



# City of Richmond

## Report to Committee

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

**Date:** March 1, 2016  
**File:** AG14-676391

**Re:** **Agricultural Land Reserve Appeal Application by Mahal Farms Ltd. for  
Subdivision at 5800 No. 7 Road**

### Staff Recommendation

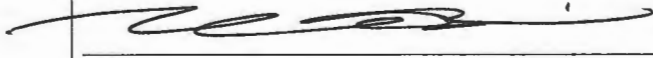
That the ALR appeal application by Mahal Farms Ltd. to subdivide the property at 5800 No. 7 Road be endorsed and forwarded to the Agricultural Land Commission.

*dr.*   
Wayne Craig  
Director of Development

WC:mp  
Att.

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER

  
FOR JOE CRAIG

## Staff Report

### Origin

Mahal Farms Ltd. has applied to the City of Richmond for permission to apply to the Agricultural Land Commission (ALC) for subdivision of the property at 5800 No. 7 Road. The purpose of the application is to subdivide the property into two lots in order to align ownership structure with Mahal Farms' separate enterprises.

A location map and an aerial photograph are included in Attachment 1. The proposed subdivision plan is included in Attachment 2.

### Project Description

The subject property is 73 acres (29.5 ha) in area, is zoned "Agriculture (AG1)" and is located within the Agricultural Land Reserve (ALR). The owners of Mahal Farm Ltd. are third generation farmers whose family has owned and farmed the subject property since the late 1940s. The application is to subdivide the property into two parcels: these parcels are proposed to measure approximately 40 acres and 33 acres in area.

The current uses of the property are as follows:

- Proposed north lot (40 acres): 25 acres of cranberries and 15 acres of an Environmentally Sensitive Area;
- Proposed south lot (33 acres): 3 acres of hedging cedar, 10 acres of vegetables farming and 20 acres of nurseries.

The proposed south lot also contains two single family dwellings; the house ("Rathburn House") located near No.7 Road has heritage significance, and the other house fronting onto Westminster Highway (166551 Westminster Highway) is currently occupied by one of the owners of Mahal Farms Ltd..

The Rathburn house is one of the few remaining heritage farmhouses in Richmond. Detailed Information about the heritage value of the Rathburn House from the City's Heritage Inventory is included in Attachment 3. The owner has committed to protecting the Rathburn House, and has agreed to register a restrictive covenant on title to prevent demolition, relocation and/or any significant exterior modification to the house as part of the forthcoming subdivision application to the City.

### Findings of Fact

A Development Application Data Sheet providing details about the development proposal is contained in Attachment 4.

### Surrounding Developments

To the North: Mayfair Lakes Golf Course located on a "Golf Course (GC)" zoned property located within the ALR.

To the South: Across Westminster Highway, "Agriculture (AG1)" zoned properties containing single family dwellings and farming activities located within the ALR.

To the East: Across Kartner Road, single family dwellings on properties zoned “Single Detached (RS1/F)” and “Single Detached (RS1/G)” located within the ALR.

To the West: Across No. 7 Road are “Agriculture (AG1)” zoned properties containing active farming activities 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 is consistent with the 2041 OCP as the proposed lot sizes would be sufficient to support economically viable agricultural activities, and the legal separation of the lots would allow the owners to pursue additional investment opportunities through improved financial viability, and enable the next generation of farmers to stay on the farm.

#### Agricultural Viability Strategy (AVS)

The Agricultural Viability Strategy 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. The AVS seeks to minimize subdivision in the ALR, except where it supports agricultural viability (e.g., diversification, expansion, etc.)

The proposed subdivision would support the viability of the farm by allowing the owners to better manage the financial aspects of the farm, and create opportunities to pursue other, more intensive agricultural operations.

#### 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.

Should Council endorse the application, it will be forwarded to the ALC for consideration.

### **Consultation**

#### Agricultural Advisory Committee

The AAC reviewed the application at its meeting held on November 19, 2015 and passed the following motion.

*That the ALC non-farm use application (Subdivision) be returned to the AAC for further review and consideration with a detailed farm plan.*

*Carried (8 members voted in favour, 1 member abstained – D. Wright)*

The minutes of the meeting are included in Attachment 5.

Rather than providing a farm plan, the applicant has provided a letter indicating that there will be no change to existing farming activities on the site (Attachment 6). With the owner's written commitment to continuously farm the site, the fact that the on-going farming activities will not be changed, as well as the owners' long farming history in the City, the application was not submitted to the AAC for further consideration.

### **Analysis**

The applicant has provided a report prepared by a certified professional agrologist to assess agricultural implications of the proposed subdivision. The report notes that the proposed lot sizes are significantly larger than the average Richmond farming operation, and would be sufficient to support maintaining economically viable agriculture on the lands, and that there will be no negative impacts anticipated with the proposed subdivision. The agrologist report is included in Attachment 7.

From the perspective of the implications for agricultural land, staff support the proposed subdivision based on the following reasons:

- The proposed lot sizes are sufficient to maintain and support on-going economically viable agricultural uses. The agrologist report has indicated that there would be no potential negative impact to the current and future farm operations.
- The owner is committed to continuously utilizing the site for agricultural purposes.
- The proposed subdivision would provide the owners with opportunities to use the land as collateral to enable further farm investment. This would help facilitate better, more intensive use of the farmland and put the underutilized portion of the site (the north lot) into more intensive agricultural production, through possible improvements to the land.

As part of the application, the owner has also committed to protecting the Rathburn House. The owner has agreed to register a restrictive covenant on the title of the proposed Lot B prior to the subdivision approval by the City in order to prohibit demolition, relocation and/or any significant exterior modification to the house. Also, the owner has agreed to install rain leaders in order to prevent any further deterioration of the exterior cladding, paint all the exterior surfaces, and submit a security of \$5,000 for the required maintenance works as part of the subdivision application.

The owner has also agreed to register a restrictive covenant on title to limit the number of houses on the proposed north lot to one single detached housing building. Under the Zoning Bylaw, the proposed north lot would be large enough to allow one single detached housing building and an additional dwelling unit for full-time farm workers. Registration of the covenant would ensure that there will be no net increase in the number of houses on the subject property after the subdivision.

### **Financial Impact**

None.

**Conclusion**

The proposed subdivision would enhance the economic viability of the farm by allowing the owner to pursue diversification and expansion of agricultural operations.

It is recommended that the ALR appeal application by Mahal Farms Ltd. to subdivide the property at 5800 No. 7 Road be endorsed and forwarded to the Agricultural Land Commission.



