road, be endorsed and forwarded to the Agricultural Land Commission for approval.

Todd Gross
 Director, Parks Services
 (604-247-4942)

Att. 4

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Arts, Culture & Heritage Development Applications	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

On December 16, 2019, Council approved funding for Major Events and Programs in 2020 which included Farm Fest at the Garden City Lands (“Farm Fest”). The Farm Fest is scheduled to take place on Saturday, August 8, 2020, from 10:00 a.m. to 3:00 p.m. at 5560 Garden City Road, also known as the Garden City Lands (Attachment 1). The subject property is zoned Agriculture (AG1) and is located within the Agricultural Land Reserve (ALR).

The *Agricultural Land Commission (ALC) Act* permits special events or gatherings to occur on ALR land provided a number of conditions are met, including that no more than 150 people are gathered at one time for the purpose of the event. This regulation is reinforced and interpreted in ALC Policy L-22 “Activities Designated as a Permitted Non-Farm Use: Gathering for an Event in the Agricultural Land Reserve” (Attachment 2). As the Farm Fest is expected to draw over 5,000 visitors, an ALR non-farm use application is required. The non-farm use application requires endorsement by Council as a necessary step in order to be considered by the ALC.

There are challenges to recruiting farmers, vendors, event partners, and sponsors given the uncertainties of the evolving COVID-19 (Novel Coronavirus) Pandemic. While the City’s ability to put on the event is uncertain, the non-farm use application step is necessary as part of the advance planning process. Should Council wish to not proceed with the 2020 Farm Fest, the event can be cancelled and the funding reallocated in other ways that animate and activate the City Centre as directed by Council.

Findings of Fact

The purpose of this report is to seek Council’s endorsement of the City’s ALR non-farm use application (AG 20-891360) to host the Farm Fest on Saturday, August 8, 2020, at 5560 Garden City Road. The single day event will occupy no more than 1 hectare (2.47 acres) of the 55.2 hectare (136.40 acres) site. Council’s endorsement is required as a necessary step in the non-farm use application process to the ALC.

The non-farm use application for the 2019 Farm Fest was endorsed by Council on April 8, 2019, and subsequently approved by the ALC on June 18, 2019.

Agricultural Land Reserve Use Regulation (ALC Act) – Section 17

Under Part 3 – Permitted Non-Farm Uses, section 17 of the *Agricultural Land Reserve Use Regulation*, the gathering for an event (Farm Fest) is permitted in the ALR provided the following conditions are met:

- (a) The event is conducted on agricultural land that is classified as a farm under the *Assessment Act*;
- (b) No permanent facilities are constructed or erected in connection with the event;
- (c) Parking for those attending the event (i) is available on that agricultural land, (ii) occurs only in connection with that event, and (iii) does not interfere with the farm’s agricultural land

- (d) No more than 150 people, excluding residents of the agricultural land and employees of the farm operation conducted on that agricultural land, are gathered on that agricultural land at one time for the purpose of attending the event;
- (e) The event is no more than 24 hours in duration; and
- (f) No more than 10 gatherings for an event of any type may occur on that agricultural land within a single calendar year.

As the event is expected to draw attendance over the legislated threshold of 150 people, the Farm Fest does not comply with Part 3, section 17(d) as listed above. Consequently, an ALR non-farm use application is required for consideration and approval by Council and the ALC.

Surrounding Development

Table 1: Development Surrounding at 5560 Garden City Road

Location	Description
North	Multi-family residential and commercial
East	Federal Government Department of National Defence (DND)
South	Multi-family residential
West	Multi-family residential and commercial

2041 Official Community Plan (OCP)

The subject site is designated for “Agriculture” in the 2041 Official Community Plan (OCP), which permits primarily farming, food production and supporting activities, including those activities permitted in the ALR.

Analysis

Project Description

The 2020 Farm Fest was approved by Council on December 16, 2019. The event will feature agricultural demonstrations, food vendors, a marketplace, educational exhibits, a small stage, and interpretive wagon rides.

Festival highlights will include:

- Agricultural demonstrations and displays by local Richmond farmers and Kwantlen Polytechnic University’s Sustainable Agriculture Program;
- Locally grown produce and artisanal products from Richmond farmers and local vendors;
- Community partner displays;
- Bog ecology and conservation education;
- Background music by local artists; and
- An interpretive wagon ride along the perimeter trail showcasing the Garden City Lands.

