



# City of Richmond

## Report to Committee Planning and Development Division

**To:** Planning Committee  
**From:** Wayne Craig  
Director of Development


**Date:** March 14, 2016

**File:** AG 15-713643

**Re:** **Agricultural Land Reserve Application by Mayberry Farms Ltd. for Subdivision at 2400 and 2600 No. 7 Road and Un-addressed Adjacent Parcels**

### Staff Recommendation


That the Agricultural Land Reserve Application by Mayberry Farms Ltd. to subdivide 2400 and 2600 No. 7 Road and five (5) adjacent un-addressed parcels, be endorsed and forwarded to the Agricultural Land Commission.

  
Wayne Craig  
Director of Development

BK/MP:blg  
Att.

### REPORT CONCURRENCE

#### CONCURRENCE OF GENERAL MANAGER

  
FOR JOE ERCEG

## Staff Report

### Origin

Mayberry Farms Ltd. has applied to the City of Richmond for permission to apply to the Agricultural Land Commission (ALC) for subdivision of a total of seven (7) parcels: 2400 and 2600 No. 7 Road and five (5) adjacent un-addressed parcels located to the east. The proposed subdivision is to adjust the lot lines and subdivide to create two (2) additional lots, for a total of nine (9) lots. Referral to the Agricultural Land Commission is required, as the proposal involves more than four (4) parcels, and will result in three (3) parcels which are less than 1 ha in size.

### Project Description

The subject site is located within the Agricultural Land Reserve and is zoned "Agriculture (AG1)". A location map and an aerial photograph are included in Attachment 1.

The applicant's stated purpose of the proposed subdivision is to:

- Re-align the legal boundaries of the properties to match the existing cranberry field configuration.
- Separate two (2) existing houses from the cranberry fields; creating two (2) small residential lots (0.4 ha and 0.6 ha).
- Create one (1) additional residential lot of 0.4 ha.
- Permit construction of two (2) new full-time farm workers' dwellings.
- Facilitate family estate planning.

The proposed subdivision plan is included in Attachment 2.

The seven (7) lots are owned by Mayberry Farms Ltd. – doing business as Harvest Red Farms, Mayberry Farms and Maybloom Farms. All three (3) farms produce cranberries, and are operated by different members of the May family.

### Findings of Fact

A Development Application Data Sheet providing details of the subdivision proposal is contained in Attachment 3.

#### ALR Subdivision Application Process

An application to permit subdivision of lands within the ALR requires consideration by Richmond City Council prior to the application being forwarded to the Agricultural Land Commission (ALC) for consideration. If Council passes a resolution in support of the proposal, the application will be forwarded to the ALC; should Richmond Council not grant approval for the application, it will not proceed further.

Once the application is forwarded to the ALC, it has the sole decision making authority on the proposal.

**Surrounding Developments**

To the North: “Light Industrial (IL)” zoned properties to the northwest across Canadian National Railway and “Agriculture (AG1)” zoned properties located within the ALR to the northeast.

To the East: “Agriculture (AG1)” zoned properties containing farm activities located within the ALR.

To the South: “Agriculture (AG1)” zoned properties containing farm activities located within the ALR.

To the West: Across No. 7 Road, are “Agriculture (AG1)” zoned properties located within the ALR.

**Related Policies & Studies**2041 Official Community Plan (OCP)

The subject site is designated for “Agriculture” in the 2041 OCP. The 2041 OCP limits the subdivision of agricultural land into smaller parcels, except where possible benefits to agriculture can be demonstrated.

The proposed subdivision will provide benefit to agriculture, by aligning property lines with the current farm configuration, and the subdivision facilitates estate planning for the May family. The owner has stated that the subdivision will support viable and secure farm configurations for future generations by ensuring that each future owner has access to farm infrastructure (i.e., dykes and ditches) necessary for cranberry farming. The proposed lot configuration would allow the farm owners and employees to reside near the farms to monitor and effectively manage the farm operations and provide on-site security.

Agricultural Viability Strategy (AVS)

The AVS was developed in partnership with the Richmond Farmers Institute to develop a long-range strategy for improving the viability of the farmlands within the City. The AVS was approved by Council on May 26, 2003. One of the 2021 AVS Principles is to minimize subdivision in the ALR, except where it supports agricultural viability (e.g., diversification, expansion, etc.). The proposed subdivision supports the continued agricultural use of the overall farm lands, as described above.

Zoning Bylaw

The Zoning Bylaw section 14.1.8.1 does not allow for subdivision of lands in the ALR unless approved by the ALC. Where the approval of the ALC is not required, the minimum lot area must be 2.0 ha. Three (3) of the proposed lots are less than 2.0 ha in area and the proposal requires the approval from the ALC.

**Consultation**Agricultural Advisory Committee

The AAC reviewed the application at its meeting held on December 17, 2015 and passed the following motion.

*That the ALR application for subdivision at 2600 No.7 Road by Mayberry Farms Ltd. be supported with the following conditions:*

- 1. The proposed number of lots be reduced to seven (7) by combining proposed lots 4 and 5; and proposed lots 1 and 2.*
- 2. A justification for the proposed additional dwelling units for farm workers on the combined lots noted in item 1 be provided by a professional agrologist.*

*Carried Unanimously*

The minutes of the meeting are included in Attachment 5.

The applicant has considered the AAC's decision and has explored a number of subdivision alternatives with staff, but has decided that the current proposal best meets their stated needs.

**Analysis**

The owners of Mayberry Farms Ltd. have applied to subdivide the lands currently occupied by three (3) separate farm operations to:

- Align lot lines with existing farm boundaries.
- Create two (2) home sites fronting onto No. 7 Road for the existing farmers; to provide an opportunity for future generations to remain active farmers in Richmond
- Create two (2) lots what will contain farm workers' residences.
- Facilitate estate planning/future ownership.

The applicants are third generation cranberry farmers in East Richmond, and the family has owned the subject properties since the 1880's. The owners would like to begin a succession plan to transfer ownership of properties to their two sons who are currently farming the site, so that each would own the parcels where his farm and house are located. The farmers currently reside in existing houses 2400 and 2600 No. 7 Road.

The existing lot lines do not align with the existing boundaries of the cranberry fields (Attachment 2). By adjusting the property lines, each son will own the parcels where his farm is located. Also, matching the property lines with the existing field patterns would allow the farms to be bound on at least on side by the reservoirs for water access, which is essential for the production of cranberries.

Attachment 6 is the applicant's ownership concept for the farm. This plan shows Blocks A, B and C. One (1) farmer would own all of Block A, the other would own all of Block C, and Block B would be owned by the current owner of the farm, and would be used as a shared location of machinery, farm buildings, and various infrastructure for the overall farm operations, and a separate cranberry farm (Lot 6).

### Proposed Subdivision

The proposed subdivision (Attachment 2) will result in three (3) lots fronting No.7 Road used for residential purposes only, and six (6) agricultural lots.

#### *Agricultural Lots*

The proposal to rationalize lot lines with the current farm configuration is supported by staff, as it has benefit to agriculture. The creation of Proposed Lot 3 to house common mechanical and farm infrastructure uses is also supported. Proposed Lot 2 will be used for cranberry production and a new single-family dwelling for a farm workers' residence is also supported.

#### *Residential Lots*

The proposed subdivision will create three (3) parcels which will have no potential for agricultural activity and will be used solely for residential purposes.

Proposed Lot 1 and Lot 4 will sever two (2) existing houses from the cranberry farms. Proposed Lot 5 will be a 0.5 ha parcel that the owners wish to use for a farm workers' dwelling, who will work the farm in the area shown as Block A in the ownership concept (Attachment 6). While the proposed lot is small and would be used for residential purposes only, staff can support the subdivision, as the owner has expressed a need for a residence for a farm workers' dwelling, and the bulk of the farm is located to the east, without functional road access.

A dwelling will be constructed on proposed Lot 2; which will be used as a dwelling for the farm workers' who will manage the lands in Block C (Attachment 6) and the balance of the lot will be used for cranberry production. There are no plans by the owner to construct a dwelling on proposed Lot 3 at this time.

Staff have reviewed the proposed additional residential lots in the context of ALC regulations and the Richmond Zoning Bylaw 8550 provisions which allow an additional residence necessary for farm use. An additional dwelling unit for full-time farm workers is permitted if the lot size is a minimum of 8.0 ha and the need for the additional dwelling unit is justified by a certified professional agrologist.

The total area of the farms owned by the sons (i.e., Maybloom and Harvest Red Farms) are each over 20 ha, and exceed the minimum lot area required in the Zoning Bylaw to accommodate a second dwelling for farm workers. However, the majority of the farms do not have frontage on No. 7 Road and do not have developed road access. As such, a Building Permit cannot be issued to construct a farm workers' dwelling on the eastern portion of the farms.

The agrologist's report (Attachment 4) indicates that it is the owners' intention to locate all the home sites along No. 7 Road where services exist and impacts on the existing farming operation are minimized. The owner of the Harvest Red Farms also provided a letter indicating that it would be essential to have an employee live on the farm in order to manage the irrigation system to prevent frost damage and provide for on-site farm security.

Staff recognize that farm workers' housing is needed for farms of this size, and allowing the smaller building lot on No.7 Road provides an opportunity for this, while avoiding any residential footprint on the farmland to the east.