Minhee Park  
Planner 1

MP:cas

Attachment 1: Location Map

Attachment 2: Proposed Subdivision Plan

Attachment 3: Rathburn House Statement of Significant from the Richmond Heritage Inventory

Attachment 4: Development Application Data Sheet

Attachment 5: Excerpt of Agricultural Advisory Committee Meeting Minutes

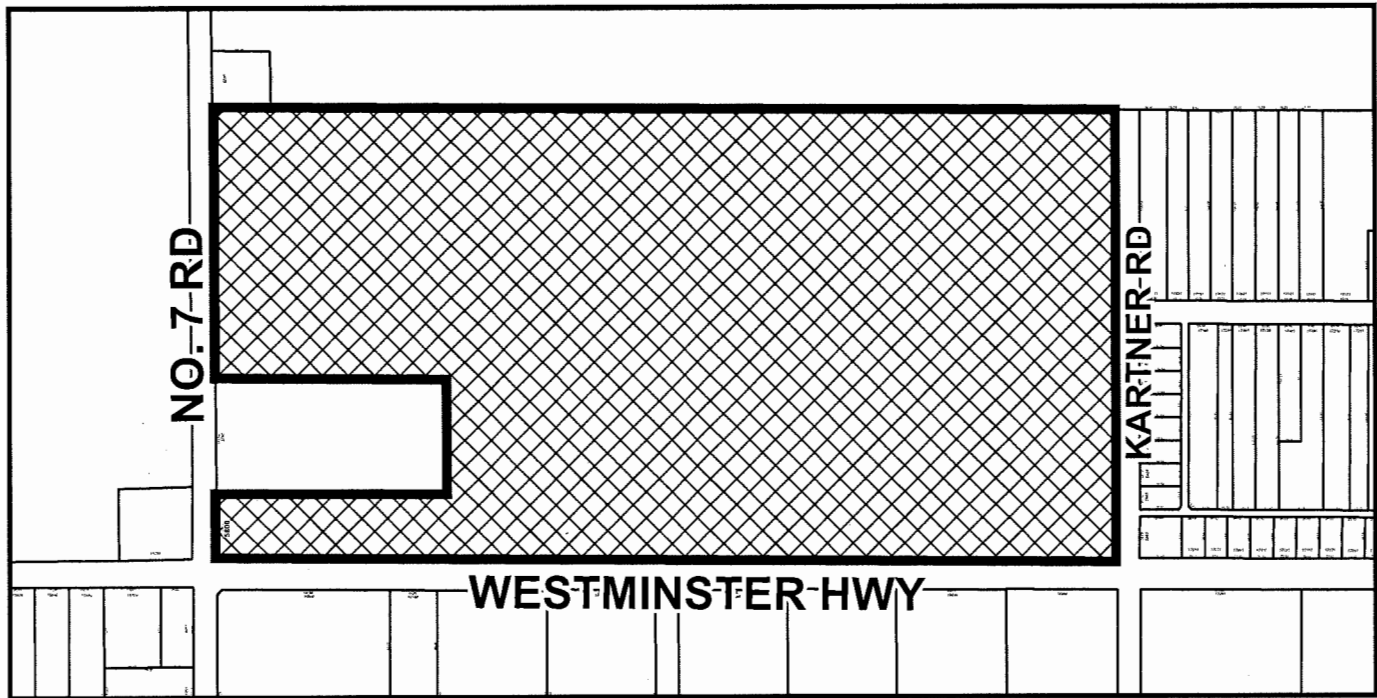
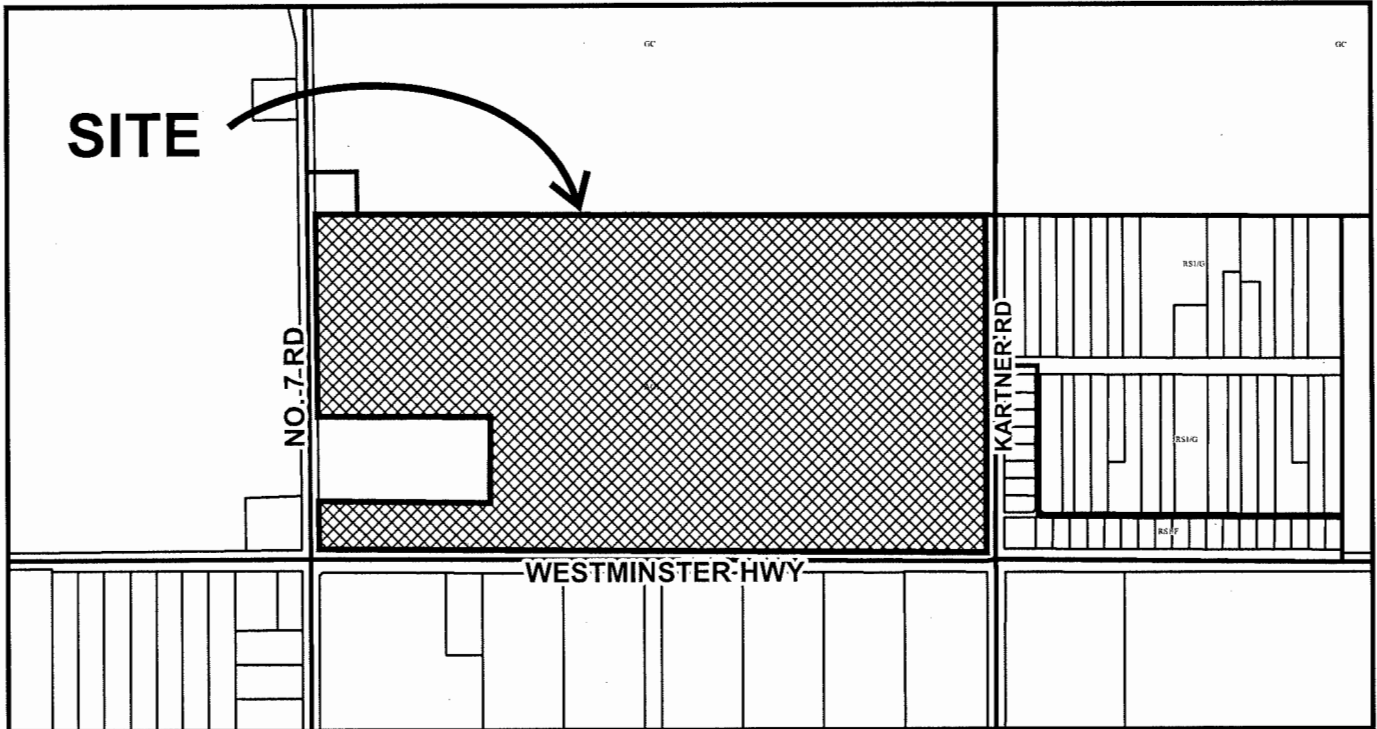
Attachment 6: Letters from the Applicant