Event Logistics

The set-up and take-down for the event will be carefully designed to ensure that there are no negative impacts on the site's agricultural or natural areas. Set-up and take-down will take place one to two days on either side of the event.

The event will be staged on an existing gravel area located at the west side of the site, accessible via Garden City Road (Attachment 3). No permanent structures will be installed.

Event attendees will be encouraged to arrive on foot, by bike, by public transit, or via a free shuttle service from Lansdowne Shopping Centre and the Colonel Sherman Armoury. The free shuttle service is operated by the Minoru Seniors Society using the City's Community Leisure Transportation (CLT) buses.

Food Security and Agricultural Advisory Committee Comments

On February 20, 2020, staff presented the concept for the 2020 Farm Fest at the Garden City Lands to the Food Security and Agricultural Advisory Committee (FSAAC). Following discussion on the Farm Fest's intended objectives and previous events, the FSAAC unanimously endorsed the event concept for 2020, with no changes to the program or date (Attachment 4).

Staff Comments

Staff support this one day community event as it promotes agricultural activities. As it exceeds the number of participants permissible under the *ALC Act*, this event requires approval from the ALC. Endorsement from Council is required in order for the ALC to review and consider the City's non-farm use application.

If endorsed by Council, the resolution will be forwarded to the ALC in support of the City's non-farm use application. If Council does not endorse the application, it will not be considered by the ALC. Without Council and ALC approval, the event will not be permitted to take place and will be cancelled.

Financial Impact

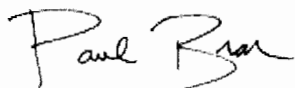
None.

Conclusion

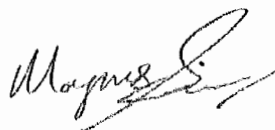
As the projected attendance to the 2020 Farm Fest at the Garden City Lands exceeds 150 people, an ALR non-farm use application is required. This application requires endorsement by Council in order to be considered by the ALC. Should Council wish to proceed with the event, staff recommend that the ALR non-farm use application for the Farm Fest at the Garden City Lands be endorsed by Council and forwarded to the ALC for consideration.

March 11, 2020

- 5 -



Paul Brar
Manager, Parks Programs
(604-244-1275)