The following table provides a summary of the details of the proposed subdivision. Attachment 2 to this report contains the proposed subdivision layout and Attachment 6 is the proposed ownership pattern.

Proposed Lot	Purpose	Size	Ownership
1	Existing dwelling currently occupied by the owner of Maybloom Farms	1.5 acres (0.6 ha)	Maybloom Farms – Block C
2	Separate cranberry field to Maybloom Farms Ltd. and a new dwelling for full-time farm workers	12.5 acres (5.1 ha)	Maybloom Farms – Block C
3	To consolidate the farming headquarters, shops and machinery storage area held by Mayberry Farms Ltd.	8.1 acres (3.3 ha)	Mayberry Farms - Block B
4	Existing dwelling currently occupied by the owner of Harvest Red Farms	1.0 acre (0.4 ha)	Harvest Red Farms – Block A
5	A new dwelling for full-time farm workers	1.0 acre (0.4 ha)	Harvest Red Farms – Block A
6	To allow for a cranberry field between ditches and dykes	34.2 acres (13.6 ha)	Mayberry Farms Block B
7	To allow for a cranberry field between ditches and dykes	43.4 acres (17.6 ha)	Harvest Red Farms – Block A
8	To allow for a cranberry field between ditches and dykes	16.7 acres (6.8 ha)	Harvest Red Farms – Block A
9	To allow for a cranberry field between ditches and dykes	40 acres (16.2 ha)	Maybloom Farms – Block C

Staff note that all new dwellings will be built consistent with the requirements of the Richmond Zoning Bylaw 8500, which restricts building locations to no further than 50 m from the fronting road (No.7 Road), to minimize impacts on the viability of agricultural land.

#### Floodplain Management Implementation Strategy

The developer is required to comply with the requirement of Richmond Flood Plain Designation and Protection Bylaw 8204. A Flood Indemnity Restrictive Covenant is required prior subdivision approval on the Title of Lots, 1, 2 4, and 5.

#### Proposed Legal Agreement

As Official Community Plan policies specifically avoid fragmentation of agricultural lands, and the creation of new roads in the ALR, the applicant has agreed to register a legal agreement on the Title of proposed Lots 6, 7, 8, and 9, as a condition of subdivision to prohibit residential construction on these parcels until such time that a fully operational and serviced road fronts the lands. This legal agreement will address potential future pressure to allow additional residential

development on the properties. The legal agreement has been identified as part of the subdivision considerations attached to this report (Attachment 7). Council would be required to forward an application to the Agricultural Land Commission to allow construction of these roads, and would have to authorize the expenditure to construct the roads

**Financial Impact**


None.

**Conclusion**

Staff support the proposed subdivision as follows:

- The owners of Mayberry Farms Ltd. have a long family history of farming and are committed to long-term farming of the lands. The subdivision would facilitate the existing farming operations to align property lines with the existing farm configuration.
- Succession planning is essential to generational farmland transfer to ensure that farmlands continue to be farmed. Ownership of land is closely associated with farms' long term stability, as it allows for future investment in the farms.
- The three (3) proposed smaller residential parcels fronting No.7 Road have benefit to agriculture, as this lot pattern would facilitate residences for the owners and employees of the farms to live in proximity to the farms without requiring construction of any new roads or services for dwelling construction on the larger parcels to the east.
- Although the proposed parcels for full-time farm workers along No. 7 Road do not meet the minimum lot size requirement in the Zoning Bylaw for an additional dwelling unit, considering the overall sizes of the farms operated by the two sons, the need for additional dwelling units is justified.
- Constructing the necessary residences along No. 7 Road where services exist would minimize the impacts of the residential uses on the existing farming operations.
- The applicant has agreed to register a legal agreement on the Title of the four (4) large lots located to the east to prohibit residential construction until a functional municipal road is constructed to the lots.

Staff recommend that the ALR application by Mayberry Farms Ltd. to subdivide a total of seven (7) parcels located in Each Richmond (the parcels at 2400 and 2600 No. 7 Road and five (5) no-access parcels located on the east side of the 2400 and 2600 No. 7 Road with no civic addresses) be endorsed and forwarded to the Agricultural Land Commission.



Barry Konkin  
Program Coordinator, Development  
(604-276-4138)

BK/MP:blg

Attachment 1: Location Map

Attachment 2: Proposed Subdivision Plan

Attachment 3: Development Application Data Sheet

Attachment 4: Agrologist's Report

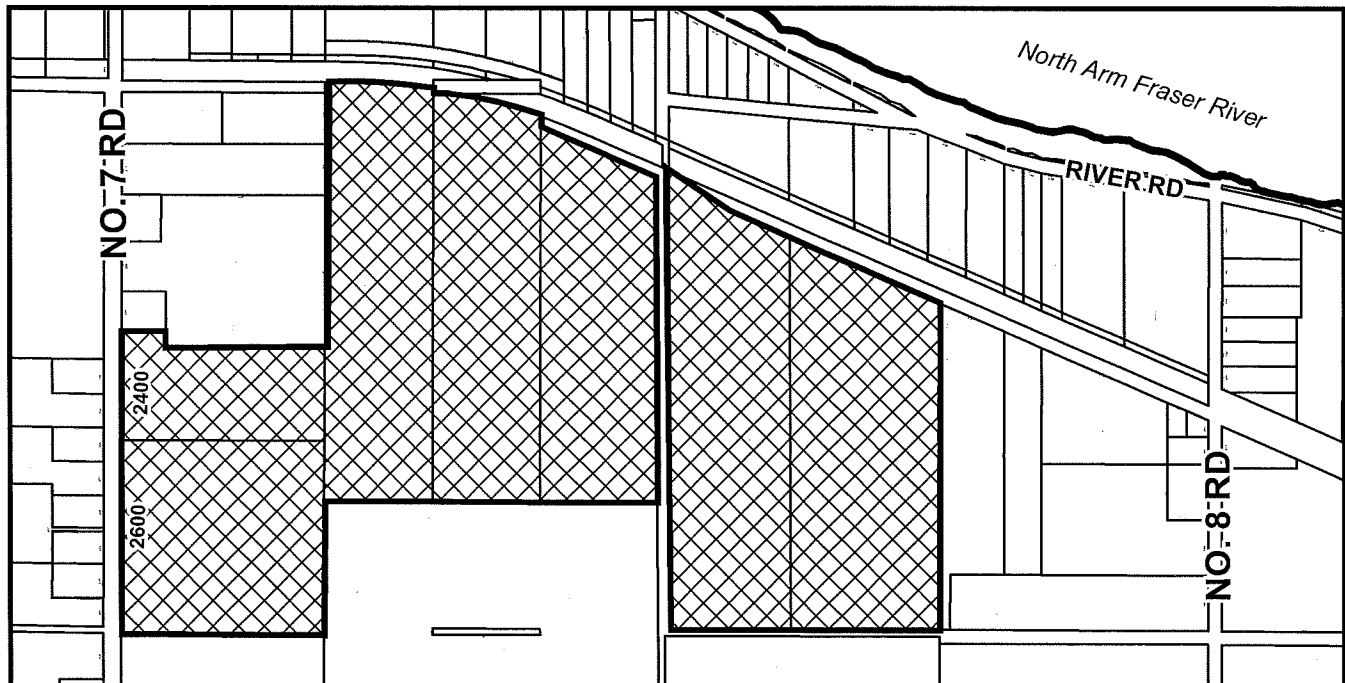
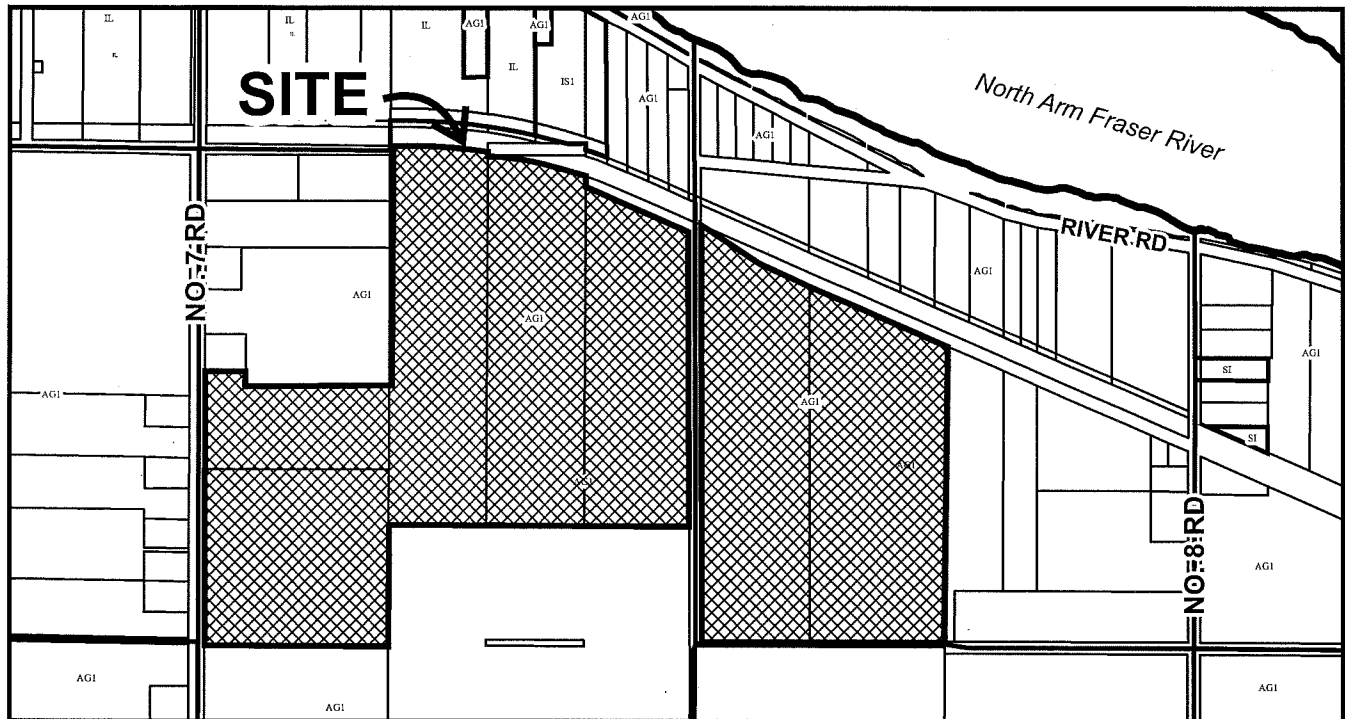
Attachment 5: Excerpt of Agricultural Advisory Committee Meeting Minutes