Attachment 7: Agrologist Report

Attachment 8: Subdivision Considerations



City of  
Richmond



AG 14-676391

Original Date: 11/14/14

Revision Date: 11/13/15

Note: Dimensions are in METRES





City of  
Richmond



AG 14-676391

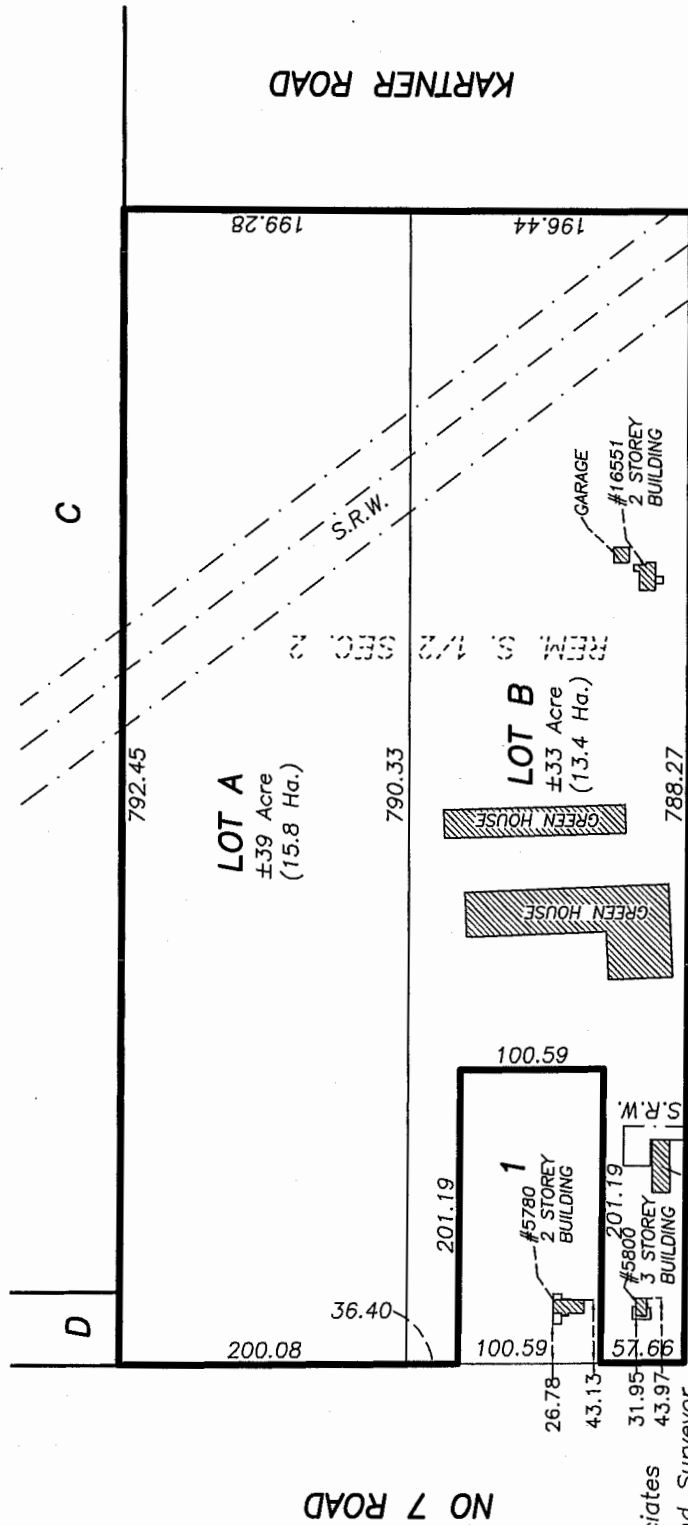
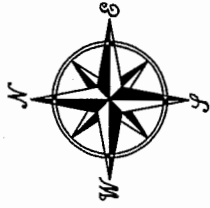
Original Date: 11/14/14

Revision Date: 11/13/15

Note: Dimensions are in METRES

**PROPOSED SUBDIVISION PLAN OF SOUTH HALF SECTION 2**  
**EXCEPT: PART SUBDIVIDED BY PLAN 27718, SECTION 2**  
**BLOCK 4 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT**

#5800 NO. 7 ROAD, RICHMOND  
 P.I.D. 007-436-815



WESTMINSTER HIGHWAY

SCALE: 1:5000



ALL DISTANCES ARE IN METRES AND DECIMALS  
 THEREOF UNLESS OTHERWISE INDICATED

March 9th, 2016.

NO 7 ROAD

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 Job No. 5534  
 Drawn By: MY

DWG No. 5534-PROSUB-03



## Rathburn House

### General Information

**Type of Resource:** Building  
**Also Known As:**  
**Address:** 5780 No 7 Road  
**Neighbourhood (Planning Area Name):** East Richmond  
**Construction Date:** circa 1911 (1905)  
**Current Owner:** Private  
**Designated:** No



### Statement of Significance

**Description of Heritage Site:** The Rathburn house is a rather imposing 2 1/2-storey farmhouse with a large verandah and gable roof which sits on a prominent corner in East Richmond. Surrounded by agricultural fields in this rural section of Richmond, the house is a visual landmark.

**Statement of Heritage Values:** The Rathburn house is significant as one of the few remaining farmhouses in Richmond that illustrates the typical Richmond farm of the early twentieth century, characterized by a grand farmhouse with associated barn and an agricultural landscape.

The house is representative of a style often described as a 'gable-front' house that was very prevalent in the time leading up to the First World War, a common style of building that speaks to the everyday lives of farmers or the middle class.

**Character Defining Elements:** Key elements that define the heritage character of the site include:

- Building elements that contribute to its style and character, including the front gable roof with bellcast flare, wraparound verandah on three sides with twinned or triple columns, and an original front door with side lights
- The building's prominent corner location and visual landmark status in an area that has retained its agricultural character
- Mature fruit trees in the front and side yards of the house, which speak to its agricultural origins.

### History

**History:** George Washington Rathburn built and lived in this house in the early part of the 20th Century. He established a horseradish and loganberry farm on the site. The McBride family owned the house in the 1930's and 1940's.



**AG14-676391**

**Attachment 4**

Address: 5800 No.7 Road

Applicant: Mahal Farms Ltd.