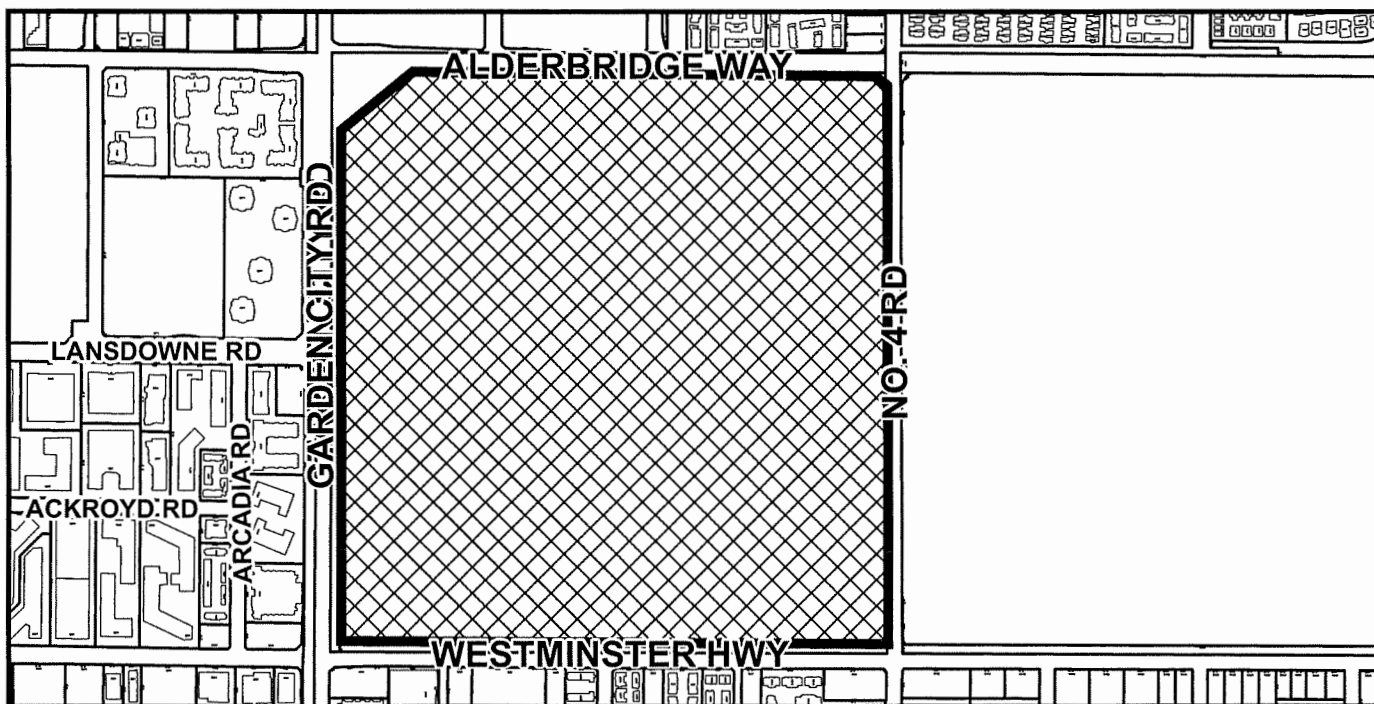
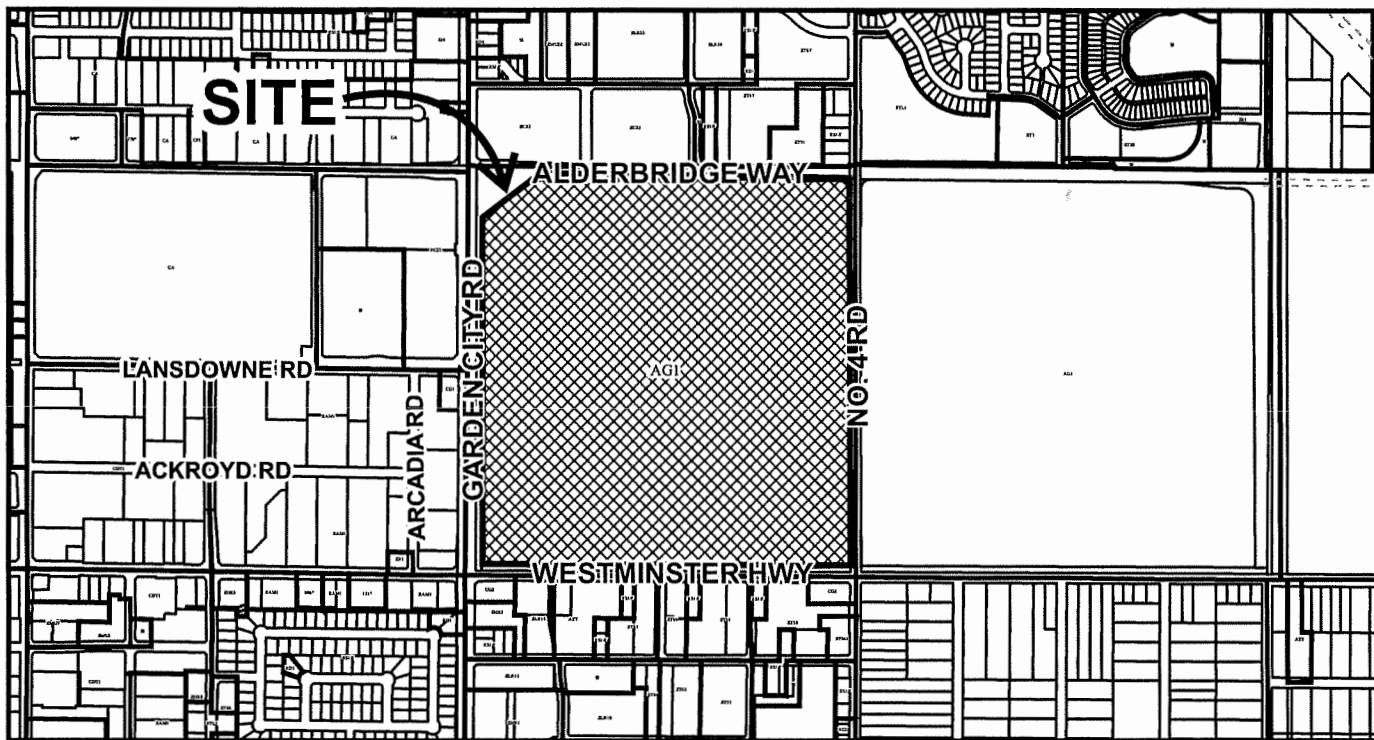