Attachment 6: Proposed Ownership Concept

Attachment 7: Subdivision Considerations



City of  
Richmond



AG15-713643

Original Date: 12/11/15

Revision Date:

Note: Dimensions are in METRES



City of  
Richmond



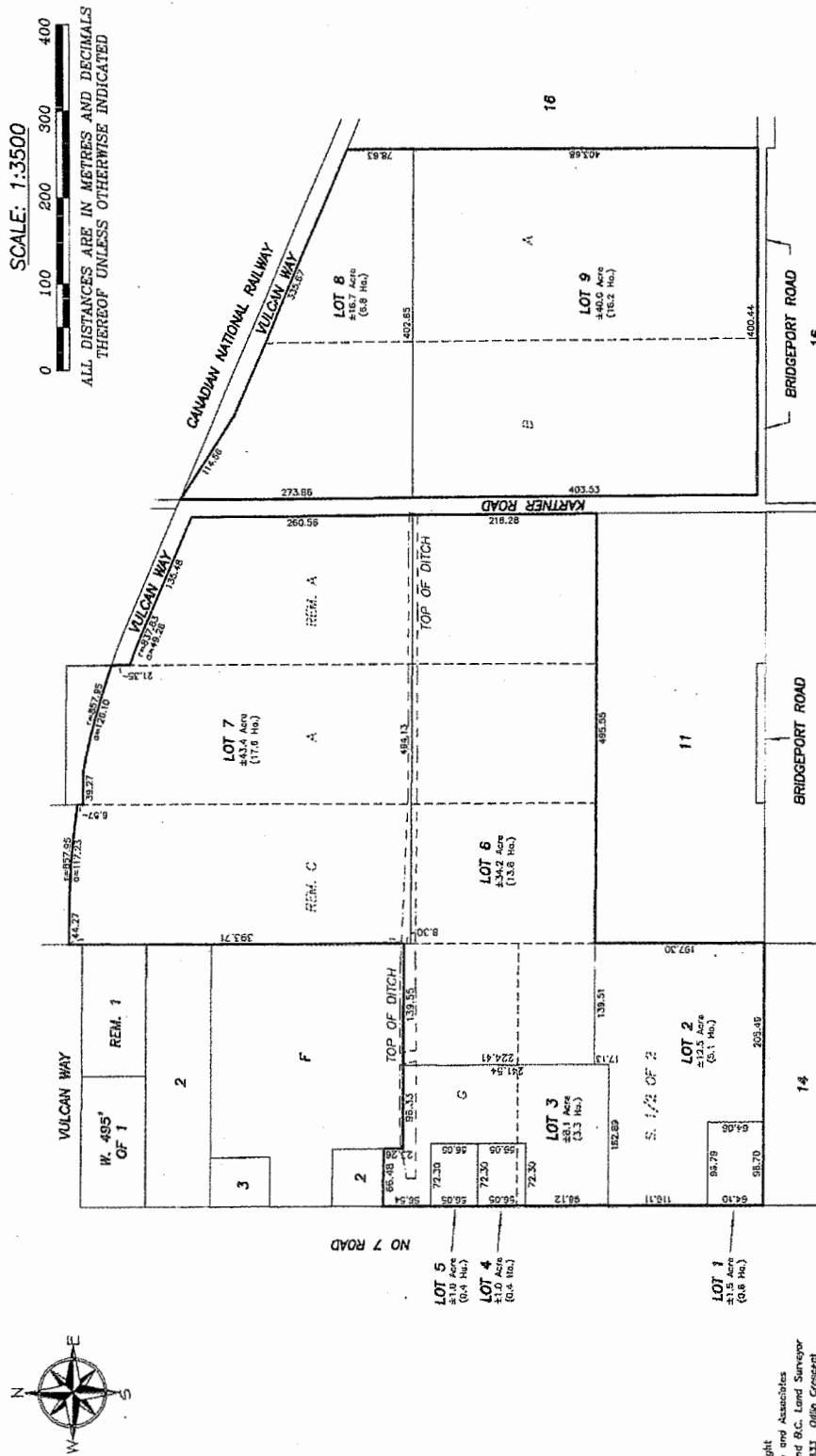
AG 15-713643

Original Date: 01/11/16

Revision Date:

Note: Dimensions are in METRES

- PROPOSED SUBDIVISION PLAN OF:
- 1) THE SOUTH HALF OF LOT 2, SECTIONS 14 AND 23, PLAN 3129;
  - 2) LOT "G" SECTION 23, PLAN 23308;
  - 3) BLOCK "C" EXCEPT, FIRSTLY: PARCEL "ONE" (REFERENCE PLAN 3214); SECONDLY: PARCEL "TWO" (REFERENCE PLAN 3098); THIRDLY: PARCEL "THREE" (EXPLANATORY PLAN 9089); FOURTHLY: PART SUBDIVIDED BY PLAN 26807; FIFTHLY: PART IN STATUTORY RIGHT OF WAY PLAN 4720, SECTION 14 AND 23, PLAN 690;
  - 4) PARCEL "A" SECTIONS 14 AND 23, REFERENCE PLAN 69626;
  - 5) BLOCK "A" EXCEPT, FIRSTLY: PART ON STATUTORY RIGHT OF WAY PLAN 4720, SECONDLY: PART SUBDIVIDED BY PLAN 26807; THIRDLY: PART SUBDIVIDED BY PLAN 5083 SECTIONS 13 AND 23, REFERENCE PLAN 6962;
  - 6) PARCEL B SECTIONS 24, PLAN 1M632103;
  - 7) PARCEL A SECTIONS 24, EXPLANATORY PLAN 86763;
- ALL OF BLOCK 3 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT



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MARCH 10th, 2015



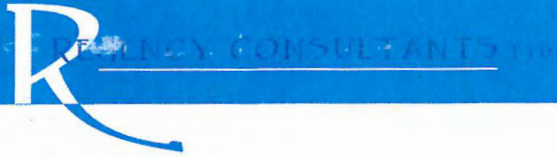
**AG 15-713643**

**Attachment 3**

Address: 2400 and 2600 No. 7 Road and five (5) no-access parcels located on the east side of the 2400 and 2600 No. 7 Road with no civic addresses

Applicant: Mayberry Farms Ltd.

	Existing	Proposed
<b>Owner:</b>	Mayberry Farms Ltd.	Proposed Lot 1 – Maybloom Farms Proposed Lot 2 – Maybloom Farms Proposed Lot 3 – Mayberry Farms Proposed Lot 4 – Harvest Red Farms Proposed Lot 5 – Harvest Red Farms Proposed Lot 6 – Mayberry Farms Proposed Lot 7 – Harvest Red Farms Proposed Lot 8 – Harvest Red Farms Proposed Lot 9 – Maybloom Farms
<b>Site Size (m<sup>2</sup>):</b>	Existing Lot 1 – 21.36 ac (8.65 ha) Existing Lot 2 – 10.47 ac (4.24 ha) Existing Lot 3 – 24.55 ac (9.94 ha) Existing Lot 4 – 23.47 ac (9.5 ha) Existing Lot 5 – 21.99 ac (8.9 ha) Existing Lot 6 – 27.62 ac (11.18 ha) Existing Lot 7 – 29.1 ac (11.78 ha)	Proposed Lot 1 – 1.5 ac (0.6 ha) Proposed Lot 2 – 12.5 ac (5.1 ha) Proposed Lot 3 – 8.1 ac (3.3 ha) Proposed Lot 4 – 1.0 ac (0.4 ha) Proposed Lot 5 – 1.0 ac (0.4 ha) Proposed Lot 6 – 34.2 ac (13.6 ha) Proposed Lot 7 – 43.4 ac (17.6 ha) Proposed Lot 8 – 16.7 ac (6.8 ha) Proposed Lot 9 – 40.0 ac (16.2 ha)
<b>Land Uses:</b>	Existing Lot 1 – farming headquarters, single-family dwelling and cranberry field Existing Lot 2 – single-family dwelling and cranberry field Existing Lot 3 – cranberry field Existing Lot 4 – cranberry field Existing Lot 5 – cranberry field Existing Lot 6 – cranberry field Existing Lot 7 – cranberry field	Proposed Lot 1 – single-family dwelling Proposed Lot 2 – single-family dwelling and cranberry field Proposed Lot 3 – farming headquarters Proposed Lot 4 – single-family dwelling Proposed Lot 5 – single-family dwelling Proposed Lot 6 – cranberry field Proposed Lot 7 – cranberry field Proposed Lot 8 – cranberry field Proposed Lot 9 – cranberry field
<b>Agricultural Land Reserve:</b>	All parcels are contained in the ALR.	No change – All parcels will remain in the ALR.
<b>OCP Designation:</b>	Agriculture	No change
<b>Zoning:</b>	Agriculture (AG1)	No change



R.G. (Bob) Holtby, MSc, PAg, Principal

# An Opinion on an Application for Boundary Adjustment and Subdivision

## and the Documents to that Effect

Client: Mayberry Farms Ltd.