	Existing	Proposed
<b>Owner:</b>	Mahal Farms Ltd.	No change
<b>Site Size:</b>	73 acres (29.5 ha)	Proposed Lot 1 – 40 ac (16.2 ha) Proposed Lot 2 – 33 ac (13.3 ha)
<b>Land Uses:</b>	Cranberry farm, nursery, vegetables farm, cedar hedging and two single family dwellings	Proposed Lot 1 – cranberry farm Proposed Lot 2 – nursery, vegetable farm, cedar hedging and trees, two single family dwellings
<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

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

Thursday, November 19, 2015 – 7:00 p.m.  
Anderson Room  
Richmond City Hall

**3. Development Proposal – Non-Farm Use Application (Subdivision) 5800 No.7 Road**

Staff provided a summary of the non-farm use application by Mahal Farms Ltd. to subdivide the 73-acre parcel at 5800 No.7 Road into two parcels. Staff noted that Mahal Farms Ltd. intends to pursue other agricultural opportunities in addition to its cranberry operation and the proposed subdivision is to manage its financial risk and liability by aligning its land holdings with its separate enterprises. Staff also noted that the applicant has agreed to protect the heritage house (“Rathburn House”) as part of the application.

The Committee had the following questions and comments:

- The Committee noted that the proposed parcels are close to the average farm size in Richmond did not mean they would be a desirable farm size.
- The Committee members were concerned that there was no strong rationale provided how the proposed subdivision would enhance the farm viability, and noted that a corporate structure issue is not considered a strong rationale to support the subdivision.
- Discussion ensued about using land as collateral for farm investment. One member acknowledged that financial situation can affect the farm viability.
- The Committee expressed concerns about subdivision of agricultural lands into smaller parcels, and noted that, in the absence of a detailed farm plan, the committee did not understand how the proposed subdivision would enhance the farm viability. The Committee requested that a detailed long-term farm plan be provided for review.
- One member noted that the applicant’s intention was to put the underutilized portion into agricultural production and we should not tell people how to farm.

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

*That the ALC non-farm use application (Subdivision) be returned to the AAC for further review and consideration with a detailed farm plan.*

*Carried (8 members voted in favour, 1 member abstained – D. Wright)*

Mahal Farms Ltd.  
16551 Westminster Hwy.  
Richmond, B.C. V6V 1A8

Feb 23, 2016

Attention: Mr. Wayne Craig, Director of Development, Development Application Division

**Regarding: Subdivision of Mahal Farms Ltd.**

The new division will consist of Mahal Farms Ltd continuing growing Cranberries for Ocean Spray on the north parcel.

Regarding the south parcel it will consist of TSC Nursery growing nursery stock for Home Depot and landscapers. Also, farming will be Soo Farms growing Chinese vegetables for the local markets. Mahal Farms Ltd will continue to grow cedar hedging and shade trees for the general public.

Any further questions, please contact myself Kal Mahal.

Thank you very much,



Kal Mahal

Mahal Farms Ltd.

(604) 715-3276

cc Joe Erceg, MCIP General Manager, Urban Development Division

Mahal Farms Ltd.

16551 Westminster Hwy.

Richmond, B.C. V6V 1A8

Feb 23, 2016

Attention: Mr. Wayne Craig, Director of Development, Development Application Division

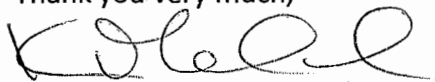
**Regarding: Rathburn Home conditions required by City**

Mahal Farms Ltd. Will register a section 219 covenants to protect the Rathburn House as a part of the forthcoming subdivision application. The covenant will consist of Mahal Farms Ltd keeping the house in its current location prohibiting any demolition of this building and will keep the house maintained in its current location with painting and the installation of rain leader gutters as required.

Mahal Farms Ltd will provide a quote to the city for this work and will put a bond for the amount of the estimates in trust to the City. Once, work is completed the City will release back to Mahal Farms Ltd the bond held in trust. This a part of our subdivision application as good will by Mahal Farms Ltd.

Any further questions, please contact myself Kal Mahal.

Thank you very much,



Kal Mahal

Mahal Farms Ltd.

(604) 715-3276

cc Joe Erceg, MCIP General Manager , Urban Development Division

**Subdivision Proposal:  
Mahal Farm Ltd. 5800 No.7 Road, Richmond, BC**

**Agrologist Opinion Report**

Prepared for:  
**Mahal Farms Ltd.  
16651 Westminster Hwy  
Richmond, BC, V6V2N6**

Prepared by:

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July 30, 2015



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## 1.0 Purpose of this Report

Mahal Farms Ltd. contains two parcels totaling approximately 80 acres, which currently consist of a 5 ac parcel and a 73 acre parcel. The owners propose to subdivide the larger parcel into a 40 acre parcel and a 33 ac parcel.

This report is intended to provide a discussion of the agricultural issues associated with the proposal and to provide an opinion on the potential effect of the proposal on the continued agricultural use of the property and on the agricultural sector in Richmond.

## 2.0 Location, Soils, and Agricultural Capability of the Property

The subject properties are located in the BC Agricultural Land Reserve at 5800 and 5780 No. 7 Road, Richmond, BC in the northeast corner of the intersection of No. 7 Road with Westminster Highway (see Figure 1).

The subject properties consist of mineral soils of the Delta - Blundell complex.<sup>1</sup> Delta soils consist of medium to moderately fine textured deltaic deposits with poor drainage and high groundwater table. Blundell soils consist of 15 to 40 cm of organic material over medium textured deltaic deposits. Drainage is poor to very poor with a high groundwater table. Topography is complex but ranging from gently undulating to undulating.

The agricultural capability of the subject properties falls in Canada Land Inventory Classes 4 and 5<sup>2</sup> with an unimproved capability of "secondary"<sup>3</sup>, indicating that some limitations exist for using the land for a wide variety of crops (see Figure 2).

With improvements, the property is considered to be "prime" for agriculture and is capable of supporting a wide range of crop and livestock production. The most important required improvements are regional drainage and irrigation systems. The suited crops include: annual legumes, cereals, cole crops, corn, perennial forage crops, root crops (except carrots) and shallow rooted annual vegetable crops (except celery), raspberries, blackberries, loganberries, tayberries and strawberries<sup>4</sup> (See Figure 3).

## 3.0 Agricultural Land Use

Current land use on the proposed parcel indicated as Lot A (the north parcel – see Figure 4), consisting of about 40 ac in total, is comprised of:

- 25 ac of cranberries (including 4 ac of dykes); and
- 15 ac of overgrown ornamental trees.

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<sup>1</sup> Luttmending, HA. 1980. Soils of the Langley-Vancouver Map Area. Report No. 15: BC Soil Survey, Volume 1.