Magnus Sinclair
Acting Coordinator, Parks Programs
(604-247-4453)

- Att. 1: Subject Property for 2020 Farm Fest at the Garden City Lands
2: ALC Policy L-22 - Gathering for an Event in the Agricultural Land Reserve
3: Site Plan for Farm Fest at the Garden City Lands
4: FSAAC Meeting Minutes February 20, 2020



City of Richmond



5560 Garden City Rd

Original Date: 12 Mar 2019

Revision Date:

Note: Dimensions are in METRES



City of Richmond




5560 Garden City Rd

Original Date: 12 Mar 2019

Revision Date:

Note: Dimensions are in METRES

 <p>Agricultural Land Commission Act</p>	<p style="text-align: center;">ACTIVITIES DESIGNATED AS A PERMITTED NON-FARM USE:</p> <p style="text-align: center;">GATHERING FOR AN EVENT IN THE AGRICULTURAL LAND RESERVE</p>	<p style="text-align: center;">POLICY L-22</p> <p style="text-align: center;">Amended April 2019 October 2016</p>
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This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act, 2002](#), (the "ALCA") and, BC Regulation 30/2019 [Agricultural Land Reserve Use Regulation](#), (the "Use Regulation"). In case of ambiguity or inconsistency, the ALCA and Use Regulation will govern.

INTERPRETATION:

Gathering for an event is a permitted non-farm use in the Agricultural Land Reserve (ALR) and must not be prohibited by a local government bylaw as long as the event meets the conditions set out in the Use Regulation.

No more than 150 people may be in attendance and the event must be less than 24 hours in duration.

A maximum of 10 events of any type are permitted within a calendar year on a farm. For example, 5 weddings, 2 music concerts and 3 art shows. Where more than one farm business is being operated from a farm, the maximum 10 events applies. It is recommended that a record of events be maintained by the farmer including the type of event, date and number of attendees.

There is no requirement for these events to directly market or promote agricultural products grown on the farm and therefore are not considered agri-tourism events.

People hosting events must make every effort to avoid negative impacts to the use of agricultural land including but not limited to, damage to agricultural land and structures, noise that disturbs animals and livestock, trespass, vandalism, theft and blocking access to adjacent farm businesses.

Events may include weddings, private parties, corporate retreats, music concerts and concert series, music festivals, film and theatrical presentations, art shows, dance recitals, charitable and political fundraising events, dances, and sports events, so long as otherwise compliant with the Use Regulation. Any event that is not an agri-tourism event falls into this category.

The Use Regulation allows gathering for events in the ALR provided the land is assessed as "farm" under the [Assessment Act](#). If the assessment changes, the use is no longer permitted. The farm may be comprised of one or several parcels of land owned or operated by a farmer as a farm business. The farm parcels should be contiguous or in the same general geographic area.

Permanent facilities must not be constructed or erected for any event activity. Permanent facilities include, but are not limited to: buildings or permanent structures, hard surface parking areas, concrete pads, structural foundations, retaining walls, permanent tents (erected for more than 90 days) and permanent alteration to the landscape (fill, gravel, berms, hills, dugouts, amphitheatres). The conversion of existing buildings and the construction associated with bringing them up to public assembly building code is also deemed as the construction or erection of a permanent facility. If permanent facilities are required, an application and approval of the Agricultural Land Commission (the "Commission") is necessary.

For the purposes of this policy, parking areas must not be permanent (asphalt, concrete, gravel, etc) and parking must not interfere with the farm's agricultural productivity. All vehicles visiting the farm for the event must be parked on site. To minimize impacting farm land, parking should be along field edges, adjacent to internal farm driveways and roads, and in farm yard areas or immediately adjacent to farm buildings and structures.