Date: July 15, 2015

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## 1.0 The Application

The owners of Mayberry Farms Ltd, a cranberry farm in East Richmond, wish to begin a succession plan to transfer properties to their children. As a consequence, they wish to divide their properties into units that will allow for the fair distribution among the children and to allow the successors to develop viable farms.

The division also allows the owners to correct a problem which arose when they received the farm lands. Mainly, they wish to align the legal boundaries with the field patterns to allow for the rational division of the land. Cranberry fields are well defined by dykes and lagoons.

The existing lots under application are:

- 1) The south half of Lot 2, Sections 14 and 23, Plan 3129, PID 001-704-125,
- 2) Lot "G" Section 23, Plan 23309, PID 001-704-109,
- 3) Block "C" except: Firstly: Parcel "One" (Reference Plan 3214); Secondly: Parcel "Two" (Reference Plan 3098); Thirdly: Parcel "Three" (Explanatory Plan 9089); Fourthly: Part Subdivided by Plan 26807; Fifthly: Part in Statutory Right of Way Plan 4720, Section 14 and 23 Plan 690, PID 001-704-150,
- 4) Parcel "A" Sections 14 and 23 Reference Plan 69628, PID 001-760-416,
- 5) Block "A" except: Firstly: Part on Statutory Right of Way Plan 4720; Secondly: Part Subdivided by Plan 26807; Thirdly: Part Subdivided by Plan 5063, Sections 13 and 23 Reference Plan 6962, PID 001-704-141,
- 6) Parcel B Section 24 Plan LMP 32103, PID 023-699-396, and
- 7) Parcel A Section 24 Explanatory Plan 86763, PID 016-476-751,

All of Block 5, North Range 5 West, New Westminster District.

These lots are roughly shown in Figure 1.

**Figure 1: Depiction of Existing Lots**



The outline of the new lots is shown in Figure 2. The survey drawing is inserted in Appendix A.

**Figure 2: Outline of Proposed Lots**



The specifics of the lots is shown in Table 1.

**Table 1: Specifics of Proposed Lots**

Lot #	Purpose	Lot Size
1	To separate the existing house for Maybloom Farms Ltd.	1.5 Ac (0.6 Ha)
2	To allow for a separate cranberry field to Maybloom Farms Ltd.	12.5 Ac (5.1 Ha)
3	To consolidate the farming headquarters, shops, and machinery storage area held by Mayberry Farms Ltd.	8.1 Ac (3.3 Ha)
4	To separate an existing home in a small lot	1.0 Ac (0.4 Ha)
5	To allow for a house for full time farm staff	1.0 Ac (0.4 Ha)
6	To allow for a cranberry field between ditches and dykes	34.2 Ac (13.6 Ha)
7	To allow for a cranberry field between ditches and dykes	43.4 Ac (17.6 Ha)
8	To allow for a cranberry field between ditches and dykes	16.7 Ac (6.8 Ha)
9	To allow for a cranberry field between ditches and dykes	40.0 Ac (16.2 Ha)
Total		158.4 Ac (64.1 Ha)

My commission is to provide an opinion as to the impact on the agricultural use of the properties from this application.

## 2.0 Qualifications

I am a licensed Agrologist and have been a full member of the B.C. Institute of Agrologists since 1971 (except 2001-2002). I am a graduate from the University of

British Columbia with a Bachelor of Science degree in 1967, specializing in Agriculture Economics, and a Master of Science degree in 1972, specializing in Farm Management. My thesis for my Master's degree was entitled *Resource Allocation for the Median Peace River Farm in British Columbia*

I have been involved in the work of the Agricultural Land Commission since 1974 when the reserve boundaries were proclaimed. At that time, I was District Agriculturist for the British Columbia Ministry of Agriculture in Prince George. In October 1978 I entered private practice and have provided professional opinions for clients who have sought amendments to the Agricultural Land Reserve boundaries, subdivision within the ALR, or who have needed assistance in compliance with requests from the Commission.

I have also written and spoken of the need to address the unintended consequences of the provincial land use policy.

During my years in both public and private practice, Courts and Review Boards have accepted me as an expert regarding farming practices in British Columbia. Consequently, I feel qualified to provide an assessment of a proposal under the *Agricultural Land Commission Act*. My qualifications and experience allow me to comment on the value of agricultural land and the practices of farming on that land. While not formally trained in soil science, I have been exposed to the principles of that discipline through short courses, field trips, and by accompanying pedologists during soils assessments.

Consequently, I believe I am qualified to comment on the two main purposes of the Agricultural Land Commission. That is: to preserve agricultural land, and to encourage farming on agricultural land in collaboration with other communities of interest.

I am currently a member of the Environmental Appeal Board the Forest Appeals Commission and the Oil and Gas Appeal Tribunal. Following these appointments, I have received training in Administrative Law and the Rules of Natural Justice.

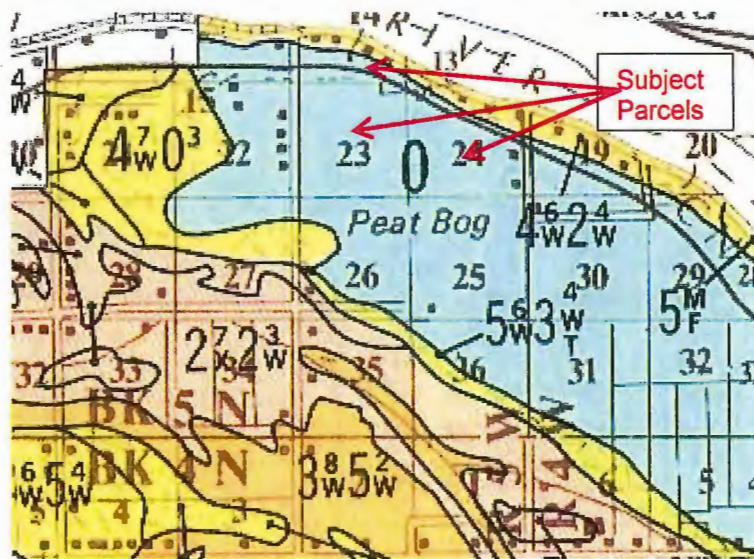
### **3.0 Agricultural Capability of the Subject Property**

The Canada Land Inventory map indicates that the parcels under application are classed as "O" for organic soils as shown in Figure 2.

This classification is consistent with my findings from inspection. Peat soils are ideal for cranberry production and have been used by the May family for this purpose for generations.

Consequently, it is my judgement that the lands under application are "Agricultural" as defined by the Provincial Agricultural Land Commission.

**Figure 3: Canada Land Inventory Classification of Subject Parcels**



#### **4.0 Local Government Concerns**

The City of Richmond has developed an Agricultural Viability Strategy to identify issues, recommendations, implement strategies, and monitoring processes. Among the guiding principles is:

5. Subdivision in the ALR will be minimized, except where it supports agricultural viability (e.g. diversification, expansion, etc.)

Among the long term implementation strategies for the AVS is:

- A positive outlook to attract more young people to choose to farm;

I was unable to download the full zoning map for the area. However, the map indicates that the land is zoned AG1 which is logical given the intensive farming operations in this area. The purpose of the zone is given as:

The zone provides for a wide range of farming and compatible uses consistent with the provisions of the Agricultural Land Reserve. The zone is divided into 3 sub-zones: AG1 for traditional sites zoned for agricultural purposes; [Bylaw 8672, Jan 24/11] AG3 for new sites that would permit seasonal farm labour accommodation; AG4 for a site that would permit a cranberry processing facility.

The boundary adjustments that align the legal boundaries with the field patterns are fully consistent with this zone. The homesite subdivisions place two existing homes within their own lots. The northern subdivision allows for a new residence for a full time employee who will be responsible for field monitoring and consequently needs to be located on the farm.

The zoning bylaw stipulates in Section 14.1.8:

1. Subdivision of land in the Agricultural Land Reserve shall not be permitted unless approved by the Provincial Agricultural Land

Commission. Where the approval of the Provincial Agricultural Land Commission is not required, the minimum lot area shall be 2.0 ha.

2. The following minimum requirements shall apply to the uses listed below:
  - a) single detached housing shall not be built on a lot with a lot area of less than 828.0 m<sup>2</sup>

This application exceeds the five lot maximum and has proposed lots below the 1 hectare threshold as required under the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. Consequently, the application needs to proceed to the Commission. Assuming Commission approval, the three lots at 1.5 acres or 1 acre exceed the bylaw requirement at 6,070.4 m<sup>2</sup> and 4,047 m<sup>2</sup> respectively.