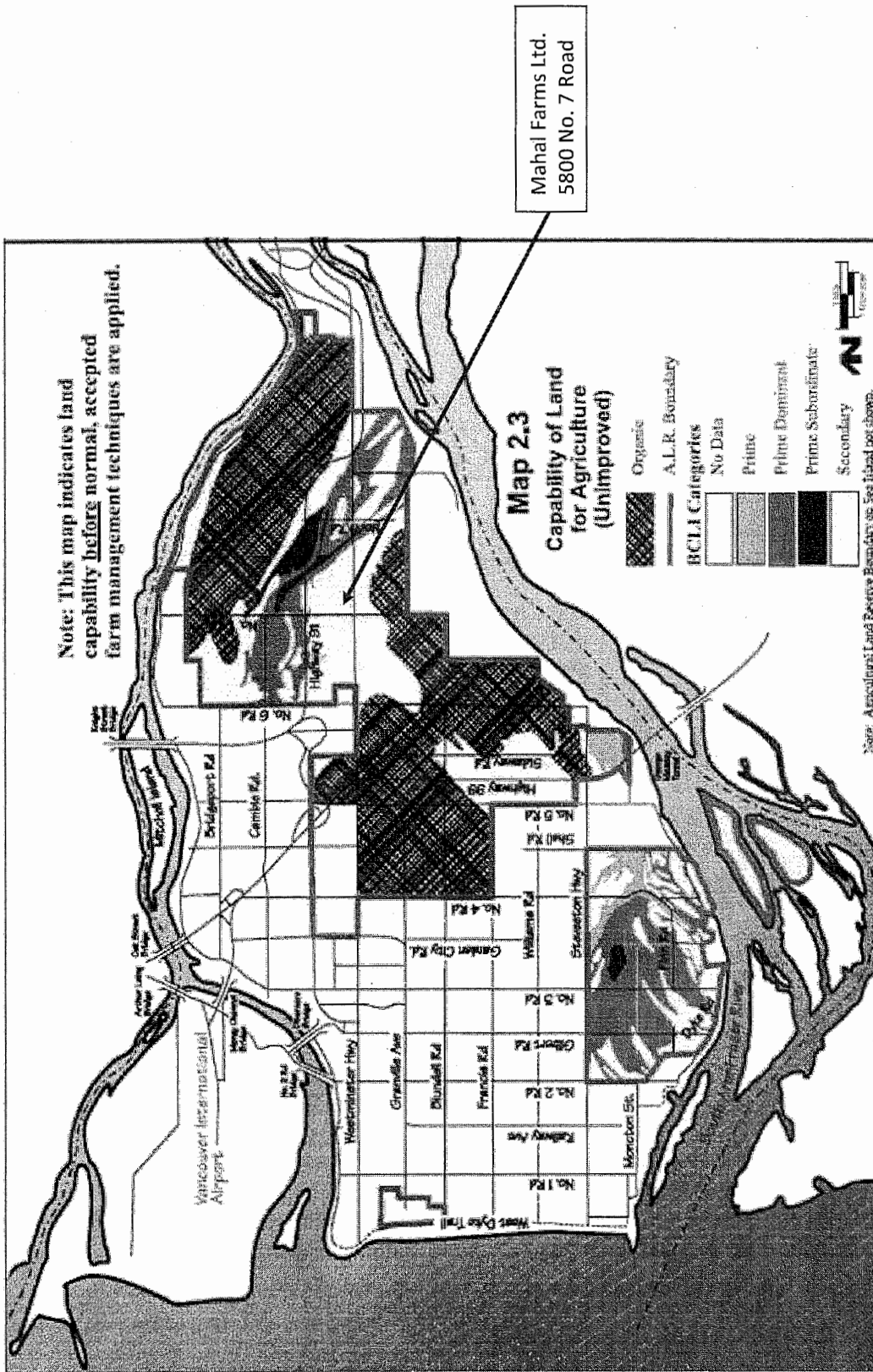
<sup>2</sup> Land in Class 4 has limitations that require special management practices or severely restrict the range of crops, or both; land in Class 5 has limitations that restrict its capability to produce perennial forage crops or other specially adapted crops (crops such as cranberries suited to unique soil conditions not amenable to a wide range of common crops). See Kenk, E. and I. Cotic. 1983. Land Capability Classification for Agriculture in BC: MOE Manual 1. <http://www.env.gov.bc.ca/wld/documents/techpub/moe1/moem1.pdf>

<sup>3</sup> As per BCLI – Modified Classification System. See An Agricultural Profile for the City of Richmond. Section 2.0: Biophysical Characteristics of Richmond's ALR.P.12. [http://www.richmond.ca/\\_shared/assets/section26305.pdf](http://www.richmond.ca/_shared/assets/section26305.pdf)