Personal family celebrations hosted by the farm owner where no fee is charged continue to be allowed.

This policy does not apply to agri-tourism activities. See Related Policies.

As per subsection 13(1)(e) of the Use Regulation, these conditions do not apply to alcohol production facilities (e.g. wineries, cideries, meaderies, breweries and distilleries) if the event(s) is held only in the ancillary food and beverage service lounge that has been developed in compliance with section 13(1)(b) of the Use Regulation or within the special event area under a special event area endorsement described in section 13(1)(c)(ii) of the Use Regulation. Section 17 of the Use Regulation and associated restrictions apply if the event(s) are held outside the lounge area or special event area. This means alcohol production facilities may host an unlimited number of events in their lounge area and special event area and an additional 10 events as per section 17 of the Use Regulation held outside the lounge area or special event area.

Local governments have the authority to regulate events with regard to structures and building occupancy (including determining if an existing farm building is appropriate for a gathering or requires upgrades for public assembly), parking, lighting, hours of operation, health and safety, noise, access for police, fire and emergency vehicles, etc. Local governments have the authority to require permits for events.

Events in excess of what is permitted under section 17 of the Use Regulation require an application pursuant to section 20(3) of the ALCA and approval of the Commission.

TERMS:

family event means an event attended by

- (a) family members, and
- (b) close personal friends or close business associates of family members

family member with respect to a person means

- (a) parents, grandparents and great grandparents,
- (b) spouse, parents of spouse and stepparents of spouse,
- (c) brothers and sisters,
- (d) children or stepchildren, grandchildren and great grandchildren, and
- (e) aunts, uncles, cousins, nephews and nieces

fee or other charge includes a gift in lieu of a fee or charge given in connection with the event

wedding means the ceremony of marriage or a marriage-like ceremony and/or the reception celebration

music festival means concert or concert series no more than 24 hours in duration

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Use Regulation.

RELATED POLICY:

ALC Policy L-03 *Activities Designated as Farm Use: Alcohol Production Facilities in the ALR*

ALC Policy L-04 *Activities Designated as a Farm Use: Agri-Tourism Activities in the ALR*

REFERENCE:

Agricultural Land Reserve Use Regulation (BC Reg. 30/2019), Sections 1, 13, 14 and 17.

Definitions

Section 1 in this regulation:

"gathering for an event" means a gathering of people on agricultural land for the purpose of attending

- (a) a wedding, other than a wedding to which paragraph (c) (ii) applies,
- (b) a music festival, or
- (c) an event, other than
 - (i) an event held for the purpose of agri-tourism activity, or
 - (ii) the celebration, by residents of the agricultural land and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees;

Alcohol Production

Section 13(1) In this section:

- (e) gathering for an event, if the event is held only in the lounge referred to in paragraph (b) or the special event area under a special event area endorsement referred to in paragraph (c), and, for this purpose, section 17 [gathering for an event] does not apply;

Non-farm uses that may not be prohibited

Section 14 The non-farm uses referred under this Division may not be prohibited

- (a) by a local government enactment, or
- (b) by a first nation government law, if the activity is conducted on settlement lands.

Gathering for an event

Section 17 The use of agricultural land for the purpose of gathering for an event is permitted and may not be prohibited as described in section 14 if all of the following conditions are met:

- (a) *the event is conducted on agricultural land that is classified as a farm under the [Assessment Act](#);*
- (b) *no permanent facilities are constructed or erected in connection with the event;*
- (c) *parking for those attending the event*
 - i. *is available on that agricultural land,*
 - ii. *occurs only in connection with that event, and*
 - iii. *does not interfere with the productivity of that agricultural land;*
- (d) *no more than 150 people, excluding residents of the agricultural land and employees of the farm operation conducted on that agricultural land, are gathered on that agricultural land at one time for the purpose of attending the event;*
- (e) *the event is of no more than 24 hours in duration;*
- (f) *no more than 10 gatherings for an event of any type occur on that agricultural land within a single calendar year.*

Agricultural Land Commission Act, S.B.C. 2002, c. 36, Section 1.