I assume, therefore, following a conversation with Ms. Minhee Park of the Planning Department of the City that the subdivisions would not need rezoning following approval from the Agricultural Land Commission.

The zoning bylaw deals with full time worker accommodations as follows:

3. The following additional dwelling units for full-time farm workers for a farm operation employed on the lot in question are permitted provided that the need for the additional dwelling units is justified by a certified professional registered with the B.C. Institute of Agrologists (P.Ag) and that the lot has the lot area specified below:
  - a) 1 additional dwelling unit on a lot between 8.0 ha and 25.0 ha; or
  - b) 2 additional dwelling units on a lot between 25.0 ha and 30.0 ha; or
  - c) 3 additional dwelling units on a lot over 30.0 ha.

I am qualified to provide such a certification. However, I do not believe it is necessary as the proposal is for a separate lot for the worker accommodation. The reason for this is the need to locate the home sites along Number 7 road where services exist and there is no need to interfere with the farming operations. Nevertheless, I have asked the applicant for a purpose of the home for an employee. That justification is attached in Appendix C by Derek May of Harvest Red Farms. He will be the owner of the parcel after subdivision is approved.

In my opinion, Derek's justification is logical and consistent with good farm management. I therefore certify the justification for the employee home.

## **5.0 Summary and Conclusions**

There are two reasons for this application to be made. First, the lot line boundaries need to be aligned with field patterns. This allows the fields producing cranberries to be bound on at least one side by the reservoirs which provide water for irrigation, frost protection and harvest. Such water use is essential for the production of cranberries. The alignment means that with the reservoirs adjacent to the fields, there is no need for easements from the water sources to the fields.

The second reason is to allow for the transfer of the land under application and other lands to the next generation of farmers. That generation will be the fourth generation of the May family that has farmed in Richmond. Randy May proudly states that they have never sold land at least since the 1880's.

From my investigation of the application, I conclude that no farm land will be lost on completion. The land required for the employee house will come from preloading the land in the reservoir as shown in Figure 2. The lost water capacity will be replaced by increasing the height of the lagoon.

The application, in allowing the next generation to farm the land, is consistent with the Official Community Plan (Objective 2).

I believe that the application is consistent with the objects of the Agricultural Land Commission. It both protects agricultural lands and encourages farming. In addition, it enhances the values of the farm(s) by removing an impediment for efficient water use by the next generation of farmers.

I remain available to discuss my findings in this report.

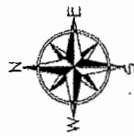
Respectfully submitted,



R.G. (Bob) Holtby, P.Ag.

July 15, 2015

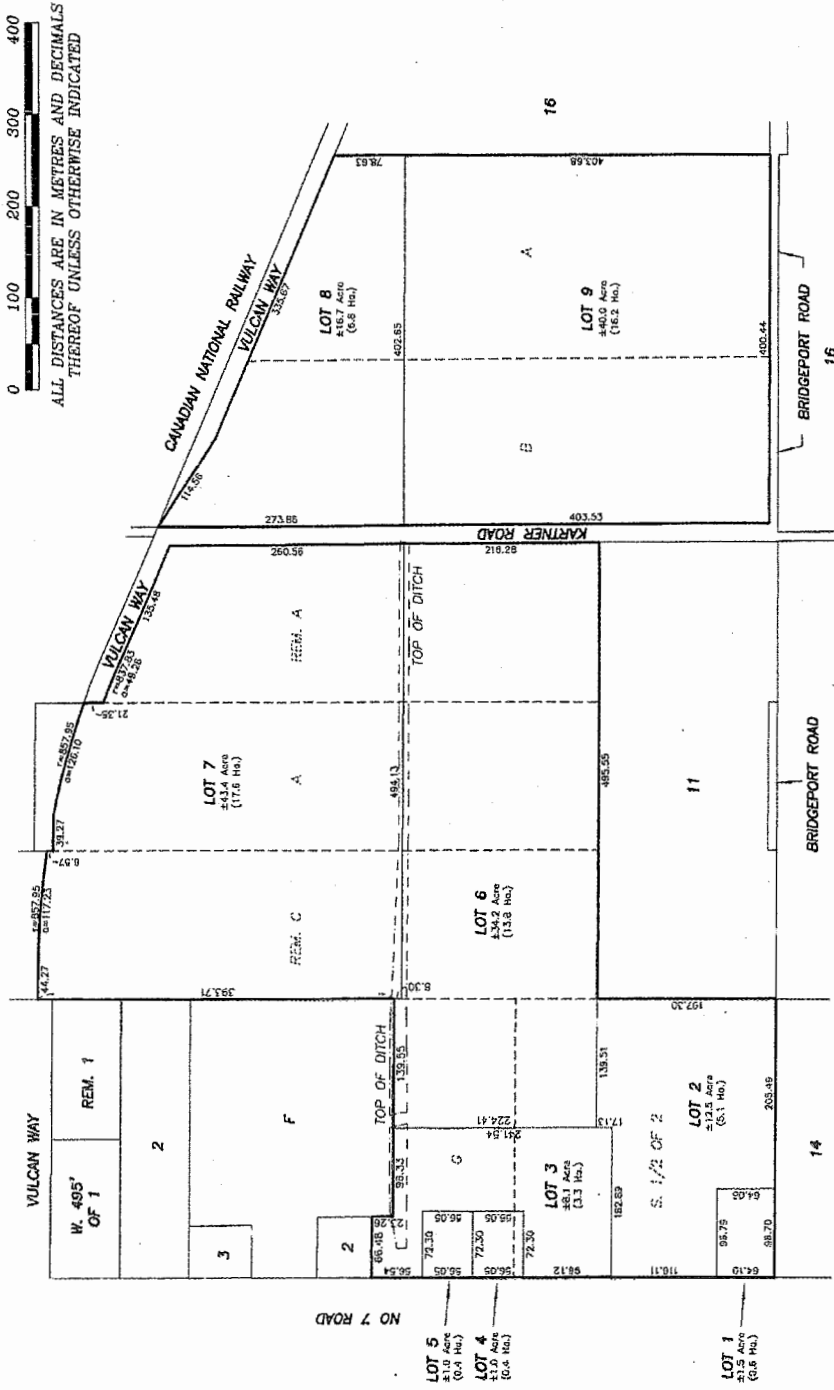
- PROPOSED SUBDIVISION PLAN OF:
- 1) THE SOUTH HALF OF LOT 2 SECTIONS 14 AND 23 PLAN 3129;
  - 2) LOT 16 SECTION 23 PLAN 23309;
  - 3) BLOCK "C" EXCEPT: PARCEL "ONE" (REFERENCE PLAN 3214); SECONDLY: PARCEL "TWO" (REFERENCE PLAN 3098); THIRDLY: PARCEL "THREE" (EXPLANATORY PLAN 9089); FOURTHLY: PART SUBDIVIDED BY PLAN 26807; FIFTHLY: PART IN STATUTORY RIGHT OF WAY PLAN 4720 SECTION 14 AND 23 PLAN 690;
  - 4) PARCEL "A" SECTIONS 14 AND 23 REFERENCE PLAN 69628;
  - 5) BLOCK "A" EXCEPT: FIRSTLY: PART ON STATUTORY RIGHT OF WAY PLAN 4720; SECONDLY: PART SUBDIVIDED BY PLAN 26807; THIRDLY: PART SUBDIVIDED BY PLAN 5063 SECTIONS 13 AND 23 REFERENCE PLAN 6962;
  - 6) PARCEL B SECTIONS 24 PLAN IMP32103;
  - 7) PARCEL A SECTIONS 24 EXPLANATORY PLAN 86763;
- ALL OF BLOCK 5 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT



SCALE: 1:3500

0 100 200 300 400

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE INDICATED



Copyright  
J. C. Tem and Associates  
Canada and B.C. Land Surveyor  
115 - 8333 99th Avenue  
Richmond, B.C. V6X 3Z7  
Telephone: 604-214-8928  
Fax: 604-214-0929  
E-mail: office@jctm.com  
Web Site: www.jctm.com  
Job No. 5918  
Drawn by: VK

DWG No. 5918-PROSUB

MARCH 10th, 2015.