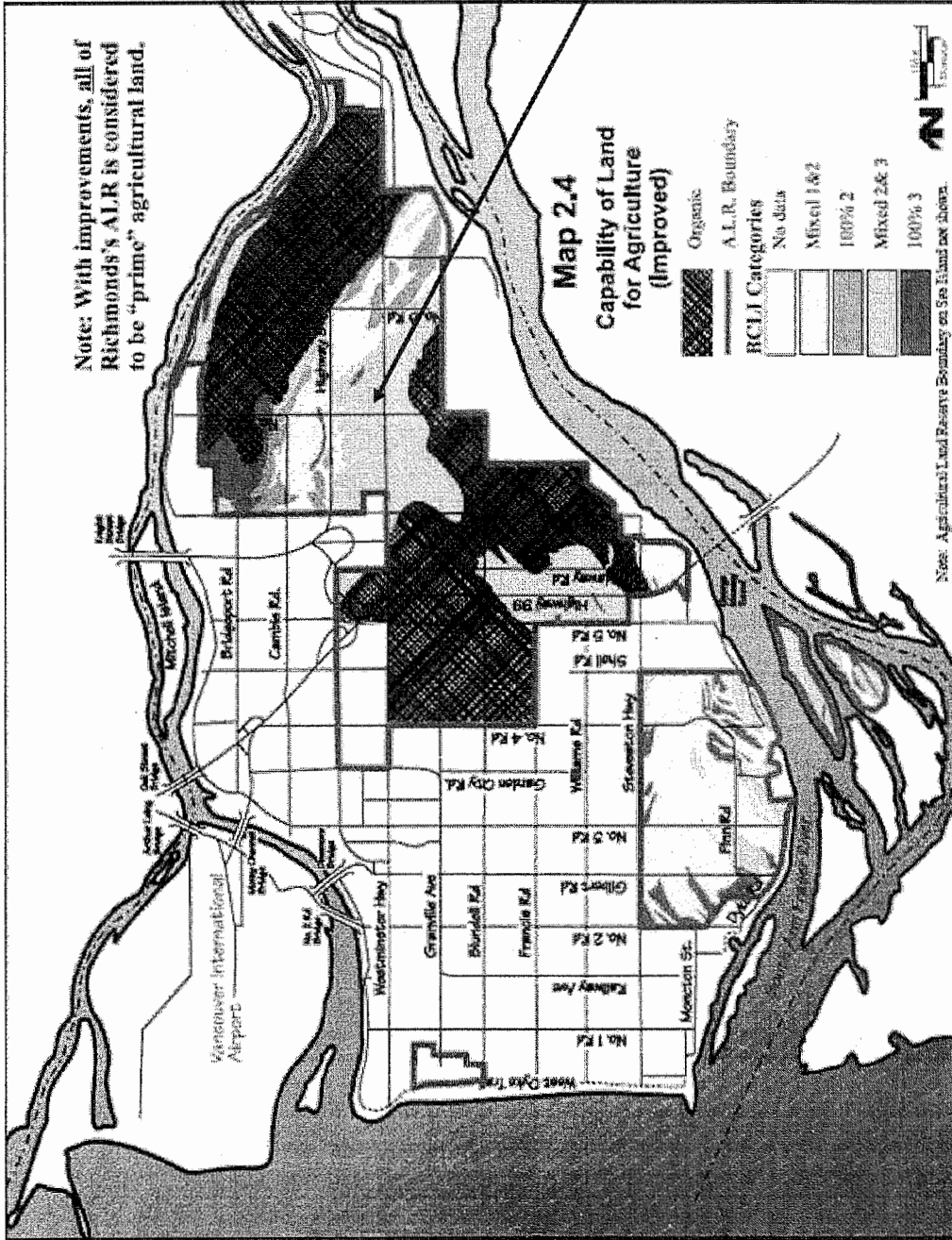
<sup>4</sup> See An Agricultural Profile for the City of Richmond. Section 2.0: Biophysical Characteristics of Richmond's ALR. [http://www.richmond.ca/\\_shared/assets/section26305.pdf](http://www.richmond.ca/_shared/assets/section26305.pdf)



Figure 1: Location of the Mahal Farms Inc. (outlined in yellow)



**Figure 2: Unimproved Agricultural Land Capability** (Source: An Agricultural Profile for the City of Richmond, Section 2.0: Biophysical Characteristics of Richmond's ALR P.12. <http://www.richmond.ca/shared/assets/section26305.pdf>)



**Figure 3: Improved Agricultural Land Capability** (An Agricultural Profile for the City of Richmond, Section 2.0: Biophysical Characteristics of Richmond's A.L.R.P.12. [http://www.richmond.ca/\\_shared/assets/section26305.pdf](http://www.richmond.ca/_shared/assets/section26305.pdf))

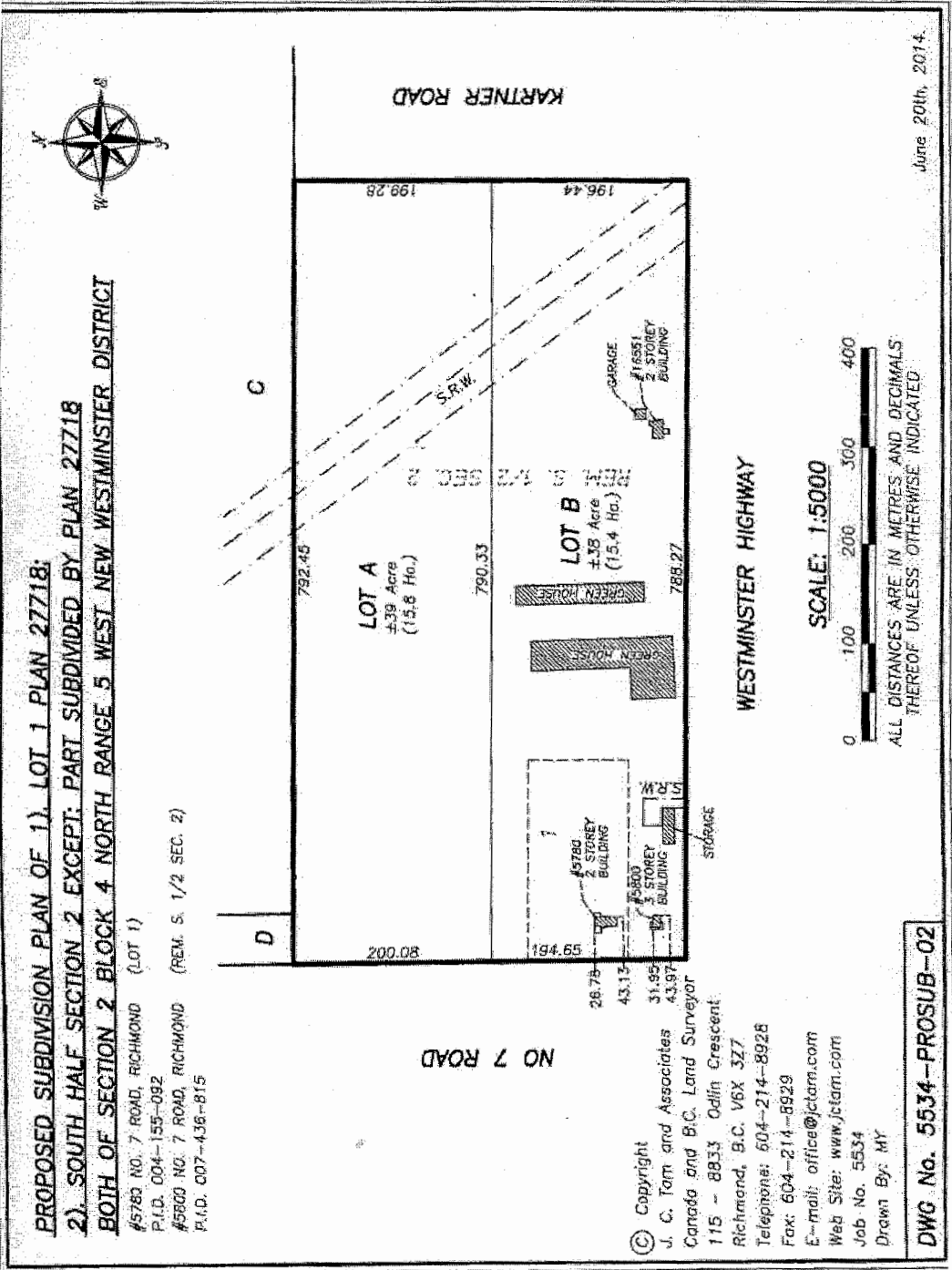


Figure 4: Layout of Mahal Farms Ltd., showing Proposed Lots A and B



Current land use on the proposed parcel indicated as Lot B (the south parcel – see Figure 4), consisting of about 38 ac in total, is comprised of:

- 4 ac of hedging cedar;
- 10 ac leased out to Soo Farm (growing oriental vegetables);
- 20 ac of leased out to TSC Nurseries (container and caliper nursery);
- 4 ac of heritage house, 5780 No. 7 Road house, barns and yard.