Definitions

Section 1(1)

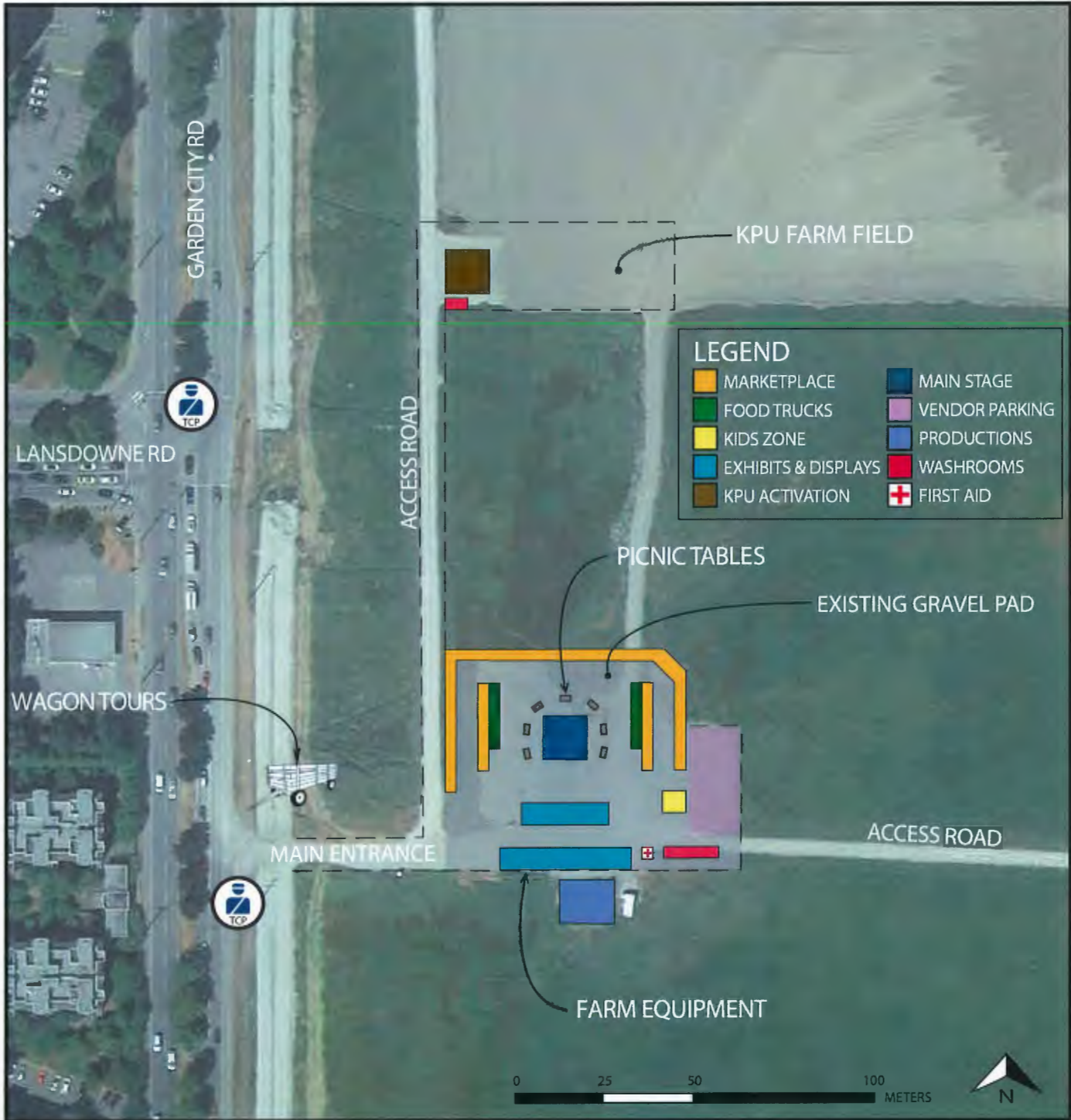
“agricultural land” means land that

- (a) *is included in the agricultural land reserve under section 15 (1.1), 17(3.1) or 45(1) of this Act, or*
- (b) *was included under a former Act as agricultural land or land in an agricultural land reserve,*

Unless the land has been excluded from the agricultural land reserve under this Act or from an agricultural land reserve under a former Act;



City of Richmond



Farm Fest at the Garden City Lands
Site Plan - 2020

Original Date: 2020 Mar 11
Revision Date: N/A



Food Security and Agricultural Advisory Committee (FSAAC)