## **6.0 Appendix A: Application from the Landowner**



## APPLICATION BY LAND OWNER

**NOTE:** The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

### TYPE OF APPLICATION (Check appropriate box)

- |   |   |
|---|---|
| <input type="checkbox"/> <b>EXCLUSION</b><br>under Sec. 30(1) of the Agricultural Land Commission Act | <input checked="" type="checkbox"/> <b>SUBDIVISION in the ALR</b><br>under Sec. 21(2) of the Agricultural Land Commission Act |
| <input type="checkbox"/> <b>INCLUSION</b><br>under Sec. 17(3) of the Agricultural Land Commission Act | <input type="checkbox"/> <b>Non-farm USE in the ALR</b><br>under Sec. 20(3) of the Agricultural Land Commission Act           |

### APPLICANT

Registered Owner: Mayberry Farms Ltd., Inc No. 278081		Agent: R.G. (Bob) Holtby, P.Ag.	
Address: 2600 No. 7 Road		Address: 2533 Copper Ridge Drive	
Richmond, BC	Postal Code V6V 1R2	West Kelowna, BC	Postal Code V4T 2X6
Tel. (home) (604) 328-8041 (work) ( ) Fax ( )		Tel. (250) 707-4664 C: 250-804-1798 Fax ( )	
E-mail randy_may51@yahoo.com		E-mail bholtby@shaw.ca	

### LOCAL GOVERNMENT JURISDICTION (Indicate name of Regional District or Municipality)

City of Richmond

### LAND UNDER APPLICATION (Show land on plan or sketch)

Title Number	Size of Each Parcel (Ha.)	Date of Purchase	
		Month	Year
Y80827E; Y80825E	8.65; 4.24	May	1985
Y80830E	10.00	May	1985
Y80831E	9.50	May	1985
Y80829E	8.90	May	1985
BL77397	11.18	March	1997
AD211800	11.78	September	1990

### OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY

(Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): BH285534; BT77389; BE46321

**PROPOSAL** (Please describe and show on plan or sketch)

See Attached

**CURRENT USE OF LAND** (Show information on plan or sketch)

List all existing uses on the parcel(s) and describe all buildings  
Cranberry Fields; Service Buildings; Houses; Reservoirs

**USES ON ADJACENT LOTS** (Show information on plan or sketch)

North	Cranberry Fields; Rural Residential
East	Cranberry Farms
South	Farms
West	Residences; Farms

**DECLARATION**

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the *Agricultural Land Commission Act* and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

July 17/15  
Date

Randy May  
Signature of Owner or Agent

Randy May  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner or Agent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner or Agent

\_\_\_\_\_  
Print Name

**Please ensure the following documents are enclosed with your application:**

- |   |  |
|---|--|
| ▪ Application fee payable to the Local Government | ▪ Map or sketch showing proposal & adjacent uses     |
| ▪ Certificate of Title or Title Search Print      | ▪ Proof of Notice of Application *(See instructions) |
| ▪ Agent authorization (if using agent)            | ▪ Photographs (optional)                             |

## **7.0 Appendix B: Title Documents**

**TITLE SEARCH PRINT**

2015-02-12, 14:49:27

Requestor: Tori Thompson

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

**Title Number**

From Title Number

Y80827E

RD9778E

**Application Received**

1985-05-23

**Application Entered**

1985-06-13

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

MAYBERRY FARMS LTD., INC.NO. 278081

2600 NO. 7 ROAD

RICHMOND, BC

V6V 1R2

**Taxation Authority**

CITY OF RICHMOND

**Description of Land**

Parcel Identifier:

001-704-125

Legal Description:

SOUTH HALF LOT 2 SECTIONS 14 AND 23 BLOCK 5 NORTH

RANGE 5 WEST NEW WESTMINSTER DISTRICT PLAN 3129

**Legal Notations**

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL  
GOVERNMENT ACT, SEE BB859492

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY  
THE AGRICULTURAL LAND COMMISSION ACT; SEE  
AGRICULTURAL LAND RESERVE PLAN NO. 1 DEPOSITED 30.07.1974

ZONING REGULATION AND PLAN UNDER  
THE AERONAUTICS ACT (CANADA)  
FILED 10.2.1981 UNDER NO. T17084  
PLAN NO. 61216

**TITLE SEARCH PRINT**

2015-02-12, 14:49:27

Requestor: Tori Thompson

**Charges, Liens and Interests**

Nature: MORTGAGE  
Registration Number: BR83446  
Registration Date and Time: 2001-04-10 14:45  
Registered Owner: FARM CREDIT CORPORATION  
Remarks: INTER ALIA

Nature: MORTGAGE  
Registration Number: BT50436  
Registration Date and Time: 2002-02-13 11:33  
Registered Owner: BANK OF MONTREAL  
Remarks: INTER ALIA

Nature: PRIORITY AGREEMENT  
Registration Number: BT82231  
Registration Date and Time: 2002-03-12 14:54  
Remarks: INTER ALIA  
GRANTING BT50436 PRIORITY OVER BR83446

Nature: COVENANT  
Registration Number: BB845171A  
Registration Date and Time: 2008-03-27 13:33  
Registered Owner: CITY OF RICHMOND

Nature: PRIORITY AGREEMENT  
Registration Number: BB845172  
Registration Date and Time: 2008-03-27 13:33  
Remarks: GRANTING BB845171A PRIORITY OVER BR83446  
AND BT50436

Nature: COVENANT  
Registration Number: BB845173  
Registration Date and Time: 2008-03-27 13:35  
Registered Owner: CITY OF RICHMOND

Nature: PRIORITY AGREEMENT  
Registration Number: BB845174  
Registration Date and Time: 2008-03-27 13:35  
Remarks: GRANTING BB845173 PRIORITY OVER BR83446  
AND BT50436

**Duplicate Infeasible Title**

NONE OUTSTANDING

**Transfers**

NONE

**Pending Applications**

NONE

**TITLE SEARCH PRINT**

2015-02-12, 14:49:03

Requestor: Tori Thompson

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\***

<b>Land Title District</b>	NEW WESTMINSTER
Land Title Office	NEW WESTMINSTER
<b>Title Number</b>	Y80825E
From Title Number	RD9779E
<b>Application Received</b>	1984-05-23
<b>Application Entered</b>	1985-06-13
<b>Registered Owner in Fee Simple</b>	
Registered Owner/Mailing Address:	MAYBERRY FARMS LTD., INC.NO. 278,081 3111 NO. 7 ROAD RICHMOND, BC V6V 1W4
<b>Taxation Authority</b>	CITY OF RICHMOND
<b>Description of Land</b>	
Parcel Identifier:	001-704-109
Legal Description:	LOT "G" SECTION 23 BLOCK 5 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT PLAN 23309
<b>Legal Notations</b>	
	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 1 DEPOSITED 30.07.1974
	ZONING REGULATION AND PLAN UNDER THE AERONAUTICS ACT (CANADA) FILED 10.2.1981 UNDER NO. T17084 PLAN NO. 61216
<b>Charges, Liens and Interests</b>	
Nature:	MORTGAGE
Registration Number:	BR83446
Registration Date and Time:	2001-04-10 14:45
Registered Owner:	FARM CREDIT CORPORATION
Remarks:	INTER ALIA

**TITLE SEARCH PRINT**

2015-02-12, 14:49:03

Requestor: Tori Thompson

**Duplicate Indefeasible Title** NONE OUTSTANDING**Transfers** NONE**Pending Applications** NONE

**TITLE SEARCH PRINT**

2015-02-12, 14:44:38

Requestor: Tori Thompson

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

**Title Number**

From Title Number

Y80830E

RD9781E

**Application Received**

1985-05-23

**Application Entered**

1985-06-13

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

MAYBERRY FARMS LTD., INC.NO. 278081

2600 NO. 7 ROAD

RICHMOND, BC

V6V 1R2

**Taxation Authority**

CITY OF RICHMOND

**Description of Land**

Parcel Identifier:

001-704-150

Legal Description:

BLOCK "C" EXCEPT: FIRSTLY: PARCEL "ONE" (REFERENCE PLAN 3214)

SECONDLY: PARCEL "TWO" (REFERENCE PLAN 3098)

THIRDLY: PARCEL "THREE" (EXPLANATORY PLAN 9089)

FOURTHLY: PART SUBDIVIDED BY PLAN 26807

FIFTHLY: PART IN STATUTORY RIGHT OF WAY PLAN 4720,

SECTIONS 14 AND 23 BLOCK 5 NORTH RANGE 5 WEST

NEW WESTMINSTER DISTRICT PLAN 690

**Legal Notations**

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY

THE AGRICULTURAL LAND COMMISSION ACT; SEE

AGRICULTURAL LAND RESERVE PLAN NO. 1 DEPOSITED 30.07.1974

ZONING REGULATION AND PLAN UNDER

THE AERONAUTICS ACT (CANADA)

FILED 10.2.1981 UNDER NO. T17084

PLAN NO. 61216

**TITLE SEARCH PRINT**

2015-02-12, 14:44:38

Requestor: Tori Thompson

**Charges, Liens and Interests**

Nature: MORTGAGE  
Registration Number: BR83446  
Registration Date and Time: 2001-04-10 14:45  
Registered Owner: FARM CREDIT CORPORATION  
Remarks: INTER ALIA

Nature: MORTGAGE  
Registration Number: BT50436  
Registration Date and Time: 2002-02-13 11:33  
Registered Owner: BANK OF MONTREAL  
Remarks: INTER ALIA

Nature: PRIORITY AGREEMENT  
Registration Number: BT82231  
Registration Date and Time: 2002-03-12 14:54  
Remarks: INTER ALIA  
GRANTING BT50436 PRIORITY OVER BR83446

**Duplicate Indefeasible Title**

NONE OUTSTANDING

**Transfers**

NONE

**Pending Applications**

NONE

**TITLE SEARCH PRINT**

2015-02-12, 14:46:30

Requestor: Tori Thompson

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

**Title Number**

From Title Number

Y80831E

Y80688E

**Application Received**

1985-05-23

**Application Entered**

1985-06-13

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

MAYBERRY FARMS LTD., INC.NO. 278081  
2600 NO. 7 ROAD  
RICHMOND, BC  
V6V 1R2**Taxation Authority**

CITY OF RICHMOND

**Description of Land**

Parcel Identifier:

001-760-416

Legal Description:

PARCEL "A" SECTIONS 14 AND 23 BLOCK 5 NORTH  
RANGE 5 WEST NEW WESTMINSTER DISTRICT REFERENCE PLAN 69628**Legal Notations**THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY  
THE AGRICULTURAL LAND COMMISSION ACT; SEE  
AGRICULTURAL LAND RESERVE PLAN NO. 1 DEPOSITED 30.07.1974ZONING REGULATION AND PLAN UNDER  
THE AERONAUTICS ACT (CANADA)  
FILED 10.2.1981 UNDER NO. T17084  
PLAN NO. 61216**Charges, Liens and Interests**

Nature:

MORTGAGE

Registration Number:

BR83446

Registration Date and Time:

2001-04-10 14:45

Registered Owner:

FARM CREDIT CORPORATION

Remarks:

INTER ALIA

**TITLE SEARCH PRINT**

2015-02-12, 14:46:30

Requestor: Tori Thompson

Nature: MORTGAGE  
Registration Number: BT50436  
Registration Date and Time: 2002-02-13 11:33  
Registered Owner: BANK OF MONTREAL  
Remarks: INTER ALIA

Nature: PRIORITY AGREEMENT  
Registration Number: BT82231  
Registration Date and Time: 2002-03-12 14:54  
Remarks: INTER ALIA  
GRANTING BT50436 PRIORITY OVER BR83446

**Duplicate Indefeasible Title** NONE OUTSTANDING

**Transfers** NONE

**Pending Applications** NONE

**TITLE SEARCH PRINT**

2015-02-12, 14:44:38

Requestor: Tori Thompson

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

NEW WESTMINSTER

NEW WESTMINSTER

**Title Number**

From Title Number

Y80829E

RD9781E

**Application Received**

1985-05-23

**Application Entered**

1985-06-13

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

MAYBERRY FARMS LTD., INC.NO. 278081

2600 NO. 7 ROAD

RICHMOND, BC

V6V 1R2

**Taxation Authority**

CITY OF RICHMOND

**Description of Land**

Parcel Identifier:

001-704-141

Legal Description:

BLOCK "A" EXCEPT: FIRSTLY: PART ON STATUTORY RIGHT OF WAY PLAN 4720

SECONDLY: PART SUBDIVIDED BY PLAN 26807

THIRDLY: PART SUBDIVIDED BY PLAN 5063, SECTIONS 14 AND 23

BLOCK 5 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT PLAN 690

**Legal Notations**

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY

THE AGRICULTURAL LAND COMMISSION ACT; SEE

AGRICULTURAL LAND RESERVE PLAN NO. 1 DEPOSITED 30.07.1974

ZONING REGULATION AND PLAN UNDER

THE AERONAUTICS ACT (CANADA)

FILED 10.2.1981 UNDER NO. T17084

PLAN NO. 61216

**TITLE SEARCH PRINT**

2015-02-12, 14:44:38

Requestor: Tori Thompson

**Charges, Liens and Interests**

Nature: MORTGAGE  
Registration Number: BR83446  
Registration Date and Time: 2001-04-10 14:45  
Registered Owner: FARM CREDIT CORPORATION  
Remarks: INTER ALIA

Nature: MORTGAGE  
Registration Number: BT50436  
Registration Date and Time: 2002-02-13 11:33  
Registered Owner: BANK OF MONTREAL  
Remarks: INTER ALIA

Nature: PRIORITY AGREEMENT  
Registration Number: BT82231  
Registration Date and Time: 2002-03-12 14:54  
Remarks: INTER ALIA  
GRANTING BT50436 PRIORITY OVER BR83446

**Duplicate Infeasible Title**

NONE OUTSTANDING

**Transfers**

NONE

**Pending Applications**

NONE

**TITLE SEARCH PRINT**

2015-02-12, 14:47:37

Requestor: Tori Thompson

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\***

<b>Title Issued Under</b>	SECTION 98 LAND TITLE ACT
<b>Land Title District</b> Land Title Office	NEW WESTMINSTER NEW WESTMINSTER
<b>Title Number</b> From Title Number	BL77397 Y80833E Y80834E
<b>Application Received</b>	1997-03-03
<b>Application Entered</b>	1997-03-18
<b>Registered Owner in Fee Simple</b> Registered Owner/Mailing Address:	MAYBERRY FARMS LTD., INC.NO. 278081 2600 NO. 7 ROAD RICHMOND, BC V6V 1R2
<b>Taxation Authority</b>	CITY OF RICHMOND
<b>Description of Land</b> Parcel Identifier: Legal Description:	023-699-396 PARCEL B SECTION 24 BLOCK 5 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT PLAN LMP32103
<b>Legal Notations</b>	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 1 DEPOSITED 30.07.1974  ZONING REGULATION AND PLAN UNDER THE AERONAUTICS ACT (CANADA) FILED 10.2.1981 UNDER NO. T17084 PLAN NO. 61216

**TITLE SEARCH PRINT**

2015-02-12, 14:47:37

Requestor: Tori Thompson

**Charges, Liens and Interests**

Nature: MORTGAGE  
Registration Number: BR83446  
Registration Date and Time: 2001-04-10 14:45  
Registered Owner: FARM CREDIT CORPORATION  
Remarks: INTER ALIA

Nature: MORTGAGE  
Registration Number: BT50436  
Registration Date and Time: 2002-02-13 11:33  
Registered Owner: BANK OF MONTREAL  
Remarks: INTER ALIA

Nature: PRIORITY AGREEMENT  
Registration Number: BT82231  
Registration Date and Time: 2002-03-12 14:54  
Remarks: INTER ALIA  
GRANTING BT50436 PRIORITY OVER BR83446

**Duplicate Indefeasible Title**

NONE OUTSTANDING

**Transfers**

NONE

**Pending Applications**

NONE

**TITLE SEARCH PRINT**

2015-02-12, 14:48:37

Requestor: Tori Thompson

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\***

<b>Land Title District</b>	NEW WESTMINSTER
Land Title Office	NEW WESTMINSTER
<b>Title Number</b>	AD211800
From Title Number	Y80832E
	Y80835E
<b>Application Received</b>	1990-09-11
<b>Application Entered</b>	1990-10-05
<b>Registered Owner in Fee Simple</b>	
Registered Owner/Mailing Address:	MAYBERRY FARMS LTD., INC.NO. 278081
	2600 NO. 7 ROAD
	RICHMOND, BC
	V6V 1R2
<b>Taxation Authority</b>	CITY OF RICHMOND
<b>Description of Land</b>	
Parcel Identifier:	016-476-751
Legal Description:	
	PARCEL A SECTION 24 BLOCK 5 NORTH RANGE 5 WEST
	NEW WESTMINSTER DISTRICT EXPLANATORY PLAN 86763
<b>Legal Notations</b>	
	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY
	THE AGRICULTURAL LAND COMMISSION ACT; SEE
	AGRICULTURAL LAND RESERVE PLAN NO. 1 DEPOSITED 30.07.1974
	ZONING REGULATION AND PLAN UNDER
	THE AERONAUTICS ACT (CANADA)
	FILED 10.2.1981 UNDER NO. T17084
	PLAN NO. 61216
<b>Charges, Liens and Interests</b>	
Nature:	MORTGAGE
Registration Number:	BR83446
Registration Date and Time:	2001-04-10 14:45
Registered Owner:	FARM CREDIT CORPORATION
Remarks:	INTER ALIA

**TITLE SEARCH PRINT**

2015-02-12, 14:48:37

Requestor: Tori Thompson

Nature: MORTGAGE  
Registration Number: BT50436  
Registration Date and Time: 2002-02-13 11:33  
Registered Owner: BANK OF MONTREAL  
Remarks: INTER ALIA

Nature: PRIORITY AGREEMENT  
Registration Number: BT82231  
Registration Date and Time: 2002-03-12 14:54  
Remarks: INTER ALIA  
GRANTING BT50436 PRIORITY OVER BR83446

**Duplicate Indefeasible Title** NONE OUTSTANDING

**Transfers** NONE

**Pending Applications** NONE

**8.0 Appendix C: Letter from Derek May**

Thursday June 11, 2015

To Whom It May Concern,

I am writing to you regarding a piece of land that we deem necessary for a future establishment / home for an employee.

Our cranberry farm requires extra attention at key times throughout the year. This employee would be required to live on site due to the nature of his requirements and duties. Some of these requirements would include working with our irrigation system in trying to prevent frost damage; this is imperative to the growth and health of our fruit. Their duties would be; to make sure that sprinklers are on at the right times based on meter readings and quick temperature changes. Making sure that sprinklers aren't clogged and fixing them promptly should that issue arise. They would also act as our on-site farm security as it isn't foreign knowledge that theft is on the rise in our industry. As of late the theft of our sprinkler heads has been one of our biggest concerns. If these are stolen throughout the night and we aren't able to frost protect, it would lead to major crop damage and loss of fruit.

This land has been part of our family for decades and it will remain in our family for more to come. To this day we haven't sold any piece of property and don't plan to. We are raising our families in hopes that one-day they too want to farm and keep our legacy going.

Sincerely,



Derek May  
Harvest Red Farms

**9.0 Appendix D: Authorization and Limitation of Agent**

I authorize Mr. R.G. (Bob) Holtby, P.Ag. to discuss and answer questions as to the contents of the attached report and application. I understand that he will be restricted to professional conduct and not advocate for my application.