Land uses adjacent to the Mahal Farm include the following:

- To the west – Forage and cereal crops;
- To the north – Mayfair Lakes Golf Course;
- To the east – Residential subdivision; and
- To the south – Lulu Island Winery, rural residential, hobby farming, nursery crops, and dog kennel.

#### **4.0 Mahal Family History on the Property**

The Mahal family has owned and operated the property as a farm continuously since 1949, originally purchased from the MacDonald family. In 1962, a 5 ac severance was obtained (5780 No. 7 Road) and a house owned by Mahal Farms Ltd. is occupied by Nick Mahal, one of the two brothers with an interest in the farming operation. A second brother, Kalvinder Mahal is Vice President of Mahal Farms Ltd. and currently farms and lives on the property in a dwelling with a 16551 Westminster Highway address.

The Rathburn heritage house continues to stand on 5800 No. 7 Road. In view of the fact that it one of the last standing heritage structures of its type, MFL is committed to renovating this structure at its current location.

#### **5.0 Description of the Subdivision Proposal**

Mahal Farms Ltd. (MFL) proposes to subdivide the 73 acre parcel at 5800 No. 7 Road into two parcels: Lot A (40 ac) and Lot B (33 ac).

These parcels are shown in Figure 4.

#### **6.0 Regulatory Context**

The subject property is located within the provincial Agricultural Land Reserve (ALR) and is protected as farmland in the Richmond Official Community Plan.

##### **6.1 Agricultural Land Commission Regulation**

The Agricultural Land Commission regulates<sup>5</sup> subdivisions in the ALR. Under Section 21 of the ALC Act,<sup>6</sup> an owner of agricultural land may apply to the commission to subdivide agricultural land. Under Policy 11<sup>7</sup>, the ALC has the authority to allow homesite severance on ALR land where the applicant wishes to dispose of a parcel but retain a homesite on the land. Policy 11 guidelines to assess applications specifically note that overriding criteria are:

<sup>5</sup> Agricultural Land Commission. Agricultural Land Reserve Use, Subdivision and Procedure Regulation. Part 5 – Permitted Subdivisions. [http://www.bclaws.ca/civix/document/id/complete/statreg/171\\_2002](http://www.bclaws.ca/civix/document/id/complete/statreg/171_2002)

<sup>6</sup> Agricultural Land Commission Act. (SBC 2002) Chapter 36. [http://www.bclaws.ca/Recon/document/ID/freeside/00\\_02036\\_01#section21](http://www.bclaws.ca/Recon/document/ID/freeside/00_02036_01#section21)

<sup>7</sup> Agricultural Land Commission. 2003. Policy 11: Homesite Severance on ALR lands. [http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=0053AB54920D4FD48E685959F4BD711B&filename=policy\\_11\\_homesite\\_severance.pdf](http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=0053AB54920D4FD48E685959F4BD711B&filename=policy_11_homesite_severance.pdf)

- whether a particular “homesite severance” meets good land use criteria and would not compromise the agricultural integrity of the area; and
- ensuring that the “remainder” will be of a size and configuration that constitutes a suitable agricultural parcel.

If these criteria are applied to the MFL’s proposed subdivision, it is evident that:

- the subdivision will not compromise agricultural integrity of the area; and
- the subdivision will not create parcels unsuitable for farming.

## **6.2 Richmond Official Community Plan**

The Richmond Official Community Plan<sup>8</sup> states in Section 7.1, Objective 2 its intent to “Enhance all aspects of the agricultural sector including long-term viability, opportunities for innovation (agri-industry), infrastructure and environmental impacts”. The “Agricultural Land Use Considerations” policies include:

- k) limit the subdivision of agricultural land into smaller parcels, except where possible benefits to agriculture can be demonstrated.

Richmond also regulates subdivision provisions and minimum lot size in the Agricultural Land Reserve through its Zoning Bylaw.<sup>9</sup> The AG1 zone applies to MFL. In general, Richmond defers to the ALC, with the exception that the minimum lot area must be at least 5 ac (2.0 ha).

## **7.0 Assessment of the Impact on Agriculture**

The MFL situation may be described as follows:

- the owner-operators of MFL are planning to diversify farming operations;
- the land will be used as collateral for asset-based loans to finance the new agricultural venture;
- the single legal parcel does not facilitate the matching of land collateral to the financing requirements of specific new enterprise; and
- the owners want to legally differentiate their land assets so that they can provide appropriate collateral specifically for the new enterprise.

It is suggested that there are two fundamental issues related to whether the proposed subdivision should be allowed: These are:

- Will the subdivision provide a positive impact on agriculture? and
- Will the subdivision have no negative impact on agriculture?

### **7.1 Positive Impact on Agriculture**

Positive impacts could be expected at the farmer and regional level.

#### **7.1.1 Positive Impact on Mahal Farms Ltd.**

Mahal Farms Ltd. (MFL) intends to pursue other agricultural opportunities (e.g., nurseries, grapes, winery, agri-tourism, or vegetables) in addition to its cranberry operation. To facilitate new development, MFL wishes to manage its financial risk and liability by aligning its land holdings with its separate enterprises. This would allow one division of the company to hold cranberry farming assets while the other division would pursue the new enterprise.

<sup>8</sup> Richmond Official Community Plan. 2012. Bylaw 9000-2041. Chapter 7.0 Agriculture and Food.  
<http://www.richmond.ca/cityhall/bylaws/ocp/sched1.htm>

<sup>9</sup> Richmond Zoning Bylaw. Section 14. Agriculture and Golf Zones.  
<http://www.richmond.ca/shared/assets/AG1-424006.pdf>

By subdividing the consolidated parcel, the operators of Mahal Farms Ltd. will better align assets as collateral for the business enterprise it intends to pursue. This is a business strategy to limit loss exposure and can best be accomplished by a legal separation of the assets involved. It is suggested that it is unnecessarily restrictive to MFL to ban or prevent the farmland subdivisions, as this does not provide enough flexibility to pursue a new farming opportunities and has a negative effect on new agricultural development.