Held Thursday, February 20, 2020 (7:00 pm)

M.2.002

Richmond City Hall

In Attendance:

Members: Steve Easterbrook (Chair); Sarah Drewery; Laura Gillanders; Lynn Kemper; Ian Lai; Kent Mullinix; Allen Rose; Miles Smart

Non-Members: Councillor Harold Steves (Council Liaison); Barry Konkin (Policy Planning); Steven De Sousa (Policy Planning); Todd Gross (Parks); Paul Brar (Parks); Alex Kurnicki (Parks); Magnus Sinclair (Parks); Carli Williams (Community Bylaws); Mike Morin (Community Bylaws); Nadia Mori (Ministry of Agriculture); Shannon Lambie (Agricultural Land Commission)

Regrets:

None.

1. Adoption of the Agenda

The Committee passed the following motion:

That the February 20, 2020 FSAAC Agenda be adopted as presented.

Carried Unanimously

2. Adoption & Signing of the Minutes for January 23, 2020

The Committee passed the following motion:

That the January 23, 2020 Minutes be adopted as presented.

Carried Unanimously

3. Metro Vancouver Open-Air Burning Emissions Regulation

Julie Saxton and Grace Cockle, Air Quality Bylaw and Regulation Development (Metro Vancouver), introduced Metro Vancouver's proposed Open-Air Burning Emissions Regulation and provided the following comments:

- Health and environmental impacts of smoke include aggravated lung and heart conditions, increased risk of cancer, and climate change;
- There are significant operational impacts related to the existing approval process;
- As an alternative approach to regulating emissions, a potential regulation is being considered and Metro Vancouver is seeking feedback;
- The potential regulation includes demonstration of alternatives, registration of the site, favourable conditions, notification, minimum distances, limited times and days, and record keeping; and
- Phase 1 of the consultation process is currently underway until April 2020, including workshops, webinars, questionnaire and communications via AQBylaw@metrovancover.org.

Discussion ensued regarding outreach to farmers and the limited times and days available for open-air burning.

In response to questions from the Committee, Metro Vancouver staff clarified the Provincial regulation is already in effect, Metro Vancouver's regulation cannot be less stringent, and it is unlikely that cannabis production would impact the data used to monitor open-air burning.

As a result of the discussion, the Committee provided the following comments:

- Review the data and investigate the extent to which agricultural activity is contributing to reduced air quality;
- Consider delivering letters to farmers for notification of the consultation, as many farmers do not receive the local newspaper; and
- Provide more clarity regarding the Provincial emissions regulation, which is already in effect, in the presentation materials used for consultation.

4. Farm Fest 2020 Non-Farm Use Application

Magnus Sinclair, Coordinator – Parks Programs, introduced the Farm Fest event at the Garden City Lands and provided the following comments:

- Farm Fest started as Harvest Fest in 2017 as part of the City's Canada 150 celebrations;
- Council approved a smaller scale event called Farm Fest in 2018 and 2019;

- Farm Fest is designed to celebrate Richmond's agricultural community, showcase local farmers and vendors, education and information sharing on agricultural practices, and strengthen collaboration between local food system stakeholders; and
- The application is being presented to the Committee for comment and support, request volunteers for the Farm Fest Steering Committee and receive feedback on the proposed date.

The Committee expressed support for the event and the proposed date on August 8, 2020. Committee members are encouraged to reach out to staff if interested in the Farm Fest Steering Committee.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the Farm Fest 2020 Non-Farm Use Application (AG 20-891360) as presented.

Carried Unanimously

5. Garden City Lands Non-Farm Use Application

Alex Kurnicki, Research Planner 2, introduced the Garden City Lands Non-Farm Use Application, provided a summary of the site history and previous approvals, and provided the following comments:

- As per advice from the Agricultural Land Commission (ALC), one comprehensive application is submitted for the entire project;
- The non-farm use application includes site access features (e.g. entry nodes and view points, wayfinding signage, boardwalks, trails, access roads), site infrastructure (e.g. bog conservation area, parking lot, public washrooms, site furniture, culverts and bridges, and lighting) and agricultural and food production components (e.g. planting and landscaping, public event space, farmers markets);
- Other agricultural and food production components are included for information purposes and do not require approval from the ALC (e.g. farm infrastructure, field crop and livestock production);
- Community hub and farm centre are also included in the proposal; and
- The primary purpose of the application is to facilitate public access beyond the perimeter trail, construct the infrastructure to support the safe use of the site, and activate the space with public education programs, urban agriculture, site interpretation, and bog conservation.