Signed: \_\_\_\_\_

*Randy May*

Date: \_\_\_\_\_

*July 17/15*

**Excerpt from the Minutes from  
The Agricultural Advisory Committee Meeting**

**Thursday, December 17, 2015 – 7:00 p.m.**

**M.2.002**

**Richmond City Hall**

**3. Development Proposal – ALR Application (Subdivision) 2600 No.7 Road**

The Chair asked the members to disclose a potential conflict of interest. Todd May, Scott May, Kyle May and Janet Langelaan disclosed that they had a family relationship with the applicant.

Staff provided a summary of the ALR application submitted by Mayberry Farms Ltd. for subdivision. Staff explained that the two main purposes of the proposed subdivision were to align lot lines with the existing cranberry field patterns, and create residential parcels along No. 7 Road in order to accommodate two existing houses and construct two additional houses for full-time farm workers.

Staff provided information on the relevant City policies and noted that locating the home sites along No. 7 Road where the service already exists would minimize the impacts on the farmland. However, staff also noted that the proposal was not consistent with the provisions in the 2041 Official Community Plan (OCP) and Agricultural Viability Strategy to minimize subdivision in the ALR. Staff asked the Committee to advise on how to proceed with the application.

The Chair invited the applicants and the consulting agrologist to the table.

The Committee had the following questions and comments:

- The Committee asked whether other options to accommodate houses other than a fee simple subdivision have been considered. The consulting agrologist responded that the proposed subdivision would be the simplest way to achieve what was needed. He also noted that this was an application to the Agricultural Land Commission (ALC) and the City's role was to review and forward the application to the ALC, and deal with zoning regulations and any applicable city regulations through a review of the subdivision application to the City. Staff clarified the process for the ALR application and noted that Council endorsement would be required.
- Staff noted that the applicant had agreed to register a covenant on Lots 6, 7, 8, and 9 to prohibit any single family residential development until such time a fully functional municipal road extends to the frontage of the lots. Staff also noted that staff recognize the benefits of re-aligning the lot lines to match the field patterns and the benefit of creating Lot 3 which houses common mechanical and other utilities for farm holdings.

- The Committee noted that it appreciated the family's long farming history in Richmond and was generally supportive of the succession plan. However, the Committee requested further clarification on the purpose of each proposed lot.
- The applicant noted that the purpose of the subdivision was to allow the sons to control their own houses. Committee asked why different ownership would be required to accommodate houses for full-time farm workers. The applicant said that because the lots along No. 7 Road did not have the minimum lot size required to have an additional dwelling unit.
- Discussion ensued regarding the minimum lot size for farm workers housing. Staff provided additional information and clarification on the City's zoning regulations related to additional dwelling units for full-time farm workers.
- In response to the question if they would be willing to combine Lot 4 and 5 and Lot 1 and 2 along No. 7 Road, if Council reduces the minimum lot size requirement for an additional dwelling unit for full-time farm workers to less than 0.8 ha, the applicant said it would not meet the intent of their future plan.
- One member suggested that the proposed Lot 4 and Lot 5 be combined.
- Clarification requested regarding the proposed use of Lot 2. The applicant noted that proposed Lot 2 is to accommodate a house for full-time farm workers and the use of the remaining portion. Committee asked if a new house is proposed on Lot 3, and the applicant answered that there would be no room for a house on Lot 3.
- Committee noted that there should be no net increase in the number of parcels (starting with 7 lots and ending with 7 lots) and it was concerned about potential implications down the road and how it would set a precedent if the proposal is approved. Committee also noted that there must be a structured way to deal with this type of subdivision request to guide any future decision and said one of the prerequisite should be farming experience and history in Richmond.
- General comments were made that this type of subdivision application to create a separate residential parcel in the ALR was rejected many times in the past. However, considering lots are not contiguous with parcels where the farm fields are located, it would make sense to make an exception for Lot 4 and 5 and Lot 1 and 2 to have additional dwelling units. It was still questionable why Lot 3 and 6 have to be separated.

As a result of discussion, the Committee passed the following motion:

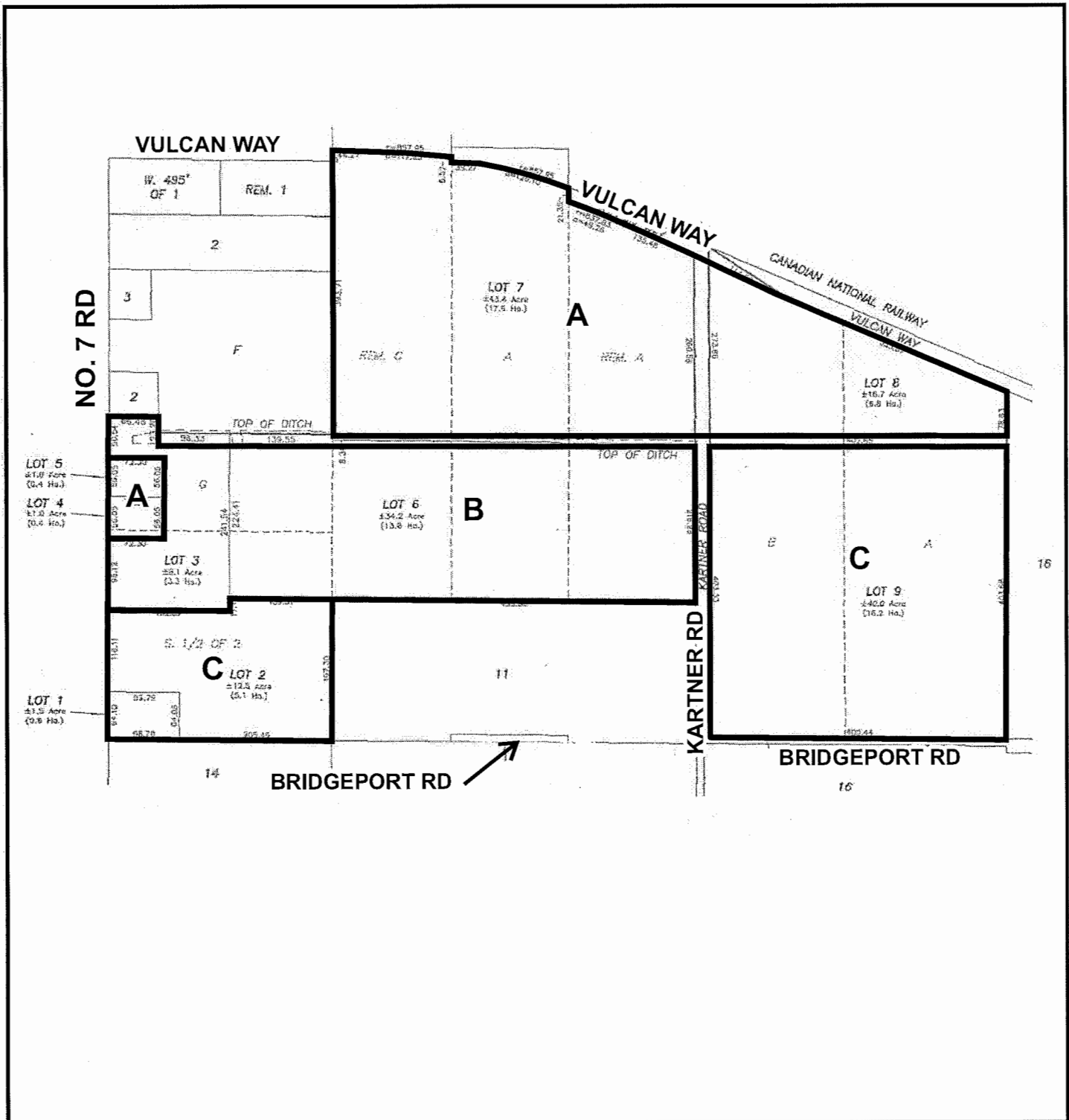
*That the ALR application for subdivision at 2600 No. 7 Road by Mayberry Farms Ltd. be supported with the following conditions:*

3. *The proposed number of lots be reduced to 7 by combining proposed lots 4 and 5; and proposed lots 1 and 2.*
4. *A justification for the proposed additional dwelling units for farm workers on the combined lots noted in item 1 be provided by a professional agrologist.*

*Carried Unanimously*



City of  
Richmond



Proposed Ownership

AG 15-713643

CNCL - 283

Original Date: 03/11/16

Revision Date: 03/15/16

Note: Dimensions are in METRES



City of  
Richmond

Attachment 7

## Subdivision Considerations

Development Applications Department  
6911 No. 3 Road, Richmond, BC V6Y 2C1

**Addresses:** 2400 and 2600 No. 7 Road and five (5) no-access parcels located on the east side of the 2400 and 2600 No. 7 Road with no civic addresses

**File No.:** AG15 - 713643

**In addition to the conditions to be identified in the Preliminary Letter of Approval associated with the forthcoming subdivision application, the property owners are required to complete the following:**

1. Confirmation of Agricultural Land Commission approval of the ALR application for subdivision.
2. Registration of a restrictive covenant on Title of the proposed lots 6, 7, 8 and 9 to prevent future construction of dwelling units until such time a full municipal road is extended to the frontage of the lots.
3. Registration of a flood plain covenant on Title of the proposed lots 1, 2, 3, 4 and 5 identifying a minimum habitable elevation of 3.1 m GSC.