#### **7.1.2 Positive Impact on Regional Agriculture**

The continuation and intensification of farming by MFL will contribute to the health and enterprise of the local farming community. Subdivision would improve this situation by facilitating opportunity for new investment by the farm operators.

The proposed subdivision would enhance the prospects for enterprise development of the separated parcels, encourage farm-related development, and have no impact on non-farm related development in Richmond's agricultural zone.

### **7.2 No Negative Impacts on Agriculture are Anticipated**

#### **7.2.1 Farm Level Impacts**

There are no anticipated negative agricultural impacts on agricultural operations on the land associated with the proposal. The cranberry operation on Lot A, including reservoirs, is self-contained and an irrigation ditch divides Lot A from Lot B. No structures will be built as a result of the subdivision. No additional land impacts will be caused due to:

- a. access roads;
- b. soil quality and/or capability
- c. drainage;
- d. sanitary sewer;
- e. stormwater management;
- f. water supply (already serviced under license); and
- g. utility services.

The resulting configuration of both parcels will not impede access to the parcels or impair their agricultural use and there are no anticipated negative agricultural impacts on surrounding agricultural land uses. A vital question is whether the farm will continue to perform after subdivision and in this case, subdivision will not impair the ability of either Lot of the farm to function as a unit in the future.

#### **7.2.2 Regional Level Impacts**

##### **Impact on Farm Size**

A legitimate concern is whether subdivision will contribute to fragmentation of the agricultural land base. Average farm size in Richmond is 43.3 acres. This proposal will create two land parcels of 33 and 40 acres. The fragmentation effect is negligible because both parcels will be close to average farm size in the municipality and of sufficient size to support economically viable agriculture separately.<sup>10</sup> Note that the median farm size in Richmond is less than 10 acres (Table 1, Column E).<sup>11</sup>

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<sup>10</sup> Note that many farms in Richmond are composed of more than one parcel.

<sup>11</sup> The median is the middle value of the distribution, which in Table 1 is less than 10 acres since more than 50% of the farms are under 10 acres.

**Table 1: Distribution of Farm Size in Richmond, 2011**

Farm Size Range	Midpoint of Range (ac)	Number of Farms	Proportion of Farms in Range (%)	Contribution to Weighted Average (ac)	Cumulative Distribution of Farms (%)
	A	B	C	D	E
<10 ac	5	118	55.9%	2.6	55.9%
10 to 69 ac	40	71	33.6%	13.5	89.6%
70 to 129 ac	100	6	2.8%	2.8	92.4%
130 to 179 ac	155	2	0.9%	1.5	93.4%
180 to 239 ac	210	3	1.4%	3.0	94.8%
240 to 399 ac	320	7	3.3%	10.6	98.1%
400 to 559 ac	480	4	1.9%	9.1	100.0%
>560 ac		0	0.0%		
Totals		211	100.0%	43.3	

Source: Statistics Canada. 2011. Census of Agriculture.

<http://www5.statcan.gc.ca/cansim/a26?lang=eng&retrLang=eng&id=0040201&pattern=0040200..0040242&tabMode=dataTable&srchLan=-1&p1=1&p2=50#customizeTab>

#### Attraction of Non-farm Uses

The subdivision will not create small lots in the ALR. The sizes of the subdivided parcels will not attract more non-farm uses into the ALR because it will not contribute to the supply of tracts of the size non-farm uses tend to prefer.

Similarly, the proposed subdivision is not associated with a non-farm use and will not encourage built-up uses. ALR protections are already in place to prevent non-farming uses.

#### Changes in Housing Density

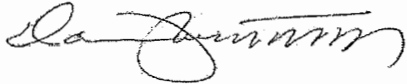
Subdivision into Lots A and B would create the possibility for a new residence on Lot A, and possibly one additional farm worker dwelling. After subdivision, the number of residences on Lot B will continue to comply with ALC policy.

## 8.0 Summary and Conclusions

1. The proposal is not contrary to policies relating to agricultural related parcels in the Richmond OCP, which defers to the ALC regarding subdivision applications. The ALR is not an exclusive agricultural zone where subdivision is prohibited.
2. While the subdivision will create two smaller parcels of approximately 35 ac. each, these smaller parcels are not so small as to limit the ability for more intensive operations in the future. In fact, the resulting parcels after consolidation/subdivision would be significantly larger than the average Richmond farming operation and large enough to optimize returns in its most efficient agricultural or ecological use. The Mahal Farm, after the proposed subdivision, would continue to exceed the Richmond average in the following categories:
  - a. Average farmland parcel size; and
  - b. Average farm size.

3. These are no negative impacts on the agricultural operations and farmlands associated with the proposal or on surrounding agricultural land uses.
4. Subdividing provides the owners with an agricultural business benefit. Under asset-based lending arrangements, subdivision will facilitate the matching of collateral with the pursuit of new enterprise. This improved situation will enhance the prospects for agricultural enterprise diversification, make it easier to pursue new investment opportunities in the sector, and will not hamper or discourage long term commercial agricultural operations.
5. There is the opportunity for a regional benefit to agriculture from new entrepreneurial activity. It is suggested that consolidation/subdivision policy could support agriculture as a priority use in agricultural areas by facilitating the opportunity for growers to diversify and expand in the areas of direct marketing, agri-tourism and other specialized agri-businesses. Allowing high intensity activities on smaller parcels supports this vision.
6. Based on the foregoing discussion, I contend that the proposed subdivision proposal will have no anticipated negative impacts on Richmond agriculture, may provide additional benefits by facilitating agricultural investment, and will not contribute to the potential for non-farm residential encroachment into the ALR.

Signed:



Darrell M. Zbeetnoff, P.Ag., CAC, Director

Date: July 31, 2015



City of  
Richmond

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

**Addresses:** 5800 No. 7 Road

**File No.:** AG14-676391

**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 flood plain covenant on title identifying a minimum habitable elevation of 3.1 m GSC.
3. Registration of a restrictive covenant on title to prohibit demolition and/or relocation of the Rathburn House located on the proposed south lot and any significant exterior alterations to the building, unless reviewed and approved by the City. General maintenance and repair works would be allowed as long as the works are consistent with the existing items and materials. The covenant will also state that the owner is committed to installing rain leaders to prevent any further deterioration of the exterior cladding, preparing and painting all the exterior surfaces (including trim and other structure such as stairs) as part of the maintenance, and providing a cost estimate of the maintenance works and submitting the required security as part of the subdivision application to the satisfaction of the Director of Development. The amount of the security must be in the minimum range of \$5,000.
4. Registration of a restrictive covenant on title to limit the number of single detached housing building to one on the proposed north lot.