Discussion ensued regarding septic systems, livestock production, and potential opportunities for revenue sources by leasing land to farmers.

Councillor Steves noted that collection of rainwater from adjacent buildings and pumping from the water table should be reviewed as potential water sources.

Carli Williams, Manager of Business Licence and Bylaws, indicated there is a soil deposit component to the project, including material for structures and paths, and topsoil for the community gardens.

In response to questions from the Committee, Parks staff noted that options to manage soil contamination are currently being investigated, including additional testing, and staff are working with the Garden City Conservation Society to manage and plant trees on-site.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the Garden City Lands Non-Farm Use Application (AG 18-837641) as presented.

Carried Unanimously

6. Alternative Farm Home Plate Location – 17720 River Road

Committee Chair, Steve Easterbrook, declared a conflict of interest with the subject application, indicated he is the applicant, and recused himself from the Committee. As a result, the Committee passed the following motion:

That Kent Mullinix serve as the Food Security and Agricultural Advisory Committee Vice Chair.

Carried Unanimously

Steven De Sousa, Planner 1, introduced the development application and provided the following comments:

- The purpose of the application is to allow the construction of a single-family dwelling within an Environmentally Sensitive Area (ESA);
- The application is being presented to the Committee due to the request for an alternative farm home plate location;
- The farm home plate is required to be contiguous and rectangular in shape, comprising of one side being along the front property line or riparian management area boundary and one side property line;
- The proposal includes an alternative location for the farm home plate area along the farm access road, instead of the riparian management area boundary; and
- The purpose of the farm access road is to connect the subject property to the associated agricultural operation on the property to the east, which is also operated by the applicant, and maximize the remaining area for active agricultural production.

Steve Easterbrook, Applicant, provided additional information on the existing single-family dwelling, adjacent egg farm operation, and future plans for expansion of the agricultural operation.

In response to questions from the Committee, Planning staff clarified the Provincial ALR Regulation and City's Zoning Bylaw currently permit one dwelling per property, as per the changes associated with Bill 52.

Discussion ensued regarding environmentally sensitive area designations, housing for farm workers, and previous provisions for an additional dwelling.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the Alternative Farm Home Plate Location at 17720 River Road (DP 19-876647) as presented.

Carried Unanimously

7. Draft FSAAC Work Program

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the 2020 FSAAC Work Program as presented.

Carried Unanimously

8. New Business:

The Chair noted the removal of significant trees along the dike at the 19000 block of River Road. Staff indicated the removal of these trees is a result of dike upgrades as per the Council approved Dike Master Plan, and will report the concern to the City's Engineering and Sustainability departments.

9. Updates

a. Council:

Councillor Steves provided the following updates:

- Ecowaste's Non-Farm Use Application for the expansion/extension of the existing landfill operation was endorsed by Council and forwarded to the Agricultural Land Commission for consideration; and
- Metro Vancouver is considering reviewing Environmentally Sensitive Areas (ESA) compensation alternatives for agricultural operations (e.g. planting of hedgerows).

b. Policy Planning

Barry Konkin, Director of Policy Planning, provided the following updates:

- Proposed changes related to the Farming First Strategy will be prepared and presented to the Committee at a future meeting; and

- The Ministry of Agriculture’s policy intentions paper regarding secondary dwellings was released in January and staff will continue to update the Committee on any changes.

c. Ministry/ALC

- At the beginning of the meeting, Shannon Lambie, ALC Regional Planner and Nadia Mori, Ministry of Agriculture Regional Agrologist, provided an update on the Ministry’s policy intentions paper regarding secondary dwellings and consultation until April 17, 2020.

10. Next Meeting Date: March 19, 2020

11. Adjournment

Meeting adjourned at 9:25 pm.

Certified a true and correct copy of the minutes of the meeting of the Food Security and Agricultural Advisory Committee of the City of Richmond held on February 20, 2020.

Steve Easterbrook
Chair